

PLANNING COMMISSION

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Director, Planning and Building

**COUNTY OF HUMBOLDT
PLANNING COMMISSION**

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

AGENDA

Thursday, January 7, 2021

6:00 PM

**Revised Agenda
Regular Meeting - Virtual**

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

HOW TO LISTEN OR WATCH THE PLANNING COMMISSION MEETING:

Listen or Watch the live stream of the Planning Commission Meeting in three ways:

- 1. <https://zoom.us/j/95434687580> Password: 200525***
- 2. Call in via telephone at 346 248-7799, enter meeting id 954 3468 7580 password: 200525***
- 3. A live stream of the meeting can be found by using the following link:
<https://humboldt.legistar.com> or by watching Access Humboldt on cable channel 10***

PUBLIC COMMENT INSTRUCTIONS DURING THE MEETING:

Participate in the public comment period of the meeting in the following two ways:

- 1. Via Computer as an attendee: To raise your hand click the Raise Hand icon on the bottom of the Zoom window. When you click the Raise Hand icon, a hand icon will appear next to your name that will notify the host your hand is raised. You will also see the hand icon turn green. When you want to lower your hand, you can click the hand icon again and your hand will be lowered. When you are called upon to speak the Zoom platform will ask you for permission to unmute your mic. If you encounter any issues, please use the call-in option below.***
- 2. Via phone call using cellphone or landline: When the Planning Commission meeting begins, call in to the conference line. When the Planning Commissioner starts to discuss the item you wish to comment on, Press *9 to raise your hand. When you are called upon to speak, you will be prompted to unmute your mic, press *6 to unmute.***

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>

Notice Regarding Public Comment:

For items appearing on the agenda, the public is invited to make comments at the time the item comes up for consideration by the Commission. The Chair will call for public comment as each item is heard by the Commission. For items not appearing on the agenda, the public is invited to make comments during the Public Comment period for non-agenda items. All speakers are invited to state their names, but are not required to do so.

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. Jim Cables, Parcel Map Subdivision and Lot Line Adjustment Extension (21-31)

Case Number PLN-2020-16349

Assessor Parcel Numbers 301-052-002; 301-052-012; 301-052-035

4629 Union Street, Eureka area

A two-year extension to a previously approved Parcel Map Subdivision and Lot Line Adjustment, originally approved June 21, 2018. The project includes a Lot Line Adjustment (LLA) between 2 existing parcels, resulting in 2 parcels of 0.62 acres and 3.77 acres. The purpose of the LLA is to remedy a structure that crosses a property line. The smaller parcel adjusted by the LLA is developed with four residences. The larger parcel is developed with five existing residences and will be divided into 3 parcels. Parcel 1 will be 12,237 square feet in size (0.28 acres), vacant and suitable for residential development. Parcel 2 will be 26,793 square feet in size (0.62 acres) and will contain 4 existing residences. Parcel 3 will be 125,721 square feet in size (2.89 acres) and contain 1 existing residence. All parcels are or will be served with community water and sewer provided by the Humboldt Community Services District. No change to the original project is proposed. This is the first extension requested, and if approved, the extension will expire on July 3, 2022.

Recommendation: Move to make all of the required findings, based on evidence in the staff report, and approve the application(s) on the Consent Agenda subject to the recommended conditions of approval.

Attachments: [PLN-2020-16349 Staff Report 1.07.2021.pdf](#)

2. Rick Mock, Conditional Use Permit

Case Number CUP-16-004

Assessor's Parcel Numbers (APN) 522-345-012 and 018

39088 and 39090 St. Hwy. 299, Willow Creek area

An after the fact Conditional Use Permit (CUP) to allow the continuance of outdoor storage for a commercial operation involving the rental and sales of shipping containers that are typically used for storage on individual properties. The operations plan states that pick-up and drop-off of shipping containers would occur on appointment only basis. The shipping containers are placed behind the buildings at the rear portion of the parcels and outside the designated parking lot. The total area used to hold the shipping containers is approximately 15,450 square feet. Both parcels are developed with a commercial building (vacant).

Recommendation: Make all of the required findings, based on evidence in the staff report, and approve the Rick Mock Conditional Use Permit on the Consent Agenda, subject to the recommended conditions.

Attachments: [PLN-10145-CUP Staff Report 1.07.2021.pdf](#)

F. CONTINUED PUBLIC HEARING

These items were continued from previous hearings and have generated public comment prior to the hearing date or have other issues related to them that require discussion.

