



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: March 7, 2019
To: Humboldt County Planning Commission
From: John H. Ford, Director of Planning and Building Department
Subject: **The Humboldt County Collective Conditional Use Permit**
Application Number 13927
Case Number: CUP 17-073
Assessor's Parcel Number (APN): 015-011-005
1670 Myrtle Avenue #B, Eureka, CA 95501

Table of Contents

Page

Agenda Item Transmittal	2
Recommended Action and Executive Summary	3
Draft Resolution	6
Maps	
Location Map	7
Topo Map	8
Zoning Map	9
Aerial Map	10
Project Plans	11
Attachments	
Attachment 1: Recommended Conditions of Approval	13
Attachment 2: Staff Analysis of the Evidence Supporting the Required Findings	18
Attachment 3: Applicant's Evidence in Support of the Required Findings	32
Attachment 4: Referral Agency Comments and Recommendations	45

Please contact Elizabeth Schatz, Senior Planner, at (707) 445-7541 or by email at eschatz1@co.humboldt.ca.us if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date March 7, 2019	Subject Conditional Use Permit	Contact Elizabeth Schatz
--------------------------------------	--	------------------------------------

Project Description: The Humboldt County Collective is applying for a Conditional Use Permit allowing for the continued operation of an existing medical cannabis dispensary facility occupying 551 square feet of an existing office/retail building. The hours of operation for the proposed dispensary are Monday through Friday, 10:00 a.m. to 6:00 p.m. and Saturday and Sunday, 11:00 a.m. to 5:00 p.m. The dispensary was previously approved under expired permit CUP 08-016.

Project Location: The project is located in the Eureka area, on the west side of Myrtle Avenue, approximately 463 feet south from the intersection of Park Street and Myrtle Avenue, on the property known as 1670 #B Myrtle Avenue.

Present Plan Land Use Designations: Commercial General (CG), Eureka Community Plan (ECP), Low instability.

Present Zoning: Neighborhood Commercial Zone (C-1).

Application Number: 13927 **Case Numbers:** CUP 17-073

Assessor's Parcel Number: 015-011-005

Applicant

The Humboldt County Collective
Attn.: JoAnn Hammans
1670 Myrtle Avenue Ste. #B
Eureka, CA 95501

Owner

You SY, Chhon, & Kour T Chau
P.O. Box 144
Eureka, CA 95501

Agent

Same as applicant

Environmental Review: CEQA Exemption 15301 – Existing Facilities.

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

Major Issues: None.

The Humboldt County Collective
Case Number: CUP 17-073
Assessor's Parcel Number: 015-011-005

Recommended Commission Action

1. Describe the application as part of the consent agenda.
2. Survey the audience for any person who would like to discuss the application.
3. If no one requests discussion, make the following motion to approve the application as a part of the consent agenda:

Find the project exempt from environmental review pursuant to Section 15301 of the State CEQA Guidelines, make all of the required findings for approval of the Conditional Use Permit based on evidence in the staff report and any public testimony, and adopt the Resolution approving the proposed The Humboldt County Collective project subject to the recommended conditions.

Executive Summary: The Humboldt County Collective (HCC) is applying for a Conditional Use Permit to allow for the continued operation of an existing medical cannabis dispensary located within 551 square feet of an existing office/retail building. The dispensary was previously approved under expired permit CUP08-016. The operation of this medical cannabis dispensary is in accordance with Humboldt County Code Section 314-55.3 of Chapter 4 of Division I of Title III, *Medical Cannabis Dispensaries Land Use Ordinance 2554*.

The project site is designated Commercial General (CG) by the Humboldt County General Plan and zoned Neighborhood Commercial (C-1). The project parcel is developed with two existing commercial buildings and paved areas for vehicle parking and circulation. According to the Humboldt Community Services District, water and sewer service is available to serve the site. Access to the project site is via Myrtle Avenue, a paved, county maintained roadway. The County Public Works Department has determined Myrtle Avenue and the property's existing driveway to be adequate to accommodate the proposed use. Parking facilities are shared with other businesses located within the existing buildings and the project. The subject parcel is also developed with a second commercial building and is one of three parcels in the Myrtle Towne Shopping Center. The surrounding parcels to the north, south, and east contain other commercial uses. A multifamily residential complex is located to the west. The CannaBoutique Dispensary, an existing permitted medical cannabis dispensary (CUP16-632), is located on the adjacent parcel (015-011-029) approximately 130 feet from this dispensary project.

The Humboldt County Collective was originally approved as CUP08-16 in August of 2010. In October of 2017, the applicant was informed that the permit had expired. The applicant reapplied for the Conditional Use Permit in December of 2017. The Collective was granted permission by the Planning Department to continue operating while pursuing renewal of the Conditional Use Permit.

Operating Standards

Dispensary medical cannabis sales and distribution would be limited to members of the Humboldt County Collective. Patients already enrolled in the HCC system must show a valid identification at the time of purchase. Recreational (adult-use) cannabis customers are handled similarly to the medical patients, identification is used to verify they are 21 years of age or older, and the total amount they purchase is limited by California state law. The project's hours of operation would be Monday through Friday, 10:00 AM to 6:00 PM and Saturday and Sunday, 11:00 AM through 5:00 PM. No person under the age of 18 would be allowed in the storage area or retail area of the facility. On-site consumption, inhalation, ingestion, or topical application of usable marijuana would be strictly prohibited for members, customers, and employees. No on-site cultivation of medical cannabis is being requested as part of this application. All employees undergo a background check to ensure lack of drug charges or felonies.

Registration / Verification / Recordkeeping

The Humboldt County Collective was originally a medical use only dispensary, and while it has transitioned to a business model that includes recreational, the HCC continues to serve the medicinal needs of the community. For medical use, each member of the Humboldt County Collective would be required to

present a valid recommendation for cannabis from a licensed medical doctor in good standing with the licensing board as well as proof of identification and California residency. All patient/member recommendations are verified at the registration facility prior to permitting registration and access to the dispensing facility. All buying and selling of medical cannabis would be restricted to established members of the Humboldt County Collective. All patients would fill out a membership form for Humboldt County Collective Dispensary. During registration, a registrant's physician's recommendation (for the use of medical cannabis) would be reviewed along with the registrant's identification and proof of resident status. The application includes a Dispensary Operations Manual (Attachment 3) that addresses issues of authorization of County verification of information, staff screening, hours of operation, security measures, patient screening, patient records, cannabis inventory tracking, carbon footprint offset, chemical use, cannabis quality procedure, and patient dosage documentation. According to the Dispensary Operations Manual, staff would verify recommendations with the office of the physician who wrote the recommendation before the patient is allowed to acquire medical cannabis. Upon verification of the physician's recommendation, a patient profile would be created and the recommendation as well as the patient's proof of identification would be scanned and retained to be kept on file. The patient profile would automatically inactivate any patient with an expired physician's recommendation.

Security

Security of the facility includes motion-sensitive alarm sensors in all rooms that, once armed, trigger calls to a security company and an audible alarm. Additional panic alarms are in reach of employees (one in the bud room register and one in the drawer in the front room). Nine security cameras are installed across the entry, bud room, and parking lot areas that follow state guidelines on surveillance video backup duration, resolution, and quality. Flood lights illuminate the exterior at night. An employee trained in security is proposed to walk around the shopping center once per hour and record observations and onsite security presence is made a condition of approval. There is an individual always watching patients coming and going making sure people are not sharing products bought at the Humboldt County Collective.

The premise contains a back room drop safe bolted to the ground, locking storage shelves and four buck horn safes to house display and stored product overnight, and a reinforced metal stock room door with three locks.

Operational Requirements and Restrictions

The tenant space would consist of an entry room, office, main sales area, and a bathroom.

In addition to the self-imposed operational restrictions and obligations, Conditions of Approval include the following measures:

- Prohibiting the use of cannabis on the premises or in the vicinity;
- Requiring that any cannabis-associated waste products are destroyed, prohibiting on-site sale of alcoholic beverages, maintaining records of all patients/members, and conducting routine background checks for employees (prohibiting the employment of any member with a prior felony conviction for the sale and/or distribution of controlled substances);
- Restricting loitering on or about the premises;
- Providing adequate security to ensure the safety of persons and to protect the premises from theft;
- Restricting members to receive no more than 1 ounce of cannabis per visit;
- Restricting membership by patients under 18 years of age except under special circumstances where "documentation has been provided which demonstrates the patient suffers from a serious medical condition for which treatment with medical cannabis has been recommended;"
- Requiring that the Humboldt County Collective Dispensary provide the planning director, the sheriff, and all property owners within 300 feet of the establishment the name and telephone number of an on-site representative for purposes of contacting the collective if operating problems are observed by nearby property owners and residents. The collective is asked to make a good faith effort at solving problems if any

are discovered. If unresolved problems persist, any aggrieved party may petition the Planning Commission to initiate the use permit revocation process; and,

- Requiring that the operation is inspected annually and the Planning Commission is provided a "Performance Review Report."

The annual monitoring and reporting requirement allows for adaptive management of the facility and annual evaluation of operational performance by the Planning Commission and Planning staff. The report permits County staff and the applicant to review the adequacy of the operational restrictions, and, if appropriate, develop ways to better address any neighborhood impacts that may arise.

Buffers

The Humboldt County Collective Dispensary site is located greater than 600 feet from the nearest school facility and complies with Section 55.3.9.3 of the Zoning Regulations.

Under the dispensary regulations the Planning Commission may regulate the location of a proposed medical cannabis dispensary by considering the potential impacts and cumulative impacts to the community as a whole and specifically on certain existing uses located within 600 feet of the proposed facility, including residential neighborhoods, churches, playgrounds, parks and licensed day care facilities, residential treatment facilities, and the cumulative impacts from the addition of another dispensary when there are other such facilities within 600 feet of the proposed new facility. Residences are located approximately 60 feet to the west of the premises. Within the Myrtle Towne Shopping Center complex, another permitted dispensary, CannaBoutique, is located on the opposite side of the same building on a different parcel approximately 180 feet walking distance away. The Code provides that the Planning Commission has the discretion to use proximity as a reason for denial of the application if the impact of a proposed new dispensary on these uses is "significant". To address any potential impacts due to proximity to other commercial or residential uses, Condition of Approval A.4 has been included requiring a security guard or designated staff member to monitor the parking lot during hours of operation and enforce rules of the collective prohibiting: loitering, smoking, or sharing of medicine on-site or within the project vicinity.

Environmental review for this Project was conducted and based on the results of that analysis, staff believes the existing cultivation of the Project can be considered "Existing Facilities" as defined by Section 15301 of the California Environmental Quality Act (CEQA) Guidelines. This facility is existing and no changes or alterations are proposed.

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 Conditional Use Permit (CUP).

Staff Recommendation

Staff recommends that the Planning Commission conduct a public hearing and receive public input on the project. Staff recommends that the Planning Commission approve the application subject to the recommended conditions. Given the evidence provided by the applicant(s) and comments from participating referral agencies, the Planning and Building Department believes that the project may be found categorically exempt from environmental review pursuant to Section 15301 of the CEQA Guidelines.

ALTERNATIVES: The Planning Commission could elect not to approve the project, or require the applicant to submit further evidence or modify the project. These alternatives could be implemented if the Planning Commission is unable to make all of the required findings. Planning Division staff believes that the required findings to support project approval can be made. Therefore, Planning staff does not recommend the alternatives identified above.

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 19-**

**Case Numbers CUP 17-073
Assessor's Parcel Number: 015-011-005**

The Planning Commission makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves Humboldt County Collective Conditional Use Permit request.

WHEREAS, The Humboldt County Collective submitted an application and evidence in support of approving a Conditional Use Permit for the continued operation of an existing medical cannabis dispensary and distribution facility will continue to be located within 551 square feet of an existing office/retail building;

WHEREAS, the County Planning Division has reviewed the submitted application and evidence and has 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 Section 15301 (Existing Facilities) of the CEQA Guidelines; 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 Number CUP 17-073); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on March 7, 2019.

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

1. The project is categorically exempt from environmental review pursuant to Class 1, 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines; and
2. The findings in Attachment 2 of the Planning Commission staff report for Case Number CUP 17-073 support approval of the project based on the submitted substantial evidence; and
3. Conditional Use Permit CUP 17-073 is approved as recommended and conditioned in Attachment 1 for Case Number CUP 17-073.

Adopted after review and consideration of all the evidence on March 7, 2019.

