



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

3015 H Street Eureka CA 95501
Phone: (707)445-7541 Fax: (707) 268-3792

Hearing Date: August 24, 2017

To: Humboldt County Planning Commission

From: John H. Ford, Director of Planning and Building Department

Subject: **Hilltop Farm, LLC Conditional Use Permit**
Application Number 12131
Case Number CUP16-542
Assessor's Parcel Number (APN) 307-041-011-000
7333 Humboldt Hill Road Eureka, CA

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Please contact Rodney Yandell, Planner, at 707-268-3732 or by email at ryandell@co.humboldt.ca.us if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
August 3, 2017	Conditional Use Permit	Rodney Yandell

Project Description Hilltop Farm, LLC is applying for a Conditional Use Permit (CUP) for 7,560 square feet (sf) of new, mixed light cannabis cultivation. The harvested cannabis will be dried in an existing shed and trimmed by the owners in their existing residence. Water for domestic use and irrigation will be supplied by Humboldt County Community Services District. The applicant also has a 2,500 gallon water tank for storage and fire suppression. The applicant has submitted an Enrollment Notice of Intent form for the Commercial Cannabis Waste Discharge Regulatory Program administered by the North Coast Regional Water Quality Control Board (RWQCB).

The Project will be developed in two phases. First, a pre-fabricated 2,880 sf greenhouse will be erected on a pad graded for that purpose. Grading will be minimal and the structure has been designed to withstand high winds. The second phase will add a 7,560 sf greenhouse. It is currently envisioned that the first greenhouse will be for plant propagation ancillary to the on-site cultivation activity, and the second greenhouse will become the cultivation area. Cultivation will occur year-round.

Project Location: The 5-acre project site is located in Humboldt County, in the Humboldt Hill area. It lies near the southern terminus of Humboldt Hill Road on the property known as 7333 Humboldt Hill Road, Eureka, CA.

Present Plan Land Use Designations: Commercial General (CG), Eureka Community Plan; Agriculture/Prime and Non-prime Lands (AE) Humboldt Bay Area Plan (HBAP) Density: 20 to 5 acres per dwelling unit; Slope Stability: Low Instability (1).

Present Zoning: Qualified Commercial Industrial with a Combining Zone Restricting Further Subdivision (C-3-B-6-Q).

Case Number: CUP-16-542

Application Number: 12131

Assessor Parcel Numbers: 307-041-011-000

Applicant	Owner
Hilltop Farm, LLC	Same as applicant
Diana Livingston	
7333 Humboldt Hill	
Eureka, CA 95503	

Environmental Review: CEQA Exemption Section: 15303(c)-New construction of small commercial facilities.

State Appeal Status: Project is NOT appealable to the California Coastal Commission

Major Issues: None

HILLTOP FARM, LLC
Case Numbers CUP16-542
Assessor's Parcel Numbers 307-041-011-000

Recommended Commission Action

1. Describe the application as a Public Hearing;
2. Request that staff present the project;
3. Open the public hearing and receive testimony; and
4. Close the hearing and take the following action:

Move to make all of the required findings for approval of the Conditional Use Permit based on evidence in the staff report, and adopt the Resolution approving the proposed Hilltop Farm, LLC project subject to the recommended conditions.

Executive Summary: Hilltop Farm, LLC is seeking Conditional Use Permit (CUP) for the initiation of commercial medical cannabis cultivation and processing on the subject property. The proposed Project has two phases. First, a pre-fabricated 2,880 sf greenhouse would be erected on a pad graded for that purpose with initiation of Phase 2 dependent on the success of Phase 1. Phase 2 would consist of expanding the operational capacity by 7,560 sf in a second greenhouse and does not involve any other changes to the Cultivation and Operation Plan. The CUP will authorize both phases. The applicant will need to change their RWQCB discharge status from Tier 1 to Tier 2 if they implement Phase 2.

The portion of the property proposed for medical cannabis activity is zoned Commercial Industrial (C-3). The CMMLUO identified industrially zoned properties as sites where intensive cannabis related activities could be allowed subject to the issuance of a conditional use permit. While the maximum size of the cultivation area was specified for most zones where this activity is permitted, the CMMLUO regulations did not set a cultivation area ceiling for commercial industrially zoned parcels. However, a CUP is a discretionary permit, meaning to approve the requested cultivation area the Planning Commission must consider whether the findings required for permit approval can be met for the described project.

The facility will operate year-round. Irrigation and lighting will be automated, and each greenhouse will be occupied less than 2,000 hours per year to meet the conditions described in Sec 314-22.1.5.2 of Humboldt County Zoning Regulations regarding structures for human occupancy in an Alquist-Priolo Fault Hazard Zone. All operations will be conducted by the owners who live on-site.

The following discussion summarizes the details of the project description.

Access/Parking

The project site is accessed from Humboldt Hill Road which is a two-lane County roadway that is over 24 feet in width. The southern terminus of Humboldt Hill Road is its intersection with the access road to the subject property. The unnamed access road is maintained to the equivalent of a category 4 road by the property owner and Verizon, however, it will need modest improvements to increase its width at the intersection with Humboldt Hill Road. Hilltop Farm LLC has provided a written commitment to make these improvements upon receipt of the Cannabis cultivation permit. The operations will be conducted entirely by the owners who reside on the property. No additional accommodations for parking are required.

Landscaping

As shown on the Site Plan (Sheet No. prepared by Points West Surveying), the project proposes the installation of perennial landscaping around the cultivation area. This will provide a visual screen

that improves the aesthetics and security of the cultivation area, as well as a storm water BMP to aid in the infiltration of water that drains off of the greenhouse roofs.

Lighting

The project site currently contains existing outdoor lighting typical for a private residence in a rural setting. The cultivation lights in the greenhouses will be prevented from illuminating the night sky for aesthetic, wildlife protection, and security reasons.

Stormwater Management

Development of the proposed cannabis facility will create additional impervious surface and result in an increase in stormwater runoff. The site has a shallow grade (~5%) and it is situated on a hilltop therefore only a small catchment area contributes additional runoff and it is a long distance to any swales, streams, or ditches. Additionally, as mentioned above, perennial vegetation will be planted around the greenhouses which will help slow the roof runoff and improve infiltration. The project is registered with the RWQCB, and discharge measures are required to comply with the regulations of that agency.

Riparian Habitat and Wetlands

The Project site does not contain, nor is it proximate to, any riparian habitat or wetlands.

Water Sources

Water sources for the project will include water service from the Humboldt Community Services District (HCSD). The HCSD has approved the Project.

Wastewater

The project site is located within the Humboldt County Community Services District (HCSD). Residential sewage is handled by an existing connection to a sewer line and the project will not discharge any irrigation runoff into the line.

Electrical Service

The proposed cannabis facility will use an existing electrical service from Pacific Gas & Electric (PG&E).

Odor Control

The proposed cannabis operation, including cultivation and on-site processing activities, will manage odor using carbon filtration or similarly effective technology to minimize off-site impacts to the adjacent residential neighborhood.

Staff Recommendation

All responding referral agencies have recommended approval or conditional approval of the project and CUP approval is conditioned upon meeting their requirements.

Based on a review of Planning Division reference sources, and comments from all involved referral agencies, planning staff believes that the applicant has submitted evidence in support of making all of the required findings for approving the CUP.

ALTERNATIVES: The Planning Commission could elect not to approve the project, require the applicant to submit further evidence, or modify the project. These alternatives could be implemented if the Commission is unable to make all of the required findings. Planning Division staff has stated that the required findings in support of the proposal have been made. Consequently, Planning staff does not recommend further consideration of the alternatives.

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 17-**

**Case Number CUP16-542
Assessor Parcel Number: 307-041-011**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Hilltop Farm, LLC Conditional Use Permit.

WHEREAS, Hilltop Farm, LLC submitted an application and evidence in support of approving a Conditional Use Permit for the development and operation of a new commercial mixed-light medical cannabis cultivation operation consisting of 7,560 sf along with an ancillary 2,880 sq. ft. plant propagation area; and

WHEREAS, the County Planning Division reviewed the submitted application and evidence and referred the application and evidence to involved reviewing agencies for site inspections, comments and recommendations; and

WHEREAS, the project is exempt from environmental review per CEQA Exemption Section 15303(c)- New construction of small commercial facilities; and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Conditional Use Permit (Case Numbers CUP16-542; and

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on August 24, 2017.

NOW, THEREFORE, be it resolved, determined, and ordered by the Planning Commission that:

1. The proposed project is exempt from environmental review per CEQA Exemption Section 15303(c) of the State CEQA Guidelines; and
2. The findings in Attachment 2 of the Planning Division staff report support approval of Case Number CUP16-542 based on the submitted evidence; and
3. Approves the Conditional Use Permit as recommended and conditioned in Attachment 1 for Case Numbers CUP16-542.

Adopted after review and consideration of all the evidence on August 24, 2017.

The motion was made by Commissioner ____ and seconded by Commissioner ____.

