

To: Humboldt County Board of Supervisors
825 5th Street
Eureka, CA 95501

Date: June 18, 2020

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Subject: Concerning the Appeal of PLN-12733-SP and PLN-12747-SP for APN 032-051-032 at 829 Redwood Drive, Garberville

Your Honors,

Please accept these comments concerning the appeal of PLN-12733-SP and PLN-12747-SP for APN 032-051-032 at 829 Redwood Drive, Garberville. It is in addition to the letter previously submitted concerning land use. Specifically, as proposed this project meets all state and local regulations as previously stated and is justifiable by the General Code, and the appellant has no basis for appeal under CEQA. This appeal is NIMBYism using legal intimidation by those of means to obstruct development of private property and negatively impact long-term community economic development.

Under County Code the parcel is zoned as Community Commercial (C-2). C-2 development is intended to apply to areas where more commercial facilities are necessary for community convenience, which this project meets, by offering principally permitted uses such as professional and business offices, services of a light commercial character, incidental caretaker's residence, and storage warehousing. Further, allowed uses under permit that this project meets includes handicraft manufacture, cannabis distribution, and cannabis nonsolvent manufacturing.

Whereas, under the General Plan the parcel is designated as Commercial General (CG). Though in regards to planning CG development must also refer to the Garberville Redway Alderpoint Benbow Community Plan which was adopted June 30, 1987. The community plan states that the character of CG shall be developed generally for retail sales and services that should be located for convenience to be easily accessible, compatible and geared for local, neighborhood or regional needs. Primary and compatible uses that this project meets includes:

1. Retail Services to local cannabis farmers of their product to markets outside the County;
2. Office and Professional Service to other businesses within the second (2nd) floor offices which are accessible from a separate entrance on Redwood Drive.
3. Visitor Serving Facility by providing tourist viewing opportunities.
4. Warehousing, Storage, and Distribution as one the primary activities of proposed use of the lower floor and storage facilities.
5. Cottage Industry which was once clandestinely undertaken in garages without safety measures as one the primary activities of proposed small light industrial manufacturing of handcrafted high-quality secondary value-added products such as joints, hash, and

distillate employing labor methods heavily reliant upon using hand tools and machinery with lower productivity.

6. Residential Use Subordinate to the Permitted Use such as the third (3rd) floor apartment above establishments engaged in uses designated "Primary and Compatible".

The project as described meets the Community Plan. To further determine appropriate use requires referencing the Humboldt County General Plan adopted October 23, 2017. The General Plan has superseded the Community Plan as such:

"The resolution adopting this Plan would clearly indicate that the Humboldt County Framework Plan and all of the other Plans and Elements listed above are superseded...As a result, the following Community Plans are amended and consolidated into this Plan, and this Plan is considered to be the Community Plan for those communities until such time that the Community Plans are updated:

7. Jacoby Creek Community Plan (1982)
8. Freshwater Community Plan (1985)
9. Fortuna Community Plan (1985)
10. Willow Creek Community Plan (1986)
11. Hydesville-Carlotta Community Plan (1986)
12. Garberville-Benbow-Redway-Alderpoint Community Plan (1987)" (HumCo GenPlan 2017, pg 2-5)

Due to infrastructure limitations providing community water and sewage urban areas are currently built out to the point they cannot provide service to any new development on the fringes. Services outside of developed urban areas is not feasible and the General Plan requires for economic activities is focused upon and occurs with urban infill development. Further, development of urban land uses must due consideration to individual property rights to ensure that economic activities are a long-term benefit to the community and county as a whole.

- Phased Urban Development: promotes existing focused community development patterns...efficient use of public infrastructure and provide higher development potential in urban areas with access to public sewer and water. (HumCo GenPlan 2017, pg 4-7)
- Development Timing: primarily consist of designating areas where near-term availability of services are feasible and designating outlying areas as the next logical areas for development. The outlying areas are reserved until the primary areas are nearing capacity...The development timing measures focus and facilitate growth in the urban development areas. (HumCo GenPlan 2017, pg 4-7)
- Urban Services: Urban densities and land use designations apply to the urban development area. These areas provide the best opportunity for affordable development and economic delivery of necessary public services. (HumCo GenPlan 2017, pg 4-9)

Humboldt County has experienced long-term economic decline associated with rural community dependent upon resource extraction which has failed to meet the competition of globalism. This resource-based economy, along with the decades of narcoeconomy, have created a situation where the County must revitalize urban areas while focusing development due to infrastructure limitations. The purpose is creating economic expansion for revenue generation created by development to further justify capital expenses for infrastructure.

