



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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Hearing Date: September 7, 2017

To: Humboldt County Planning Commission

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

Subject: **Satori Wellness Collective Conditional Use Permit and Special Permit**
Application Number 11177
Case Numbers CUP 16-170 and SP-16-168
Assessor's Parcel Number (APN) 508-251-054
1551 Nursery Way, McKinleyville Area

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Please contact Michelle Nielsen, Senior Planner, at (707) 268-3708 or by email at mnielsen@co.humboldt.ca.us if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
September 7, 2017	Conditional Use Permit	Michelle Nielsen

Project Description: Satori Wellness Collective is applying for a Conditional Use Permit to allow for the operation of a medical cannabis dispensary in accordance with Humboldt County Code Section 314-55.3 of Chapter 4 of Division 1 of Title III *Medical Cannabis Dispensaries* and for the operation of a medical cannabis distribution facility in accordance with Humboldt County Code Section 314-55.4 of Chapter 4 of Division I of Title III, *Commercial Medical Marijuana Land Use Ordinance (CMMLUO)*. Also, the applicant is requesting an exception to the loading space requirement based on the type and intensity of the proposed use. The proposed medical cannabis dispensary and distribution facility (Project) will be located within 3,312 square feet of an existing approximate 5,652-square-foot building. The hours of operation for the proposed dispensary will be Monday through Friday, 10:00 AM to 6:00 PM, and Saturday and Sunday, 10:00 AM to 4:00 PM. The distribution facility will operate Monday through Friday, 9:00 AM to 5:00 PM.

Project Location: The project is located in Humboldt County, in the McKinleyville area, on the east side of Nursery Way, approximately 200 feet south of the intersection of Nursery Way and Heartwood Drive, on the property known as 1551 Nursery Way.

Present Plan Land Use Designations: Commercial Services (CS), McKinleyville Community Plan (MCCP), Relative Slope Stability 0

Present Zoning: Community Commercial (C-2)

Application Number: 11177

Case Numbers: CUP 16-170 and SP-16-168

Assessor Parcel Number: 508-251-054

Applicant	Owner	Agent
Satori Wellness Collective Attn.: Craig Nejedly PO Box 121 Trinidad, CA 95570	D&R Miller Family LLC 400 G Street Arcata, CA 95521	None

Environmental Review: CEQA Exemption Section 15301 – Existing Facilities

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

Major Issues: None

SATORI WELLNESS COLLECTIVE
Case Numbers CUP16-170 and SP16-168
Assessor's Parcel Number 508-251-054

Recommended Commission Action

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

Move to make all of the required findings for approval of the Conditional Use Permit based on evidence in the staff report and any public testimony, and adopt the Resolution approving the proposed Satori Wellness Collective project subject to the conditions of approval.

Executive Summary: A Conditional Use Permit has been requested by Satori Wellness Collective to authorize operation of a medical cannabis dispensary in the McKinleyville area. The Conditional Use Permit also includes a proposed wholesale distribution facility serving as a secure holding place for medical cannabis product that will be transported to retail distributors or direct to dispensaries in compliance with the County Commercial Medical Marijuana Land Use Ordinance (CMMLUO) and the Medical Cannabis Safety and Regulation Act (MCRSA). The facility will be operated by members of the Satori Wellness Collective, a collectively run organization involved in the non-profit sales of medical cannabis and medical cannabis products.

The Project site is designated for Commercial Services (CS) per the Humboldt County General Plan Vol. II – McKinleyville Community Plan (MCCP) and zoned Community Commercial (C-2). The project parcel is currently developed with an approximate 5,652 square foot building that was previously used as a medical care facility. The subject parcel is served by public water and sewer service from the McKinleyville Community Services District (MCSD). Access to the Project site is via Nursery Way, a paved, County-maintained public road. Parking facilities are shared with an adjacent medical facility. Adjacent properties to the north and south are developed with commercial uses. Directly to the west across Nursery Way is a residential neighborhood that is separated from Nursery Way by fencing. The homes along Chanterelle Drive face the opposite direction of the dispensary.

Dispensary medical cannabis sales will be limited to members of the Satori Wellness Collective. Excepting registered, designated Primary Caregivers of members, the sale or distribution of medical cannabis to non-members will be prohibited. The hours of operation for the Project would be Monday through Friday, 10:00 AM to 6:00 PM, and Saturday and Sunday, 10:00 AM to 4:00 PM. On-site medical cannabis use will be strictly forbidden. The dispensary will employ two people full-time and up to four people part-time, while the distribution facility will employ two to three people.

Each member of the collective is required to provide evidence that they: 1) are a California resident 2) have a California ID or Driver's License and 3) have a recent Physician's recommendation for the medical use of Cannabis. All patient/members recommendations are verified at the registration facility prior to permitting registration and access to the dispensing facility. All buying and selling of medicine is restricted to established members of the collective. The application includes a detailed Operations Plan (Attachment 3) that addresses issues of neighborhood compatibility, transparency of operations and public safety. Cultivation of medical cannabis clones at this facility is performed on-site in accordance with all applicable State and Local Guidelines and Regulations.

Registration / Verification / Recordkeeping

Member registration will occur at the site. Registration begins with completion of a Membership Registration Form and signing the Member Rules and Conditions and Member Pledge. During registration, a registrant's physician's recommendation (for the use of medical cannabis) and CA resident status is verified. According to the Operations Plan, staff should make personal contact with the doctor or his or her agent to verify the recommendation. Upon verification of the physician's recommendation, Satori Wellness Collective staff will also verify the doctor's license at an online site managed by the Department of Consumer Affairs. Satori Wellness will use software provided by MMJ Freeway or similar tracking program. A qualified patient will remain a member of Satori Wellness Collective as long as he or she maintains a current physician's recommendation.

Security

Security for the proposed facility will include a monitored alarm system with motion sensors, window break sensors, door alarms and law enforcement notification. Upon permit approval, security cameras will be installed around the perimeter of the building and throughout the inside. The outside of the building and parking area are well lit and motion-sensor lighting will be installed on the corners and backside of the building.

Operational Requirements & Restrictions

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, 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 insure the safety of persons and to protect the premises from theft
- Restricting members to receive no more than one 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 Satori Wellness Collective provide the Planning Director, the Sheriff, and all property owners within three-hundred (300) feet of the establishment the name & telephone number of an on-site representative of Satori Wellness Collective 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.
- 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. 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.

As deliveries to the dispensary and distribution facility are handled by small commercial vehicles, the request for an exception to the 10' x 60' loading space is warranted based on the type and intensity of the proposed use as provided under section 314-109.1.4 of the Zoning Regulations.

Distribution/Warehouse Facility

Satori Wellness is applying for the Distribution facility as a means to warehouse, store and procure cannabis product primarily from its sister company, Talking Trees Farms. The purpose of the wholesale distribution/warehouse facility is to provide a safe, secure, climate controlled atmosphere to maintain quality and freshness of products. The warehouse space will serve as a holding place for product while it is out for lab testing and may also serve as a storage facility for other permitted brands or farms that need product stored before being sold to distributors and or dispensaries around the state.

The wholesale distribution facility is an allowed commercial medical cannabis activity with a Special Permit under Humboldt County Code section 314-55.4.8.6. The Distribution facility operation will employ 2-3 persons and will be a closed loop business, not open to the public. The facility will be accessed from a separate entry way from the retail dispensary. There will be NO delivery truck traffic or need for a loading dock. The distribution facility will not do any manufacturing or processing, but may at times, repackage product to get market ready, apply lab test results to product and box product for distribution.

Based on the on-site inspection, application materials submitted, and 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 conditionally approving the Conditional Use Permit.

The proposed project would be exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines.

Staff Recommendation

Staff recommends that the Planning Commission conduct a public hearing and receive public input on the project. If the Commission is able to make all required findings based on the evidence presented in the staff report, 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 Department believes that the Project may be found categorically exempt from environmental review pursuant to Section 15301(a) of the Guidelines for the implementation of the California Environmental Quality Act (CEQA).

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 your Commission is unable to make all of the required findings. Planning Division staff has stated that the required findings in support of the proposal have been made. Consequently, Planning staff does not recommend further consideration of either alternative.

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

**Case Number CUP 16-170/SP-16-168
Assessor Parcel Number: 508-251-054**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Satori Wellness Collective Conditional Use Permit request.

WHEREAS, Satori Wellness Collective submitted an application and evidence in support of approving a Conditional Use Permit for the development and operation of a new medical cannabis dispensary within an existing commercial building;

WHEREAS, Satori Wellness Collective submitted an application and evidence in support of approving a Conditional Use Permit for the development and operation of a new medical cannabis wholesale distribution facility within an existing building;

WHEREAS, Satori Wellness Collective is requesting an exception to the loading space requirement pursuant to section 314-109.1.4 based on the type and intensity of the use; and

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

WHEREAS, the project is exempt from environmental review per Section 15301(a) 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 and Special Permit (Case Numbers CUP 16-170/SP-16-168); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on September 7, 2017.

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

1. The proposed project is exempt from environmental review; and
2. The findings in Attachment 2 of the Planning Division staff report support approval of Case Number CUP 16-170/SP-16-168 based on the submitted evidence; and
3. The Conditional Use Permit is approved as recommended and conditioned in Attachment 1 for Case Numbers CUP 16-170/SP-16-168.

Adopted after review and consideration of all the evidence on September 7, 2017.

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

AYES: Commissioners:

NOES: Commissioners:

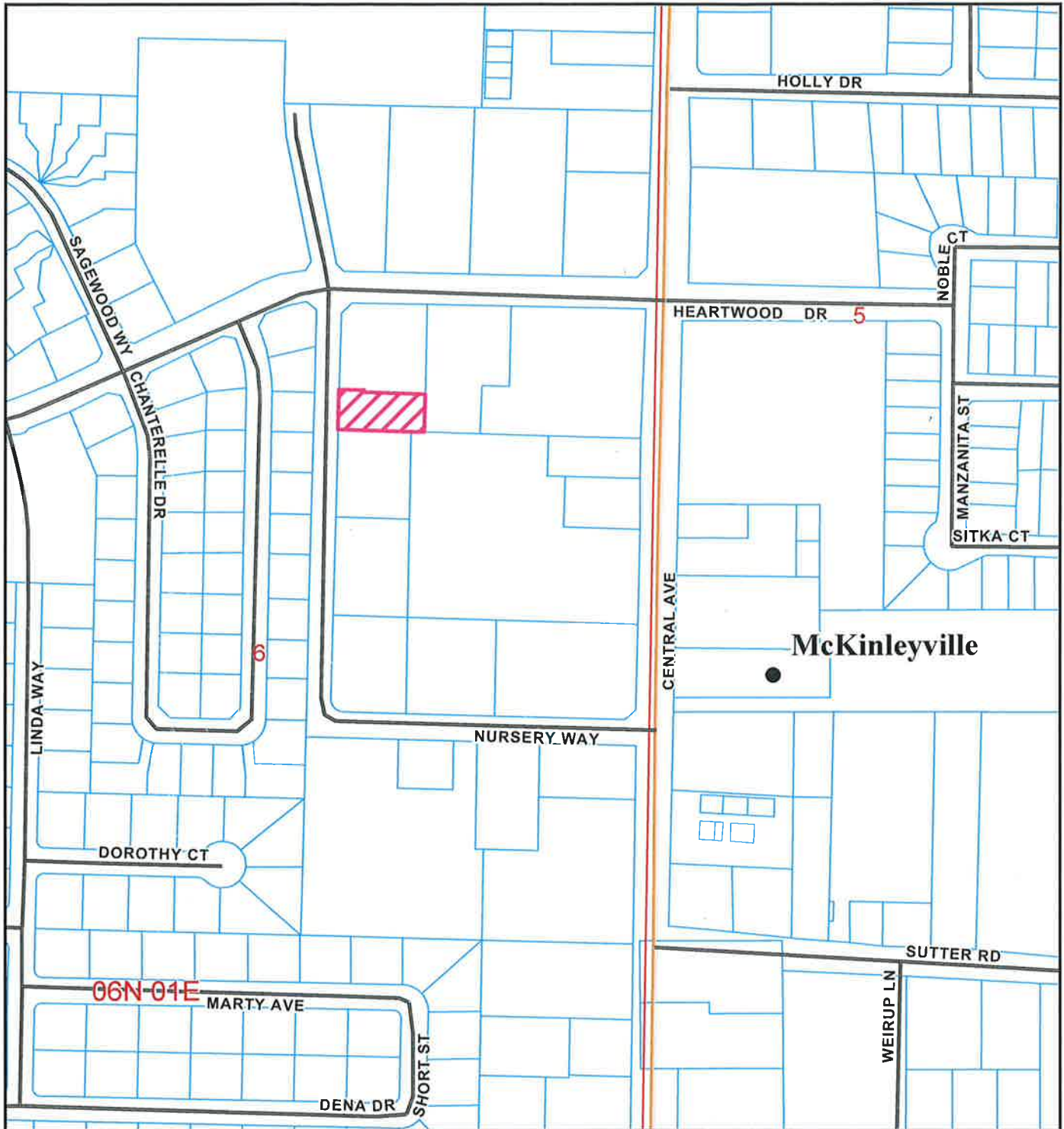
ABSTAIN: Commissioners:

ABSENT: Commissioners:

DECISION: Motion carries

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

John Ford
Director, Planning and Building Department



LOCATION MAP

PROPOSED SATORI WELLNESS COLLECTIVE CONDITIONAL USE PERMIT & SPECIAL PERMIT

MCKINLEYVILLE AREA

CUP-16-170/SP-16-168

APN: 508-251-054

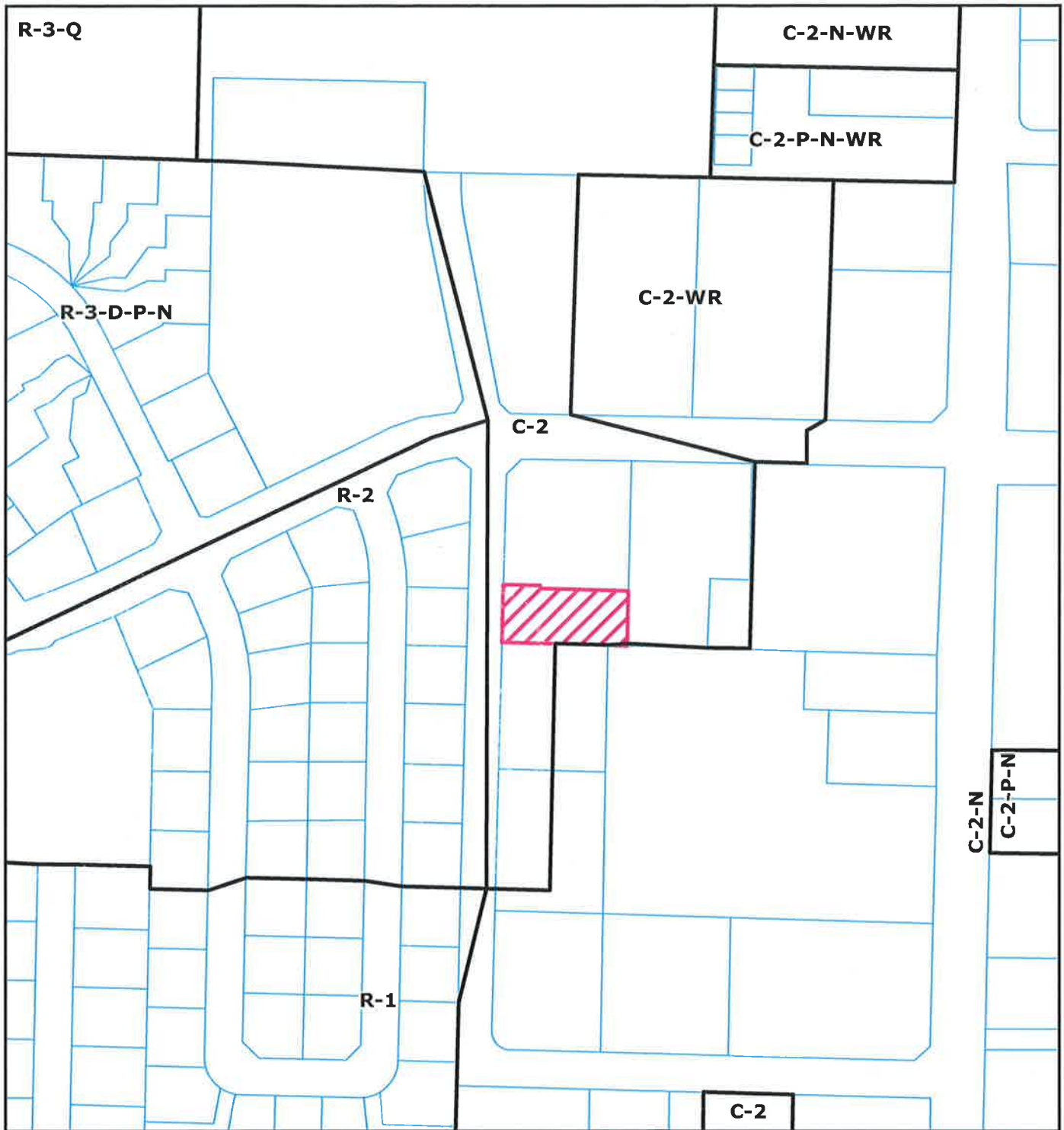
T06N R01E S06 HB&M (Arcata North)

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.



0 250
Feet



ZONING MAP

PROPOSED SATORI WELLNESS COLLECTIVE CONDITIONAL USE PERMIT & SPECIAL PERMIT

MCKINLEYVILLE AREA

CUP-16-170/SP-16-168

APN: 508-251-054

T06N R01E S06 HB&M (Arcata North)

Project Area = 

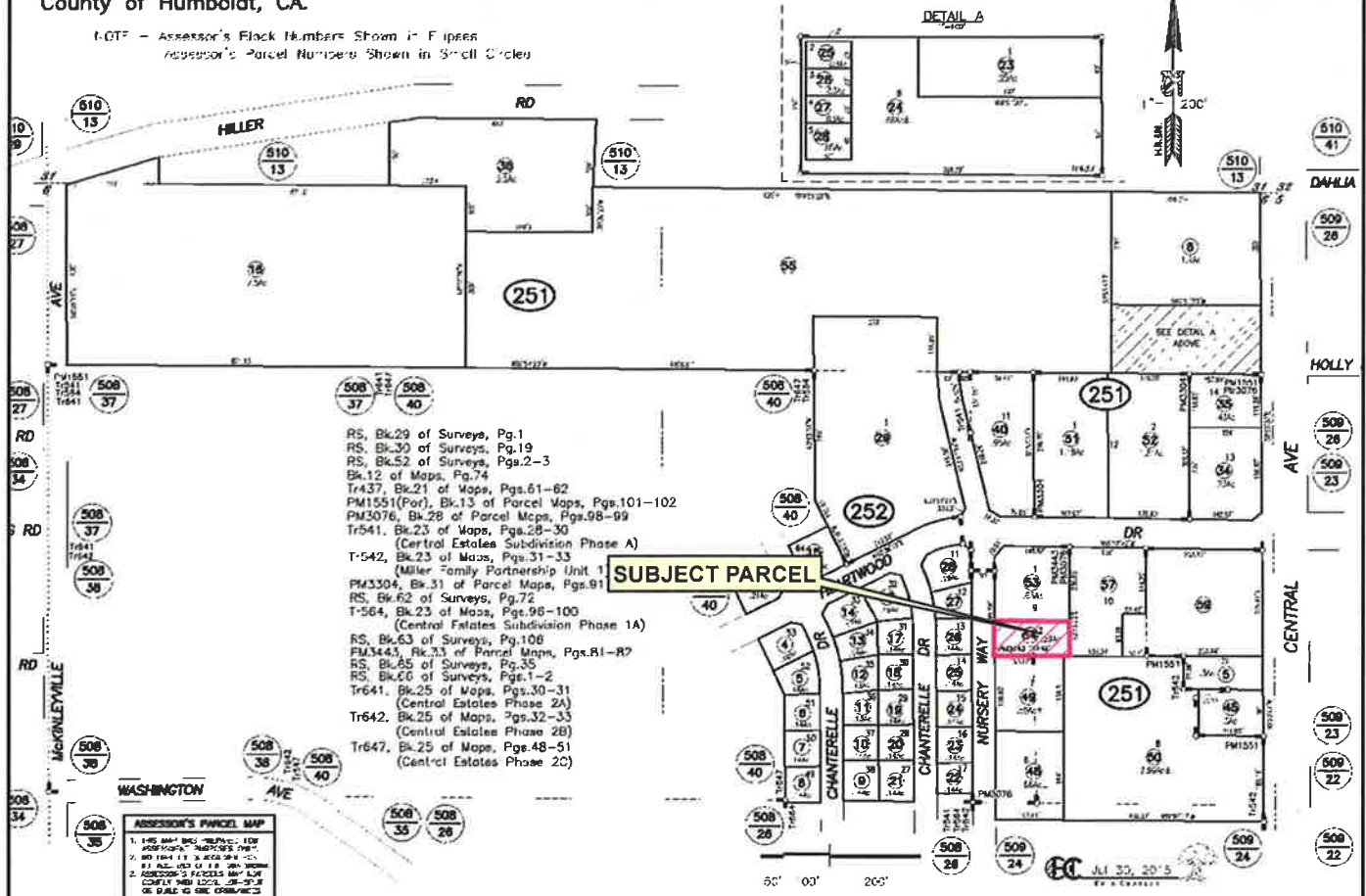
This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



0 100
Feet

508-25

1-OTF - Assessor's Flock Numbers Shown in F-ipes
Assessor's Parcel Numbers Shown in Small Circle



ASSESSOR PARCEL MAP

PROPOSED SATORI WELLNESS COLLECTIVE CONDITIONAL USE PERMIT & SPECIAL PERMIT

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.

APN: 508-251-054
T06N R01E S06 HB&M (Arcata North)

MAP NOT TO SCALE



AERIAL MAP

PROPOSED SATORI WELLNESS COLLECTIVE CONDITIONAL USE PERMIT & SPECIAL PERMIT

MCKINLEYVILLE AREA

CUP-16-170/SP-16-168

APN: 508-251-054

T06N R01E S06 HB&M (Arcata North)

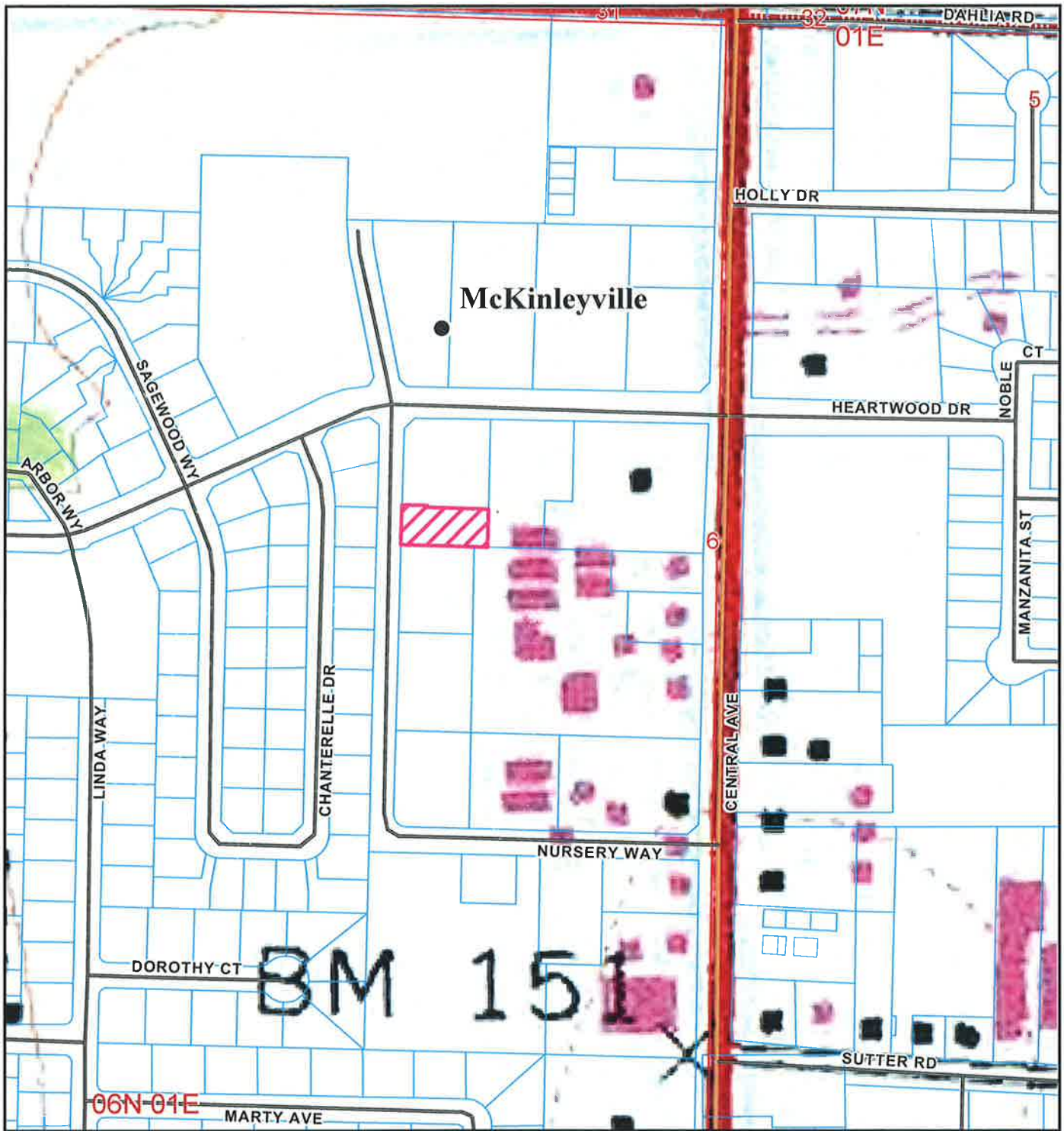
Project Area = 

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.



