PLANNING COMMISSION

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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, September 19, 2024 **6:00 PM** **Regular Meeting - Hybrid**

A. CALL TO ORDER / SALUTE TO FLAG

Chair Commissioner Thomas Mulder called the meeting to order at 6:00 p.m.

B. COMMISSIONERS PRESENT

Present : 6 - Commissioner Iver Skavdal, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Sarah West, Commissioner Jerome Qiriazi and Commissioner Lorna McFarlane

Absent : 1 - Commissioner Noah Levy

C. AGENDA MODIFICATIONS

D. PUBLIC COMMENT ON NON-AGENDA ITEMS:

E. CONSENT AGENDA

1. Review and approval of the June 6, 2024, Action Summary.

Approval of the June 6, 2024, Action Summary.

2. Review and approval of the June 27, 2024, Action Summary.

Approval of the June 27, 2024, Action Summary.

3. Review and approval of the July 18, 2024, Action Summary.

Approval of the July 18, 2024, Action Summary.

4. Review and approval of the August 01, 2024, Action Summary.

Approval of the August 01, 2024, Action Summary.

5. Review and approval of the August 15, 2024, Action Summary.

Approval of the August 15, 2024, Action Summary.

7. Paye - Lot Line Adjustment and Conditional Use Permit Extension
Assessor Parcel Numbers (APN) 015-111-006, 015-111-012, 015-111-013
Record No.: PLN-2024-19060
Eureka area

A two-year extension to a previously approved Lot Line Adjustment and Conditional Use Permit (PLN-2024-16400) to allow for redevelopment of three commercially zoned parcels with a proposed Mini Storage Center. The previous approval included a General Plan Amendment and Zone Boundary Adjustment whereby the Apartment Professional (R-4) zone was reduced and the Neighborhood Commercial (C-1) zone increased by approximately 30,000 square feet, as well as applying a Qualified (Q) zone to the properties allowing for multiple dwellings; this rezoning action has been completed. The previously approved Lot Line Adjustment would result in two parcels of approximately 2.1 acres (Parcel A) and 5,500 ft.² (Parcel B). Proposed Parcel A was approved to be redeveloped with approximately 37,000 square feet of mini-storage units with the Conditional Use Permit. The approved project included a wetland setback reduction for one of the storage buildings and a Wetland Buffer Replanting Plan. Redevelopment of the site as proposed requires removal of up to 25 mature redwood trees as well as minor grading and fill, including engineered fill of a small area (< 2,000 square feet) beyond the break in slope.

Approval of the Paye Lot Line Adjustment and Conditional Use Permit Extension

8. Parks - Final Map Subdivision Extension
Assessor Parcel Numbers (APN) 510-193-039
Record No.: PLN-2024-19037
McKinleyville area

A two-year extension of a Major Subdivision (PLN-2019-15467 and PLN-2020-16880) of one approximately 1.54 acre parcel into nine lots between 5,002 square feet (net) and 11,860 square feet (gross). The site is developed with two single family residences that will remain on proposed Lots 1 and 2, respectively. Pursuant to Section 325-9 of the Subdivision Regulations, an exception request was submitted to allow a reduced right of way width. The parcels will be served with community water and sewer provided by the McKinleyville Community Services District.

Approval of the Parks Final Map Subdivision Extension

9. Collins/Goldstein - Parcel Map Subdivision Extension
Assessor Parcel Numbers (APN) 509-061-025
Record No.: PLN-2024-19031
McKinleyville area

A two-year extension of a previously approved Minor Subdivision and Planned Development Permit (PLN-2022-17740) of an approximately 10-acre parcel into four parcels of approximately 20,000 square feet, 30,830 square feet, 36,989 square feet and 7.97 acres. A Planned Development Permit was approved to allow significantly smaller parcel sizes and clustering of development along the road frontage. This in turn ensures that sufficient area exists to accommodate future residential development observing standard setbacks from riparian and wetland areas associated with Mill Creek, which crosses through the parcel. The site is currently vacant and will be served with community water and sewer provided by the McKinleyville Community Services District. The majority of the parcel is forested with the exception of the northern portion, which was cleared as part of a recent less than 3-acre conversion completed in late 2021. This same area is targeted to host future residential development following the subdivision.

