



MINUTES

THURSDAY, MAY 2, 2019

Regular Meeting

The Honorable Zoning Administrator of the County of Humboldt held a regular meeting on the above date within the Humboldt County Planning and Building Department at 3015 H Street in Eureka, California. The Zoning Administrator and the Zoning Administrator Clerk of the County of Humboldt hereby certify the foregoing to be a true and correct record of the actions taken on the above-entitled matters by said Zoning Administrator at the meeting held on date noted above.


Suzanne Lippre
Zoning Administrator Clerk


John H. Ford
Zoning Administrator

ZONING ADMINISTRATOR

JOHN H. FORD
Director, Planning and Building



COUNTY STAFF

MICHAEL RICHARDSON
Supervising Planner
STEVE WERNER
Supervising Planner
CLIFF JOHNSON
Supervising Planner

**ZONING ADMINISTRATOR
COUNTY OF HUMBOLDT**

Planning and Building Department
3015 H St.
Eureka, CA 95501

ACTION SUMMARY

Thursday, May 2, 2019

10:00 AM

Regular Meeting

A. CALL TO ORDER

John H. Ford called the meeting to order at 10:00 a.m.

B. AGENDA MODIFICATIONS

Item D-3: Supplemental information provided

Item D-6: Continue to a date uncertain

Item D-11: Supplemental information provided

C. PUBLIC COMMENT

D. CONSENT CALENDAR

1. Terrapin Farms, LLC, Special Permit
Application Number: 12136
Case Number: SP 18-093
Assessor's Parcel Numbers: (APN): 529-036-011
222 Bark Shanty Road, Orleans area

Project Description: Terrapin Farms, LLC is seeking a Special Permit for an existing commercial cannabis operation consisting of 6,500 square feet of outdoor cultivation in two cultivation areas on a 37.42 acre parcel (APN 529-036-011). This Special Permit includes provisions for a setback reduction to less than 600 feet to property owned by the Six Rivers National Forest. Cultivation occurs in either temporary seasonal greenhouses (hoop style) or full-sun gardens. No supplemental light is used. Water for cultivation activities is sourced from rainwater catchment system connected to the roof of an existing shop building. Irrigation water is stored in eight (8) hard tanks totaling 57,000 gallons. Processing, including drying and trimming, occurs on-site in an existing barn structure. The applicant states that no employees are utilized and that three family members are required for operations year-round. Electricity is sourced from an existing solar array with a PGE intertie.

The Zoning Administrator finds that the project is exempt from environmental review pursuant to Section 15301 of the State CEQA Guidelines, makes all of the required findings for approval of the Special Permit based on evidence in the staff report and any public testimony, and adopts the Resolution approving the proposed Terrapin Farms, LLC Special Permit subject to the recommended conditions.

2. Panther Gap Organic Ranch, LLC, Special Permit
Record Number: PLN-11042-SP
Assessor's Parcel Numbers (APNs): 107-123-001 and 107-236-021
Section 1 of Township 03 S, Range 01 E, Humboldt Base & Meridian

Project Description: A Special Permit (SP) for an existing 10,000 square foot (SF) mixed light cannabis cultivation operation. Cultivation occurs in three (3) greenhouses each with an area of approximately 3,325 square feet. Irrigation water is sourced from a permitted well with a depth of 330 feet. Estimated annual water use is 105,000 gallons. Water storage for irrigation consists of two (2) 5,500 gallon tanks for a total of 11,000 gallons. Drying and curing occurs on site in existing buildings and additional processing (i.e. trimming) will occur off site at a licensed processing facility. Two part-time employees are needed for the farm. Power for the operation is provided by a generator and solar power.

The Zoning Administrator 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, makes all of the required findings for approval of the Conditional Use Permit based on evidence in the staff report and any public testimony, and adopts the Resolution approving the proposed Panther Gap Organic Ranch, LLC Special Permit subject to the recommended conditions.

