



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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

Hearing Date: August 24, 2017

To: Humboldt County Planning Commission

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

Subject: **Wonderland Nursery Conditional Use Permit**
Application Number 12824
Case Number CUP 16-864
Assessor's Parcel Number (APN) 033-271-004
705 US Highway 101 #1, Benbow Area

Table of Contents	Page
Agenda Item Transmittal	2
Recommended Action and Executive Summary	3
Draft Resolution	6
Maps	
Location Map	8
Zoning Map	9
Assessor Parcel Map	10
Topo Map	11
Aerial Map	12
Project Plans	13
Attachments	
Attachment 1: Recommended Conditions of Approval	16
Attachment 2: Staff Analysis of the Evidence Supporting the Required Findings	21
Attachment 3: Applicant's Evidence in Support of the Required Findings	32
Attachment 4: School Bus Stop Setback Exemption	45
Attachment 5: Notice of Exemption	46
Attachment 6: Referral Agency Comments	48

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

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
August 24, 2017	Conditional Use Permit	Michelle Nielsen

Project Description: Wonderland Nursery is applying for a Conditional Use Permit to allow for the operation of a medical cannabis dispensary that would provide medical marijuana to collective members in accordance with Humboldt County Code Section 314-55.3 of Chapter 4 of Division 1 of Title III *Medical Cannabis Dispensaries*. The proposed dispensary (project) will be located within 272 square feet of an existing 1,999-square-foot building. The hours of operation for the proposed project will be Tuesday through Saturday, 10:00 AM to 5:00 PM; the dispensary will be closed on Sunday and Monday.

Project Location: The project is located in Humboldt County, in the Garberville area, on the east side of US Highway 101, approximately 0.66 miles north of the intersection of State Highway 271 and Highway 101 on the property known as 705 US Highway 101.

Present Plan Land Use Designations: Commercial Recreation (CR), Framework Plan (FRWK), Relative Slope Stability 2

Present Zoning: Community Commercial, Qualified (C-2-Q)

Application Number: 12824

Case Number: CUP 16-864

Assessor's Parcel Number: 033-271-004

Applicant

Wonderland Nursery
Attn.: Kevin Jodrey
PO Box 4
Miranda, CA 95553

Owner

705 101 Properties LLC
1012 Scott Street
San Francisco, CA 94519

Agent

Emerald Heritage Farms
PO Box 5916
Eureka, CA 95502

Environmental Review: CEQA Exemption Section 15301 – Existing Facilities

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

Major Issues: None

WONDERLAND NURSERY
Case Numbers CUP 16-864
Assessor's Parcel Number 033-271-004

Recommended Commission Action

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

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

Executive Summary: A Conditional Use Permit has been requested by the Wonderland Nursery to authorize operation of a medical cannabis dispensary in the Benbow area. The facility will be operated by two full-time employees, a *Dispensary Manager* and a *Dispensary Associate*, who will oversee day-to-day operations. The Wonderland Nursery Dispensary will provide medical cannabis and medical cannabis products to cooperative members.

The Project site has a land use classification of Commercial Recreation (CR) per the Humboldt County General Plan – Framework (FWRK) and zoned Community Commercial with a Qualified Combining Zone (C-2-Q). The project parcel is currently developed with an existing 1,999-square-foot commercial building. The subject parcel is served by water from an existing well and on-site septic system. Access to the Project site is via US Highway 101, a paved, publically-maintained public road. Parking facilities are shared with other businesses located on-site. The subject parcel is also developed with two single family residences and an accessory shed. The surrounding parcels contained other commercial retail businesses, such as a gift shop, RV park and gas station.

Dispensary medical cannabis sales or distribution will be limited to members of the Wonderland Nursery cooperative. Excepting registered, designated Primary Caregivers of members, the sale or distribution of medical cannabis to non-members will be prohibited. The hours of operation for the Project would be Tuesday through Saturday, 10:00 AM to 5:00 PM. Use of medical cannabis use will be strictly forbidden. The dispensary will employ two people full-time and up to four people part-time.

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

Registration / Verification / Recordkeeping

Member registration will occur at the site. During registration, a registrant's physician's recommendation (for the use of medical cannabis) and CA resident status is verified. According to the Dispensary Operations Manual, staff should make contact with the doctor or his or her agent via telephone or through the verification website, as applicable, to verify the recommendation. Upon verification of the physician's recommendation, a patient profile is

created and the basic contact information of patient and any recommendations are kept on file. Cooperative members can continue purchasing medical cannabis and medical cannabis products as long as he or she maintains a current physician's recommendation.

Security

Security for the proposed facility will include outdoor lighting to illuminate the entrances and parking areas. There will be a minimum of two (2) security cameras and data storage back-up for up to thirty (30) days within the dispensary. An alarm system with automatic law enforcement notification will be installed for further protection. Lastly, the Applicant is proposing to employ a security guard during operating hours to ensure safety both inside and outside of the dispensary. The guard will ensure no consumption of medical cannabis is occurring on the premises.

Operational Requirements & Restrictions

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

- Prohibiting the use of cannabis on the premises or in the vicinity
- Requiring that any cannabis-associated waste products are destroyed, prohibiting on-site sale of alcoholic beverages, maintaining records of all patients/members, conducting routine background checks for employees (prohibiting the employment of any member with a prior felony conviction for the sale and/or distribution of controlled substances)
- Restricting loitering on or about the premises
- Providing adequate security to insure the safety of persons and to protect the premises from theft.
- Restricting members to receive no more than one ounce of cannabis per visit.
- Restricting membership by patients under 18 years of age except under special circumstances where "documentation has been provided which demonstrates the patient suffers from a serious medical condition for which treatment with medical cannabis has been recommended".
- Requiring that Wonderland Nursery provide the Planning Director, the Sheriff, and all property owners within three-hundred (300) feet of the establishment the name & telephone number of an on-site representative of Satori Wellness Collective for purposes of contacting the collective if operating problems are observed by nearby property owners and residents. The Collective is asked to make a good faith effort at solving problems if any are discovered. If unresolved problems persist, any aggrieved party may petition the Planning Commission to initiate the use permit revocation process.
- Requiring that the operation is inspected annually and the Planning Commission is provided a "Performance Review Report".

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

Based on the on-site inspection, application materials submitted, and a review of Planning Division reference sources and comments from all involved referral agencies, planning staff believes that the applicant has submitted evidence in support of making all of the required findings for conditionally approving the Conditional Use Permit.

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

Staff Recommendation

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

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

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

**Case Number CUP 16-864
Assessor's Parcel Number: 033-271-004**

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

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

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

WHEREAS, the project is exempt from environmental review per Section 15301(a) of the CEQA Guidelines; and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Conditional Use Permit (Case Number CUP 16-864); and

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

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

1. The proposed project is exempt from environmental review; and
2. The findings in Attachment 2 of the Planning Division staff report support approval of Case Number CUP 16-864 based on the submitted evidence; and
3. The Conditional Use Permit applied for is approved as recommended and conditioned in Attachment 1 for Case Number CUP 16-864.

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

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

AYES: Commissioners:

NOES: Commissioners:

