



## Planning and Building Department

3015 H Street, Eureka, California 95501

### Zoning Administrator Hearing

## Agenda

### Meeting Details

February 21, 2019

10:00 a.m.

- I. Call to Order
- II. Agenda Modifications
- III. Public Comments
- IV. Consent Agenda

1. **Salmon Creek High Grade, LLC, Special Permit**

Application Number: 12482

Case Number: SP16-544

Assessor's Parcel Numbers (APNs): 219-011-009 and 219-011-004

3550 Thomas Road, Miranda area

**Project Description:** A Special Permit to allow an existing 10,000 square foot outdoor cannabis cultivation site. Water for irrigation is from a point of diversion on an unnamed tributary to Mineral Creek, located on an adjacent parcel to the West, APN 219-011-004. The Special Permit allows for this point of diversion within the streamside management area of Mineral Creek.

**Staff Recommendation:** Consider 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, make all of the required findings for approval of the Special Permits based on evidence in the staff report and any public testimony, and adopt the Resolution approving the proposed Salmon Creek High Grade, LLC Special Permits subject to the recommended conditions.

2. **Undertow, LLC, Special Permit**

Application Number: 11873

Case Number: SP 16-338

Assessor's Parcel Number: (APNs) 219-071-003

4500 Lower Thomas Road, Miranda area

**Project Description:** A Special Permit for an existing cannabis cultivation site consisting of 6,994 square feet of mixed light commercial cultivation in hoop houses, 612 square feet of outdoor commercial cannabis cultivation in open air, and an 800 square foot appurtenant nursery propagation greenhouse. The water source is a 500,000-gallon rain catchment pond. Two points of diversion on an unnamed Class III stream and an unnamed Class II stream supply water for residences on the site, the processing facility,

and fire suppression tanks. This Special Permit authorizes these points of diversion and two related water tanks placed within a Streamside Management Area.

**Staff Recommendation:** Consider 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, make all the findings for approval of the Special Permits based on evidence in the staff report and any public testimony, and adopt the Resolution approving the proposed Undertow, LLC, Special Permits subject to the recommended conditions.

**3. Humboldt Old Guy Summit Farm LLC, Special Permit**

Application Number: 12853

Case Number: SP 16-676

Assessor's Parcel Number: (APNs) 522-044-002 and 522-051-006

4887 Brannan Mountain Road, Willow Creek area

**Project Description:** A Special Permit for an existing 10,000 square foot outdoor commercial cannabis cultivation located in two cultivation areas on a 184-acre parcel. This Special Permit includes provisions for development within a Streamside Management Area (SMA) for continued use of spring water diversions and restoration work within a 50-foot buffer of a Class III drainage waterway; and, provisions for a setback reduction to less than 600 feet to Six Rivers National Forest.

**Staff Recommendation:** Consider the Addendum to the Mitigated negative Declaration for the Commercial Medical Marijuana Land Use Ordinance pursuant to Section 15164 of the State CEQA Guidelines, make all of the required findings for approval of the Special Permits based on evidence in the staff report and any public testimony, and adopt the Resolution approving the proposed Humboldt Old Guy Summit Farms, LLC, Special Permits subject to the recommended conditions.

**4. Loleta Community Services District, Coastal Development Permit and Conditional Use Permit**

Application Number: 15014

Case Number: PLN-2018-15014-CUP

Assessor's Parcel Number: (APNS): 309-191-012, 309-211-002, 309-211-006, 309-211-007 and 309-251-002

2656 Eel River Drive, Loleta area

**Project Description:** Coastal Development Permit (CDP) application and Conditional Use Permit (CUP) application for the Loleta Community Services District (LCSD) to upgrade the LCSD's Wastewater Treatment Facility (WWTF) and effluent discharge system to meet the terms of a new National Pollutant Discharge Elimination System (NPDES) permit. The proposed project consists a new effluent pump station, pre-screening in the form of a rotary drum screen, extended aeration secondary treatment, and an ultraviolet disinfection system. LCSD, as Lead Public Agency for the project under the California Environmental Quality Act (CEQA), prepared an Environmental Initial Study and adopted a Mitigated Negative Declaration (MND) for the project.

**Staff Recommendation:** Find that all significant environmental impacts have been addressed in the programmatic MND for the project, and that no new changes or alterations have been made that require additional environmental review,, make all the findings for approval of the Coastal Development Permit and Conditional Use Permit

based on evidence in the staff report and any public testimony, and adopt the Resolution approving the proposed Loleta Community Services District Coastal Development Permit and Conditional Use Permit subject to the recommended conditions.

**5. Gary Sack, Conditional Use Permit and Special Permit**

Application Number: 14077

Case Numbers: CUP 18-044/SP 18-129

Assessor's Parcel Number: (APNs): 403-101-061, 405-131-003

Eureka area

**Project Description:** A Conditional Use Permit (CUP) and Special Permit (SP) to provide off-channel habitat enhancement. The primary goal of the proposed project (Project) is to increase off-channel overwintering habitat and survival of juvenile salmonids in lower Freshwater Creek (FC). Project objectives are to improve access for juvenile salmonids between FC and two (2) off-channel habitat areas, enlarge and enhance off-channel habitat areas, improve water quality of the off-channel habitats, increase wetland and riparian vegetation diversity and area, and stabilize and revegetate the bank of FC at the off-channel culvert installation sites. The Project would improve an additional 0.3 acres of juvenile winter rearing habitat, critical habitat for state and federally listed Coho Salmon, Steelhead and Chinook Salmon. Each of the off-channel ponds would be connected to FC by a six-foot (6') diameter culvert and the existing fortified bank of FC would be restored and enhanced. The SP would allow the proposed work in the Streamside Management Area.

**Staff recommendation:** Find that all significant environmental impacts have been addressed in the programmatic MND for the project, and that no new changes or alterations have been made that require additional environmental review, and make all of the required findings for approval of the Conditional Use Permit (CUP) and Special Permit (SP) based on evidence in the staff report and any public testimony, and adopt the Resolution approving the proposed Gary Sack CUP and SP Special Permit subject to the recommended conditions.

**V. Adjournment**

**VI. Next Meetings: March 7, 2019**

*Any written materials related to an item on this agenda submitted to the Zoning Administrator 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 Planning and Building Department is wheelchair accessible, and disabled parking is available in the Clark Complex parking lot, at the corner of H & Harris Streets, and on Harris Street. If you are a person with a disability and need disability-related modifications or accommodations to participate in this meeting please contact the Planning and Building Department at (707) 445-7541. Requests for such modifications or accommodations must be made at least **two (2) full business days** before the day of the meeting. Decisions made as a result of this meeting may be appealed to the Board of Supervisors within ten (10) business days from the date of the Zoning Administrator hearing. Appeals must be submitted in writing to: Planning and Building Department- Planning Division located at 3015 H Street, Eureka, California 95501. The Appellant will be responsible for all fees associated with the appeal.*