

**ATTACHMENT 4**

**Planning Commission Resolution and Staff Report**

**RESOLUTION OF THE PLANNING COMMISSION  
OF THE COUNTY OF HUMBOLDT  
Resolution Number 17-82**

**Case Number ZR 17-002  
Assessor's Parcel Numbers: 077-331-032-000**

**Recommending the Humboldt County Board of Supervisors certify compliance with the California Environmental Quality Act and approve the West River Lane LLC Zone Reclassification request.**

**WHEREAS**, West River Lane LLC submitted an application and evidence in support of approving the Zone Reclassification from CH - Highway Service Commercial to C-2-Q Qualified Community Commercial; and

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

**WHEREAS**, the project is exempt from environmental review per Section 15305 - Minor Alterations in Land Use Limitations - of the CEQA Guidelines; and

**WHEREAS**, Attachment 2 in the Planning Division staff report includes substantial evidence in support of making all of the required findings for approving the proposed Zone Reclassification (Case Number ZR 17-002); and

**WHEREAS**, a public hearing was held on the matter before the Humboldt County Planning Commission on December 14, 2017.

**NOW, THEREFORE**, be it resolved the Humboldt County Planning Commission:

1. Makes the findings in Attachment 2 of the Planning Division staff report for Case Number ZR 17-002 are supported by the submitted substantial evidence; and
2. Recommends that the Board of Supervisors of the County of Humboldt:
  - Hold a public hearing in the manner prescribed by law.
  - Adopt the Planning Commission's findings.
  - By ordinance, approve the Zone Reclassification from CH to C-2-Q on the subject parcel.
  - Direct the Planning Division to prepare and file a Notice of Exemption pursuant to CEQA for the project.
  - Direct the Clerk of the Board to publish a post approval summary in a newspaper of general circulation, and give notice of the decision to interested parties.

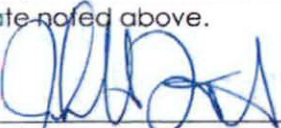
Adopted after review and consideration of all the evidence on December 14, 2017.

The motion was made by Commissioner Shepherd and second by Commissioner Levy

AYES: Commissioners Mitchell, Levy, McKenny, Morris, Edmonds, Shepherd and Bongio

DECISION: Motion carries 7/0 by roll call vote.

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



**COUNTY OF HUMBOLDT**  
PLANNING AND BUILDING DEPARTMENT  
CURRENT PLANNING DIVISION

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

Hearing Date: December 14, 2017

To: Humboldt County Planning Commission

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

Subject: **West River Lane, LLC Zoning Reclassification, Special Permits and Conditional Use Permit**

Application Number 1342, 12993, 13010, 12985  
Case Number ZR17-002, SP16-717, SP16-725, CUP16-945  
Assessor Parcel Number 077-331-032-000  
3525 Redwood Drive, Redway, CA 95560

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Please contact Michael Richardson, Supervising Planner at 268-3723, or by email at [mrichardson@co.humboldt.ca.us](mailto:mrichardson@co.humboldt.ca.us), if you have any questions about the scheduled public hearing item.

**AGENDA ITEM TRANSMITTAL**

<b>Hearing Date</b>	<b>Subject</b>	<b>Contact</b>
December 14, 2017	Zone Reclassification, Special Permits and Conditional Use Permit	Michael Richardson

**Project Description:** This project includes four components. First, West River Lane LLC seeks to rezone their entire property from CH-Highway Service Commercial to Qualified C-2 Community Commercial. The proposed Q - Qualified Zone will maintain the development standards of the CH Zone in terms of building height, setbacks and minimum lot size. And within the existing 3,600 square foot commercial structure on the property, Redline LLC requests a Special Permit for a cannabis manufacturing facility, Bravo Zulu LLC requests a Special Permit for a cannabis distribution facility, and Eagle One LLC requests a Conditional Use Permit for a cannabis dispensary. The manufacturing and distribution businesses would be open from 7am - 7 pm Monday through Sunday. The dispensary is only allowed to be open from 10am to 7 pm. The proposed manufacturing use takes raw plant materials and uses a heated bench-press to squeeze the oils out. It also involves packaging of cannabis material and cannabis extracts for sale. The only "chemicals" are standard household cleaning supplies and even the use of those is very limited. The application includes detailed Plans of Operations on file for each business addressing all the requirements of the County's Dispensary and Commercial Medical Marijuana Ordinances. The project includes requests for exceptions from the parking and loading space requirements. There are anticipated to be up to 10 employees total at peak shift and one parking space for the caretaker residence for a total of 15 required spaces. The applicant is showing eight parking spaces are provided on-site, seven fewer than what would normally be required. Justification for the parking exception request is that the property is near an urban built-up area (downtown Redway). The typical loading space is 10' x 60'. The applicant is proposing a 10'x20' loading space because the vehicles used for commercial delivery will all be less than 20 feet long.

**Project Location:** The project site is in Humboldt County in the Redway Area on the east side of Redwood Drive approximately 300 feet north of the intersection of Redwood Drive and Briceland-Thorne Road on the property known as 3525 Redwood Drive.

**Present Plan Land Use Designation:** Commercial Services (CS)  
Slope Stability: Moderate Instability (2).

**Present Zoning:** Highway Service Commercial (CH)

**Case Numbers:** ZR17-002 (rezone), SP16-717 (distribution), SP16-725 (manufacturing), CUP16-945 (dispensary)

**Application Numbers:** 13421 (rezone), 12993 (distribution), 13010 (manufacturing), 12985 (dispensary)

**Assessor Parcel Number:** 077-331-032-000

**Applicants**  
West River Lane LLC  
Ben Wilke  
PO Box 1020  
Garberville, CA 95542

**Applicants**  
Eagle One, LLC - Dispensary  
Skyler Keith  
PO Box 898  
Garberville, CA 95542

**Owners**  
West River Lane LLC  
Ben Wilke  
PO Box 1020  
Garberville, CA 95542

**Applicants**

Redline, LLC - Manufacturing  
Noelle Salsbury  
PO Box 35  
Garberville, CA 95542

**Applicants**

Bravo Zulu, LLC - Distribution  
Matt Anderson  
1320 4<sup>th</sup> St  
Berkeley, CA 94710

**Agent**

KP Title Solutions  
Kerry Perrett  
PO Box 606  
Eureka, CA 95502

**Environmental Review:** No. CEQA Exemption Section: 15301-Existing Facilities and 15305-Minor Alterations in Land Use Limitations

**Major Issues:** None.

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

## West River Lane LLC Zoning Reclassification, Special Permits, Conditional Use Permit

Case Number ZR 17-002, SP16-717, SP16-725, CUP16-945

Assessor Parcel Number (APN): 077-331-032-000

### Recommended Commission Action:

1. Describe the application as part of the Consent Agenda;
2. Call for public testimony regarding the agenda item; and
3. If no one requests discussion, take the following action:

*"Move to make all of the required findings, based on evidence in the staff report and public testimony, and approve Redline LLC, Bravo Zulu LLC Special Permit and Eagle One LLC Conditional Use Permit applications subject to the approved conditions by adopting the attached Resolution of Approval #1 - #3."*

4. *"Move to make all of the required findings, based on evidence in the staff report and public testimony, and recommend the Board of Supervisors approve the West River Lane LLC Zone Reclassification by adopting the attached Resolution of Approval #4 (roll call vote)."*

### Executive Summary

The proposed zone reclassification will allow operation of a commercial cannabis manufacturing facility, distribution operations and a dispensary in compliance with the County Commercial Medical Marijuana Land Use Ordinance (CMMLUO). The rezone can be considered to be in the public interest because it provides additional commercial development potential in the Redway area with minimal impacts to county roads or other neighboring land uses because the property is on a the major collector road within two miles of Highway 101.

Redline LLC requests a Special Permit for a manufacturing center. The proposed manufacturing activity will occur within an existing commercial building. The proposed manufacturing use takes raw plant materials and uses a heated bench-press to squeeze the oils out. It also involves packaging of cannabis material and cannabis extracts for sale. The only "chemicals" are standard household cleaning supplies and even the use of those is very limited. Prior to manufacture, all raw cannabis material will be screened and tested by an independent State licensed or locally permitted laboratory to identify any mold or pesticide residue. The proposed manufacturing activity will occupy the first floor warehouse space- approximately 500 square feet on the first floor of the 3,600 square foot building. The parcel is served by public water and sewer. The facility will operate from 7am to 7pm. The manufacturing facility is solely for the purpose of wholesale vendors, therefore the public may not enter except for those who are licensed vendors. The proposed facility will process inventory by tracking all incoming raw and processed materials which will include the name and state license number of the cultivator, testing lab data(as applicable), the type of strain, supplier's product tracking identification data and a bill of lading from the transport company. Methods for track and trace of medical marijuana and medical marijuana-infused products are subject to change based on State Licensing Authority requirements. Redline LLC will abide by State regulations requiring warning labels and product details for packaging products.

A Special Permit has been requested by Bravo Zulu LLC to authorize operation of a medical-cannabis distribution facility, which will operate alongside the manufacturing facility, occupying approximately 700 square feet. Bravo Zulu will receive products from cultivation and processing facilities. The company will require all incoming products to be labeled with pertinent information such as Bravo Zulu's name and certificate number, lot number of product, date of harvest, date of final testing, the date which product is finally packaged, cannabinoid and terpenoid profiles and potencies, expiration dates for perishable products and finally the

quantity of cannabis contained in the product. There will be a security guard on the premises for enhanced safety and security of the building, cannabis products and employees. Bravo Zulu staff will conduct monthly and annual inventory control reviews for any discrepancies that may occur by utilizing the seed-to-sale inventory control system. The facility is also not open to the public except to those who provide state licenses.

All medical cannabis deliveries to the distribution facility will be received from a State licensed transport company, and all medical cannabis-infused products will be transported to State licensed/ locally permitted wholesale/distribution companies by a licensed transport company. Transportation manifests will be used to track movement of all cannabis and cannabis products including the shipping and receiving agent, quantities of product, make/ model of vehicle, departure time, and estimated arrival time, and there will be GPS transmitters attached to all distribution vehicles. Alerts may be established to notify management about late shipments.

Eagle One LLC requests a Conditional Use Permit to authorize a cannabis dispensary on the site location. The dispensary is proposed to operate in the retail space on the first floor of the building, consuming approximately 680 square feet. All patient/members recommendations are verified at the registration facility prior to permitting registration and access to the dispensing facility. Customers are 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 recommendations are verified prior to permitting access to the dispensing facility. All buying and selling of medicine is restricted to established members of the collective. All staff members will be properly educated and trained on all cannabis-related material and information.

Conditions of approval limit the hours of operation from 7am to 7pm Monday through Sunday for the distribution and manufacturing operations. The dispensary hours of operation are limited to between 10am to 7pm Monday through Sunday consistent with the dispensary ordinance. The Security Plan states the premises are locked and secured by an access control system which can identify authorized personnel and have 24 hour surveillance both indoors and outdoors utilizing state of the art surveillance technology. All medical marijuana products will be maintained in a locked vault inside the secure premises. There is no public access to either the building or the containers within the building.

The project includes requests for exceptions from the parking and loading space requirements. There are anticipated to be up to 10 employees total at peak shift and one parking space for the caretaker residence for a total of 15 required spaces. The applicant is showing eight parking spaces are provided on-site, seven fewer than what would normally be required. Justification for the parking exception request is that the property is near an urban built-up area (downtown Redway). The typical loading space is 10' x 60'. The applicant is proposing a 10'x20' loading space because the vehicles used for commercial delivery will all be less than 20 feet long.

The project, as proposed and conditioned, meets all of the performance standards of the CMMLUO, and the requirements of both the General Plan and zoning ordinance. And given the small size of the project, the use of a non-volatile manufacturing process, and the location of the project in a developed commercial building in a developed commercial part of downtown Redway, there is evidence the project meets all of the required findings. Furthermore, as proposed, the project meets the criteria for exemption from environmental review pursuant to Section 15301 of the State CEQA Guidelines, which pertains to use of existing facilities involving limited or no expansion.

## Registration / Verification / Recordkeeping

Member registration will occur at the site. During registration, a registrant's physician's recommendation (for the use of medical cannabis) and CA resident status is verified. A website is used to check the information from the recommending physician. A physician's license can be verified on-line at <http://www.medbd.ca.gov/licensee>. Following this, each new member is assigned a patient number and given information on the dispensary. A member's 'primary caregiver' may also be registered at this time. Members are required to sign a registration form (which includes acknowledgement of the various rules & procedures of the collective) that is then copied along with the physician's recommendation and photo ID and kept on file. A computer program is used to track all transactions and monitor the status of a patient's "physician's recommendation".

**Alternatives:** The Planning Commission could elect not to approve the project, or to require the applicant to submit further evidence supporting the required findings, or modify the project to conform to the required findings. These alternatives could be implemented if the Commission is unable to make all of the required findings. Planning Division staff believes that the required findings in support of the proposal can be made, so Planning staff does not recommend further consideration of these alternatives.



**RESOLUTION OF THE PLANNING COMMISSION #1  
OF THE COUNTY OF HUMBOLDT  
Resolution Number 17-**

**Case Number SP16-725 (manufacturing)  
Assessor's Parcel Numbers: 077-331-032-000**

**Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Redline LLC, Special Permit request.**

**WHEREAS**, Redline LLC submitted an application and evidence in support of approving the Special Permit for the manufacturing facility; and

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

**WHEREAS**, the project is exempt from environmental review per 15301 (Existing Facilities) of the CEQA Guidelines; and

**WHEREAS**, Attachment 2 in the Planning Division staff report includes substantial evidence in support of making all of the required findings for approving the proposed Special Permit (Case Number SP16-725 - manufacturing); and

**WHEREAS**, a public hearing was held on the matter before the Humboldt County Planning Commission on December 14, 2017.

**NOW, THEREFORE**, be it resolved, determined, and ordered by the Humboldt County Planning Commission that the following findings be and are hereby made:

1. The proposed project is exempt from environmental review; and
2. The findings in Attachment 2 of the Planning Division staff report for Case Number SP16-725 are supported by the submitted substantial evidence; and
3. Special Permit Case Number SP16-725 (manufacturing) is approved as recommended and conditioned in Attachment 1.

Adopted after review and consideration of all the evidence on \_\_\_\_\_, 2017.

The motion was made by COMMISSIONER \_\_\_\_\_ and second by COMMISSIONER \_\_\_\_\_ and the following vote:

AYES:           COMMISSIONERS:

NOES:           COMMISSIONERS:

ABSENT:        COMMISSIONERS:

ABSTAIN:       COMMISSIONERS:

DECISION:

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

\_\_\_\_\_  
John Ford  
Director, Planning and Building Department

**RESOLUTION OF THE PLANNING COMMISSION #2  
OF THE COUNTY OF HUMBOLDT  
Resolution Number 17-**

**Case Number SP16-717 (distribution)  
Assessor's Parcel Numbers: 077-331-032-000**

**Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Bravo Zulu LLC, Special Permit request.**

**WHEREAS**, Bravo Zulu LLC submitted an application and evidence in support of approving the Special Permit for the distribution operations; and

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

**WHEREAS**, the project is exempt from environmental review per Section 15061 (b)(3) (General Rule), 15301 (Existing Facilities) of the CEQA Guidelines; and

**WHEREAS**, Attachment 2 in the Planning Division staff report includes substantial evidence in support of making all of the required findings for approving the proposed Special Permit(Case Number SP16-717 - distribution); and

**WHEREAS**, a public hearing was held on the matter before the Humboldt County Planning Commission on December 14, 2017.

**NOW, THEREFORE**, be it resolved, determined, and ordered by the Humboldt County Planning Commission that the following findings be and are hereby made:

1. The proposed project is exempt from environmental review; and
2. The findings in Attachment 2 of the Planning Division staff report for Case Number SP16-717 are supported by the submitted substantial evidence; and
3. Special Permit Case Number SP16-717 (distribution) is approved as recommended and conditioned in Attachment 1.

