

PLANNING COMMISSION

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**COUNTY OF HUMBOLDT  
PLANNING COMMISSION**

**825 Fifth Street  
Board of Supervisors Chambers  
Eureka, California**

**AGENDA**

**Thursday, July 7, 2016**

**6:00 PM**

**Regular Meeting**

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*NOTICE REGARDING PUBLIC COMMENT: For items appearing on the agenda, the public is invited to make comments at the time the item comes up for consideration by the Commission. The Chair will call for public comment as each item is heard by the Commission. For items not appearing on the agenda, the public is invited to make comments during the Public Comment period for non-agenda items. All speakers are invited to state their names, but are not required to do so.*

**CALL TO ORDER / SALUTE TO FLAG**

**COMMISSIONERS PRESENT**

**AGENDA MODIFICATIONS**

**APPROVAL OF ACTION SUMMARY**

**PUBLIC COMMENTS**

*At this time persons may appear before this Commission on any matter not on the Agenda. When the Chair asks for public comment, please address the Commission from the microphone. Unless otherwise stated, speakers will have three (3) minutes for public comment. Although the Commission may briefly respond to statements or questions, under state law, matters presented under this item cannot be discussed or acted upon by the Commission at this time.*

## CONSENT AGENDA

*These Public Hearing matters are routine in nature and are usually approved by a single vote. The Chair will poll the audience and members of the Commission to determine if any item on the consent agenda should be pulled for public comment or further discussion.*

### 1. Treman Coastal Development Permit

The project is a Coastal Development Permit for construction of a single family residence and attached garage on Lot 25 of the Knox Cove subdivision, which is currently vacant. The applicant proposes an approximately 3,000 square foot single level residence with a 726 square foot attached 3-car garage. The maximum height will be approximately 25 feet. Minimal grading and no tree removal are proposed. McKinleyville Community Services District serves the parcel with public water and sewer service.

**Recommendation:** Make all of the required findings for approval of the Coastal Development Permit based on evidence in the staff report and adopt the Resolution approving the Treman project subject to the recommended conditions.

**Attachments:** [CDP 16-006 Staff Report](#)

### 2. AZALEA GLEN RV PARK Conditional Use Permit Modification, Coastal Development Permit, Notice of Merger and Special Permit

A Coastal Development Permit and a modification to an existing Conditional Use Permit (CUP) are being requested to bring the RV park permits into compliance with the current level of use and occupation. The original CUP allowed for a total of 52 spaces: 25 dry spaces, 12 mobile home spaces and 15 RV spaces. The CUP modification will permit a total of 35 spaces: 34 RV spaces, and 1 dry space. All of the spaces have already been converted as described and the applicant does not propose to add any new spaces. All of the RV spaces have full hook-ups. The modification also includes a request for an exemption from the occupancy time limitation of the County Code pursuant to Section 18865 of the California Health and Safety Code to permit 14 of the RV spaces to be occupied on a year-round basis. The Code currently limits the length of stay for RV occupancy for spaces with full hookups to no more 4 months in any 12 month period. In addition, a Conditional Use Permit and Coastal Development Permit is being requested to allow two on-site residences for the two owners/managers and one caretaker's residence, all of which are existing. Also a Special Permit and Coastal Development Permit for the substitution of a nonconforming use with a more conforming use pursuant to Section 313-131.5 Humboldt County Code are being requested. In addition, Coastal Development, Conditional Use and Special Permits are being requested for the following: 1) seven decks already constructed ranging in size from 50-196 square feet in size at sites 1-7; and 2) the conversion of the former Park Café, built prior to the 1950s, to a single family residence (to be occupied by one of the owners/managers). A Special Permit for design review of the built structures as described is also being requested, along with a voluntary merger of the lands known as Assessor Parcel Numbers 517-081-001, 517-082-007 and 517-101-006 into a single parcel approximately 11.2 acres in size.

**Recommendation:** Find the project exempt from environmental review pursuant to Sections 15301, 15305, and 15061(b)(3) of the State CEQA Guidelines and make all of the required

findings for approval of the Conditional Use Permit Modification, Coastal Development Permit, Notice of Merger and Special Permit based on evidence in the staff report and adopt the Resolution approving the Azalea Glen RV Park project subject to the recommended conditions.