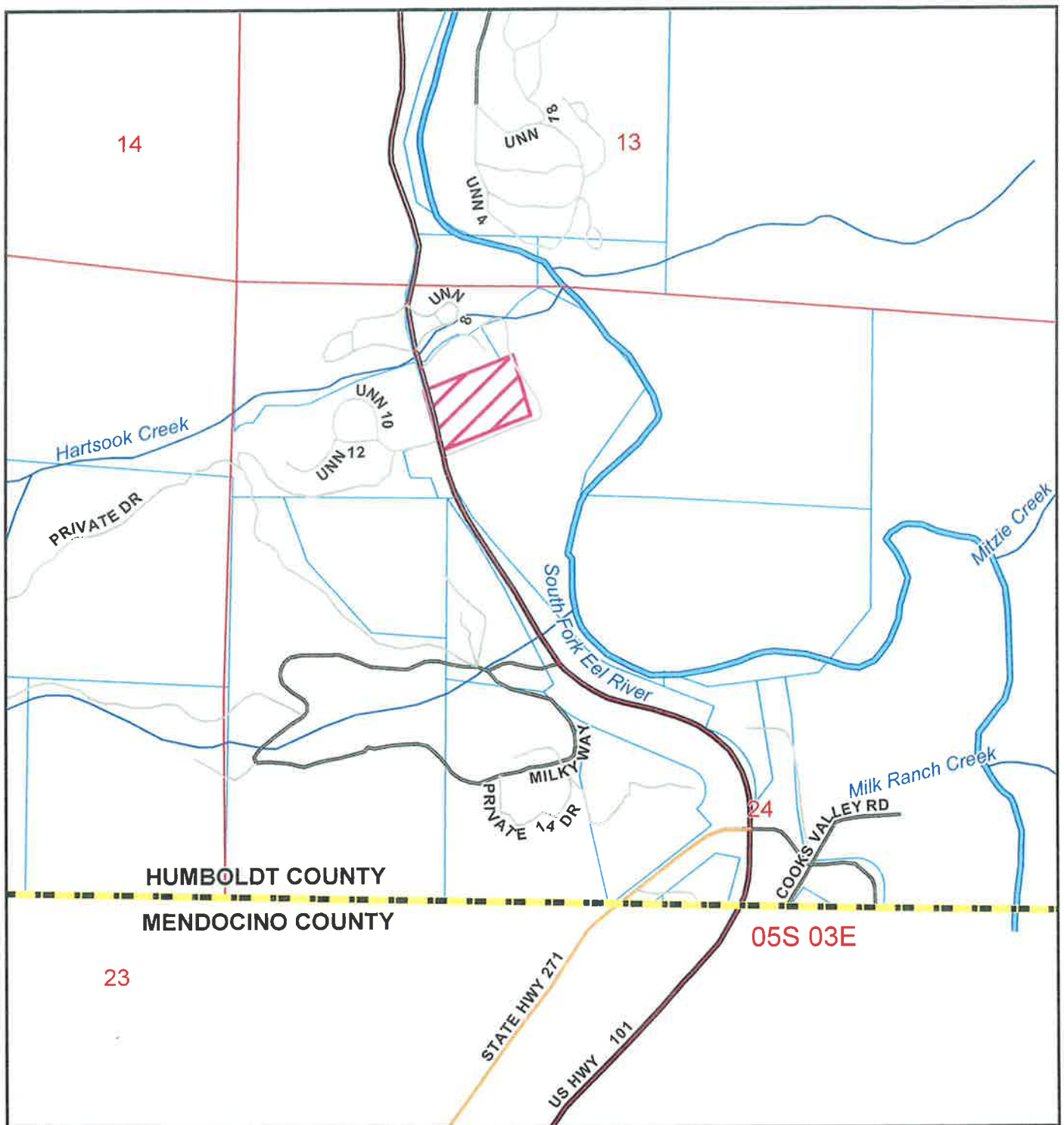
ABSTAIN: Commissioners:

ABSENT: Commissioners:

DECISION: Motion carries

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

John Ford, Director
Planning and Building Department



LOCATION MAP

PROPOSED WONDERLAND NURSERY CONDITIONAL USE PERMIT GARBERVILLE AREA

CUP-16-864

APN: 033-271-004

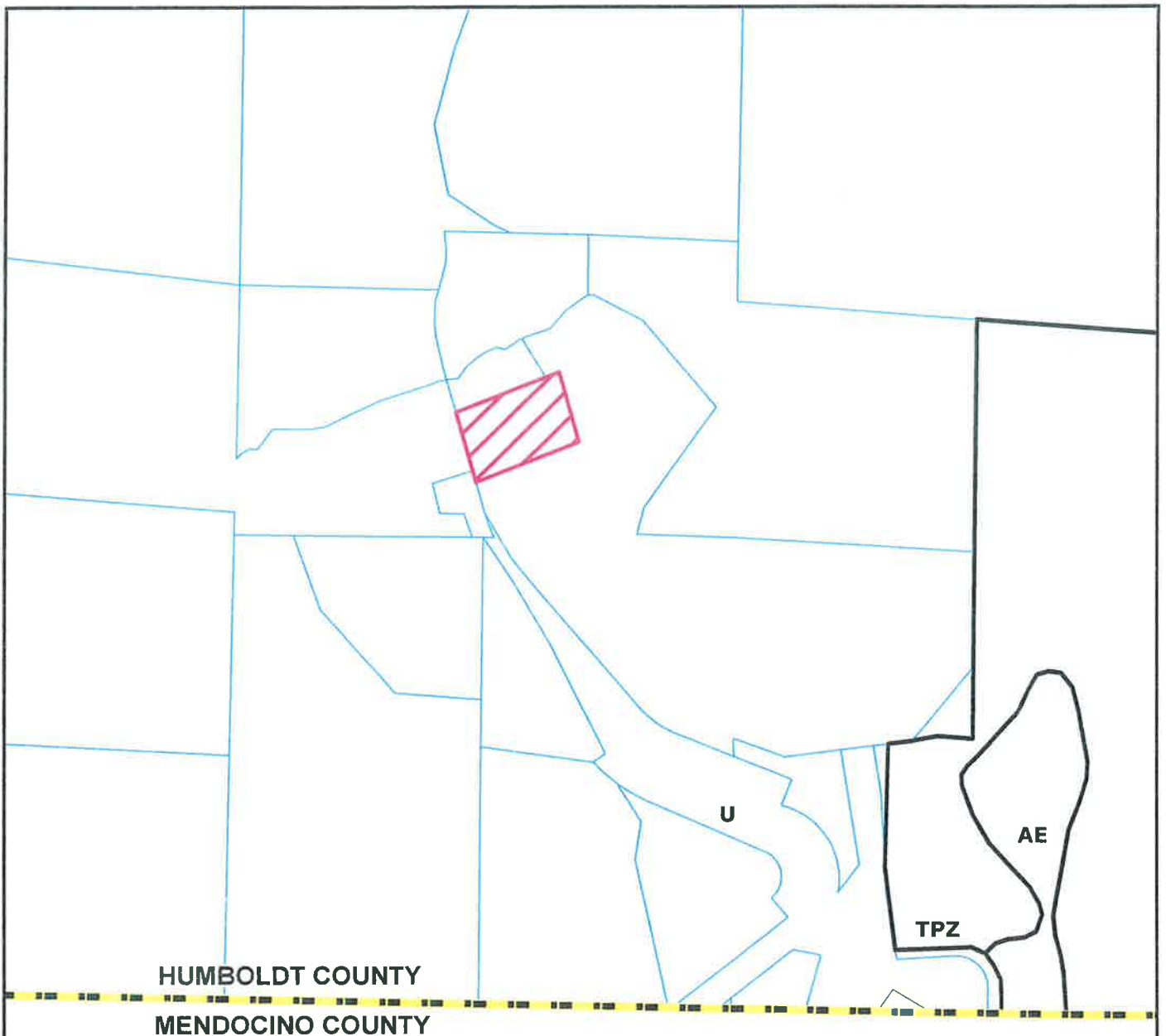
T05S R03E S24 HB&M (Garberville)

Project Area = 

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



0 250 500 750
Feet



ZONING MAP

PROPOSED WONDERLAND NURSERY CONDITIONAL USE PERMIT GARBERVILLE AREA

CUP-16-864

APN: 033-271-004

T05S R03E S24 HB&M (Garberville)