Adopted after review and consideration of all the evidence on \_\_\_\_\_, 2017.

The motion was made by COMMISSIONER \_\_\_\_\_ and second by COMMISSIONER \_\_\_\_\_ and the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

DECISION:

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

\_\_\_\_\_  
John Ford  
Director, Planning and Building Department

**RESOLUTION OF THE PLANNING COMMISSION #3  
OF THE COUNTY OF HUMBOLDT  
Resolution Number 17-**

**Case Number CUP16-945  
Assessor's Parcel Numbers: 077-331-032-000**

**Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Eagle One LLC, Conditional Use Permit request.**

**WHEREAS**, Eagle One LLC submitted an application and evidence in support of approving the Conditional Use Permit for the cannabis dispensary; and

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

**WHEREAS**, the project is exempt from environmental review per Section 15061 (b)(3) (General Rule), 15301 (Existing Facilities) of the CEQA Guidelines; and

**WHEREAS**, Attachment 2 in the Planning Division staff report includes substantial evidence in support of making all of the required findings for approving the proposed Conditional Use Permit(Case Number CUP16-945 - dispensary); and

**WHEREAS**, a public hearing was held on the matter before the Humboldt County Planning Commission on December 14, 2017.

**NOW, THEREFORE**, be it resolved, determined, and ordered by the Humboldt County Planning Commission that the following findings be and are hereby made:

1. The proposed project is exempt from environmental review; and
2. The findings in Attachment 2 of the Planning Division staff report for Case Number CUP16-945 are supported by the submitted substantial evidence; and
3. Conditional Use Permit Case Number CUP16-945 (dispensary) is approved as recommended and conditioned in Attachment 1.

Adopted after review and consideration of all the evidence on \_\_\_\_\_, 2017.

The motion was made by COMMISSIONER \_\_\_\_\_ and second by COMMISSIONER \_\_\_\_\_ and the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

DECISION:

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

\_\_\_\_\_  
John Ford  
Director, Planning and Building Department

**RESOLUTION OF THE PLANNING COMMISSION #4  
OF THE COUNTY OF HUMBOLDT  
Resolution Number 17-**

**Case Number ZR 17-002  
Assessor's Parcel Numbers: 077-331-032-000**

**Recommending the Humboldt County Board of Supervisors certify compliance with the California Environmental Quality Act and approve the West River Lane LLC Zone Reclassification request.**

**WHEREAS**, West River Lane LLC submitted an application and evidence in support of approving the Zone Reclassification from CH - Highway Service Commercial to C-2-Q Qualified Community Commercial; and

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

**WHEREAS**, the project is exempt from environmental review per Section 15305 - Minor Alterations in Land Use Limitations - of the CEQA Guidelines; and

**WHEREAS**, Attachment 2 in the Planning Division staff report includes substantial evidence in support of making all of the required findings for approving the proposed Zone Reclassification (Case Number ZR 17-002); and

**WHEREAS**, a public hearing was held on the matter before the Humboldt County Planning Commission on December 14, 2017.

**NOW, THEREFORE**, be it resolved, determined, and ordered by the Humboldt County Planning Commission that the following findings be and are hereby made:

1. The findings in Attachment 2 of the Planning Division staff report for Case Number ZR 17-002 are supported by the submitted substantial evidence; and
2. The Planning Commission recommends that the Board of Supervisors of the County of Humboldt:
  - Hold a public hearing in the manner prescribed by law.
  - Adopt the Planning Commission's findings.
  - By ordinance, approve the Zone Reclassification from CH to C-2-Q on the subject parcel.
  - Direct the Planning Division to prepare and file a Notice of Exemption pursuant to CEQA for the project.
  - Direct the Clerk of the Board to publish a post approval summary in a newspaper of general circulation, and give notice of the decision to interested parties.

Adopted after review and consideration of all the evidence on \_\_\_\_\_, 2017.

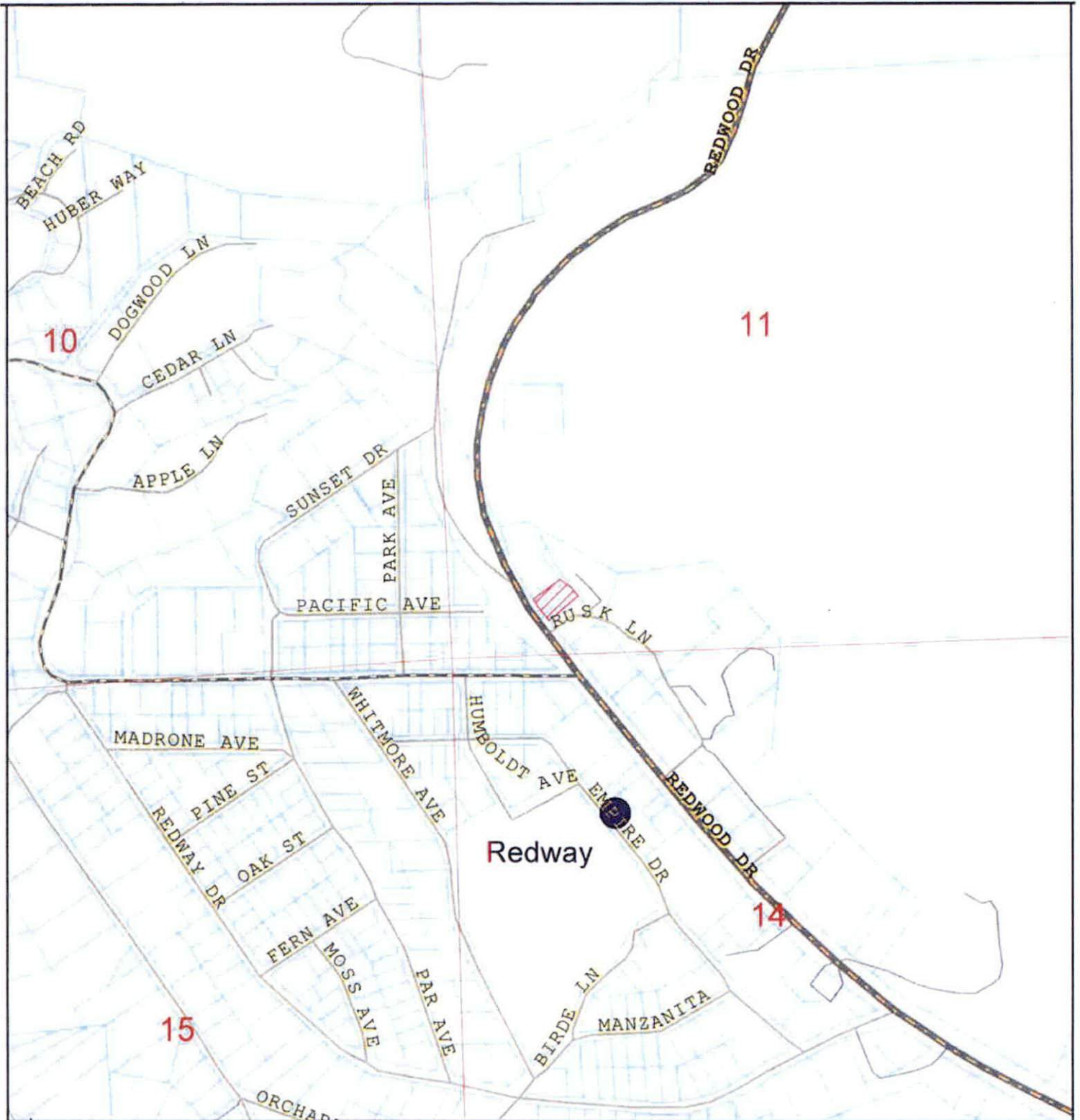
The motion was made by COMMISSIONER \_\_\_\_\_ and second by COMMISSIONER \_\_\_\_\_ and the following ROLL CALL vote:

AYES: COMMISSIONERS:  
NOES: COMMISSIONERS:  
ABSENT: COMMISSIONERS:  
ABSTAIN: COMMISSIONERS:  
DECISION:

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

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John Ford  
Director, Planning and Building Department




**LOCATION MAP**

**PROPOSED WEST RIVER LAND DEVELOPMENT  
REDWAY AREA**

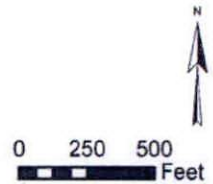
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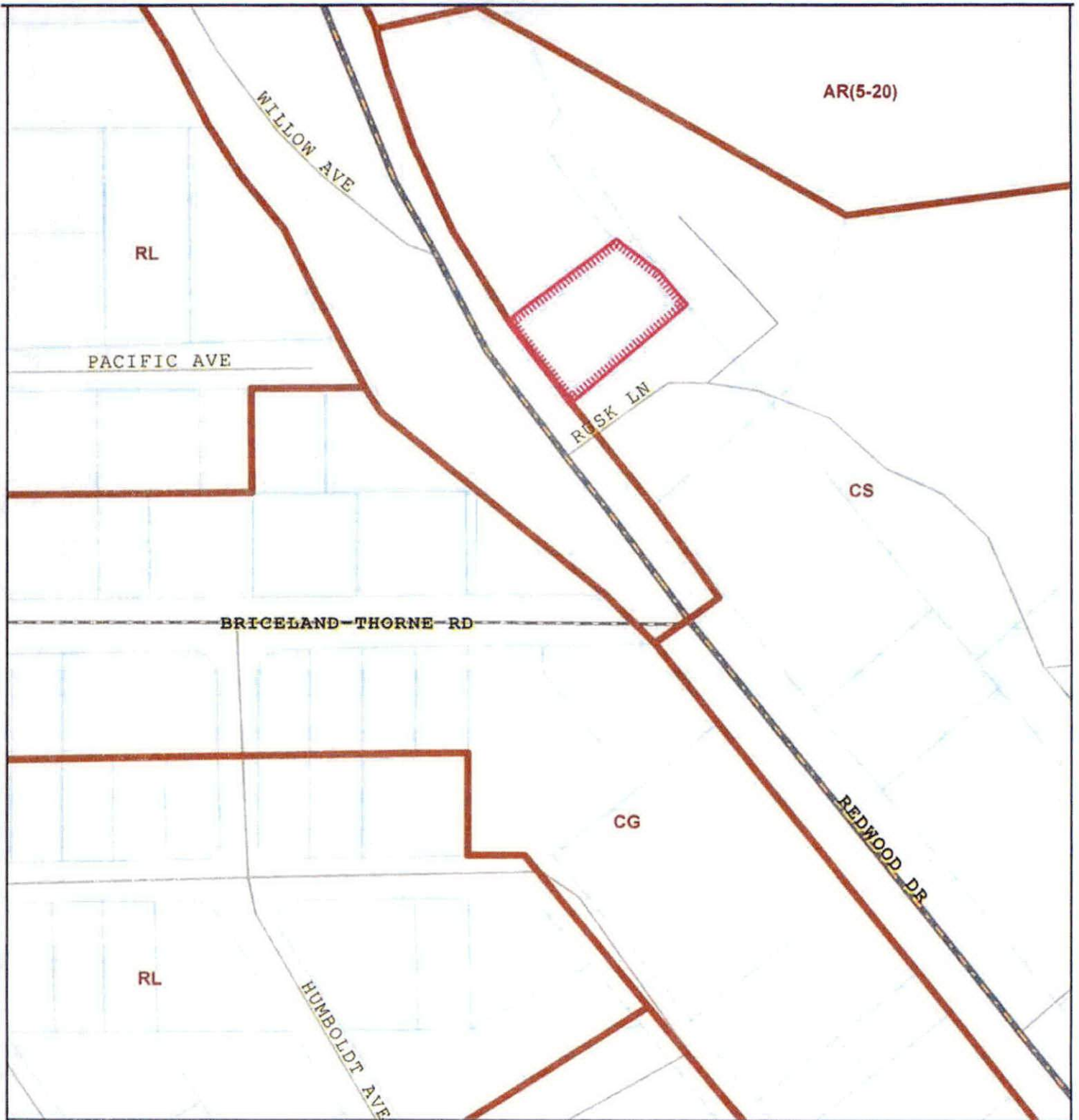
**T04S R03E S11 HB&M (REDWAY)**

PLS Sections


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.





**GENERAL PLAN LAND USE MAP**  
**PROPOSED WEST RIVER LAND**  
**DEVELOPMENT REDWAY AREA**  
**APN: 077-331-032**  
**T04S R03E S11 HB&M (REDWAY)**

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.




MAP NOT TO SCALE



**AERIAL ZONING MAP**

**PROPOSED WEST RIVER LAND DEVELOPMENT  
REDWAY AREA**

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: 077-331-032  
T04S R03E S11 HB&M (REDWAY)**

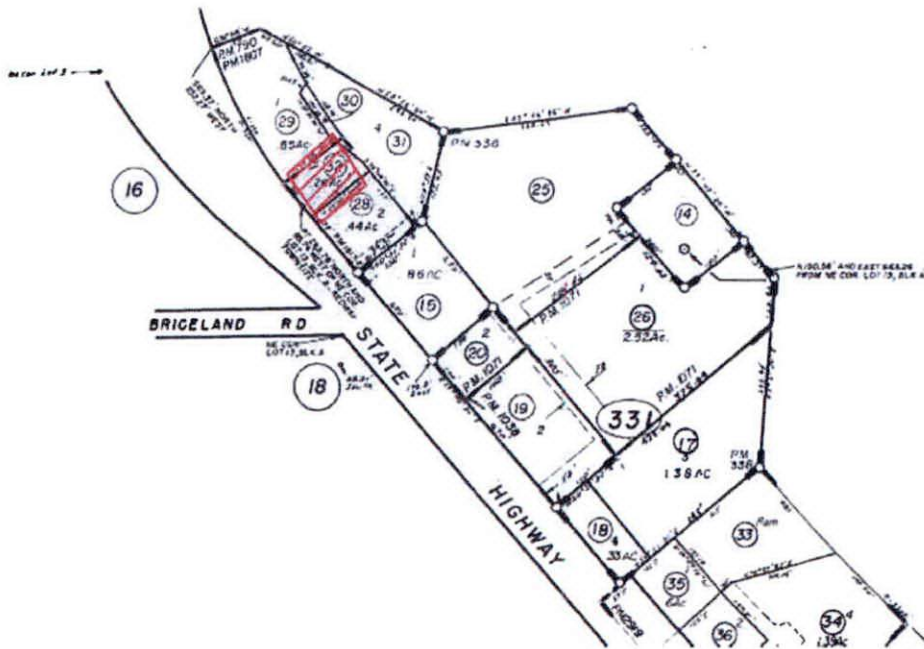


MAP NOT TO SCALE




POR. SEC. 11 & 14, T. 4 S., R. 3 E., H. B. & M.