3. Honeydew Grade A Farm, LLC, Special Permits
Application Number: 12657
Case Numbers: SP16-599, SP16-600, SP18-057
Assessor's Parcel Number: 107-106-006
844 Wilder Ridge Road, Honeydew area

Project Description: Three Special Permits (SP) for commercial cannabis cultivation. One SP is requesting the approval of an existing 9,300 square-foot (sf) cultivation area consisting of 6,600 square feet of mixed-light and 2,700 square feet of outdoor cultivation. The second SP is requesting the approval of a proposed 2,500-sf indoor commercial medical cannabis operation on an approximately 40-acre parcel. The third SP is to allow a relaxation of the six-hundred-foot (600') setback requirement from the King Range National Conservation Area. Water for cannabis irrigation will be provided by a 300,000-gallon rainwater catchment pond. The applicant estimates a total of 135,000 gallons of water will be required annually. There is 87,500 gallons of water storage in hard-sided tanks that are filled with water from the pond. Processing, including drying, curing, trimming, and packaging, will occur on-site. Electricity is provided by Pacific Gas and Electric.

The Zoning Administrator 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, makes all of the required findings for approval of the Special Permits based on evidence in the staff report and any public testimony, and adopts the Resolution approving the proposed Honeydew Grade A Farm, LLC, project subject to the revised conditions of approval.

4. Green Leaf Nurseries, LLC, Special Permit
Record Number PLN-2018-15154
Assessor's Parcel Number 208-341-023
Dinsmore area

Project Description: A Special Permit (SP) pursuant to Humboldt County Code Section 314-55.5.6.4.4(f) to allow a relaxation of the six-hundred foot (600') setback requirement from a Public Park (Six Rivers National Forest). Two other applications are being processed concurrently on the parcel: (1) a Zoning Clearance Certificate for a commercial cannabis nursery and distribution facility (being processed under the same record number - PLN-2018-15154) pursuant to the Commercial Cannabis Land Use Ordinance (CCLUO), and (2) a Special Permit for 10,000 square feet of existing outdoor medical cannabis cultivation (SP16-644 - Application #12776) pursuant to the Commercial Medical Marijuana Land Use Ordinance (CMMLUO).

The Zoning Administrator has considered the addendum to the previously adopted Environmental Impact Report for the Commercial Cannabis Land Use Ordinance (CCLUO) as described by Section §15164 of the State CEQA Guidelines, makes all of the required findings for approval of the Special Permit based on evidence in the staff report and any public testimony, and adopts the Resolution approving the proposed Green Leaf Nurseries, LLC Special Permit subject to the recommended conditions.

5. 36 Works, LLC, Special Permit

Application Number 11087

Case Number SP18-025

Assessor's Parcel Numbers (APNs): 210-191-045, 210-191-046, 210-192-014

40001 Hwy 36, Dinsmore, CA

Project Description: 36 Works, LLC seeks approval of a Special Permit for 10,000 square feet of existing outdoor cannabis cultivation on APN:210-191-045. A Special Permit is also requested for a point of diversion for an instream pond located adjacent to the parcel on APN: 210-191-046. The pond's storage capacity is about two-million-gallons. The projected water usage is about 150,000 gallons a year. Processing occurs adjacent to the parcel at APN: 210-192-014, in an existing 1,152 square foot two- story building, with a Trim Machine. The processing building is proposed to be retrofitted to meet Americans with Disabilities Act (ADA) Standards. There are two employees. Power is provided generators.

The Zoning Administrator has considered the addendum to the Mitigated Negative Declaration prepared for the Commercial Medical Marijuana Land Use Ordinance pursuant to Section 15164 of the State CEQA Guidelines, makes all of the required findings for approval of the Special Permit based on evidence in the staff report and any public testimony, and adopts the Resolution approving the 36 Works, LLC Special Permit as recommended by staff subject to the recommended conditions.

