

PLANNING COMMISSION

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COUNTY STAFF

JOHN H. FORD
Director, Planning and Building

**COUNTY OF HUMBOLDT
PLANNING COMMISSION**

**825 Fifth Street
Board of Supervisors Chambers
Eureka, California**

AGENDA

Thursday, September 3, 2020

6:00 PM

Regular Meeting - Virtual

NOTE: In accordance with Executive Order N-29-20 the Planning Commission meeting will be held virtually until further notice.

Please note that each Zoom meeting has a unique meeting ID and password. Any item on this agenda that is continued to a future date will use the meeting ID and password applicable to the date the agenda item is to be heard again. Agendas are posted on the Friday before the meeting at <https://humboldt.legistar.com>

A. CALL TO ORDER / SALUTE TO FLAG

B. COMMISSIONERS PRESENT

C. AGENDA MODIFICATIONS

D. PUBLIC COMMENTS

At this time persons may appear before this Commission on any matter pertinent to the Commission's Jurisdiction and that is not on the Agenda. When the Chair asks for public comment, please address the Commission from the microphone. Unless otherwise stated, speakers will have three (3) minutes for public comment. Although the Commission may briefly respond to statements or questions, under state law, matters presented under this item cannot be discussed or acted upon by the Commission at this time.

E. CONSENT AGENDA

These Public Hearing matters are routine in nature and are usually approved by a single vote. The Chair will poll the audience and members of the Commission to determine if any item on the consent agenda should be pulled for public comment or further discussion.

1. Review and approval of the January 9, 2020 Action Summary.

Recommendation: Move to approve the January 9, 2020 Planning Commission Action Summary and direct the Secretary of the Planning Commission and the Clerk of the Planning Commission to sign the Minute Sheet.

Attachments: [PC 01-09-20 Action Summary for approval_REVISED Item E-10.pdf](#)

2. Review and approval of the May 7, 2020 Action Summary

Recommendation: Move to approve the May 07, 2020 Planning Commission Action Summary and direct the Secretary of the Planning Commission and the Clerk of the Planning Commission to sign the Minute Sheet.

Attachments: [E-2_5-07-20 PC Action Summary for review and approval.pdf](#)

3. Review and approval of the May 21, 2020 Action Summary.

Recommendation: Move to approve the May 21, 2020 Planning Commission Action Summary and direct the Secretary of the Planning Commission and the Clerk of the Planning Commission to sign the Minute Sheet.

Attachments: [PC 5-21-20 Action Summary for review and approval.pdf](#)

4. Review and approval of the July 9, 2020 Action Summary.

Recommendation: Move to approve the July 9, 2020 Planning Commission Action Summary and direct the Secretary of the Planning Commission and the Clerk of the Planning Commission to sign the Minute Sheet.

Attachments: [PC 7-09-20 Action Summary for review and approval.pdf](#)

F. ITEMS PULLED FROM CONSENT

G. CONTINUED PUBLIC HEARING ITEMS

1. Cannabis Ordinance Amendments for Small Cultivators, Personal Use and Financial Security
Case Numbers PLN-2020-16447, PLN-2020-16571 and PLN-2020-16479
Countywide

The proposed Small Cultivator amendments modify Sections 314-55.4.5.1.5, 314-55.4.6.1, 314-55.4.6.5 and 314-55.4.12.1.10 of the Commercial Cannabis Land Use Ordinance in Chapter 4 - the Zoning Regulations (Title III of Humboldt County Code) to facilitate permitting of small new and pre-existing cannabis farms adjacent to homes that existed prior to December 31, 2016 by establishing a streamlined permitting pathway. The eligible farms minimize the impacts on the environment and archaeological resources because they are owner-occupied, the cultivation area is no more than 2,000 square feet in size and within the already disturbed homesite area of the existing home. Also, water for irrigation is provided from permitted non-diversionary sources, permaculture is practiced, and the cultivation is done outdoors or in permitted or ag exempted hoopouses/greenhouses and does not use generators for electrical power. The proposed Personal Use on Small Parcel Ordinance amendments modifies Section 314-55.2 of Chapter 4 - the Zoning Regulations (Title III of Humboldt County Code) to establish standards for cannabis cultivation for personal use on parcels larger than five acres in size. The maximum allowed personal use cultivation area on these parcels is proposed to be 200 square feet, which is the same as the maximum amount allowed on parcels between one and five acres in size. The proposed Financial Security amendments to the CCLUO and the Commercial Marijuana Cultivation Tax Ordinance establish financial security requirements in the CCLUO and better align the provisions of the CCLUO with the Marijuana Cultivation Tax Ordinance. The amendments would add sections 313-55.4.12.2.9 and 314-55.4.12.9.9 to create alternative ways to provide surety for payment of cultivation taxes as imposed by Chapter 9 of Division 1 of Title VII of the Humboldt County Code. The proposed Small Cultivator and Personal Use ordinance amendments will apply to all areas of the County outside of the coastal zone. The proposed Financial Security amendments will apply countywide.

Recommendation: That the Planning Commission approve the proposed changes to the Zoning Regulations and Marijuana Tax Ordinance and make recommendations to the Board of Supervisors for final action. The proposed Small Cultivator ordinance amendments are subject to environmental review under the California Environmental Quality Act. The proposed Personal Use and Financial Security ordinance amendments are exempt from environmental review.