Project Area = 

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

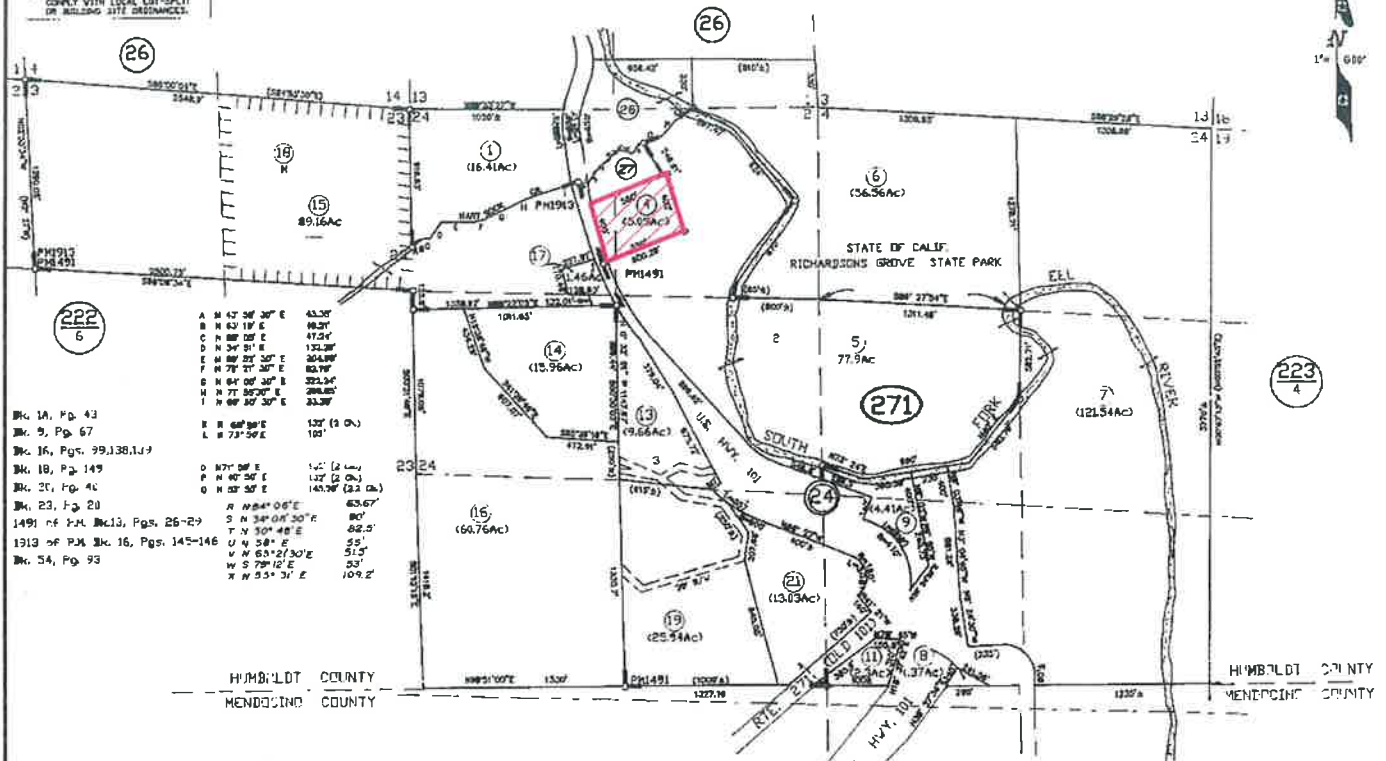


0 250 500 750
Feet

ASSESSOR'S PARCEL MAP
 1. THIS MAP WAS PREPARED FOR
 ASSESSMENT PURPOSES ONLY.
 2. NO LIABILITY IS ASSUMED FOR
 THE ACCURACY OF THE DATA SHOWN.
 3. ASSESSOR'S PARCELS MAY NOT
 COMPLY WITH LOCAL LOT-SPLIT
 OR BUILDING SITE ORDINANCES.

SEC. 24 & N 1/2 OF NE 1/4 SEC.23, T.5S., R.3E. H.B. & M.

33-27



ASSESSOR PARCEL MAP

PROPOSED WONDERLAND NURSERY
 CONDITIONAL USE PERMIT
 GARBERVILLE AREA
 CUP-16-864

APN: 033-271-004

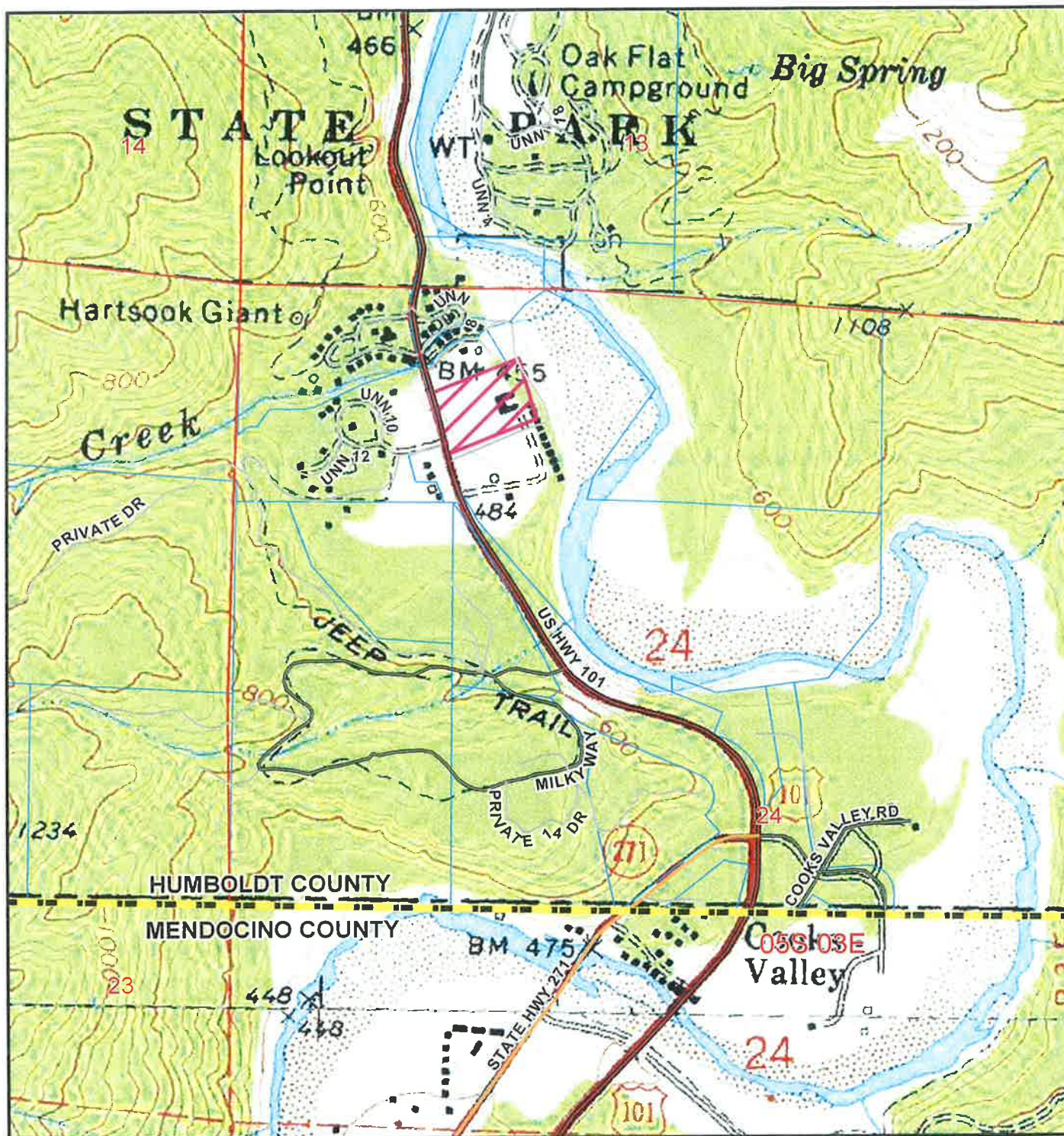
T05S R03E S24 HB&M (Garberville)

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



TOPO MAP

PROPOSED WONDERLAND NURSERY CONDITIONAL USE PERMIT GARBERVILLE AREA CUP-16-864

APN: 033-271-004

T05S R03E S24 HB&M (Garberville)

Project Area = 

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



0 250 500 750
Feet



AERIAL MAP

PROPOSED WONDERLAND NURSERY CONDITIONAL USE PERMIT GARBERVILLE AREA

CUP-16-864

APN: 033-271-004

T05S R03E S24 HB&M (Garberville)