77-33



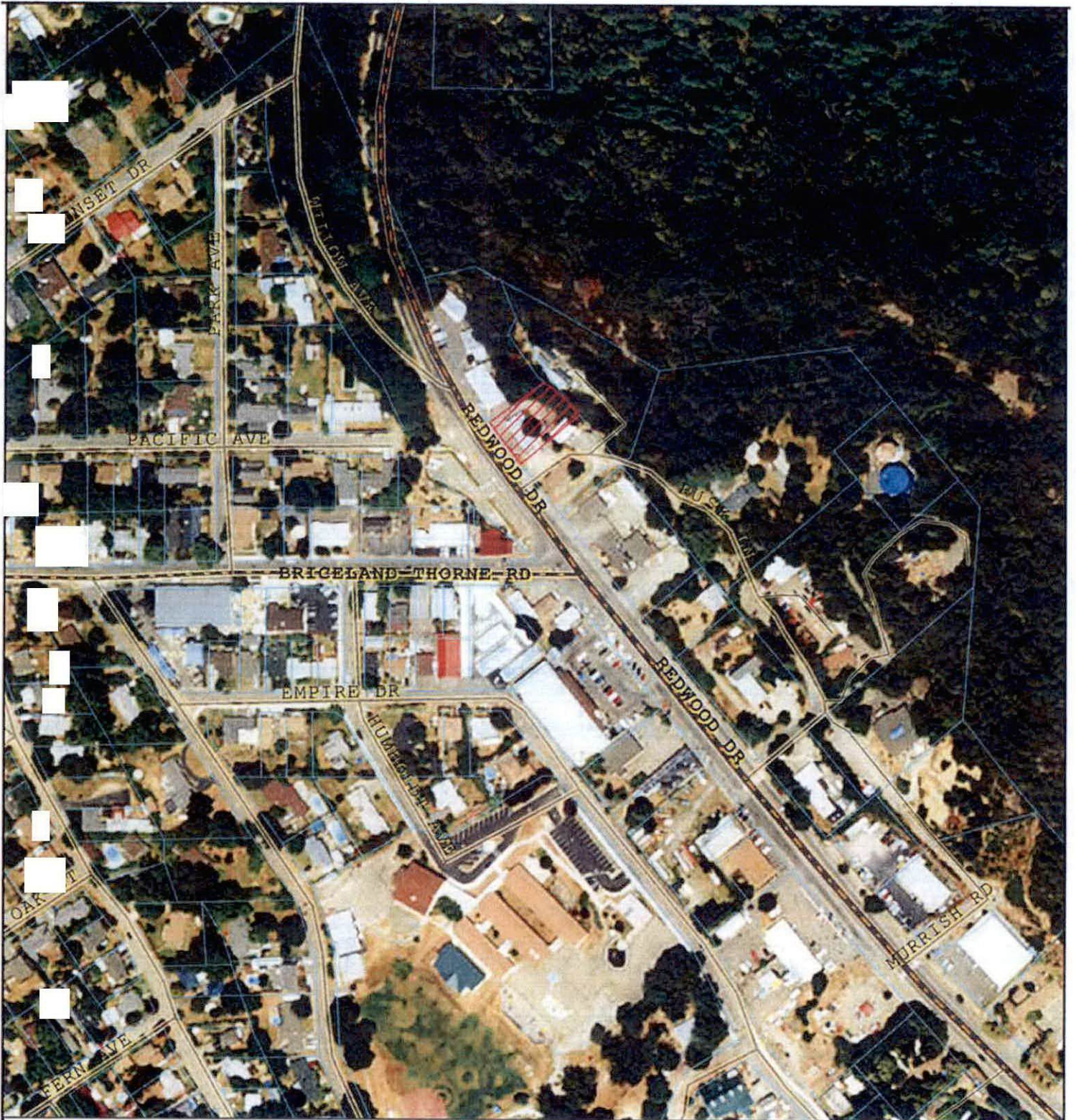
**ASSESSORS PARCEL MAP  
 PROPOSED WEST RIVER LAND DEVELOPMENT  
 REDWAY AREA  
 APN: 077-331-032  
 T04S R03E S11 HB&M (REDWAY)**

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.

MAP NOT TO SCALE

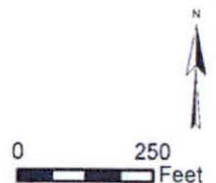


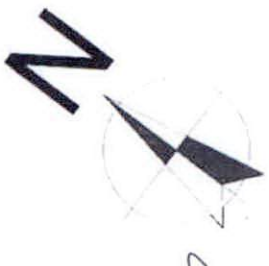
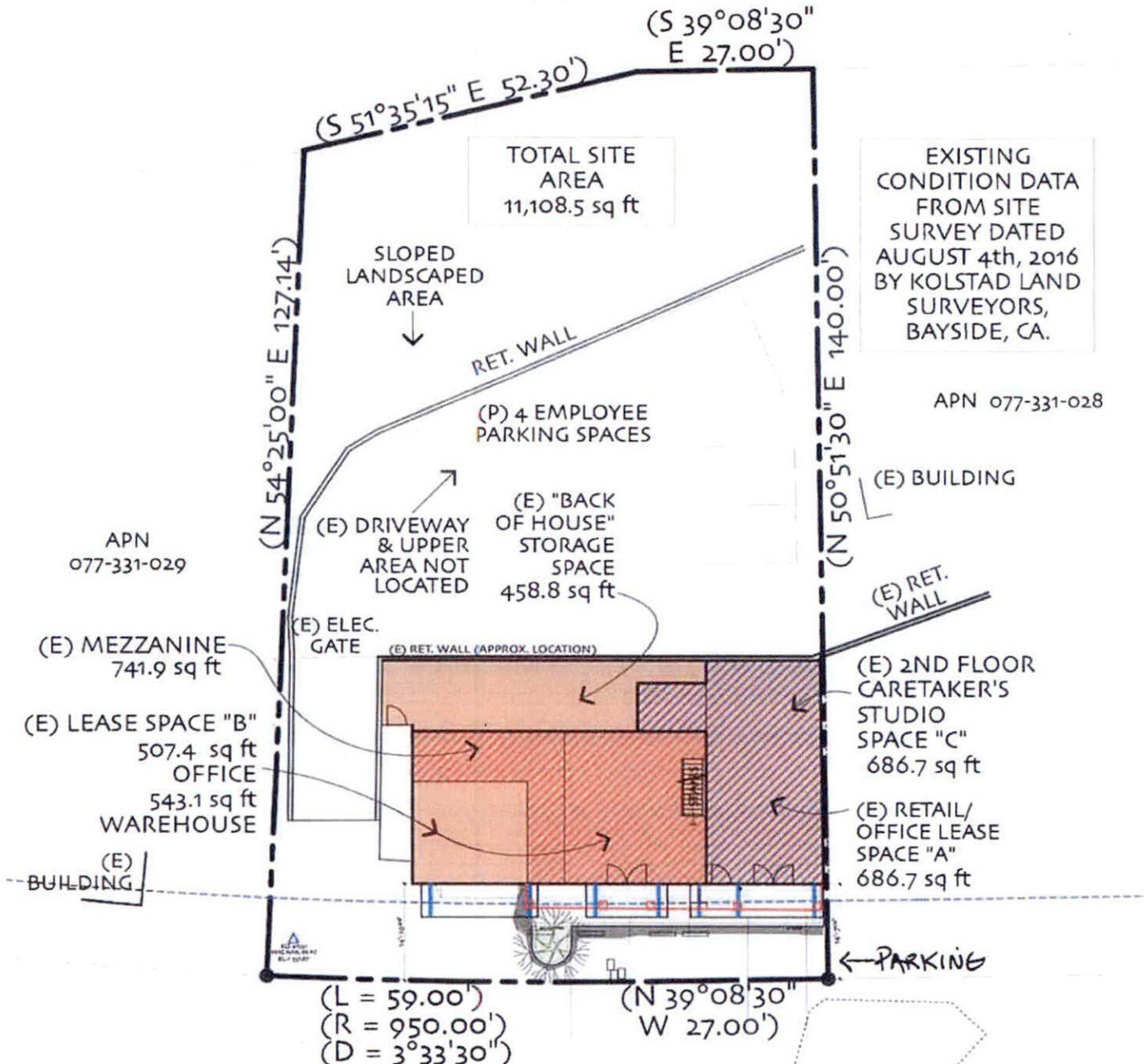


**AERIAL IMAGE**  
**PROPOSED WEST RIVER LAND DEVELOPMENT**  
**REDWAY AREA**  
**APN: 077-331-032**  
**T04S R03E S11 HB&M (REDWAY)**

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.



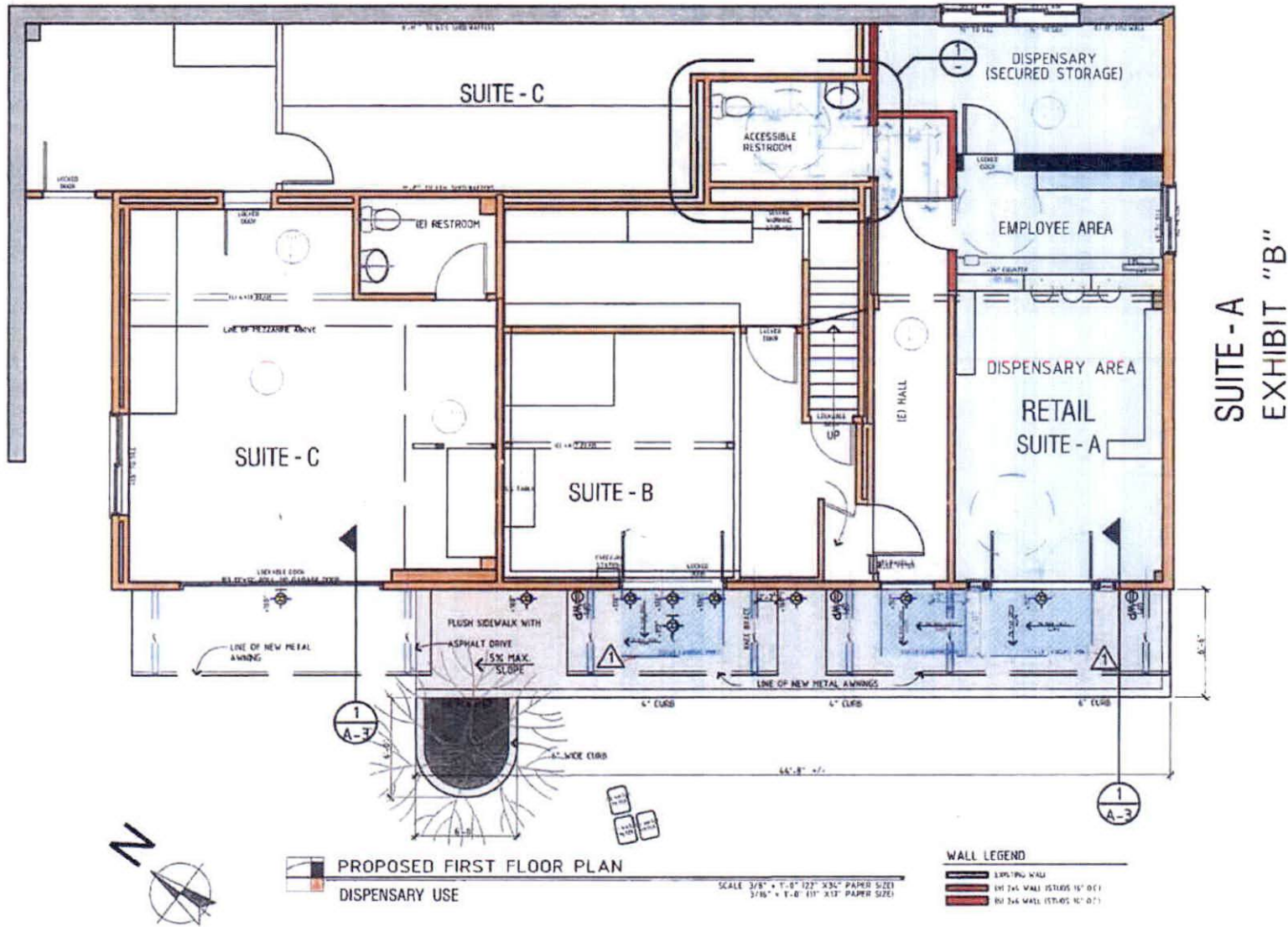


REDWOOD DRIVE

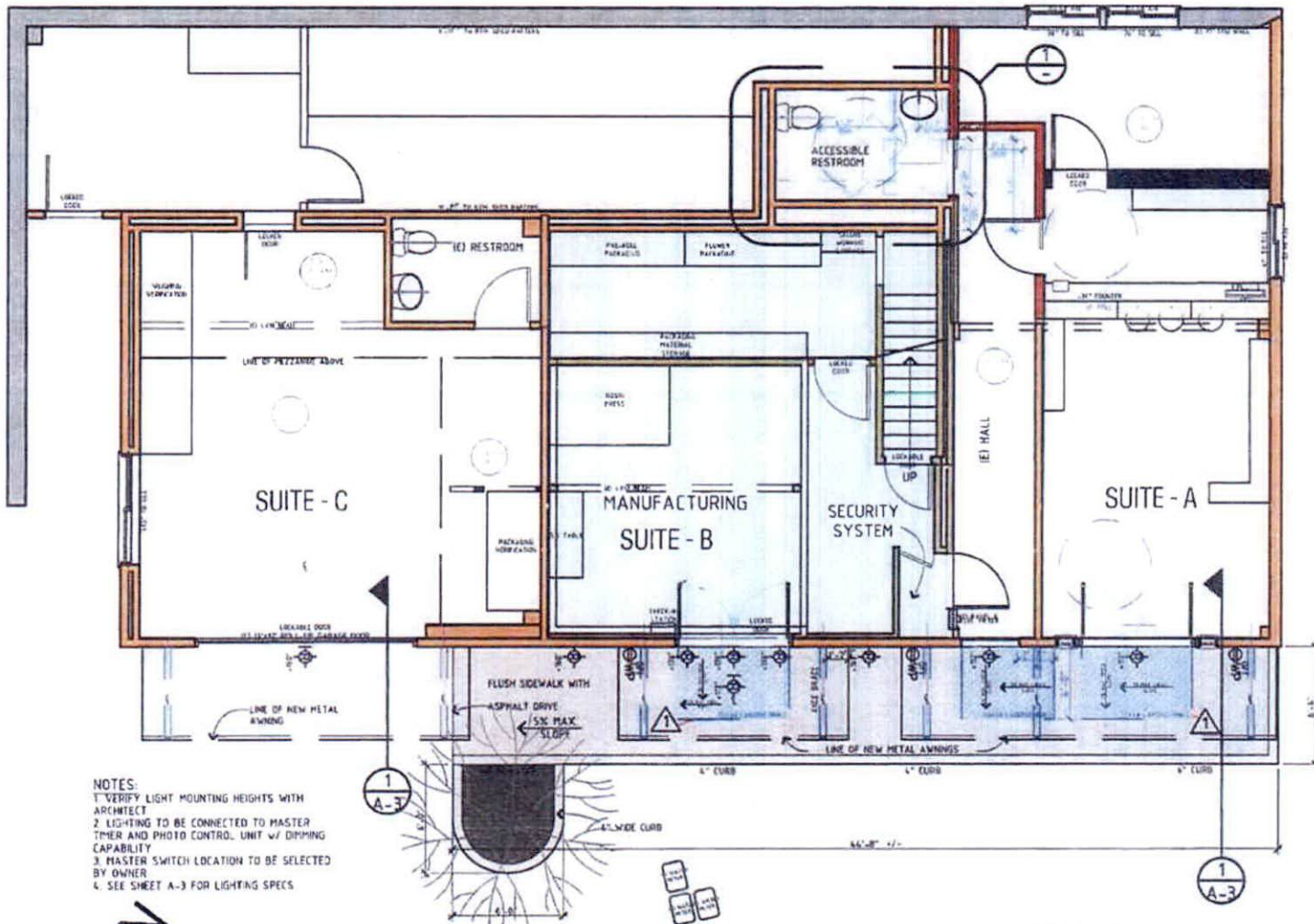
# PROPOSED SITE PLAN

SCALE: 1" = 20'-0" (22" X34" PAPER SIZE)  
 1" = 40'-0" (11" X17" PAPER SIZE)

# LICENSE - TYPE 10A - DISPENSARY



# LICENSE - TYPE 6 - MANUFACTURING



SUITE - B  
EXHIBIT "B"

- NOTES:
1. VERIFY LIGHT MOUNTING HEIGHTS WITH ARCHITECT
  2. LIGHTING TO BE CONNECTED TO MASTER TIMER AND PHOTO CONTROL UNIT w/ DIMMING CAPABILITY
  3. MASTER SWITCH LOCATION TO BE SELECTED BY OWNER
  4. SEE SHEET A-3 FOR LIGHTING SPECS