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

AYES: Commissioners:

NOES: Commissioners:

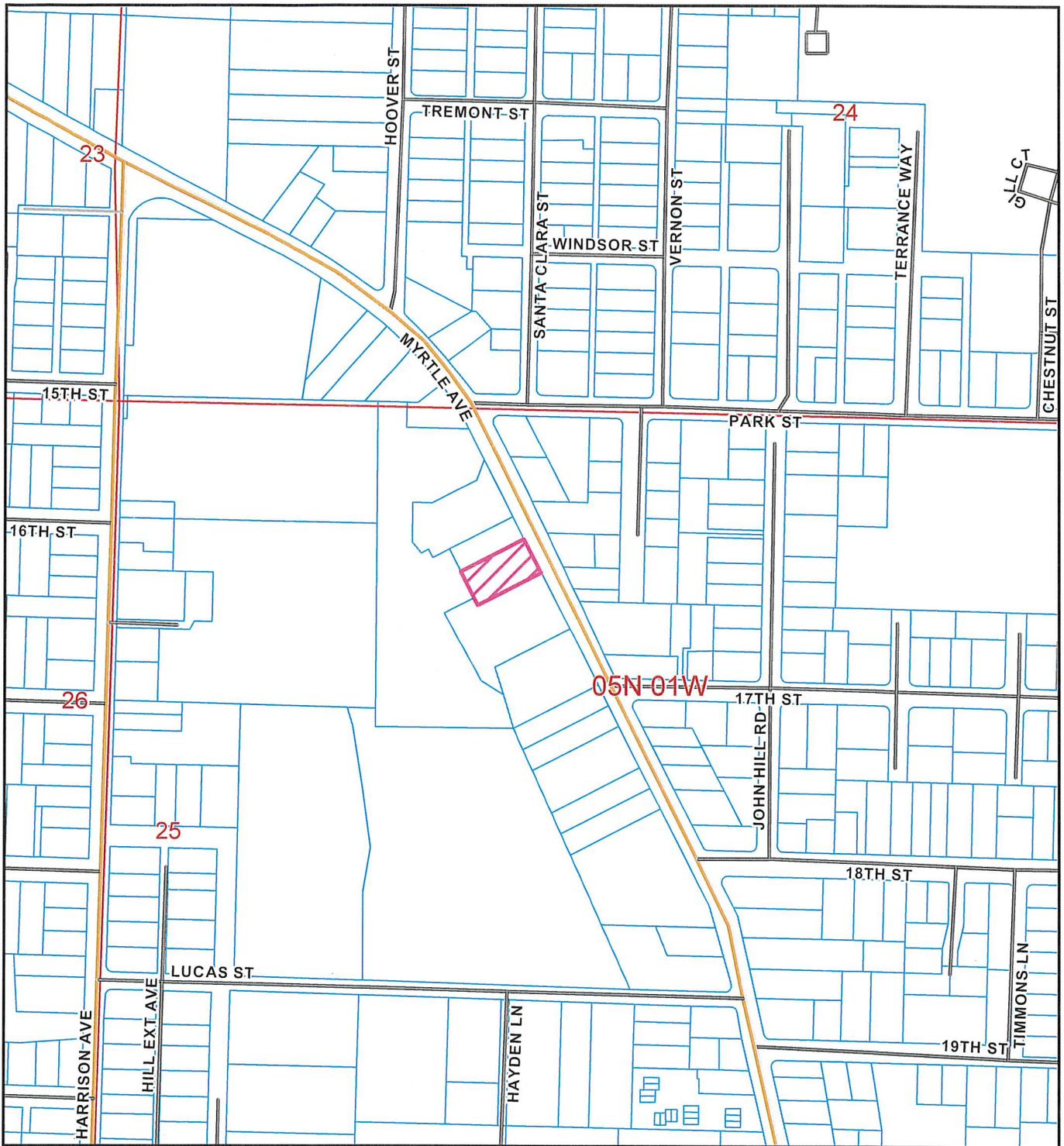
ABSTAIN: Commissioners:

ABSENT: Commissioners:

DECISION:

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



LOCATION MAP

**PROPOSED THE HUMBOLDT COUNTY COLLECTIVE
CONDITIONAL USE PERMIT
EUREKA AREA
CUP-17-073**

APN: 015-011-005

T05N R01W S25 HB&M (Eureka)

Project Area = 

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 THE HUMBOLDT COUNTY COLLECTIVE
CONDITIONAL USE PERMIT
EUREKA AREA**

CUP-17-073

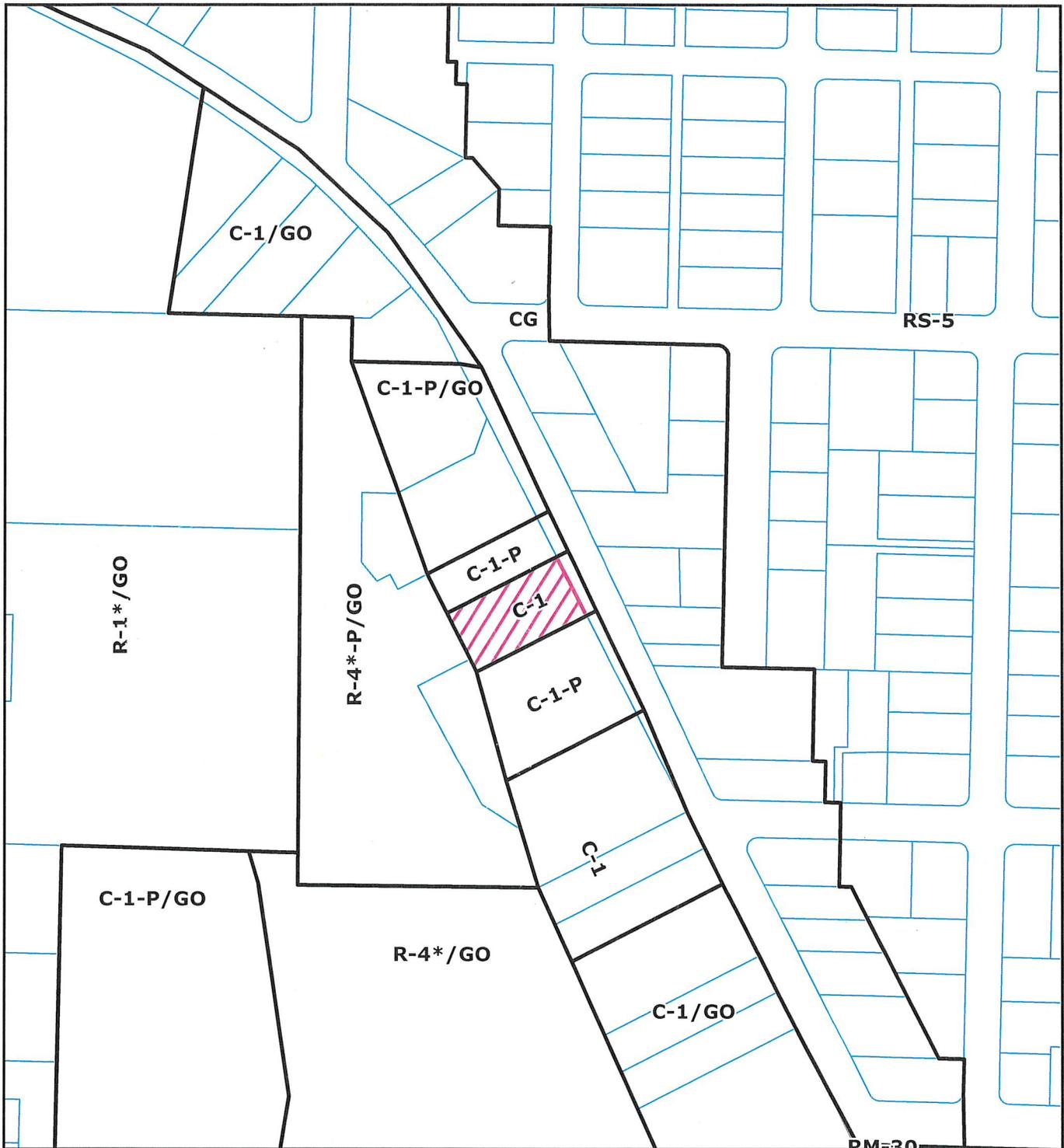
APN: 015-011-005

T05N R01W S25 HB&M (Eureka)

Project Area = 

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.





ZONING MAP

**PROPOSED THE HUMBOLDT COUNTY COLLECTIVE
CONDITIONAL USE PERMIT**

EUREKA AREA

CUP-17-073

APN: 015-011-005

T05N R01W S25 HB&M (Eureka)

Project Area = 

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 THE HUMBOLDT COUNTY COLLECTIVE
CONDITIONAL USE PERMIT**

EUREKA AREA

CUP-17-073

APN: 015-011-005

T05N R01W S25 HB&M (Eureka)

Project Area = 

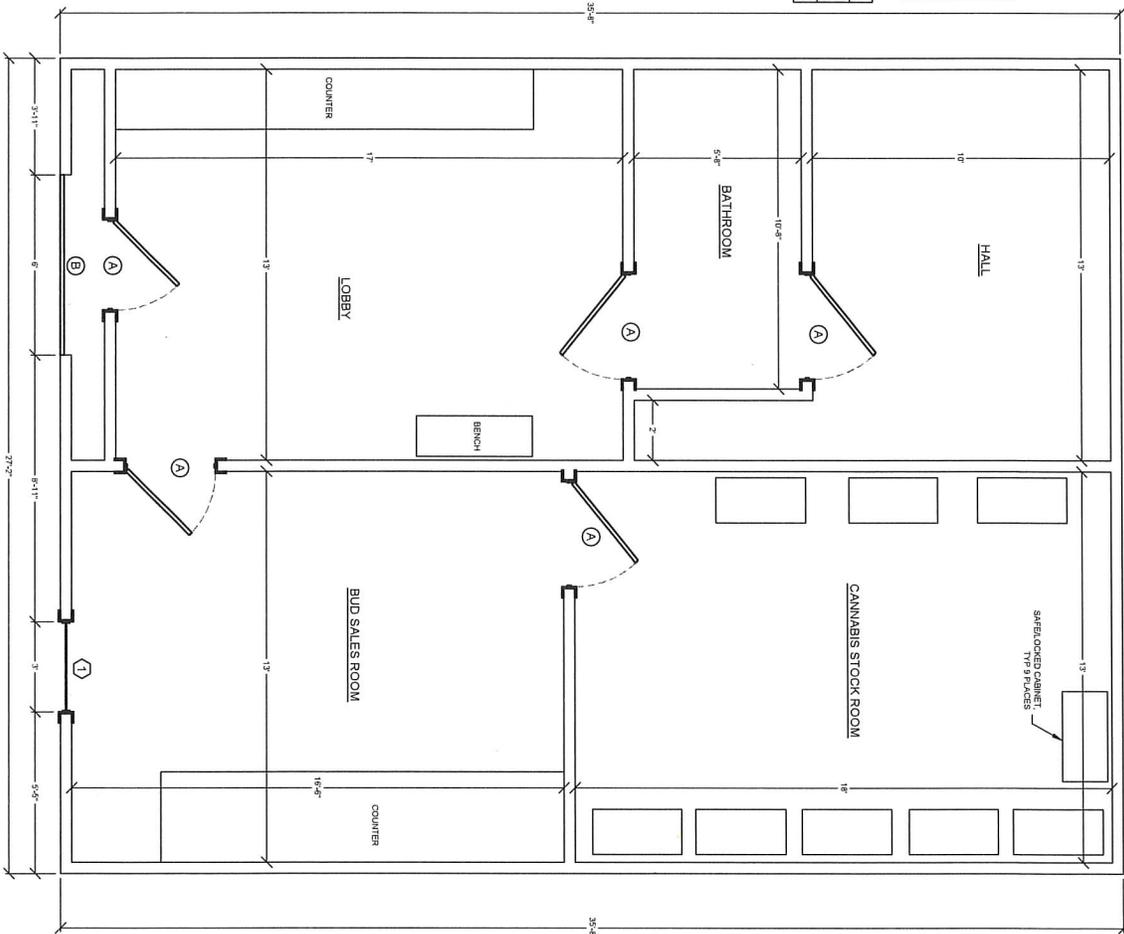
This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



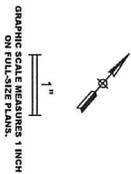
NOTE: ALL DIMENSIONS ARE SHOWN UNLESS OTHERWISE NOTED. THIS DOCUMENT IS THE PROPERTY OF HUMBOLDT DRAFTING SERVICES AND SHALL NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM HUMBOLDT DRAFTING SERVICES.