Approval of the Collins/Goldstein Parcel Map Subdivision Extension

10. Kamino, LLC
Assessor's Parcel Number (APN) 201-311-016
Record No.: PLN-2019-15835-MOD01
Alton area

A Modification to Conditional Use Permit, PLN-2019-15835, proposing to increase annual irrigation water use from 334,000 gallons to 937,000 gallons. Water would be sourced from a 160' deep well installed in 2018. No additional modifications to the project are proposed.

Approval of the Kamino, LLC Conditional Use Permit Modification

11. Furtado Parcel Map Subdivision and Special Permits
Assessor Parcel Number: 509-201-047
Record Number: PLN-2024-18990
McKinleyville area

A Parcel Map Subdivision to divide an approximately 0.62-acre parcel into two parcels of approximately 0.40 acres (Parcel 1) and 0.22 acres (Parcel 2). No new site development or improvements are proposed. Pursuant to Section 314-99.1.2 H.C.C., a Special Permit is required for Lot Size Modification to allow Parcel 2 to be created below the 10,000 square foot minimum parcel size. An additional Special Permit is required to allow an existing accessory structure on proposed Parcel 2 prior to the construction of a primary residence pursuant to Section 314-43.1 H.C.C. The parcel is served with community water and sewer provided by the McKinleyville Community Services District.

Approval of the Furtado Parcel Map Subdivision and Special Permits

13. PJC Wellness, LLC Conditional Use Permit
Assessor Parcel Number 200-243-010
Record No.: PLN-2023-18808
Fortuna Area

A Conditional Use Permit to conduct additional ancillary operations in the form of a microbusiness in the Fortuna Community Planning Area including non-volatile manufacturing,

self-distribution, and farm-based retail at offsite special events with no customer traffic. All additional ancillary operations would source cannabis from cultivation occurring onsite, no offsite cannabis is imported. The site contains an existing, approved cannabis permit for 10,000 square feet of mixed light commercial cannabis cultivation with onsite processing. Water source remains unchanged with an existing permitted well. The proposal includes adding rainwater catchment as an irrigation source to provide at least 33% of irrigation needs. If approved, permitted annual water usage will increase to up to 180,000 gallons per year to align with annual use per data from installed water meters. The existing approximate 32,000 gallons of irrigation water tank storage is proposed to increase to up to 62,000 gallons total of tank storage. Electricity is provided by PGE.

Approval of the PJC Wellness, LLC Conditional Use Permit

14. Humboldt Headless Chicken Ranch
Assessor's Parcel Numbers: 218-151-005
Record Numbers: PLN-12015-CUP
New Harris area

A Conditional Use Permit for 35,650 square feet of existing cannabis cultivation of which 30,106 is outdoor and 5,554 square feet is mixed light. Estimated annual water usage is 420,400 gallons and is sourced from an existing well, a spring, and two rain catchment roofs. Water storage totals 238,000 gallons. Onsite processing is proposed in a building equipped with rainwater catchment gutters. Applicant currently utilizes a generator for energy but is conditioned to transition to a renewable source by January 1, 2026.

Approval of the Humboldt Headless Chicken Ranch Conditional Use Permit

15. Goddess Organics, LLC, Conditional Use Permit and Special Permit
Assessor Parcel Number: 208-113-008 & 210-241-005
Record No.: PLN-11590-CUP
3611 Little Larabee Creek Road, Bridgeville area

A Conditional Use Permit for 28,625 square feet (SF) of existing commercial cannabis cultivation (including 11,500 SF of mixed light and 17,125 SF of outdoor cultivation) and 2,850 SF of ancillary propagation. Irrigation water is sourced from an offsite stream diversion (APN 210-241-005), two groundwater wells, and rainwater catchment in a proposed 400,000-gallon pond. Existing available water storage is 62,000 gallons in a series of hard-sided tanks and total onsite water storage will be 462,000 gallons with the proposed pond. Estimated annual irrigation water usage is 270,500 gallons. Processing occurs onsite. Power is provided by three generators and supplemented by solar. The applicant will fully convert to solar by the end of 2025 reserving generators for emergency use only. A Special Permit is included for development within the Streamside Management Area for continued use and maintenance of the point of diversion infrastructure.

