

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 30, 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

Present : 6 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Lonyx Landry,
Commissioner Thomas Mulder, Commissioner Peggy O'Neill and Commissioner
Sarah West
Absent : 1 - Commissioner Brian Mitchell

C. AGENDA MODIFICATIONS

*New Business Item G1 - John Piccirilli moved to the Consent Calendar
Items Pulled from Consent Item H2 Slack & Winzler moved and heard before Old Business item #F3
Draft Short-term Rental Ordinance.
Supplemental information supplied for project Item F2 - Georgi Stoyanov and E3 - Slow and Steady.
Public Comment supplied for Item F3 - Short-term Rental Ordinance*

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 a date uncertain.

3. Slow and Steady LLC Special Permit
Assessor Parcel Number 210-061-008
Record No.: PLN-12408-SP
Bridgeville area

A Special Permit for 7,400 square feet of existing outdoor commercial cannabis cultivation supported by a 600 square foot ancillary nursery. Annual irrigation water usage is estimated at 35,700 gallons sourced from a point of diversion and supported by proposed storage totaling 55,775 gallons. Processing will occur offsite, energy is provided by a generator, and a maximum of two employees will be present during peak operation.

Approve the Slow and Steady, LLC Special Permit as recommended by staff.

4. Sanders Hurlbutt Lot Line Adjustment, Zone Boundary Adjustment, and Amended Land Conservation Contract
Assessor Parcel Numbers: 214-141-001 and 223-141-010
Record Number: PLN-2023-18159
Redway area

A Lot Line Adjustment (LLA) between two parcels of approximately 328 acres (Parcel 1) and 167 acres (Parcel 2). The LLA will exchange 13.1 acres resulting in no change to parcel sizes. A Zone Boundary Adjustment (ZBA) is also requested to adjust the zone boundaries between the Timberland Production Zone (TPZ) and Agriculture Exclusive with a 160-acre minimum parcel size (AE-B-5(160)) zone to coincide with the adjusted parcel boundaries. The purpose of the LLA is to make the property lines work better with the topography of the parcels and to achieve an equal exchange of acreage between the two parcels as part of an agreement to bring PG&E power to the Sanders parcel along an existing PG&E easement currently on the Hurlbutt property. As part of the LLA, the existing Hurlbutt Williamson Act contract will be amended to accommodate the exchange of lands. APN 214-141-001 is currently utilized for grazing cattle and APN 223-141-010 has an approved cannabis cultivation permit (PLN-11874-CUP). No development is proposed.

Approve the Sanders Hurlbutt Lot Line Adjustment, Zone Boundary Adjustment, and Amended Land Conservation Contract as recommended by staff.

5. North Coast Hitching Post - Conditional Use Permit and Coastal Development Permit Extension
Application Number: PLN-2023-18783
Assessor Parcel Number (APN) 308-131-033
Table Bluff area

Extension of a previously approved Coastal Development Permit and Conditional Use Permit (PLN-2022-17766) authorizing use of a property as a seasonal venue for special events (primarily weddings) between May and October. The extension is being requested to allow the permittee additional time to complete Conditions of Approval for the project, including securing a building permit for upgrades to the property to comply with the Americans with Disabilities Act (ADA) and to ensure the structural integrity of a barn used during events.

Approve the North Coast Hitching Post Conditional Use Permit and Coastal Development Permit Extension as recommended by staff.

1. John Piccirilli
Assessor's Parcel Numbers: 522-024-004
Record Numbers: PLN-12750-CUP
Willow Creek Area

A Conditional Use Permit for 8,475 square feet of existing mixed light and 7,000 square feet of existing outdoor commercial cannabis cultivation supported by a 1,500 square foot ancillary nursery. The estimated annual irrigation water budget is 64,200 gallons and is sourced from a groundwater well. There is 8,500 gallons of existing tank storage and 24,000 gallons of tank storage proposed for a total of 32,500 gallons. Drying occurs onsite and all other processing occurs offsite. Power to be provided by a proposed solar system. The project includes restoration of former cultivation areas.

Approve the John Piccirilli Conditional Use Permit as recommended by staff.

Consent Agenda Vote:

A motion was made by Commissioner Thomas Mulder, seconded by Commissioner Iver Skavdal, to approve the Consent Agenda, including items E-1 VIPA Farmers, E-3 Slow and Steady, E-4 Sanders Hurlbutt, E-5 North Coast Hitching Post and G-1 John Piccirilli as recommended by staff. The motion carried with the following vote:

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

Absent: 1 - Commissioner Brian Mitchell

F. OLD BUSINESS

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 Iver Skavdal, seconded by Commissioner Lonyx Landry to adopt the Resolution (Resolution 23-108) which finds the project complies with the General Plan

and Zoning Ordinance; and finds the project exempt from CEQA pursuant to Section 15303 of the CEQA Guidelines, and that there is no substantial evidence that the project will have a significant effect on the environment; and approves the Special Permit subject to the conditions of approval. The motion carried by the following vote:

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

Absent: 1 - Commissioner Brian Mitchell

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 Sarah West, seconded by Commissioner Peggy O'Neill to adopt the resolution (Resolution 23-109), which finds the Planning Commission has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Marijuana Land Use Ordinance (CCMLUO) that was prepared for the Georgi Stoyanov project and finds the project complies with the General Plan and Zoning Ordinance; and approves the Special Permit subject to the conditions of approval as modified by adding additional water storage. The motion carried by the following vote:

Aye: 5 - Commissioner Iver Skavdal, Commissioner Noah Levy, Commissioner Lonyx Landry, Commissioner Peggy O'Neill and Commissioner Sarah West

Nay: 1 - Commissioner Thomas Mulder

Absent: 1 - Commissioner Brian Mitchell

3. 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 Thomas Mulder, seconded by Commissioner Lonyx Landry to provide an approval recommendation to the Board of Supervisors. The motion carried by the following vote:

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

Absent: 1 - Commissioner Brian Mitchell

G. NEW BUSINESS

H. ITEMS PULLED FROM CONSENT

2. Slack & Winzler - Major Subdivision
Application Number: PLN-10797-FMS
Assessor Parcel Number (APN) 304-071-018
Eureka area

A Major Subdivision of an approximately 44.2-acre parcel into five residential lots. The lots will range in size from 5.17 acres to 16.63 acres. The parcel is currently vacant and has historically been utilized for timber harvesting. The parcels will be served with community water from the Humboldt Community Services District and each parcel will be developed with an on-site wastewater treatment system.

A motion was made by Commissioner Thomas Mulder, seconded by Commissioner Peggy O'Neill to adopt the resolution (Resolution 23-110) 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;

and approves the Slack & Winzler Major Subdivision subject to the conditions of approval. The motion carries by the following vote:

Aye: 5 - Commissioner Noah Levy, Commissioner Lonyx Landry, Commissioner Thomas Mulder, Commissioner Peggy O'Neill and Commissioner Sarah West

Absent: 1 - Commissioner Brian Mitchell

Recused: 1 - Commissioner Iver Skavdal

REPORT FROM PLANNER

An appeal was received for the Valadao project and is scheduled to be heard by the Board Of Supervisors on January 9, 2024.

The Short-term Rental Ordinance scheduled to be heard by the Board Of Supervisors on January 16, 2024.

The Sign Ordinance is scheduled to be heard by the Planning Commission on December 14, 2023.

I. ADJOURNMENT

Chair Noah Levy adjourned the meeting at 9:15 p.m.

J. NEXT MEETING: December 14, 2023 6:00 p.m. Regular Meeting - Hybrid