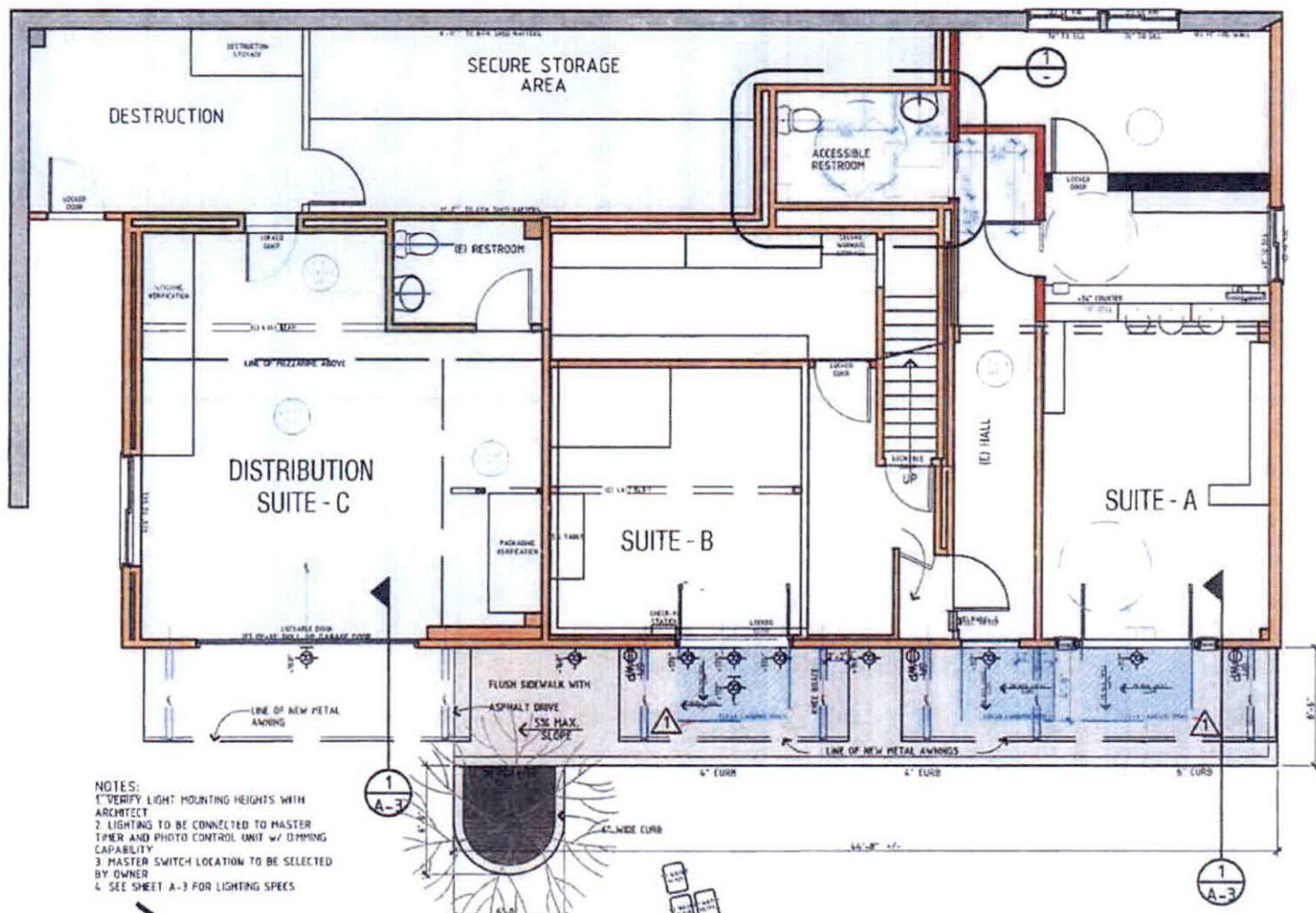
PROPOSED FIRST FLOOR PLAN  
MANUFACTURING USE

SCALE 3/8" = 1'-0" (22" X 34" PAPER SIZE)  
3/16" = 1'-0" (11" X 17" PAPER SIZE)

WALL LEGEND

- EXISTING WALL
- 10' 244 WALL STUDS @ 16" O.C.
- 10' 244 WALL STUDS @ 12" O.C.

# LICENSE - TYPE 2 - DISTRIBUTION



SUITE - C  
EXHIBIT "B"

- NOTES:
1. VERIFY LIGHT MOUNTING HEIGHTS WITH ARCHITECT
  2. LIGHTING TO BE CONNECTED TO MASTER TIMER AND PHOTO CONTROL UNIT w/ DIMMING CAPABILITY
  3. MASTER SWITCH LOCATION TO BE SELECTED BY OWNER
  4. SEE SHEET A-3 FOR LIGHTING SPECS



PROPOSED FIRST FLOOR PLAN  
DISTRIBUTION USE

SCALE: 3/8" = 1'-0" (22" X34" PAPER SIZE)  
3/16" = 1'-0" (11" X17" PAPER SIZE)

WALL LEGEND

	EXISTING WALL
	NO 2x4 WALL STUDS @ 16" OC
	NO 2x4 WALL STUDS @ 24" OC

**ATTACHMENT 1  
RECOMMENDED CONDITIONS OF APPROVAL**

**A. APPROVAL OF THE SPECIAL PERMITS AND 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. The applicant shall secure approval of the Zone Reclassification from the Humboldt County Board of Supervisors. The Special Permits are not effective until the Zone Reclassification has been approved.
2. 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.
3. Off-street parking and access aisles located on APNs 077-331-032 shall be improved by removing perpendicular parking stalls and install "parallel parking only" signs, or by receiving a permit from the Department of Public Works after they present an Ordinance for approval by the Board of Supervisors.
4. 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.
5. The Collective shall retain a security guard or designated staff member to 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.
6. 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.

**B. Development Restrictions**

1. All components of project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan.
2. Where feasible, new utilities shall be underground or sited unobtrusively if above ground.
3. 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.
4. The applicant shall conform to all Public Works requirements for on-site parking and loading. Public Works sign off on the building permit or other similar communication is required prior to initiation of any operations authorized by this permit.
5. The approved project shall meet all applicable fire codes, including fire suppression infrastructure requirements deemed necessary for the project by the Building Inspection Division. Sign off on the Occupancy Permit by the Building Division shall satisfy this requirement.

6. If operation of the business requires use of a volatile liquid the applicant shall identify the liquid, the amounts to be stored on site, and provide a Material Safety Data Sheet Report for review and approval by the Building Official.
7. Construction hours shall be limited to between the hours of 8:00 a.m. and 7:00 p.m. Monday through Friday, and between 9:00 and 7:00 p.m. on Saturdays. No heavy equipment related construction activities shall be allowed on Sundays or nationally recognized holidays.
8. The applicant shall execute an Affidavit for Non-diversion of Medical Cannabis on a form provided by the Planning Division.

### **C. Operation Restrictions**

1. The hours of operation shall be Monday thru Sunday; 7AM – 7PM for the manufacturing and distribution uses. The hours of operation shall be Monday thru Sunday; 10AM – 7PM for the dispensary use.
2. The collective will provide adequate security on the premises, including lighting and alarms, to insure the safety of persons and to protect the premises from theft.
3. The collective shall operate at all times in conformance with the provisions of Humboldt County Ordinance #2554.
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 conduct routine background checks for employees and shall disqualify for employment any person with a prior felony conviction for the sale and/or distribution of controlled substances.
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. 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 a third-party certification program (such as 'Clean Green' or an equivalent entity) which will perform inspections to verify that all cannabis is being grown and distributed in compliance with all state and local regulations. Each grower-member must agree to an annual on-site inspection by a non-conflicted third party. 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 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 of no more than one ounce per visit. 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 Community Development Services 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" 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).

**D. Ongoing Requirements/Development Restrictions Which Must 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. Consistent with Section 11362.775 of the Health and Safety Code, until or unless amended, all manufacturing operations shall comply with the following standards:
  - A. Operations utilize only manufacturing processes that are solventless, and do not involve the use of pressurized CO<sub>2</sub>.
  - B. The building used for cannabis activity shall meet all required fire, safety, and building code requirements in one or more of the following:
    - (1) The California Fire Code.
    - (2) The National Fire Protection Association (NFPA) standards.
    - (3) International Building Code (IBC).
    - (4) The International Fire Code (IFC).
    - (5) Other applicable standards, including complying with all applicable fire, safety, and building codes in processing, handling, and storage of solvents or gasses.
3. All new and existing outdoor lighting shall be compatible with the existing setting and directed within the property boundaries.
4. 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.
5. Possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
6. Possession of a current, valid permit or license, issued by the Humboldt County Department of Health and Human Services-Environmental Health Division, as soon as such permits or licenses become available.
7. All persons hiring employees to engage in commercial processing of medical cannabis shall comply with the following Employee Safety Practices:
  - A. Implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
    - 1) Emergency action response planning as necessary;
    - 2) Employee accident reporting and investigation policies;
    - 3) Fire prevention;
    - 4) Hazard communication policies, including maintenance of material safety data

- 5) Materials handling policies;
  - 6) Job hazard analyses; and
  - 7) Personal protective equipment policies, including respiratory protection.
- B) Visibly post and maintain an emergency contact list which includes at a minimum:
- 1) Operation manager contacts;
  - 2) Emergency responder contacts;
  - 3) Poison control contacts.
- C) At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.
8. 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.
9. **Permit Duration.** Following initiation of the dispensary use as provided in E.3 below, the Permit for the medical cannabis dispensary shall remain in effect and shall run with the land until revoked or otherwise terminated. For the manufacturing and distribution uses, the Permit shall be valid for one year from the effective date of approval, and on the anniversary date of such effective each year thereafter, unless an annual compliance inspection has been completed and the permit(s) has/have been found to comply with all conditions of approval. In the event the inspection finds noncompliance, written notification shall be provided to the permit holder identifying the items not in compliance and the action the permit holder may take to cure the noncompliance. Failure to cure the noncompliance shall result in termination of the permit(s). 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 55.4.1.3 of the CMMLUO.
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 manufacturing operations shall use the following best management practices to ensure the safety of employees and the manufactured product:
  - A. Ensure that the space in which any Medical Marijuana product is to be manufactured 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 manufacturing;
    - c. Clean all equipment, counters and surfaces thoroughly; and
    - d. Dispose of any waste produced during the manufacturing 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 manufacturing 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 manufacturing 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 manufacturing of any Medical Marijuana product and the step that individual performed.
16. Persons engaging in the manufacturing 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 manufacturing 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 manufacturing 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 manufacturing of any Medical Marijuana product.

**E. Informational Notes:**

- 1. If cultural resources are encountered during construction activities, the contractor on site shall cease all work in the immediate area and within a 50 foot buffer of the discovery location. A qualified archaeologist as well as the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

The Native American Heritage Commission (NAHC) can provide information regarding the appropriate Tribal point(s) of contact for a specific area; the NAHC can be reached at 916-653-4082. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains

to be Native American, the NAHC will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to PRC 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99. **The applicant is ultimately responsible for ensuring compliance with this condition.**

2. The applicant is responsible for receiving all necessary permits and/or approvals from other state and local agencies.
3. This permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"); except where construction under a valid building permit or use in reliance on the permit has commenced prior to such anniversary date. Once initiated, the uses are subject to the Permit Duration and Renewal provisions set forth in Condition of Approval # C.9 of the On-Going Requirements /Development Restrictions, above. The period within which construction or use must be initially commenced may be extended as provided by Section 312-11.3 of the Humboldt County Code.
4. 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.

## ATTACHMENT 2

### Staff Analysis of the Evidence Supporting the Required Findings

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

**A. Section 312-50 of the Zoning Ordinance states the following findings must be made to approve changes in the Zoning Maps**

1. The proposed zoning change is consistent with the General Plan.
2. The proposed change is in the public interest

**B. Required Findings for Special Permits and Conditional Use Permits**

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 Special Permit and 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; and
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.

**C. Required Finding for Consistency With Housing Element Densities**

1. Government Code Section 65302.81 requires specific findings supported by substantial evidence where a general plan amendment or zone reclassification is adopted that reduces 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).
2. In addition, the same Government Code sections also requires any proposed development to maintain the residential density for any parcel at or above 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), unless the following written findings are made supported by substantial evidence: 1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized.

**D. Required Finding for Consistency With the California Environmental Quality Act**

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:

1. a) The project either is categorically or statutorily exempt; or
- b) There is no substantial evidence that the project will have a significant effect on the environment or any potential impacts have been mitigated to a level of insignificance and a negative declaration has been prepared pursuant to Section 15070 of the CEQA Guidelines; or
- c) An environmental impact report (EIR) has been prepared and all significant environmental effects have been eliminated or mitigated to a level of insignificance, or the required findings in Section 15091 of the CEQA Guidelines are made.

**Finding A: Section 213-50 of the Zoning Ordinance states the following findings must be made to approve changes in the Zoning Maps**

Section(s)	Applicable Requirements
§312-50 of the Zoning Ordinance	<b>Finding A1.</b> That the proposed zoning change is consistent with the General Plan.
<p><b>Evidence Supporting Finding A1</b></p> <p>Table 4-H of the General Plan shows the CS - Commercial Services Plan Designation that applies to the subject property is compatible with both the CH and C-2 zones, so the proposed C-2 zone is consistent with the General Plan.</p>	
§312-50 of the Zoning Ordinance	<b>Finding A2.</b> That the proposed zoning change is in the public interest
<p><b>Evidence Supporting Finding A2</b></p> <p>The zoning change could provide additional commercial development potential in the Redway area with minimal impacts to county roads or other neighboring land uses because the property is accessed by a major collector road. As shown on the aerial map attached to the staff report, Redwood Drive provides direct access to Highway 101 in both directions within two miles. It is arguably in the public interest to modify the zoning to allow commercial cannabis activities on the subject property because it has frontage on existing paved roads that provide immediate access to a major collector - Redwood Drive,</p>	



**Finding B: Required Findings for Special Permits and Conditional Use Permits**

**Finding B1: The proposed development must be consistent with the General Plan.** The following table identifies the evidence which supports finding that the proposed project will be in conformance with all applicable policies and standards of the General Plan.