AYES: Commissioners:

NOES: Commissioners:

ABSTAIN: Commissioners:

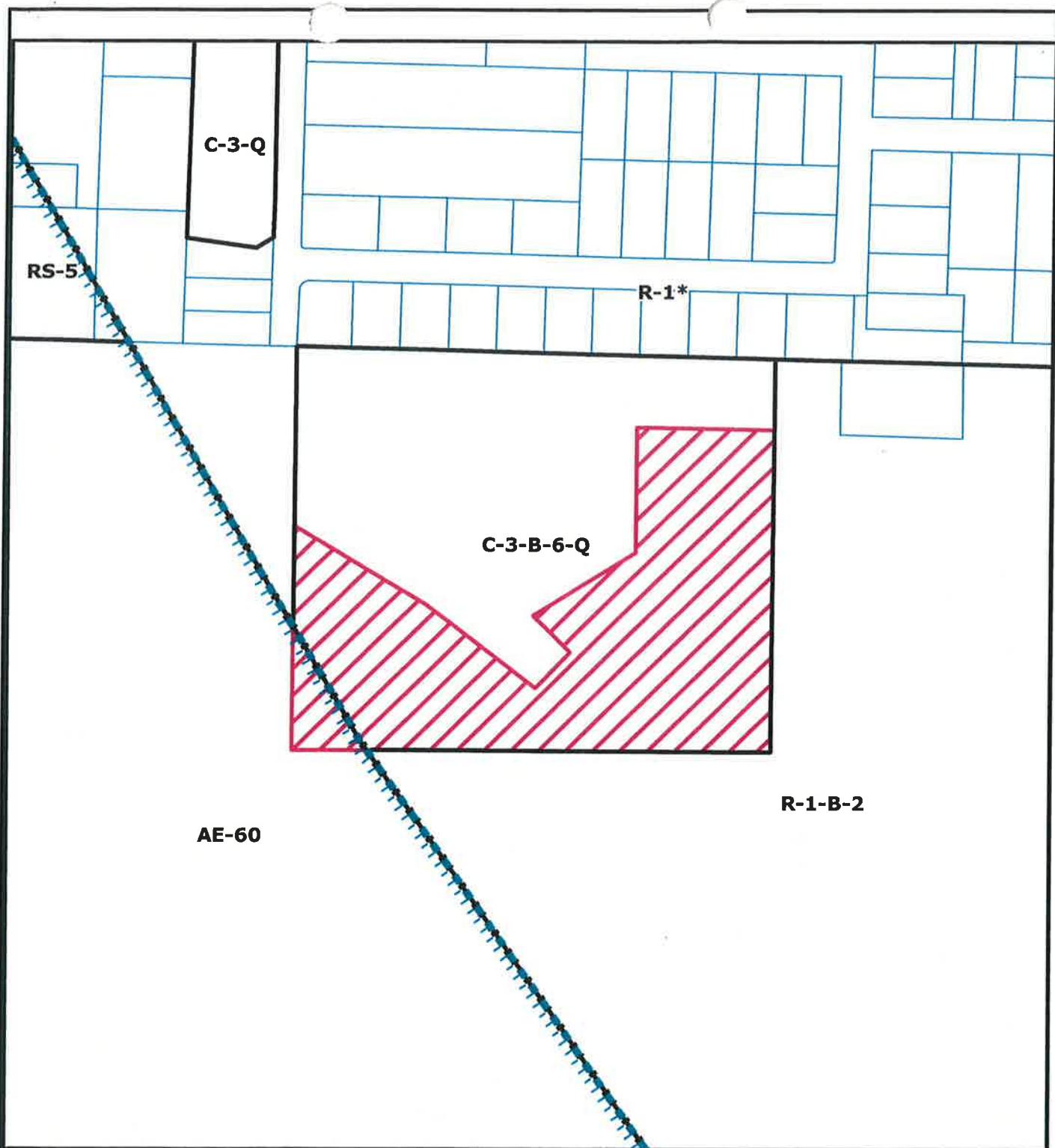
ABSENT: Commissioners:

DECISION: Motion carries

I, John Ford, Secretary to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above entitled matter by said

Commission at a meeting held on the date noted above.

John Ford
Director, Planning and Building Department



**ZONING MAP
PROPOSED HILLTOP FARM, LLC
HUMBOLDT HILL AREA
CUP-16-542**

Project Area =

**APN: 307-041-011
T04N R01W S20 HB&M (FIELDS LANDING)**



0

250

Feet

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



**AERIAL MAP
PROPOSED HILLTOP FARM, LLC
HUMBOLDT HILL AREA**

CUP-16-542

APN: 307-041-011

T04N R01W S20 HB&M (FIELDS LANDING)

Project Area =

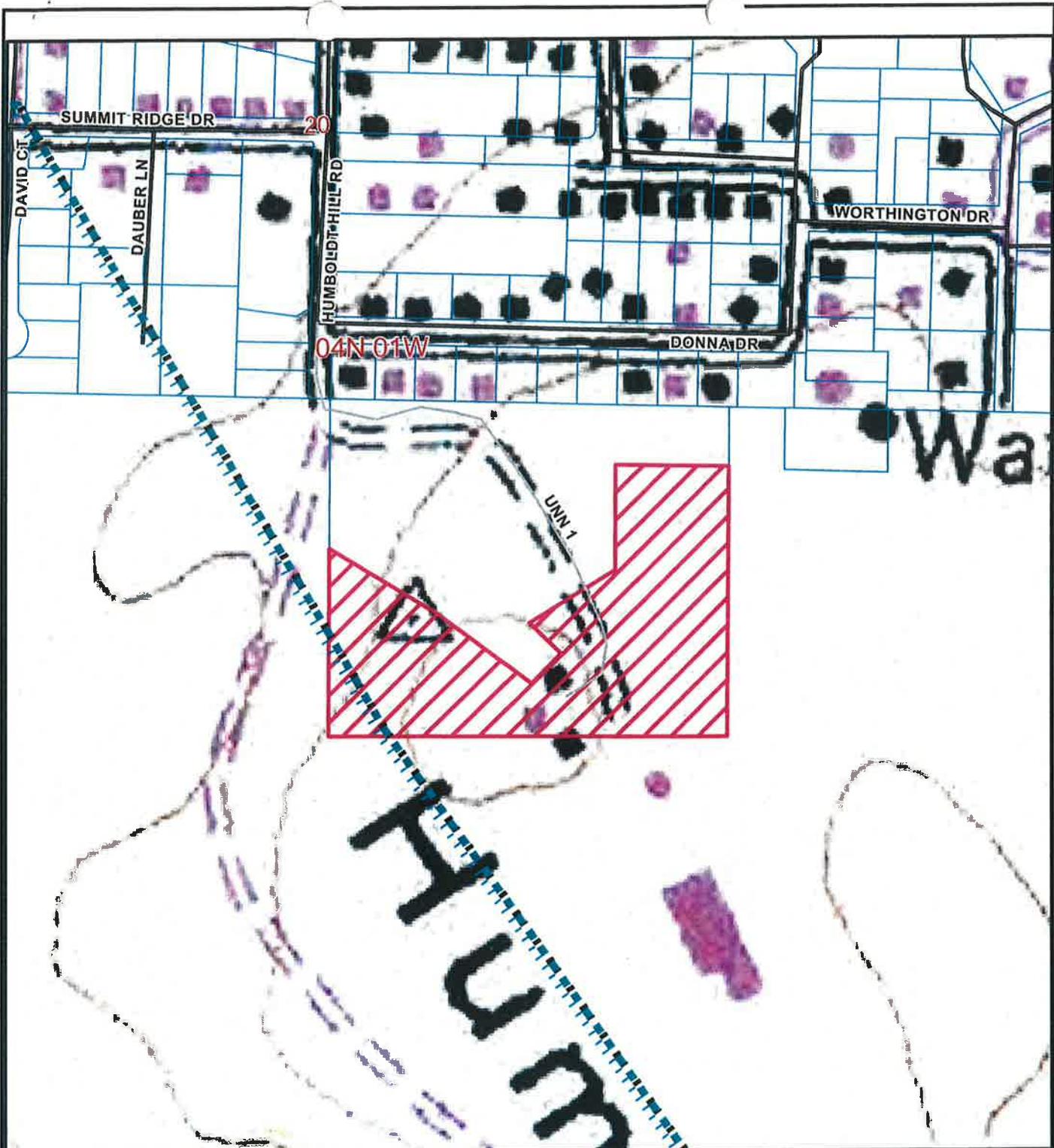


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250

Feet

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



**TOPO MAP
PROPOSED HILLTOP FARM, LLC
HUMBOLDT HILL AREA
CUP-16-542**

Project Area =

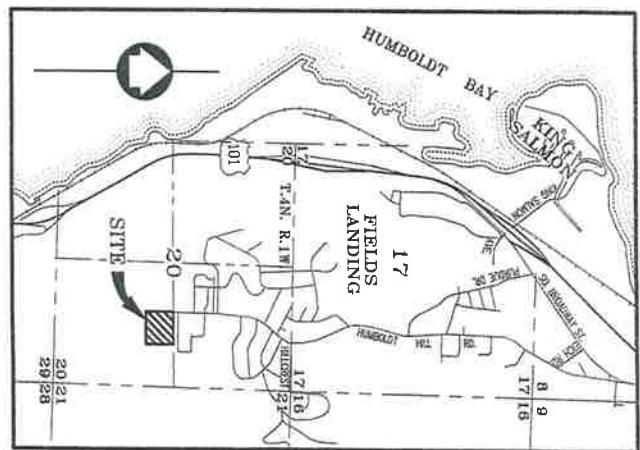
**APN: 307-041-011
T04N R01W S20 HB&M (FIELDS LANDING)**

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



0 250 Feet

VICINITY MAP
SCALE: 1" = 2,000'