Project Area = 

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



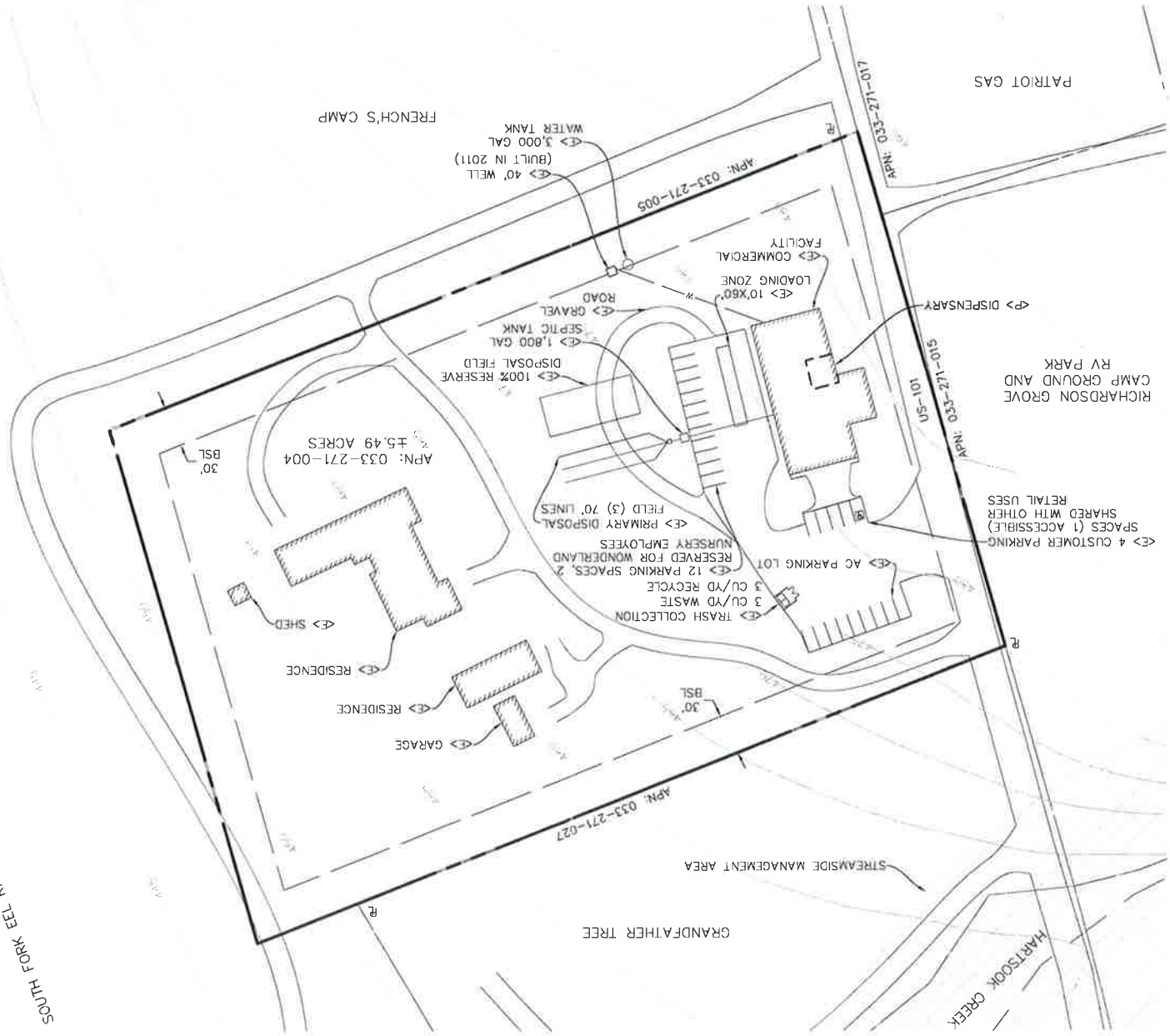
0 250
Feet

DIRECTIONS TO SITE:
FROM EUREKA, CA
-SOUTHBOUND ON US-101
(APPROX. 74.7 MILES)
-SITE DRIVEWAY ON LEFT

VICINITY MAP
NOT TO SCALE



1. DRAWING SCALE AS NOTED. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS.
2. THIS IS NOT A BOUNDARY SURVEY. BOUNDARY INFORMATION DEPICTED HAS BEEN OBTAINED FROM HUMBOLDT COUNTY 2015 GIS DATA. MANHARD CONSULTING LTD. HAS NOT VERIFIED THIS PROPERTY BOUNDARY.
3. THERE ARE NO NEARBY SCHOOLS, SCHOOL BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS OR TRIBAL RESOURCES WITHIN 600 FEET OF THE PROPOSED DISPENSARY.
4. THERE ARE NO RESIDENCES ON ADJOINING PARCELS WITHIN 300 FEET OF THE PROPOSED DISPENSARY.
5. ANY EXISTING DEVELOPMENT CONSTRUCTED WITHOUT THE BENEFIT OF COUNTY REVIEW WILL BE SUBJECT TO THE HUMBOLDT COUNTY BUILDING DEPARTMENT UPON APPROVAL OF THE CONDITIONAL USE PERMIT.
6. ALL SURROUNDING PARCELS ARE ZONED "U"



CO - ZONING PLOT PLAN, VICINITY MAP, & PROJECT NOTES
A1 - EXISTING FLOOR PLAN
A2 - PROPOSED FLOOR PLAN

SHEET INDEX:

±270	RETAIL	1/300 FT ² (4 MIN.)	2	1:1	6
FT ²	USE TYPE	SPACE/USE SOFT	EMPLOYEES	SPACE/EMPLOYEE	PARKING REQUIRED

PARKING SUMMARY	
PARKING REQUIRED	6 SPACES
PARKING PROVIDED	25 SPACES
ACCESSIBLE PARKING PROVIDED	1 SPACES

LOADING SPACE SUMMARY	TOTAL SQUARE FOOTAGE ±270 SQFT LOADING SPACE REQUIREMENT 1/20,000 FT² LOADING SPACES REQUIRED 1 SPACE
-----------------------	--

	C-2	SRA
FRONT	0'	30'
SIDE	15'	30'
REAR	0'	30'

MAX. BLDG. HT. = 75'

BUILDING SETBACKS:

PARCEL SIZE = ±5.49 ACRES
ZONING: C-2
GENERAL PLAN DESIGNATION = AL40 (FRWK)

WATER = PRIVATE
SEWER = PRIVATE

SITE ADDRESS:
APN: 033-271-004
705 US HWY 101 #1
CARBERRYVILLE, CA 95542

OWNERS AGENT:
MANHARD CONSULTING
611 "I" STREET, SUITE A
EUREKA, CA 95501
(707) 444-3800

PROPERTY OWNER:
705 101 PROPERTIES, LLC,
1012 SCOTT ST
SAN FRANCISCO, CA 94115

APPLICANT:
WONDERLAND NURSERY
P.O. BOX 4
MIRANDA, CA 95553

PROJECT INFORMATION:

[illegible]

WONDERLAND NURSERY / APN: 033-271-004
705 US HWY 101 #1, GARBERVILLE, CA 95542
PLOT PLAN, VICINITY MAP AND PROJECT NO.

CUP PLOT PLAN, VICINITY MAP AND PROJECT NOTES

03
SHEET

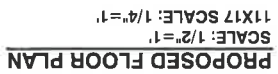
01-26-17 AS SHOWN

MELN GACADZ

Manhard
CONSULTING

17171 Shire Suite A, Eugene, CA 95601 tel. (503) 344-3300 fax (503) 344-3300
www.manhard.com
David H. Schuyler, P.E., Water Resources Engineer, Walter S. Watzinger, P.E.,
Construction Management, Environmental Scientist, Landmark Architect

011-5166-5166 FAX 011-5166-5166 FAX 011-5166-5166 FAX
Civil Engineering, Surveying, Water Resources, Engineer, Water & Wastewater Engineers
Construction Management, Environmental Sciences, Landscape Architecture, Planning,



Manhard
CONSULTING INC.

[illegible]

ATTACHMENT 1

RECOMMENDED CONDITIONS OF APPROVAL

APPROVAL OF THE CONDITIONAL USE PERMIT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE RELEASE OF THE BUILDING PERMIT AND INITIATION OF OPERATIONS.

1. Building permits are required for all tenant improvements. The Applicant must specify on the building plans the prior use of all tenant spaces in the building. All work done shall meet current Structural, Electrical, Plumbing and Mechanical Codes. Issuance of a building permit for the necessary tenant improvements, or written documentation from the Building Department that no building permits are required shall satisfy this condition.
2. Prior to the issuance of the Building Permit, the applicant shall obtain a Business License from the Humboldt County Tax Collector.
3. To insure the safety of the collective members, applicant shall have a qualified laboratory test samples of all medicine for pesticides, herbicides, mold, mildew, and pests.
4. The Collective shall retain a security guard or designated staff member to monitor the parking lot during hours of operation and enforce rules of the collective prohibiting: loitering, smoking, or sharing of medicine on-site or within the vicinity. Collective members who violate the terms of this permit shall be subject to suspension and/or exclusion from membership.
5. The project shall address odor management by incorporating a ventilation/air filtration system which limits potential adverse odor emission impacts to employees and/or properties located in the vicinity. The system shall be designed, signed, and stamped by a mechanical engineer for review and approval by the Building Official.
6. Provide copy of the approved CalTrans encroachment permit that identifies the applicant or property title-holder as the owner responsible for the driveway connection encroachment per Letter from Caltrans dated August 16, 2017. Contact Caltrans District 1 for further information.