Section(s)	Applicable Requirements	Evidence Supporting Finding #B1
<p>Land Use Designation §4.8 Land Use</p>	<p>Commercial Services (CS)  Intended for heavy commercial uses and compatible light industrial uses not serving day to day needs. Full range of urban services required (i.e., good access, public sewer and water, electricity, fire protection, and waste disposal).  Allowable uses include retail sales, distribution and light industrial.</p>	<p>The applicant is proposing to develop a cannabis manufacturing center and distribution center in an existing building. The project also proposes use of portion of the same existing commercial building as a medical marijuana 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. These uses are all allowed use in the CS - Commercial Services Plan designation.</p>
<p>Circulation Chapter 7</p>	<p>Goals and policies contained in this Chapter relate to a balanced, safe, efficient, accessible and convenient circulation system that is appropriate for each type of unincorporated community (C-G1,CT-G2); coordinated planning design, development, operations, and maintenance between the County and other transportation system service providers (C-G3); and access for all transportation mode types with improved opportunities to move goods within, into and out of Humboldt County (C-GX, C-GXXX).</p>	<p>Access to the site is directly off a paved County-maintained public road (Redwood Drive). The driveway entrance and parking areas are all paved. The Department of Public Works responded to the zone reclassification petition application stating the proposed parking perpendicular to the right of way and within the (large) right of way for Redwood Drive will require an ordinance approved by the Board of Supervisors. Conditions of project approval require Public Works sign off prior to initiation of operations to ensure the Board has taken action to allow the parking as proposed. Any additional comments will be circulated for review.</p>

<b>Section(s)</b>	<b>Applicable Requirements</b>	<b>Evidence Supporting Finding #B1</b>
Housing Chapter 8	<p>Goals and policies contained in this Element seek to identify existing and projected housing needs and establish goals, policies, standards and measures for the preservation, improvement, and development of housing.</p> <p>Related policies: H-P3, Development of Parcels in the Residential Land Inventory</p>	<p>The project does not involve new residential development, nor is the project site part of the Housing element Residential Land Inventory. There is an existing caretaker unit on the second floor that is proposed to remain. The project will not preclude any additional future residential development. 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.</p>
Conservation and Open Space Chapter 10  Biological Resources Section 10.3	<p>Goals and policies contained in this Chapter relate to mapped sensitive habitat areas where policies are applied to protect fish and wildlife and facilitate the recovery of endangered species (BR-G1, Threatened and Endangered Species, BR-G2, Sensitive and Critical Habitat, BR-G3, Benefits of Biological Resources)</p>	<p>The Biological Resource maps of the General Plan do not identify any sensitive or critical habitat areas on the project site. The property is mostly paved and developed with a 3,600 square foot commercial building, so there is little potential for wetlands, rare species or other environmentally sensitive habitat areas (ESHAs). The site lacks the habitat required for cover, breeding or foraging for most species.</p>

Section(s)	Applicable Requirements	Evidence Supporting Finding #B1
<p>Conservation and Open Space Chapter 10</p> <p>Cultural Resources Section 10.6</p>	<p>Goals and policies contained in this Chapter relate to the protection and enhancement of significant cultural resources, providing heritage, historic, scientific, educational, social and economic values to benefit present and future generations (CU-G1, Protection and Enhancement of Significant Cultural Resources)</p> <p>Related policies: CU-P1. Identification and Protection, CU-P2. Native American Tribal Consultation]</p>	<p>The Northwest Information Center was referred and requested an archaeological study be completed. The Bear River Tribe did not respond. 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 #1).</p>
<p>Conservation and Open Space Chapter 10</p> <p>Scenic Resources Section 10.6</p>	<p>Goals and policies contained in this Chapter relate to the protection of scenic areas that contribute to the enjoyment of Humboldt County's beauty and abundant natural resources (SR-G1); and a system of scenic highways roadways that increase the enjoyment of, and opportunities for, recreational and cultural pursuits and tourism in the County. (SR-Gx)</p> <p>Related policies: SR-SX. Light and Glare</p>	<p>The applicant is proposing to develop a cannabis manufacturing center and distribution center in an existing building. The project also proposes use of portion of the same existing commercial building as a medical marijuana dispensary. There are no open space or scenic resources on the site.</p>

Section(s)	Applicable Requirements	Evidence Supporting Finding #B1
<p>Water Resources Chapter 11</p> <p>Stormwater Drainage</p>	<p>Goals and policies contained in this Chapter relate to coordinated watershed planning and land use decision making to advance management priorities (WR-G3, WR-G4, WR-G5); watershed conservation and restoration efforts aimed at de-listing water bodies and watersheds which are restored to meet all beneficial uses, including water use, salmon and steelhead recovery plans, recreational activities, and the economy (WR-G1, WR-G, WR-G7, WR-G8, WR-G8x); and</p> <p>Related policies: WR-P8. Erosion and Sediment Discharge; WR-P36. Erosion and Sediment Control Measures.</p>	<p>The Project site is already fully developed and the proposed distribution, manufacturing and retail uses will be located within the existing 3,600 square foot commercial structure, and customers will use existing paved encroachments onto Redwood Drive and the same on-site paved parking areas. No new measures are necessary to protect water quality from the proposed use.</p>

Section(s)	Applicable Requirements	Evidence Supporting Finding #B1
<p>Water Resources Chapter 11</p> <p>Water Supply and Wastewater Systems</p>	<p>Goals and policies contained in this Chapter relate to adequate public water supply as well as onsite wastewater systems and natural and developed storm drainage systems that minimize interference with surface and groundwater flows and storm water pollution (WR-G6, WR-G9, WR GX)</p> <p>Related policies: WR-IM7, Basin Plan Septic Requirements; and IS-P20, On-Site Sewage Disposal Requirements.</p>	<p>The site has public water and wastewater systems that provide basic sanitation needs for the employees. No water is used in the proposed manufacturing, distribution or retail uses.</p>
<p>Noise Chapter 13</p>	<p>Goals and policies contained in this Chapter discourage incompatible uses within communities and reduce excessive noise through the application of standards (N-G1, N-G2)</p> <p>Related policies: N-P1, Minimize Noise from Stationary and Mobile Sources; N-P4, Protection from Excessive Noise</p>	<p>The subject parcel is not located in an area that requires special noise attenuation measures. The proposed use will occur within an existing commercial structure, so there will be minimal noise generated by the project. The site occurs adjacent to Redwood Drive, so there is an abundance of ambient noise.</p>

Section(s)	Applicable Requirements	Evidence Supporting Finding #B1
<p>Safety Element Chapter 14</p> <p>Geologic &amp; Seismic</p>	<p>Goals and policies contained in this Chapter relate to communities that are designed and built to minimize the potential for loss of life and property resulting from natural and manmade hazards; and to prevent unnecessary exposure to areas of geologic instability, floodplains, tsunami run-up areas, high risk wildland fire areas, and airport areas planned and conditioned to prevent unnecessary exposure of people and property to risks of damage or injury (S-G1, S-G2)</p> <p>Related policies: S-PX1, Site Suitability, S-P6, Structural Hazards,</p>	<p>Geologic hazard maps of the General Plan show the slope instability of the property to be moderately unstable. Since no new exterior construction is proposed, a soils report of the slope stability may not be required.</p>
<p>Safety Element Chapter 14</p> <p>Flooding</p>	<p>Goals and policies contained in this Chapter relate to the use of natural drainage channels and watersheds that are managed to minimize peak flows in order to reduce the severity and frequency of flooding. (S-G3)</p> <p>Related policies include: S-P10, Federal Flood Insurance Program; S-P11, Flood Plains; S-PX3, Construction Within Special Flood Hazard Areas</p>	<p>According to the Flood Insurance Rate Map (FIRM) Panel No. 1840, the project site is located in Flood Zone C, which is defined as "areas of minimal flooding". The project site is outside of the 100- and 500-year flood boundary as it is considerably elevated above the Eel River.</p>

Section(s)	Applicable Requirements	Evidence Supporting Finding #B1
<p>Safety Element Chapter 14</p> <p>Fire Hazards</p>	<p>Goals and policies of this Chapter encourage development designed to reduce the risk of structural and wildland fires supported by fire protection services that minimize the potential</p> <p>Related policies: S-P15, Conformance with State Responsibility Areas (SRA) Fire Safe Regulations;</p>	<p>The parcel is in an area of Very High 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.</p>
<p>Air Quality Chapter 15</p>	<p>Goals and policies contained in this Chapter relate to improved air quality to meet current and future state and federal standards, including attainment of particulate matter requirements (AQ-G1, AQ-G2, AQ-G2X) and the successful reduction of greenhouse gas emissions to levels consistent with state and federal requirements (AQ-G3)</p> <p>Related policies: AQ-P4, Construction and Grading Dust Control, AQ-S1. Construction and Grading Dust Control, AQ-P7. Interagency Coordination.</p>	<p>As a condition of project approval, 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. Dust control practices during construction and grading shall achieve compliance with NCAQMD fugitive dust emission standards.</p>

**Finding B2: The proposed development is consistent with the purposes of the existing zone in which the site is located; and Finding B3: 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 Zoning Regulations. Humboldt County Inland Zoning Regulations after the Zoning is amended from CH to C-2.

Section(s)	Applicable Requirements	Evidence Supporting Finding B2 & B3
314-2.2 C-2 - Community Commercial & 314-32.1 Q - Qualified Zone	The C-2 - Community Commercial Zone is intended to apply to areas where more complete commercial facilities are necessary for community convenience.	The proposed project is a Special Permit for a cannabis distribution and manufacturing facility, and a Conditional Use Permit for a retail dispensary. The proposed use is a light industrial use, distribution and retail use that is specifically allowed with a Special Permit and conditional use permit in this zone district under Section 314-55 of the Humboldt County Code.  The purpose of the proposed Q - Qualified Zone is to maintain the development standards of the C-H Zone in terms of building height, setbacks and minimum lot size.
Minimum Lot Area:	2,000 sq. ft.	The subject parcel is approximately 11,000 square feet.
Max. Lot Coverage:	50%	Less than 15%
Min. Yard Setbacks (through the SRA requirements):	The parcel is within the mapped State Responsibility Area and 30 foot setbacks to all property lines are required.	The proposed facility occurs within an existing permitted structure that was permitted less than 30 feet of the east, north and south property lines. The rear yard setback is more than 30 feet.
Max. Building Height:	45 feet	30 feet



Section(s)	Applicable Requirements	Evidence Supporting Finding B2 & B3
<p>§314-109.1.3.3: Off-Street Parking:</p>	<p>Manufacturing Uses: One space for 1,500 square feet of gross floor area and one parking space per employee. A minimum of two parking spaces are required.</p> <p>Distribution Uses: One space for 2,500 square feet of gross floor area and one parking space per four employees. A minimum of two parking spaces are required.</p> <p>Retail Uses: One space for 300 square feet of gross floor area and one parking space per employee. A minimum of two parking spaces are required.</p> <p>One 60' x 10' loading space is required per every 20,000 square feet or portion thereof. Exceptions may be allowed for commercial structures less than 10,000 square feet in size.</p>	<p>Manufacturing: The proposal is for approximately 1,250 square feet of manufacturing with up to four employees being present on the site. Five spaces will be required for this use.</p> <p>Distribution: The proposal is for approximately 1,000 square feet of distribution with up to two employees being present on the site. Two spaces will be required for this use.</p> <p>Dispensary: The proposal is for approximately 690 square feet of retail with up to four employees being present on the site. Seven spaces will be required for this use.</p> <p>Only four employee spaces are provided on-site behind the building. There are four other parking sites in front of the building for the public. Current parking is perpendicular to the Redwood Drive right of way. A permit is being pursued from the Department of Public Works Road Maintenance Division to request an ordinance be presented to the Board of Supervisors for approval of perpendicular parking in the County right of way. The applicant has requested an exception to the parking standards based on the proximity to downtown Redway as shown on the aerial photo for the site.</p> <p>Area for one loading space is provided in front of the roll-up doors for the distribution facility as shown on the plot plan. The applicant is proposing a 10'x20' loading space because the vehicles used for commercial delivery will all be less than 20 feet long.</p>

<b>314-55.4 Commercial Cultivation, Processing, Manufacturing and Distribution of Cannabis for Medical Use Inland Land Use Regulation (CMMLUO)</b>		
<p>§314-55.4.8.5 Manufacturing Facilities</p> <p>§314-55.4.8.6 Wholesale Distribution Facilities</p>	<p>Distribution and manufacturing of commercial cannabis for medical use shall be a conditionally permitted use in zone districts AG, AE, RA, (on parcels 5 acres or larger), C-2, C-3, MB, ML, U (where developed as an industrial use) and MH, subject to a Special Permit and the conditions and limitations set forth in this Section.</p>	<p>The proposed distribution operation consists of deliveries to the existing 3,600 square foot commercial building in bulk packages, offsite testing of samples, packaging for retail sale, which will include rolling joints, and transportation to qualified vendors. The proposed manufacturing use takes raw plant materials and uses a heated bench-press to squeeze the oils out. It also involves packaging of cannabis material and cannabis extracts for sale. The only "chemicals" are standard household cleaning supplies and even the use of those is very limited. The subject property is in the process of being rezoned to C-2 to allow the proposed uses. The Special Permits will not become effective until the zone reclassification is approved. Conditions of approval require the applicant will comply with all conditions of the CMMLUO ordinance.</p>
<p>§314-55.4.8.10 Permit Limit</p>	<p>No more than four commercial cannabis activity permits may be issued to a single person.</p>	<p>According to records maintained by the Department, separate applicants have applied for the dispensary permit, distribution permit and manufacturing permit. No other permits have been approved for any of these applicants. Each individual is eligible to hold up to four cannabis activity permits.</p>
<p>§314-55.4.10 Application Requirements</p>	<p>Identifies the Information Required for All Applications</p>	<p>The project file contains all the information required by the ordinance.</p>
<p>§314-55.4.11 Performance Standards</p>	<p>Identifies the Performance Standards for Cannabis Cultivation Activities</p>	<p>All the applicable performance standards are included as conditions of project approval. They are required to be met throughout the timeframe of the permit.</p>
<p>§314-55.4.17 Sunset Date</p>	<p>No application for any Use Permit pursuant to the CMMLUO shall be processed for issuance or approval that is received after December 31, 2016.</p>	<p>The applicant submitted the Special Permit Applications in June, 2016.</p>

**314-55.3 Medical Cannabis Dispensary Ordinance**

<p>§314-55.3.8 Dispensaries</p>	<p>All medical cannabis Dispensaries shall operate in compliance with this Code, the MCRSA, and all other applicable state and local laws.</p> <p>Medical cannabis Dispensaries are a conditionally permitted use in zone districts C-1, C-2, C-3, MB, ML, MH.</p> <p>Dispensaries shall at all times be operated in such a way as to ensure the safety of patients and staff; to ensure the security of the medical cannabis; and to safeguard against the diversion of medical cannabis for non-medical purposes.</p>	<p>The subject property will be zoned C-2 Community Commercial. The Plan of Operation 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.</p>
<p>§314-55.3.9.1 Medical Cannabis Dispensary Requirements</p>	<p>Preparation of a hazardous materials storage, handling, and disposal plan approved by the Division of Environmental Health, if applicable.</p> <p>No medical cannabis Dispensaries, operators, establishments, or providers who possess, cultivate, or distribute medical cannabis shall be located within a 600-foot radius of a school.</p>	<p>The Plan of Operations does not identify the use of any hazardous materials that would require a hazardous materials plan.</p> <p>The nearest school is in Redway, which is more than 600 feet from the site.</p>

**314-55.3 Medical Cannabis Dispensary Ordinance**

§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.

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 detailed Plan of Operations 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. While the Plan of Operation for the dispensary states the hours of operation will be 7am - 7pm Monday through Sunday, this is not allowed. Instead, conditions of approval limit the hours of operation for the dispensary to 10am - 7pm Monday through Sunday consistent with Section 55.3.11.4 of the Dispensary Ordinance.

**314-55.3 Medical Cannabis Dispensary Ordinance**

<p>§314-55.3.10 Operations Manual</p>	<p>Dispensaries shall submit an Operations Manual that includes all the following:</p> <p>A description of the screening, registration and validation process and procedures for qualified patients and primary caregivers.</p> <p>A description of qualified patient records acquisition and retention procedures and policies.</p> <p>A description of the processes, procedures and inventory controls for tracking the disparate strains, the source of supply, and amounts of medical cannabis that come in and go out of the Dispensary.</p> <p>Description of measures taken to minimize or offset the carbon footprint from operational activities.</p> <p>Description of chemicals stored, used and any effluent discharged as a result of operational activities.</p> <p>The procedure, documentation, and notice process for assuring the quality and safety of all medical cannabis distributed. The procedure and documentation process for determining patient dosage, including any testing for the major active agents in medical cannabis.</p>	<p>A detailed Plan of Operations 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 &amp; 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.</p>
<p>§314-55.3.11 Operating Standards</p>	<p>Dispensaries that function as medical cannabis delivery services shall not operate from an address of convenience located in a residential zone.</p>	<p>The proposed site will be zoned C-2 Community Commercial.</p>

**314-55.3 Medical Cannabis Dispensary Ordinance**

§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. Operations will be restricted to the hours prescribed by the dispensary ordinance.

**314-55.3 Medical Cannabis Dispensary Ordinance**

§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.

<b>314-55.3 Medical Cannabis Dispensary Ordinance</b>		
§314-55.3.11 Operating Standards	<p>Dispensaries shall maintain all necessary permits, and pay all required taxes and fees.</p> <p>Dispensaries shall also provide invoices to vendors to ensure vendor's tax liability responsibility.</p> <p>Dispensaries shall implement their policies and procedures as outlined in their Operations Manual.</p> <p>Medical cannabis Dispensaries shall comply with any and all conditions of their conditional use permit.</p>	All operating standards have been made conditions of approval.