LEGEND

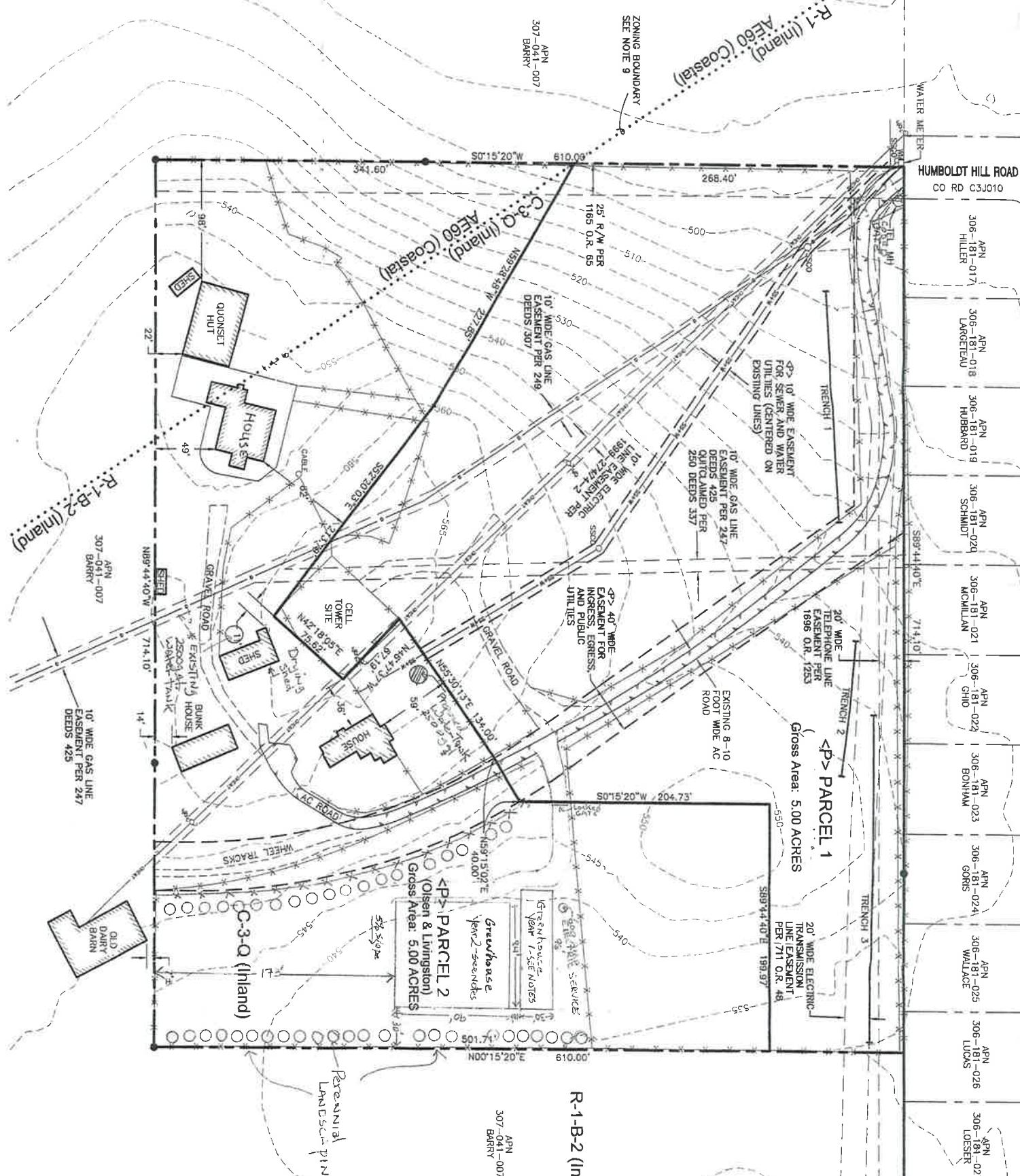
- SSW
OVERHEAD ELECTRIC & TELEPHONE
- GAS LINE
- TELEPHONE MANHOLE
- SANITARY SEWER CLEANOUT
- JOINT UTILITY POLE
- FENCE LINE
- EDGE OF AC PAVEMENT
- PROPOSED LOT LINES
- EXISTING BOUNDARY
- ADJACENT BOUNDARY
- PROPOSED EASEMENT LINE
- OFFICIAL RECORDS, HUMBOLDT COUNTY RECORDS
- PARCEL MAPS, HUMBOLDT COUNTY RECORDS
- RIGHT-OF-WAY
- PROPOSED

GRAPHIC SCALE
1 inch = 50 ft.

307-APN
BARRY

ZONING BOUNDARY
SEE NOTE 9

307-APN
BARRY



PROJECT DATA

Owner / Applicant: *Diana Livingston, Ginger Olsen*
APN: 307-041-011
Mailing Address: 7333 Humboldt Hill Rd.
Eureka, CA 95503
Tel: 707-845-1847

TENTATIVE MAP
APN 307-041-011

Site Address: 7333 Humboldt Hill Rd.
Eureka, CA 95503

General Plan: Commercial General
Zoning: Qualified Industrial Commercial (C-3-Q)
Agriculture Exclusive (AE60)

Building Setbacks: Front: 5' Side: 5' Rear: 5'

Front: 20' Interior Side: 30' Exterior Side: 20' Rear: 30'

- Utilities shown herein are based on a combination of field ties to visible appurtenances and record drawings provided by PG&E. The surveyor makes no guarantees that his underground utilities shown comprise all such utilities in the area, either in-service or abandoned. The surveyor further does not warrant that the underground utilities shown in the exact location indicated, although the surveyor does certify that they are located as accurately as possible from information available. The surveyor has not physically located the underground utilities.
- Bearings shown herein are based on Book 2 of Parcel Maps, Page 56 based on bearings to record monuments shown thereon. Monuments recovered in the field are shown herein.
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SE 1/4 SECTION 20 T.4N., R.1W., H.B.&M.

HUMBOLDT COUNTY, STATE OF CALIFORNIA

SCALE: 1"=50' MAY, 2007 SHEET 1 OF 1

REVISED 6/5/2007

Points West Surveying Co.
1338 Finney Rd.
Eureka, CA 95503
(707) 840-9510

ATTACHMENT 1

CONDITIONS OF APPROVAL

Approval of the Conditional Use Permit is conditioned on the following terms and requirements which must be satisfied before release of the building permit and initiation of operations.

Section 1: Development Restrictions

1. The applicant shall be responsible for obtaining all necessary County and State permits or licenses, and for meeting all of the requirements as set forth by other regulatory agencies.
2. The applicant shall obtain all necessary building permits and grading permits from the Building Inspection Division (BID) for all structures and grading related to the cannabis cultivation activity. The applicant/owner shall submit plans by a California-licensed engineer for the building permit and grading permit. All building and grading plans submitted for approval shall be consistent with those approved by the Planning Commission.
3. In accordance with the Framework, Vol.1, General Plan, the applicant shall:
 - A. Maintain erosion control as specified in §3432(9) of the Framework Plan;
 - B. Implement "Best Management Practices" for erosion and sediment control during the construction phase of the project;
 - C. Use dust control techniques when excavating to minimize dust problems on adjacent dwelling(s).
 - D. Reseed/gravel disturbed areas prior to winter rain.
 - E. Take all precautions necessary to avoid the encroachment of dirt or debris on adjacent properties.

This condition shall appear as an information note on the building permit and grading permit plot plans.

4. The approved building plans shall address odor management by incorporating a ventilation/air filtration system which limits potential adverse odor emission impacts to employees and/or properties located in the vicinity. The system shall be designed, signed, and stamped by a mechanical engineer for review and approval by the Building Official.
5. The approved building plans shall meet all applicable fire codes, including fire suppression infrastructure requirements deemed necessary for the project by the Building Inspection Division. Sign off on the Occupancy Permit by the Building Division shall satisfy this requirement.
6. Prior to the issuance of the Building Permit the applicant shall obtain a Business License from the Humboldt County Tax Collector.
7. Applicant must comply with conditions required per agreement with Humboldt County Community Services District (Exhibit A).
8. The applicant shall submit to the County, a detailed schedule for greenhouse operations which will include estimated hours for activities performed within the greenhouse during each cultivation cycle. The total annual person hours spent working in the greenhouse will be less than 2,000. Applicant must comply with this condition for the life of the project.
9. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of

Supervisors. The Department will provide a bill to the applicant after the decision on the CUP. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

10. Prior to the issuance of building or grading permits the applicant shall pay the \$125.00 Review for Conformance with Conditions deposit as required by the County's adopted Schedule of Fees and Charges.
11. The applicant shall provide written assessment from a qualified septic consultant confirming a Tier 0 status for the existing onsite septic serving the dwelling serving the family staffing as described in the permit description.
12. Improve the encroachment off Humboldt Hill Road to a width of 20 feet (as possible) for a length of 50 feet in accordance with the Applicant's Road Evaluation as accepted by Ken Freed of the Department of Public Works (Attachment 3).

Section 2: On-Going Requirements/Development Restrictions Which Must Continue for the Life of the Project

1. The project shall be developed, operated and maintained in accordance with the project description, the Cultivation and Operations Plan and updates, Attachment 3. Additionally the facility shall be developed and operated consistent with the approved project site plan. Changes to the project except for Minor Deviations to the Plot Plan as provided in Section 312-11.1, shall require Modification of this permit.
2. All new and existing outdoor lighting shall be compatible with the existing setting and directed within the property boundaries.
3. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the Humboldt County Commercial Medical Marijuana Land Use Ordinance (CMMLUO) and the Medical Cannabis Regulation and Safety Act (MCRSA), as may be amended from time to time, as applicable to the permit type.
4. The operation shall participate in the Medical Cannabis Track and Trace Program administered by the Humboldt County Agricultural Commissioner or State equivalent, when available.
5. Possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
6. Possession of a current, valid permit or license, issued by the Humboldt County Department of Health and Human Services-Environmental Health Division, as soon as such permits or licenses become available, if applicable.
7. Odors shall be contained on the property on which the Cannabis activity is located. To implement this requirement air filtration and ventilation equipment is to be maintained in good working condition and monitored on an on-going basis to limit potential adverse odor emission impacts to employees and/or properties located in the vicinity of the operation. If the County receives any odor complaints, the permit holder shall work with the Building Official to correct odor concerns.

8. **Permit Duration.** The Permit shall be valid for one year from the effective date of approval, and on the anniversary date of such effective each year thereafter, unless an annual compliance inspection has been completed and the permit has been found to comply with all conditions of approval. In the event the inspection finds noncompliance, a written notification shall be provided to the permit holder identifying the items not in compliance and the action the permit holder may take to cure the noncompliance. Failure to cure the noncompliance shall result in termination of the permit. The process of notification, re-inspection and appeal of any noncompliance determination shall be as set forth in sections 55.4.12.2 and 55.4.13 of the CMMLUO.
9. **Permit renewals to comply with updated laws and regulations.** Permit renewal per Ongoing Condition of Approval #8 above is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure that new standards are met.
10. **Transfers.** Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CMMLUO eligibility requirements, and agreement to permit terms and acknowledgments. The fee for required conformance with conditions review shall accompany the request. The request shall include the following information:
 - (1) Identifying information for the new Owner(s) and management as required in an initial permit application;
 - (2) A written acknowledgment by the new Owner in accordance as required for the initial Permit application;
 - (3) The specific date on which the transfer is to occur; and
 - (4) Acknowledgement of full responsibility for complying with the existing Permit; and
 - (5) Execution of an Affidavit of Non-diversion of Medical Cannabis.
11. **Modifications to the Facility.** Prior to making any modifications to a permitted facility, the permittee shall submit to the Planning Director a request for determination of County approvals, together with the appropriate fee. The request shall contain a description sufficiently detailed to allow the Planning Director to determine what permits and other approvals, are needed, and whether a modified Permit is required.
12. **Inspections.** The permit holder and subject property owner are to permit the County or representative(s) or designee(s) to make inspections at any reasonable time deemed necessary to assure that the activities being performed under the authority of this permit are in accordance with the terms and conditions prescribed herein.
13. Site visibility must be maintained at the driveway approach in conformance with County Code Section 341-1 et seq.
14. The following provides means of responding to the circumstances of a significant discovery during the implementation of the proposed agricultural operation within the project parcel. If cultural materials for example: chipped or ground stone, historic debris, building foundations, or bone are discovered during ground-disturbance activities, work shall be stopped within 20 meters (66 feet) of the discovery, per the requirements of CEQA (January 1999 Revised Guidelines, Title 14 CCR 15064.5 (f)). Work near the archaeological finds shall not resume until a

professional archaeologist, who meets the Secretary of the Interior's Standards and Guidelines, has evaluated the materials and offered recommendation for further action.