Approval of the Goddess Organics, LLC, Conditional Use Permit and Special Permit

CONSENT AGENDA VOTE:

A motion was made by Commissioner Sarah West, seconded by Commissioner Jerome Qiriazi to

approve the Consent Agenda, including Item E-1 Approval of the June 6, 2024 Action Summary, E-2 Approval of the June 27, 2024, Action Summary, Item E-3 Approval of the July 18, 2024, Action Summary, Item E-4 Approval of the August 01, 2024, Action Summary, Item E-5 Approval of the August 15, 2024, Action Summary, Item E-7 Approval of the Paye Lot Line Adjustment and Conditional Use Permit Extension, Item E-8 Approval of the Parks Final Map Subdivision Extension, Item E-9 Approval of the Collins/Goldstein Parcel Map Subdivision Extension, Item E-10 Kamino Conditional Use Permit Modification, Item E-11 Furtado Parcel Map Subdivision and Special Permits, Item E-13 PJC Wellness Conditional Use Permit, Item E-14 Humboldt Headless Chicken Ranch Conditional Use Permit, and Item E-15 Goddess Organics Conditional Use Permit and Special Permit.

Aye: 6 - Commissioner Iver Skavdal, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Sarah West, Commissioner Jerome Qiriazi and Commissioner Lorna McFarlane

Absent: 1 - Commissioner Noah Levy

F. PUBLIC HEARINGS

1. North Coast Highway Solar
Assessor Parcel Numbers (APNs) 204-171-045, 204-171-047, 204-081-002, 204-081-006, 204-081-007, 204-171-001
Record No.: PLN-2020-16341
Alton area

A Conditional Use Permit is being requested to authorize construction and operation of a 2.8-megawatt solar photovoltaic power generation facility to produce renewable energy for the power grid. The automated facility would occupy an approximately 11-acre fenced area with arrays of solar panels, single-axis trackers, string inverters, transformers, and associated electrical equipment. Approximately 300 feet of new road is proposed to be developed to connect with a new driveway encroachment along Highway 36, approximately 70 feet west of the existing driveway encroachment. A power line and poles will be run to the site along the driveway route, to allow interconnection to the nearby 12 kilovolt power distribution line located within the highway right-of-way near the driveway encroachment. Approximately 7 acres of the site will be occupied by the solar array. New impervious surfaces totaling approximately 1,500 square feet will be limited to the piles supporting the panel arrays and concrete pads below electrical equipment (approx. 1,060 ft.) Areas beneath the panel will remain vegetated and the project sponsor will maintain continual operation of agricultural uses on the property, including but not limited to sheep grazing, the keeping of honeybees, or planting of row crops, on a rotational basis. Site construction is expected to take approximately 4 months and operation will run for a minimum of 20 years under a power purchase agreement with Redwood Coast Energy Authority (RCEA). Maintenance staff are expected to visit the site on a weekly basis following the start of operation.

A motion was made by Commissioner Lorna McFarlane, seconded by Commissioner Jerome Qiriazi to adopt Resolution 24-068 and adopt the Draft Initial Study and Mitigated Negative Declaration prepared for the North Coast Highway Solar project; and finds the proposed project complies with the General Plan and Zoning Ordinance; and approves the Conditional Use Permit subject to the Conditions of Approval and Mitigation Monitoring and Reporting Program, with corrections to the

zoning reference in the resolution and modified conditions presented by staff.

Aye: 6 - Commissioner Iver Skavdal, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Sarah West, Commissioner Jerome Qiriazi and Commissioner Lorna McFarlane

Absent: 1 - Commissioner Noah Levy

G. ITEMS PULLED FROM CONSENT

6. McKinleyville Community Services District BMX Track and Park General Plan Conformance Review
Assessor Parcel Number: 508-242-043
Record Number: PLN-2024-19068
McKinleyville area

A General Plan Conformance Review for the McKinleyville Community Services District's proposed development of a BMX track and park, including a bicycling (BMX) racing track, a basketball court, a pickleball court and a bathroom.

A motion was made by Commissioner Sarah West, seconded by Commissioner Peggy O'Neill to adopt Resolution 24-069 which finds the proposed park on the subject parcel to be in conformance with the Humboldt County General Plan.