**Finding B4. Public Health, Safety and Welfare:** The following table identifies the evidence which supports finding that the proposed use will not be detrimental to the public health, safety and welfare or materially injurious to properties or improvements in the vicinity.

<b>Section(s)</b>	<b>Applicable Requirements</b>	<b>Evidence Supporting Finding B4</b>
§312-17.1.4 Special and Conditional Use Permit Findings	Proposed development will not be detrimental to the public health, safety and welfare or 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 light industrial, distribution and retail 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.

**Finding C: Required for Consistency with Housing Element Densities**

<b>Section(s)</b>	<b>Applicable Requirements</b>
Government Code Section 65302.81	Specific findings supported by substantial evidence are required where a general plan amendment or zone reclassification is adopted that reduces the residential density for any parcel below that utilized by the Department of Housing and Community Development (HCD) in determining compliance with housing element law (the mid point of the density range specified in the plan designation).
<b>Evidence Supporting Finding C:</b> The project site is zoned C-1 Neighborhood Commercial, and is not included in the residential land inventory of the Housing Element. Therefore, the project will be consistent with this requirement.	



**Finding D: Required Finding for Consistency with the California Environmental Quality Act**

Section(s)	Applicable Requirements	Evidence Supporting Finding #16
<p>Consistency with the California Environmental Quality Act</p>	<p>The project is required to be consistent with the California Environmental Quality Act</p>	<p>The project has been determined to be exempt from CEQA as described in the paragraphs below.</p> <p>CEQA Exemption Section 15305-Minor Alterations in Land Use Limitations applies because the Q - Qualified Zone limits the uses to those allowed by the existing CS Plan designation. The proposed light industrial, distribution and retail facility will occur within an existing 3,600 square foot building on a site within an existing developed commercial area. The scale of the proposed light industrial, distribution and retail facility is small, and occurs within the same existing building. The Q - Qualified Zone also limits the size and scale of future uses by maintaining the same development standards as the existing CH zone.</p> <p>CEQA Exemption Section 15301 Existing Facilities applies because the proposed light industrial, distribution and retail use is within an existing structure. 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 one existing structure of approximately 3,600 sq. ft. The project site is developed with existing commercial and residential structures.</p>

### **ATTACHMENT 3**

#### **Applicant's Evidence in Support of the Required Findings**

- Application Form [on file]
- Organizational Documents [on file]
- Grant Deed [on file]
- Indemnification Agreement [on file]
- Acknowledgement Form [on file]
- Plot Plan [attached]
- Plan of Operation [attached]
- Security Plan [attached]



# **REDLINE, LLC**

## **MANUFACTURING OPERATIONS PLAN**

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# OPERATIONS PLAN: MANUFACTURING

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# 1 Overview

## 1.1 Values & Vision

These principles form a core part of the framework that defines not only our Humboldt County Operations Plan, but also our overarching business philosophy.

### VALUES

We hold that the surest path to creating a business with staying power in Humboldt County is by continually working to strengthen the community. Our mission is to succeed first and foremost by staying true to our Humboldt roots. Not just by benefitting from the culture here, but by participating in it, and by building our business according to a time-honored truth: In this community, real strength is found in helping strengthen those around you.

### VISION

These values guide our vision: To build a lasting business that creates opportunities and empowers the community around us. Our loyalty to a philosophy of inclusiveness will play a key role in those efforts, as will our commitment to defending the County's values, honoring its history, and preserving its culture. We want to include everyone, and we're committed to helping the County grow the future together.

## 1.2 Facility Compliance With California Regulations

Every Facility employee will understand and appreciate the structure of California's regulatory scheme for the management of medical marijuana. Ready access will be provided to copies of the regulatory materials. This document addresses various elements required for operations under regulations set forth by the Bureau of Marijuana Control, California Code of Regulations Title 16, Division 42.

# 2 County & Law Enforcement Access

## 2.1 County's Access to the Facility

All facility personnel will cooperate fully with all conditions in the Use Permit and Use Permit Application requiring that the County, its agents, and employees, be granted access to the facility to seek verification of the information contained within the conditional use permit, permit applications, the Operations Manual, and the Operating Standards at any time before or after the conditional use permit is issued.

## 2.2 Law Enforcement Access to the Facility

The Humboldt County Sheriff's Department will be authorized to have 24-hour access to the facility's security surveillance video. *Pursuant to CMMLUO 55.4.11 i.*

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### **3 Staff Screening & Staffing Requirements**

#### **3.1 Staff Screening Processes**

All candidates for staff positions will undergo criminal background checks as part of the standard screening process. To the extent permissible by California and Federal employment law, candidates with criminal histories or a history of drug abuse will be screened from employment.

#### **3.2 Staffing Requirements**

The facility will require 2 to 4 FTE employees depending on workload.

### **4 Visitors Policy & Hours of Operation**

#### **4.1 Visitors Policy**

The facility is not open to the public and will not accept visitors without a specific preauthorized business purpose.

#### **4.2 Hours of Operation**

Hours of operation will be from 7AM to 7PM Monday-Sunday.

### **5 Location**

#### **5.1 Map**

Please see attached architectural packet.

#### **5.2 Floor Plan**

Please see attached architectural packet.

#### **5.3 Structures & Land Uses Within a 600-foot Radius**

Please see attached architectural packet. *Pursuant to CMMLUO 55.4.11 d.*

### **6 Security Measures on the Premises**

#### **6.1 Lighting**

Indoor and outdoor lighting will be controlled by photocell switching, timers, infrared motion sensors and/ or other state-of-the-art control systems to maintain an adequate light level at the interior and exterior of the facilities to ensure that personnel and the video surveillance system can effectively monitor the space in and around the facility at all times. Exterior lighting will be directed so as to not pose a nuisance to neighboring properties.

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## 6.2 Alarm Systems

A security/burglar alarm system will be installed and operated at all appropriate times within the facility. This system will be monitored by a third-party remote central control station which will have the responsibility for automatically providing notification to law enforcement of any breach in the facility's security system.

Communications between the facilities alarm system and the central control station will be uninterrupted by power outage and/ or disability of the telephone system.

Communications will be powered by an uninterruptible power supply, and transmission will either be by cellular or radio.

## 6.3 Access Controls

All entrances to the occupied building space of the facility will be restricted by an access control system capable of identifying authorized personnel. The system will also be capable of limiting personnel access to the appropriate locations within the facility depending on the person's job and responsibilities, and also limit facility access to certain times and days as appropriate. 24 hour access to the facility by emergency responders (Fire Dept.) will be provided via a Knox Box.

## 6.4 The Safety of Staff

Working in concert, the access control system, lighting, and alarm system will provide a secure and protected facility for the staff to occupy.

## 6.5 Loss & Diversion Prevention

The security measures will secure the medical marijuana against diversion for non-medical purposes by protecting against theft not only from intruders, but also from staff members and visitors. This is done by limiting access both into and within different areas of the facility as necessary and by surveillance monitoring of personnel and visitors at all times when in close proximity to the product. Strict inventory control measures will also be engaged to prevent and detect diversion.

## 6.6 Transport

All medical marijuana deliveries will be received at the facility from a State licensed and/or locally permitted licensed transport company; and all Medical Marijuana-Infused Products will be transported to State licensed and/or locally permitted licensed Wholesale/Distribution companies by a State licensed and/or locally permitted licensed transport company.

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## **7 Customer Screening, Registration & Validation**

### **7.1 Policies, Processes & Procedures**

The facility is for the purpose of manufacturing and all products will be sold to State-licensed facilities on a wholesale basis. As this is the case, the facility will not be open to the public and will not accept visitors without a specific preauthorized business purpose. Only authorized representatives of state-licensed wholesale customer facilities and appropriately licensed vendors will be allowed to enter the facility and be in close proximity to products and raw materials, but in all cases will be supervised at all times. Any other vendors or maintenance workers allowed in the facility will be at all times escorted and sequestered from the finished products and raw materials.

## **8 Inventory Control**

### **8.1 Processes & Procedures**

The facility's inventory control process includes tracking of all incoming raw and processed materials, including the name and state license number of the cultivator, the testing lab data (as applicable), the strain, the supplier's product tracking identification data, and bill of lading from the transport company.

### **8.2 Incoming Materials**

All incoming raw materials will be assigned a batch number that can be cross referenced to the above referenced data and stays with the product through the manufacturing process and to final sale to distributors and/or retailers.

### **8.3 Outgoing Product**

All outgoing product will be tracked by SKU, batch number, invoice, and shipping documents; unless the product is not for sale and will be destroyed. The process for documenting product to be destroyed is described separately in this manual.

### **8.4 State Licensing Authority Compliance**

The methodologies for tracking and Inventory Control of Medical Marijuana and Medical Marijuana-Infused Product may be subject to requirements imposed by the State Licensing Authority and will be adjusted accordingly as required.

## **9 Conservation & Impact Principles**

### **9.1 Measures Taken to Minimize Carbon Footprint**

Our belief is that everyone has a serious responsibility to reduce their individual carbon footprint. We will do our part by doing the following:

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### 9.1.1 Switch It Off

Turn off the lights when natural light is sufficient and when we leave the room. It's that simple!

### 9.1.2 Climate Control

Climate Control: Keep our temperature system on a moderate setting while we're in the room.

### 9.1.3 Wasteful Windows

Wasteful Windows: Use our windows wisely! If our climate control system is on, shut them. If we need a little fresh air, turn off the heat or AC.

### 9.1.4 Minimize Plug Load

Cut down the number of appliances we are running and we will save big on energy. For example, minimize the number of printers in our office.

### 9.1.5 Phantom Power

Use power strips to easily unplug electronics when not in use.

### 9.1.6 Give It a Rest

Power our computers down when we're away. A computer turned off uses at least 65% less energy than a computer left on or idle on a screen saver.

### 9.1.7 Switch to CFLs

Compact fluorescent light bulbs (CFLs) use 75% less energy than incandescent and last up to 10 times longer.

## 10 Description of Chemicals Stored or Discharged

### 10.1 Non-exempt Hazardous Materials Policy

The facility does not currently intend to handle or store any hazardous materials in amounts requiring a Hazardous Material Business Plan ("HMBP"). Pursuant to *CMMLUO 55.4.11 j*.

However, if the facility handles any non-exempt hazardous materials, it will register its hazardous materials with the local agency using the Hazardous Materials/Waste Registration Form, in order that any relevant agency could evaluate the storage or use and give notice of any permits or fees that apply.

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## 10.2 Hazardous Material Business Plan Submission Policy

If the facility begins to handle any individual hazardous material or mixture containing a hazardous material which has a quantity (at any time during the reporting year) equal to or greater than those listed below, it will complete a Hazardous Material Business Plan (HMBP) and submit a copy to the local agency (currently understood to be the Humboldt County DHHS Division of Environmental Health):

1. 500 pounds for solid hazardous materials. [H&SC §25503.S(a)]
2. The following amounts for liquid hazardous materials:
  - a. Lubricating oil as defined by H&SC §25503.S(b)(2)(B): 55 gallons of any type or 275 gallons aggregate quantity on site. H&SC §25503.S(b)(2) (A)]
  - b. All others, including waste oil: 55 gallons. [H&SC §25503.5(a)]
3. The following amounts of hazardous material gases:
  - a. Oxygen, Nitrogen, or Nitrous Oxide stored/handled at a physician, dentist, podiatrist, veterinarian, or pharmacist's place of business: 1,000 cubic feet of each material on site. [H&SC §25503.5(b)(1)]
  - b. All others: 200 cubic feet. [H&SC §25503.5(a)]
4. Amounts of radioactive materials requiring an emergency plan under Parts 30, 40, or 70 of Title 10 Code of Federal Regulations or equal to or greater than applicable amounts specified in items 1, 2, or 3, above, whichever amount is smaller. [H&SC §25503.5(a)]
5. Applicable federal threshold planning quantities for extremely hazardous substances listed in 40 CFR Part 355, Appendix A.

## 10.3 Hazardous Material Disposal Disclosure Policy

Disposal of any chemical, dangerous, or hazardous waste will be conducted in a manner consistent with federal, state and local laws, regulations, rules or other requirements. This may include, but is not limited to, the disposal of all solvents or other chemicals used in the production of Medical Marijuana Concentrate or any Medical Marijuana soaked in a Flammable Solvent for purposes of producing a Medical Marijuana Concentrate. Any waste solvents or other chemicals will be properly handled and disposed of by *Safety-Kleen* or another highly qualified and properly licensed contractor.

# 11 Quality Control & Consumer Safety Processes, Procedures & Documentation

## 11.1 Quality Control

In addition to meeting all State and local requirements for product quality control, the standard procedures for operation will include the following:

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### 11.1.1 Raw Materials Testing

Samples of all raw materials will be screened and tested by an independent State licensed and/or locally permitted licensed laboratory for pesticides, mold, and other undesirable qualities prior to incorporation into the manufacturing process.

### 11.1.2 Finished Products Testing

Samples from each batch of finished products will be screened and tested by a State licensed and/or locally permitted licensed independent laboratory for pesticides, mold, and other undesirable qualities prior to release for sale to wholesalers and retailers.

### 11.1.3 Test Results Documentation

Documentation of all lab test results will be kept on file.

## 11.2 Packaging

All packaging will meet State requirements for packaging. In advance of State requirements being issued, the facility will implement the following guidelines, which will be updated as additional materials or guidance are published by California or its agencies.

1. Labeling will include a warning if nuts or other known allergens are used.
2. Labeling will include the total weight in grams of cannabis or milligrams of THC in the package.
3. A warning that the item is a medication and not a food will be distinctly and clearly legible on the front of the package.
4. The package label will have a warning that's clearly legible and emphasizes that the product is to be kept away from children, and child-proof containers will be used where applicable.
5. The label will also clearly state that the product contains medical cannabis, and will specify the date of manufacture and batch number.
6. Packaging that makes the product attractive to children will not be used.
7. Any edible cannabis product that is made to resemble a typical food product (e.g., brownie, cake) will be in a properly labeled opaque (non-see-through) package.

## 12 Health & Safety

### 12.1 Training

#### 12.1.1 Food Safety Certification

Prior to engaging in the manufacture of any Edible Medical Marijuana Infused Product, the Licensee will have an owner or employee who has successfully passed an approved and accredited food safety certification examination as specified in Sections 113947.2 and 113947.3 of the California Retail Food Code. Food safety certification will be achieved by successfully passing an examination from an accredited food protection manager certification organization. The certification organization will be accredited by the American

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National Standards Institute as meeting the requirements of the Conference for Food Protection's "Standards for Accreditation of Food Protection Manager Certification Programs."

### 12.1.2 Employee Knowledge

1. All food (Edible Medical Marijuana-Infused Product) employees will have adequate knowledge of, and will be properly trained in, food safety as it relates to their assigned duties.
2. There will be at least one food safety-certified owner or employee at the facility responsible for setting policy and providing training to employees. The certified owner or employee need not be present at the food facility during all hours of operation.
3. The certified owner or employee will be responsible for ensuring that all employees who handle, or have responsibility for handling, non-prepackaged foods of any kind, have sufficient knowledge to ensure the safe preparation of the food. The nature and extent of the knowledge that each employee is required to have may be tailored, as appropriate, to the employee's duties related to food safety issues.
4. Processing operations must visibly post and maintain an emergency contact list which includes at a minimum (*Pursuant to CMMLUO 55.4.11 t*):
  - a. Operation manager contacts
  - b. Emergency responder contacts
  - c. Poison control contacts
5. Processing operations will implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include (*pursuant to CMMLUO 55.4.11 t*):
  - a. Emergency action response planning as necessary
  - b. Employee accident reporting and investigation policies
  - c. Fire prevention
  - d. Hazard communication policies, including maintenance of material safety data sheets (MSDS)
  - e. Materials handling policies
  - f. Job hazard analyses
  - g. Personal protective equipment policies, including respiratory protection

## 12.2 Physical Plant Inspection

The Facility will welcome inspection of the Medical Marijuana Center by the local fire department, building inspector, or code enforcement officer to confirm that no health or safety concerns are present. It is understood that the inspections may result in additional specific standards to meet local jurisdiction restrictions related to Medical Marijuana. An annual fire safety inspection may result in the required installation of fire suppression devices, or other means necessary for adequate fire safety.