SYM	QTY	SIZE	DESCRIPTION
(A)	5	3'-6" x 8'-0"	SOLID CORE DOOR
(B)	1	8'-0" x 8'-0"	ROLL DOWN SECURITY DOOR

SYM	QTY	SIZE	DESCRIPTION
(1)	1	3'-0" x 8'-0"	EXTERIOR



FLOOR PLAN
 SCALE: 1/8" = 1'-0"



ATTACHMENT 1

RECOMMENDED 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.

A. General Conditions

1. Building permits are required for all tenant improvements. The applicant must specify on the building plans the prior use of all tenant spaces in the building. All work done shall meet current Structural, Electrical, Plumbing, and Mechanical Codes. Issuance of a building permit for the necessary tenant improvements, or written documentation from the Planning and Building Department that no building permits are required, shall satisfy this condition.
2. Prior to the issuance of the building permit, the applicant shall obtain a business license from the Humboldt County Tax Collector.
3. To ensure the safety of the collective members, the applicant shall have a qualified laboratory test samples of all medicine for pesticides, herbicides, mold, mildew, and pests.
4. Due to the collective's proximity to residential land uses and other commercial land uses (including a cannabis dispensary on an adjacent parcel), the collective shall retain a security guard or designated staff member to monitor the parking lot during hours of operation and enforce rules of the collective, prohibiting loitering, smoking, or sharing of medicine on-site or within the vicinity. Collective members who violate the terms of this permit shall be subject to suspension and/or exclusion from membership.
5. The project 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.
6. The applicant shall submit \$50.00 cash or check payable to the Humboldt County Recorder's Office to file the Notice of Exemption pursuant to Section 15062 of the CEQA Guidelines.
7. 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.

B. Operation Restrictions

1. The hours of operation shall be Monday through Friday, 10:00 AM to 6:00 PM, and Saturday and Sunday 11:00 AM to 5:00 PM.
2. The business will provide adequate security on the premises, including lighting, alarms, and law enforcement notification, to ensure the safety of persons and to protect the premises from theft. The business shall retain a security guard or designated staff member to monitor the parking lot during hours of operation and enforce rules of the dispensary prohibiting loitering, smoking or sharing cannabis onsite or within the vicinity.
3. The business shall operate at all times in conformance with the provisions of Humboldt County Ordinance #2554, including the Operating Standards in Section 314-55.3.11 and the requirement for

annual Performance Review Reports per Section 314-55.3.12.

4. No cannabis shall be smoked, ingested, or otherwise consumed on the premises.
5. The business shall not hold or maintain a license from the California Department of Alcoholic Beverage Control to sell alcoholic beverages, or operate a business that sells alcoholic beverages.
6. The business shall maintain records of all patients using only the identification card number issued by the County, or its agent, pursuant to California Health and Safety Code Section 11362.7 et seq., as protection of the confidentiality of the cardholders, or a copy of the written recommendation.
7. The business shall follow the staff screening process as detailed in the Operations Manual that includes a criminal background check for employees and prohibiting the employment of any person with a prior felony conviction for the sale and/or distribution of a controlled substance.
8. As identified under the 2008 Attorney General Guidelines (for the Security and Non-Diversion of Marijuana Grown for Medical Use), the collective shall "track and record the source of their marijuana," and keep records of its division and distribution.
9. The business shall permit the Planning Director or his/her designee to have access to the entity's books, records, accounts, and any and all data relevant to its permitted activities for the purpose of conducting an audit or examination to determine compliance with the conditions of the Conditional Use Permit. Books, records, accounts, and any and all relevant data will be produced no later than 24 hours after the request from the Planning Director or his/her designee.
10. All compensation to grower/members providing excess medicine to the collective shall be made by check instead of cash as soon as banking is available. The grower/member shall provide or verify his/her Social Security Number (SSN) to the collective in association with each transaction. SSNs will be kept on file with the collective and used to file 1099 forms for each grower/member at the end of each fiscal year.
11. The Humboldt County Collective Dispensary shall provide the Planning Director or his/her designee, the Sheriff, and all neighboring property owners within 300 feet of the establishment with the name and telephone number of an on-site representative of the collective to whom one can provide notice if there are operating problems associated with the facility. The collective shall make every good faith effort to encourage neighbors to call this contact person to try and solve problems, if any, before calls or complaints are made to the Sheriff or Planning Director. Should problems arise that cannot be adequately resolved in this group setting, the disgruntled party can petition the Planning Commission to initiate the process of permit revocation per Section 312-14 of the Humboldt County Code.
12. There is to be no loitering on or about the premises at any time. Further, the Sheriff shall provide to the Planning Director and/or his/her designee a list of any complaints and law enforcement related problems associated with the collective, upon request.
13. The business shall participate in inspections to verify that all cannabis is being distributed in compliance with all state and local regulations. Inspections are intended to ensure that grower-members are legal and compliant in the numbers of plants they grow, and that growing is done in a safe and sustainable manner, away from public view and inaccessible to minors.
14. A review fee for conformance with conditions as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750.00) shall be paid to the Humboldt County Planning Division, 3015 H Street, Eureka. This fee is a deposit, and if actual review costs exceed this amount, additional fees will be billed at the County's current burdened hourly rate.
15. Patients younger than 18 will not be allowed membership except under special circumstances where

they can provide "documentation of a serious condition for which treatment with medical cannabis has been recommended."

16. Methods used to track inventories, quantities, and distribution between verified members will match "standard industry procedures" which includes the following:
 - All incoming medicine will be assigned a lot number which will be retained as medicine is subsequently divided and distributed to members.
 - All medical cannabis will be tracked by the gram.
 - Quickbooks or similar software shall be used as a point of sale to record transactions, inventory, invoicing, and revenue-related record keeping.
17. Patients shall receive medicine in individual units no more than twice during a 24-hour period. Patients are required to take the medicine directly home and not to share it with anyone. Membership shall be immediately revoked for any patient found violating this rule.
18. The medical marijuana cooperative, collective, or delivery service shall be inspected by the Humboldt County Sheriff or his/her designee and either members of the Code Compliance Division of the Planning and Building Department or the Code Enforcement Investigator on an annual basis, or more frequently as requested by the Planning Commission, to determine if the cooperative, collective, or delivery service is in compliance with its Conditional Use Permit and Operations Manual. After payment of the inspection fees as indicated in the following section, a copy of the results from this inspection shall be given to the medical marijuana collective, cooperative, or delivery service for inclusion in its "Performance Review Report" to the Planning Commission.
19. Noncompliance by the medical marijuana collective, cooperative, or delivery service in allowing the inspection by the above-mentioned County personnel, or non-compliance in submitting the annual "Performance Review Report" per Section 314-55.3.12 for review by the Planning Commission, shall be deemed grounds for a revocation of the Conditional Use Permit and/ or subject the holder of the Conditional Use Permit to the penalties outlined in the code section above. A deposit shall be collected for the County's time spent performing the inspection (based on the fees in effect at the time the request is submitted).

C. Ongoing Requirements/Development Restrictions Which Must Continue to be Satisfied for the Life of the Project

1. Operations shall be consistent with the project description, Site Plan, Floor Plan, and the Plan of Operations as modified by Conditions of Approval B.1 through B.19 inclusive.
2. Applicant shall submit a request for agency review for substantial conformance on any proposed changes of the operation, including but not limited to changes to operational procedure or policy. Changes in operation may be processed as a minor deviation if all the findings of Section 312-11.1 can be made.
3. All new and existing outdoor lighting shall be compatible with the existing setting and directed within the property boundaries.
4. Future signage proposals are subject to review and approval by the Planning Director.
5. 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.
6. 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.

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. If the County receives any odor complaints, the permit holder shall work with the building Official to correct odor concerns.
8. The operation shall be inspected annually and the Planning Commission shall be provided a "Performance Review Report." The annual monitoring and reporting requirement allows for adaptive management of the facility and annual evaluation of operational performance by the Planning Commission and Planning staff. Review of the report permits County staff and the applicant to review the adequacy of the operational restrictions, and, if appropriate, develop ways to better address any neighborhood impacts that may arise.
9. The applicant and successors in interest shall participate in the track and trace program administered by Humboldt County.

D. Informational Notes

1. Applicant is responsible for receiving all necessary permits and/or approvals from other state and local agencies.
2. This permit shall expire and become null and void at the expiration of one 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. The period within which construction or use must be commenced may be extended as provided by Section 312-10.5 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 Planning and Building 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.
4. If buried archaeological or historical resources are encountered during construction activities, the contractor on-site shall call all work in the immediate area to halt temporarily, and a qualified archaeologist is to be contacted to evaluate the materials. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, dietary bone, and human burials. If human burial is found during construction, state law requires that the County coroner be contacted immediately. If the remains are found to be those of a Native American, the California Native American Heritage Commission will then be contacted by the coroner to determine appropriate treatment of the remains. The applicant is ultimately responsible for ensuring compliance with this condition.
5. Medical 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 and Adult Use Cannabis Regulation and Safety Act (MAUCRSA), as may be amended from time to time, as applicable to the permit type.
6. The operation shall participate in the Medical Cannabis Track and Trace Program administered by the Humboldt County Agricultural Commissioner or state equivalent, when available.
7. The project operator shall possess a current, valid required license, or licenses, issued by any agency of the state of California in accordance with the MAUCRSA, and regulations promulgated thereunder, as soon as such licenses become available.

8. The project operator shall possess 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.
9. Transfer of any leases or permits approved for this project is subject to the review and approval of the Planning Director for conformance with Section 314-55.3 of the zoning regulations. The fee for required conformance with conditions review shall accompany the request. The request shall include the following information:
 - A. Identifying information for the new owner(s) and management as required in an initial permit application;
 - B. A written acknowledgment by the new owner in accordance as required for the initial permit application;
 - C. The specific date on which the transfer is to occur;
 - D. Acknowledgement of full responsibility for complying with the existing permit.
10. 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.

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 (Legal Lot Requirement) and 312-17.1 of the Humboldt County Code (Required Findings for All 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 is 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; 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. **General Plan Consistency.** The following table identifies the evidence which supports finding that the proposed project is in conformance with all applicable policies and development standards in the Humboldt County General Plan (GP).

Relevant Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Land Use Chapter 4</p> <p>Land Use Designations Section 4.8</p>	<p>Commercial General (CG): Lands that because of their location, access, and availability of services are suitable for commercial development. Allowable land uses vary and include retail sales, retail services, essential services, health care services and similar compatible uses. Floor to Area Ratio is 3.</p>	<p>The project proposes continued use of a tenant space within an existing commercial building as a medical cannabis dispensary and distribution facility located within 551 square feet of existing office/retail building. Health care and retail services are allowable use types for this designation.</p>
<p>Circulation Chapter 7</p>	<p>Goals and policies contained in this Chapter relate to a balanced, safe, efficient, accessible and convenient circulation system that is appropriate for each type of community (C-G1, C-G2); coordinated planning design, development, operations, and maintenance between the County and other transportation system service providers (C-G3); and access for all transportation mode types with improved opportunities to move goods within, into and out of Humboldt County. (C-G4, C-G5)</p> <p>Related policies: C-P3, Consideration of Transportation Impacts in Land Use Decision Making.</p>	<p>The project site is located on Myrtle Avenue in Eureka within the Myrtle Towne Shopping Center. The Humboldt County Collective dispensary is accessed by a three-lane paved driveway from Myrtle Avenue through APN 015-011-029. The driveway has one lane entering the parking lot and two lanes exiting it with clear demarcation. There is a public bus stop in front of the nearby Myrtle Towne Liquor and John's Cigar shop.</p> <p>A declaration regarding business and related parking activity at the Myrtle Towne Shopping Center indicates approximately 700 customers typically visit the shopping center per day (Mon.-Sat.) with peak activities between 5:00 and 6:00 pm. The Humboldt County Collective typically receives 280 customers per day (31 per hour), the largest number of any businesses in the shopping center.</p> <p>In January of 2018 an engineer performed an evaluation of traffic and customers at The Humboldt County Collective business to determine if a separate proposed dispensary, Cannaboutique, would have ample parking for their proposed dispensary. The engineer recommended that the alley leading back to THCC be posted as one way traffic. The alley has been designated as such with arrows painted on the asphalt. With the improvements completed for the Cannaboutique dispensary, the parking lot and travelled ways within the shopping</p>

		center are functioning appropriately for the existing uses. The Public Works Department has recommended approval of the project with no further requirements.
Relevant Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Housing Chapter 6	Goals and policies contained in this Element seek to identify existing and projected housing needs and establish goals, policies, standards and measures for the preservation, improvement, and development of housing. Related policies: H-P3, Development of Parcels in the Residential Land Inventory.	The project is within the Housing Opportunity Zone but does not involve residential development. The project will not preclude any future residential development or 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.
Conservation and Open Space Chapter 10 Open Space Section 10.2	Goals and policies contained in this Chapter relate to an Open Space and Conservation Program that is complimentary to other agencies' plans and that preserves the county's unique open spaces. (CO-G1, CO-G3) Related policies: CO-P1, Conservation and Open Space Program; CO-P12, Development Review, CO-S1. Identification of Local Open Space Plan, and CO-S2. Identification of the Open Space Action Program	The project site is not within or near a land use designation or zoning classification identified for the Local Open Space Plan, nor does it contain scenic attributes, unique open spaces, or watercourses on the subject parcel.
Conservation and Open Space Chapter 10 Biological Resources Section 10.3	Goals and policies contained in this Chapter relate to mapped sensitive habitat areas where policies are applied to protect fish and wildlife and facilitate the recovery of endangered species (BR-G1, Threatened and Endangered Species, BR-G2, Sensitive and Critical Habitat, BR-G3, Benefits of Biological Resources) Related policies: BR-P1. Compatible Land Uses, BR-P5. Streamside Management Areas.	As shown in the Central Humboldt Biological Resources Map prepared for the Humboldt 21 st Century Humboldt County General Plan Update, the project site is located within a California Natural Area that contains both plant and animal resources. However, the project site is completely paved and developed and is part of a developed, urban area. Additionally, the project is to continue to occupy an existing tenant space within an existing building and is not expected to generate any earth movement or alter any existing vegetation. Therefore, the project would have no impact on designated sensitive and critical resource habitats.