0 100 Feet





TOPO MAP

PROPOSED SATORI WELLNESS COLLECTIVE CONDITIONAL USE PERMIT & SPECIAL PERMIT

MCKINLEYVILLE AREA

CUP-16-170/SP-16-168

APN: 508-251-054

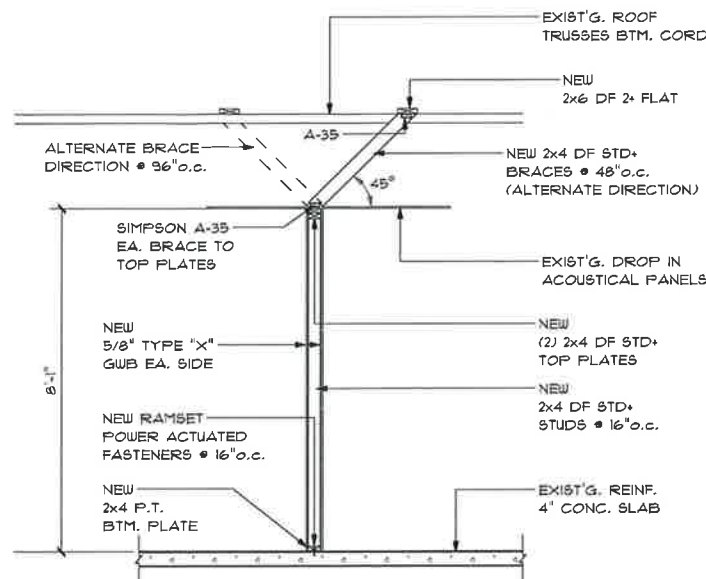
T06N R01E S06 HB&M (Arcata North)

Project Area = 

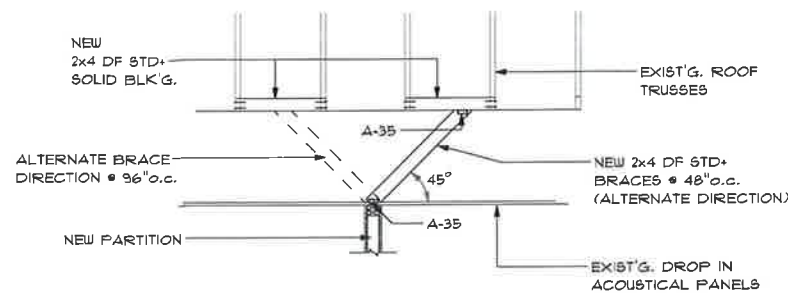
This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



0 250 Feet



PARTITION DETAIL
SCALE: 1/2" = 1'-0"



PARTITION CLG. TIE DETAIL
SCALE: 1/2" = 1'-0"

PROJECT ANALYSIS

Zoning
Square Footage
Occupancy Group
Occupant Load
Type of Construction
Building Use
Not Sprinklered

C2
3312 SF
B, F, I, S-1
31
VB
Office/Retail/Nursery

FIRE DEPARTMENT NOTES

PROVIDE LOCK BOX ON EXTERIOR OF BUILDING IF ONE IS NOT CURRENTLY PROVIDED
ENSURE ADDRESS IS ON THE BUILDING

EXIST'G. MECHANICAL
NO NEW MECHANICAL WORK TO BE DONE

DOOR NOTES

NOTE:

1. INTERIOR LANDINGS TO BE LEVEL.
2. EXTERIOR LANDINGS MAY HAVE 1/4" FOOT MAX. SLOPE.
3. FIRE RATED CORRIDORS WITH DOORS SWINGING INTO CORRIDOR TO BE 6'-0" WIDE CORRIDOR MIN.
4. WALKS TO HAVE 60"x60" AREA EVERY 200' MAX.

DOOR NOTES:

1. ALL DOORWAYS TO HAVE 32" CLEAR ACCESS MIN. AND DOORS SHALL OPEN 90 DEGREES MIN.
2. WHERE NARROW DOORS ARE USED, A 12" HIGH SMOOTH PANEL SHALL BE INSTALLED ON THE PUSH SIDE OF THE DOOR, WHICH WILL ALLOW THE DOOR TO BE OPENED BY A WHEELCHAIR FOOTREST WITHOUT CREATING A TRIP OR HAZARDOUS CONDITION.
3. UNINTERRUPTED SPACE AT THE BOTTOM OF DOOR (KICK PLATE) TO BE 10" EXCEPT FOR AUTOMATIC DOORS.
4. NO REVOLVING DOORS ALLOWED TO ACCESSIBLE DOORS.
5. THRESHOLDS: ANY CHANGE IN LEVEL BETWEEN 1/4" AND 1/2" IS TO BE BEVELED AT A MAX. GRADIENT OF 1:2 (1 UNIT RISE TO 2 UNIT RUN). VERTICAL EDGES ARE 1/4" MAX. CHANGES GREATER THAN 1/2" USE RAMP.
6. LANDINGS OR FLOORS ARE NO MORE THAN 1/2" LOWER THAN TOP OF THRESHOLD.
7. EVERY REQUIRED EXIT DOORWAY MUST BE 3'-0"x6'-8" MINIMUM.
8. A LEVEL FLOOR OR LANDING IS TO BE PROVIDED ON EACH SIDE OF ALL DOORS.
9. MAX. EFFORT TO OPERATE DOORS SHALL BE NOT EXCEED 5 POUNDS FOR EXTERIOR & 5 POUNDS FOR INTERIOR DOORS.

HARDWARE NOTES

1. OPERABLE FROM A SINGLE EFFORT, REQUIRING NO TIGHT GRASPING, PINCHING OR WRIST-TWISTING (LEVERS, PUSH-PULL OR PAINC DEVICES).
2. MOUNTED AT 30" - 44" HIGH ABOVE FINISH FLOORS (A.F.F.)
3. OPEN ABLE FROM INSIDE WITHOUT USE OF KEY, SPECIAL KNOWLEDGE OR EFFORT, AND OPEN IN EGRESS DIRECTION (AT REQUIRED EXIT DOORS).

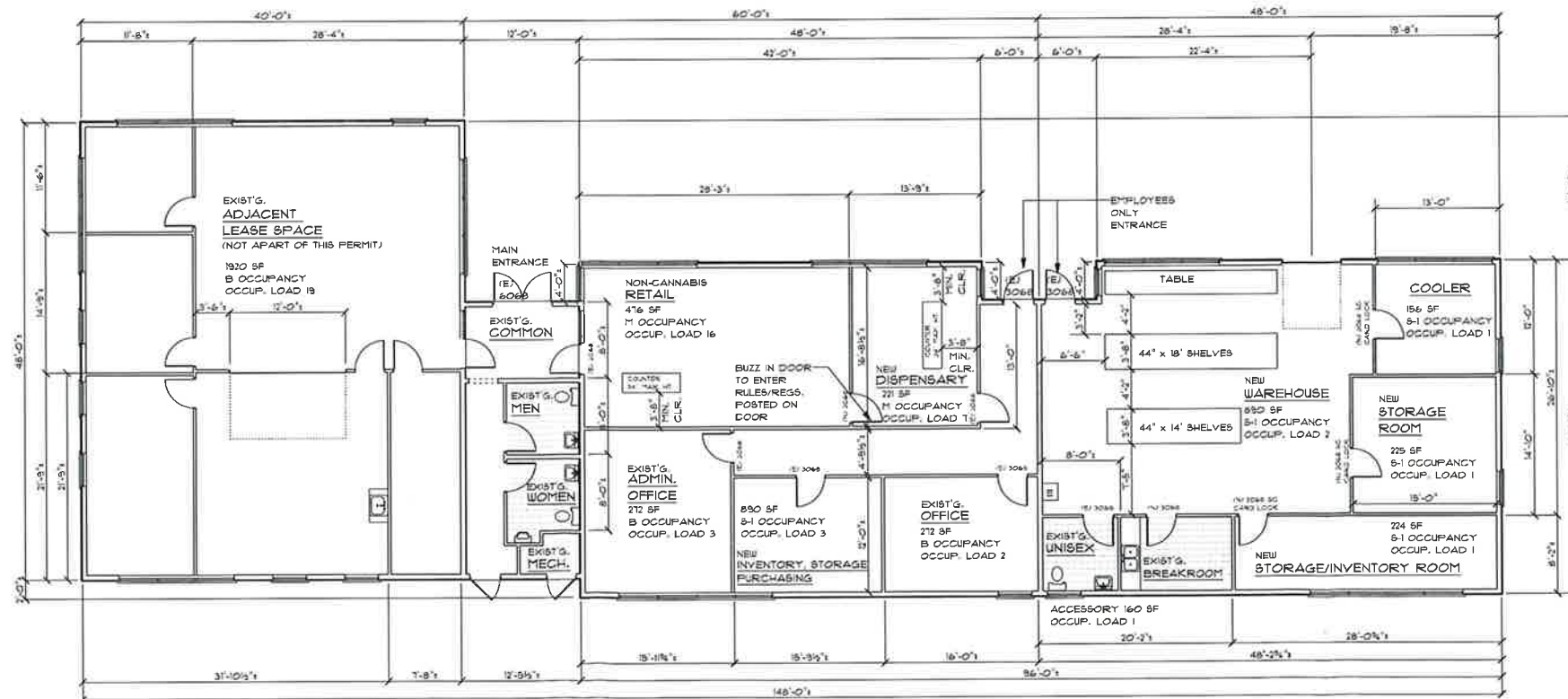
HARDWARE

1. APPROVED BY BUILDING DEPARTMENT PRIOR TO INSTALLING.
2. DOOR CLOSERS (IF USED) MUST BE SET SO THAT IT TAKES AT LEAST 3 SECONDS TO CLOSE FROM AN OPEN POSITION OF 70 DEGREES TO WITHIN 3' OF LATCH.

LEVEL MANEUVERING CLEARANCES

1. SHALL PROVIDE A LEVEL AREA WITH DIMENSION OF AT LEAST 60' IN THE DIRECTION OF DOOR SWING AND 48' OPPOSITE TO THE DOOR SWING.

UNAUTHORIZED CHANGES & USES: THE ENGINEER PREPARING THESE PLANS WILL NOT BE RESPONSIBLE FOR, OR LIABLE FOR, UNAUTHORIZED CHANGES TO OR USES OF THESE PLANS. ALL CHANGES TO THE PLANS MUST BE IN WRITING AND MUST BE APPROVED BY THE PREPARER OF THESE PLANS.



CURRENT ADA STANDARDS APPEAR TO BE MET WITH THE EXISTING CONDITIONS



EXIST'G. WALL
NEW WALL

REVISIONS	BY

PACIFIC AFFILIATES
CONSULTING ENGINEERS
990 W. WATERFRONT DRIVE, EUREKA, CA 95501
TEL (707) 445-3001 • FAX (707) 445-3003

NEW PARTITIONS

SATORI MOVEMENT
SATORI WELLNESS
Owners:
Miller D. & R. Family, LLC
APN: 508-251-0854
1551 Nursery Way
McKinleyville, CA 95519

Date:
Monday, August 28, 2017
Scale:
AS NOTED
Drawn by:
BAR

SHEET NUMBER
2

JOB NUMBER

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.

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 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 insure the safety of the collective members, applicant shall have a qualified laboratory test samples of all medicine for pesticides, herbicides, mold, mildew, and pests.
4. 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 conditions on the Department of Public Works referral dated May 22, 2017, included herein as Exhibit A of Attachment 1 shall be completed or secured to the satisfaction of that department. Prior to performing any work on the improvements, contact the Land Use Division of the Department of Public Works.
7. The conditions on the McKinleyville Community Services District referral dated May 11, 2017, included herein as Exhibit B of Attachment 1 shall be completed or secured to the satisfaction of that department. Prior to commencing operations, contact the McKinleyville Community Services District.
8. A final Signage Plan shall be submitted subject to review and approval by the Planning Director. Signage shall be compatible and not distract from with surrounding uses in the area.