1. Amendments to the Humboldt Bay Area Plan and Coastal Zoning Regulations to Allow the Samoa Peninsula Wastewater Project

Case Number: PLN 2020-16642

Samoa Peninsula area

The Humboldt Bay Area Plan (HBAP) and the Coastal Zoning Regulations are proposed to be amended to allow the Samoa Peninsula Wastewater Project (SPWP) to proceed. The SPWP includes the construction and operation of a consolidated wastewater collection, treatment, and disposal system intended to correct public health and water quality problems resulting from failed on-site wastewater treatment systems on the Samoa Peninsula outside the Town of Samoa, including the community of Fairhaven. The proposed amendments to allow the SPWP would: (1) provide an exception in the Humboldt Bay Area Plan to allow the extension of wastewater service outside the Urban Limit Line within the Peninsula Community Services District for existing structures served by on-site wastewater systems; and, (2) provide an exception in the Humboldt Bay Area Plan to allow wastewater from outside the Samoa Town Master Plan Overlay Area (STMP) to be treated at the STMP Wastewater Treatment Plant; and, (3) amending Section 311-7 of Chapter 1, Division 1, Title III, of Humboldt County Code (HCC) to change the zoning of properties in the Fairhaven area to apply a Q - Qualified Zone prescribing performance standards for new infill development in Fairhaven on parcels planned and zoned for residential uses located within 300 feet of the public sewer lines to address hazards relating to sea level rise and tsunami inundation and to protect Environmentally Sensitive Habitat Areas (EHSAs) as an interim measure while comprehensive planning that will culminate in future amendments to the HBAP that is underway to address exposure to sea level rise and tsunami hazards and ESHA protection in the area is complete.

Recommendation: Based on evidence in the staff report and public testimony, make all the required findings and adopt the Resolution recommending that the Humboldt County Board of Supervisors find that the California Environmental Quality Act (CEQA) does not apply to the preparation and adoption of a local coastal program by the County pursuant to Public Resources Code 21080.9 and to CEQA Guidelines Section 15265(a) and adopt the proposed LCP amendments, including amendments to the Humboldt Bay Area Plan and Coastal Zoning Regulations (as may be modified by the Planning Commission).

Attachments: [PLN-2020-16642 Staff Report.pdf](#)
[Supplemental 1 PLN-2020-16642 Staff Report.pdf](#)
[Supplemental 2 PLN-2020-16642 Staff Report.pdf](#)
[Supplemental 3 PLN-2020-16642 Staff Report.pdf](#)
[Supplemental 4 PLN-2020-16642.pdf](#)

2. Draft Amendments to the Cannabis Dispensaries Ordinance
Case No.: PLN-2020-16688

Amendments to the Coastal and Inland Dispensary Ordinances (Section 313-55.3 and 314-55.3 of Chapter 4 of Division 1 of Title III of the Humboldt County Code) to modify the allowed hours of operation for cannabis dispensaries to conform to state law. The allowed hours of operation would expand to 6 a.m. to 10 p.m., which is seven hours longer than allowed under the current ordinance. Also, the Dispensaries Ordinance is being amended to ensure information is provided to both employees and the public about the danger of cannabis use during pregnancy and while breastfeeding.

Recommendation: Based on evidence in the staff report and public testimony, adopt the Resolution recommending that the Humboldt County Board of Supervisors find that the proposed ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 21080.5 and 21080.9 of the Public Resources Code and 15265 of the State CEQA Guidelines; and that the Board of Supervisors adopt the Cannabis Dispensary Ordinance amendments.

Attachments: [PLN-2020-16688 Staff Report.pdf](#)

3. Ancient Truth Inc., Conditional Use Permit
Case Number PLN-10888-CUP
Assessor Parcel Number 210-042-003
Bridgeville area

A Conditional Use Permit for 22,000 square feet (SF) of existing mixed light, 43,560 SF of existing outdoor commercial cannabis cultivation. Processing is proposed to occur in a 2,500 SF existing building and alternate between processing activities and indoor cultivation. Power is currently provided by 3 (three) generators. The applicant proposes future electricity be provided by Pacific Gas and Electric (PG&E) in 2021. Water for irrigation is sourced from two existing permitted wells with an annual water demand estimate of 631,800 gallons per annum (9.64 gallons per SF) applied via drip irrigation. The applicant currently has 12,800 gallons of HDPE water tanks storage and proposes to add 11,500 gallons additional storage for a total of 24,300 gallons of water storage. The applicant proposes up to ten (10) employees.

Recommendation: Find that the Planning Commission has considered the Addendum to the Mitigated Negative Declaration adopted for the Commercial Medical Marijuana Land Use Ordinance, adopt the resolution to make all of the required findings for approval of the Conditional Use Permit and approve the proposed Ancient Truth, Inc. Conditional Use Permit subject to the recommended conditions.

Attachments: [PLN-10888-CUP Staff Report 12.17.20.pdf](#)
[Attachment 4.A Biological Assessment Report and Jurisdictional Wetland Deliniation 1 Supplemental 1 PLN-10888-CUP.pdf](#)
[Supplemental 2 PLN-10888-CUP 01.07.2021.pdf](#)

4. Emerald Coast Genetics, Inc.; Conditional Use Permit, Special Permit
Record Number PLN-10559-CUP
Assessor's Parcel Number: 314-131-033
12395 Fickle Hill Road, Kneeland area

A Conditional Use Permit for 11,440 square feet of mixed light cannabis cultivation. Cultivation will take place in existing and proposed greenhouses, including on-site relocation of existing outdoor cultivation consolidated onto existing graded flats within greenhouses. Ancillary propagation activities will take place in a proposed 660 sf lean-to structure, and in the first story of the existing 2,640 sf permitted shop. This project includes a Special Permit for a setback reduction from public lands owned by the City of Arcata to allow cultivation within 150 feet of the public lands. The permitted, existing, two-story, 2,640 sf shop on site is proposed to be used for propagation activities, and as an employee break room. Processing will occur off-site at a licensed facility. Water is sourced from a permitted, on-site well, and estimated annual water use is 123,355 gallons. Water storage totals 6,500 gallons. Power is supplied by PG&E with a backup generator within a shed.