Relevant Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Conservation and Open Space Chapter 10</p> <p>Cultural Resources Section 10.6</p>	<p>Goals and policies contained in this Chapter relate to the protection and enhancement of significant cultural resources, providing heritage, historic, scientific, educational, social and economic values to benefit present and future generations. (CU-G1, Protection and Enhancement of Significant Cultural Resources)</p> <p>Related policies: CU-P1, Identification and Protection; CU-P2, Native American Tribal Consultation.</p>	<p>No new construction is proposed, so no ground disturbance will occur. Nonetheless, the project is conditioned to include an inadvertent discovery protocol should the project encounter undocumented cultural resources (Informational Note #4).</p>
<p>Conservation and Open Space Chapter 10</p> <p>Scenic Resources Section 10.7</p>	<p>Goals and policies contained in this Chapter relate to the protection of scenic areas that contribute to the enjoyment of Humboldt County's beauty and abundant natural resources (SR-G1); and a system of scenic highways roadways that increase the enjoyment of, and opportunities for, recreational and cultural pursuits and tourism in the County. (SR-G2)</p> <p>Related policies: SR-S4. Light and Glare</p>	<p>The project site is not within or near a land use designation or zoning classification identified for the Local Open Space Plan, nor does it contain scenic attributes, unique open spaces, or watercourses on the subject parcel.</p>
<p>Water Resources Chapter 11</p> <p>Stormwater Drainage</p>	<p>Goals and policies contained in this Chapter relate to coordinated watershed planning and land use decision making to advance management priorities (WR-G3, WR-G4, WR-G5); watershed conservation and restoration efforts aimed at de-listing water bodies and watersheds which are restored to meet all beneficial uses, including water use, salmon and steelhead recovery plans, recreational activities, and the economy. (WR-G1, WR-G, WR-G7, WR-G8, WR-G9)</p> <p>Related policies: WR-P10, Erosion and Sediment Discharge; WR-P42, Erosion and Sediment Control Measures.</p>	<p>The applicant is not proposing to cultivate cannabis and is not discharging water on the premises so is not required to enroll in the North Coast Regional Water Quality Control Board's (NCRWQCB's) Cannabis Waste Discharge Regulatory Program as a Tier 2 discharger.</p> <p>There are no watercourses on the site within the shopping center. There is a water course approximately 420 feet to the west, beyond the Myrtleowne Shopping Center, a residential parcel (APN# 015-011-030), and a heavily-vegetated streamside management area (APN# 015-011-019).</p> <p>The paved parking lot surrounding the Myrtleowne Shopping Center, where the project is located, will not contribute to soil erosion.</p>

Relevant Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Water Resources Chapter 11</p> <p>Onsite Wastewater Systems</p>	<p>Goals and policies contained in this Chapter relate to adequate public water supply as well as onsite wastewater treatment systems (OWTS) and natural and developed storm drainage systems that minimize interference with surface and groundwater flows and storm water pollution (WR-G6, WR-G9, WR G10)</p> <p>Related policies: WR-IM7, Basin Plan Septic Requirements; and IS-P17, On-Site Sewage Disposal Requirements.</p>	<p>There is one bathroom on the premises. The Humboldt Community Services District provides water and sewer services for the site and recommended approval of the project. The Division of Environmental Health also recommended approval of the project.</p>
<p>Noise Chapter 13</p>	<p>Goals and policies contained in this Chapter discourage incompatible uses within communities and reduce excessive noise through the application of standards. (N-G1, N-G2)</p> <p>Related policies: N-P1, Minimize Noise from Stationary and Mobile Sources; and N-P4, Protection from Excessive Noise.</p>	<p>The dispensing of medical cannabis does not generate excessive noise within the Myrtleowne Shopping Center.</p>
<p>Safety Element Chapter 14</p> <p>Geologic & Seismic</p>	<p>Goals and policies contained in this Chapter relate to communities that are designed and built to minimize the potential for loss of life and property resulting from natural and manmade hazards; and to prevent unnecessary exposure to areas of geologic instability, floodplains, tsunami run-up areas, high risk wildland fire areas, and airport areas planned and conditioned to prevent unnecessary exposure of people and property to risks of damage or injury. (S-G1, S-G2)</p> <p>Related policies: S-P11, Site Suitability; and S-P7, Structural Hazards.</p>	<p>The dispensary site is not near the Alquist-Priolo Earthquake Fault Zone.</p> <p>The Little Salmon Fault Zone is approximately four miles to the southwest.</p> <p>The site does not overlay an area of potential liquefaction and no new buildings are proposed.</p> <p>This project does not unnecessarily expose people or property to damage or injury related to geologic or seismic hazards.</p>
<p>Safety Element Chapter 14</p> <p>Flooding</p>	<p>Goals and policies contained in this Chapter relate to the use of natural drainage channels and watersheds that are managed to minimize peak flows in order to reduce the severity and frequency of flooding. (S-G3)</p>	<p>The project parcel is outside of the Tsunami Evacuation Area, drains to an adjacent creek through storm water drains and existing slope of the existing paved parking lot, and is not proposing new construction or site development as part of this project.</p> <p>The project site is located outside of the</p>

	Related policies include: S-P12, Federal Flood Insurance Program; S-P13, Flood Plains; S-P15, Construction Within Special Flood Hazard Areas.	FEMA flood plain and special flood hazard areas.
Relevant Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Safety Element Chapter 14 Fire Hazards	Goals and policies of this Chapter encourage development designed to reduce the risk of structural and wildland fires supported by fire protection services that minimize the potential.	The subject property is located within a local responsibility area for fire protection, Humboldt # 1 Fire Protection District. The site is designated as a low wildfire risk. The Fire District recommended approval of the project.
Air Quality Chapter 15	Goals and policies contained in this Chapter relate to improved air quality to meet current and future state and federal standards, including attainment of particulate matter requirements (AQ-G1, AQ-G2, AQ-G3) and the successful reduction of greenhouse gas emissions to levels consistent with state and federal requirements (AQ-G4) Related policies: AQ-P4, Construction and Grading Dust Control; AQ-S1, Construction and Grading Dust Control; AQ-P7, Interagency Coordination.	The project is an existing operation, with no proposed construction. The proposed project would not result in generation of particulate matter or greenhouse gases inconsistent with state and federal requirements.

2. The proposed development is consistent with the purposes of the existing zone in which the site is located; and 3. The proposed development conforms with all 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	Summary of Applicable Requirement	Evidence that Supports the Required Finding
§314-2.1 Neighborhood Commercial §314-31 Planned Development §314-55.3 Medical Cannabis Dispensaries	The Neighborhood Commercial Zone (C-1) allows for neighborhood shopping centers which will provide convenient sales and service facilities to residential areas without detracting from the residential desirability of such areas. The Medical Cannabis Dispensary Ordinance allows dispensaries in the C-1 zone with a Conditional Use Permit.	The proposed project is a Conditional Use Permit for a medical cannabis dispensary and distribution facility will be located within 551 square feet of an existing office/retail building. The proposed cannabis dispensary is specifically allowed with a Conditional Use Permit in this zone district under Section 314-55.3 of the Humboldt County Code.
Development Standards		

Zoning Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
Minimum Lot Area:	2,000 sq. ft.	The subject parcel is approximately 14,850 square feet.
Maximum Ground Coverage:	(None specified.)	The setbacks detailed below can be utilized to define a building envelope for siting purposes.
Minimum Yard Setbacks:	Front: None Rear: 15 feet Side: None	Front: Not applicable. Rear: Approximately 75 feet. Side: Not applicable.
Maximum Building Height:	45 feet	Single story, less than 45 feet
<p>§314-109.1.3.3: Commercial Uses Off-Street Parking</p> <p>§314-109.1.4: Loading Spaces Required</p>	<p><u>Retail Uses:</u> One space for 300 square feet of gross floor area and one parking space per employee. A minimum of two parking spaces are required.</p> <p><u>Loading Spaces:</u> The loading space requirement for uses containing 10,000 square feet or less may be eliminated upon issuance of a Special Permit by the Director, in conjunction with the Public Works Department, based on the type and intensity of the proposed use.</p>	<p>The proposed medical cannabis dispensary would continue to occupy a 551 SF tenant space within an existing commercial building. The dispensary would require 8 parking spaces, as there would be a maximum of 6 employees. The plot plan shows 80 parking spaces shared by the Myrtle-towne shopping center tenants located on three parcels, APN 015-011-014, 015-011-005, and 015-011-029. The applicant has indicated that parking spaces 1-7 shown on the plot plan are allocated to the dispensary during business hours, and any overflow parking uses spots 8-17. Therefore, adequate parking exists to accommodate the dispensary.</p> <p>No developed loading space exists for this building; however, the 551 SF dispensary is a retail service use that is replacing a use of like intensity and character, therefore per Section 109.1.2.5 as a nonconforming use the loading space requirement is not applicable.</p>
§314-87.2 Signs	<p><u>Commercial:</u> Not more than 3 sq. ft. for each 100 foot of lot frontage not to exceed 300 sq. ft. divided into no more than 6 single- or double-faced signs</p>	A sign for the business is already located on the site. If any revisions to that sign are proposed, a Signage Plan shall be submitted as a condition of approval (C.4) that will be subject to review and approval by the Planning Director.

