



AGENDA ITEM NO.

C16

COUNTY OF HUMBOLDT

For the meeting of: May 22, 2018

Date: May 3, 2018
To: Board of Supervisors
From: John H. Ford, Planning and Building Director
Subject: Mad River Storage Zone Reclassification Petition
Case Number ZRP17-004
Assessor Parcel Number: 516-161-005
Glendale Area

RECOMMENDATION(S):

That the Board of Supervisors:

1. Consider the project as part of the consent agenda; and
2. Accept the petition by approving the attached resolution (Attachment 1) based on the findings in the staff report and testimony received about the project; and
3. Direct the Clerk of the Board to give notice of the decision to the applicant and any other interested party

Prepared by: Keenan Hilton, Planner

CAO Approval

REVIEW:

Auditor _____ County Counsel _____ Human Resources _____ Other _____

TYPE OF ITEM:

☒ Consent
☐ Departmental
☐ Public Hearing
☐ Other _____

PREVIOUS ACTION/REFERRAL:

Board Order No. _____

Meeting of: _____

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT

Upon motion of Supervisor Bass Seconded by Supervisor Fennell

Ayes Bass, Fennell, Sundberg, Bohn, Wilson
Nays
Abstain
Absent

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: 5/22/18

By: _____
Hayes, Clerk of the Board

Kathy

SOURCE OF FUNDING:

Applicant Fees.

DISCUSSION:

The Humboldt County Planning and Building Department has received a petition requesting that the Board accept for processing an applicant-initiated Zone Reclassification (Attachment 2). The petition seeks to change the zoning classification for a single parcel of land known as Assessor Parcel Number (APN) 516-161-005 from Unclassified (U) to Community Commercial (C-2). The Zone Reclassification would facilitate use of the site for a commercial cannabis business. The property would be used for activities including manufacturing, distribution, processing, nursery operations and indoor cultivation.

The project site is located in the Glendale area, on the south side of Glendale Drive, north of State Highway 299 and west of the 299 on/off ramp, on the property known as 1400 Glendale Drive.

The parcel is subject to a previous Conditional Use Permit in 1994 which was later modified in 2003. The Conditional Use Permit allows for the operation of mini-storage units. To date, this is the primary use of the subject parcel.

Section 312-50.5 of Humboldt County Code specifies that petitions for zoning map amendments shall be 1) in the public interest, and 2) consistent with the General Plan. Planning Division staff believes that the findings for the approval of the Zone Reclassification Petition may be made for the following reasons:

Public Interest

The U zone that presently applies to the site would not allow the proposed commercial cannabis activities as the current Commercial Medical Marijuana Land Use Ordinance (CMMLUO) allows the proposed uses only on U-zoned parcels where developed for an industrial use. The current land use of mini-storage is a commercial rather than industrial use. Therefore, with the approval of the petition, the application for the Zone Reclassification can be processed concurrently with the application for manufacturing, distribution, processing, nursery operations and indoor cultivation.

It is in the public interest to change the zoning on a parcel already equipped with the necessary infrastructure to support the proposed activities. Additionally, a number of the proposed uses support the activities of permit-holding cannabis cultivators in the area, responding to the needs of the emerging legal industry. As the parcel is adjacent to commercial and industrial land uses and an entrance to state highway 299, the impact to neighboring land uses and county roads would be minimal.

Consistency with the General Plan

Table 4-H of the General Plan shows that the current U zone of the subject parcel is not consistent with the updated General Plan designation of Commercial Services (CS). The proposed Zone Reclassification

anticipates a necessary determination of an appropriate zone for the subject parcel. The proposed zone of C-2 is consistent with the designation CS.

The decision to be made at this time is whether or not the Board will accept the proposed application for processing, review and consideration. If accepted for review and consideration, more in-depth analysis will be performed assessing whether the proposed zoning change is both in the public interest and consistent with the General Plan.

FINANCIAL IMPACT:

There will be no impact on the General Fund. The applicant is responsible for paying all actual costs involved in the processing of the application. The source of funding is applicant fees deposited into Planning and Building Department Current Planning Revenue Account (1100-277-608000). Applicant is responsible for all costs associated with processing of the project.

The proposed petition supports the Board's Strategic Framework through its core role of creating opportunities for improved safety and health and enforcing laws and regulations to protect residents.