In the event that paleontological resources are discovered, work shall be stopped within 20 meters (66 feet) of the discovery and a qualified paleontologist shall be notified. The paleontologist shall document the discovery as needed, evaluate the potential resource, and assess the significance of the find under the criteria set forth in State CEQA Guidelines Section 15064.5. If fossilized materials are discovered during construction, excavations within 50 feet of the find shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist. The paleontologist shall notify the appropriate agency to determine procedures that would be followed before construction is allowed to resume at the location of the find.

If human remains are discovered during project construction, work will stop at the discovery location, within 20 meters (66 feet), and any nearby area reasonably suspected to overlie adjacent to human remains (Public Resources Code, Section 7050.5). The Humboldt County coroner will be contacted to determine if the cause of death must be investigated. If the coroner determines that the remains are of Native American origin, it is necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the NAHC (Public Resources Code, Section 5097). The coroner will contact the NAHC. The descendants or most likely descendants of the deceased will be contacted, and work will not resume until they have made a recommendation to the landowner or the person responsible for the excavation work for means of treatment and disposition, with appropriate dignity, of the human remains and any associated grave goods, as provided in Public Resources Code, Section 5097.98.

The applicant is ultimately responsible for ensuring compliance with this condition.

15. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).

Informational Notes:

1. The applicant is responsible for receiving all necessary permits and/or approvals from other state and local agencies.
2. This permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"); except where construction under a valid building permit or use in reliance on the permit has commenced prior to such anniversary date. Once initiated, the use is subject to the Permit Duration and Renewal provisions set forth in Condition of Approval #9 and 10 of the On-Going Requirements /Development Restrictions, above. The period within which construction or use must be initially commenced may be extended as provided by Section 312-11.3 of the Humboldt County Code.
3. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after the decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

EXHIBIT A

April 18, 2017

HUMBOLDT COMMUNITY SERVICES DISTRICT

Tentative Map Conditions
(Referral dated April 6, 2017)
Hilltop Farm, LLC Conditional Use Permit
APN 307-041-011

APPLICANT: Hilltop Farm, LLC
7333 Humboldt Hill Road
Eureka, CA 95503

I. GENERAL:

1. Water and sewer service is available upon payment of applicable fees.
2. An appropriately sized privately owned and maintained water backflow prevention device is required.
3. Applicant shall apply for a Special Sewer Discharge Permit if a public sewer service is needed/requested.
4. Applicant shall complete and submit a Commercial, Industrial, and Agricultural User Addendum supplied by the District.
 - A. District has attached a Commercial, Industrial and Agricultural Services Guidelines sheet that describes various conditions and requirements that may be required depending on type of cannabis cultivation grow.
 1. Some information that is required:
 - a. Need maximum gallon per minute water needs for project.
 - b. Need to know flow rate, volume and frequency of discharge to the public sewer system related to project.
 1. Sewer discharge related to the cannabis grow project shall meet the District's Specific Pollutant limits. Applicant may need a privately owned and maintained sewage pretreatment facility.

Humboldt Community Services District

Dedicated to providing high quality, cost effective water and sewer service for our Customers

Commercial Agricultural Services Guidelines

If you are interested in establishing a commercial agriculture business within the boundaries of the Humboldt Community Services District and you want or need a public water and/or sewer connection, you will need to fill out a service request and provide certain information related to your business.

Application

All commercial agricultural businesses will need to provide the following information on the District's "Commercial Agricultural Businesses Service Application" and be completed and submitted by applicant. The application will also need the following information:

1. Summary of your proposed operation including, but not limited to:
 - A. Property information
 - i. Address and APN
 - ii. Property owners name and contact information
 - iii. Applicants name and contact information
 - iv. Any existing water and sewer services
 - B. Type of service they are requesting (water; sewer; water and sewer)
 - i. Water
 - a. Maximum gallon per minute water demand
 - b. Size of water meter requested
 - ii. Sewer - (Will have to apply for a Special Sewer Discharge Permit)
 - a. Volume, flow rate, frequency of discharge, and analysis of discharge water quality.
 - b. If there are floor drains, are they proposed to be connected to the public sewer system.
 - C. Type of operation: indoor (including greenhouses and hoop houses); hydroponic operation; outdoor (field) operation; other.
 - D. Plot plan and floor plans will need to be submitted to the District
 - i. Floor plan will show all plumbing fixtures, room uses, and floor drains
 - E. Product(s) they will be making and/or selling.
 - F. Type of harvesting, processing, manufacturing to be used.
 - G. What wastes (green, solid, hazardous, etc) will be generated and how will they be disposed.
 - H. Type of fertilizers and/or chemicals that will be stored or used onsite
 - i. Where and how will they be stored onsite

It is important to note that:

1. The District will request copies of all Humboldt County Building and Planning Department approvals for your operation.
2. Your operation will have to meet the District's Specific Pollutant Limits as there are certain chemical levels that cannot be discharged to the public sewer system. This may lead to a privately owned and maintained sewage pretreatment facility to get proposed discharge under the Specific Pollutant Limits.
3. Your operation might need an effluent (sewage) flow meter.
4. Your operation might need an effluent (sewage) sample box.
5. You will need an appropriately-sized privately owned and maintained water backflow prevention device.
6. You will have to pay for the appropriate water and sewer connection fees.
7. Within 30 days of application, the District's Community Services Manager will set up a meeting with you.

April 2017

EXHIBIT B
HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS
ROAD EVALUATION REPORT

PART A: Part A may be completed by the applicant

Applicant Name: Hilltop Farm
DIANA LIVINGSTON APN: 307-041-011

Planning & Building Department Case/File No.: _____

Road Name: our driveway (complete a separate form for each road)

From Road (Cross street): Humboldt Hill Rd.

To Road (Cross street): N/A

Length of road segment: _____ miles Date Inspected: _____

Road is maintained by: County Other Verizon, Hilltop Farm
(State, Forest Service, National Park, State Park, BLM, Private, Tribal, etc)

Check one of the following:

Box 1 The entire road segment is developed to Category 4 road standards (20 feet wide) or better. If checked, then the road is adequate for the proposed use without further review by the applicant.

Box 2 The entire road segment is developed to the equivalent of a road category 4 standard. If checked, then the road is adequate for the proposed use without further review by the applicant.

An equivalent road category 4 standard is defined as a roadway that is generally 20 feet in width, but has pinch points which narrow the road. Pinch points include, but are not limited to, one-lane bridges, trees, large rock outcroppings, culverts, etc. Pinch points must provide visibility where a driver can see oncoming vehicles through the pinch point which allows the oncoming vehicle to stop and wait in a 20 foot wide section of the road for the other vehicle to pass.

Box 3 The entire road segment is not developed to the equivalent of road category 4 or better. The road may or may not be able to accommodate the proposed use and further evaluation is necessary. Part B is to be completed by a Civil Engineer licensed by the State of California.

The statements in PART A are true and correct and have been made by me after personally inspecting and measuring the road.

DIANA LIVINGSTON
Signature

6-5-2017
Date

DIANA LIVINGSTON
Name Printed

Important: Read the instructions before using this form. If you have questions, please call the Dept. of Public Works Land Use Division at 707.445.7205.

PART B: Only complete Part B if Box 3 is checked in Part A. Part B is to be completed by a Civil Engineer licensed by the State of California. Complete a separate form for each road.

Road Name: _____ Date Inspected: _____ APN: _____
From Road: _____ (Post Mile _____) Planning & Building
To Road: _____ (Post Mile _____) Department Case/File No.: _____

1. What is the Average Daily Traffic (ADT) of the road (including other known cannabis projects)?

Number of other known cannabis projects included in ADT calculations:
(Contact the Planning & Building Department for information on other nearby projects.)

ADT: _____ Date(s) measured: _____

Method used to measure ADT: Counters Estimated using ITE Trip Generation Book

Is the ADT of the road less than 400? Yes No

If YES, then the road is considered very low volume and shall comply with the design standards outlined in the American Association of State Highway and Transportation Officials (AASHTO) *Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT ≤400)*. Complete sections 2 and 3 below.

If NO, then the road shall be reviewed per the applicable policies for the design of local roads and streets presented in AASHTO *A Policy on Geometric Design of Highways and Streets*, commonly known as the "Green Book". Complete section 3 below.

2. Identify site specific safety problems with the road that include, but are not limited to: (Refer to Chapter 3 in AASHTO *Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT ≤400)* for guidance.)

A. Pattern of curve related crashes.

Check one: No. Yes, see attached sheet for Post Mile (PM) locations.

B. Physical evidence of curve problems such as skid marks, scarred trees, or scarred utility poles

Check one: No. Yes, see attached sheet for PM locations.

C. Substantial edge rutting or encroachment.

Check one: No. Yes, see attached sheet for PM locations.

D. History of complaints from residents or law enforcement.

Check one: No. Yes (check if written documentation is attached)

E. Measured or known speed substantially higher than the design speed of the road (20+ MPH higher)

Check one: No. Yes.

F. Need for turn-outs.

Check one: No. Yes, see attached sheet for PM locations.

3. Conclusions/Recommendations per AASHTO. Check one:

The roadway can accommodate the cumulative increased traffic from this project and all known cannabis projects identified above.

The roadway can accommodate the cumulative increased traffic from this project and all known cannabis projects identified above, if the recommendations on the attached report are done. (check if a *Neighborhood Traffic Management Plan* is also required and is attached.)

The roadway cannot accommodate increased traffic from the proposed use. It is not possible to address increased traffic.