Operation Restrictions

1. The hours of operation for the dispensary shall be Monday through Friday, 10:00 AM to 6:00 PM, and Saturday and Sunday, 10:00 AM to 4:00 PM. The distribution facility hours of operation shall be Monday through Friday, 9:00 AM to 5:00 PM.
2. The collective will provide adequate security on the premises, including lighting, alarms and law enforcement notification, to insure the safety of persons and to protect the premises from theft.

3. The dispensary shall operate at all times in conformance with the provisions of Humboldt County Ordinance #2554, including the Operational Standards in Section 314-55.3.11 and the requirement for annual Performance Review Report per Section 314-55.1.3.12.
4. No cannabis shall be smoked, ingested, or otherwise consumed on the premises.
5. The collective shall not hold or maintain a license from the State Department of Alcohol Beverage Control to sell alcoholic beverages, or operate a business that sells alcoholic beverages.
6. The collective 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 collective shall follow the staff screening process as detailed on pages 6 and 7 of the Operations Manual that includes a criminal background check.
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 collective shall permit the Planning Director or his/her designee to have access to the entities' books, records, accounts, and any and all data relevant to its permitted activities for the purpose of conducting an audit or examination in order 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 twenty-four (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 their Social Security Number (SSN) to the collective in association with each transaction. SSN's 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 collective shall provide the Planning Director or his/her designee, the Sheriff, and all neighboring property owners within three-hundred (300) feet of the establishment with the name, 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 §312-14, 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 Collective shall participate in inspections to verify that all cannabis is being grown and 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 \$95.00) 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 absolutely 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 Planning and Building 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 their "Performance Review Report" to the Planning Commission.
19. Non-compliance 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 this Code, 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. On-Going 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 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 §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 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, as soon as such licenses become available.
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. **Permit Duration.** Following initiation of use as provided in D.2 below, the Permit for the medical cannabis dispensary shall remain in effect and shall run with the land until revoked or otherwise termination. The Permit for medical cannabis distribution facility shall be valid for one year from the effective date of approval, and on the anniversary date of such effective each year thereafter, unless an annual compliance inspection has been completed and the permit has been found to comply with all conditions of approval. In the event the inspection finds noncompliance, a written notification of shall be provided to the permit holder identifying the items not in compliance and the action the permit holder may take to cure the noncompliance. Failure to cure the noncompliance shall result in termination of the permit. The process of notification, re-inspection and appeal of any noncompliance determination shall be as set forth in sections 55.4.1.2.2 and 55.4.13 of the CMMLUO.
9. **Permit renewals to comply with updated laws and regulations.** Permit renewal for the distribution facility per COA #8 above is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure that new standards are met.
10. **Transfers.** Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CMMLUO eligibility requirements, and agreement to permit terms and acknowledgments. The fee for required conformance with conditions review shall accompany the request. The request shall include the following information:
 - (1) Identifying information for the new Owner(s) and management as required in an initial permit application;
 - (2) A written acknowledgment by the new Owner in accordance as required for the initial Permit application;

- (3) The specific date on which the transfer is to occur; and
 - (4) Acknowledgement of full responsibility for complying with the existing Permit; and
 - (5) Execution of an Affidavit of Non-diversion of Medical Cannabis.
11. **Modifications to the Facility.** Prior to making any modifications to a permitted facility, the permittee shall submit to the Planning Director a request for determination of County approvals, together with the appropriate fee. The request shall contain a description sufficiently detailed to allow the Planning Director to determine what permits and other approvals, are needed, and whether a modified Permit is required.
 12. **Inspections.** The permit holder and subject property owner are to permit the County or representative(s) or designee(s) to make inspections at any reasonable time deemed necessary to assure that the activities being performed under the authority of this permit are in accordance with the terms and conditions prescribed herein.
 13. All signage shall comply with Section 314-87.2 of the Humboldt County Code.
 14. The operation shall participate in the Medical Cannabis Track and Trace Program administered by the Humboldt County Agricultural Commissioner, when available.
 15. The warehousing and distribution operations shall use the following best management practices to ensure the safety of employees and the Medical Marijuana product:
 - A. Ensure that the space in which any Medical Marijuana product is to be processed and packaged is a fully enclosed room and clearly designated on the approved floor plan.
 - B. Ensure that all applicable sanitary rules are followed.
 - C. Ensure that the standard operating procedure includes, but need not be limited to, step-by-step instructions on how to safely and appropriately:
 - a. Conduct all necessary safety checks prior to commencing handling;
 - b. Prepare Medical Marijuana for processing and distribution;
 - c. Clean all equipment, counters and surfaces thoroughly; and
 - d. Dispose of any waste produced during the processing and distribution of Medical Marijuana in accordance with all applicable local, state and federal laws, rules and regulations.
 - D. Establish written and documentable quality control procedures designed to maximize safety for employees and minimize potential product contamination.
 - E. Establish written emergency procedures to be followed by employees in case of a fire, chemical spill or other emergency.
 - F. Have a comprehensive training manual that provides step-by-step instructions for processing and distribution of medical marijuana products on its Licensed Premises. The training manual shall include, but need not be limited to, the following topics:
 - a. All standard operating procedures used at that Licensed Premises;
 - b. The quality control procedures;
 - c. The emergency procedures for the Licensed Premises;
 - d. The appropriate use of any necessary safety or sanitary equipment;
 - e. The hazards presented by all chemicals and solvents used within the Licensed Premises

- as described in the material safety data sheet for each chemical and solvent;
 - f. Clear instructions on the safe use of all equipment involved in each process and in accordance with manufacturer's instructions, where applicable; and
 - g. Any additional periodic cleaning required to comply with all applicable sanitary rules.
- G. Provide adequate training to every employee prior that to that individual undertaking any step in processing or distribution of a Medical Marijuana product.
- a. Adequate training shall include, but need not be limited to, providing a copy of the training manual for that Licensed Premises and live, in-person instruction detailing at least all of the topics required to be included in the training manual.
 - b. The individual training each employee shall sign and date a document attesting that all required aspects of training were conducted and that he or she is confident that the trainee can safely handle and distribute a Medical Marijuana product.
 - c. The employee that received the training shall sign and date a document attesting that he or she can safely implement all standard operating procedures, quality control procedures, and emergency procedures, operate all equipment, use all safety, sanitary and other equipment and understands all hazards presented by the chemicals and solvents to be used within the Licensed Premises and any additional period cleaning required to maintain compliance with all applicable sanitary rules.
- H. Maintain clear and comprehensive records of the name and signature of every individual who engaged in any step related to the processing and distribution of any Medical Marijuana product and the step that individual performed.
16. Persons engaging in the processing or distribution of any Medical Marijuana product shall:
- A. Be over 18 years of age.
 - B. Not have been convicted of a felony for the illegal possession for sale, sale, manufacture, transportation, or cultivation of a controlled substance; a violent crime, as specified in subdivision (c) of Section 667.5 of the Penal Code; a serious crime, as specified in subdivision (c) of Section 1192.7 of the Penal Code; or a crime involving fraud, deceit, or embezzlement
 - C. Ensure that all equipment, counters and surfaces used in the processing or distribution of any Medical Marijuana product is food-grade including ensuring that all counters and surface areas were constructed in such a manner that it reduces the potential for the development of microbials, molds and fungi and can be easily cleaned.
 - D. Ensure that all equipment, counters, and surfaces used in the processing or distribution of any Medical Marijuana product are thoroughly cleaned after the completion of each Production Batch.
 - E. Ensure that the appropriate safety or sanitary equipment, including personal protective equipment, is provided to, and appropriately used by, each person engaged in the processing or distribution of any Medical Marijuana product.
17. Consent to annual on-site inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday-Friday, 9:00am -5:00 pm, excluding holidays).
18. Pay all applicable application and annual inspection fees.

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 (1) year after all appeal periods have lapsed (see "Effective Date"); except where construction under a valid building permit or use in reliance on the permit has commenced prior to such anniversary date. 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 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.

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, Section 312-17.1 of the Humboldt County Code (Required Findings for All Discretionary Permits) specifies the findings that are required to grant a Conditional Use Permit:

1. The proposed development is in conformance with the County General Plan;
2. The proposed development is consistent with the purposes of the existing zone in which the site is located;
3. The proposed development conforms with all applicable standards and requirements of these regulations;
4. The proposed development and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare; or materially injurious to property or improvements in the vicinity;
5. The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law (the mid-point of the density range specified in the plan designation).
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.

1. General Plan Consistency. The following table identifies the evidence which supports finding that the proposed medical cannabis dispensary and distribution facility is in conformance with all applicable policies and standards in the Framework Plan (FRWK) and the McKinleyville Community Plan (MCP).

Relevant Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Land Use: Commercial Services §2742 (MCCP)	Primary and compatible uses include heavy retail trade, repair services, construction services, wholesale trade, research and development, medical facilities, industrial uses.	The project proposes use of an existing commercial building as a medical cannabis dispensary where cannabis will be provided to members of the collective who are capable of providing sufficient documentation to demonstrate they have recently been recommended the medical use of cannabis by a California licensed physician. The project also proposes to develop a distribution facility to serve as a secure holding place for medical cannabis product that will be transported to retail distributors or direct to licensed dispensaries.
Urban Limits: §2600 (FRWK)	New development shall be located within existing developed areas or in areas with adequate public services.	Fire services are provided by the Arcata Fire Protection District and water and sewer services by the McKinleyville Community Services District. Access is off Nursery Way, a public road. The parking lot is paved. The encroachment to Nursery Way is also paved.
Housing §2400 (FRWK)	Housing shall be developed in conformity with the goals and policies of the Humboldt County Housing Element.	No new housing is proposed. The proposed use can be considered retail sales.
Hazards §3200 (FRWK)	New development shall minimize risk to life and property in areas of high geologic, flood and fire hazards.	According to the Flood Insurance Rate Map (FIRM) Panel No. 06023C0680G, the project site is located within an area minimal flooding. Geologic hazard maps of the Framework Plan show the slope instability of the property to be relatively stable. Since no new exterior construction is proposed, a soils report of the slope stability may not be required. The parcel is in an area of Low Fire Hazard rating. All applicable referral agencies that have provided comments have recommended approval of the project and have not identified any issues relating to hazards.

Relevant Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Biological Resources §3420 (FRWK)	Protect designated sensitive and critical resource habitats.	The Biological Resource maps of the Framework Plan do not identify any sensitive or critical habitat areas on the project site.
Cultural Resource Protection §3500 (FRWK)	New development shall protect cultural, archeological and paleontological resources.	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).

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
§314-2.2 Community Commercial §314-55.3.8.2 Medical Cannabis Dispensaries §314-55.4 CMMLUO	The C-2 zone allows for more commercial facilities that are of a light commercial character, conducted completely within an enclosed building. The Medical Cannabis Dispensary Ordinance allows dispensaries in the C-2 zone with a Conditional Use Permit. The County Commercial Medical Land Use Ordinance (CMMLUO) allows nurseries in the C-2 zone with a Conditional Use Permit.	The proposed project is a Conditional Use Permit for a medical cannabis dispensary and for a medical cannabis distribution facility. The proposed cannabis dispensary is specifically allowed with a Conditional Use Permit in this zone district under Section 314-55 of the Humboldt County Code. The proposed distribution facility is specifically allowed with a Conditional Use Permit in this zone district under Section 314-55.
Development Standards		
Minimum Lot Area:	2,000 sq. ft.	The subject parcel is approximately 12,632 square feet.
Max. Lot Coverage:	(None specified)	N/A
Min. Yard Setbacks	Front: None. Rear: Fifteen feet (15'). Side: None.	Front: 10 feet Rear: Fifteen feet (15'). Side: 5 feet.
Max. Building Height:	75 feet	Approx. 19 feet

Zoning Section	Summary of Applicable Requirement	Evidence
§314-109.1.3.3: Commercial Uses Off-Street Parking §314-109.1.4: Loading Spaces Required	<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. <u>Warehouse:</u> The higher of one parking space for every four employees or one parking space for each 2,500 square feet of gross floor area. <u>Loading Spaces:</u> One space for each 20,000 square feet of gross floor area or portion thereof.	The existing structure is approx. 5,652 square feet in size, of which 3,312 square feet will be occupied by the medical cannabis dispensary and distribution facility. The adjacent leased space (not associated with the project) requires 8 to 10 spaces depending on number of employees. The parking requirement for the proposed dispensary and distribution facility is 7 spaces (6 for the dispensary and 1 for the warehouse). The total parking demand per the parking formula is 17 spaces. The site has 20 developed parking spaces satisfying this requirement. A loading space exception is being requested based on the type and intensity of use. The distribution facility is 1,656 SF in size. Per the operations plan, there will be NO delivery truck traffic or need for a loading dock. At the most, the largest vehicle making deliveries will be regular size delivery two axle vans or pickups.
§314-87.2 Signs	<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	The project proposes one, approximately 2 foot by 3 foot double-faced monument sign at the driveway entrance and one, 3 foot by 5 foot building mounted single-faced sign non-illuminated. The sign area is currently 15 sq. ft. and the additional 37 sq. ft. of signage will total 52 sq. ft., well within the allowance under the development standard. The final sign design 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
§314-55.3.8 Dispensaries	All medical cannabis Dispensaries shall operate in compliance with this Code, the MCRSA, and all other applicable state and local laws. Medical cannabis Dispensaries are a conditionally permitted use in zone districts C-1, C-2, C-3, MB, ML, MH. 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 non-medical purposes.	The proposed project will: 1. Receive deliveries from regional cannabis farmers; and 2. Make available medical cannabis products to patients throughout the State. The subject property is zoned C-2 Community Commercial. The Operations Plan and conditions of approval require the proposed use is operated consistent with this Code, the MCRSA, and all other applicable state and local laws, and to ensure the security of the medical cannabis; and to safeguard against the diversion of medical cannabis for non-medical purposes.
§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.	N/A
§314-55.3.9.3 Medical Cannabis Dispensary Requirements	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.	The nearest school is located at the corner of Railroad Avenue and Central Avenue, approximately 2,000 feet away. A bus stop is located at the corner of Nursery Way and the pedestrian access from Chanterelle Drive. A survey has determined this distance to be in excess of 600 feet from the proposed dispensary.

