

PLANNING COMMISSION

Alan Bongio
First District - Vice-Chair
Robert Morris
Second District - Chair
Noah Levy
Third District
Mike L Newman
Fourth District
Peggy O'Neill
Fifth District
Brian Mitchell
At-Large
Melanie McCavour
At-Large



COUNTY STAFF

JOHN H. FORD
Director, Planning and Building

**PLANNING COMMISSION
COUNTY OF HUMBOLDT**

825 Fifth Street
Board of Supervisors Chambers
Eureka, California

ACTION SUMMARY

Thursday, May 16, 2019

6:00 PM

Regular Meeting

A. CALL TO ORDER / SALUTE TO FLAG

Vice-Chair Bongio called the meeting to order at 6:00 p.m.

B. COMMISSIONERS PRESENT

Present : 5 - Commissioner Alan Bongio, Commissioner Noah Levy, Commissioner Mike L Newman, Commissioner Melanie McCavour and Commissioner Peggy O'Neill
Absent : 2 - Commissioner Robert Morris and Commissioner Brian Mitchell

C. AGENDA MODIFICATIONS

*Item F-2: Supplemental information provided
Item F-3: Supplemental information provided
Item F-5: This project has been withdrawn by the applicant
Item G-1: Supplemental information #1 provided
Item G-1: Supplemental information #2 provided
Correspondence: Pritchard
Correspondence: Tobin (2)*

D. APPROVAL OF ACTION SUMMARY

1. Review and approve the May 2, 2019 Planning Commission Action Summary.

A motion was made by Commissioner McCavour, seconded by Commissioner Levy, to approve the May 2, 2019 Planning Commission Action Summary. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner O'Neill

E. PUBLIC COMMENTS

Kent Swatsky

Richard Tobin

Susan George

F. CONSENT AGENDA

1. Northern Night Music Group, LLC/Blap Productions
Northern Nights Music Festival and One-Day Event
Modification to Conditional Use Permit
Review of 2019 post-event Annual Report
Application Number: 15400
Case Number: PLN-2019-15400
Assessor's Parcel Number (APN): 033-271-007
240 Cooks Valley Road, Benbow area

Project Description: A modification to the Special Event Use Permit for the County Line Ranch. The permit currently authorizes land within the Humboldt County portion of the ranch to be used for auxiliary facilities during the annual Northern Nights Music Festival (NNMF). The Special Event Use Permit also allows this same area of the ranch to be used for a separate 2,000 person one-day event usually occurring during the weekend nearest Independence Day (July 4th) or Labor Day (generally the last week in August or first week in September). The Humboldt County Use Permit was last modified in 2017 (CUP-04-38MMMMM), which resulted in extension of the term of approval for five additional years, through 2022.

The modification to the permit is requested to allow establishment of a cannabis vending and consumption area within the Humboldt County portion of the festival, pursuant to section 314-55.4.10.4 of Humboldt County Code, which authorizes Temporary Special Events of this sort. The permit modification is also requested to establish consistency with the approved attendance levels and festival duration recently authorized by the County of Mendocino for a 4-day event (NNMF), and to allow attendance during the 1-day event to be increased from 2,000 persons to 3,000 persons, through use of lands within the Mendocino County portion of the ranch for auxiliary parking and camping.

A motion was made by Commissioner Newman, seconded by Commissioner Levy, that the Northern Night Music Group, LLC/Blap Productions Music Festival and One-Day Event Modification to Conditional Use Permit and 2019 post-event Annual Report be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner O'Neill

2. Miss Maggie Farms, LLC, Conditional Use Permit

Application Number: 11540

Case Number: CUP 16-282

Assessor's Parcel Number (APN): 107-145-007

3848 Wilder Ridge Road, Honeydew area

Project description: A Conditional Use Permit (CUP) for 15,300 square feet (sf) of existing mixed light cultivation and a 3,000-square-foot appurtenant nursery. Processing activities will occur on-site within an 675 sf processing facility. Power is supplied by the Pacific Gas & Electric (PG&E) Company.

A motion was made by Commissioner McCavour, seconded by Commissioner Levy, that the Miss Maggie Farms, LLC, Conditional Use Permit be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner O'Neill

3. Dos Rios Ranch, LLC Conditional Use Permit

Application Number: 11510

Case Number: CUP 16-272

Assessor's Parcel Number (APN): 210-191-024

40777 State Highway 36, Bridgeville, CA 95526

Project Description: A Conditional Use Permit (CUP) for 22,993 square feet of existing cannabis cultivation. The cultivation consists of 2,989 square feet of mixed-light in one greenhouse and 20,004 square feet of outdoor arranged in seven greenhouses. The project includes onsite relocation to protect sensitive environmental and cultural resources. Power is currently supplied by a generator.