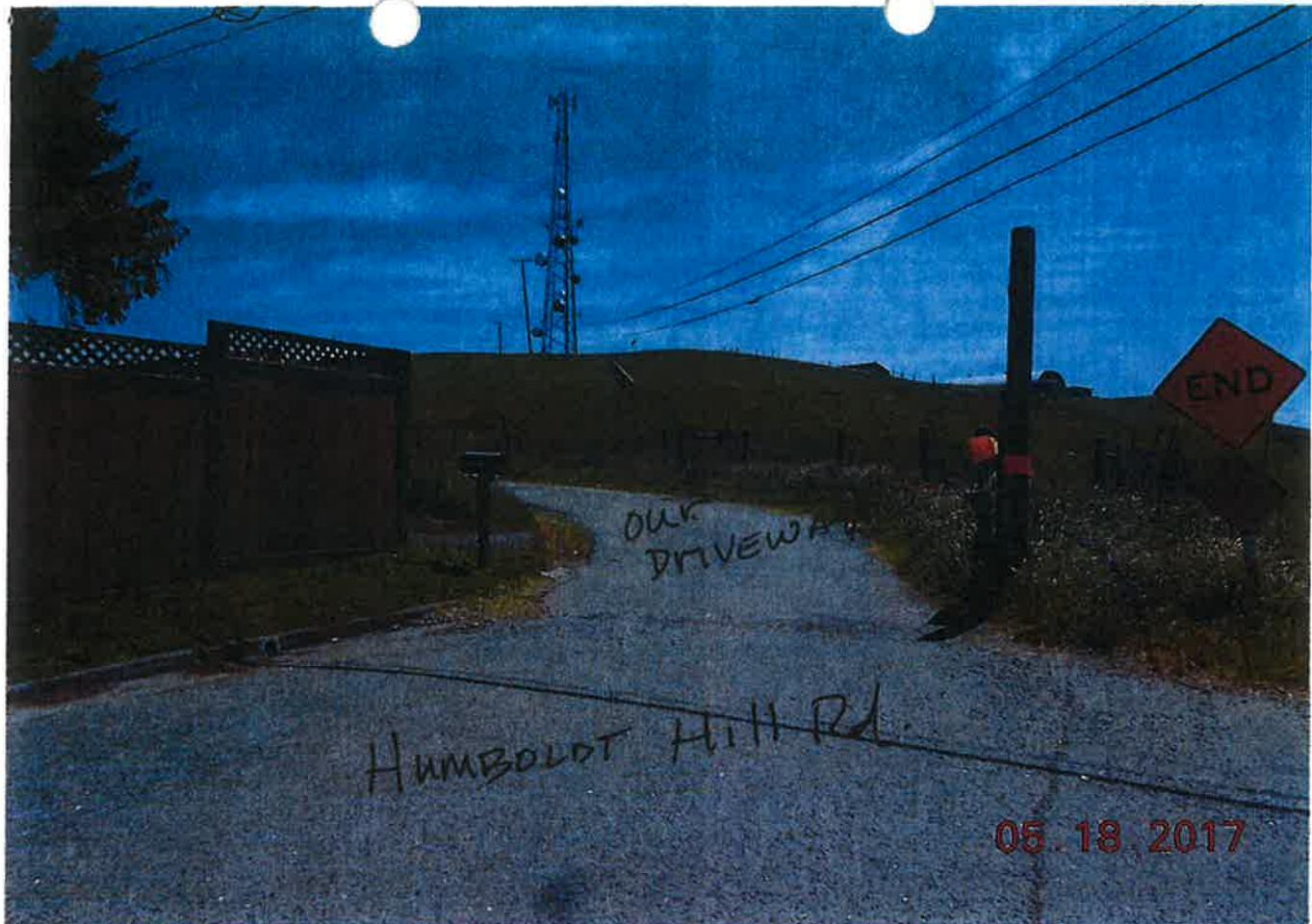
A map showing the location and limits of the road being evaluated in PART B is attached. The statements in PART B are true and correct and have been made by me after personally evaluating the road.

(Signature)

Signature of Civil Engineer

Date

Important: Read the instructions before using this form. If you have questions, please call the Dept. of Public Works Land Use Division at 707.445.7205.



ENCROACHMENT



ATTACHMENT 2

STAFF ANALYSIS OF THE EVIDENCE SUPPORTING THE REQUIRED FINDINGS

Required Findings: To approve this project, the Hearing Officer must determine that the applicant has submitted evidence in support of making **all** of the following required findings.

The County Zoning Ordinance, Sections 312-1.1.2 and 312-17.1 of the Humboldt County Code (Required Findings for All Discretionary Permits) specify the findings that are required to grant a Conditional Use Permit:

1. The proposed development is in conformance with the County General Plan;
2. The proposed development is consistent with the purposes of the existing zone in which the site is located;
3. The proposed development conforms with all applicable standards and requirements of these regulations;
4. The proposed development and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare; or materially injurious to property or improvements in the vicinity;
5. The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law (the midpoint of the density range specified in the plan designation) unless the following written findings are made supported by substantial evidence: 1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized; and
6. In addition, the California Environmental Quality Act (CEQA) states that one of the following findings must be made prior to approval of any development which is subject to the regulations of CEQA. The project either:
 - a. Is categorically or statutorily exempt; or
 - b. Has no substantial evidence that the project will have a significant effect on the environment and a negative declaration has been prepared; or
 - c. Has had an environmental impact report (EIR) prepared and all significant environmental effects have been eliminated or substantially lessened, or the required findings in Section 15091 of the CEQA Guidelines have been made.

Staff Analysis of the Evidence Supporting the Required Findings: To approve this project, the Hearing Officer must determine that the applicant has submitted evidence in support of making **all** of the following required findings.

1. The proposed development must be consistent with the General Plan. The following table identifies the evidence which supports finding that the proposed development is in conformance with all applicable policies and standards of the Framework Plan (FRWK), The Eureka Community Plan (ECP), and the Humboldt Bay Area Plan (HBAP).

Plan Section, Summary of Applicable Goal, Policy or Standard, and Evidence Which Supports Making the General Plan Conformance Finding

Land Use §2725 (FRWK) §2700 (ECP) §4.10.B(HBAP)

Commercial General (CG), ECP; Agriculture/Prime and Non-prime Lands (AE) (HBAP)
(CG): Generally retail sales and services, compatible with local, neighborhood, and regional needs. Density determined by level of services and community character. Primary and compatible uses:

Neighborhood commercial, retail sales and services, office and professional services, private institution, visitor serving facility, bed and breakfast establishment, transient habitation, heavy commercial, warehousing, storage and distribution, cottage industry, and residential use subordinate to the permitted use.

Minimum parcel size: adequate for the proposed use under the test of parking and setback requirements, consistent with planned uses of adjacent lands.

(AE): PRINCIPAL USE: production of food, fiber or plants, with residence as a use incidental to this activity, including two (2) separate residences where one is occupied by the owner/operator and the other by the parent or child of the owner/operator, and the principle uses permitted under TC; ancillary development such as barns, storage sheds, and similar agricultural structures.

GROSS DENSITY: 60-acre minimum parcel size, except that divisions to 20 acres may be permitted where the parcel is subject to an Agricultural Preserve contract and rezoning.

All commercial medical cannabis cultivation and production activities, including those appurtenant to the use, will occur on the portion planned Commercial General (CG). The Agricultural Exclusive (AE) portion of the parcel is in the southwest corner of the property and will not be used for the proposed operations.

The operations will be conducted by the owners who reside on the property. Consequently, additional parking will not be necessary. The operations will occur within the property setbacks dictated by the CUMMLO and will not interfere with the planned uses of adjacent lands.

Based on the above, staff believes the proposed use is consistent with the CG land use designation.

Cultural Resources §3500 (FRWK)

Protect cultural resources, including historic, archaeological, and scenic resources.

The project site is disturbed and the area has been under cultivation for over 130 years experiencing regular tilling during that time. The proposed project activities do have the potential to inadvertently uncover subsurface archaeological material or human remains. Therefore adherence to inadvertent discovery protocol are incorporated into the Conditions of Approval. The project site is not in mapped scenic corridor.

Housing §2400 (FRWK/ECP)	The portion to be developed is not planned or zoned for residential use and the project does not involve residential development. Existing residences will remain. As part of Ordinance 2395 the Inland portion of the property known as APN 307-041-011 will be zoned C-3-B-6-Q. Given the Commercial land use designation, the property was not included in the 2014 housing inventory. Based on the above, the project will not impact existing or future housing availability.
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Geologic Hazards §3210 (FRWK/ECP)	The site is within a mapped Alquist-Priolo Fault Hazard Zone. As such, development of the site is limited to structures that are not designed for human occupancy. This is defined as being occupied less than 2,000 hours per year. 2,000 hours is approximately the number of hours a person works during a year if they are employed full time. The cultivation operations are automated, and thus the greenhouses will be occupied much less than 2,000 hours per year. The area of development is relatively flat, with an approximate 5% slope and slope stability rating of 1 (low instability). Based on the applicant's proposed operational restriction, the characteristics of the area of development as discussed above, and the project's conditions of approval, staff believes the project will not expose people or property to significant geologic hazards.
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Hazards §3200 (FRWK): Flood §3220 (FRWK) and Fire Hazards §3230 (FRWK)

The subject parcel is situated on a hilltop and is not subject to flooding.

The proposed greenhouses will have to meet current Building Code including requirements for fire safety. The Eureka Fire Protection District approved the project without comment.

Noise §3240 (FRWK) Conform with noise standards.

The project activities will not rely on any generators, pumps, or other motors. Minimal, light-duty equipment will be temporarily used for grading. The project, as proposed, is not expected to generate significant noise.

Sewage Disposal §4530, 4531.5, 4531.6, 3361.2 (FRWK)

Goal: To ensure a safe means for waste disposal and protect the County's water resources for the public's health and safety. Policy: Septic systems shall not be permitted where the slope exceeds 30% or within 50 feet from an unstable land form. Policy: Sewage disposal systems placed on an existing lot must meet all of the requirements of the Humboldt County Department of Public Health and the North Coast Regional Water Quality Control Board. Policy: Regulate development that would pollute watershed areas.

The project site has a sewage hookup with the Humboldt County Community Services District (HCSD). Residential sewage from the site is treated by the HCSD wastewater treatment system. The proposed activities are not anticipated to produce wastewater discharge or runoff. Irrigation will be monitored and controlled to prevent overwatering. Water from cleaning, spills, and irrigation leaks will infiltrate into the soil. The greenhouse floors will not be impervious.

Biological Resources §3400 (FRWK)

Goal: To maximize, where feasible, the long term public and economic benefits from the biological resources within the County by maintaining and restoring fish and wildlife habitats. Policies: Maintain values of significantly important habitat areas by assuring compatible adjacent land uses, where feasible.

The site has been under long term agricultural use. The lands have been tilled and grazed by the owner's family for generations. The site is not adjacent to wetlands, creeks, or other waters. Light from the greenhouses will not be allowed to illuminate the night sky. The greenhouses' power needs will be met by a 400 amp power connection, so a generator will not be part of normal operations.