Recommendation: Adopt the resolution finding the Commission has considered the Addendum to the Mitigated Negative Declaration adopted for the Commercial Medical Marijuana Land Use Ordinance pursuant to Section 15164 of the State CEQA Guidelines, making all of the required findings for approval of the Conditional Use Permit and Special Permit and approving the proposed Emerald Coast Genetics, Inc., project subject to the recommended conditions.

Attachments: [PLN-10559-CUP Staff Report.pdf](#)
[Attachment 4.A_10559_ref_Building Inspection.pdf](#)
[Supplemental 1_PLN-10559-CUP.pdf](#)

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. Industrial Hemp Land Use Ordinance

Record Number: PLN-21019-15590

Unincorporated areas of Humboldt County, Including the Coastal Zone

Amendments to the Coastal and Inland Zoning Ordinances (Chapters 3 and 4 of Division 1 of Title III of the Humboldt County Code) to prohibit cultivation of industrial hemp in the unincorporated areas of Humboldt County including the coastal zone. The proposed ordinance amendments replace the temporary moratorium on the cultivation of industrial hemp currently in place until May 10, 2021 with a permanent moratorium. The Planning Commission will consider alternatives that include an allowance for cultivation of industrial hemp at the College of the Redwoods campus on Tompkins Hill Road for academic purposes.

Recommendation: Adopt the Resolution to make all of the required findings and recommend that the Humboldt County Board of Supervisors find that the proposed ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15050(c)(2) and 15060(c)(3) and statutorily exempt from CEQA pursuant Sections 21080.5 and 21080.9 of the Public Resources Code and 15265 of the State CEQA Guidelines; and that the Board of Supervisors adopt the Industrial Hemp Zoning Ordinances.

Attachments: [PLN-2019-15590 Staff Report 1.07.2021.pdf](#)
[Supplemental 1 PLN-2020-15590.pdf](#)

2. Rolling Meadow Ranch, LLC, Conditional Use Permits

Record Number PLN-12529-CUP

Assessor Parcel Numbers (APNs) 217-201-001, 217-181-027, 217-181-028, 217-182-001, 217-024-011, 217-024-006, 217-024-010, 217-024-003, 217-025-001

Blocksburg/Myers Flat area

Six Conditional Use Permits for 5.77 acres of mixed light cultivation and processing facilities located in five distinct cultivation areas. The proposed cannabis operation will be primarily located on APNs 217-181-002 and 217-201-001. Cultivation would occur in 16 greenhouses. Operations would occur year-round and there will be a maximum of four cultivation cycles annually. Annual water use is approximately 4,628,200 gallons. Water will be provided by three existing wells. There will be 320,000 gallons of hard-sided tank storage that will store rain from rooftop runoff. Processing, including drying, curing and trimming, will take place on site within 5 proposed processing structures totaling 33,750 square feet. There will be a maximum of 30 employees during peak operations. The proposed project includes development of power from P. G. & E. The overall development will total 7.04 acres. The project is accessed by McCann Road using the McCann Bridge. Approximately 5 miles of private ranch roads will be used to access cultivation areas. At the property entrance, employees will park their vehicles and an electric bus or similar type vehicle will be used to transport employees to the cultivation and processing areas. Secondary access through Alderpoint Road will be utilized during the rainy season when the low-water bridge is not in use.

Recommendation: Adopt the Resolution to do the following: Adopt the Mitigated Negative Declaration prepared for the Rolling Meadow Ranch, LLC, project pursuant to Section 15074 of the State CEQA Guidelines, make all of the required findings for approval of the Conditional Use Permits to approve the proposed Rolling Meadow Ranch, LLC, project subject to the recommended conditions.

Attachments: [PLN-12529-CUP Staff Report 1.07.2021.pdf](#)
[12529 Rolling Meadow Ranch ISMND 11252020.pdf](#)
[12529 Appendixes A to H](#)
[12529 Appendixes I to N](#)
[Attachment 6 - Public Comments.pdf](#)
[Supplemental 1 PLN-12529-CUP.pdf](#)
[Supplemental 2 PLN-12529-CUP.pdf](#)

H. ITEMS PULLED FROM CONSENT**NEW BUSINESS****1. Election of Chair and Vice Chair for 2021**

Recommendation: Elect a Chair and Vice Chair for the 2021 meeting schedule.

2. Departmental Report: Ad Hoc committee on Street Improvements

I. ADJOURNMENT

J. NEXT MEETING

JANUARY 21, 2021

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