6. The Back Forty, LLC, Special Permit

Application Number: 11935

Case Number: SP16-348

Assessor's Parcel Number (APN): 033-170-005

3961 Red Rock Road, Benbow area

Project Description: A Special Permit for 6,890 square feet of outdoor cannabis cultivation. Cultivation activities extend from March to October with site maintenance occurring year round. There will be a maximum of two cultivation cycles annually. Water for irrigation will be provided by a permitted well and rain water catchment. 133,500 gallons of water storage is provided by hard-sided tanks and an off-stream pond. The projected water usage is about 133,000 gallons. Drying of the harvested product will take place on-site and processing will occur at APN 223-053-001, also owned by the applicant. A maximum of five people will be on-site during peak operations. The power sources are a solar system with battery storage and a small backup generator.

The Zoning Administrator continued this project to a date uncertain.

7. The Back Forty, LLC, Special Permit

Application Number: 11937

Case Number: SP 16-349

Assessor's Parcel Number (APNs): 223-053-001

Section 10 of Township 05 S, Range 04 E, Humboldt Base & Meridian

Project Description: A Special Permit for 8,424 square feet of outdoor cannabis cultivation. Water for irrigation will be provided by a permitted well. 5,500 gallons of water storage is provided by hard-sided tanks. The projected annual water usage is about 148,500 gallons. Drying and processing of the harvested product from this site and from APN 033-170-005, also owned by the applicant, will take place on-site. A maximum of five people will be on-site during peak operations. The power sources are a solar system with battery storage and a small backup generator.

The Zoning Administrator 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, makes all of the required findings for approval of the Special Permit based on evidence in the staff report and any public testimony, and adopts the Resolution approving the proposed Back Forty, LLC, project subject to the recommended conditions.

8. California State Parks, Coastal Development Permit and Special Permit Modification

Case Number: PLN-2018-15195

Assessor's Parcel Number (APN): 517-111-001

Patrick's Point area

Project: A modification to CDP-14-035 and SP-14-040 for Americans with Disabilities Act (ADA) accessibility improvements at Abalone and Agate Campgrounds (sites 18, 22, 28, 32, 92, 94, and 98) as well as the Campfire Center in Patrick's Point State Park. The applicant proposes to remove and replace the concrete parking areas along with constructing two, level pads for picnic area and tent site, each bordered with redwood. Replacement of existing infrastructure with ADA compliant infrastructure such as fire rings, food lockers, and redwood tables is proposed at each site. Major vegetation removal is proposed to remove a total of six (6) hazardous trees. Three (3) trees are proposed to be removed from Site 28, one (1) tree to be removed from Site 32, and two (2) trees to be removed from Site 98. Removal and replacement of the water station at Site 98 and the installation of a new water station with dry well at Site 18 are also proposed. The creation of a level area, the shortening of two (2) benches, modifications to the speaking lectern and fire ring, an accessible trail from the seating area to the front, and additional companion seating is proposed at the Campfire Center.

The Zoning Administrator has accpeted the prior finding by the California Department of Parks and Recreation that the project is Categorically Exempt pursuant to Sections 15301, 15303 and 15304 of the State CEQA, makes all of the required findings for approval of the Coastal Development Permit and Special Permit Modification based on evidence in the staff report, and adopts the Resolution approving the California Department of Parks and Recreation project subject to the recommended conditions.

9. John Gray (Cochran Creek), Conditional Use Permit 662

Application Number: 14076

Case Numbers: CUP 18-026, SP 18-080

Assessor's Parcel Number (APN): 402-181-001

Indianola area

Project Description: A Conditional Use Permit for a fish passage and habitat enhancement project at the confluence of Fay Slough and Cochran Creek. The project involves the following components: 1) Improve fish passage by replacing the existing tide gate with a fish-friendly side-hinged gate and constructing a new channel to increase fish passage; 2) Creating a muted tidal cycle and enhanced estuarine habitat by replacing the tide gate on Cochran Creek; 3) Enhance habitat with approximately 1,000 feet and 2.0 acres of new stream channel and flood plain; 4) reduce overbank flooding of adjacent farmland and reduce fish stranding; 5) Enhance drainage; and 6) Increase agricultural equipment and pedestrian access at additional locations. The project site is located in the jurisdictional area of the California Coastal Commission for a Coastal Development Permit, but a Conditional Use Permit is required from the County for habitat enhancement within the Agriculture Exclusive zone. The property is currently enrolled in a Class D Agricultural Preserve.