220, 4237.7 (FRWK): Access

Goal: To develop, operate, and maintain a well-coordinated, balanced, circulation system that is safe, efficient and provides good access to all cities, communities, neighborhoods, recreational facilities and adjoining areas. Policy: New Development shall only be approved which will not significantly create or aggravate safety, capacity or parking problems on County roads.

Project activities will not create substantial traffic as it will be conducted by the owners who live on-site. The Department of Public Works commented that the County access roads serving the parcel are adequate for the proposed use, but the driveway encroachment needs minor improvements. Those improvements will become part of the project plan, and a condition for successful adherence to this permit.

2. Zoning Compliance, and 3. Conforms with applicable standards and requirements of these regulations: The following table identifies the evidence which supports finding that the proposed development is in conformance with all applicable policies and standards in the Humboldt County Zoning Regulations.

Zoning Section and Summary of Applicable Requirement	Evidence That Supports the Zoning Finding
<p>§312-1.1.2 Legal Lot Requirement: development permits shall be issued only for a lot that was created in compliance with all applicable state and local subdivision regulations.</p>	<p>The parcel of land consisting of APN 307-041-011, the subject parcel, was created in its current configuration by the Notice of Lot Line Adjustment and Certificate of Subdivision Compliance recorded in Book 307 of Official Records Page-04 and by Ordinance number 2395 Amending Section 311-7 of the Humboldt County Code By Rezoning Property in the Humboldt Hill Area, passed on February 5, 2008. There is no evidence indicating there have been any subsequent acts to merge or divide this parcel. Therefore, the subject parcel was lawfully created in its current configuration and can be developed as proposed.</p>
<p>§314-55.4.8.2.1.2: In zoning districts C-2, C-3, MB, ML, and MH outdoor and mixed light cultivation may be permitted with a Use Permit.</p> <p>§314-55.4.8.4: Processing Facilities for commercial cannabis for medical use for other than an appurtenant, on-premises cultivation operation...shall be a permitted use in zoning districts...C-2, C-3, MB, ML, U (where developed as industrial use) and MH, subject to a Special Permit and the conditions and limitations set forth in this Section. Processing facilities shall meet the Processing Performance Standards and Employee Safety Practices enumerated in section 314-55.4.11 (q) through (u).</p> <p>§314-55.4.9.1: Processing of cannabis at the same premises where the cultivation site is located shall be allowed pursuant to the applicable... Use Permit provided that the Processing Performance Standards and Employee Safety Practices enumerated in section 55.4.11(q) through (u) below are met.</p>	<p>The project area is zoned Industrial Commercial (C-3). Section 314-55.4.8.4 HCC expressly enumerates C-3 as zoning district where mixed light cultivation of commercial medical cannabis may be permitted with a Use Permit. The applicant has applied for the specified permit. The definition of cultivation site extends beyond cultivation to the drying, curing, grading, trimming, and/or packaging of medical cannabis grown on-site, Section 314-55.4.7 HCC, as an appurtenant use.</p> <p>The applicant is proposing to use existing buildings for drying and processing. Processing consists of drying, curing, grading, trimming, and/or packaging of commercial medical cannabis.</p>

Zoning Section	Summary of Applicable Requirement	Evidence That Supports the Zoning Finding
Minimum Lot Size	None specified	The 5-acre parcel is adequately sized for the proposed use.
Minimum Lot Width and Maximum Ground Coverage ¹	None specified	N/A
Setbacks ¹ Fire safe set back of 30 feet on all sides		The new development would be more than 30 feet from the nearest property line.
Max. Building Height ¹	None specified	The existing metal building that will be remodeled and the hoop houses that are to be installed for cultivation will not exceed the specified height limit.
§314-61.1 HCC Streamside Management Area Regulation: Purpose: to provide minimum standards pertaining to the use and development of land located within Streamside Management Areas (SMAs) and other wet areas such as natural ponds, springs, vernal pools, marshes, and wet meadows (exhibiting standing water year-long or riparian vegetation) to implement the County's Open Space Element of the General Plan.		
The parcel is not in or proximate to any streamside management areas.		

314-55.4 et seq. HCC: Commercial Cultivation, Processing, Manufacturing and Distribution of Cannabis for Medical Use Inland Land Use Regulation (CMMLUO)

§314-55.4.8.2	In all zones where cultivation is allowed consisting of timberland, the commercial cultivation of cannabis for medical use shall only be permitted within a 3-acre conversion exemption area, or non-timberland open area, subject to the conditions and limitations set forth in this Section.	The area of development has functioned as an agricultural facility for many decades. Any timberland in the area was converted long ago.
§314-55.4.8.10 Permit Limit	No more than four commercial cannabis activity permits may be issued to a single person, as defined in the referenced section.	According to records maintained by the Department, the parties who are the members of Hilltop Farm, LLC, applicant, hold no other cannabis activity permits, and they are entitled to four. This application is for one permit and allowed in Sections 314-55.4.7 and 314-55.4.8.4 HCC.
§314-55.4.9.1 Accessory Processing	Processing for cultivation requiring a Special Permit or Use Permit will be considered in the Use Permit application.	Existing buildings will be used for appurtenant processing commercial medical cannabis cultivated on-site.
§314-55.4.9.4 Pre-Application Registration	Existing cultivation sites shall register with the County within 180 days of the effective date of this ordinance.	This does not apply as this new cultivation.

§314-55.4.10 Application Requirements	Identifies the Information Required for All Applications	Attachment 3 identifies the information submitted with the application, and shows all the required information was received.
§314-55.4.11 Performance Standards	Identifies the Performance Standards for Cannabis Cultivation Activities	All the applicable performance standards are included as Conditions of project approval. They are required to be met throughout the timeframe of the permit.
§314-55.4.11.c Performance Standards-Water	Compliance with all statutes, regulations and requirements of the California State Water Resources Control Board, Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration.	The subject parcel is within the service area of the Humboldt Community Services District (HCSD). Water for all operations, including irrigation water, will be provided by the HCSD. Per a written communication with the District's Community Services Manager, Mickey Hulstrom, on May 15, 2017, the District will be able to provide water service. Therefore, the project will be compliant with the referenced section.
§314-55.4.11.d Performance Standards-Setbacks	The area of cannabis cultivation and on-site processing shall be setback at least 30 feet from any property line, and 600 feet from any school, school bus stop, church or other place of religious worship, public park, or tribal cultural resources (TCRs).	The applicant's site plan shows that the cultivation area and processing facilities conform to the 30 foot property line setback. No schools or parks or TCRs are within one mile of the project site. The project was referred to the Humboldt Bay Union School District; that school district did not provide comments. The closest known bus stop location is at the KEET broadcast facility and is more than 600 feet from the proposed cultivation area and processing site. Based on a review of aerial imagery, the nearest place of religious worship is approximately 3000 feet from the project site.
§314-55.4.11.o Performance Standards-Generator Noise	<p>Generators will not be used by the project.</p> <p>The power source will be conventional grid power supplied by PG&E.</p>	
§314-55.4.17 Sunset Date	No application for any Use Permit pursuant to the CMMLUO shall be processed for issuance or approval that is received after December 31, 2016.	The applicant submitted the Conditional Use Permit application on December 20, 2016. This met the County CMMLUO application filing deadline.
Section 314-109.1 et seq. Off-Street Parking		
The Project operations will be conducted by the owners who reside on-site. No new parking will be required.		

4. Public Health, Safety and Welfare. The following table identifies the evidence which supports a finding that the proposed location of the use and conditions under which it may be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to

properties or improvements in the vicinity.

Code Section	Summary of Applicable Requirements	Evidence that Supports the Required Finding
§312-17.1.4	The proposed development will not be detrimental to the public health, safety and welfare, and will not be materially injurious to properties or improvements in the vicinity.	The Department finds that the proposed project will not be detrimental to the public health, safety and welfare since all reviewing referral agencies have approved the proposed project design. The project as proposed and conditioned is consistent with the general plan and zoning ordinances; and the proposed project is not expected to cause significant environmental damage.

5. Residential Density Target: The following table identifies the evidence which supports a finding that the proposed project will not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

Code Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
17.1.5 Housing Element Densities	The proposed development shall not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law (the midpoint of the density range specified in the plan designation), except where: 1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized.	As discussed above, the property was not included in the 2014 Housing Inventory because of its land use designation and zoning. It is developed with single family residences which will remain. The project is in conformance with the standards in the Housing Element.

6. Environmental Impact:

According to the California Environmental Quality Act, the project qualifies under Exemption Section: 15303 (c)-New construction of small commercial facilities. The total area of new development is less than 10,000 sf and the project is consistent with the area zoning of commercial industrial. Further, the development will not require new public service connections, will not involve the use of significant amounts of hazardous materials, and is not in an environmentally sensitive area. Per the submitted evidence and agency responses, none of the exceptions to the Categorical Exemption per Section 15300.2 of the State CEQA Guidelines apply to this project.

ATTACHMENT 3
Applicant's Evidence In Support of the Required Findings

Attachment 3 includes a listing of all written evidence which has been submitted by the applicant in support of making the required findings. The following materials are on file with the Planning Division:

1. The name, contact address and phone number(s) of the applicant (application form on file).
2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement (not applicable).
3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including: access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within $\frac{1}{4}$ mile (1,320 ft.) of a school, school bus stop, church or other place of religious worship, public park, or Tribal Cultural Resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet (attached).
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; and proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel, and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season (attached).
5. Copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable (not applicable).
6. Description of water source, storage, irrigation plan, and projected water usage (on file).
7. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency (on file).
8. If any on-site or off-site component of the cultivation facility, including access roads, water supply, grading or terracing impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the Department of Fish & Wildlife (not applicable).
9. If the source of water is a well, a copy of the County well permit, if available (not applicable).
10. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (CAL-FIRE). Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing that the

landowner has completed a civil or criminal process and/or entered into a negotiated settlement with CAL-FIRE (not applicable).