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## 12.3 Generator Noise Levels

The noise produced by a generator used for cannabis cultivation shall not be audible by humans from neighboring residences. The decibel level for generators at the property line shall be no more than 60 decibels. Where applicable, sound levels must also show that they will not result in the harassment of Marbled Murrelet or Spotted Owl species, when generator use is to occur in the vicinity of potential habitat. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. *Pursuant to CMMLUO 55.4.11 o.*

## 12.4 Sanitary Conditions

The Facility will take all reasonable measures and precautions to ensure the following:

1. That any person who, by medical examination or supervisory observation, is shown to have, or appears to have, an illness, open lesion, including boils, sores, or infected wounds, or any other abnormal source of microbial contamination for whom there is a reasonable possibility of contact with preparation surfaces for medical marijuana products shall be excluded from any operations which may be expected to result in such contamination until the condition is corrected.
2. Hand-washing facilities with running water at an appropriate temperature will be located in the Facility and where good sanitary practices require employees to wash and sanitize their hands. Effective hand-cleaning and sanitizing preparations and sanitary towel service or suitable drying devices will be provided.
3. That all persons working in direct contact with medical marijuana and medical marijuana-infused products shall conform to hygienic practices while on duty, including but not limited to:
  - a. Maintaining adequate personal cleanliness
  - b. Washing hands thoroughly in an adequate hand-washing area(s) before starting work and at any other time when the hands may have become soiled or contaminated, and
  - c. Refraining from having direct contact with medical marijuana and medical marijuana-infused product if the person has or may have an illness, open lesion, including boils, sores, or infected wounds, or any other abnormal source of microbial contamination, until such condition is corrected.
4. That litter and waste are properly removed and the operating systems for waste disposal are maintained in an adequate manner so that they do not constitute a source of contamination in areas where medical marijuana and medical marijuana-infused product are exposed.
5. That floors, walls, and ceilings are constructed in such a manner that they may be adequately cleaned and each is kept clean and in good repair.

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6. That there is adequate lighting in all areas where medical marijuana and medical marijuana-infused product are stored or sold, and where equipment or utensils are cleaned.
7. That there is adequate screening or other protection against the entry of pests. Rubbish will be disposed of so as to minimize the development of odor and minimize the potential for the waste becoming an attractant, harborage, or breeding place for pests.
8. That fixtures and other facilities are maintained in a sanitary condition.
9. That toxic cleaning compounds, sanitizing agents, and other chemicals will be identified, held, stored and disposed of in a manner that protects against contamination of medical marijuana or medical marijuana-infused product and in a manner that is in accordance with any applicable local, state or federal law, rule, regulation or ordinance.
10. That all operations in the receiving, inspecting, transporting, segregating, preparing, manufacturing, packaging, and storing of medical marijuana or medical marijuana-infused product will be conducted in accordance with adequate sanitation principles.
11. That employees are provided with adequate and readily accessible toilet facilities that are maintained in a sanitary condition and good repair. *Pursuant to CMMLUO 55.4.11 t*
12. That medical marijuana or medical marijuana-infused product that can support the rapid growth of undesirable microorganisms are held in a manner that prevents the growth of these microorganisms.

## **13 Disposal of Waste & Destroyed Product**

### **13.1 Methods to Make Waste Unusable & Unrecognizable**

Medical marijuana or medical marijuana-infused product waste will be rendered unusable and unrecognizable through one of the following methods unless another method is prescribed by the County of Humboldt or the State of California:

1. Grinding and incorporating the marijuana waste with non-consumable, solid wastes listed below such that the resulting mixture is at least 50 percent non-marijuana waste:
  - a. Paper waste
  - b. Plastic waste
  - c. Cardboard waste
  - d. Food waste

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- e. Grease or other compostable oil waste
  - f. Bokashi, or other compost activators
  - g. Other wastes approved by the State Licensing Authority that will render the medical marijuana or medical marijuana-infused product waste unusable and unrecognizable as marijuana
  - h. Soil
2. The methodology for destroying and disposing of medical marijuana or medical marijuana-infused product may be subject to requirements imposed by the State Licensing Authority and will be adjusted accordingly as required.
  3. Records of destroyed product:
    - a. Records of destroyed raw materials and product will be kept and cross-referenced by batch number and SKU. The weight or volume, as appropriate, will be recorded along with the method of disposal.
    - b. The methodology for recording destroyed Medical Marijuana and Medical Marijuana-Infused Product may be subject to requirements imposed by the State Licensing Authority and will be adjusted accordingly as required.

## **14 Medical Marijuana Concentrate Production**

### **14.1 Solvents**

The facility may produce water-based medical marijuana concentrate and food-based medical marijuana concentrate, and may also produce solvent-based medical marijuana concentrate using only the following solvents: butane, propane, CO<sub>2</sub>, ethanol, isopropanol, acetone, and/or heptane.

### **14.2 Procedures & Policies**

The facility will, regardless of the method of extraction or category of concentrate being produced, do the following:

1. Ensure that the space in which any medical marijuana concentrate is to be produced is a fully enclosed room and is clearly designated on the current diagram of the Facility.
2. Ensure that all applicable sanitary rules are followed.
3. Ensure that the standard operating procedure for each method used to produce a medical marijuana concentrate on its Licensed/Permitted Premise includes, but need not be limited to, step-by-step instructions on how to safely and appropriately:
  - a. Extract cannabinoids and other essential components of medical marijuana

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- b. Purge any solvent or other unwanted components from a medical marijuana concentrate
  - c. Clean all equipment, counters and surfaces thoroughly
  - d. Dispose of any waste produced during the processing of medical marijuana in accordance with all applicable local, state and federal laws, rules and regulations. See Section 12 – “Disposal of Waste & Destroyed Product.”
4. Establish written and documentable quality control procedures designed to maximize safety for employees and minimize potential product contamination.
5. Establish written emergency procedures to be followed by employees in case of a fire, chemical spill or other emergency.
6. Have a comprehensive training manual that provides step-by-step instructions for each method used to produce a medical marijuana concentrate in its Facility. The training manual will include, but need not be limited to, the following topics:
  - a. The Medical Marijuana-Infused Products Manufacturer’s quality control procedures
  - b. The emergency procedures for the licensed/permitted premises
  - c. The appropriate use of any necessary safety or sanitary equipment
  - d. The hazards presented by all solvents used within the Facility as described in the material safety data sheet for each solvent
  - e. Clear instructions on the safe use of all equipment involved in each process and in accordance with the manufacturer’s instructions, where applicable, and
  - f. Any additional periodic cleaning required to comply with all applicable sanitary rules
7. Provide adequate training to every employee prior to that individual undertaking any step in the process of producing a medical marijuana concentrate.
  - a. Adequate training will include, but need not be limited to, providing a copy of the training manual and live, in-person instruction detailing at least all of the topics required to be included in the training manual.
  - b. The individual providing training will 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 produce a medical marijuana concentrate.
8. Maintain clear and comprehensive records of the name and signature of every individual who engaged in any step related to the creation of a production batch of medical marijuana concentrate and the step that individual performed.

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9. Business Records required.

## **15 Production of Solvent-based Medical Marijuana Concentrate**

### **15.1 Building Permit Application Determinations**

Subsequent to obtaining Land-Use Entitlement (i.e., a Use Permit) and prior to operation, the Facility will have obtained a Certificate of Occupancy, permit final inspection, or other appropriate evidence acceptable to the County of Humboldt that the Facility meets or exceeds California Title 24 Codes as applicable to the project. The following considerations will be incorporated into the building permit application submittal:

#### **15.1.1 Flammable Solvent Determinations**

If a Flammable Solvent is to be used in the processing of medical marijuana into a medical marijuana concentrate, then a Licensed Architect, Certified Industrial Hygienist, or Professional Engineer, as appropriate, will:

1. Establish a maximum amount of Flammable Solvents and other flammable materials that should be stored within that facility in accordance with applicable laws, rules and regulations.
2. Determine what type of electrical equipment, which may include but need not be limited to outlets, lights, and junction boxes, will be installed within the room in which Medical Marijuana Concentrates are to be produced or Flammable Solvents are to be stored in accordance with applicable laws, rules and regulations.
3. Determine whether a gas monitoring system will be installed within the room in which Medical Marijuana Concentrates are to be produced or Flammable Solvents are to be stored, and if required the system's specifications, in accordance with applicable laws, rules and regulations.
4. Determine whether a fire suppression system must be installed within the room in which Medical Marijuana Concentrates are to be produced or Flammable Solvents are to be stored, and if required the systems specifications, in accordance with applicable laws, rules and regulations.

#### **15.1.2 CO2 Solvent Determination**

If CO2 is used as solvent at the Facility, then a Licensed Architect, Certified Industrial Hygienist, or Professional Engineer will determine whether a CO2 gas-monitoring system must be installed within the room in which Medical Marijuana Concentrates are to be produced or CO2 is stored, and if required by the system's specifications, in accordance with applicable laws, rules, and regulations.

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### 15.1.3 Exhaust System Determination

A Licensed Architect, Certified Industrial Hygienist, or Professional Engineer will determine whether a fume vent hood or exhaust system will be installed within the room in which Medical Marijuana Concentrates are to be produced, and if required by the system's specifications, in accordance with applicable laws, rules, and regulations.

### 15.1.4 Material Change

If a Material Change is made to the equipment or a concentrate production procedure, then, in addition to meeting all other requirements, a report will be obtained from a Licensed Architect, Certified Industrial Hygienist, or Professional Engineer re-certifying its standard operating procedures and, if changed, its Facility and equipment as well.

### 15.1.5 Manufacturer's Instructions

A Licensed Architect, Certified Industrial Hygienist, or Professional Engineer will review and consider any information provided to the Medical Marijuana-infused Products Manufacturer by the designer or manufacturer of any equipment used in the processing of Medical Marijuana into a Medical Marijuana Concentrate.

### 15.1.6 Records Retention

The Facility will maintain copies of all reports received from a Licensed Architect, Certified Industrial Hygienist, or Professional Engineer. Such reports will be maintained on the premises until the Facility ceases production of Medical Marijuana Concentrate.

## 15.2 Equipment, Counters & Surfaces

The Facility will ensure that all equipment, counters and surfaces used in the production of a Solvent-based Medical Marijuana Concentrate will be food-grade and will not react adversely with any of the solvents to be used in the Facility. Additionally, all counters and surface areas will be constructed in a manner that reduces the potential development of microbials, molds and fungi, and can be easily cleaned.

## 15.3 Emergency Eye Care

The Facility will ensure that the room in which Solvent-based Medical Marijuana Concentrates are to be produced will contain an emergency eyewash system.

## 15.4 Extraction System Policies & Procedures

The facility will ensure that a professional-grade, closed-loop extraction system capable of recovering the solvent is used to produce Solvent-based Medical Marijuana Concentrate (unless using water, ethanol, or isopropanol methods):

### 15.4.1 Compliance with Nationally Recognized Testing Laboratories

If the system is UL or ETL-listed, then the Facility will operate the system in accordance with the manufacturer's instructions.

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#### 15.4.2 Written Approval for Non-listed Solvents

If the system is UL or ETL-listed but the Facility intends to use a solvent in the system that is not listed in the manufacturer's instructions for use in the system, then, prior to using the unlisted solvent, the Medical Marijuana-Infused Products Manufacturer will obtain written approval for use of the non-listed solvent in the system from either the system's manufacturer or a Professional Engineer after the Professional Engineer has conducted a peer review of the system. In reviewing the system, the Professional Engineer shall review and consider any information provided by the system's designer or manufacturer.

#### 15.4.3 Designer of Record

If the system is not UL or ETL-listed, then there will be a designer of record. If the designer is not a Professional Engineer, then the system will be peer reviewed by a Professional Engineer. In reviewing the system, the Professional Engineer may review and consider any information provided by the system's designer or manufacturer.

### 15.5 Ethanol or Isopropanol

The Facility need not use a professional-grade, closed-loop system extraction system capable of recovering the solvent for the production of a Solvent-based Medical Marijuana Concentrate if ethanol or isopropanol are the only solvents being used in the production process.

### 15.6 Food-grade Solvents

The facility will ensure that all solvents used in the extraction process are food-grade or at least 99% pure:

1. A material safety data sheet for each solvent used or stored on the Facility will be obtained and made readily available. Receipts of purchase for all solvents used or to be used in an extraction process will be maintained.
2. Denatured alcohol will not be used to produce a Medical Marijuana Concentrate.
3. All Flammable Solvents or other flammable materials, chemicals and waste will be stored in accordance with all applicable laws, rules and regulations. At no time will the Facility store more Flammable Solvent than the maximum amount established for the Facility by a Licensed Architect, Certified Industrial Hygienist, or Professional Engineer.
4. The facility will ensure that the appropriate safety and sanitary equipment, including personal protective equipment, will be provided to, and appropriately used by, each employee engaged in the production of a Solvent-based Medical Marijuana Concentrate; and a properly trained employee will be present at all times during the production of a Solvent-based Medical Marijuana Concentrate whenever an extraction process requires the use of pressurized equipment.
5. Ethanol and Isopropanol: If the Facility only produces Solvent-based Medical Marijuana Concentrate using ethanol or isopropanol and no other solvent, then it

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shall be relieved from the criteria above in this section titled "Production of Solvent-based Medical Marijuana Concentrate." Instead, the Facility will follow the criteria for water-based (non-solvent) extraction. Regardless of which criteria is followed, the ethanol or isopropanol will be food-grade or at least 99 percent pure and denatured alcohol will not be used.

## **16 Water-based Medical Marijuana Concentrate & Food-based Medical Marijuana Concentrate**

### **16.1 Production Criteria**

When engaging in the production of a Water-based Medical Marijuana Concentrate or a Food-based Medical Marijuana Concentrate, the Facility will:

1. Ensure that all equipment, counters and surfaces used in the production of a Concentrate is food-grade, as well as ensure that all counters and surface areas were constructed in such a manner that they can be easily cleaned, and the potential for the development of microbials, molds and fungi is reduced.
2. The facility will ensure that all equipment, counters, and surfaces used in the production of a Concentrate are thoroughly cleaned after the completion of each Production Batch.
3. The facility will ensure that any room in which dry ice is stored or used in the processing of Medical Marijuana into a Medical Marijuana Concentrate is well ventilated to prevent against the accumulation of dangerous levels of CO<sub>2</sub>.
4. The Facility will ensure that the appropriate safety or sanitary equipment, including personal protective equipment, is provided to and appropriately used by each employee engaged in the production of a Concentrate.
5. The Facility will ensure that only finished drinking water and ice made from finished drinking water is used in the production of a Water-based Medical Marijuana Concentrate.
6. The Facility will ensure that water is to be sourced locally (on-site) and trucked water shall not be allowed, except for emergencies, where "emergency" is defined as: "a sudden, unexpected occurrence demanding immediate attention." Pursuant to *CMMLUO 55.4.11 m*.
7. The Facility will ensure that if propylene glycol or glycerin is used in the production of a Food-based Medical Marijuana Concentrate, then the propylene glycol or glycerin to be used is food-grade.
8. The Facility will ensure it follows all of the process criteria related to the production of a Solvent-based Medical Marijuana Concentrate if a pressurized system is used in

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the production of a Water-based Medical Marijuana Concentrate or a Food-based Medical Marijuana Concentrate.

