

CITY OF ARCATA
PLANNING COMMISSION REGULAR MEETING MINUTES
Approved February 22, 2011 by Unanimous vote

COUNCIL CHAMBER
736 F Street, Arcata, CA 95521

February 8, 2011
Tuesday, 7:00 p.m.

A complete record of this meeting can be viewed by visiting the City's Website (www.cityofarcata.org) and clicking on "Watch Live Meetings" to access the Planning Commission Archives to view the Granicus Telecast. Approved minutes are found on the Commission/Committee website.

I. ROLL CALL. Commissioners Present: Robert Flint (Chair), Julie Vaissade-Elcock (Vice Chair), Chuck Giannini, Paul Hagen, Judith Mayer, and Daniel Tangney. Currently, there is one vacancy on the Planning Commission.

II. ORAL COMMUNICATIONS. NONE

III. CONSENT CALENDAR. Approved by unanimous vote on motion by Vaissade-Elcock and second by Mayer.

A. APPROVAL OF MINUTES.

1. Approve Minutes of January 11, 2011
2. Approve Minutes of January 25, 2011

IV. PUBLIC HEARINGS.

A. Humboldt Patient Resource Center (HPRC) Dispensing - File Number 090-032-UP2:

Commissioner Tangney disclosed ex parte communication that he had spoken with Keven Metcalf of County Environmental Health and Mary Gearheart, Humboldt County Planning Commissioner. Commissioner Vaissade-Elcock disclosed that she was the President of Humboldt Community Access & Resource Center (HCAR), a non-profit service provider to persons with disabilities, which was subleasing a Valley West property to the applicant. She further disclosed that she had no financial interest in the sublease and would not be recusing herself. Chair Flint disclosed that he was employed by the owner of the building being leased by HPRC and that he would recuse himself. Commissioner Tangney called a point of order and asked whether the Chair would also recuse himself on the second HPRC item. Chair Flint affirmed that he would.

The Commission heard a brief staff report, accepted a presentation by the applicant, and deliberated briefly. The applicant, in trying to address the concerns of the previous hearing, provided testimony on the operations, including the adjacent uses. They addressed the concerns of the neighbors, showing several photos of the neighborhood identifying the mixed uses, and describing their contributions to the neighborhood. They claimed to have a good working relationship with the Arcata Police Department and said that they had not heard any concerns from them. The Commission questioned several key aspects of the operation, as well as the permit's failure to meet the proximity standards of the Land Use Code. The Commission ultimately directed staff to work with the applicant to ensure a well-thought out operations manual was included in the next submittal. The Commission continued the hearing without action.

B. Humboldt Patient Resource Center (HPRC) Cultivation - File Number 090-033-UP2: The Commission heard a brief staff report, accepted a presentation by the applicant, and deliberated briefly. The applicant, in trying to address the concerns of the previous hearing, provided testimony on the operations, including the cultivation area required to provide for their clientele. The Commission asked several questions of the applicant related to safety, the chemicals used on site, the cultivation area, and the operations.

Commissioner Hagen provided a report on the U.S. Attorney's letter to the City of Oakland regarding their industrial medical marijuana growing projects. He strongly cautioned staff and the Commissioners to ensure the project had a sound operations plan that met the requirements of the code. The Commission encouraged staff to consult with the City's attorney. Commissioner Tangney expressed appreciation for moving the cultivation out of the downtown and asked the applicant if there were other areas that they would consider moving the dispensing to. Commissioner Mayer suggested that the City should act with all due haste to bring the project to a resolution. Commissioner Giannini

asked questions how the U.S. Attorney's opinion would affect the City's process. Staff surmised that while the U.S. Attorney's opinion was important to consider, the current application should be evaluated on its own merits with respect to the City's code, and confirmed that it would seek advice of counsel.

- C. **Campbell Creek Apartment Planned Development Permit and Coastal Development Permit - File Number 090-004-PDP-CDP:** The Commission received a staff report, the applicant's agent's presentation, and inquired about specifics with respect to the parking and wetland design. The project was being heard in advance of the February 22 hearing when the California Environmental Quality Act (CEQA) was proposed for adoption to make sure all of the issues were adequately considered. The Planning Commission acknowledged that the project amendments had addressed the concerns raised at the previous hearing. The Commission continued the hearing to its February 22, 2011 regularly scheduled meeting.

V. BUSINESS ITEMS.

- A. Annual Report – Staff provided the Commission with a draft copy of the 2010 Planning Commission Annual Report.

VI. CORRESPONDENCE. NONE

VII. COMMISSION / STAFF COMMUNICATIONS.

- A. PLANNING COMMISSION COMMUNICATIONS. NONE
 B. STAFF COMMUNICATIONS.

Election dates will cause the cancellation or relocation of the Commission's meeting in November.

The City is cosponsoring a series of lectures on Arcata's history, the first of which was scheduled for Thursday February 10 at the D Street Neighborhood Center. Check the City's website for details.

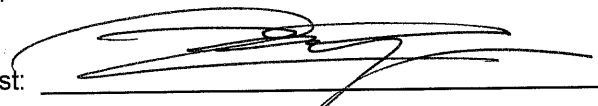
Staff was preparing a report on the mobile food vendor standards and recent developments with respect to permitting said vendors within the City.

VIII. ADJOURNMENT. 9:54 p.m.

Arcata Municipal Code Section 2204.B Commissions. If any member of a commission is absent for four regularly scheduled meetings in a calendar year, the secretary to the commission shall certify that fact to the Council and the Council shall thereafter declare the position on the commission to be vacant.

2011 Meetings	Jan 11	Jan 25	Feb 8	Feb 22	Mar 8	Mar 22	Apr 12	Apr 26	May 10	May 24	Jun 14	Jun 28	Jul 12	Jul 26	Aug 9	Aug 23	Sep 13	Sep 27	Oct 11	Oct 25	Nov 8	Nov 22	Dec 13	Dec 27
Vacant																								
Robert Flint	X	X	X																					
Chuck Giannini	X	X	X																					
Paul Hagen	X	X	X																					
Judith Mayer	X	X	X																					
Daniel Tangney	X	X	X																					
Julie Vaissade-Elcock	X	X	X																					

Note: Chair Flint; Vice Chair Vaissade-Elcock. Staff Liaisons: David Loya/Joe Mateer
 X = present; O = absent; *= no meeting; S= special meeting (not considered regular attendance).

Attest: 
 David Loya, Deputy Director