Operation Restrictions

1. The hours of operation shall be Tuesday through Saturday, 10:00 AM to 5:00 PM.
2. The collective will provide adequate security on the premises, including lighting, alarms and law enforcement notification, to insure the safety of persons and to protect the premises from theft.
3. The collective shall operate at all times in conformance with the provisions of Humboldt County Ordinance #2554, including the Operational Standards in Section 314-55.3.11 and the requirement for annual Performance Review Report per Section 314-55.3.12.
4. No cannabis shall be smoked, ingested, or otherwise consumed on the premises.
5. The collective shall not hold or maintain a license from the State Department of Alcohol Beverage Control to sell alcoholic beverages, or operate a business that sells alcoholic beverages.
6. The collective shall maintain records of all patients using only the identification card number issued by the county, or its agent, pursuant to California Health and Safety Code Section

11362.7 et seq., as protection of the confidentiality of the cardholders, or a copy of the written recommendation.

7. The collective shall follow the staff screening process as detailed on page 2-1 of the Operations Manual that includes a criminal background check.
8. As identified under the 2008 Attorney General Guidelines (for the Security and Non-Diversion of Marijuana Grown for Medical Use), the Collective shall "track and record the source of their marijuana", and keep records of its division and distribution.
9. The collective shall permit the Planning Director or his/her designee to have access to the entities' books, records, accounts, and any and all data relevant to its permitted activities for the purpose of conducting an audit or examination in order to determine compliance with the conditions of the Conditional Use Permit. Books, records, accounts, and any and all relevant data will be produced no later than twenty-four (24) hours after the request from the Planning Director or his/her designee.
10. All compensation to Grower/Members providing excess medicine to the Collective shall be made by check instead of cash as soon as banking is available. The Grower/Member shall provide or verify their Social Security Number (SSN) to the collective in association with each transaction. SSN's will be kept on file with the Collective and used to file 1099 forms for each Grower/Member at the end of each fiscal year.
11. The Wonderland Nursery shall provide the Planning Director or his/her designee, the Sheriff, and all neighboring property owners within three-hundred (300) feet of the establishment with the name, telephone number of an on-site representative of the collective to whom one can provide notice if there are operating problems associated with the facility. The collective shall make every good faith effort to encourage neighbors to call this contact person to try and solve problems, if any, before calls or complaints are made to the Sheriff or Planning Director. Should problems arise that cannot be adequately resolved in this group-setting, the disgruntled party can petition the Planning Commission to initiate the process of permit revocation per §312-14, Humboldt County Code.
12. There is to be no loitering on or about the premises at any time. Further, the Sheriff shall provide to the Planning Director and/or his/her designee a list of any complaints and law enforcement related problems associated with the Collective, upon request.
13. The Collective shall participate in inspections to verify that all cannabis is being grown and distributed in compliance with all state and local regulations. Inspections are intended to ensure that grower-members are legal and compliant in the numbers of plants they grow, and that growing is done in a safe and sustainable manner, away from public view, and inaccessible to minors.
14. A review fee for Conformance with Conditions as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$95.00) shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka. This fee is a deposit, and if actual review costs exceed this amount, additional fees will be billed at the County's current burdened hourly rate.
15. Patients younger than 18 will not be allowed membership except under special circumstances where they can provide "documentation of a serious condition for which treatment with medical cannabis has been recommended".

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

C. On-Going Requirements/Development Restrictions Which Must Continue to be Satisfied for the Life of the Project:

1. Operations shall be consistent with the Project Description, Site Plan and the Plan of Operations as modified by Conditions of Approval B.1 through B.19, inclusive.
2. Applicant shall submit a request for Agency Review for substantial conformance on any proposed changes of the operation, including but not limited to: changes to operational procedure or policy. Changes in operation may be processed as a minor deviation if all the findings of §312-11.1 can be made.
3. All new and existing outdoor lighting shall be compatible with the existing setting and directed within the property boundaries.
4. Future signage proposals subject to review and approval by the Planning Director.
5. Maintain Southern Humboldt Unified School District waiver of 600 foot set back requirement by complying with the terms of the notification dated June 12, 2017.

D. Informational Notes:

1. Applicant is responsible for receiving all necessary permits and/or approvals from other state and local agencies.
2. This permit shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"); except where construction under a valid building permit or use in reliance on the permit has commenced prior to such anniversary date. The period within which construction or use must be commenced may be extended as provided by Section 312-10.5 of the Humboldt County Code.
3. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after the decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
4. If buried archaeological or historical resources are encountered during construction activities, the contractor on-site shall call all work in the immediate area to halt temporarily, and a qualified archaeologist is to be contacted to evaluate the materials. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, dietary bone, and human burials. If human burial is found during construction, state law requires that the County Coroner be contacted immediately. If the remains are found to be those of a Native American, the California Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains. The applicant is ultimately responsible for ensuring compliance with this condition.
5. Medical cannabis cultivation and other commercial medical cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the Humboldt County Commercial Medical Marijuana Land Use Ordinance (CMMLUO) and the Medical Cannabis Regulation and Safety Act (MCRSA), as may be amended from time to time, as applicable to the permit type.
5. The operation shall participate in the Medical Cannabis Track and Trace Program administered by the Humboldt County Agricultural Commissioner or state equivalent, when available.
6. The Project operator shall possess a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
7. The Project operator shall possess a current, valid permit or license, issued by the Humboldt County Department of Health and Human Services-Environmental Health Division, as soon as such permits or licenses become available.
8. **Transfers.** Transfer of any leases or permits approved for this project is subject to the review and approval of the Planning Director for conformance with section 314-55.3 of the Zoning regulations. The fee for required conformance with conditions review shall accompany the request. The request shall include the following information:

- A. Identifying information for the new owner(s) and management as required in an initial permit application;
- B. A written acknowledgment by the new owner in accordance as required for the initial permit application;
- C. The specific date on which the transfer is to occur;
- D. Acknowledgement of full responsibility for complying with the existing permit.

ATTACHMENT 2

STAFF ANALYSIS OF THE EVIDENCE SUPPORTING THE REQUIRED FINDINGS

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

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

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

1. **General Plan Consistency.** The following table identifies the evidence which supports finding that the proposed project is in conformance with all applicable policies and development standards in the Framework General Plan (FRWK).

Relevant Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Land Use: Commercial Recreation §2743 (FRWK)	Primary and compatible uses include commercial recreation facilities and accommodations and recreation/tourist oriented sales and services geared to local and visitor needs, including associated retail sales and service.	The project proposes use of 270 square feet of an existing 1,999-square-foot commercial building as a medical cannabis dispensary where cannabis will be provided to members of the cooperative that may include local residents and/or tourists who are capable of providing sufficient documentation to demonstrate they have recently been recommended the medical use of cannabis by a California licensed physician.
Urban Limits: §2600 (FRWK)	New development shall be located within existing developed areas or in areas with adequate public services.	The subject parcel is located within a State Responsibility Area (SRA) for fire protection, therefore, fire services are provided by the California Department of Fire and Forestry (CAL FIRE). The parcel is served by private water and sewer. Access to the proposed dispensary is off of US Highway 101. The parking lot is paved. The encroachment to US Highway 101 is also paved.
Housing §2400 (FRWK)	Housing shall be developed in conformity with the goals and policies of the Humboldt County Housing Element.	No new housing is proposed. The proposed use can be considered retail sales.
Hazards §3200 (FRWK)	New development shall minimize risk to life and property in areas of high geologic, flood and fire hazards.	According to the Flood Insurance Rate Map (FIRM) Panel No. 06045C0075F, the project site is located within an area minimal flooding. Geologic hazard maps of the Framework Plan show the slope instability of the property to be moderate. Since no new exterior construction is proposed, a soils report of the slope stability may not be required. The parcel is in an area of 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.