314-55.3 Medical Cannabis Dispensary Ordinance		
Zoning Section	Summary of Applicable Requirement	Evidence
§314-55.3.10 Operations Manual	Dispensaries shall submit an Operations Manual that includes all the following: 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.	A detailed Operations Plan 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 & local regulations including: Article 2.5 of the Health and Safety Code (Senate Bill 420). The retail dispensary is also regulated by the Medical Cannabis Regulation and Safety Act (MCRSA) and will be subject to State licensing in 2018 once available.

314-55.3 Medical Cannabis Dispensary Ordinance

Zoning Section	Summary of Applicable Requirement	Evidence
§314-55.3.10 Operations Manual	Dispensaries shall submit an Operations Manual that includes all the following: The hours and days of the week when the Dispensary will be open. 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. 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 assure the safety of staff and clients and secure the medical cannabis against diversion for non-medical purposes. A description of the screening, registration and validation process and procedures for qualified patients and primary caregivers. A description of qualified patient records acquisition and retention procedures and policies. 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.	A detailed Operations Plan 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 & local regulations including: Article 2.5 of the Health and Safety Code (Senate Bill 420). The retail dispensary is also regulated by the Medical Cannabis Regulation and Safety Act (MCRSA) and will be subject to State licensing in 2018 once available.

314-55.3 Medical Cannabis Dispensary Ordinance

Zoning Section	Summary of Applicable Requirement	Evidence
§314-55.3.10 Operations Manual	Description of measures taken to minimize or offset the carbon footprint from operational activities. Description of chemicals stored, used and any effluent discharged as a result of operational activities. 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).	A detailed Operations Plan 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 & local regulations including: Article 2.5 of the Health and Safety Code (Senate Bill 420). The retail dispensary is also regulated by the Medical Cannabis Regulation and Safety Act (MCRSA) and will be subject to State licensing in 2018 once available.
§314-55.3.11 Operating Standards	Dispensaries that function as medical cannabis delivery services shall not operate from an address of convenience located in a residential zone.	The proposed site is zoned C-2 Community Commercial.

314-55.3 Medical Cannabis Dispensary Ordinance

Zoning Section	Summary of Applicable Requirement	Evidence
§314-55.3.11 Operating Standards	Medical cannabis Dispensaries may not be operated by any persons who have been convicted of a felony in the last five (5) years. No dispensing of medical cannabis to an individual qualified patient shall be permitted more than twice a day. The hours of operation of medical cannabis Dispensaries shall be no earlier than 10 a.m. and no later than 7 p.m. 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. 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. 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.	All operating standards have been made conditions of approval.

314-55.3 Medical Cannabis Dispensary Ordinance		
Zoning Section	Summary of Applicable Requirement	Evidence
§314-55.3.11 Operating Standards	Each building entrance to a medical cannabis Dispensary shall be clearly and legibly posted with a notice indicating that persons under the age of eighteen (18) are precluded from entering the premises unless they are qualified patients and they are accompanied by their parent or legal guardian. 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. 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. All medical cannabis dispensed by Dispensaries must be obtained in accordance with the MCRSA and other applicable state and local laws. All signs for medical cannabis Dispensaries must comply with sections 313- 87.3 and 314-87.2 of the County Zoning Regulations. An up-to-date inventory of all hazardous materials stored and used onsite shall be maintained on the premises of the Dispensary with a copy of this inventory provided to the Humboldt County Division of Environmental Health.	All operating standards have been made conditions of approval.

314-55.3 Medical Cannabis Dispensary Ordinance

Zoning Section	Summary of Applicable Requirement	Evidence
§314-55.3.11 Operating Standards	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. Dispensaries shall implement their policies and procedures as outlined in their Operations Manual. Medical cannabis Dispensaries shall comply with any and all conditions of their conditional use permit.	All operating standards have been made conditions of approval.

314-55.4 Commercial Medical Marijuana Land Use Ordinance (CMMLUO)

Zoning Section	Summary of Applicable Requirement	Evidence
§314-55.4.8.6 Approvals for Wholesale Distribution Facilities	All medical cannabis whole distribution facilities shall operate in compliance with this Code, the MCRSA, and all other applicable state and local laws. Medical cannabis distribution facilities are a conditionally permitted use with a Special Permit in zone districts C-1, C-2, C-3, MB, ML, and MH. Distribution facilities 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 non-medical purposes.	Part S of the Operations Plan in Attachment 3 describes the distribution facility use and operation. A distribution facility is an allowed medical cannabis activity type permitted with the Special Permit in a C-2 Zone per section 314-55.4.8.6. The business will: 1. Receive deliveries from regional cannabis farmers; 2. Grade, test, trim, and package cannabis; and 3. Make available processed medical cannabis products to dispensaries throughout the state. No cannabis cultivation will occur on-site. The project is subject to the requirements for processing and handling of medical cannabis set forth in the CMMLUO. These standards are made a part of the project conditions of approval, including product handling protocols during packaging and the requirement that the operator participate in the Track and Trace Program administered by the County Agricultural Commissioner.

§314-55.4.8.10 Permit Limit	No more than four commercial cannabis activity permits may be issued to a single person.	According to records maintained by the Department, the applicant has applied for two cannabis activity permits, and is entitled to four.
§314-55.4.10 Application Requirements	Identifies the Information Required for All Applications	Attachment 3 identifies the information submitted with the application, and shows all the required information was received.
§314-55.4.11 Performance Standards	Identifies the Performance Standards for Cannabis Cultivation Activities	All the applicable performance standards are included as conditions of project approval. They are required to be met throughout the timeframe of the permit.
§314-55.4.17 Sunset Date	No application for any Use Permit pursuant to the CMMLUO shall be processed for issuance or approval that is received after December 31, 2016.	The applicant submitted the application in May, 2016.

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. 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 Guidelines for the Implementation of CEQA. 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 occupy 3,312 square feet of an existing structure approximately 5,652 sq. ft. in area. The project site is an urbanized area served by community water and on-site sewer. The proposed use within the existing building will not result in any significant adverse impact on the

		environment as the lot is approximately 12,632 square feet in size and the proposed use will occupy approximately 3,312 square feet.
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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 that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

Code Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
312-17.1.5 Housing Element Densities	The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law (the midpoint of the density range specified in the plan designation), except where: 1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized.	The proposed project involves operation of a Dispensary on lands designated "Commercial Services" (CS) and zoned C-2 Community Commercial. The parcel was not inventoried as source of potential residential housing. Therefore, the project will not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

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:

- Application Form [on file]
- Organizational Documents [on file]
- Grant Deed [on file]
- Indemnification Agreement [on file]
- Acknowledgement Form [on file]
- Consent for On-site Inspection [on file]
- Plot Plan [attached]
- Operations Manual [attached]
- Security Plan [attached]
- Preliminary Sign Design [attached]

SATORI WELLNESS

A California Medical Marijuana Collective
Nonprofit Mutual Benefit Corporation, Number C3825258

OPERATIONS MANUAL

V.5 August 15, 2017

Introduction

Under California law, medical marijuana patients and primary caregivers may “associate within the State of California in order collectively or cooperatively to cultivate marijuana for medical purposes.” (*Health and Safety Code* § 11362.775.)

SATORI WELLNESS (“Company”) is a medical cannabis collective, which is a member owned and operated collective, that is lawfully organized and operating in compliance with California medical marijuana laws including but not limited to the *Compassionate Use Act*, (“CUA”) the *Medical Marijuana Program Act*, codified in Health & Safety Code §§ (§§ 11362.7-11362.83.) (“MMPA”), the California Attorney General’s *Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use* (August 2008) (“AG Guidelines”) and interpretive case law (“state law”), (“referred to collectively as “California medical marijuana laws”).

A. Registering Members

As a California medical cannabis collective, Company is a membership-based organization. Membership in Company is allowed only when a patient meets the criteria outlined in Company Bylaws and Company Member Rules and Conditions which include, but are not limited to, these criteria:

1. **Verifiable Written Recommendation:** Patients must have a written recommendation for medical marijuana from a licensed physician who is currently licensed to practice medicine in the state. (Health & Safety Code § 11362.5(d).) Oral or unverifiable recommendations are not permitted as they are suspect and offer limited protection to the patient and dispensary. (See Verification Script for new patients and Membership Registration Process below)
2. **Resident of the State of California:** The patient must be able to demonstrate that he or she is a resident of the state of California. Otherwise, he or she is not a legal patient under state law. Company requires a valid California driver’s license or DMV ID card. Passports do not establish California residency.
3. **Membership Registration:** The patient must explicitly consent to, initial and sign the Member Rules and Conditions and the Membership Pledge with Company. A membership registration form must be completed for each patient.
4. **Zero Tolerance Policy:** Each Company member must obey the rules of Company to maintain membership. Company employees will provide the Membership Rules and Conditions and Member Pledge to members when they join. (See Zero Tolerance Policy)

B. Membership Registration Process

The membership process for a patient begins when he or she presents to Company staff:

An **original** letter of recommendation; and

(2) A California driver's license or DMV ID card.

You must ask potential members to present an original copy of their doctor's letter of recommendation and driver's license on their first visit. The original copy makes it relatively easy to spot alterations (i.e. expiration date or patients name), which can be more easily concealed in a photocopy. Staff registering the new member must examine the note to be sure that it is, in fact, an unaltered and signed letter of recommendation.

Staff must do the following when registering new members:

1. Make two copies of the recommendation letter and the patients ID (copy the ID on the same page as the letter to save paper). Be sure to return the original and advise the patient to keep the letter safely at home.
2. Complete Membership Registration Form and have them initial and sign the Member Rules and Conditions and Member Pledge. The Membership Registration Form will collect basic personal data that you will need to contact the member, establish identity, and verify the recommendation.
3. Staff should attempt to collect member email addresses as a way to keep members informed about activities, legal developments, and services. Advise the patient that Company will not share their email addresses with third parties.
4. Verify the validity of the letter and the doctor's license. If possible, make personal contact with the doctor or his or her agent to verify the letter. Call the number provided on the letter in order to verify the patient. Refer to the "Verification Script for New Patients". This script has the information you need to verify new patients. If that is not possible, verify the doctor's license as indicated in 5 below.

NOTE: Verifying a letter is an important business communication that is serious and confidential. You must present yourself as a professional or the doctor's staff will be uncomfortable and suspicious. Always maintain a professional and courteous demeanor. Keep it short and to the point. They may also need to know that you are not with law enforcement or the medical board. If they decline to provide you any information, respectfully and politely thank them and go to step 5.

5. The second step is to verify the doctor's license. This can be done easily any time of day by visiting Department of Consumer Affairs, BreEZe Online Services (<https://www.breeze.ca.gov/datamart/loginCADCA.do?jsessionid=91B419DCFF427FD2579CB396D57E5A48.vo4>) You can get the doctor's license information using his or her name or license number (usually listed on the letterhead). Place a bookmark the appropriate web page in your web browser software for easy recall.
6. Company will use software provided by MMJ Freeway to manage all membership data, purchases as well as company inventory and purchases. This robust software helps maintain clear and concise records on all aspects of membership, sales and purchases to and from collective members

C. Membership Renewal

The patient should only be a member of Company as long as he or she has an unexpired recommendation and maintains residency in California. Membership should renew annually or whenever the member's doctor letter renews.

Patients, whose membership has expired, **will not** be allowed to have or provide medical marijuana to the Collective, or claim association, benefits or authority from the Collective unless and until they renew their membership and go through the verification process above in A-1.

