

PLANNING COMMISSION

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Second District
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Chair - Third District
LONYX LANDRY
Fourth District
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Fifth District
BRIAN MITCHELL
Vice Chair - At-Large
SARAH WEST
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, November 16, 2023

6:00 PM

Regular Meeting - Hybrid

A. CALL TO ORDER / SALUTE TO FLAG

Chair Noah Levy called the meeting to order at 6:00 p.m.

B. COMMISSIONERS PRESENT

Commissioner Brian Mitchell and Commissioner Thomas Mulder joined the meeting immediately after Agenda Modifications.

Present : 7 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Lonyx Landry, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Brian Mitchell and Commissioner Sarah West

C. AGENDA MODIFICATIONS

*Item G-2 Sign Ordinance was continued to the 12.14.2023 meeting.
Supplemental information supplied for item F-1 Valadao Subdivision
Public Comment supplied for item F-1 Valadao Subdivision and item H-2 Stoyanov Special Permit.*

E. CONSENT AGENDA

1. VIPA Farmers, LLC, Conditional Use Permit
Assessor Parcel Numbers (APN) 219-011-007-000
Record No.: PLN-11269-CUP
Salmon Creek area

A Conditional Use Permit for 12,536 square feet of existing mixed light cannabis cultivation. Three

harvests are anticipated annually. The project is supported by a 1,250 square foot propagation greenhouse. Water for irrigation is sourced from an existing 300,000-gallon rainwater catchment pond and 6 hard tanks totaling 6,200 gallons. Ordinary annual water usage totals 216,895 gallons (21.8 gallons per SF). All processing occurs onsite. Electricity is currently sourced from a diesel generator; however, the applicant is seeking to obtain grid power through PG&E.

Continue the VIPA Farmers, LLC Conditional Use Permit to the November 30, 2023 meeting

- 2. Panther Rock Growers, MBC
 Assessor’s Parcel Numbers: 210-162-007
 Record Numbers: PLN-11496-CUP
 Dinsmore area

A Conditional Use Permit for 5,120 square feet of existing mixed light and 15,841 square feet of existing outdoor commercial cannabis cultivation supported by a 1,792 square foot ancillary nursery. Estimated annual water usage is 126,000 gallons and is sourced from a point of diversion and rainwater catchment. Water storage totals 197,750 gallons. Onsite processing is proposed and power is sourced from a generator.

Approve the Panther Rock Growers Conditional Use Permit.

- 3. Barrett Farms, LLC
 Assessor’s Parcel Number: 208-341-034
 Record Numbers: PLN-11547-CUP
 Dinsmore area

A Conditional Use Permit for 12,650 square feet of existing outdoor cultivation and 2,000 square feet of mixed light cannabis cultivation. Water for irrigation is sourced from rainwater catchment and an existing well. Water is stored in hard tanks totaling 105,750 gallons. Drying and other processing occurs at an adjacent parcel (APN 208-241-032). Electricity is sourced from solar power, with a backup generator.

Approve the Barrett Farms Conditional Use Permit.

Consent Agenda Vote:

A motion was made by Commissioner Brian Mitchell, seconded by Commissioner Sarah West, to approve the Consent Agenda, including the continuation of item E-1 VIPA Farmers, and the approval of E-2 Panther Rock Growers and E-3 Barrett Farms. The motion carried with the following vote:

Aye: 7 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Lonyx Landry, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Brian Mitchell and Commissioner Sarah West

- 2. Sign Ordinance
 Assessor Parcel Numbers (APN) 000-000-000
 Record No.: PLN-2023-18011
 Countywide

Amendment of the Inland and Coastal Zoning Ordinance sections regulating Signs and Nameplates to provide a uniform set of standards for the development, siting, size and installation of signs and (Section 87.3 of Chapter 3 and Section 87.2 of Chapter 4 of Division 1 of Title III of Humboldt County Code). These standards will protect aesthetic values along scenic highways, coastal views, and scenic areas; encourage siting in preferred locations to help preserve the County's environmentally sensitive habitat areas; ensure compatibility with Caltrans Outdoor Advertising Act requirements; and create standards to manage the size and locations of signs. The ordinance proposes changes to the following sections:

1. Amends sections 314-87.2.1 through 314-87.2.2 and adds sections 314-87.2.3, 87.2.4, 87.2.5, 87.2.6, 87.2.7, 87.2.8, and 87.2.9 in Chapter 4 of Division 1 of Title III of the County Code for the inland areas of the County.
2. Amends sections 313-87.3.1, 87.3.2, and 87.3.3 and adds sections 313-87.3.4 in Chapter 3 of Division 1 of Title III of the County Code for the coastal areas of the County.