Attachments: [PLN-2020-16447-16571-16479 Staff Report Combined 8.20.20.pdf](#)
[Public Comment.pdf](#)
[16447 etal Cannabis Ordinances_PC Supplemental No.1 9-3-2020 PC.pdf](#)
[Public Comment](#)

2. Adesa Organic, LLC, Conditional Use Permits

Application Number 11923

Case Number PLN-11923-CUP

Assessor's Parcel Numbers (APNs) 315-145-002, 315-211-003 and 315-211-004

23550 Maple Creek Road, Korb, Maple Creek area

Conditional Use Permits to allow 86,400 square feet of new mixed-light cannabis cultivation, a drying facility, a storage facility, associated cloning/propagation facilities (not to exceed 8,640 square feet) and other improvements in accordance with Humboldt County Code Section 314-55.4 of Chapter 4 of Division I of Title III, Commercial Medical Marijuana Land Use Ordinance (CMMLUO). The business is proposed to operate on one legal parcel consisting of three APNs (315-145-002, 315-211-003 and 315-211-004) and totaling 443 acres. A total of four permits are being requested in accordance with the parcel size allowances specified in section 55.4.8.2.1.1 of the CMMLUO (parcels 320 acres or larger in size). Electrical power will be generated by a combination of on-site solar power and diesel generators. A total of approximately 20 employees are proposed. Processing will occur off-site.

Recommendation: Adopt the Mitigated Negative Declaration prepared for the Adesa Organics LLC project pursuant to Section 15074 of the State CEQA Guidelines, make all of the required findings for approval of the Conditional Use Permits based on evidence in the staff report and adopt the Resolution approving the proposed Adesa Organic, LLC project subject to the recommended conditions.

Attachments: [PLN-11923-CUP Staff Report 9-03-20.pdf](#)
[Attachment 3_Adesa ISMND with Attachments.pdf](#)
[Attachment 3_Adesa ISMND with Attachments_Part 1.pdf](#)
[Attachment 3_Adesa ISMND with Attachments_part 2.pdf](#)
[PC Supplemental #1_11923 Adesa Organics 8-20-20.pdf](#)
[PC Supplemental #2_11923 Adesa Organics 9.3.20.pdf](#)
[Public comments](#)

G. PUBLIC HEARINGS

The projects listed below are public hearing items that have generated public comment prior to the hearing date or have other issues related to them that may require discussion

1. Humboldt County Fair Association, Conditional Use Permit

Case Number PLN-2019-15519

Assessor Parcel Numbers (APNs) 030-071-001, 030-011-003, 030-021-003, 030-112-017,
030-112-020, 030-081-006, and 100-181-003

1250 5th Street, Ferndale area

A Conditional Use Permit to authorize use of the Humboldt County Fairgrounds for a maximum of ten (10) concerts and four (4) motorsports events. All events would be held at the oval racetrack and nearby grandstands located within the southern portion of the Fairgrounds. Events would be pre-scheduled and occur between March and October, excepting a six-week period (August 1st thru September 15th) associated with preparation, operation, and cleanup for the annual Humboldt County Fair. All events would end on or before 10 pm. Concerts would occur from a temporary stage placed directly in front of the grandstands and feature a range of different performance types from amplified music featuring a full band to smaller acoustic events. Motorsports activities include: Tractor Pulls, 4x4 Truck events, Go Carts, Monster Trucks, and Motorcycle Racing. Motorcycle racing events would occur on the dirt oval racetrack and involve up to 18 riders. The permit is being processed along with a request to amend the terms of the lease agreement between the County of Humboldt and the Humboldt County Fair Association (HCFA), a private non-profit organization responsible for management and operation of the Humboldt County Fair and County Fairgrounds.

Recommendation: Adopt the Mitigated Negative Declaration prepared for the proposed project pursuant to Section 15074 of the State CEQA Guidelines, and make all of the required findings for approval of the Conditional Use Permit, based on evidence in the staff report and any public testimony, and adopt the Resolution approving the Humboldt County Fair Association project subject to the recommended conditions.

Attachments: [PLN-2019-15519 Staff Report 9-03-20.pdf](#)
[Attachment 4 - Draft ISMND with appendices.pdf](#)
[Attachment 6 - Public Comments Received.pdf](#)
[15519 PC Supplemental #1 HCFA.pdf](#)
[15519 HCFA PC Supplemental #2.pdf](#)
[Public comments](#)

2. Thresholds of Significance for Vehicle Miles Traveled (VMT) to evaluate environmental impacts of projects

Case Number: PLN-2020-16529

Countywide

Project Description: To comply with new California Environmental Quality Act (CEQA) requirements, the County is adopting thresholds of significance for vehicle miles traveled (VMT) to evaluate environmental impacts of projects. "Vehicle miles traveled" refers to the amount and distance of automobile travel attributable to a project. The proposed thresholds of significance are based on the type of project, and/or location, and projects that meet these criteria are expected to result in less-than significant VMT impacts.

Recommendation: The Planning Commission approve the proposed VMT thresholds of significance and recommendations to the Board of Supervisors for final action. Adoption of the proposed VMT thresholds of significance are exempt from environmental review as provided in Section 15308 of the California Environmental Quality Act (Local agency actions to assure protection of the environment).

Attachments: [PLN-2020-16529 Staff Report.pdf](#)
[PC Supplemental #1 8-20-2020.pdf](#)
[Public comments from 8-20-20 meeting.pdf](#)
[PC Supplemental No. 2 9-3-2020.pdf](#)
[Public Comment](#)

I. ADJOURNMENT

J. NEXT MEETINGS

September 17, 2020

The County of Humboldt is committed to providing equal access to all county programs, services and activities through the provision of accommodations for individuals with disabilities as required under the Americans with Disabilities Act (ADA). With 72 hours prior notice, a request for reasonable accommodation or modification can be made. Please contact the Planning Commission Clerk at 707-445-7541 or by email planningclerk@co.humboldt.ca.us or the ADA Coordinator at 844-365-0352 or by email at ada@co.humboldt.ca.us