**Attachments:** [CDP 15-059 Staff Report](#)

**3. Rogue River Investments Conditional Use Permit Modification, Special Permit and Inland Design Review**

A modification of the Benbow RV Park Conditional Use Permit for the reconfiguration and relocation of existing recreational vehicle (RV) spaces, installation of two above ground 1,000-gallon propane tanks for on-site use and resale to the public, utility improvements, improvements of existing storm drainage facilities, relocation of the dog park, landscaping and repaving. The project will involve the demolition of 18 existing RV sites and construction of 13 new RV spaces in the same location; the demolition of 3 RV sites adjacent to one of the park's community buildings to accommodate a larger outdoor communal area and development of four new spaces at the north end of the park. Overall the project will result in a net loss of 4 RV spaces. The previous Conditional Use Permits for the park authorized 113 RV spaces and the park is currently permitted for 112 RV sites through the Department of Housing and Community Development. The proposed project will result in the park having a total of 108 spaces. A Special Permit is being requested to reduce the 100-foot Streamside Management Area (SMA) for the South Fork of the Eel River to allow a 25-foot SMA setback. This reduction is requested for an approximately 80 linear foot portion of the park to allow for the development of four RV spaces at this location. The development of the four RV spaces will require little or no grading and includes the removal of one ornamental tree in an area that has previously been disturbed and developed. The existing dog park will be relocated to the south side of the interior access road where the existing driving range is located. Construction and staging areas will occur on existing asphalt, graveled parking and roadway areas located inside the park. The park will continue to receive water service from the Benbow Water Company, propane from Blue Star Gas and the existing on-site sewage disposal system will continue to be used for wastewater. Inland Design Review for the proposed project is also a part of this application.

**Recommendation:** Adopt the Mitigated Negative Declaration and make all of the required findings for approval of the Conditional Use Permit Modification, Special Permit and Inland Design Review based on evidence in the staff report and any public testimony and adopt the Resolution approving the proposed Rogue River Investments project subject to the recommended conditions.

**Attachments:** [CUP 106-79M Staff Report](#)

**4. Samoa Pacific Company Coastal Development Permit, Merger and Parcel Map Subdivision**

A voluntary merger of 71 existing parcels into one parcel and a resubdivision of the merged parcel into two parcels of 18.58 and 200.92 acres by parcel map. The merger and resubdivision into Master Parcels 2 and 3 (Parcels 1 and 2 of the tentative map, respectively) will complete the first phase of the Samoa Town Master Plan (STMP) development project. Master Parcel 2 consists of the combined Public Facilities area for wastewater treatment and disposal, the Vance Avenue right-of-way and the Residential Medium Density area. Master Parcel 3 consists of all other STMP lands excluding Master Parcel 1 containing the Samoa Processing Center. Future development of the Master Parcels is subject to the provisions of the Humboldt Bay Area Plan. A Coastal Development Permit is also required for this project.

**Recommendation:** Adopt the Addendum to the MEIR and make all of the required findings for approval of the Merger, Parcel Map Subdivision and Coastal Development Permit, based on evidence in the staff report and public testimony, and adopt the Resolution approving the Samoa Pacific Group project subject to the recommended conditions.

**Attachments:** [CDP 15-027 Staff Report](#)

**CONTINUED PUBLIC HEARINGS****PUBLIC HEARINGS**

*The projects listed below are public hearing items that have generated public comment prior to the hearing date or have other issues related to them that may require discussion*

**5. Dollar General Coastal Development Permit and Special Permit**

The proposed project is a Coastal Development Permit to construct a commercial building on a 0.87 acre parcel that is currently vacant. The commercial use of the approximately 9,300 square foot building will be for a retail store which is principally permitted in the Commercial General zoning district. A 150 square foot seasonal isolated wetland was identified near the middle of the parcel. A Special Permit is required to reduce the wetland setback in order to develop the parcel for commercial purposes and to allow for a parking exception that would reduce the number of required parking spaces due to the level of anticipated use. The height of the structure ranges from approximately 22 feet at the front of the store to 15 feet at the rear. The hours of operation will be 8 am to 10 pm, seven days a week. The store will operate with three (3) full time employees approximately 95% of the time. Occasionally there will be up to a maximum of five (5) employees. A dedicated loading space is included in the project proposal. There is no tree removal proposed and only minimal grading is necessary. The parcel is served by Humboldt Community Services District for water and sewer services.

**Recommendation:** Adopt the Mitigated Negative Declaration and make all of the required findings for approval of the Coastal Development Permit and Special Permit, based on evidence in the staff report and public testimony, and adopt the Resolution approving the Dollar General project subject to the recommended conditions.

**Attachments:** [CDP 14-033 Staff Report](#)  
[PC Supplemental 1 07.07.16 - Letter from Floyd Law Firm](#)

**6. Moss Zone Boundary Interpretation**

A Zone Boundary Interpretation to align the Flood Plain (FP) designated area on the property with the mapped 500 year flood hazard. The effect of the zone boundary interpretation would be to increase the Flood Plain designated area on the property and reduce the Residential Suburban (RS) designated area. The FP designation is proposed to apply to all areas on the property subject to the mapped 500-year flood hazard for the Trinity River on the property. Presently the FP Zoning applies to approximately five acres on the 10.6 acre property. With the Zone Boundary Interpretation, the FP designation will apply to approximately 9.6 acres, and the RS-T designation will apply to approximately one acre.