11. Consent for onsite inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter (on file).
12. Acknowledge that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this Section in the event that environmental conditions, such as a sustained drought or low flows in the watershed will not support diversions for irrigation (on file).
13. Acknowledge that the County reserves the right to engage with local Tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined herein. This process will follow current departmental referral protocol, including engagement with the Tribe(s) through coordination with their Tribal Historic Preservation Officer (THPO) or other tribal representatives. This procedure shall be conducted similar to the protocols outlined under SB 18 (Burton) and AB 52 (Gatto), which describe "government to government" consultation, through tribal and local government officials and their designees. During this process, the Tribe may request that operations associated with the clearance or permit be designed to avoid, minimize or mitigate impacts to Tribal Cultural Resources, as defined herein. Examples include, but are not limited to: conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, requiring that a professional cultural resources survey be performed, or requiring that a tribal cultural monitor be retained during project-related ground disturbance within areas of sensitivity or concern. The county shall request that a records search be performed through the California Historical Resources Information System (on-file).
14. Cultivations and Operations Plan and updates, Attachment 3 (attached).
15. Odor Control Plan
16. Community Service District Project Conditions, see Exhibit A (attached).
17. Road Evaluation Report see Exhibit B (attached).

Humboldt Hill Farms (Parcel No. 307-041-011)

Cultivation and Operation Plan



1. **Water Source-** Our property is fed by Humboldt Community Services District. Our current service agreement with HCSD allows us to use the amount of water necessary for our cultivation needs, which we estimate to be 120,750 gal annually. We spoke to Mickey Hulstrom at HCSD (Community Services Manager, 707-445-4550), who says that we are the first cannabis farm in HCSD seeking a permit and as such, there is not a special agreement other than our normal service agreement, however he asked us to fill out a form detailing our commercial use. We will attach a copy of this form.

Storage- We will have a 2,500 gal water tank fed by Humboldt Community Services District for fire suppression and additional pressurization.

Irrigation Plan- We plan to irrigate using drip line emitters. Our greenhouse will house a 250 gallon mixing barrel which will be filled from our main water line. After adding our compost tea, water will be pumped into the drip lines. We will also cover our soil with mulch to minimize evaporation. We will hand water as needed, but do not anticipate that to increase our water usage annually as we would not feed through the emitters on days that we hand water.

Projected Water Usage- The 120,750 gal/yr is at our peak usage and is based on the following estimates:

- Growing season is Year Round, 365 days
- We will have a greenhouse that is 30'X96" and estimate we will use 250 gal of water per day on the warmest days. Due to ocean breeze, the temperature does not get hotter than 80 degrees in the summer.
- 365 days X 250 gal/day= 91,250 gal annually for cultivation activity.
- Estimate an additional 29,500 gal annually for clean-up & cover crop management.

2. **Site Drainage/Erosion Control-** We plan to place the greenhouses in an approximately 2-3 acre field which is located on the east side of our property and is currently unused. The site is mostly flat, with a slight slope on the west side, which is less than 5%. As part of our building permit request for our greenhouses, we will also be asking to grade the site so there is no slope in our greenhouses. We estimate that there is over a mile between our cultivation site and the nearest surface water. In the 25 years that we have lived at this property, we have never had water pool at any point. We have no identified

areas of erosion, however we plan to plant perennials surrounding the greenhouses for additional drainage, runoff, and erosion control, as well as privacy and wind mitigation.

3. **Watershed/Nearby Habitat Protection**- Our cultivation area is located over a mile from the nearest surface water and water course. We plan to re-build our fences to the maximum allowable height to keep wildlife off the property. Our guard dogs also help with this endeavor. Though we do not anticipate a major issue with smell due to our headlands location and proximity to the ocean (air flow), we will install carbon filters to our exhaust fans on our greenhouses & drying shed out of an abundance of caution.
4. **Fertilizer/Pesticide use & storage protocols**- We plan to use the Sensational Solutions line of organic amendments and nutrients. Should the need arise, we plan to use Azadirachtin (Azatrol) for pest control and Sodium Bicarbonate (Green Cure) for powdery mildew control. We will store them in a locked cabinet in food grade plastic tubs. Safe use protocols will be posted on the wall in each greenhouse and all family members are trained on use standards.
5. **Cultivation Activity**- We plan to grow cannabis in greenhouses using mixed light and light deprivation. We plan to achieve 7560 sq ft in a two year plan. The first year we will put up a 30'x96', 2880 sqft greenhouse which will be used to cultivate cannabis with high pressure sodium halide lights, fans, and operating system. The second year, we plan to put up an 84'x90', 7560 sqft greenhouse which will become our only flower house. At year two, the lights in the first green house will be changed from high pressure sodium halide to florescent only, and the first greenhouse will become our cloning house. The plant count will vary depending on strain. We plan to grow year-round in our greenhouse.
6. **Processing Plan**- Cannabis plants will be dried in our drying shed (see site plan). We are a 100% family run operation and do not plan to have employees. Family members will manicure flowers in our family homes, located on the property. Finished product will be packaged in vacuum sealed bags, placed into locking totes, then in a locked area of our drying shed.
7. **Mixed Light Cycles**- We plan to run up to five mixed light cycles per year.
8. Since we plan to grow year-round in the greenhouse, the actual activities done each month depends on when we are issued our permit, and what strains we are growing, but will generally be as follows. **We are aware of the 2000 hour Annual limit to hours**

worked in greenhouse, due to zoning. We have listed greenhouse hours for each activity below.

Annual Schedule	Activity	Greenhouse Hours
Week 1-2	Purchase & plant clones for Round 1. Water Vegging Plants.	20
Week 3-10	Begin flowering cycle for Round 1. Approximately 8 weeks depending on strain. Water Plants, Leaf Plants, Pest Management.	350
Week 11-12	Harvest Round 1, dry amend planters, purchase clones for Round 2, begin Round 2 Veg Cycle. Approximately 2 weeks. Water Vegging Plants.	40
Week 13-20	Begin flowering cycle for Round 2. Approximately 8 weeks depending on strain. Water Plants, Leaf Plants, Pest Management.	350
Week 21-22	Harvest Round 2, dry amend planters, purchase clones for Round 3, begin Round 3 Veg Cycle. Approximately 2 weeks. Water Vegging Plants.	40
Week 23	Begin flowering cycle for Round 3. Approximately 8 weeks depending on strain. Water Plants, Leaf Plants, Pest Management.	350
Week 31	Harvest Round 3, dry amend planters, purchase clones for Round 4, begin Round 4 Veg Cycle. Approximately	40

	2 weeks. Water Vegging Plants.	
Week 33	Begin flowering cycle for Round 4. Approximately 8 weeks depending on strain. Water Plants, Leaf Plants, Pest Management.	350
Week 41	Harvest Round 4, dry amend planters, purchase clones for Round 5, begin Round 5 Veg Cycle. Approximately 2 weeks. Water Vegging Plants.	40
Week 43	Begin flowering cycle for Round 5. Approximately 8 weeks depending on strain. Water Plants, Leaf Plants, Pest Management.	350
Week 51	Harvest Round 5	20
Week 52	Annual deep cleaning of greenhouse & break	30
	Total Annual Greenhouse Hours:	1980

9. Security Plan- We have the following security measures:

- Coded gate added at the beginning of the driveway (end of Humboldt Hill rd) with solar charged battery.
- Locked gate at entrance to field where greenhouses will be located.
- Fencing surrounding entire 5 acre parcel.
- Additional six foot high cattle panels topped by 4-6 lines of smooth wire surrounding the field where greenhouses will be located. Fence line will be planted with a hedge of Escalonia.
- Field sown with bee friendly perennial mix.
- Property posted with private & guard dog on duty signs.
- Guard dogs housed in fields with greenhouses.
- Motion sensor lights surrounding greenhouses.
- Owner resides on-site in house over looking greenhouses.
- Security cameras on shed & greenhouses

- **Doors on greenhouses will be locked**

PROJECT NOTES -- PLOT PLAN

Diana Livingston, Ginger Olsen
APN: 307-041-011
7333 Humboldt Hill Rd.
Eureka, Ca. 95503

Water: Provided by Humboldt Community Services District

Propose moving 2500 gallon water tank as indicated for combined use of family homes and greenhouse. Water volume to be maintained by float valve so enough is available for fire suppression if needed. This has been discussed and verbally approved by Humboldt Fire District One (Chris Emmons), and HCSD (Mickey Hulstrom).

Security:

Coded gate at bottom of driveway.
Locked gate entering "greenhouse" field
Six foot fencing surrounding greenhouse field.
Property posted on all sides with PRIVATE signs.

Electricity:

400 AMP service at Greenhouse

School Bus Stops:

School bus stops at KEET, turns around and heads down Humboldt Hill road. Distance is well over 600' away from any point on our property.

Water Courses etc.

Not applicable to this property—one mile away.
No required curbs, sidewalks or gutters

P.2 APN:307-041-011 Livingston/Olsen

No trees to be removed

Minimal grading to provide level space for greenhouses

No propane or kerosene storage tanks

No septic tanks or leachfields

Water tanks identified on plot plan

Greenhouse Development

Year One: Erect greenhouse #1 (30'X 96'). Use as Flower house with high pressure sodium halide lights, fans, and operating system. Year round operation.

Year Two: Erect greenhouse #2 (84'X 90'). Use as Flower house with high pressure sodium halide lights, fans, and operating system. Year round operation. At this time greenhouse #1 becomes a cloning house and lights are changed to fluorescent only. Water and Nutrient plans are now amended to match increased square footage of flowering area with appropriate agencies notified of change.

Apps# 12131

Hilltop Farm, LLC
7333 Humboldt Hill rd
Eureka, CA 95503

To: Department of Public Works

County of Humboldt
1106 Second Street
Eureka, CA 95501

CC: Rodney Yandell, Cannabis Planner

RE: Hilltop Farm, LLC (CUP 16-542)

To Whom It May Concern,

This is to acknowledge receipt of the memo from Kenneth Freed, Asst Engineer II, Dept. Of Public Works to Rodney Yandell, Planner, Planning and Building Dept.

We understand that after we receive our cannabis permit, it is our responsibility to improve the encroachment of our road where it intersects with Humboldt Hill rd., to a width of 20' (as possible) for a length of 50'.