OTHER AGENCY INVOLVEMENT:

The project was reviewed by County Counsel which did not express any concerns with the proposed petition. Should the petition be accepted, responsible and trustee state and local agencies will be involved in the referral process of the Reclassification, including Native American Consultation pursuant to AB 52, and as part of the environmental review for the project.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board could reject the petition if it believes the required findings cannot be made. Staff believes the necessary findings may be made, so staff does not recommend further consideration of this alternative.

ATTACHMENTS:

- Attachment 1: Resolution No. 18-51
- Attachment 2: Copy of Petition for Rezoning Petition submitted by the applicant June 23, 2017
- Attachment 3: Location Map/Assessor Parcel Map/Zoning Map (Existing /Proposed)/Aerial Map

Attachment 1

Resolution No. 18-51

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting of May 22, 2018

RESOLUTION NO. 18-51

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT
APPROVING THE ZONE RECLASSIFICATION PETITION APPLICATION FOR FILE
NUMBER APN 516-161-005; CASE NUMBER ZRP-17-004**

WHEREAS, Section 312-50.2 of the Humboldt County Code) allows the Board of Supervisors to initiate, grant, deny, or modify proposed amendments to Zoning Regulations; and

WHEREAS, Section 312-50.4 Humboldt County Code allows a property owner to petition the Board of Supervisors to initiate a zone reclassification; and

WHEREAS, Section 312-50.5.2 Humboldt County Code requires that the petition demonstrate that the change will be in the public interest and consistent with the General Plan; and

WHEREAS, the petition to accept an application for zone reclassification is not a project as defined in Section 21065 of the Public Resources Code and is not subject to CEQA.

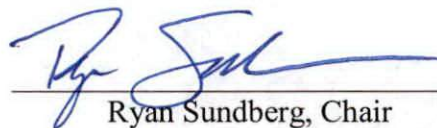
NOW, THEREFORE, BE IT RESOLVED by the Humboldt County Board of Supervisors that the following findings are hereby made:

1. There is factual evidence in support of the petition for zone reclassification; and
2. The petition is in the public interest and is consistent with the General Plan.

BE IT FURTHER RESOLVED that based on the above findings, the findings in the staff report, evidence in the file for the project, and public testimony received on the project, the Board of Supervisors accepts the Mad River Storage Zone Reclassification Petition as recommended by the Planning and Building Department, Case No. ZRP-17-004; and

BE IT FURTHER RESOLVED that the Clerk of the Board is directed to provide notice of this decision to all interested parties.

Dated: May 22, 2018



Ryan Sundberg, Chair
Humboldt County Board of Supervisors

Adopted on motion by Supervisor Bass, seconded by Supervisor Fennell, and the following vote:

AYES:	Supervisors	Bohn, Sundberg, Fennell, Wilson, Bass
NAYS:	Supervisors	--
ABSENT:	Supervisors	--
ABSTAIN:	Supervisors	--

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA


Certified copy of portion of proceedings, Meeting of May 22, 2018

RESOLUTION NO. 18-51

STATE OF CALIFORNIA)
County of Humboldt)

I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be an original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.



By Ryan Sharp
Deputy Clerk of the Board of Supervisors of the
County of Humboldt, State of California

Attachment 2

Copy of Zone Reclassification Petition submitted by the applicant June 23, 2017



OMSBERG & PRESTON
Surveyors • Engineers • Planners

434 7th Street, Suite B
Eureka, CA 95501
(707) 443-8651
www.omsberg.com
kpreston@omsberg.com

June 23, 2017

Trevor Estlow
c/o Humboldt County Planning Division
3515 H Street
Eureka, CA 95501

Re: Rezone Petition Request
Mad River Storage Property – APN 516-161-005
Apps. # 13618 / Case # AA17-030

Dear Mr. Estlow:

At the request of Mad River Storage, we respectfully submit to you this petition request to allow a rezone of that property located at 1400 Glendale Drive. The site is currently zoned Unclassified (U), with a General Plan designation of Dispersed Housing/Grazing (NHGP). This petition requests a zone reclassification from Unclassified (U) to Community Commercial (C-2), to allow said property to apply for and be granted a permit under Humboldt County's now-current Commercial Medical Marijuana Land Use Ordinance (CMMLUO) No. 2559. Please accept this letter, on behalf of our client, for your review and consideration and the Board of Supervisors' approval.