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# EAGLE ONE, LLC

## DISPENSARY OPERATIONS PLAN

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# OPERATIONS MANUAL | EAGLE ONE LLC DISPENSARY

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# 1 OVERVIEW

## 1.1 Objectives of This Document

1. To help guide Eagle One advisors, team management, and team members in developing and sustaining productive and successful business practices
2. To document Eagle One dispensary operations procedures and policies as they relate to Eagle One functions
3. To provide current Eagle One dispensary operations policies for financial management and team-management procedures
4. To serve as a reference for questions and problems as they arise in the day-to-day operations of Eagle One dispensary team

## 1.2 Nature of Eagle One LLC

These same commitments will drive Eagle One's approach to the production and delivery of medicine to qualified patients in California's medical marijuana program. Eagle One's enterprise philosophy and operations platform has been built upon the background expertise of Eagle One principals and then adapted to align with evolving medical marijuana industry standards, such as the Patient Focused Certification (PFC) set forth by the Americans for Safe Access (ASA) organization. PFC is the nation's only dispensary certification program that meets or exceeds the American Herbal Product Association (AHPA) and the American Herbal Pharmacopoeia marijuana monograph guidelines.

## 1.3 Values & Vision

These principles form a core part of the framework that defines not only our Humboldt County Operations Plan, but also our overarching business philosophy.

### VALUES

We hold that the surest path to creating a business with staying power in Humboldt County is by continually working to strengthen the community. Our mission is to succeed first and foremost by staying true to our Humboldt roots. Not just by benefitting from the culture here, but by participating in it, and by building our business according to a time-honored truth: In this community, real strength is found in helping strengthen those around you.

### VISION

These values guide our vision: To build a lasting business that creates opportunities and empowers the community around us. Our loyalty to a philosophy of inclusiveness will play a key role in those efforts, as will our commitment to defending the County's values, honoring its

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history, and preserving its culture. We want to include everyone, and we're committed to helping the County grow the future together.

## 1.4 Dispensary Compliance With California Regulations

Every Dispensary employee will understand and appreciate the structure of California's regulatory scheme for the management of medical marijuana. Ready access will be provided to copies of the regulatory materials. This document addresses various elements required for operations under regulations set forth by Ordinances #2544 and #2543, as well as those set forth by the Bureau of Marijuana Control, California Code of Regulations Title 16, Division 42.

## 1.5 Eagle One Dispensary Locations

### 1.5.1 General Overview

Eagle One will operate at:

3525 Redwood Drive

Redway, CA 95560

## 1.6 Eagle One's Compliance with Federal Priorities

Eagle One and its employees are aware of and committed to the following objectives, set forth by the U.S. Department of Justice "Cole Memorandum", as definitive of Eagle One's participation in the State of California's medical marijuana marketplace:

1. Preventing the distribution of marijuana to minors
2. Preventing revenue from the sale of marijuana from going to criminal enterprises, gangs, and cartels
3. Preventing the diversion of marijuana from states where it is legal under state law in some form to other states
4. Preventing state-authorized marijuana activity from being used as a cover or pretext for the trafficking of other illegal drugs or other illegal activity
5. Preventing violence and the use of firearms in the cultivation and distribution of marijuana
6. Preventing drugged driving and the exacerbation of other adverse public health consequences associated with marijuana use
7. Preventing the growing of marijuana on public lands and the attendant public safety and environmental dangers posed by marijuana production on public lands
8. Preventing marijuana possession or use on federal property

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## 2 PATIENT-CENTERED MISSION

### 2.1 Overview

The changing perception among the medical community and general public means that individuals from all walks of life are becoming more receptive to exploring marijuana for both recreational and medicinal purposes. This new openness puts a spotlight on just how much the public doesn't know about marijuana and how opaque the diagnostic and selection process may be.

Within the SMCD, dispensary employees are generally known as "Patient Care Agents" ("PCAs"). All PCAs are expected to educate themselves on the broad range of available marijuana strains, marijuana-infused products, and their optimal medical uses. A PCA is a de facto caregiver, which makes clear, accurate communication quite important. This is significant because supporting patient health and establishing an optimal marijuana regimen may involve a great deal of exploration; trial and error. Central to that mission are trust, comfort, and the continual mitigation against potential unpleasant experiences, particularly allergic reactions or side effects with other medications.

In store, or wherever new opportunities arise, EAGLE ONE works relentlessly to give Patients the most compelling shopping experience possible. We strive to offer the Patient the best possible experience, service, selection, quality and value.

### 2.2 Patient Screening, Registration, & Validation

#### 2.2.1 Patient Screening Process

All patients seeking to purchase medical marijuana and/or marijuana products from Eagle One will be screened and evaluated through the following:

- (a) Proof of Residency: At entry, all patients must provide a valid California Identification Card or California Driver's License as proof of residency.
- (b) Current Medical Recommendation: All potential patients must provide a medical recommendation, issued by a licensed California physician in good standing with the medical board of California, recommending to the specific patient the use of medical marijuana
- (c) Verification of Medical Recommendation; Eagle One staff will verify that the recommendation is validly generated by the recommending physician's office (either telephonically or through an internet verification system), prior to allowing any patient access to the Dispensary.
- (d) Verification of Physician Status: Eagle One staff will verify, through the California Medical Board website, that the recommending physician associated with a patient's

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recommendation is in good standing to practice medicine in the State of California, before allowing such patient access to the Dispensary.

- (e) Execution of Collective Membership Agreement: All patients must review and execute an Eagle One "Collective Membership Agreement" that acknowledges the terms and conditions of membership, details patient profiles and necessary contact information for the patient, and provides additional guidance as Eagle One or California authorities deems necessary.

Patient screening information will be stored in Eagle One's compliance and point-of-sale software.

Patient recommendations from qualified physicians will be stored with effective Expiration Dates, allowing good-standing returning patients to gain access with valid identification and computer confirmation that the recommendation information on file is current.

Patients with expired recommendations will be required to repeat the patient screening procedures, with current information and qualifications, before gaining access to the Dispensary.

### 2.2.2 Caregiver Screening Process

All caregivers seeking to obtain medical marijuana and/or marijuana products from Eagle One on behalf of a qualified patient will be screened and evaluated through the following:

- (a) Initial Visit: Unless the patient is non-ambulatory and the caregiver possesses a "notarized" caregiver designation from the patient, then a patient and their caregiver must come to the Dispensary together for the initial visit.
- (b) Patient Screening Protocols
  - i. Proof of Residency: At entry, all patients must provide a valid California Identification Card or California Driver's License as proof of residency.
  - ii. Current Medical Recommendation: All potential patients must provide a medical recommendation, issued by a licensed California physician in good standing with the medical board of California, recommending to the specific patient the use of medical marijuana
  - iii. Verification of Medical Recommendation; Eagle One's staff will verify that the recommendation is validly generated by the recommending physician's office (either telephonically or through an internet verification system), prior to allowing any patient access to the Dispensary.
  - iv. Verification of Physician Status: Eagle staff will verify, through the California Medical Board website, that the recommending physician associated with a patient's recommendation is in good standing to practice medicine in the State of California, before allowing such patient access to the Dispensary.

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- v. Execution of Dispensary Membership Agreement: All patients must review and execute a Eagle One “Dispensary Membership Agreement” that acknowledges the terms and conditions of membership, details patient profiles and necessary contact information for the patient, and provides additional guidance as Eagle One or California authorities deems necessary.
- (c) Caregiver Designation Form: The caregiver must present a Caregiver Designation Form signed by the patient which authorizes the caregiver to purchase medical marijuana on behalf of the patient.
- (d) Caregiver Membership Form: The caregiver must review and execute the Eagle One Dispensary Membership Form that acknowledges the terms and conditions of membership, details patient profiles and necessary contact information for the patient, and provides additional guidance as Eagle One or California authorities deems necessary.

Caregiver-Patient screening information will be stored in Eagle One’s compliance and point-of-sale software.

Caregiver-Patient designations and the associated recommendations from qualified physicians will be stored with effective Expiration Dates, allowing good-standing returning caregivers to gain access with valid identification and computer confirmation that the both the recommendation information and caregiver designation on file are current.

Caregivers Patients with expired patient recommendations or caregiver designations will be required to repeat the screening procedures, with current information and qualifications, before gaining access to the Dispensary.

## 2.3 Patient Education

Eagle One’s commitment to Patient service puts patient information at the center of operational success. Eagle One will generate, compile, and deliver relevant information regarding the efficacy of MMJ based on the components present in the various strains offered.

Eagle One dispensary agents will confer with each patient to understand their full circumstances and situation, including the client’s ailment, personal history, personal preferences, and practical dimension of administration. EAGLE ONE will offer patient educational guidance and materials in multiple languages, and audio formats will be provided for the visually impaired. EAGLE ONE will provide counsel regarding.

### 2.3.1 Marijuana Formats & Ingestion

The various forms through which patients may consume marijuana continue to expand, and EAGLE ONE’s agents and written materials will be able to convey practical guidance and state-

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of-the-science information regarding a range of product formats and ingestion methods. **AT ALL TIMES, EAGLE ONE WILL ONLY PROVIDE MEDICINE IN FORMATS APPROVED BY THE STATE.**

- **Smoking (Dried Flowers, Hash, Kief)** – Smoking using various forms of joints, pipes, and water pipes is the most traditional form of MMJ consumption. The effects of the medicine when smoked can be felt almost immediately and last between 90 minutes to 4 hours depending on the strain, potency and concentration of various cannabinoids. Regularly smoking can have a negative impact on lung function and other health factors, making smoking MMJ a lesser recommended method of consumption.
- **Vaporizing (Dried Flowers, Hash, Kief)** – Vaporizing releases the cannabinoids in MMJ at a much lower temperature than smoking, producing a vapor that is inhaled. The vapor is less harsh than smoke and often easier for novice MMJ patients to consume. Vaporizing delivers all of the same benefits of smoking without the carcinogens. Additionally, vapping extracts the cannabinoids more efficiently, requiring less MMJ to be consumed for the same amount of relief. Vaporizing, in most patient cases, would be the recommended consumption method.
- **Topicals (Lotions, Salves, Balms, Sprays, Oils, Creams)** – Topicals are typically used as analgesics and anti-inflammatories. These medicines can be useful in treating the symptoms of cancer patients and other diseases and conventional medical treatments that have side effects such as rash, sore muscles, arthritis, chapped skin, minor burns, joint pain, and swelling.
- **Tinctures (Concentrated Marijuana in Alcohol Solution)** – Tinctures can be administered under the tongue or mixed with liquid. Tinctures can also be incorporated into beverages and sold in single serve containers. On their own, tinctures are highly concentrated so being mindful of dosage is important. Tinctures and tincture derived beverages may be a good fit for patients that can't or do not want to smoke/vaporize.
- **Edibles (Foods Cooked using Marijuana Infused Butter or Oils)** – There are a variety of edibles available with differing potencies. Edibles deliver longer lasting effects (4 hours or more) but take 20 minutes to 1 hour before the taking effect. Because of this delay it can be easy for patients to over-consume edibles. It is important to ensure that the patient understands the proper dosing and amount of time they need to feel the effects of the medicine. Edibles are not recommended for nausea for obvious reasons, but are effective for controlling spasms and pain and providing relief from sleeping disorders.

### 2.3.2 Marijuana pharmacodynamics.

Guidance regarding dosage issues, including information on bio-availability and calculation of dosage and practical steps for determining the optimal dosage for a given format.

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### 2.3.3 Marijuana storage

The best practices and practical tips for storing and maintaining all types of medical marijuana so as to prevent degradation or contamination.

## 2.4 Patient Interaction & Patient Service Standards

### **EAGLE ONE Patient Service Standards:**

#### 1. Greeting:

- BEFORE you ask any Patient what they product they might be interested in, offer them a salutation (ex: "Hello", "Hi how are you", "Welcome to Eagle One Marijuana"). THEN ask them what product they might be interested in (ex: "What can I get for you today", "Can I answer any questions", "How can I help you" are acceptable phrasings. "Whaddaya want" is NOT!) Remember to smile!

#### 2. Eye contact

- Should be consistent through the entire exchange aside from making and assembling the Patient's order. The first and last points of your exchange with the Patient should involve direct eye contact.

#### 3. Patient Recognition:

- When a Patient enters the store or appears in line give them a verbal salutation so they know you are aware they are there.
- If in conversation with fellow staff, stop and address the Patient immediately.
- If you can't help them immediately let them know that you will be right with them. When possible use the Patient's name.
- Be sure to thank every guest for visiting Eagle One and let them know you look forward to seeing them again soon. It is our job to build lasting Patient relations.

#### 4. Knowing your market and clientele.

Be aware of the immediate neighborhood surrounding your location, of events happening in the area that may affect business in any positive or negative way and plan accordingly.

1. Ask your Lead PCAs questions. Be positively active in educating yourself in the culture and engaging in local marijuana events.

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2. Visit local marijuana dispensary locations.
  - Be aware of the general social mores of your clientele as a whole and as individuals and offer conversation accordingly.
    1. Avoid sensitive and controversial topics, such as politics and religion
    2. Get to know you Patients, ask Patients about work/life if appropriate.
5. Additional services:
  - Know your Patient's needs at and away of the counter. If you see someone considering glassware ask them if they would like any assistance.
  - If they need any additional product or are interested in paraphernalia, educate them on the equipment and demonstrate if possible.
  - Ask Patients about past experiences with products. Is there something they like in particular? Is there a certain effect they are trying to achieve?
  - If a Patient is not satisfied with the product received from Commencement Bay in the past, apologize and use that experience to troubleshoot and find a more appropriate product.
  - If we do not have what a Patient is looking for ensure we are seeing if it is available to order or try and find something comparable.

## 2.5 Patient and Patient Confidentiality

[INSERT]

# 3 STAFF TRAINING & EDUCATION

## 3.1 Staffing Principles

Eagle One's commitment to professionalism and patient-care is embodied in its collection of hyper-qualified professionals, its comprehensive compilation of industry best practices, institutional knowledge, and its structured programs for training its staff in the science and use of medical marijuana. Eagle One will demand uncompromising excellence from its staff and will provide for ongoing education regarding the entire scope of medical marijuana issues. In so doing, Eagle One will ensure the conscientious delivery of medicine and the safety of their patients.

From the initial stages of candidate vetting, through hiring and ongoing education, Eagle One is focused on establishing the right employees in the right jobs and ensuring that those

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employees are entirely current and compliant with age requirements, character/background required by statute, and the best-practices prevailing in this industry.

*All Eagle One staff must obtain and maintain approval by DOH to act as medical marijuana dispensary employee, including irrevocable (during time of employment) consent to have background checks run to determine their qualification for employment.*

*Eagle One's hiring processes will include multiple interviews, background checks, and training. Eagle One requires background checks on all candidates for employment. To the extent permissible by California State and Federal employment law, Eagle One will not hire persons with criminal histories, or background check results inconsistent with Eagle One's mission to operate a legal and socially responsible enterprise. Training for all employees includes education on local, state, and federal laws regarding medical marijuana.*

## 3.2 Marijuana Product Manufacturing

### 3.2.1 Health & Safety Training

*Prior to engaging in the manufacture of any Edible Medical Marijuana Infused Product, the Eagle One will have an owner or employee who has successfully passed an approved and accredited food safety certification examination as specified in Sections 113947.2 and 113947.3 of the California Retail Food Code. Food safety certification will be achieved by successfully passing an examination from an accredited food protection manager certification organization. The certification organization will be accredited by the American National Standards Institute as meeting the requirements of the Conference for Food Protection's "Standards for Accreditation of Food Protection Manager Certification Programs."*

### 3.2.2 Knowledge

- 1. All food (Edible Medical Marijuana-Infused Product) employees will have adequate knowledge of, and will be properly trained in, food safety as it relates to their assigned duties.*
- 2. There will be at least one food safety certified owner or employee at the facility responsible for setting policy and providing training to employees. The certified owner or employee need not be present at the food facility during all hours of operation.*
- 3. The certified owner or employee will be responsible for ensuring that all employees who handle, or have responsibility for handling, non-prepackaged foods of any kind, have sufficient knowledge to ensure the safe preparation of the food. The nature and extent of the knowledge that each employee is required to have may be tailored, as appropriate, to the employee's duties related to food safety issues.*

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