Relevant Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Biological Resources §3420 (FRWK)	Protect designated sensitive and critical resource habitats.	The Biological Resource maps of the Framework Plan do not identify any sensitive or critical habitat areas on the project site.
Cultural Resource Protection §3500 (FRWK)	New development shall protect cultural, archeological and paleontological resources.	No new construction is proposed, so no ground disturbance will occur. Nonetheless, the project is conditioned to include an inadvertent discovery protocol should the project encounter undocumented cultural resources (Informational Note #4).

2. The proposed development is consistent with the purposes of the existing zone in which the site is located; and 3. The proposed development conforms with all applicable standards and requirements of these regulations. The following table identifies the evidence which supports finding that the proposed development is in conformance with all applicable policies and standards in the Humboldt County Zoning Regulations.

Zoning Section	Summary of Applicable Requirement	Evidence
§314-2.2 Community Commercial §314-31.1 Qualified §314-55.3 Medical Cannabis Dispensaries	The C-2 zone allows for more commercial facilities that are of a light commercial character, conducted completely within an enclosed building. The Qualified Combining Zone specifies additional development standards or restrictions. The Medical Cannabis Dispensary Ordinance allows dispensaries in the C-2 zone with a Conditional Use Permit.	The proposed project is a Conditional Use Permit for a medical cannabis dispensary. The proposed cannabis dispensary is specifically allowed with a Conditional Use Permit in this zone district under Section 314-55.3 of the Humboldt County Code. A Qualified Combining Zones was applied to this parcel by Ordinance 2568. The qualification requires uses to be consistent with the CR land use designation and protective of visual resources. The project is of light commercial character and will be conducted inside and existing building with no impact to visual resources.
Development Standards		
Minimum Lot Area:	2,000 sq. ft.	The subject parcel is approximately 239,144 square feet.
Max. Lot Coverage:	(None specified)	0.11% (proposed project) 0.83% (existing structure)
Min. Yard Setbacks	Front: None. Rear: Fifteen feet (15'). Side: None.	Front: 30' Rear: 30' Side: 30'
Max. Building Height:	75 feet	Single story, less than 75 feet

Zoning Section	Summary of Applicable Requirement	Evidence
§314-109.1.3.3: Commercial Uses Off-Street Parking §314-109.1.4: Loading Spaces Required	<u>Retail Uses:</u> One space for 300 square feet of gross floor area and one parking space per employee. A minimum of two parking spaces are required. <u>Loading Spaces:</u> One space for each 20,000 square feet of gross floor area or portion thereof.	The proposed medical cannabis dispensary is located within an existing 1,999-square-foot structure, of which 270 square feet will be occupied by the proposed project. There are 6 parking spaces required as there are a maximum of 2 employees. The site plan shows there are 25 parking spaces on site, approximately 19 additional parking spaces than what is required. One 10' x 60' loading space is provided.

314-55.3 Medical Cannabis Dispensary Ordinance

Zoning Section	Summary of Applicable Requirement	Evidence
§314-55.3.8 Dispensaries	All medical cannabis Dispensaries shall operate in compliance with this Code, the MCRSA, and all other applicable state and local laws. Medical cannabis Dispensaries are a conditionally permitted use in zone districts C-1, C-2, C-3, MB, ML, MH. Dispensaries shall at all times be operated in such a way as to ensure the safety of patients and staff; to ensure the security of the medical cannabis; and to safeguard against the diversion of medical cannabis for non-medical purposes.	The proposed project will: 1. Receive deliveries from regional cannabis farmers; and 2. Make available medical cannabis products to patients throughout the State. The subject property is zoned C-2 Community Commercial. The Operations Manual and conditions of approval require the proposed use is operated consistent with this Code, the MCRSA, and all other applicable state and local laws, and to ensure the security of the medical cannabis; and to safeguard against the diversion of medical cannabis for non-medical purposes.
§314-55.3.9.1 Medical Cannabis Dispensary Requirements	Preparation of a hazardous materials storage, handling, and disposal plan approved by the Division of Environmental Health, if applicable.	Not applicable

314-55.3 Medical Cannabis Dispensary Ordinance		
Zoning Section	Summary of Applicable Requirement	Evidence
§314-55.3.9.2 §314-55.3.9.3 Medical Cannabis Dispensary Requirements	No medical cannabis Dispensaries, operators, establishments, or providers who possess, cultivate, or distribute medical cannabis shall be located within a 600-foot radius of a school. The location of a dispensary proximate to existing uses such as residential neighborhoods, churches, parks, residential treatment facilities, school bus stops or other dispensaries may be used to deny issuance of a permit if found to have a potential significant impact.	The nearest school is in Redway, which is more than a mile from the site. Of the described existing uses, only the bus stop lies within 600 feet of the dispensary location. The Southern Humboldt Unified School District has granted a waiver from the 600 foot set back requirement for proximity to a bus stop (see Attachment 4). Based on this waiver the potential for significant impact has been adequately addressed.
§314-55.3.10 Operations Manual	Dispensaries shall submit an Operations Manual that includes all the following: Authorization for the County, its agents, and employees, to seek verification of the information contained within the conditional use permit application. A description of the staff screening processes, including a requirement for criminal background checks.	A detailed Dispensary Operations Manual is included in Attachment 3 that contains all of the required elements. Additionally, the operations will remain subject to annual monitoring and reporting requirements. Furthermore, the collective will be regulated by numerous state & local regulations including: Article 2.5 of the Health and Safety Code (Senate Bill 420). The retail dispensary is also regulated by the Medical Cannabis Regulation and Safety Act (MCRSA) and will be subject to State licensing in 2018 once available.

314-55.3 Medical Cannabis Dispensary Ordinance

Zoning Section	Summary of Applicable Requirement	Evidence
§314-55.3.10 Operations Manual	Dispensaries shall submit an Operations Manual that includes all the following: The hours and days of the week when the Dispensary will be open. Text and graphic materials showing the site, floor plan and facilities. The material shall also show structures and land uses within a 600 foot radius. A description of the security measures located on the premises, including but not limited to, lighting, alarms, and automatic law enforcement notification, and how these will assure the safety of staff and clients and secure the medical cannabis against diversion for non-medical purposes. A description of the screening, registration and validation process and procedures for qualified patients and primary caregivers. A description of qualified patient records acquisition and retention procedures and policies. A description of the processes, procedures and inventory controls for tracking the disparate strains, the source of supply, and amounts of medical cannabis that come in and go out of the Dispensary.	A detailed Dispensary Operations Manual that contains all of the required elements. Additionally, the operations will remain subject to annual monitoring and reporting requirements. Furthermore, the collective will be regulated by numerous state & local regulations including: Article 2.5 of the Health and Safety Code (Senate Bill 420). The retail dispensary is also regulated by the Medical Cannabis Regulation and Safety Act (MCRSA) and will be subject to State licensing in 2018 once available.

314-55.3 Medical Cannabis Dispensary Ordinance

Zoning Section	Summary of Applicable Requirement	Evidence
§314-55.3.10 Operations Manual	Description of measures taken to minimize or offset the carbon footprint from operational activities. Description of chemicals stored, used and any effluent discharged as a result of operational activities. The procedure, documentation, and notice process for assuring the quality and safety of all medical cannabis distributed. The procedure and documentation process for determining patient dosage, including any testing for the major active agents in medical cannabis offered to qualified patients, such as cannabinoids tetrahydrocannabinol (THC), Cannabidiol (CBD), and Cannabinol (CBN).	A detailed Dispensary Operations Manual is included in Attachment 3 that contains all of the required elements. Additionally, the operations will remain subject to annual monitoring and reporting requirements. Furthermore, the collective will be regulated by numerous state & local regulations including: Article 2.5 of the Health and Safety Code (Senate Bill 420). The retail dispensary is also regulated by the Medical Cannabis Regulation and Safety Act (MCRSA) and will be subject to State licensing in 2018 once available.
§314-55.3.11 Operating Standards	Dispensaries that function as medical cannabis delivery services shall not operate from an address of convenience located in a residential zone.	The proposed site is zoned C-2 Community Commercial.