Humboldt County Ordinance No. 2559 established "land use regulations concerning the commercial cultivation processing, manufacturing, and distribution of cannabis for medical use within the County of Humboldt in order to limit and control such cultivation so as to ensure the health and safety of employees, independent contractors, visitors to the area, neighboring property owners, and end users of medical marijuana; to protect the environment from harm to streams, fish, and wildlife; to ensure the security of the medical marijuana; and to safeguard against the diversion of medical marijuana for non-medical purposes".

The parcel, roughly 1.7 acres in size, is currently the home of Mad River Storage Center, a self-storage facility. The parcel is adjacent commercial and industrial land uses and not in or near residential areas, churches, or schools. Located at the intersection of Glendale Drive and Ramp Road, the site is accessed via State Highway 299, and only a few miles from Highway 101. There are no streams, fish or wildlife on site. Security measures will be taken as called for in the Ordinance and will be detailed further in the Cultivation & Operations Plan being prepared for the project. The site lends itself to the proposed C-2 zoning, as no new infrastructure will be necessary to accommodate the proposed uses, and the site's activities will be enclosed within the existing structures.

The site currently contains six (6) structures, both single and double-story, which were permitted and constructed in 1996 (see enclosed Site Plan prepared for Mad River Storage by Penfold Engineering). Three (3) of the structures are wood-sided and three (3) are metal buildings. Building 1 contains an existing leasing office (roughly 450 square feet in size) on the main floor and front side of the structure. A one-bed, 1-bath apartment unit (880 square feet in size) is located on the second story of Building 1.

Refer to said Penfold Site Plan for full particulars on the site's layout, building square footage, heights, etc.

The site is provided with water and sewer services from Fieldbrook Communities Services District, power and gas from Pacific Gas & Electric Company, phone from AT&T California and cable television from Suddenlink Communications.

On-site vehicular access is as shown on said Site Plan. There are a total of seven (7) parking spaces on-site, including one (1) handicap accessible parking space. Additionally, there is one (1) 10'x60' loading space for large trucks. An enclosed-container refuse area will be provided at the site.

Tentatively, the proposed commercial cannabis operations will be housed as follows:

- Building 1 – Office/Manufacturing on ground-floor, with security/caretaker on second floor
- Building 2 – Nursery
- Building 3 – Distribution
- Building 4 – Manufacturing
- Building 5 – Indoor Cultivation
- Building 6 – Processing Facility

We believe this project, as tentatively designed, meets the goals and regulatory requirements specified in Humboldt County's CMMLUO, and respectfully request that this zone reclassification petition be considered and approved.

Thank you for your consideration, and please do not hesitate to contact me with any questions or comments you may have.