Aye: 6 - Commissioner Iver Skavdal, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Sarah West, Commissioner Jerome Qiriazi and Commissioner Lorna McFarlane

Absent: 1 - Commissioner Noah Levy

12. Caltrans Boyd Draw Bike Path Coastal Development Permit and Conditional Use Permit
Assessor Parcel Numbers (APN): Portion of 507-283-009, County Right of Way, State Highway 101 Right of Way
Record No.: PLN-2024-18945
Arcata area

A Coastal Development Permit (CDP) for the construction of an approximately eight-foot-wide bike path to connect Heindon Road with Wymore Road at the Boyd Draw Bridge. The planned bike path is approximately 470 feet long and will provide a safe crossing under U.S. 101. The project would require right of way acquisition of approximately 0.28 acres of APN 507-283-009 along the west side of U.S. 101. Per the California Coastal Act, land divisions or lot splits brought about in connection with the purchase of land by a public agency for public recreational use is not considered development, and therefore the acquisition of the right of way does not require a Coastal Development Permit. Construction of the path would involve vegetation and rock slope protection removal, fence installation, grading work, and placement of imported borrow, aggregate base, and hot mix asphalt. In addition to the bike path, a new permanent gravel access road, approximately 380 feet long and 12 feet wide, would be constructed on the property affected by right of way acquisition. A Conditional Use Permit is also required for a proposed use not directly a part of agricultural production of food or fiber on the acquired portion of APN 507-283-009. The California Department of Transportation

(Caltrans) is the lead agency under CEQA. Caltrans' determination is that the project is exempt from CEQA review pursuant to Section 15061(b)(3) of the CEQA Guidelines.

A motion was made by Commissioner Iver Skavdal, seconded by Commissioner Sarah West to adopt Resolution 24-070 which concurs with the Lead Agency that the project is exempt from environmental review pursuant to Section 15061 (b) 3 of the State CEQA Guidelines, makes all of the required findings for approval of the Coastal Development Permit and Conditional Use Permit; and approves the Caltrans Boyd Draw Bike Path Coastal Development Permit and Conditional Use Permit subject to the conditions of approval, with added conditions requiring maintenance of existing fencing, lighting in the under pass and that the trail be maintained in a clean and unobstructed manner.

Aye: 5 - Commissioner Iver Skavdal, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Sarah West and Commissioner Jerome Qiriazi

Absent: 1 - Commissioner Noah Levy

Recused: 1 - Commissioner Lorna McFarlane

16. MIB 2, LLC Conditional Use Permit
Assessor Parcel Number 221-021-026
Record No.: PLN-11543-CUP
Salmon Creek Area

A Conditional Use Permit for 29,938 square feet of existing outdoor commercial cannabis cultivation and 2,400 square feet of existing mixed light commercial cannabis cultivation totaling 32,838 square feet. The project includes 3,160 square feet of ancillary nursery and onsite relocation and restoration of cultivation areas to environmentally superior locations. Estimated annual water use is 220,000 gallons and sourced from rainwater catchment. Water storage is provided by nine 2,500-gallon poly water and a 250,000-gallon pond for a total of 272,500 gallons of storage. Processing, including trimming, will occur on site. Electricity is provided by a solar array with a generator for emergency backup only. A Special Permit is included because the project is within 600 feet of public lands managed for open space.

A motion was made by Commissioner Jerome Qiriazi, seconded by Commissioner Sarah West to continue the project to a date uncertain.

Aye: 5 - Commissioner Iver Skavdal, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Sarah West and Commissioner Jerome Qiriazi

Absent: 2 - Commissioner Noah Levy and Commissioner Lorna McFarlane

17. Marcas Land Co., Inc.
Assessor Parcel Numbers (APN) 317-033-008-000
Record No.: PLN-11099-CUP
Pilot Ridge/Showers Pass area

A Conditional Use Permit 19,595 square feet (sf) of pre-existing outdoor commercial cannabis cultivation and 1,142 sf of ancillary nursery area. Processing, including drying and trimming occurs in an existing building on-site. Water for irrigation is sourced from two permitted groundwater wells. The applicant estimates 577,500 gallons of water used for irrigation per

year. Off-grid power is supplied by one generator and proposed solar arrays. The project is proposed to be conditioned to transition to 100 percent on-site renewable energy by January 1, 2026.

A motion was made by Commissioner Sarah West, seconded by Commissioner Iver Skavdal to continue the project to the November 7, 2024 meeting.

Aye: 6 - Commissioner Iver Skavdal, Commissioner Thomas Mulder, Commissioner Peggy O'Neill, Commissioner Sarah West, Commissioner Jerome Qiriazi and Commissioner Lorna McFarlane

Absent: 1 - Commissioner Noah Levy

H. REPORT FROM PLANNER

I. PLANNING COMMISSION DISCUSSION ITEMS

J. ADJOURNMENT

Chair Commissioner Thomas Mulder adjourned the meeting at 8:01 p.m.

K. NEXT MEETINGS: October 03, 2024 6:00 p.m. Regular Meeting - Hybrid