"the highest priority of this Plan is the revitalization of Urban Development Areas to provide for business expansion, workforce housing opportunities and focused rehabilitation...while maintaining existing community character and the "small town feel"..." (HumCo GenPlan 2017, pg 4-15)

Under the General Plan development is primarily regulated through the Plan and County Code zoning requirements. The proposed projects meet the goals and policies of the General Plan. Specially, these development goals for urban areas:

1. They are to serve for business expansion such as this project which proposes to reuse and invest in the upgrade of a prominent downtown building while providing local economic development (UL-GL1);
2. Provide convenient access to work by focusing business development into existing urban areas so local worker do not have to travel far creating unnecessary carbon emissions (UL-G2);
3. Maintain mixed used development which this project conforms using the lower floor for small handicraft manufacturing and distribution services with viewing opportunities, provides rental office space in the second floor, and has an itinerant residence used by the owner (UL-GL3);
4. Preserves community character which this project maintains as the façade of the building will not change, except repainting and safety upgrades, and use the building for economic purposes as described under the Garberville Community Plan and County Code (UL-G4);
5. The County shall plan and implement land use regulations to support business expansion and housing opportunities which lead to future investments in the community from revenue generation that this project will provide (UL-P1);
6. Preserve community identity and character, which Garberville is world renowned as the Heart of the Emerald Triangle, and has for decades supported and profited from a narcoeconomy. This project preserves the building, reputation of Garberville as a leader in high quality craft cannabis products, provides quality employment opportunities for locals, and shows that the community accepts its past while moving forward to compete in the legal market with respectable livable wage jobs (UL-P5);
7. Again, the project maintains mixed-use zoning requirements with commercial uses, residence, and a shopfront façade (UL-P6);
8. This project conforms with Town Centers commercial uses on the lower floors and subordinate residence. Off-street parking requirements in a Town Center are supposed to be reduced by the County to encourage development such as this project. It is proposing to maintain pedestrian scale character with frontage that has a storefront façade and tourist viewing opportunities (UL-P7);
9. The main front building is a historic resource, as it is over one hundred twenty-five years old, one of the first buildings within Garberville, and nothing will change with this building excepts safety upgrades and painting. Originally it served as the community general store and manufactured ice for household iceboxes in the concrete building proposed to be removed as it is unsafe. Overall, the building shall be used as it was intended maintaining its original feel while providing needed services to the community, employing locals with livable wages at an easily accessible site, stimulate downtown development, and generate county revenues (UL-P9);
10. The appellant has brought up an important issue with the project of their own making which according to the General Plan must be rectified. Specifically, the gate installed on the

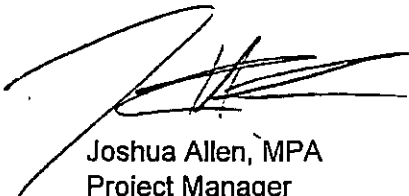
alleyway blocking access to the public right of ways and creating a dead-end within an Urban Area increases traffic and risks to pedestrian safety by dumping all traffic onto Maple Lane. As such, the gate should be removed for further economic development and traffic calming (UL-P16);

11. This project meets the standard of achieving a balance of employment and housing by placing work opportunities close to communities where labor resides (UL-S1); and,
12. Finally, performance standards of the General Plan, County Code, State Code, and as applied under Ordinance 1.0 are not only being met but also exceeded to reduce community tensions. As such, this project should be principally permitted (UL-S2);

Based upon review of Humboldt County Development Code, Cannabis Ordinance 1.0, the Community Plan, and the General plan the majority of the activities of proposed projects are principally permitted. The light manufacture of secondary value-added products using low productivity handcrafted methods meets the definition of allowed use under permit. Therefore, there is not a CEQA issue concerning this project as it meets all regulatory requirements while remaining consistent with the nature of the community.

Respectfully, your Honors are requested to approve of these projects as they meet the intent and requirements of County and State regulations. It is an appropriate use of an Urban Area which shall provide desperately needed regional services to cannabis farmers, promote Humboldt brands outside of the county, provide livable wage easily accessible jobs close to housing, produce secondary products used by other business such as distillate for baked goods, generate economic activity downtown, and create revenues for the County for infrastructure improvements. These projects are not a CEQA issue, rather it is NIMBYism of local change, and if implement would be a net benefit to the community as a whole. Therefore, your vote should be in favor of these projects.

Thank you for your consideration in these matters.



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