A motion was made by Commissioner Brian Mitchell, seconded by Thomas Mulder to continue the Sign Ordinance to the December 14, 2023 meeting.

Aye: 7 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Lonyx Landry, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Brian Mitchell and Commissioner Sarah West

F. PUBLIC HEARINGS - RESIDENTIAL DEVELOPMENT

1. Valadao - Final Map Subdivision, Conditional Use Permit, Planned Unit Development
Application Number: PLN-2021-17560
Assessor Parcel Number (APN) 510-381-021
McKinleyville area

A Major Subdivision of an approximately 2.47-acre parcel into nineteen (19) parcels. The parcel is currently developed with a single-family residence which will be sited on its own parcel along with shared parking facilities, a laundry building, and a storage building and accessory dwelling unit. An existing detached garage and two other outbuildings are proposed to be removed. A Planned Development Permit is also being requested to allow for clustered development of approximately 61 units, and to allow for shared parking facilities, reduced setbacks from interior lot lines, reduced lot size, and a reduced road right-of-way width. The proposed development includes three different housing types: thirty-two (32) one-bedroom units and twenty-four (24) two-bedroom townhouse units configured in a four-plex fashion, and four (4) single-family dwelling units. A Conditional Use Permit is requested to allow four (4) of the proposed parcels to host single-family dwelling units. The site will be served with community water and sewer provided by the McKinleyville Community Services District.

A motion was made by Commissioner Thomas Mulder, seconded by Commissioner Brian Mitchell to adopt the resolution (Resolution 23-102) which finds the project is consistent with the development density and policies established by an existing community plan and General Plan for

which an EIR was certified, and that no additional environmental review is required per section 15183 of the State CEQA Guidelines; and makes all of the required findings for approval of the Final Map Subdivision, Conditional Use Permit, and Planned Unit Development; and approves the Valadao Major Subdivision, Conditional Use Permit, and Planned Unit Development subject to the conditions of approval with the added conditions provided by Director Ford. The motion carried by the following vote:

Aye: 6 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Lonyx Landry, Commissioner Thomas Mulder, Commissioner Brian Mitchell and Commissioner Sarah West

Nay: 1 - Commissioner Peggy O'Neill

2. Ruffino - Final Map Subdivision and Coastal Development Permit

Application Number: PLN-2023-18066
 Assessor Parcel Number (APN) 508-091-039
 McKinleyville area

A Major Subdivision of an approximately 3.87-acre parcel into six (6) parcels ranging in size from approximately 18,123 square feet (net) to 35,737 square feet (net) in size. The parcel is located in the Coastal Zone and a Coastal Development Permit (CDP) is being sought in connection with the proposed subdivision. The site is currently vacant and will be served with community water and sewer provided by the McKinleyville Community Service District.

A motion was made by Commissioner Brian Mitchell, seconded by Commissioner Lonyx Landry to adopt the resolution (Resolution 23-103) which finds that the project is consistent with the development density and policies established by an existing community plan and General Plan for which an EIR was certified, and that no additional environmental review is required per section 15183 of the State CEQA Guidelines; and makes all of the required findings for approval of the Final Map Subdivision and Coastal Development Permit; and approves the Ruffino Major Subdivision and Coastal Development Permit subject to the conditions of approval with a berm with planted trees added to the conditions. The motion carried by the following vote:

Aye: 7 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Lonyx Landry, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Brian Mitchell and Commissioner Sarah West

