

PLANNING COMMISSION

Robert Morris
Chair - Second District
David Edmonds
Vice Chair - At Large
Alan Bongio
First District
Noah Levy
Third District
Kevin McKenny
Fourth District
Ben Shepherd
Fifth District
Brian Mitchell
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 4, 2017

6:00 PM

Regular Meeting

CALL TO ORDER / SALUTE TO FLAG

Chair Morris called the meeting to order at 6:00pm

COMMISSIONERS PRESENT

Present 7 - Commissioner Robert E. Morris, Commissioner David Edmonds, Commissioner Alan Bongio, Commissioner Noah Levy, Commissioner Kevin McKenny, Commissioner Ben Shepherd, and Commissioner Brian Mitchell

AGENDA MODIFICATIONS

APPROVAL OF ACTION SUMMARY

A motion to approve the April 6, 2017 Action Summary was made by Commissioner Shepherd and seconded by Commissioner Mitchell. The motion carried by the following vote:

Aye: 5 - Commissioner Morris, Commissioner Edmonds, Commissioner Bongio, Commissioner Shepherd, and Commissioner Mitchell

Not 1 - Commissioner Levy

Present:

Abstain: 1 - Commissioner McKenny

PUBLIC COMMENTS**CONSENT AGENDA**

- 1** Frink Zone Boundary Interpretation
Case Number ZBA 16-004
Assessor Parcel Number 522-142-002
Willow Creek Area

A Zone Boundary Interpretation to move the FP - Flood Plain zoning designation line further upslope, away from the Trinity River, placing more property within the FP - Flood Plain zoning designation and reducing the area zoned R-S - Residential Suburban on the property. The FP designation will apply to the entire portion of the property subject to the 500-year flood hazard.

A motion was made by Commissioner Shepherd and seconded by Commissioner Mitchell to find the Zone Boundary Interpretation is exempt from environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act Guidelines - General Rule, make all of the required findings, based on evidence in the staff report, and adopt the Resolution approving the proposed Frink project subject to the recommended conditions.. The motion carried by the following vote:

Aye: 6 - Commissioner Morris, Commissioner Edmonds, Commissioner Bongio, Commissioner McKenny, Commissioner Shepherd, and Commissioner Mitchell
Not Present: 1 - Commissioner Levy

- 2** Adams Zone Boundary Interpretation
Case Number ZBA 16-006
Assessor Parcel Number 522-142-033
Willow Creek Area

A Zone Boundary Interpretation to move the FP - Flood Plain zoning designation line further upslope, away from the Trinity River, placing more property within the FP - Flood Plain zoning designation and reducing the area zoned R-S - Residential Suburban on the property. The FP designation will apply to the entire portion of the property subject to the 500-year flood hazard.

A motion was made by Commissioner Shepherd and seconded by Commissioner Mitchell to find the Zone Boundary Interpretation is exempt from environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act Guidelines General Rule, make all of the required findings, based on evidence in the staff report, and adopt the Resolution approving the proposed Adams project subject to the recommended conditions. The motion carried by the following vote:

Aye: 6 - Commissioner Morris, Commissioner Edmonds, Commissioner Bongio, Commissioner McKenny, Commissioner Shepherd, and Commissioner Mitchell
Not Present: 1 - Commissioner Levy

- 3** Walsh Surface Mining Conditional Use Permit & Reclamation Plan
Case Nos. CUP-17-014/SMP-17-001/RP-17-001;
Assessor Parcel Number APN 311-081-05
Fortuna area

Renewal of a 15-year permit term for a previously approved rock quarry surface mining operation which has been permitted and operating for the past 25 years. The project includes renewal of a Conditional Use Permit, Surface Mining Permit, Reclamation Plan, and review of financial assurance cost estimates for a surface mining operation involving an open pit upland rock quarry with a proposed total extraction of 90,000 cubic yards over a 15-year period from an open pit mine. The method of surface rock removal will involve the use of explosives and an air track drill spaced on an 8'-10' grid pattern back from the rock face. Other equipment to be used includes a "cat 966 loader", a "cat D-7 crawler", and a grizzly dry screen sorter. Rock products will be hauled by end-dump trucks. Truck trips are estimated at an average daily traffic of five. Aggregate production will be conducted by a three man crew on a demand basis and portable toilet facilities will be provided for on-site employees.

A motion was made by Commissioner Shepherd and seconded by Commissioner Mitchell to adopt the Addendum to the Mitigated Negative Declaration and make all of the required findings for approval of the Surface Mining Conditional Use Permit and Reclamation Plan, based on evidence in the staff report and public testimony, and adopt the Resolution approving the Walsh project subject to the recommended conditions. The motion carried by the following vote:

Aye: 6 - Commissioner Morris, Commissioner Edmonds, Commissioner Bongio, Commissioner McKenny, Commissioner Shepherd, and Commissioner Mitchell
Not 1 - Commissioner Levy
Present:

CONTINUED PUBLIC HEARINGS

PUBLIC HEARINGS

- 4 Emerald Family, LLC Conditional Use Permit and Special Permit
Case Numbers: CUP-16-022 and SP-16-032
Assessor Parcel Numbers 522-201-001 and 522-491-016
131 Flower-McNeil Road, Willow Creek Area