Sincerely,

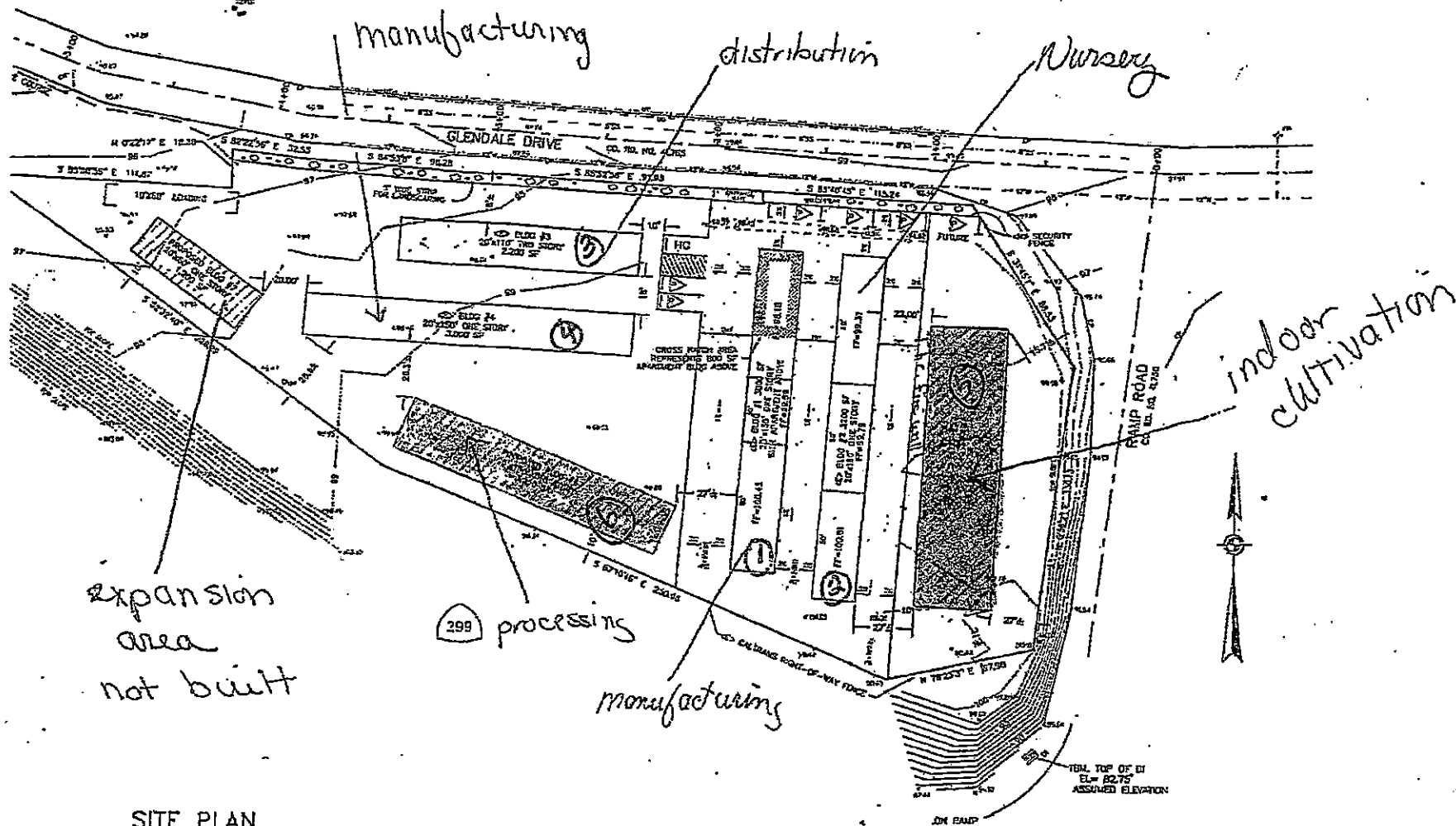
OMSBERG & PRESTON



Kimberly D. Preston, PE, PLS
Owner / Manager

Enclosure

All buildings are completed
Room for additional on far left side



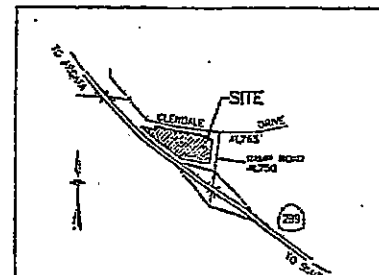
SITE PLAN

SCALE 1"=30'

⊕ = Building number

TOWN SURVEY MARKERS
EE REMOVAL
TOWN EASEMENTS
C SERVICES
EEKS, ETC.