314-55.3 Medical Cannabis Dispensary Ordinance		
Zoning Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
§314-55.3.8 Dispensaries	<p>All medical cannabis dispensaries shall operate in compliance with the County code, the MAUCRSA, and all other applicable state and local laws.</p> <p>Medical cannabis dispensaries are a conditionally permitted use in zone districts C-1, C-2, C-3, MB, ML, MH.</p> <p>Dispensaries shall at all times be operated in such a way as to ensure the safety of patients and staff; to ensure the security of the medical cannabis; and to safeguard against the diversion of medical cannabis for nonmedical purposes.</p>	<p>The proposed project will:</p> <ol style="list-style-type: none"> 1. Receive deliveries from regional cannabis farmers; and 2. Make available medical cannabis products to patients throughout the state. <p>The subject property is zoned C-1 Community Commercial. The Operations Manual and conditions of approval require that the proposed use is operated consistent with the County code, the MAUCRSA, and all other applicable state and local laws, to ensure the security of the medical cannabis, and to safeguard against the diversion of medical cannabis for nonmedical purposes.</p>
§314-55.3.9.1 Medical Cannabis Dispensary Requirements	Preparation of a hazardous materials storage, handling, and disposal plan approved by the Division of Environmental Health, if applicable.	The Division of Environmental Health has reviewed the project and recommended approval, with no comment. Additionally, the applicant has filed an application for Commercial Medical Marijuana clearance/permits and will satisfy all applicable requirements from the Division of Environmental Health.
§314-55.3.9.2 §314-55.3.9.3 Medical Cannabis Dispensary Requirements	<p>No medical cannabis dispensaries, operators, establishments, or providers who possess, cultivate, or distribute medical cannabis shall be located within a 600-foot radius of a school.</p> <p>The location of a dispensary proximate to existing uses such as residential neighborhoods, churches, parks, residential treatment facilities, school bus stops, or other dispensaries may be used to deny issuance of a permit if found to have a potential significant impact.</p>	<p>The nearest school is Lafayette Elementary School, which is located approximately 700 feet from the site. The applicant's site plan indicates that there are no playgrounds, public parks, libraries, licensed day care facilities, residential treatment facilities, or places of worship within 600 feet of the site. A search of the Eureka City Schools website revealed no school bus stops located within 600 feet of the project site.</p> <p>Of the described existing uses, a residential neighborhood and another dispensary are located within 600 feet of the site. Condition of Approval A.4 addresses potential impacts due to proximity to these uses by requiring a security guard or designated staff member to monitor the parking lot during hours of operation and enforce rules of the collective prohibiting: loitering, smoking, or sharing of medicine on-site or within the vicinity.</p>

314-55.3 Medical Cannabis Dispensary Ordinance

Zoning Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
§314-55.3.10 Operations Manual	<p>Dispensaries shall submit an Operations Manual that includes all the following:</p> <ul style="list-style-type: none"> • Authorization for the County, its agents, and employees to seek verification of the information contained within the conditional use permit application. • A description of the staff screening processes, including a requirement for criminal background checks. 	<p>A Dispensary Operations Manual is included in Attachment 3 that outlines the staff screening process and authorizes the County to verify information contained in the application.</p>
§314-55.3.10 Operations Manual	<p>Dispensaries shall submit an Operations Manual that includes all the following:</p> <p>The hours and days of the week when the Dispensary will be open.</p> <p>Text and graphic materials showing the site, floor plan and facilities. The material shall also show structures and land uses within a 600 foot radius.</p> <p>A description of the security measures located on the premises, including but not limited to, lighting, alarms, and automatic law enforcement notification, and how these will ensure the safety of staff and clients and secure the medical cannabis against diversion for non-medical purposes.</p> <p>A description of the screening, registration and validation process and procedures for qualified patients and primary caregivers.</p> <p>A description of qualified patient records acquisition and retention procedures and policies.</p> <p>A description of the processes, procedures and inventory controls for tracking the disparate strains, the source of supply, and amounts of medical cannabis that come in and go out of the dispensary.</p>	<p>A Dispensary Operations Manual was submitted that contains all of the required elements. Additionally, the operations will remain subject to annual monitoring and reporting requirements. Furthermore, the collective will be regulated by numerous state and local regulations including Article 2.5 of the Health and Safety Code (Senate Bill 420). The retail dispensary is also regulated by the MAUCRSA and will be subject to state licensing in 2018 once available.</p>

314-55.3 Medical Cannabis Dispensary Ordinance

Zoning Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
§314-55.3.10 Operations Manual	<p>Description of measures taken to minimize or offset the carbon footprint from operational activities.</p> <p>Description of chemicals stored, used and any effluent discharged as a result of operational activities.</p> <p>The procedure, documentation, and notice process for assuring the quality and safety of all medical cannabis distributed. The procedure and documentation process for determining patient dosage, including any testing for the major active agents in medical cannabis offered to qualified patients, such as cannabinoids tetrahydrocannabinol (THC), Cannabidiol (CBD), and Cannabinol (CBN).</p>	<p>A Dispensary Operations Manual is included in Attachment 3 that contains all of the required elements. Additionally, the operations will remain subject to annual monitoring and reporting requirements. Furthermore, the collective will be regulated by numerous state and local regulations including Article 2.5 of the Health and Safety Code (Senate Bill 420). The retail dispensary is also regulated by MAUCRSA and will be subject to state licensing in 2018 once available.</p>
§314-55.3.11 Operating Standards	<p>Dispensaries that function as medical cannabis delivery services shall not operate from an address of convenience located in a residential zone.</p>	<p>The proposed site is zoned C-1 Neighborhood Commercial.</p>

314-55.3 Medical Cannabis Dispensary Ordinance

Zoning Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
<p>§314-55.3.11 Operating Standards</p>	<p>Medical cannabis dispensaries may not be operated by any persons who have been convicted of a felony in the last five years.</p> <p>No dispensing of medical cannabis to an individual qualified patient shall be permitted more than twice a day.</p> <p>The hours of operation of medical cannabis dispensaries shall be no earlier than 10 a.m. and no later than 7 p.m.</p> <p>Dispensaries shall only provide medical cannabis to an individual qualified patient who has a valid, verified physician's recommendation issued in the state of California. Dispensaries shall verify on an annual basis, or more frequently if required by the state of California, that the physician's recommendations of their clients are current and valid.</p> <p>Dispensaries shall display their client rules and/or regulations in a conspicuous place that is readily seen by all persons entering the dispensary. A copy of the client rules and/or regulations shall be provided to the qualified patient by a medical cannabis delivery service.</p> <p>Smoking, ingesting, or otherwise consuming medical cannabis products on the premises of a medical cannabis dispensary is prohibited. Each building entrance to a medical cannabis dispensary shall be clearly and legibly posted with a notice indicating that smoking, ingesting, or consuming medical cannabis or medical cannabis edibles on the premises or in the vicinity of the dispensary is prohibited.</p>	<p>All operating standards have been made conditions of approval.</p>

314-55.3 Medical Cannabis Dispensary Ordinance

Zoning Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
<p>§314-55.3.11 Operating Standards</p>	<p>Each building entrance to a medical cannabis dispensary shall be clearly and legibly posted with a notice indicating that persons under the age of 18 are precluded from entering the premises unless they are qualified patients and they are accompanied by their parent or legal guardian.</p> <p>No medical cannabis dispensary or delivery service shall provide medical cannabis to any qualified patient or holder of a medical cannabis recommendation who is under 18 unless their parent or guardian has previously given written permission that is on file with the delivery service and that same parent or guardian is present to accept the delivery of medical cannabis.</p> <p>All medical cannabis dispensaries shall display a copy of the inspection receipt issued by the Humboldt County Sealer of Weights and Measures for all weighing and measuring devices.</p> <p>All medical cannabis dispensed by dispensaries must be obtained in accordance with the MCRSA and other applicable state and local laws.</p> <p>All signs for medical cannabis dispensaries must comply with Sections 313-87.3 and 314-87.2 of the County Zoning Regulations.</p> <p>An up-to-date inventory of all hazardous materials stored and used on-site shall be maintained on the premises of the dispensary with a copy of this inventory provided to the Humboldt County Division of Environmental Health.</p>	<p>All operating standards have been made conditions of approval.</p>
<p>§314-55.3.11 Operating Standards</p>	<p>Dispensaries shall maintain all necessary permits, and pay all required taxes and fees. Dispensaries shall also provide invoices to vendors to ensure vendor's tax liability responsibility.</p> <p>Dispensaries shall implement their policies and procedures as outlined in their Operations Manual.</p> <p>Medical cannabis dispensaries shall comply with any and all conditions of their conditional use permit.</p>	<p>All operating standards have been made conditions of approval.</p>

4. Public Health, Safety, and Welfare and 6. Environmental Impact.: The following table identifies the evidence which supports finding that the proposed development will not be detrimental to the public health, safety, and welfare, and will not adversely impact the environment.

Code Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
§312-17.1.4 Conditional Use Permit Findings	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.	All responding referral agencies have either provided no comment or recommended approval of the proposed use. The proposed commercial use is consistent with the type of development in the area. The importing and handling of cannabis products has the potential to cause odors that could be detrimental to the public or improvements in the vicinity and has therefore been conditioned on the installation of a ventilation/filtration system to manage odors appropriately. As conditioned, there is no evidence that the project will be materially injurious to properties or improvements in the vicinity.
§15301 of CEQA Guidelines	Categorically exempt from state environmental review.	The project has been determined to be exempt from CEQA pursuant to Sections 15301 – Existing Facilities of the CEQA Guidelines. Section 15301 exempts from environmental review the operation, repair, maintenance, permitting, licensing, or minor alteration of existing private structures or facilities where involving negligible or no expansion of use. The proposed development will continue to occupy 551 square feet of an existing structure. The project site is served by public water and sewer. The proposed use within the existing building will not result in any significant adverse impact on the environment as the lot is approximately 14,850 square feet in size and the proposed use will occupy a portion of an existing building on the property.

5. Residential Density Target: The following table identifies the evidence which supports finding that the proposed project will not reduce the residential density for any parcel below the density that is 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
312-17.1.5 Housing Element Densities	The proposed development does not reduce the residential density for any parcel below the density that is 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; 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.	The proposed project involves operation of a dispensary on lands designated "Commercial General" (CG) and zoned C-1 Neighborhood Commercial. The parcel was not inventoried as a source of potential residential housing. Therefore, the project will not reduce the residential density for any parcel below the density that is utilized by the Department of Housing and Community Development in determining compliance with housing element law.

ATTACHMENT 3

Applicant's Evidence in Support of the Required Findings

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

1. Application Form [on file]
2. Organizational Documents [on file]
3. Grant Deed [on file]
4. Indemnification Agreement [on file]
5. Acknowledgement Form [on file]
6. Consent for On-site Inspection [on file]
7. Plot Plan [attached]
8. Operations Manual [attached]
9. Security Plan [attached]
10. Business and Parking activity counts for the Myrtleowne Shopping Center, prepared as a Declaration of Savannah Snow and a letter from the Gallegos Law Firm received by the Planning Department on March 19, 2018. [attached]
 - a. The Declaration identifies The Humboldt County Collective as receiving the largest customer activity with 280 average daily customers.
 - b. The Declaration appears to establish there are adequate parking spaces for the anticipated business activity in the shopping center throughout most, if not all, of the day Monday through Saturday and notes that this may or may not pose an increased risk of accidents in the parking lot and on Myrtle Avenue during the peak activity time of 5:00 to 6:00 pm because this coincides with increased traffic on Myrtle Avenue.

THCC Operations Manual



I) **Staff Screening Processes, which shall include a requirement for criminal background checks.**

- THCC requires that a potential employee gives a resume with references.
- A copy of each Employees Identification card and social security card for proof of age (21) and Citizenship is taken and placed in their personnel file.
- A background check is sourced by THCC to ensure that potential employees do not have drug charges or felonies.

II) **THCC Operating Hours**

- Monday through Friday 10 a.m. to 6 p.m.
- Saturday and Sunday 11 a.m. to 5 p.m.

III) **Graphic materials showing the site floor plan and Facilities along with land uses within a 600 foot radius.**

- Plot Plan
- Floor Plan
- Security Plan

IV) **THCC Security, including lighting, alarms, and automatic law enforcement notification.**

• **Alarms:**

Alarm sensors set up in all rooms, if there is movement a call will be placed to security company and alarm will sound. Panic alarms are

within reach of employees, one in the bud room register and one in the drawer in the front room.

- **Cameras:**

Cameras in entry, bud room and parking lot. Cameras are Lorex brand, they record at 1080 with 30 frames per second, they are 24-hour recording and we are using a cloud-based storage for at least 90-day continual recording.

- **DVR:**

Our DVR box is locked within a storage cabinet and is recorded at all times.

- **Locks:**

Locks are on all doors including; pull down security door, side entrance, marijuana storage room, products are also locked into storage lockers in a back room only accessible to employees.

- **Access:**

If anyone not employed by The Humboldt County Collective and need access to our marijuana storage room they must sign in with a clip board fastened to the wall at the entrance to the room.

- **Badges:**

All employed by The Humboldt County Collective wear name badges in clear plastic-coated holders that include, their picture at the size of 1 inch by 1.5 inch, their name, position, employee number, store name and both license numbers, they are required to wear them anytime they are one the clock.

- **Security Personnel:**

For our security officers we currently have two employees enrolled in the guard card program and there will be at least one of them on shift at all times.

V) Description of screening, registration and validation process and procedures for qualified patients and primary caregivers.

- **Valid Recommendation:**

Potential patients are required to provide THCC with a current medical marijuana recommendation and a valid identification card.
- **Verification:**

The recommendation will be verified either by internet or a phone call to the entity providing the recommendation.
- **Records:**

The employee on duty will record the following on the last page of the membership application:

 1. Employee processing the intake
 2. Date of the intake.
 3. Method of Verification and person who verified, if applicable.
 4. Verification of copies taken of identification card and medical marijuana recommendation.
 5. Verification that patient was accepted.
- **POS Log:**

Upon acceptance, the patient is entered into the Point of Sale system with a log in name associated with that patient. A note will be attached to that name that contains the expiration date of the recommendation and any caregivers the patient may have.
- **Requirements:**

Patients are required to show a valid identification card at the time of purchase.