314-55.3 Medical Cannabis Dispensary Ordinance

Zoning Section	Summary of Applicable Requirement	Evidence
§314-55.3.11 Operating Standards	Medical cannabis Dispensaries may not be operated by any persons who have been convicted of a felony in the last five (5) years. No dispensing of medical cannabis to an individual qualified patient shall be permitted more than twice a day. The hours of operation of medical cannabis Dispensaries shall be no earlier than 10 a.m. and no later than 7 p.m. Dispensaries shall only provide medical cannabis to an individual qualified patient who has a valid, verified physician's recommendation issued in the State of California. Dispensaries shall verify on an annual basis, or more frequently if required by the State of California, that the physician's recommendations of their clients are current and valid. Dispensaries shall display their client rules and/or regulations in a conspicuous place that is readily seen by all persons entering the Dispensary. A copy of the client rules and/or regulations shall be provided to the qualified patient by a medical cannabis delivery service. Smoking, ingesting or otherwise consuming medical cannabis products on the premises of a medical cannabis Dispensary is prohibited. Each building entrance to a medical cannabis Dispensary shall be clearly and legibly posted with a notice indicating that smoking, ingesting or consuming medical cannabis or medical cannabis edibles on the premises or in the vicinity of the Dispensary is prohibited.	All operating standards have been made conditions of approval.

314-55.3 Medical Cannabis Dispensary Ordinance

Zoning Section	Summary of Applicable Requirement	Evidence
§314-55.3.11 Operating Standards	Each building entrance to a medical cannabis Dispensary shall be clearly and legibly posted with a notice indicating that persons under the age of eighteen (18) are precluded from entering the premises unless they are qualified patients and they are accompanied by their parent or legal guardian. No medical cannabis Dispensary or delivery service shall provide medical cannabis to any qualified patient or holder of a medical cannabis recommendation who is under 18 unless their parent or guardian has previously given written permission that is on file with the delivery service and that same parent or guardian is present to accept the delivery of medical cannabis. All medical cannabis Dispensaries shall display a copy of the inspection receipt issued by the Humboldt County Sealer of Weights and Measures for all weighing and measuring devices. All medical cannabis dispensed by Dispensaries must be obtained in accordance with the MCRSA and other applicable state and local laws. All signs for medical cannabis Dispensaries must comply with sections 313- 87.3 and 314-87.2 of the County Zoning Regulations. An up-to-date inventory of all hazardous materials stored and used onsite shall be maintained on the premises of the Dispensary with a copy of this inventory provided to the Humboldt County Division of Environmental Health.	All operating standards have been made conditions of approval.

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

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

Code Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
§312-17.1.4 Conditional Use Permit Findings	The proposed development will not be detrimental to the public health, safety and welfare, and will not be materially injurious to properties or improvements in the vicinity.	All responding referral agencies have either provided no comment or recommended approval of the proposed use. The proposed commercial use is consistent with the type of development in the area. There is no evidence that the project will be materially injurious to properties or improvements in the vicinity.
§15301 of CEQA Guidelines	Categorically exempt from State environmental review.	The project has been determined to be exempt from CEQA pursuant to Sections 15301 – Existing Facilities of the Guidelines for the Implementation of CEQA. Section 15301 exempts from environmental review the operation, repair maintenance, permitting, licensing, or minor alteration of existing private structures or facilities where involving negligible or no expansion of use. The proposed development will occupy 270 square feet of an existing structure. The project site is served by private water and sewer. The proposed use within the existing building will not result in any significant adverse impact on the environment as the lot is approximately 239,144 square feet in

		size and the proposed use will occupy approximately 270 square feet.
--	--	--

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

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

ATTACHMENT 3

Applicant's Evidence in Support of the Required Findings

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

1. Application Form [on file]
2. Organizational Documents [on file]
3. Grant Deed [on file]
4. Indemnification Agreement [on file]
5. Acknowledgement Form [on file]
6. Consent for On-site Inspection [on file]
7. Plot Plan [attached]
8. Operations Manual [attached]
9. Security Plan [attached]



**WONDERLAND NURSERY AT ONE LOG HOUSE
DISPENSARY OPERATIONS MANUAL
HUMBOLDT COUNTY, CA**

**PROPOSED MEDICAL CANNABIS
DISPENSARY FACILITIES**

PREPARED FOR:



MARCH 2017

**Operations Manual
For
Wonderland Nursery at One Log House**

Proposed Medical Cannabis Dispensary Facilities

Lead Agency:

Humboldt County Planning Department
3015 H Street
Eureka, CA 95501

Prepared By:

Manhard Consulting
611 I Street, Suite A
Eureka, California 95501

In Consultation with:

Wonderland Nursery
1358 Redwood Drive
Garberville, CA 95542

MARCH 2017

This page intentionally left blank

DISPENSARY OPERATIONS MANUA.
WONDERLAND NURSERY AT ONE LOG HOUSE

TABLE OF CONTENTS

1. PROJECT DESCRIPTION	1-1
1.1. Project Location.....	1-1
1.2. Land Use, Zoning, and Surrounding Uses	1-1
1.3. Project Objectives.....	1-1
2. DISPENSARY OPERATIONS PLAN	2-1
2.1. AUTHORIZATION FOR COUNTY OF HUMBOLDT STAFF	2-1
2.2. STAFFING	2-1
2.3. Hours of Operation	2-1
2.4. SITE PLAN, FLOOR PLANS AND FACILITIES	2-1
2.5. SECURITY PLAN	2-2
2.6. PATIENT SCREENING, REGISTRATION AND VALIDATION PROCEDURES	2-2
2.7. PATIENT RECORDS ACQUISITION AND RETENTION PROCEDURES	2-2
2.8. INVENTORY PROCEDURES	2-2
2.9. CARBON FOOTPRINT MINIMIZATION	2-2
2.10. DISPENSARY CHEMICAL USE AND STORAGE	2-2
2.11. MEDICAL CANNABIS QUALITY CONTROL PROCEDURES	2-3
2.12. MEDICAL CANNABIS DOSAGE DOCUMENTATION	2-3
3. RESOURCES	3-1

ATTACHMENTS

- Appendix A: Personnel Acknowledgement Form
- Appendix B: Site Plan, Floor Plans and Elevations
- Appendix C: Emergency Procedures and Contact Information

1. PROJECT DESCRIPTION

1.1. PROJECT LOCATION

Wonderland Nursery (WN) is proposing to permit a proposed medical dispensary facility, located on Assessor Parcel Number (APN) 033-271-004 or 705 N Highway 101 #1, near the community of Garberville. The subject parcel is approximately 5.49 acres in size (per County of Humboldt WebGIS). Businesses surrounding the parcel include a gift shop, RV park, and gas stations.

Wonderland Nursery will operate within a leased 16' by 17' space within an existing commercial building on the parcel. The building is serviced by an existing septic system.

1.2. LAND USE, ZONING, AND SURROUNDING USES

The Project site has a General Plan Designation of Agricultural Lands as identified by the County of Humboldt General Plan of 1984. The site is zoned Community Commercial (C-2). Per the CMMLUO, §55.3.8.8.2 and §55.4.8.7, a medical cannabis dispensary is an allowable land use in this zone with a Use Permit.

The zoning districts adjacent to the subject parcel are Unclassified (U). There are no schools, school bus stops, churches or other places of religious worship, public parks or tribal cultural resources within six hundred feet (600') of the dispensary area.

1.3. PROJECT OBJECTIVES

The objectives for the proposed Project include:

- Obtain a Conditional Use Permit (CUP) from the County of Humboldt for a medical cannabis dispensary in accordance with the County of Humboldt's *Commercial Medical Marijuana Land Use Ordinance* (CMMLUO).
- Construct and permit facilities and remodeling to ensure compliance with the 2016 California Building Code as required by the County of Building Department

2. DISPENSARY OPERATIONS PLAN

2.1. AUTHORIZATION FOR COUNTY OF HUMBOLDT STAFF

Per the County of Humboldt's *Commercial Medical Marijuana Land Use Ordinance No. 2544* (CMMLUO) §314-55.4, the *Wonderland Nursery Operations Manual* contains the required information for operating a store-front based medical cannabis dispensary within the limits of the County of Humboldt. The operations detailed in the manual follow the operating standards described in CMMLUO §§314-55.4.10 and 314-55.4.11.

Wonderland Nursery is committed to maintaining all necessary permits. Staff at WN is required to adhere to the *Wonderland Nursery Dispensary and Nursery Operations Manual* to ensure compliance with state and local regulations (see Attachment A – *Personnel Acknowledgement Form*). Through this application, the applicant authorizes the County of Humboldt, its agents and employees, to seek verification of the information contained with this application, including verification of the operations as described in the *Wonderland Nursery Dispensary and Nursery Operations Manual*.