USED NEW BUILDINGS



PENFOLD ENGINEERING
Structural Engineering

2107 Kent Street, Berkeley, CA 94710
Phone (415) 841-1411 Fax (415) 841-1412

SITE PLAN

MAD RIVER STORAGE

FOR: DAVID VOYLES

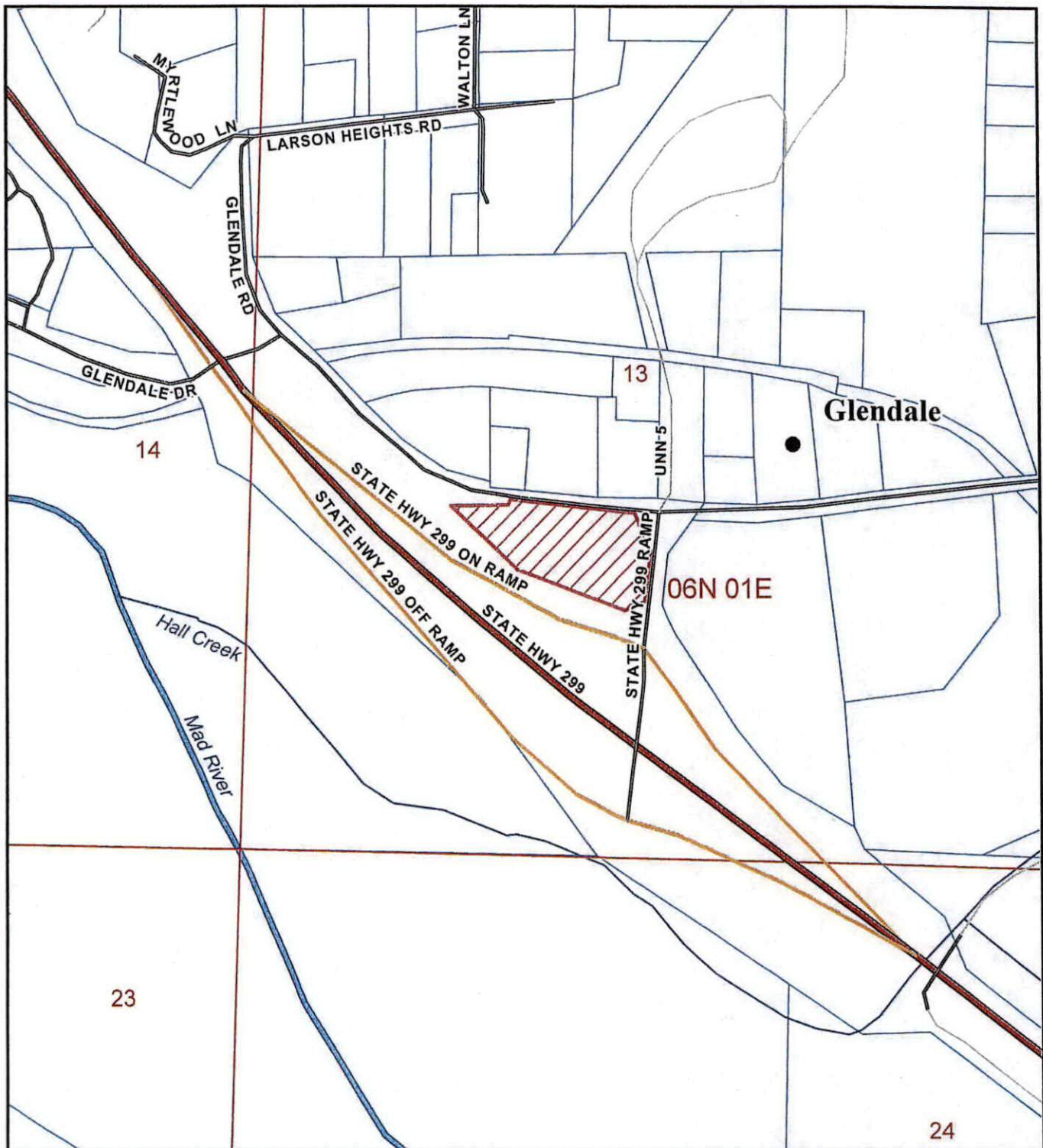
1400 GLENDALE DRIVE FIELDBROOK, CA

APN: 616-161-05

REVISION	DATE

Attachment 3

Location Map/Assessor Parcel Map/Zoning Map (Existing and Proposed)/Aerial Map



LOCATION MAP

PROPOSED MAD RIVER STORAGE
ZONE RECLASSIFICATION PETITION
GLENDALE AREA

ZRP-17-004

APN: 516-161-005

T06N R01E S13 HB&M (Arcata North)

Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.