The Zoning Administrator adopts the Mitigated Negative Declaration, and makes all of the required findings for approval of the Conditional Use Permit based on evidence in the staff report and any public testimony, and adopts the Resolution approving the proposed John Gray project subject to the recommended conditions.

10. Valkyrie Farm, LLC, Special Permit

Application Number: 11225

Case Number: PLN-11225-SP

Assessor's Parcel Number 405-161-001 & 403-101-006

1801 Freshwater Road, Freshwater Area

Project Description: Valkyrie Farm seeks approval of a Special Permit for 8,500 square feet of existing outdoor cannabis cultivation. The water source is provided by Humboldt Community Services District and water usage is estimated to be between 35,000 and 45,000 gallons per year (5.9 gallons per square foot per year). All processing would be done on-site in a proposed 1,950 square foot structure. On-site relocation is proposed for 3,600 square feet of cultivation to an environmentally superior location. A remediation plan has been prepared and accepted by the County. Between 5 and 10 seasonal employees are expected. Power is supplied by PG&E.

The Zoning Administrator considered the addendum to the Mitigated Negative Declaration prepared for the Commercial Medical Marijuana Land Use Ordinance pursuant to Section 15164 of the State CEQA Guidelines, makes all of the required findings for approval of the Special Permit based on evidence in the staff report and any public testimony, and adopts the Resolution approving the Valkyrie Farm, LLC Special Permit as recommended by staff subject to the revised conditions of approval.

11. Jack and Mary Noble Special Permit

Application Number 14368

Case Number SP-18-125

Assessor's Parcel Number (APN) 204-062-001 et al

Carlotta area

Project Description: A Special Permit for work that took place in 2017 and proposed work in 2019-20 within a Streamside Management Area to complete required restoration and enhancement activities at 11 locations (Sites 1 through 9 and alcoves 1 and 7) as directed by Consent Decree approved by a Federal Court on 8-27-18 in United States vs. Noble, 4:16-cv-06178-SBA (N.D. Cal.). Also, placement of two side-by-side temporary flat car bridges for a low water crossing of the Van Duzen River to permit work access under Streambed Alteration Agreement with the California Department of Fish and Wildlife. The Special Permit will resolve the unauthorized placement of fill in violation of the County's Streamside Management Area Ordinance (SMAO). The remedial work primarily involves removal of concrete, RSP blocks and miscellaneous material (e.g., car bodies and metal debris) along the bed and banks of the Van Duzen River, and re-vegetation of the sites.

The Zoning Administrator finds the project Categorically Exempt pursuant to Sections 15333 of the State CEQA Guidelines, makes all of the required findings for approval of the Special Permit based on evidence in the staff report, and adopts the Resolution approving the Jack and Mary Noble project subject to the revised conditions of approval.

12. Hunt Coastal Development and Special Permit

Case No. PLN-2019-15305

Assessor Parcel Number 518-052-023

Big Lagoon Area

Project Description: A Coastal Development Permit to facilitate the development of a cabin, an outbuilding, and an on-site septic system and well to serve the residential use of the parcel. A Special Permit is required pursuant to Section 313-19.1 for Design Review within the Coastal Zone. A 480 square foot cabin is proposed to be constructed with an 80 square foot loft and an attached, 256 square foot covered porch. The cabin will not exceed a height of 14.5 feet. A 320 square foot outbuilding, not to exceed a height of 16.5 feet is also proposed as a shop/storage building. The building site is within an existing clearing. Minimal grading is proposed and major vegetation removal will be required to open up the site. No trees with a diameter at breast height (DBH) of over 12 inches are proposed to be removed.

The Zoning Administrator finds the project exempt from environmental review pursuant to Section 15303(a) of the State CEQA Guidelines, makes all of the required findings for approval of the Coastal Development Permit and Special Permit, based on evidence in the staff report and adopts the Resolution approving the Hunt Coastal Development Permit and Special Permit subject to the recommended conditions.

E. ADJOURNMENT