A Conditional Use Permit and Special Permit for Phase 1 of a three-phase project involving the development of cannabis cultivation, processing, nursery, and manufacturing facilities in accordance with the Humboldt County Commercial Medical Marijuana Land Use Ordinance (CMMLUO). Phase 1 consists of cannabis processing activities for the applicant within an existing 23,000 square foot (SF) commercial metal building and approximately seven (7) acres of outdoor cultivation. The applicant is proposing to use approximately 12 greenhouses as part of the outdoor cultivation. Irrigation water will be provided by the Willow Creek Community Services District. The business will operate on an approximately 17-acre portion of the 41-acre parcel; no development is proposed on the portion of the property known as APN 522-491-016. Subsequent Phases 2 and 3 are described as follows and will require separate land use permit approval. Phase 2: the development of an approximate 17,500 SF cannabis manufacturing facility, rehabilitation of an existing 890 SF office building to be used for transportation and distribution activities, development of eight 20,000 SF greenhouses (160,000 SF total), and the development of on-site ponds for water storage and pretreatment. The greenhouse development will reduce the outdoor cultivation area under Phase I from 7 to 3 acres. Phase 3: the construction of a new building of up to 4-stories in height and approximately 95,000 SF to be used for plant nursery and indoor cultivation. Once Phases 1, 2 and 3 are complete and operational, it is estimated that the facility will employ 75 people. Also a Special Permit for the reduction of the 100-foot buffer to allow a 50-foot buffer for the delineated wetland. The applicant will protect this feature by conserving the existing wetland vegetative buffer, installing fencing during the construction phase, and a wildlife friendly split rail fence for the life of project.

Meeting went into Recess

Meeting Reconvened

A motion was made by Commissioner Shepherd, seconded by Commissioner Levy to adopt the Mitigated Negative Declaration, and make all of the required findings for approval of the Conditional Use Permit and Special Permit based on evidence in the staff report and any public testimony, and adopt the Resolution approving the proposed Emerald Family, LLC project subject to the recommended conditions with Exhibit B map as the basis for the conditions. The motion carried by the following vote:

Aye: 7 - Commissioner Morris, Commissioner Edmonds, Commissioner Bongio, Commissioner Levy, Commissioner McKenny, Commissioner Shepherd, and Commissioner Mitchell

- 5 Northern Emeralds Special Permit
Case Number SP 16-018
Assessor's Parcel Number 513-151-032
5460 Dows Prairie Road, McKinleyville

A proposed Special Permit for an existing two-thousand five-hundred (2,500) square foot indoor cultivation area within an existing barn on the property. The proposed Special Permit would also allow an expansion of the cultivation area by an additional two-thousand five-hundred (2,500) square feet to a total of five-thousand (5,000) square feet. The proposed Special Permit is associated with another approved project on the same property, a Zoning Clearance Certificate (ZCC 16-007) for a new ten-thousand (10,000) square foot mixed-light cannabis cultivation area.

A motion was made by Commissioner Levy, seconded by Commissioner Mitchell to find the project exempt from environmental review pursuant to Section 15301 of the State CEQA Guidelines, make all of the required findings for approval of the Special Permit based on evidence in the staff report and any public testimony, and adopt the Resolution approving the proposed Northern Emeralds Special Permit, subject to the recommended conditions. The motion carried by the following vote:

- Aye: 4 - Commissioner Morris, Commissioner Levy, Commissioner McKenny, and
Commissioner Mitchell
- Nay: 2 - Commissioner Edmonds, and Commissioner Bongio
- Recused: 1 - Commissioner Shepherd

6 Samoa Pacific Group Coastal Development Permit, Conditional Use Permit, Planned Development Permit and Special Permit

Case Numbers CDP 16-064, CUP 16-209, PDP 17-001, SP 17-008

Assessor Parcel Numbers 401-031-036, 401-031-065, 401-031-038, 401-031-044, 401-031-046, 401-031-055, 401-031-059

Samoa area

A Coastal Development Permit, Conditional Use Permit, and Planned Development Permit for: 1) reconstruction and new construction for Vance Avenue from the north end of Samoa near Cookhouse Road southerly to the south end of the Samoa Pacific Group property. The work will include sidewalk construction, shoulder widening and installation of underground utilities; 2) development of an eighty (80) unit affordable housing project which includes ten buildings, including a community building with kitchen, office and meeting room; 3) construction of a water storage tank for domestic water and fire suppression for Samoa; and 4) construction of a new wastewater treatment and effluent disposal system for Samoa (The construction will be the first phase of a system that will be enlarged incrementally as new development progresses in Samoa). A Special Permit is required for Design Review.

A motion was made by Commissioner Shepherd, seconded by Commissioner Mitchell to adopt the Mitigated Negative Declaration, and make all of the required findings for approval of the Coastal Development Permit, Conditional Use Permit, Planned Development Permit and Special Permit based on evidence in the staff report and any public testimony, and adopt the Resolution approving the proposed Samoa Pacific Group project subject to the recommended conditions. The motion carried by the following vote:

Aye: 7 - Commissioner Morris, Commissioner Edmonds, Commissioner Bongio, Commissioner Levy, Commissioner McKenny, Commissioner Shepherd, and Commissioner Mitchell

DEPARTMENTAL REPORT

7 Director Ford to give Planning Commission project forecasting update.

ADJOURNMENT

Chair Morris adjourned the meeting at 9:16pm

NEXT MEETINGS

June 1, 2017 Regular Meeting

July 13, 2017 Regular Meeting

I, SUZANNE LIPPRE, Planning Commission Clerk, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true, and correct original record of the above entitled meeting of the Humboldt County Planning Commission held in Eureka, California.

SUZANNE LIPPRE

Planning Commission Clerk of the County of Humboldt, State of California.