VI) Description of qualified patient records acquisition and retention procedures and policies.

- Records are sorted and stored in secure filing cabinets for 7 years.

VII) Inventory Procedures

• **Access:**

The Humboldt County Collective does not have a separate entrance, so all deliveries are brought to us either before opening (9:30-10am) or after closing (6:00pm-6:30pm).

• **Inspection:**

All inventory is counted and inspected for quality (no opened containers, that packaging is intact, no mold or foreign matter on products or boxes containing products) and to ensure that what is on the invoice is all that we are receiving.

• **Storage:**

All inventory is stored in a locked, secured backroom and then in locked storage containers.

• **Records:**

All invoices and records are available in The Humboldt County Collectives email, as well as, printed and kept in individual folders per which company is delivering.

• **Tracking:**

All items are then entered into our system and the receiving employee signs the invoices.

• **Reconciliation:**

Inventory is reconciled on a regular basis by doing physical inventory counts and correlating to what is in our system and records.

VIII) Description of measures taken to minimize or offset the carbon footprint from operational activities

- Recycling is maximized to reduce garbage.
- All lighting uses efficient energy bulbs.

IX) Description of chemicals stored, used and any effluent discharged as a result of operational activities

- **Cleaning Supplies:**
 1. Bleach
 2. Handwashing soap
 3. Lysol Disinfectant
 4. Rubbing Alcohol

X) Procedure, documentation, and notice process for assuring the quality and safety of all medical cannabis distributed

- Verification of package labeling.
- Verification of COA matching invoices.
- Verification of testing results for products by email and written confirmation at delivery intake.

XI) Procedure and documentation process for determining patient dosage, including any testing for the major active agents in medical cannabis offered to qualified patients, such as cannabinoids tetrahydrocannabinol (THC), Cannabidiol (CBD) and Cannabinol (CBN)

- Provide recommendations based on packaging label and consumer needs.

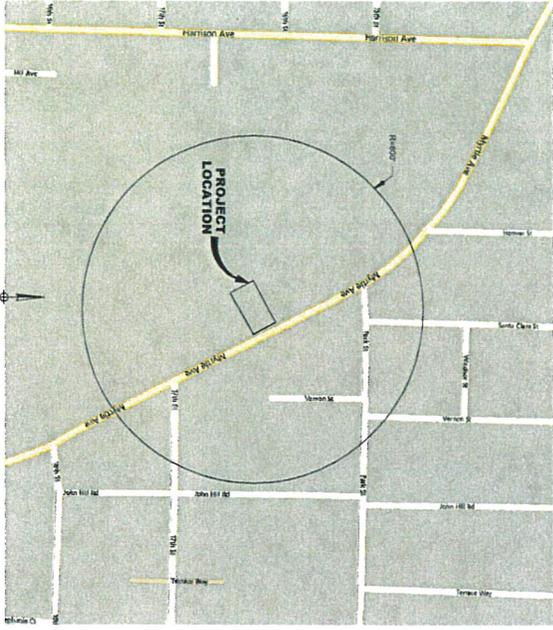
XII) Additional Information

- Declaration of Savannah Snow Regarding Business and Parking Lot Activity

THCC

THE HUMBOLDT COUNTY COLLECTIVE RETAIL STORE

APN: 015-011-005

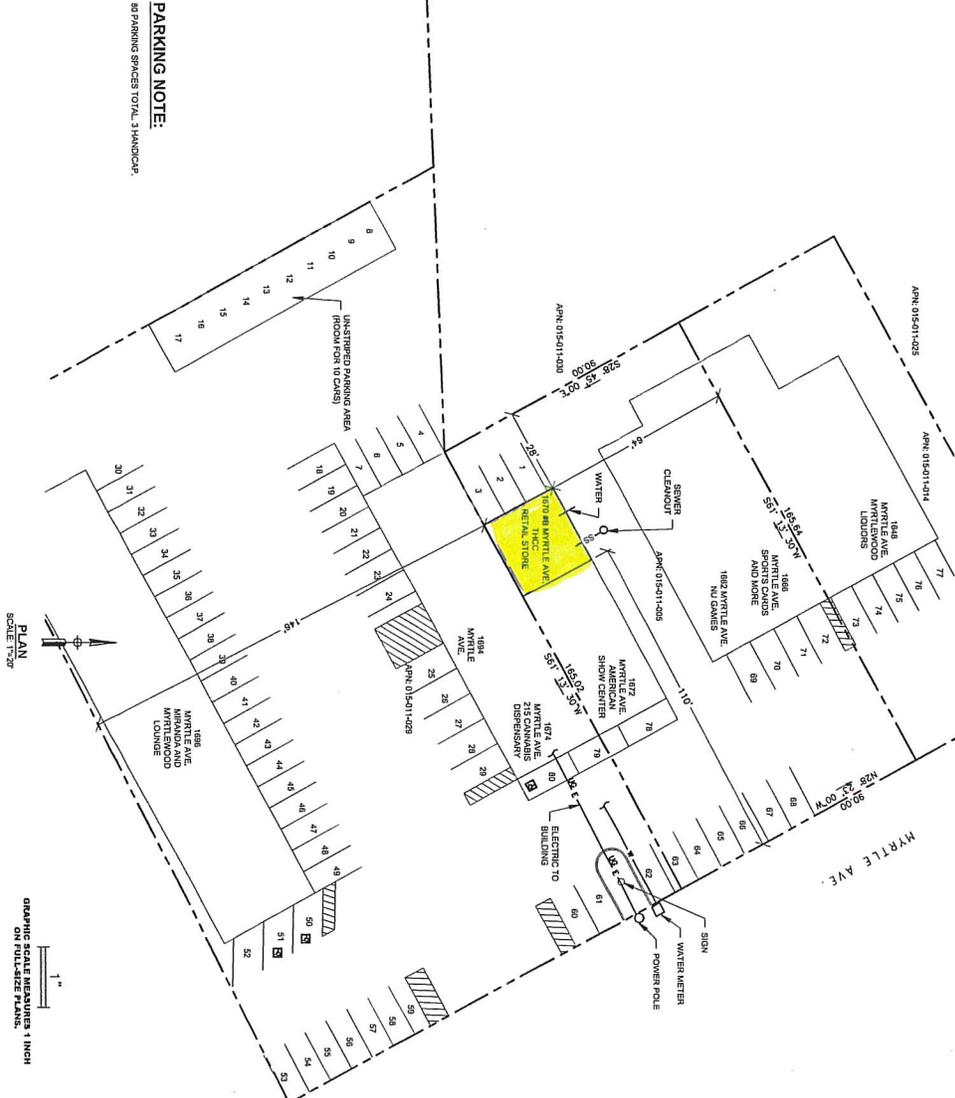


VICINITY MAP
NOT TO SCALE

- NOTES:**
1. THERE ARE NO SCHOOLS, CHURCHES OR PARKS WITHIN 400 FT RADII. THERE IS A RECENTLY APPROVED DISPENSARY AT 1674 MYRTLE AVE. (APN 015-011-004).
 2. ALL COMPASS ARE APPROXIMATE PROJECTIONS AND SHOULD BE USED AS A GUIDE ONLY.
 3. PROPERTY LINES ARE APPROXIMATE FROM HUMBOLDT COUNTY RECORDS BOOK 51 OF SURVEYS PAGE 148.
 4. CONTOURS SHOWN HEREON ARE FROM THE USGS NATION ELEVATION DATASET.
 5. IMAGE SHOWN HEREON IS FROM BIN&B.
 6. NO TREES WILL BE REMOVED FOR THIS PROJECT.

OWNER INFORMATION:
OWNER: THE HUMBOLDT COUNTY COLLECTIVE

SITE INFORMATION:
APN: 015-011-005
SITE ADDRESS: 1670 MYRTLE AVE EUREKA, CA 95501
0.61 ACRES



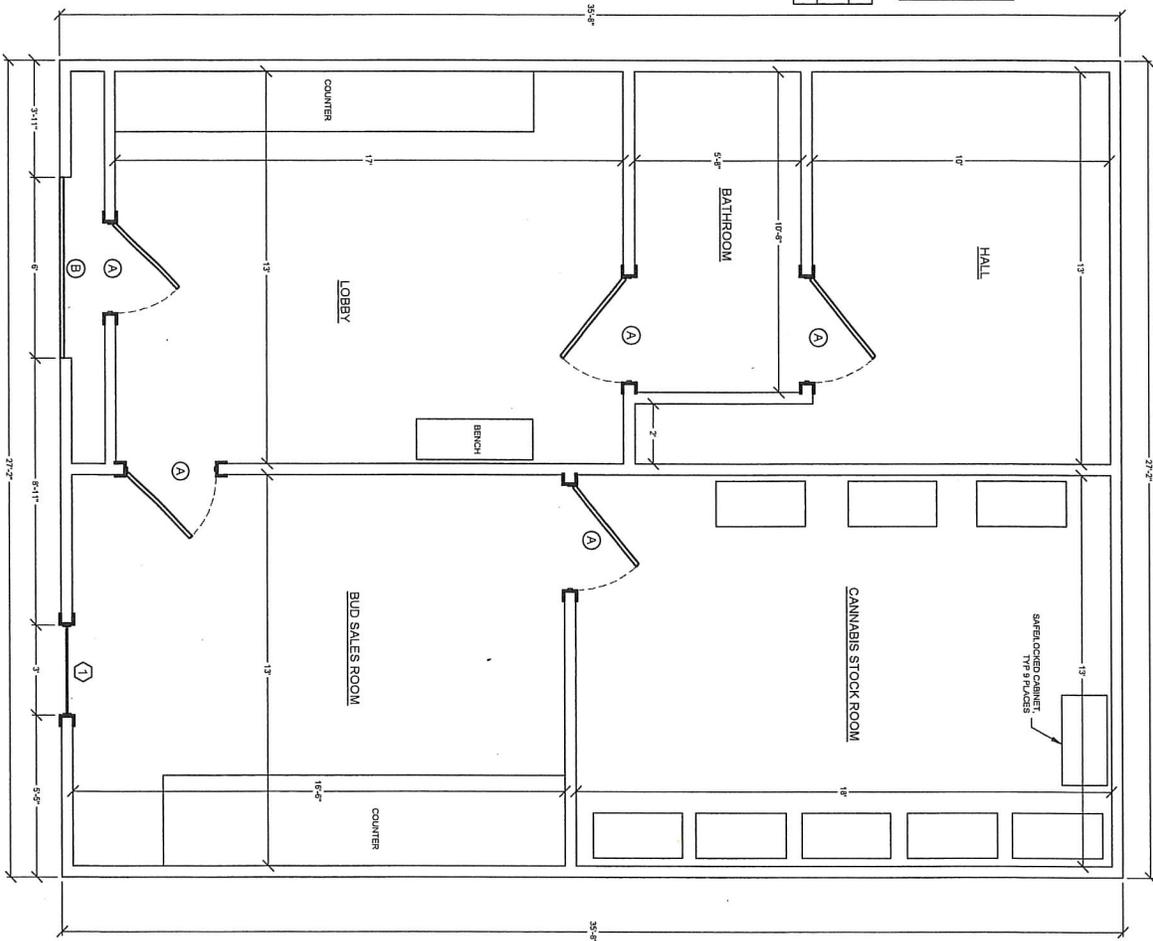
<p>THE HUMBOLDT COUNTY COLLECTIVE RETAIL STORE PLOT PLAN</p> <p>1670 MYRTLE AVENUE, EUREKA, CA 95501 The Humboldt County Collective 13927</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;">NO.</th> <th style="width: 65%;">HISTORY / REVISION</th> <th style="width: 10%;">BY</th> <th style="width: 10%;">CHK.</th> <th style="width: 10%;">DATE</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> <p style="text-align: center;">March 7, 2019</p>	NO.	HISTORY / REVISION	BY	CHK.	DATE											<p style="font-size: small;">(707) 601-1558 humboldtdraftingservices.com</p>	<p style="text-align: right;">Page 38</p>
NO.	HISTORY / REVISION	BY	CHK.	DATE														

DRAWN: []
 CHECK: []
 DATE: 1/26/2019
 SHEET NUMBER: 13927-011
 FILE: G0.1

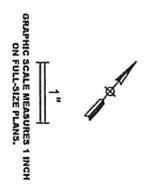
TITLE OR DOCUMENT: This document and the ideas and design incorporated herein, are an instrument of professional service, is the property of Humboldt Drafting Services and shall not be reused in whole or part for any other project without express written authorization.