G. CONTINUED PUBLIC HEARINGS

1. Draft Short-term Rental Ordinance
 Record No.: LRP-2022-17963 & LRP-2023-18254
 All unincorporated areas of Humboldt County

Inland and coastal zone ordinances to allow the use of residences for short-term rentals within the unincorporated areas of Humboldt County. The ordinance does the following:

- a) Creates two tiers of rentals consisting of units partially rented by the occupants of the residence and rental of the whole unit;

- b) Establishes performance criteria for the operation of short term rentals;
- c) Creates an Administrative Permit to authorize rentals which comply with the ordinance and allows approval of a discretionary permit when deviations from standards are requested.
- d) Creates a cap for the number of units allowed around the Humboldt Bay Area

The new ordinance would affect the following code sections:

1. Inland: Adds section 314-60.05, amends the tables in section 314-6 and 314-9, amends sections 314-37, 314-44, 314-55, 314-138, 314-141, 314-143, 314-153, 314-154, 314-157, 314-158, 314-163, 314-174 and 314-177 in Chapter 4 of Division 1 of Title III of the County Code for the inland areas of the County.
2. Coastal: Adds section 313-61.05, amends the tables in section 313-6, and amends sections 313-44, 313-50, 313-55, 313-141, 313-143, 313-154, 313-157, 313-163, 313-172, and 313-177 in Chapter 3 of Division 1 of Title III of the County Code for the coastal areas of the County.

A motion was made by Commissioner Brian Mitchell, seconded by Commissioner Lonyx Landry to continue the Short-term Rental Ordinance to the November 30, 2023 meeting. The motion carried with the following vote:

Aye: 7 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Lonyx Landry, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Brian Mitchell and Commissioner Sarah West

H. NEW PUBLIC HEARINGS

1. JDS Construction Inc. Special Permit
Record Number: PLN-2023-18288
Assessor Parcel Number: 512-072-002

A Special Permit for the construction of a new 2,032 square foot two-story two-bedroom Accessory Dwelling Unit (ADU) pursuant to Section 314-69.05.4.3.1 of the Humboldt County Code (HCC).

A motion was made by Commissioner Brian Mitchell, seconded by Commissioner Lonyx Landry to continue the JDS Construction Inc. Special Permit to the November 30, 2023 meeting. The motion carried with the following vote:

Aye: 6 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Lonyx Landry, Commissioner Peggy O'Neill, Commissioner Brian Mitchell and Commissioner Sarah West

Absent: 1 - Commissioner Thomas Mulder

2. Georgi Stoyanov Special Permit
Assessor Parcel Number: 212-311-002
Record No.: PLN-11929-SP
Miranda Area

A Special Permit for 9,975 square feet (SF) of existing outdoor cannabis utilizing light deprivation techniques and 1,470 SF of ancillary propagation, which will be reduced to 980 SF. Irrigation water is sourced from a permitted groundwater well. A hydrogeological report concludes the well is not hydrologically connected to surface waters or other significant groundwater sources. Existing available water storage is 6,300 gallons in four (4) hard-sided tanks. The applicant has proposed to obtain an additional 20,000 gallons of hard tank water storage for a total of 26,300 gallons. Estimated annual water usage is 132,000 gallons. Drying and processing occurs onsite in an existing residential accessory structure pursuant Department Policy Statement No. 21-02. No employees are proposed for project operations. Power is provided by Pacific Gas and Electric Company (PG&E).

A motion was made by Commissioner Brian Mitchell, seconded by Commissioner Lonyx Landry to continue the Georgi Stoyanov Special Permit to the November 30, 2023 meeting. The motion carried with the following vote:

Aye: 6 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Lonyx Landry, Commissioner Peggy O'Neill, Commissioner Brian Mitchell and Commissioner Sarah West

Absent: 1 - Commissioner Thomas Mulder

I. ITEMS PULLED FROM CONSENT

J. REPORT FROM PLANNER

K. PLANNING COMMISSION DISCUSSION ITEMS

L. ADJOURNMENT

Chair Noah Levy adjourned the meeting at 9:40 p.m.

M. NEXT MEETINGS: November 30, 2023 6:00 p.m. Special Meeting - Hybrid