D. Caregivers

A primary caregiver is a person who is designated by a qualified patient and "has consistently assumed responsibility for the housing, health, or safety" of the patient. (California *Health & Safety Code* § 11362.5(e).) Caregivers are a controversial topic when it comes to membership and create some risk to Company. Proposition 215 allows a qualified patient to designate a primary caregiver. This person must be someone who has "consistently provided for the housing, safety, or welfare" of the patient (California *Health & Safety Code* 11362.5). As such, a caregiver should be someone with more than a casual acquaintance with the patient - someone who is actively involved in the patient's life. Family, loved ones, and co-habitants are ideal. Casual friends are not. State law and case law set some additional guidelines for caregivers. As a general rule, Company's policy is caregivers must be parents of Qualified Patient children with serious medical needs or children of elderly parents with serious medical needs. It is always safe to get supervisor approval prior to signing up a Caregiver as a member.

Caregivers will be admitted only under the following criteria:

- 1) **Designation of Primary Caregiver" Form.** The caregiver will be required to fill out and sign Company's "Designation of Primary Caregiver" Form. The caregiver and the patient the caregiver is responsible for must both be Company members. Caregivers must only visit the dispensary on behalf of their patient - never for themselves.
- 2) **Proof of Designation** The caregiver should carry a copy of the patient's doctor letter and proof of his or her designation as a primary caregiver whenever acquiring, transporting, or possessing medication for the patient. Proof of designation may be a letter signed by the patient stapled to the copy of the patient's doctor letter. Some recommending doctors will provide caregiver letters, but this is not required under the law.

Keep a careful eye on caregivers. Some patients will designate an unqualified individual as their caregiver so that that person may have access to medication for personal use. As dispensary operators, we are not in a position to prove who is acting as a caregiver in the spirit of Proposition 215 and who is taking advantage. We can, however, stay alert for telltale signs of abuse. Be suspicious if a patient and his or her caregiver visit separately on the same day. This should not be necessary since all of the medication is for the patient. Do not allow the abuse of caregiver status to continue unchecked. This will eventually lead to legal problems and jeopardize Company's credibility as a lawful collective.

Some illegitimate caregivers may actually be using cannabis as medicine, but without the required doctor's recommendation. They may have asked a qualified friend to designate them as caregiver so they could enjoy safe access, too. A compassionate approach is to offer suspect caregivers an opportunity to get legal. Offer them some educational literature about talking with their primary care doctor or the number for a doctor who specializes in medical cannabis. Be firm about Company policies, but polite and work to steer them toward compliance with California medical marijuana laws.

E. Members Must be 21 Years or Older

Company maintains a strict policy that no one under the age of 21 will be admitted as member absent compelling evidence of serious medical need written consent from their parents that provide that written consent IN PERSON and after adequate proof of identification and parentage. Company policy is to deny membership to persons under 21. If they have a serious medical need and their parents are willing to provide written consent discuss with the parents how they can become caregivers under the law and suggest that they become caregivers and, then, Company can dispense medical marijuana to them as caregivers for their minor child. If they are unwilling to do that, do not allow the minor to become a member without approval from a supervisor. Once again, to become a Company member, all patients must show proof that they are 21 years of age or older. Once a patient becomes a registered member, they must show their California Driver's License or California DMV ID and their recommendation each time they seek medical marijuana from Company.

F. Medicating On Company Premises is Absolutely Prohibited

Company maintains a strict policy that no member of the collective or otherwise is allowed to medicate on the Company premises. Company members, including employees, are not allowed to expose or display, ingest, smoke or medicate in any way, on or near our premises including in vehicles. Each entry way to dispensary and associated entrances will be posted with notice that members cannot consume any cannabis products on site. Any member who attempts consumption on site will be escorted off premises and their membership will be terminated. To avoid such circumstances, Company will post membership rules and regulations on doorway as well as each member will sign a membership pledge agreeing to posted rules and regulations.

G. Company Only Acquires, Possesses, and Distributes Lawfully Cultivated Cannabis

Company receives medicine from the members who grow it and/or manufacture it, and provides that medicine only to validated members. As such, the collective operates as a closed circuit, isolated from and independent of the illicit market in cannabis.

Company maintains strict compliance with the California *Health and Safety Code* § 11362. And does not receive any medicine from any source other than its members. No Company employee is authorized to and/or allowed to receive, sell, transport, cultivate or otherwise be in possession of marijuana that is not provided by its member growers.

Company maintains a strict policy that it only acquires medicine from their registered members, and only provides medicine to other registered members for their personal medical use as is authorized under California medical marijuana laws. Additionally, only a registered Company member can transport medicine for or to Company. These restrictions are designed to create a closed circuit of medicine within Company's membership, which is completely isolated from the illicit market.

Company's policy is that it does not authorize medical cannabis brokers or intermediaries to buy commercial quantities of cannabis on the illicit market and then provide it to Company. No Company member or employee is permitted or authorized to provide medicine to members for reselling it or to distribute it to other collectives.

Any inter-state activity, acquisition of or distribution of medicine is strictly prohibited. All medicine acquired and provided by Company is to be grown by registered members who are legally entitled to do so inside the state of California. No medicine can come from outside California, and it is never legal to distribute medicine outside of the state. Company's policy is to maintain records of transactions when they acquire or provide medicine.

H. Distribution and Sales to Non-members is Absolutely Prohibited

Company and its employees must take all steps necessary to prevent medication from being diverted to non-medical use. Company employees must only provide medicine to registered members whose legal status has been verified, and diligently enforce non-diversion policies at their facilities. THERE IS NO GRAY ZONE ON THIS ISSUE. Medical cannabis provided by Company must stay within the registered membership of Company and be used for member's personal medical needs.

It is the responsibility of Company staff to spot signs of diversion of medicine and respond to abuses. Signs of diversion might include, but are not limited to, frequent visits to the facility, acquiring relatively large quantities of medicine, comments indicating that medicine is intended for someone else, etc. CLIENT employees must take steps to correct suspicious behavior or exclude patients or caregivers from membership if they violate the facility rules.

I. Permissible Reimbursements and Allocations

The California Attorney General's guidelines authorize collectives and cooperatives to be reimbursed for medication in four ways:

1. Medication can be given to members for free,
2. Members can trade labor for medication,
3. Members can pay the collective a reasonable reimbursement to cover cost of the medicine and overhead, or
4. The member and facility can arrange any combination of the other three options.

Company's policy is to be reimbursed by members paying the collective a reasonable reimbursement to cover cost of the medicine and overhead. Prices for medicine will be determined by Company management and will be based on obtaining a reasonable reimbursement to cover cost of the medicine and overhead. Company pays the sales tax on any money received in exchange for medicine.

J. Member Possession Guidelines

Company's policy is to strive to provide members with that amount of medicine that is necessary for their individual medical needs. Member individual needs are unknown unless specifically provided by the member and/or the member's physician. In the absence of an indicated amount that is necessary for an individual member's medical needs from the member's physician, Company reserves the right to limit what they provide to an individual member within a calendar year to those amounts set by California *Health & Safety Code* § 11362.77(a), to wit: eight (8) ounces of dried cannabis (or the conversion thereof), and six (6) mature plants or twelve (12) immature plants with or without good cause and to amounts below those amounts with good cause. Company will not allow any patient to make more than two visits in a day.

All patients must be 18 years or older to enter the dispensary. A Sign noting this restriction will be visible on the front door entrance, on display at the check-in counter in the retail store and on the doorway entering the dispensary area. The software also stores a photo id of the patient to further verify patient vital records.

K. Security

Security is an essential part of company's success. The building is secured with an Advanced Security monitored alarm system with motion sensors, window break sensors, door alarms and notifies law enforcement when

triggered. Once permitted, we will install security cameras around the perimeter of the building and throughout inside. The outside of the building and parking lot are well lit and motion sensor lights installed on the corners and backside of the building. These features allow company to notice if someone is loitering around the building and defer any potential threats of robbery.

In addition, if dispensary does significant cash sales, company will hire armored transport, Brinks, to facilitate bank deposits safely from dispensary.

All doors in building and beyond patient access will be under an advanced door locking system.

With today's technology, the security system will be sophisticated with cameras at alert managers smart phones with video of persons approaching and allow managers to speak to persons approaching the building via smartphone access anywhere in the world through the security camera system installed

The AG Guidelines require collectives to have and maintain adequate security to protect patients and the community. Safety for patients, employees, neighboring people and property and the community at large is Company's top priority. The safety and security of patients, employees, neighboring people and property and the community at large requires each and every Company employee, officer and member to work together by:

- Staying alert to identifying and solving problems before they occur;
- Educating patients, staff and supervisors personal and/or legal safety risks or concerns as they become known;
- Working to implement and/or follow policies that seek to prevent diversion of medical marijuana; All medicine will be kept under lock and key in safes.
- Restricting access to Company properties at all times to authorized persons;
- Using appropriate security technology and equipment to monitor and secure the facility during hours of operation and overnight; outdoor lighting will illuminate the building and entrances in the night hours. Closed circuit cameras and motion detectors will be a part of the security system monitored by Advanced Security Systems.
- Maintaining communication with local law enforcement if possible; Alarm triggering will send direction notification to law enforcement.
- Training staff know California medical marijuana laws, Company policies and to prevent and respond to emergencies;
- Educating staff and members as to their rights and responsibilities under the law and under Company Bylaws and policies.

L. The Presence Of Any Weapons Or Illegal Drugs Is Strictly Prohibited.

Company's staff are never allowed to possess weapons, with or without a concealed weapons permit, or illegal drugs on Company property. Doing so will result in immediate termination of employment and Company membership.

M. Staff Hiring and Screening Process

Company will not hire any felons with convictions within last five years. No member of the management team has any felony convictions on their record. Company will hire a third party to do criminal background checks on any potential employee for the company. Company will strive to hire mostly known members of our collective community. Potential employees will be screened as a member of the collective and must be registered 215 patients and hold a valid script as outlined in section B. Membership Registration Process.

N. Hours of Operation

The Dispensary will be open to collective members Monday through Friday 10a-6p. Saturday and Sunday 10a-4p. The Dispensary will be closed on all major holidays which banks and post office observe. Dispensary may opt to close on Sundays if patient needs are satisfactorily met on other days of the week, to be determined.

O. Inventory Controls and Quality Assurance

Company will use robust software(MMJ Freeway) that will track all purchases and sales of the dispensary. This software program will keep all company inventory and data records very concise and accurate. MJ Freeway materials and letter of intent attached.

All inventory will be lab tested for potency, pesticides, mold/yeasts, and residual solvents before it is made available to patients. All test results will be made available to patients or government agencies upon request for any particular product and always available online via SCLabs. Company uses more than one cannabis testing lab to cross reference results and assure that product is clean and provide data to enable staff to inform patients of proper dosing. Each product company provides will be batch tested with lab test results made available at all times to all patients on site. Software will monitor which collective member provides products to dispensary and all transactions will be in a database.

All product will be given a batch identification as its checked into our MJ Freeway system. In the event of a product recall, we will be able to pinpoint where and what quantity of a recalled product we have on hand and quickly be able to pull it from our inventory. We will also have data on which patient may have purchased recalled product and will be able to contact the patient directly to make them aware of any potential hazards in the event of a recall.

All flowers and incremental weighed products will be measured on a scale that will be approved with seal by the County Sealer of Weights and Measures before opening of the dispensary.

P. Bookkeeping/ Accounting/ Membership Management

Company will maintain detailed financial records via Quickbooks accounting software that integrates with our POS and patient software, MJ Freeway. Company will have professional bookkeeper maintain financial records as required by law and for transparency and reporting. Company also employees professional LLP accounting firm to prepare tax records and filing.

Company will use robust software provided by MMJ Freeway as point of sale software that will manage all sales transactions per patient as well as keep track of the validity of members current 215 status. This software will ensure Company does not allow for more then two sales per patient per day. Software will also notify Company when members valid 215 expires and create an alert when when members 215 is up for renewal or expired. No member can enter dispensary without a current and valid 215.

Patients' records and retention of valid and current 215s will be maintained in our software, MMJ Freeway. The software streamlines this process for us as Quickbooks does for accounting. The MMJ Freeway software is

customized to facilitate and update patients records and provides reminders when a patient's 215 is about to expire. Each customer that enters the retail store will have to show valid and current id to be checked in and allowed to enter the dispensary area.

Q. Facility, Neighboring Uses, Parking

Dispensary's location was a medical care building in prior tenancy. The Building is well suited for a Medical Cannabis Dispensary. The Dispensary and distribution area is a total of 3000+/- square foot and will occupy two joined units within the building approximately 1500 square feet each.