DOOR SCHEDULE			
SYM	QTY	SIZE WIDTH, HEIGHT	DESCRIPTION
(A)	5	3'-0" x 6' 6"	SOLID CORE DOOR
(B)	1	6'-0" x 6'-0"	ROLL DOWN SECURITY DOOR

WINDOW SCHEDULE			
SYM	QTY	SIZE WIDTH, HEIGHT	DESCRIPTION
(1)	1	3'-0" x 5'-0"	EXTERIOR

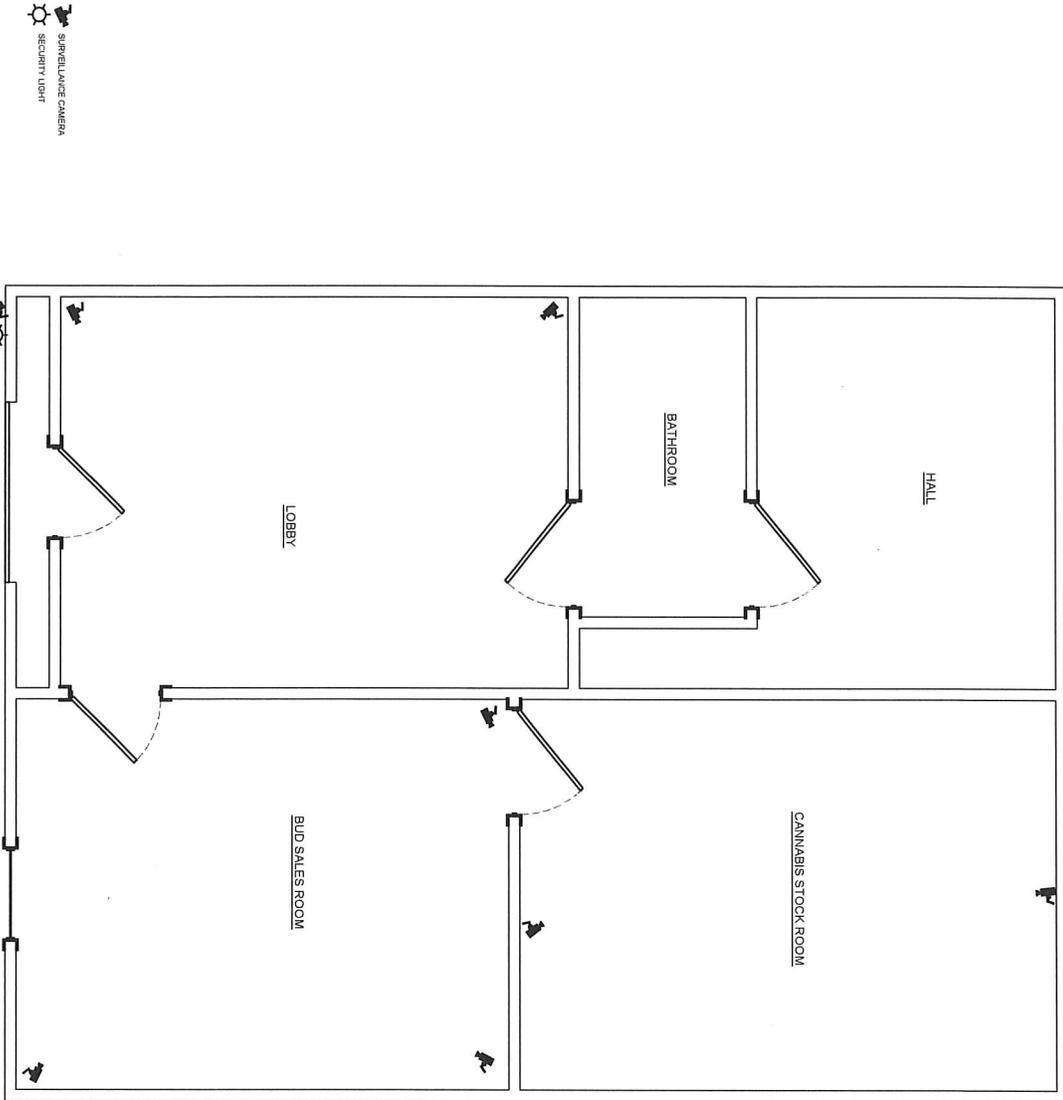


FLOOR PLAN
 SCALE: 1/8" = 1'-0"



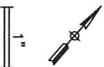
DRAWN: [] CHECKED: [] APPROVED: [] DATE: [] TITLE: [] SHEET: []	THE HUMBOLDT COUNTY COLLECTIVE RETAIL STORE FLOOR PLAN	NO. HISTORY / REVISION BY CHK. DATE	<p>(707) 401-1558 humboldtdraftingservices@yahoo.com</p>
	1670 MYRTLE AVENUE, EUREKA, CA 95501 The Humboldt County Collective 13927	March 7, 2019	

NOTE: OR DOCUMENTS. This document and the ideas and design incorporated herein, as an instrument of professional service, is the property of Humboldt Drafting Services and shall not be reused in whole or part for any other project without express written authorization.



SECURITY PLAN
 SCALE: 1/2" = 1'-0"

GRAPHIC SCALE MEASURES 1 INCH
 ON FULL-SIZE PLANS.



DRAWN: JF CHECK: NK APPROVED: NK DATE: 1/29/2019 JOB NUMBER: 13927 SHEET: A1.1	THE HUMBOLDT COUNTY COLLECTIVE RETAIL STORE SECURITY PLAN 1670 MYRTLE AVENUE, EUREKA, CA 95501	<table border="1"> <thead> <tr> <th>NO.</th> <th>HISTORY / REVISION</th> <th>BY</th> <th>CHK.</th> <th>DATE</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	NO.	HISTORY / REVISION	BY	CHK.	DATE																										
	NO.	HISTORY / REVISION	BY	CHK.	DATE																												
CUR 17073 The Humboldt County Collective 13927	March 7, 2019	(707) 401-1558 humboldtdraftingservices@y	Page 40																														

GALLEGOS LAW FIRM

Family Law
Civil Litigation

804 Third Street, Suite C
Eureka, California 95501
Telephone: (707) 441-8477
Facsimile: (707) 441-8479

Civil Litigation
Criminal Defense

March 15, 2018

Sent by facsimile to (707)268-3792; by email to MNielsen@co.humboldt.ca.us; and JFord@co.humboldt.ca.us, and by US Mail



Michelle Nielsen,
Planner
Planning and Building,
Humboldt County
3015 H Street
Eureka, California 95501

RE: Client(s): The Humboldt County Collective ("THCC"), Joanne Hammans
App#: 73927
APNs: 015-011-005-000

Dear Michelle:

Enclosed, please find the Declaration of Savannah Snow regarding the business and concomitant parking activity at the MyrtleTowne Shopping Center. As is established by the Declaration, MyrtleTowne Shopping Center averages roughly 711 customers per day Monday through Saturday with peak use between the hours of 12:00 p.m. and 3:00 p.m., and 5:00 p.m. and 8:00 p.m. The Declaration also establishes that 5:00 p.m. and 6:00 p.m. is the maximum peak use hour with THCC, Johns Cigar, Sal's Lounge and NuGames all experiencing simultaneous peak use.

I have attached a chart which summarizes the data from the Declaration below.

Chart 1 – Declaration Summary – Shopping Center Activity														
	10	11	12	1	2	3	4	5	6	7	8	9	10	12
AFC		X	X	X	X	X	X	X	.5					
SCM	X	X	X	X	X	X	X	X	X					
JC	X	X	X	X	X	X	X	X	X	X	X	X	X	
MR	X	X	X	X	X	X	X	X	X					
SL	X	X	X	X	X	X	X	X	X	X	X	X	X	X
NG				X	X	X	X	X	X	X	X	X	X	
PS														
CBD		X	X	X	X	X	X	X	X	X				
THCC	X	X	X	X	X	X	X	X	X					

According to the Declaration, the businesses with the largest daily customer activity are THCC, John's Cigar and Sal's Lounge with average daily customers of 280, 175 and 100 respectively. Assuming that THCC averages 31 customers per hour, John's Cigar averages 11 per hour, and Sal's Lounge averages 7 per hour, (this average does not reflect the existence of peak hours) the

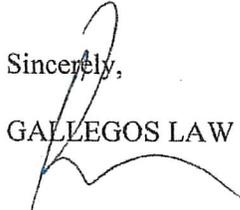
March 15, 2018
Page 2
Michelle Nielsen

Myrtleowne Shopping Center experiences in excess of 50 customers between 5:00 p.m. and 6:00 p.m., Monday through Saturday. If one were to double that average per hour use during the peak hours than the use of the shopping center during between 5:00 pm. And 6:00 p.m. would exceed 100 customers Monday through Saturday. It appears from the Declaration that the parking lot sees marginal traffic until 11:00 a.m., has another period of marginal traffic between 3:00 p.m. and 5:00 p.m. and, then, experiences another period of marginal traffic starting at 8:00 p.m. which continues through to 11:00 a.m. the next day Monday through Saturday.

These are all rough numbers but they do appear to establish that there are adequate parking spaces for the anticipated business activity in the shopping center throughout most, if not all, of the day Monday through Saturday. To the extent that use exceeds parking capacity, that period of excess appears to be confined to the period between 5:00 p.m. and 6:00 p.m. I would note that this might pose in increased risk of accidents in the parking lot and on Myrtle Avenue during that time period because that increased use most likely coincides with increased traffic on Myrtle Avenue. However, the increased use, even if coincidental, would not necessarily result in increased accidents.

If you have any questions or wish to discuss this further, I may be reached at the above number, by email at paul@gallegoslawnhumboldt.com or by cell phone at (707)845-1062.

Sincerely,



GALLEGOS LAW FIRM

Paul V. Gallegos
PVG/lc
Enclosures

DECLARATION OF SAVANNAH SNOW REGARDING MYRTLETOWNE
SHOPPING CENTER BUSINESS AND PARKING LOT ACTIVITY

I, Savannah Snow, declare:

1. I am an employee of The Humboldt County Collective (“THCC”) and make this declaration in support of THCC’s cannabis activity permit application.
2. There are 9 businesses in the Myrtle town Shopping Center. They are: American Foot Comfort; Sports Cards and More; John’s Cigars; Miranda’s Rescue; Sal’s Lounge; NuGames; Pipe Shop; Canna Boutique Dispensary; and The Humboldt County Collective.
3. I personally spoke with Robert of American Foot Comfort who informed me that American Foot Comfort has one (1) employee; is open Tuesday through Saturday during the hours of 11:00 a.m., through 5:30 p.m.; with peak business hours between 1:00 p.m. and 2:00 p.m. Robert further informed me that American Foot Comfort has an average customer count of 6 persons per day.
4. I personally spoke with Bill of Sports Cards and More who informed me that Sports Cards and More has one (1) employee; is open Monday through Saturday during the hours of 10:00 a.m., through 6:00 p.m.; with peak business hours between 2:00 p.m., and 3:00 p.m.. Bill further informed me that Sports Cards and More has an average customer count of 15 persons per day.
5. I personally spoke with Clint of John’s Cigar who informed me that John’s Cigar has four (4) employees; is open Monday through Saturday during the hours of 7:30 a.m., through 10:00 p.m., and 7:30 a.m. through 9:00 p.m. Sunday; with peak business hours between 5:00 p.m., and 8:00 p.m. Clint further informed me that John’s Cigar has an average customer count of 175 persons per day.
6. I personally spoke with Brigg of Miranda’s Rescue who informed me that Miranda’s Rescue has two (2) employees; is open on Monday during the hours of 10:00 a.m. and 4:00 p.m., and Tuesday through Saturday during the hours of 10:00 a.m., and 6:00 p.m.; with peak business hours between 11:00 a.m., and 2:00 p.m.. Brigg further informed me that Miranda’s Rescue has an average customer count of 75 persons per day.
7. I personally spoke with Tuesday of Sal’s Lounge who informed me that Sal’s Lounge has two (2) employees; is open Monday through Sunday during the hours of 10:00 a.m., through 6:00 p.m. and 9:00 p.m., to 12:00 a.m.; with peak business hours between 4:00 p.m., and 6:00 p.m., and 9:00 p.m., and 12:00 a.m.. Tuesday further informed me that Sal’s Lounge has an average customer count of 100 persons per day.
8. I personally spoke with Laura of NuGames who informed me that NuGames has two (2) employees; is open Monday through Thursday during the hours of 1:00 p.m., through 9:00 p.m.; Friday during the hours of 1:00 p.m., through 10:00 p.m., and Saturday and Sunday during the hours of 12:00 p.m. through 6:00 p.m.. Laura further informed me that NuGames’ peak business hours were between 5:00 p.m., and 9:00 p.m.; and NuGames has an average customer count of 60 persons per day.