**Recommendation:** Make all of the required findings, based on evidence in the staff report and conditionally approve the Moss Zone Boundary Interpretation application as described in the Agenda Item Transmittal subject to the conditions of approval

**Attachments:** [ZBA 16-001 Staff Report](#)

**7. Honeydew Farms, LLC (Alex Moore) Conditional Use Permits**

The Honeydew Farms Medical Marijuana Cultivation Project owned and operated by Honeydew Farms, LLC (proposed project) seeks approval of several Conditional Use Permits ) in compliance with the County Commercial Medical Marijuana Land Use Ordinance (CMMLUO) and the Medical Marijuana Safety and Regulation Act (MMRSA) for new outdoor commercial cannabis cultivation, ancillary processing activities, minor expansion of existing support facilities and permitting of existing outdoor commercial cannabis cultivation. The project site is comprised of two parcels, Parcel One (APN 107-311-001) is 613.7 acres in size and Parcel Two (APN 107-311-002) is 200.6 acres in size.

The existing outdoor cultivation occurs in nine greenhouses with a total cultivation area of 25,720 square feet (sf) located in three cultivation sites on Parcel One and five greenhouses with a total existing cultivation area of 17,800 sf are located on Parcel Two. Conditional Use Permits for existing cultivation areas are subject to CMMLUO Section 314-55.4.8.2.2.

A total of 235,640 sf (5.4 acres) of new outdoor cultivation are proposed to be located on Parcel One in fenced fields in designated areas located on prime agricultural soils resulting in a total of 261,360 sf of new cultivation, with a maximum area of 43,560 sf (1 acre) per permit pursuant to CMMLUO Section 314-55.4.8.2.1.1 applicable to parcels 320 acres or larger.

The proposed project seeks a total of seven CUPs for all existing and proposed outdoor commercial cannabis activities. Because of the four permit limitation in CMMLUO 55.4.8.10, only four of the seven authorized permits will be issued to the applicant. Three additional permits may be issued to one or more assignees of the applicant, subject to a substantial conformance review application by the assignee(s) for approval by the Planning Director.

**Recommendation:** Make all of the required findings, based on evidence in the staff report and conditionally approve the Honeydew Farms, LLC application as described in the Agenda Item Transmittal subject to the conditions of approval.

**Attachments:** [CUP-16-007 - 010 Staff Report](#)

**CORRESPONDENCE**

8. Correspondence from Timothy C. Meade

**Attachments:** [Correspondence from Timothy Meade concerning Marijuana Cultivation](#)

9. Correspondence from John LaBoyteaux

**Attachments:** [Correspondence from John LaBoyteaux of Food, Fibre and Flowers](#)

10. Correspondence from Linda Cassara

**Attachments:** [Correspondence from Linda Cassara](#)

11. Correspondence from Floyd Law Firm

**Attachments:** [Correspondence from Floyd Law Firm on behalf of Dan and Kelly Noga 6.24.16](#)

**ADJOURNMENT****NEXT MEETINGS**

August 4, 2016

*Any member of the public wishing to distribute materials to the Planning Commission at least 72 hours prior to a meeting may send them electronically to the Planning Commission Clerk at [Planningclerk@co.humboldt.ca.us](mailto:Planningclerk@co.humboldt.ca.us) or fourteen (14) copies may be delivered to the Planning Commission Clerk at 3015 H St., Eureka, CA 95501. If any member of the public wishes to distribute materials during a meeting of the Planning Commission, it is requested that fourteen (14) copies of the materials be given to the Planning Commission Clerk for distribution to the Commission, staff, and the public. Any written materials related to an item on this agenda submitted to the Planning Commission less than 72 hours prior to the meeting, and that are public records subject to the Public Records Act are available for public inspection at the Planning and Building Department located at 3015 H Street, Eureka, California (707-445-7541) during normal business hours. The Chamber is wheelchair accessible, and disabled parking is available in the lot on K Street, between Fourth and Fifth Streets. If you are a person with a disability, and you need disability-related modifications or accommodations to participate in this meeting, please contact the Planning Division at (707) 445-7541, or (707) 268-3792 (fax). Requests for such modifications or accommodations must be made at least two full business days before the start of the meeting. Commission meetings are recorded on both video and audio media. The meetings are broadcast live on cable channel 10 and may be streamed over the internet.*