A motion was made by Commissioner McCavour, seconded by Commissioner Levy, that the Dos Rios Ranch, LLC Conditional Use Permit be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner O'Neill

4. 36 Works, LLC, Conditional Use Permit

Application Number: 12473

Case Number: CUP 16-700, Special Permit

Assessor's Parcel Numbers (APNs): 210-192-014210-191-046, and 210-191-045

39883 Highway 36, Bridgeville, CA 95526

Project Description: 36 Works, LLC is seeking a Conditional Use Permit for an existing 28,250 square foot outdoor commercial cannabis cultivation. Water for irrigation is an existing in-stream pond located adjacent to the parcel on APN: 210-191-046. Power is provided by PG&E.

A motion was made by Commissioner McCavour, seconded by Commissioner Levy, that the 36 Works, LLC, Conditional Use Permit be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner O'Neill

5. Van Duzen Storage, LLC, Conditional Use Permit, Special Permit and Lot Line Adjustment
Application Number: 15417
Case Number: PLN-2019-15417
Assessor's Parcel Numbers (APNs): 207-074-027, 208-111-014, 207-311-002
26388 State Highway 36, Bridgeville, CA 95526
Project Description: A Conditional Use Permit, Special Permit and Lot Line Adjustment to allow a battery energy storage system (BESS) and upgrades to the existing PG&E Bridgeville substation. The proposed battery storage system would be built on approximately 2 acres, and the Bridgeville Substation upgrades would require up to 2 additional acres. The BESS portion of the project would consist of 20 containers, each measuring 53 feet long, 8.5 feet wide, and 9.5 feet tall, and each containing batteries capable of 2 megawatt hours (MWh) of energy storage; the Project would thus provide 40 MWh of energy storage. The Project includes upgrades to the existing PG&E Bridgeville 115kV Substation to accommodate interconnection of the BESS to the grid including an expansion area, pad, fence, construction of a 480 square foot single-story building, infrastructure, and overhead lines. A Lot Line Adjustment between APNs 207-074-027 and 208-111-014 (which comprise one legal parcel) and 207-311-002-000 is proposed to allow for the 2 acres of substation expansion to be located on the same parcel (APN: 207-311-002) as the existing substation. The resultant parcel sizes would be approximately 78 acres and 4 acres respectively. A Special Permit is required pursuant to the County's Streamside Management Area Ordinance because the access road crosses an ephemeral drainage. An existing residence is located on APN 207-074-027.

This project has been withdrawn by the applicant.

6. MFGF Mgmt, LLC, Boundary Interpretation
Application Number: PLN-2019-15314
Zone Boundary Interpretation
Assessor's Parcel Number (APN): 522-142-031
1422 Patterson Road, Willow Creek area

Project Description: A Zone Boundary Interpretation to align the Flood Plain (FP) designated area on the property with recent mapping of the 500-year flood hazard. The proposed interpretation would relocate the boundary between the Flood Plain and Residential Suburban zoning east, further upslope from the Trinity River. The effect of this interpretation would be to change the FP Zoning from approximately 7 acres to approximately 8.3 acres, and the RS-T designation would be applied to approximately 4.5 acres of the 12.8 acre property.

A motion was made by Commissioner McCavour, seconded by Commissioner Levy, that the MFGF Mgmt, LLC, Boundary Interpretation be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner O'Neill

7. Wolfe Parcel Map Subdivision and Special Permit

Case Number: PLN-2018-15012

Assessor's Parcel Number (APN): 504-271-001

441 Hilton Lane, Arcata area

Project: A Minor Subdivision of an approximately 10-acre parcel into two parcels of approximately 2.5 acres and 7.5 acres. The parcel is developed with two residences, accessory structures, a well and onsite wastewater treatment systems. The subdivision will site each residence on a separate parcel. A Special Permit is required for the removal of two trees within the Streamside Management Area (SMA). Pursuant to Section 325-9, an exception request is included to reduce the right of way width and road width. An exception request has been granted by CalFire to allow a reduced road width and an exception to the maximum length of a dead-end road. The applicant will convey secondary (or accessory) dwelling unit rights such that the subdivision does not increase the overall density.

A motion was made by Commissioner McCavour, seconded by Commissioner Levy, that the Wolfe Parcel Map Subdivision and Special Permit be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner O'Neill

G. CONTINUED PUBLIC HEARINGS**1. Housing Element**

The 2019 Housing Element updates the 2014 Humboldt County Housing Element, and a required element of the General Plan. The Housing Element consists of a narrative describing the purpose of the Housing Element, the requirements of state law, the relationship of the Housing Element to the rest of the General Plan, background information regarding past elements, current and projected housing needs and conditions, and a residential land inventory sufficient to meet the County's share of the state prescribed housing need. The core of the Housing Element is a series of goals, policies, standards, and implementation measures for the preservation, improvement, and development of housing. . The 2019 Housing Element Update would apply throughout the unincorporated areas of Humboldt County.

A motion was made by Commissioner Newman, seconded by Commissioner Levy, that the Housing Element item be continued to the June 6, 2019 meeting of the Planning Commission. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner O'Neill

H. CORRESPONDENCE**1. Correspondence from Harriet Hill**

I. ADJOURNMENT

Vice-Chair Bongio adjourned the meeting at 9:19 p.m.