Declaration of Savannah Snow
Page 1 of 2

DECLARATION OF SAVANNAH SNOW REGARDING MYRTLETOWNE
SHOPPING CENTER BUSINESS AND PARKING LOT ACTIVITY

9. The Pipe Shop is not open, has no employees and/or customers.
10. I have not spoken with the owners and/or operators of Canna Boutique Dispensary but understand from the documents they filed with their cannabis activities application that they claim to have six (6) employees and hope to be open Monday through Friday during the hours of 11:00 a.m., to 7:00 p.m. Because they have not opened I have no information on average customer count per day or peak hours.
11. The Humboldt County Collective is open Monday through Friday between the hours of 10:00 a.m. and 6:00 p.m., and on Saturday and Sunday during the hours of 11:00 a.m., and 5:00 p.m. Their peak business hours are 10:00 am. Through 12:00 p.m. and 2:00 p.m. and 6:00 p.m. and their average customer count is 280 persons per day.
12. Based on the above, I have concluded that the all of the businesses in the Myrtleowne Shopping Center have a combined total of 27 employees and that there are, on average 711 combined customers coming into the shopping center each day.
13. I have at all times acted diligently in seeking the above information and it accurately reflects the information that I was provided by the persons referenced above.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct of my own personal knowledge or on information and belief thereon.

Date: 3/13/18

By: Savannah Snow
Savannah Snow

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	Response	Recommendation	Location
Building Inspection Division	✓	Approval	Attached
Public Works Land Use Division	✓	Applicant performed all required improvements at the time of the previous CUP08-016.	Attached
Department of Environmental Health	✓	Approval	Attached
Humboldt County Sheriff	✓	No negative contact with applicant.	Attached
County Counsel		No response.	
California Department of Fish and Wildlife	✓	Approval	Attached
Humboldt County District Attorney		No response.	
Humboldt Community Services District	✓	Approval	Attached
Humboldt Bay Fire Protection District	✓	Approval	Attached



**HUMBOLDT COUNTY
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION**
3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7541



12/8/2017

PROJECT REFERRAL TO: Building Inspection Division

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, Humboldt County District Attorney, Humboldt County Sheriff, Humboldt Community Services District, Humboldt Bay Fire Protection District

Applicant Name The Humboldt County Collective | JoAnn Hammans **Key Parcel Number** 015-011-005-000

Application (APPS#) 13927 **Assigned Planner** Trevor Estlow (707) 268-3740 **Case Number(s)** CUP17-073

Please review the above project and provide comments with any recommended conditions of approval. To help us log your response accurately, please include a copy of this form with your correspondence.

Questions concerning this project may be directed to the assigned planner for this project between 8:30am and 5:30pm Monday through Friday.

County Zoning Ordinance allows up to 15 calendar days for a response. If no response or extension request is received by the response date, processing will proceed as proposed.

If this box is checked, please return large format maps with your response.

Return Response No Later Than 12/23/2017 Planning Commission Clerk
County of Humboldt Planning and Building Department
3015 H Street
Eureka, CA 95501
E-mail: PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268-3792

We have reviewed the above application and recommend the following (please check one):

Recommend Approval. The Department has no comment at this time.

Recommend Conditional Approval. Suggested Conditions Attached.

Applicant needs to submit additional information. List of items attached.

Recommend Denial. Attach reasons for recommended denial.

Other Comments: _____

DATE: 12/15/17

PRINT NAME: Ian Mion



HUMBOLDT COUNTY
 PLANNING AND BUILDING DEPARTMENT
 CURRENT PLANNING DIVISION
 3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7541

RECEIVED

12/8/2017

DEC 12 2017

PROJECT REFERRAL TO: Public Works Land Use Division

HUMBOLDT CO. PUBLIC WORKS
 LAND USE DIVISION

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, Humboldt County District Attorney, Humboldt County Sheriff, Humboldt Community Services District, Humboldt Bay Fire Protection District

Applicant Name The Humboldt County Collective | JoAnn Hammans **Key Parcel Number** 015-011-005-000

Application (APPS#) 13927 **Assigned Planner** Trevor Estlow (707) 268-3740 **Case Number(s)** CUP17-073

Please review the above project and provide comments with any recommended conditions of approval. To help us log your response accurately, please include a copy of this form with your correspondence.

Questions concerning this project may be directed to the assigned planner for this project between 8:30am and 5:30pm Monday through Friday.

County Zoning Ordinance allows up to 15 calendar days for a response. If no response or extension request is received by the response date, processing will proceed as proposed.

If this box is checked, please return large format maps with your response.

Return Response No Later Than 12/23/2017 Planning Commission Clerk
 County of Humboldt Planning and Building Department
 3015 H Street
 Eureka, CA 95501
E-mail: PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268-3792

We have reviewed the above application and recommend the following (please check one):

Recommend Approval. The Department has no comment at this time.

Recommend Conditional Approval. Suggested Conditions Attached.

Applicant needs to submit additional information. List of items attached.

Recommend Denial. Attach reasons for recommended denial.

Other Comments: *Applicant performed all required improvements at time of previous CUP08-016. Recent cannabis APPS#12341 currently improving parking lot area as part of C.O.A.*

DATE: 08-01-2018 PRINT NAME: KEN FREED



HUMBOLDT COUNTY
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION
3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7541

PROJECT REFERRAL TO: Health and Human Services Environmental Health Division

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, Humboldt County District Attorney, Humboldt County Sheriff, Humboldt Community Services District, Humboldt Bay Fire Protection District

Applicant Name The Humboldt County Collective | JoAnn Hammans **Key Parcel Number** 015-011-005-000

Application (APPS#) 13927 **Assigned Planner** Michelle Nielsen (707) 268-3708 **Case Number(s)** CUP17-073

Please review the above project and provide comments with any recommended conditions of approval. To help us log your response accurately, please include a copy of this form with your correspondence.

Questions concerning this project may be directed to the assigned planner for this project between 8:30am and 5:30pm Monday through Friday.

County Zoning Ordinance allows up to 15 calendar days for a response. If no response or extension request is received by the response date, processing will proceed as proposed.

If this box is checked, please return large format maps with your response.

Return Response No Later Than Planning Commission Clerk
County of Humboldt Planning and Building Department
3015 H Street
Eureka, CA 95501
E-mail: PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268-3792

We have reviewed the above application and recommend the following:

Approval

Comments:

Response Date: 8/29/2018 **Recommendation By:** Joey Whittlesey



**HUMBOLDT COUNTY
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION**
3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7541



12/8/2017

PROJECT REFERRAL TO: Humboldt County Sheriff

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, Humboldt County District Attorney, Humboldt County Sheriff, Humboldt Community Services District, Humboldt Bay Fire Protection District

Applicant Name The Humboldt County Collective | JoAnn Hammans **Key Parcel Number** 015-011-005-000

Application (APPS#) 13927 **Assigned Planner** Trevor Estlow (707) 268-3740 **Case Number(s)** CUP17-073

Please review the above project and provide comments with any recommended conditions of approval. To help us log your response accurately, please include a copy of this form with your correspondence.

Questions concerning this project may be directed to the assigned planner for this project between 8:30am and 5:30pm Monday through Friday.

County Zoning Ordinance allows up to 15 calendar days for a response. If no response or extension request is received by the response date, processing will proceed as proposed.

If this box is checked, please return large format maps with your response.

Return Response No Later Than 12/23/2017 Planning Commission Clerk
County of Humboldt Planning and Building Department
3015 H Street
Eureka, CA 95501
E-mail: PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268-3792

We have reviewed the above application and recommend the following (please check one):

- Recommend Approval. The Department has no comment at this time.
- Recommend Conditional Approval. Suggested Conditions Attached.
- Applicant needs to submit additional information. List of items attached.
- Recommend Denial. Attach reasons for recommended denial.

Other Comments: NO NEGATIVE RMS CONTACT W/ APPLICANT

DATE: 12-13-17

PRINT NAME: M. FIDLEY LEUTENANT



**California Department of Fish and Wildlife
CEQA: Project Referral Comments**

Applicant: THCC		Date: 1/31/2019	
APPS No.: 13927	APN: 015-011-005	DFW CEQA No.: 201X-XXXX	Case No.: CUP
<input type="checkbox"/> New <input checked="" type="checkbox"/> Existing		Proposed: <input type="checkbox"/> Mixed-light (SF): <input type="checkbox"/> Outdoor (SF): <input checked="" type="checkbox"/> Other	

Thank you for referring this application to the California Department of Fish and Wildlife (CDFW) for review and comment.

CDFW offers the following comments on the Project in our role as a Trustee and Responsible Agency pursuant to the California Environmental Quality Act (CEQA; California Public Resource Code Section 21000 *et seq.*). These comments are intended to assist the Lead Agency in making informed decisions early in the planning process.

- Recommend Approval. The Department has no comment at this time.
- Recommend Conditional Approval. Suggested conditions below.
- Applicant needs to submit additional information. Please see the list of items below.
- Recommend Denial. See comments below.

Thank you for the opportunity to comment on this Project. Please send all inquiries regarding these comments to kalyn.bocast@wildlife.ca.gov.

Sincerely,

California Department of Fish and Wildlife
619 2nd Street
Eureka, CA 95501



HUMBOLDT COUNTY
 PLANNING AND BUILDING DEPARTMENT
 CURRENT PLANNING DIVISION
 3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7541



12/8/2017

PROJECT REFERRAL TO: Humboldt Community Services District

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, Humboldt County District Attorney, Humboldt County Sheriff, Humboldt Community Services District, Humboldt Bay Fire Protection District

Applicant Name The Humboldt County Collective | JoAnn Hammans **Key Parcel Number** 015-011-005-000

Application (APPS#) 13927 **Assigned Planner** Trevor Estlow (707) 268-3740 **Case Number(s)** CUP17-073

Please review the above project and provide comments with any recommended conditions of approval. To help us log your response accurately, please include a copy of this form with your correspondence.

Questions concerning this project may be directed to the assigned planner for this project between 8:30am and 5:30pm Monday through Friday.

County Zoning Ordinance allows up to 15 calendar days for a response. If no response or extension request is received by the response date, processing will proceed as proposed.

If this box is checked, please return large format maps with your response.

Return Response No Later Than 12/23/2017 Planning Commission Clerk
 County of Humboldt Planning and Building Department
 3015 H Street
 Eureka, CA 95501
E-mail: PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268-3792

We have reviewed the above application and recommend the following (please check one):

- Recommend Approval. The Department has no comment at this time.
- Recommend Conditional Approval. Suggested Conditions Attached.
- Applicant needs to submit additional information. List of items attached.
- Recommend Denial. Attach reasons for recommended denial.
- Other Comments: No Comment.



DATE: 12/12/17 PRINT NAME: Mickey Hulstrom
 Community Services Manager



HUMBOLDT COUNTY
 PLANNING AND BUILDING DEPARTMENT
 CURRENT PLANNING DIVISION
 3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7541

RECEIVED

12/8/2017

DEC 11 2017

PROJECT REFERRAL TO: Humboldt Bay Fire Protection District

Project Referred To The Following Agencies:

HUMBOLDT BAY FIRE

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, Humboldt County District Attorney, Humboldt County Sheriff, Humboldt Community Services District, Humboldt Bay Fire Protection District

Applicant Name The Humboldt County Collective | JoAnn Hammans **Key Parcel Number** 015-011-005-000

Application (APPS#) 13927 **Assigned Planner** Trevor Estlow (707) 268-3740 **Case Number(s)** CUP17-073

Please review the above project and provide comments with any recommended conditions of approval. To help us log your response accurately, please include a copy of this form with your correspondence.

Questions concerning this project may be directed to the assigned planner for this project between 8:30am and 5:30pm Monday through Friday.

County Zoning Ordinance allows up to 15 calendar days for a response. If no response or extension request is received by the response date, processing will proceed as proposed.

If this box is checked, please return large format maps with your response.

Return Response No Later Than 12/23/2017 Planning Commission Clerk
 County of Humboldt Planning and Building Department
 3015 H Street
 Eureka, CA 95501
E-mail: PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268-3792

We have reviewed the above application and recommend the following (please check one):

- Recommend Approval. The Department has no comment at this time.
- Recommend Conditional Approval. Suggested Conditions Attached.
- Applicant needs to submit additional information. List of items attached.
- Recommend Denial. Attach reasons for recommended denial.
- Other Comments: _____

DATE: Dec 12, 2017 PRINT NAME: Ed Lindlaw