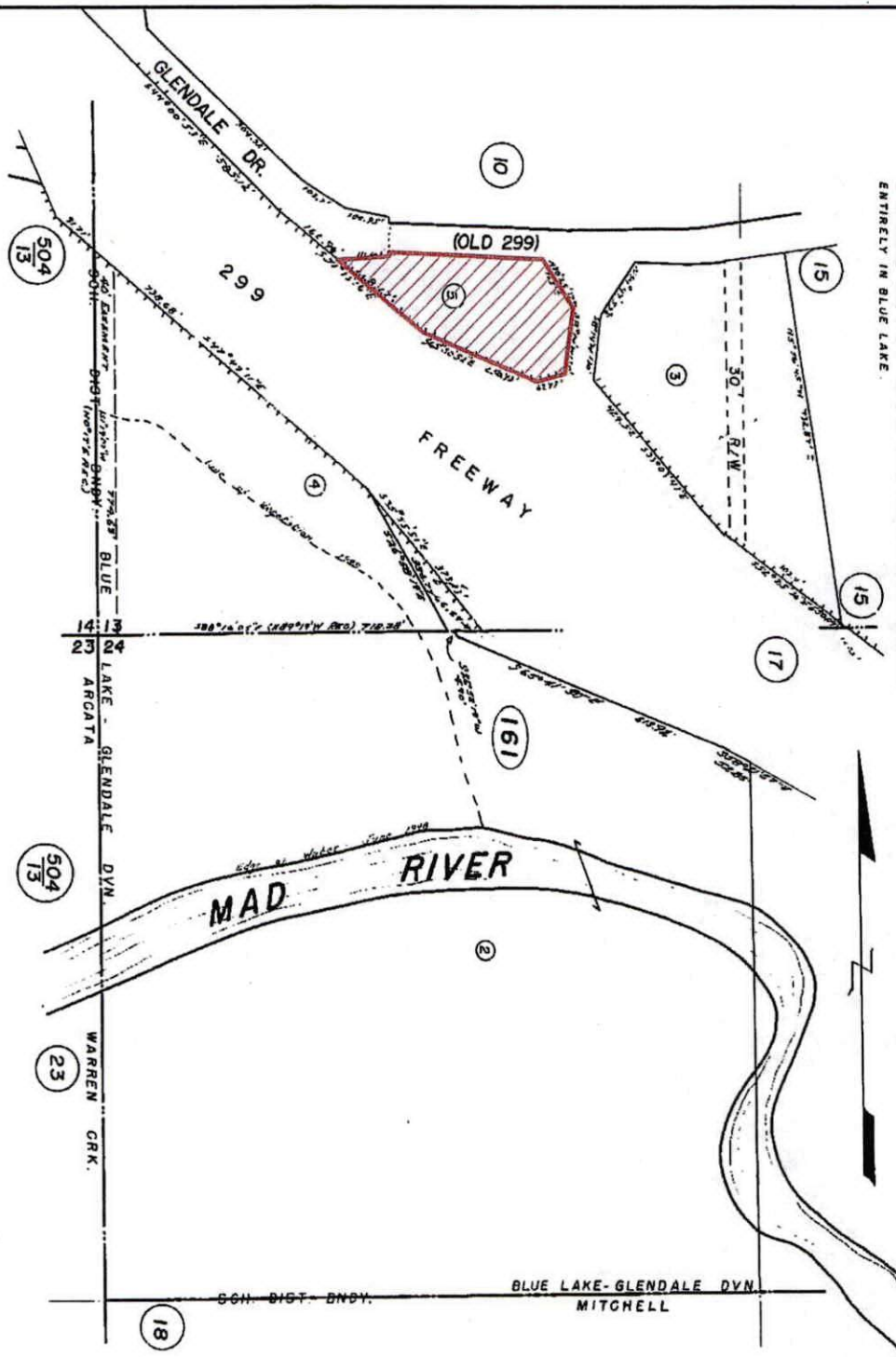


0 100 200 300
Feet

PTNS SECS 13 & 24 6N 1E

NOTE: CENTER OF MAD RIVER IS LEGAL BNDY BTW. BLUE LAKE & MITCHELL SCH. DIST. NW 1/4 OF NW 1/4 (S16-161-02) IS ASSESSED ENTIRELY IN BLUE LAKE.

516-16
T.C.A. 57-001
1" = 200'



ASSESSOR PARCEL MAP

PROPOSED MAD RIVER STORAGE
ZONE RECLASSIFICATION PETITION
GLENDALE AREA

ZRP-17-004

APN: 516-161-005

T06N R01E S13 HB&M (Arcata North)

Project Area =

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.

0 250 500
Feet






ZONING MAP

**PROPOSED MAD RIVER STORAGE
ZONE RECLASSIFICATION PETITION
GLENDALE AREA
ZRP-17-004
APN: 516-161-005
T06N R01E S13 HB&M (Arcata North)**

Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



0 250 Feet




AERIAL MAP

PROPOSED MAD RIVER STORAGE
ZONE RECLASSIFICATION PETITION

GLENDALE AREA

ZRP-17-004

APN: 516-161-005

T06N R01E S13 HB&M (Arcata North)

Project Area =



This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



0 250 Feet