The building is sectioned into three units: A, B and C. Dispensary will occupy units A of 1500 square feet. The distribution will occupy unit B of 1500square feed.

Unit C is separated by the common area entry way with two ADA bathrooms. Unit C is occupied by Tensor IT, a technology business. Unit C is not part of the cannabis business.

The Parking lot is shared by one other standalone business which is also used for a medical business, Fresenius Medical Care. Fresenius does not operate on weekends and is only open 3 days of the week.

Shared parking space totaling 34 spaces is adequate for all business needs. Fresenius is only open 3 days a week and Tensor IT uses no more then 3-4 parking spaces and their business is office use with little to no customer or public traffic to their business. Over the 16 months we have operated a clothing business at this location, there is typically at least 10 open parking spaces in the combined lots at all times. Fresenius considers the entire lot shared and has no problem with our customers parking on that parcels segment of the lot. Dispensary will have relatively quick turn over on visitors and expects to have no more then 3-5 patients in the lot at any given time based on surveying the traffic at other local dispensaries.

Within 600 feet, there are mostly businesses including 7up distribution, Miller Farms, Opie Auto Dealership and a Senior Living Center. Dispensary will offer senior discounts. A residential neighborhood is across the street to the west but separated by fencing, and homes face opposite direction to dispensary. Dispensary will have no direct impact on the neighborhood. There are no known day cares, churches, bus stops, public parks, etc within 600 feet. A church off Central Ave is mapped to be just over 600 feet away.

Per the lease agreement between Satori and KD Investments, all parking spaces among the parcels and businesses in the shared parking lot are available for use by all tenants of shared parcels.

R. Floorplan, Business Model

Dispensary and distribution will occupy two units totaling 3000 sq ft. Main shared entry way of the building between units B and C will be the patient/customer access to the building. The retail and dispensary space will occupy unit B and be divided by a wall and secure door. Customers and/or patients will enter a retail store with clothing and non-cannabis goods that will function as a regular retail store where there will be a checkin counter for valid patients to be registered and validated before being allowed to enter the doorway to the dispensary retail area which will be just over 200 sq feet. Dispensary will have a secure door to employee only area which will also have a secure entrance from outside of building to unit A as well. Unit A and B will be divided by wall and locked doors. Each unit has a separate employee entry door. Office 1 will be main administrative office to manage business operations. Office 2 will serve for verified vendor and inventory intake. Minimal windows in office 2 make it a secure location for inventory to be kept in vaulted safes. Office 3 will also be used for staff and employee use.

Unit A will be our distribution warehouse area. It has a clean and clear floorplan with concrete floor perfect for shelving and storage. The Distribution will primarily serve as a "warehousing", "storage" location to house

product produced from the talking trees permitted farms and from talking trees permitted manufacturing and processing facility in Arcata.

S. Distribution / Warehousing

All farms need a safe, secure, climate controlled atmosphere to maintain freshness of products and offer consumers the best of preserved quality. Satori Wellness is applying for the Distribution facility as a means to warehouse, store and procure cannabis product primarily from its sister company, Talking Trees Farms. The warehouse space will serve as a holding place for product while it is out for lab testing and may also serve as a storage facility for other permitted brands or farms that need product stored before being sold to distributors and or dispensaries around the state. This Distribution application serves more as a secure holding place for product that will then be transported to retail distributors or direct to dispensaries. The distribution may provide service for other Humboldt brands in offering storage and possible sales distribution support via this location.

The Distribution will be a closed loop business, not open to the public and be accessed from a separate entry way from the retail dispensary. There will be NO delivery truck traffic or need for a loading dock. There is a roll up door already in place on the building, and at most, a regular size delivery two axle van will be the largest vehicle making deliveries or pickups.

There will be cold storage area and most valuable products will be contained in vaulted safes.

The location serves as an ideal location for distribution as it is off the main sight of traffic and has the layout to accommodate the business type. The building will be secured with surveillance cameras throughout the building and around the perimeter. The building is also in close proximity to the sheriff's office substation. There is no easy or quick access to the major highway which is a huge deterrent to robbery.

The distribution side of the business will not be publicized and thus very few individuals will be aware of the business activity that is very low traffic with no noise or smell impact.

Permitted farms, processors and manufacturers will need a secure place to store their product to prep it for distributors in the bay area and south state. This location will serve very few permitted cannabis businesses in Humboldt and help smooth the process and liability of well packaged product going to market.

The distribution will not do any manufacturing or processing , but may at times, repackage product to get market ready, apply lab test results to product and box product for distribution. This location will not have daily scheduled deliveries. Deliveries, pickups, and drop offs will be on an as needed basis during daylight hours.

All products will be lab tested before it will be received to the distribution facility. Batch samples will be dropped off by producer directly to Lab and once results are returned, distribution can determine whether to house the product or recommend producer to destroy product if it fails testing or look into means of cleaning product. Distribution will not under any circumstance warehouse failed cannabis product for pesticides.

This will be a very small distribution operation for local product to be stored. The goal will not be to build inventory volumes but situate a holding place for harvests until it can be sold to a distributor or retailer.

T. Chemicals Used, Storage, and Discharge

There will be no chemicals used in the dispensary or distribution beyond common household cleaning products and isopropyl alcohol for cleaning surfaces. There will be no discharge of chemicals.

U. Carbon Footprint

Dispensary will run as carbon neutral as possible. Very limited waste will result from operations. Company will opt to purchase only renewable energy from PGE. All waste products that can be recycled will be recycled.

V. Company's Non-Profit Status

Company is a nonprofit mutual benefit corporation that was formed specifically to facilitate the collaborative efforts of patient and caregiver members – including the allocation of costs and revenues. California *Health and Safety Code* § 11362.765(a) does not authorize the cultivation of medical cannabis for profit. Accordingly, Company is organized as a medical cannabis collective and is a California nonprofit mutual benefit corporation as described under California *Corporations Code* §§ 7110, et seq. Company is a California medical cannabis collective which operates in a “not-for-profit” manner to comply with the Attorney General’s guidelines, which means that it reinvests excess revenue (after salaries and other overhead such as payment of loans, leases, etc.) in services for members, advocacy for patients’ rights, or other noncommercial activity.

W. Business Licenses, Sales Tax, and Seller's Permits

Company has obtained all necessary and/or available licenses and permits, and pays all state and federal taxes associated with Company’s business activities

Company with help of Company’s attorneys will keep abreast of regulations and licensing under MCRSA and apply and comply with all state laws as they come into effect.

X. Signage

See accompanying images for placement of proposed signage for dispensary. Signage will be discreet and not reference Cannabis nor have any cannabis related imagery in the design. The main sign for the business will be approximately 3 ft tall and proportioned in width to a maxim of 5 feet affixed to the building. A door sticker will be placed on the entry way door for the business as well.

Thank you,

CRAIG NEJEDLY
President,
SATORI WELLNESS

September 14th 2016

Satori Wellness Collective
Humboldt, CA

Reference: Letter of Intent

Dear County Planner,

MJ Freeway has created a fully integrated Point of Sale (POS), Inventory Control, Cultivation and Processing Management and Patient Management System precisely designed to serve Humboldt County-approved medical marijuana regulations for DISPENSARIES, GROWERS, PRODUCERS.

We have what we and many others believe to be the most advanced and sophisticated complete software solution for the medical marijuana industry. Our confidence in our product is buttressed by ample testimonials from customers.

This letter will confirm MJ Freeway's willingness and intent to enter into a formal agreement with Satori Wellness to provide software solutions guaranteed to meet published Humboldt County reporting, regulation, and compliance guidelines for medical marijuana dispensary facilities and producers in the event that your application is viewed favorably and you emerge with the requisite authorized license.

We appreciate your confidence in our company and services and wish you well in your efforts to secure a license. MJ Freeway is ready to enter into a services agreement with you immediately thereafter on terms already discussed.

Sincerely yours,



Amy A Poinsett
Chief Executive Officer



Track every gram

MJ Freeway® business solutions for the cannabis industry.

Take your business to the next level.

Get the most out of your solution with **SuccessMap®**, a suite of professional services for cannabis businesses.

Application Services to help you prepare your application or start your business.

Seed to Sale State-Specific Inventory Control Guide

Cost: \$9,499

MJ Freeway's Seed to Sale Inventory Control Guide is one of the most critical components in running a successful and fully-compliant cannabis business. Inventory management is vital for the operation and for those that regulate it. Without good inventory management there is risk of security breaches, diversion, loss of quality, theft, and lack of accountability by the staff.

At the foundation of the inventory control plan is MJ Freeway®, a robust enterprise software platform designed specifically for the highly-regulated cannabis industry. This enables your business to track every action performed on every plant throughout the entire chain of custody. This all-encompassing process is commonly referred to as "seed to sale" tracking. This guide allows you to demonstrate to the State your commitment to compliance throughout your business.

Employee Handbook

Cost: \$4,499

The Employee Handbook serves as an integral part in demonstrating your commitment to hiring, educating, and managing a professional workforce. This 100+ page Handbook includes all key elements in Employment, Compensation and Hours of Work, Benefits, Employee Conduct, Cannabis Industry Requirements, Compliance Assurance, Proprietary and Confidential Information Protection, Safety and Security, and Termination procedures. With 12 Appendices, we've provided checklists, forms, job descriptions, counseling and performance review processes, all of which give you the information you need to build a successful human resources infrastructure.

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WHAT OUR CUSTOMERS ARE SAYING

"We submitted the 980 page application document to the state today! We really enjoyed working with you through this process & look forward to working with MJ Freeway once our license is approved. Thanks for delivering quality work."

—Jake, Nevada Cannabis Business Applicant

Foundational Operating Procedures: Cultivation, Manufacturing, and Dispensing Operations

Cost: \$14,999 each

Phase I: Foundational Operating Procedures will be written specific to your growing methods by MJ Freeway's cannabis industry and systems experts. Using best practices as our guide, these will include the policies and procedures required to meet State requirements along with processing instructions in MJ Freeway software. No on-site development time is required.

Phase II: Following your receipt of a license, MJ Freeway's experts will be on-site, developing highly customized foundational operating procedures, written to address the details of your specific workflow and corresponding processing instructions in MJ Freeway software. These will ensure you are meeting all compliance regulations and allow you to install processes to achieve the ROI you expect. Phase II pricing will be based on your requirements for development, training, and implementation.

Security and Emergency Response Guide

Cost: \$6,499

MJ Freeway's Security and Emergency Response Guide was developed to protect the physical facility and inventory, the electronic systems, the people who work in your facilities, and the people who rely on your products and services. The main elements of the security guide include physical facility security, access control, inventory security, electronic systems security, and staff security. The security measures put in place by your company will meet or exceed all State requirements.

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Quality Assurance Guides: Production Facilities and Dispensing Facility

Cost: \$3,499 each

MJ Freeway's Quality Assurance Guides for Production and Dispensing Operations will demonstrate your commitment to leading the industry in quality, performance, accuracy, and compliance. These guides include quality assurance policies and procedures to ensure the highest standards are met in your production facilities and dispensing facilities.

Patient Education Guide

Cost: \$3,499

This Guide contains policies and procedures for your staff and educational materials for your patients regarding the latest information about the safe and effective use of cannabis and cannabis related products. This guide demonstrates your commitment to educate and focus on patient needs.

Operational Services to provide in-depth training, analysis, and assessments.

TRAINING

Training Workshops

Cost: \$99 for 1-day, or \$198 for 2-days

Join us for instructor led, interactive classes & learn our product suite in real time. The focus of our training workshop is to educate you on the full capabilities of the MJ Freeway platform; along with providing high level instruction on general best practices.

- Marketing and reporting tools for effective outreach
- Meet the specific compliance needs of your market
- Concise inventory setup and management
- Effective plant scheduling, grow location management, stages and harvest weigh points
- Grow Costing to dial in efficiency and improve your bottom line

Virtual Training, Advanced Topics

Cost: Half-Day web conference \$599

Broaden your knowledge. Get the most from your software. This half-day secure web conference training is customized to your operation. All meeting content will be recorded for future use. Receive supporting documents following the training. Apply your training and see immediate results at your cannabis business!

Virtual Training, Software & Reporting

Cost: \$149 hourly

Receive specialized training from our experts on your software and reports in MJ Freeway. Apply your training and see immediate results at your cannabis business!

OPERATIONS ANALYSIS

Workflow Improvement Master Plan

Cost: 2 day minimum, \$2,499 day 1, \$1,999 day 2 and subsequent days (additional travel costs apply)

Increase your operational efficiency! Our experienced team will work with you to review your processes, identify inefficiencies, recommend improvements, and help you implement a new workflow. Receive customized workflow documents, including screen shots of your new process and start using MJ Freeway to its fullest!