Sincerely,



Diana Livingston

Hilltop Farm, LLC

Hilltop Farm-307-041-011

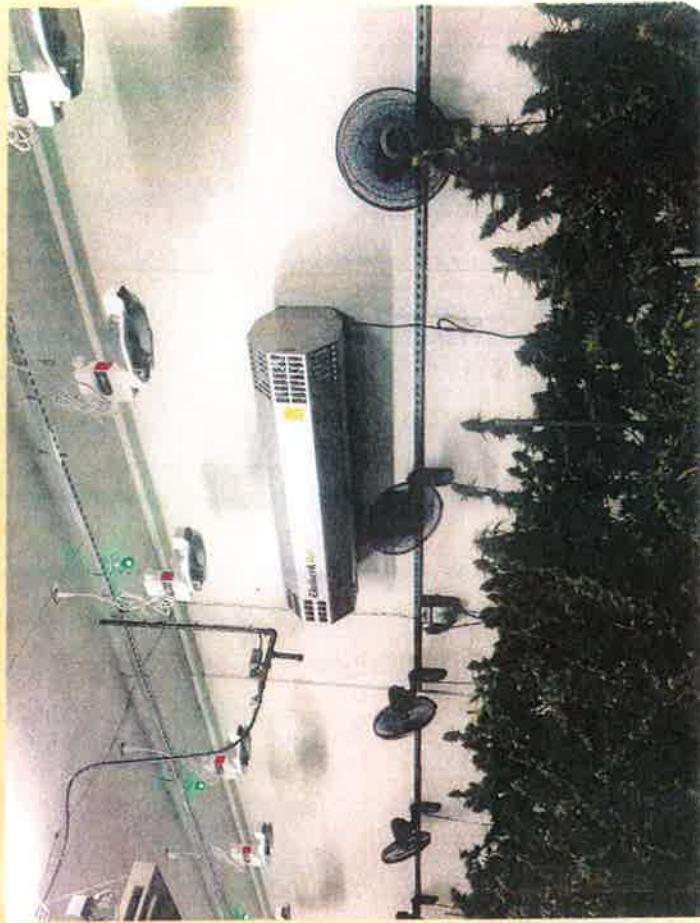
Odor Control Plan

It is our intention to develop an odor control plan that utilizes todays best technology available for greenhouse cannabis cultivation. We are working with a company called Urban-Gro which specializes in providing air purification for commercial cannabis cultivators, especially in urban areas. The systems, called Element Air technology utilizes broad spectrum, high-intensity UV lights targeted on a hydrated quad-metallic catalyst which utilizes ambient moisture to generate hydro-peroxides and hydroxides that are propelled into the cultivation facility, to provide active microbial and odor mitigation. We will attach information about the products.

It is our intention to be good neighbors. As this industry emerges and technology advances we plan to stay on top of our odor control and respond accordingly if our odor mitigation needs change.



Air Purification Systems



"Protecting Your Grow"

Our patented Element Air treatment systems are the most practical and effective solutions for airborne and surface microbial contaminants, including powdery mildew, total yeast and mold (T'M) and Cannabis odors. Element Air has been independently verified to reduce bacterial and other microbial contaminants by 99.9%.

The Element Air technology utilizes broad spectrum, high-intensity UV lights targeted on a hydrated quad-metallic catalyst which utilizes ambient moisture to generate hydro-peroxides and hydroxides that are propelled into the cultivation facility, to provide active microbial and odor mitigation.

As opposed to other units promoted to the Cannabis market, which utilize a similar technology, Photocatalytic Oxidation (PCO), which only sanitize the air that is passed directly in it's path, Element Air is an active purification system, purifying the ducts and general growing spaces, while also removing odor at the source.



urban-gro

Providing Product Solutions for the
Commercial Cannabis Cultivator

720.390.3880
sales@urban-gro.com

Mold Reduces 99+%

Bacteria

Microbes

Odors

Particulate

Odors

Mold

Graphs:

- Odors:** Shows a graph of Odor concentration (0-100) decreasing from 100 to near 0 over 10 hours.
- Particulate:** Shows a graph of Particulate concentration (0-100) decreasing from 100 to near 0 over 10 hours.
- Mold:** Shows a graph of Mold concentration (0-100) decreasing from 100 to near 0 over 10 hours.

Element Air calls in various products have been tested and/or approved or registered by:

- ETI, TUV, EU, CSA**
- U.S. Military**
- Electric Power Research Institute**
- Chinese Government**
- Japanese Government (TV commercials)**
- European Union**
- Canadian Government**
- USDA**

Tested by Kansas State University Inactivation Rate 99+%

ELEMENT AIR TOWER

REDUCES

- Mold
- Microbes
- Bacteria
- Odors/VOCs

APPLICATIONS

- Cultivation Rooms
- Large Harvest Rooms
- Green Houses
- Processing Rooms

Item #	Replacement Cell	Electrical	Dimensions	Ship Wt.
EAT Gen 1	EAT-GEN1-0000-RC (2) EAT-GEN1-0100-RC (1) EAT-GEN1-7525-RC (1)	120 VAC 6 Amps	78" H x 18" D x 20" W	70 lbs.

*Available in free standing floor unit or horizontal/vertical wall mount

ELEMENT AIR RAPID RECOVERY

REDUCES

- Mold
- Microbes
- Bacteria
- Odors/VOCs

APPLICATIONS

- Cultivation Rooms
- Large Harvest Rooms
- Green Houses
- Processing Rooms

Item #	Replacement Cell	Electrical	Dimensions	Ship Wt.
EARR	EARR-RC (2)	120VAC / 1.25 Amp	26" L x 13" W x 15" H	12 lbs.

*Portable

ELEMENT AIR RAPID TZ03

REDUCES

- Mold
- Microbes
- Bacteria
- Odors/VOCs

APPLICATIONS

- Cultivation Rooms
- Large Harvest Rooms
- Green Houses
- Processing Rooms

Item #	Replacement Cell	Electrical	Dimensions	Ship Wt.
EATZ03	EARR-RC (2)	120VAC / 1.25 Amp	26" L x 13" W x 15" H	12 lbs.

ELEMENT AIR WALL UNIT

REDUCES

- Mold
- Microbes
- Bacteria
- Odors/VOCs

APPLICATIONS

- Cultivation Rooms
- Large Harvest Rooms
- Green Houses
- Processing Rooms

Item #	Replacement Cell	Electrical	Dimensions	Ship Wt.
EAWM-12	EAWM-12-RC (1)	100-277 VAC	4" H x 4" D x 14" W	2 lbs.
EAWM-XL	EAWM-XL-RC (1)		6" H x 6" D x 14" W	2 lbs.
EAWM-XLD	EAWM-XLD5-RC (1)		6" H x 6" D x 14" W	2 lbs.

*Portable

ELEMENT AIR PLUG IN PLUS

REDUCES

- Mold
- Microbes
- Bacteria
- Odors/VOCs

APPLICATIONS

- Small Trim Rooms
- Small Dry Rooms
- Small Processing Rooms



ELEMENT AIR COMMERCIAL

REDUCES

- Mold
- Microbes
- Bacteria
- Odors/VOCs

APPLICATIONS

- Cultivation Rooms
- Large Harvest Rooms
- Green Houses
- Processing Rooms

ELEMENT AIR DESKTOP UNIT

EADT

EADT-RC (1)

120VAC / 11 watts

6" w x 3" d x 12" h

2 lbs.

***Portable**

ELEMENT AIR ON THE GO

EAOTG

EAOTG-RC (1)

12 VDC

3" w x 3" D x 9" T

1 lbs.

***Mobile unit**



ELEMENT AIR COMMERCIAL

REDUCES

- Mold
- Microbes
- Bacteria
- Odors/VOCs

APPLICATIONS

- Cultivation Rooms
- Large Harvest Rooms
- Green Houses
- Processing Rooms

ELEMENT AIR COMMERCIAL

EACU

EACU-14-RC

EACU-000-RC

EACU-0100-RC

EACU-7525-RC

Dimensions

120-277 VAC

NA

NA

Electrical

120-277 VAC

NA

NA

Dimensions

NA

NA

NA

Ship Wt.

50 lbs.

NA

NA

***In-duct unit (fixed mount)**

***Refer to product label for cell sizes and quantity**

ELEMENT AIR LIGHT COMMERCIAL

REDUCES

- Mold
- Microbes
- Bacteria
- Odors/VOCs

APPLICATIONS

- Cultivation Rooms
- Large Harvest Rooms
- Green Houses
- Processing Rooms



ELEMENT AIR AT'S HO

Item

Replacement Cell

EALC-5

EALC-5-RC (1)

EALC-9

EALC-9-RC (1)

EALC-14

EALC-14-RC (1)

Dimensions

2.25" W x 10.5" L x 1.75" D

Electrical

24 VAC

Dimensions

2.25" W x 13.5" L x 1.75" D

Electrical

24 VAC

Dimensions

2.25" W x 18.5" L x 1.75" D

Electrical

24 VAC

Ship Wt.

1 lbs.

Ship Wt.

1 lbs.

Ship Wt.

2 lbs.

Ship Wt.

2 lbs.

***Magnetic (fixed mount)**

ELEMENT AIR ON THE GO

Item

Replacement Cell

EAATSHO

EAATSHO-000-RC (2)

EAATSHO-0130-RC (1)

EAATSHO-7525-RC (1)

REDUCES

- Mold
- Microbes
- Bacteria
- Odors/VOCs

APPLICATIONS

- Mold Rooms
- Microbes
- Bacteria
- Odors/VOCs

Dimensions

18" H x 14.5" D x 5.2" L

Electrical

24 VAC

Dimensions

18" H x 14.5" D x 5.2" L

Electrical

24 VAC

Ship Wt.

65 lbs.

Ship Wt.

65 lbs.

Ship Wt.

65 lbs.

Ship Wt.

65 lbs.

***With mount (fixed mount)**

ATTACHMENT 4**REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS**

The project was referred to the following referral agencies for review and comment. Those agencies that provided written comments are checked off.

Referral Agency		Recommendation	Location
Building Inspection Division	✓	Recommend Approval	On file with Planning
Land Use Division	✓	Conditional Approval	Exhibit B
Division Environmental Health	✓	Conditional Approval	On file with Planning
Department of Fish & Wildlife	✓	Approval	On file with Planning
County Counsel		No Response	
NWIC	✓	Further Study	On file with Planning
Blue Lake Rancheria	✓	Consult other tribes	On file with Planning
Wiyot Tribe	✓	No objections	
City of Eureka		No Comment	On file with Planning
RWQCB		No Response	
Humboldt County District Attorney		No Response	
Humboldt County Agriculture Commissioner		No response	
Humboldt bay Union School District		No response	
Humboldt #1 Fire Protection District	✓	Recommend Approval	On file with Planning
Humboldt County Sheriff		No response	
Humboldt Community Services District	✓	Conditional Approval District has capacity to serve project	On file with Planning