Premium On-site Training

Cost: Daily rate \$2,000 (additional travel costs apply)

Our expert team is available to provide customized training to meet your most important business needs. Classroom style, or at workstations, your team will learn with real-world, mission-specific examples to ensure your training is a success. Reach your goals and produce immediate, measurable results with on-site training. Our team can assist you with:

- Classroom or on-the-job team training using real-world mission-specific examples
- Training is customized to address your needs, whether you are new to the software or have an advanced understanding of the program
- Hands-on experience and practice ensures the highest training ROI
- Hardware and software configuration
- Training in our robust reporting engine
- Best practices for quality control and assurance
- Educate your team regarding advanced features such as Rewards, Employee Task & Schedule Management, and Text & Email Marketing to ensure you are using MJ Freeway's software to its fullest potential

Track every gram

Year-End Tax Planning Service

Cost: Half-Day Remote Consultation \$949.00

Full Day Onsite Consultation (travel not included) \$2,499.00

Dot your i's and cross your t's for tax time!

- Identify inconsistencies in your reports
- Ensure your data is posting correctly to QuickBooks
- Balance inventory and sales tax effectively
- Receive assistance with re-classifying your expenses when directed by your accountant
- Deliver accurate year-end reports to your accountant with the expert assistance of MJ Freeway

Accounting Consultation

Cost: Contact us for a quote

Have our in-house QuickBooks Expert talk directly with your accountant to ensure a successful integration! Together they will prepare the MJ Freeway QuickBooks Export to relate transactional data to the correct Chart of Accounts. They will also complete the set-up of accounts, account types, and detail level of the export. Lastly, they can discuss any special accounting needs and cash adjustments.

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Marketing Services to help you develop a customized, integrated marketing plan.

Full Marketing Services

Cost: Contact us for a quote

MJ Freeway will help you develop a customized integrated marketing plan designed to take your business to the next level. You benefit by having a staff of seasoned marketing professionals proactively manage your marketing programs and help you reach your goals. Marketing services strategy development includes: text and email marketing, search engine optimization, website design, MJ Kiosk and MJ Mobile design services, and program development such as a referral and loyalty programs designed to increase your ROI.

Website Design & Development

Cost: \$6,999 - \$8,999

With an online menu that is fully integrated with MJ Freeway, your customers can browse inventory in real time, while learning more about your business. This 100% mobile-friendly website will communicate your services and reflect your brand so you can stand out among the competition. Control the information on your website and gain insight into customer behavior with built-in visitor tracking and analytics. Attract, engage, convert, measure, and optimize your website toward your business goals.



Discover the SuccessMap advantage.
Learn more at mjfreeway.com/services.

ABOUT MJ FREEWAY®

MJ Freeway was founded in 2010 by a team of career software and IT professionals. The entire product suite is designed and built from the ground-up specifically for the cannabis industry.

FEATURED IN:

FORTUNE

WSJ

CNN
Money

USA
TODAY

msnbc

Entrepreneur

WIRED



FedEx Billing Online

Payment Confirmation

Your payment has been processed. Please print this page for your records.

Payment List

[Help](#)

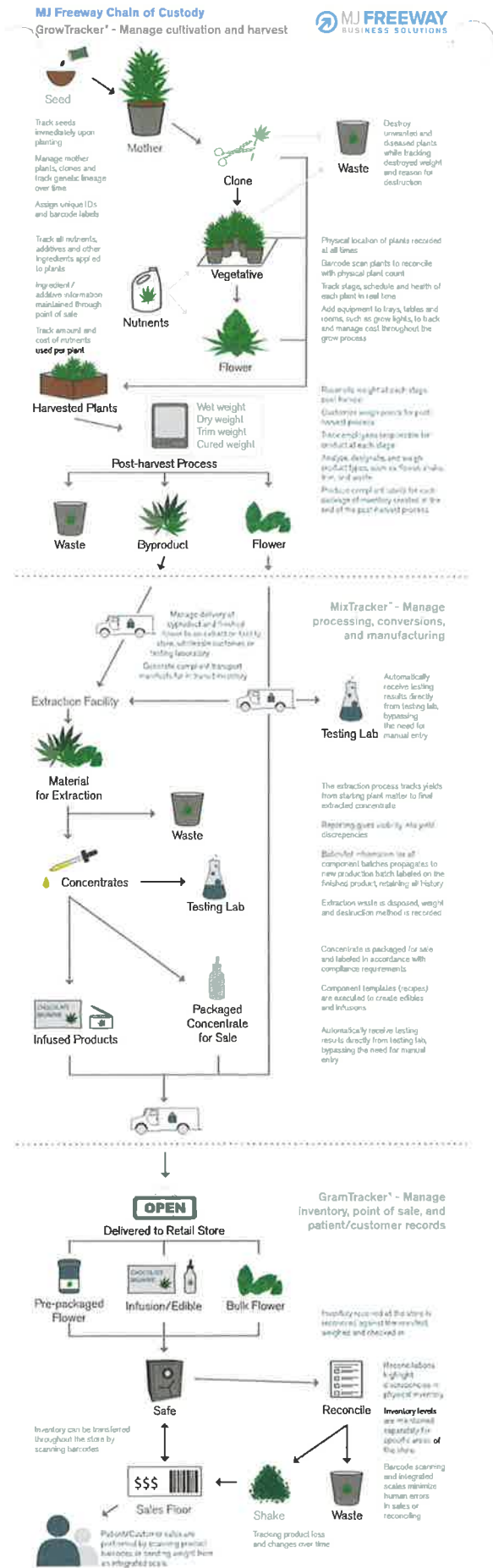
Results per page 10 ▼

Account no.	Invoice no.	Due date	Currency	Payment item	Amount Due	Payment amount
3012-9910-9	5-541-13222	09/24/2016	USD	Invoice Payment	184.86	184.86
3012-9910-9	5-533-16500	09/17/2016	USD	Invoice Payment	116.76	116.76
3012-9910-9	5-526-10608	09/10/2016	USD	Invoice Payment	115.17	115.17
3012-9910-9	5-518-62262	09/03/2016	USD	Invoice Payment	48.13	48.13

Payment Summary

[Help](#)

Primary account no. 3012-9910-9
Payment cart amount \$464.92
Payment method EFT
Payment date 09/16/2016
Payment reference no. 21814166





signage will be placed here on building.
sign will be approximately 3ft tall x 5 1/2 ft wide







ATTACHMENT 4

NOTICE OF EXEMPTION

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk
County of: Humboldt

From: (Public Agency): Humboldt County
3015 H Street, Suite 1
Eureka, CA 95501

(Address)

Project Title: Satori Wellness Collective

Project Applicant: Satori Wellness Collective

Project Location - Specific:

East side of Nursery Way, approximately 200 feet south of the intersection of Nursery Way and Heartwood Drive at 1551 Nursery Way.

Project Location - City: McKinleyville area

Project Location - County: Humboldt

Description of Nature, Purpose and Beneficiaries of Project:

Conditional Use Permit for a 220 square foot Medical Cannabis Dispensary and a Special Permit for a 1,500 square foot nursery to provide cloned plants for retail sale. The dispensary and the nursery will be within an existing 5,998 square foot building.

Name of Public Agency Approving Project: Humboldt County Planning and Building Department

Name of Person or Agency Carrying Out Project: Satori Wellness Collective

Exempt Status: (check one):

☐ Ministerial (Sec. 21080(b)(1); 15268);

☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));

☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));

☒ Categorical Exemption. State type and section number: 15301 - existing facilities

☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

Project is limited to alterations of an existing facility.

Lead Agency

Contact Person: Michelle Nielsen

Area Code/Telephone/Extension: 707-268-3708

If filed by applicant:

1. Attach certified document of exemption finding.

2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: _____ Date: _____ Title: _____

☐ Signed by Lead Agency ☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

Revised 2011

ATTACHMENT 5

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.

Referral Agency	Response	Recommendation	Location
Building Inspection Division	✓	Approval	On File
Land Use Division	✓	Conditional Approval	Attached
Division of Environmental Health			
Department of Fish and Wildlife			
PG&E			
McKinleyville Community Services District	✓	Conditional Approval	Attached
Arcata Fire Protection District			



ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE
FAX 839-3596

AVIATION 839-5401

DEPARTMENT OF PUBLIC WORKS

COUNTY OF HUMBOLDT

MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
AREA CODE 707

PUBLIC WORKS BUILDING
SECOND & L ST., EUREKA
FAX 445-7409

ADMINISTRATION	445-7491	NATURAL RESOURCES	445-7741
BUSINESS	445-7652	NATURAL RESOURCES PLANNING	267-9540
ENGINEERING	445-7377	PARKS	445-7651
FACILITY MAINTENANCE	445-7493	ROADS & EQUIPMENT MAINTENANCE	445-7421

CLARK COMPLEX
HARRIS & H ST., EUREKA
FAX 445-7386

LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Trevor Estlow, Senior Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer II

DATE: 05/22/2017

RE: **SATORI WELLNESS COLLECTIVE, APN 508-251-054, SP16-168, CUP16-170**

The Department of Public Works reviews projects for issues relating to the adequacy of the roadway network to accommodate the proposed use; issues relating to encroachments (such as driveways and private roads) onto County maintained roads; ensuring that any outstanding violations relating to County Encroachment Permit Ordinance and Visibility Ordinance have been addressed; identifying any necessary frontage improvements that are required along County maintained roads; impacts of projects on nearby airports; ensuring that deferred subdivision improvements, if any, are completed; and identifying impacts of the proposed project to adjacent County owned properties or facilities.

The Department's review of this project is limited to what is shown on the submitted plot plan and accompanying materials.

ROADS: The County roadway (Nursery Way Co. Rd. No.4L937) serving the subject property is adequate to accommodate the proposed use.

DRIVEWAYS: The existing commercial driveway apron (encroachment) that connects to the County road meets County standards and no improvements to the encroachment are necessary.

AIRPORT: The subject property is not located near a public airport.

DEFERRED SUBDIVISION IMPROVEMENTS: The subject property does not have any deferred subdivision improvements that have not been fulfilled.

ADJACENT COUNTY OWNED PROPERTY OR FACILITIES: The proposed project does not have any impact on any adjacent county owned property or facilities.

PUBLIC WORKS RECOMMENDED CONDITIONS: None

.Informational Notes:

1. **FENCES/GATES:** Pursuant to County Code Section 411-11 (j) and California Streets & Highways Code Sections 1481 & 1482, fences are not allowed within the public right of way of County maintained roads. Prior to constructing any fences along (or near) the right of way line, the applicant is advised to consult with the Department of Public Works Encroachment Permit Office at 707.445.7205.

It is important to note that fences constructed outside of the public right of way are still subject to the County's visibility Ordinance (County Code Section 341-1). Fences and gates on private property may need to be setback further to comply with the County Visibility Ordinance.

Gates must be set back sufficiently from the road so that a vehicle can completely pull off the road while opening or closing the gate. In addition, for properties in the State Responsibility Area, conformance with Fire Safe Regulations (County Code Section 3112-13) is also required.

Fences and gates taller than 6 feet may require a building permit. The applicant is advised to consult with the Planning and Building Department – Building Division at 707.445.7245 prior to constructing any fences or gates.

2. **LOW IMPACT DEVELOPMENT (LID):** The subject property is located within the municipal separate storm sewer system (MS4) boundary area. Any development of the property is required to comply with MS4 permit requirements. The Applicant is advised to ensure that MS4 requirements for the proposed project can be achieved prior to the project being heard by the Planning Commission. [Reference: National Pollutant Discharge Elimination System (NPDES) General Permit For Waste Discharge Requirements (WDRS) for Storm Water Discharges From Small Municipal Separate Storm Sewer Systems (MS4S), Order No. 2013-0001-DWQ, NPDES No. CAS000004 adopted 02/05/2013, Section E.12; *Interim* Humboldt Low Impact Development Stormwater Manual (06/30/2015), Part 1, Table 1]

// END //



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

POSTED

RECEIVED
MAY 11 2017
Humboldt County
Planning & Building

RECEIVED

MAY 10 2017

McK. Com.

5/9/2017

PROJECT REFERRAL TO: McKinleyville Community Services District

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, Supervising Planner, Current Planning Division, County Counsel, California Department of Fish And Wildlife, Pacific Gas and Electric, McKinleyville Community Services District, Arcata Fire Protection District

Applicant Name Satori Wellness Collective **Key Parcel Number** 508-251-054-000

Application (APPS#) 11177 **Assigned Planner** Trevor Estlow (707) 268-3740 **Case Number(s)** CUP16-170
SP16-168
AA16-455

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 5/24/2017

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: ✓ ZERO DISCHARGE OF ANY WASTES ASSOCIATED WITH THIS OPERATION WILL BE ACCEPTED W/O ISSUANCE OF A PRETREATMENT PERMIT.

DATE: 11 MAY 2017

PRINT NAME: Gregory P. Orsini General Manager