Wonderland Nursery consents for onsite inspection of the parcel by County officials at a prearranged date and time in consultation with the applicant prior to issuance of any permit and once annually thereafter. WN also acknowledges that the County reserves the right to engage with local Tribes before consenting to issuance of any permit, if the nursery operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined by CMMLUO.

2.2. STAFFING

The dispensary will be staffed with 1 *Dispensary Manager* and (1) *Dispensary Associate* for an estimated total of approximately (2) employees at the Dispensary site.

- *Dispensary Manager*: Oversight and management of the day to day operations of the medical cannabis dispensary. Assists patients and dispenses medical cannabis.
- *Dispensary Associate*: Assists patients, dispenses medical cannabis.

All employees of WN will be screened with a criminal background check. They will be required to read the *Wonderland Nursery Dispensary and Nursery Operations Manual* along with the WN Employee Handbook. They will also be required to sign and date a form acknowledging they have read and understand its contents (see Attachment A – *Personnel Acknowledgement Form*).

Summary of Employee Safety Practices

All dispensary employees will be trained by the *Dispensary Manager* on proper safety procedure. This training will include but not be limited to: fire safety, proper hand washing guidelines and an Emergency Procedures Plan in case of emergency. Contact information for the local fire department, CAL FIRE, Humboldt County Sheriff and Poison Control as well as the Agent in Charge, and the *Dispensary Manager* will be posted in a conspicuous place. WN will also provide each Employee with a written copy of emergency procedures and contact information (see Attachment C – Emergency Procedures and Contact Information).

2.3. HOURS OF OPERATION

The dispensary will operate from 10:00 AM to 5:00 PM Tuesday through Saturday. The dispensary will be closed on Monday and Sunday.

2.4. SITE PLAN, FLOOR PLANS AND FACILITIES

See appendix.

2.5. SECURITY PLAN

The WN proposed security plan is comprised of several different security measures to ensure system function and reliability. Proposed lighting outside of the dispensary facility will illuminate the entrances and parking areas. WONDERLAND NURSERY is proposing to have a minimum of two (2) security cameras and data storage for up to thirty (30) days within the dispensary. An alarm system will be installed with automatic law enforcement notification in case of a security breach after hours of operation. The inventory system and patient screening and intake system will ensure cannabis is only dispensed to qualified patients.

The owner of the facility from which WN will operate also intends to employ a security guard during operating hours. The guard will ensure that no consumption of cannabis products occurs on the premises.

2.6. PATIENT SCREENING, REGISTRATION AND VALIDATION PROCEDURES

When a patient approaches the dispensary, they are asked for their current California doctor's recommendation for medical cannabis and a California State Identification or Driver's License. If a patient does not possess these documents, Wonderland Nursery will not sell to them.

The doctor's recommendation is reviewed. Each recommendation contains a phone number or website to call or visit to verify the patient. Once the recommendation is verified, a patient profile is created and the following information is kept on file:

First and last name, zip code, copy of the doctor's recommendation and expiration date, a copy of their State Identification card or Driver's License.

If a recommendation is not valid, the customer is informed that they cannot purchase from Wonderland Nursery until the issues are rectified with their recommending physician and paperwork.

2.7. PATIENT RECORDS ACQUISITION AND RETENTION PROCEDURES

Files are maintained on every patient. Information from patient files are obtained from the screening, registration and validation procedures outlined in section 2.6.

Patient files are organized by active and inactive members based on whether their recommendation is still valid or expired.

2.8. INVENTORY PROCEDURES

Wonderland uses an Enterprise level point of sales and inventory system. All inventory received from third party vendors are entered at "product intake" whereby the inventory of those items increases in the inventory system. As sales are recorded product inventory decreases. Inventory is counted twice monthly and adjustments made as needed.

2.9. CARBON FOOTPRINT MINIMIZATION

Wonderland takes steps to minimize the business's carbon footprint and to foster positive environmental stewardship. Fuel is conserved by utilizing a shared work vehicle. Air conditioning is not used in the facility aside from the retail store when in excess of 90 degrees. Heating occurs in the retail space only when needed using efficient electric heater.

2.10. DISPENSARY CHEMICAL USE AND STORAGE

Safety of Wonderland staff and of patients is the single most important thing to the organization. No hazardous chemicals are used on the site. Household chemicals such as bleach and Windex are stored in a secured area. When disposal is necessary of expired products or empty containers, the product

literature is reviewed for disposal instructions. No more than 2 gallons of household gallons are expected to be stored on site.

2.11. MEDICAL CANNABIS QUALITY CONTROL PROCEDURES

All medical cannabis products are rigorously tested using strict standards via our third party testing agent Pure Analytics. The series is of tests identify any harmful or unacceptable levels of biology or chemicals. Our testing agent comes to the Wonderland once per week to collect samples and discuss findings.

Concentrates and food items will be kept in a refrigerator or freezer. All packages remain closed to avoid possible contamination. Designated trained office staff handle the product to limit number of people in contact with product. Trainings on quality control procedures occur when new handling information is presented or when new staff is hired. All quality control procedures are detailed in the Employee Handbook for training and reference.

2.12. MEDICAL CANNABIS DOSAGE DOCUMENTATION

All medical cannabis flower and processed medical cannabis products such as edibles and concentrates will be labeled with the final potency of THC, CBD and CBN by the distributor from which WN has sourced the product.

DISPENSARY OPERATIONS MANUAL
WONDERLAND NURSERY AT ONE LOG HOUSE

3. RESOURCES

Bass, Ronald E., Kenneth M. Bogdan, and Terry Rivasplata. 2013. CEQA Desktop. Point Arena, CA; Solano Book Press. Page 44.

California Code of Regulations. Health and Safety Code Section 11357-11362.9.
<<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=hsc&group=11001-12000&file=11357-11362.9>> Date accessed: July 16, 2014.

California NORML. SB 420 Establishes Prop. 215 Guidelines, Voluntary Patient Identification Card System.
<<http://www.canorml.org/laws/sb420.html>> Date accessed: July 21, 2014.

County of Humboldt. *Medical Marijuana Land Use Ordinance (MMLUO) – Phase IV, Commercial Cultivation, Processing, Manufacturing and Distribution of Cannabis for Medical Use* (Staff Report to the Board of Supervisors). January 26, 2016. <<https://humboldt.legistar.com/Calendar.aspx>> Date accessed: March 28, 2016.

North Coast Regional Water Quality Control Board. 2016. *Cannabis Cultivation Waste Discharge Regulatory Program*. http://www.waterboards.ca.gov/northcoast/water_issues/programs/cannabis/. Date accessed: March 28, 2016.

State Board of Equalization. Information on the Sales and Registration for Marijuana Sellers. June 2007.
<<http://www.boe.ca.gov/news/pdf/173.pdf>>

State of California. Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use. August 2008.
<http://www.ag.ca.gov/cms_attachments/press/pdfs/n1601_medicalmarijuanaguidelines.pdf>

**Appendix A: Personnel
Acknowledgement Form**

Personnel Acknowledgement Form

It is the intention of Wonderland Nursery to create an enjoyable, safe and sane workplace. We feel that understanding and compliance with our Operations Manual will create just that. It is the responsibility of each employee to read and understand the procedures outlined herein. If after reading and reviewing this entire document, you have any questions please see the Agent in Charge immediately for clarification. By signing this document below, it confirms your reading, understanding and adherence to the entire ***WONDERLAND NURSERY DISPENSARY OPERATIONS MANUAL***.

Employee sign and date

Agent in Charge sign and date

**Appendix B: Site Plan,
Floor Plans and
Elevations**

ATTACHMENT 4

School Bus Setback Waiver



Southern Humboldt Unified School District

Board of Trustees
Jeff Henderson
Barbara Lebeck
William "Sammy" McQuinn
Thomas Nielsen
Dennis O'Sullivan

Administration
Julianne Scott
District Superintendent
Barbara Henderson
Director of Educational Services
Karl Terrell
Director of Maintenance,
Operations, and
Transportation

Principals
Kelli Brown
Patricia D'Amico
Michaela S. Hansen-Reyes

June 17, 2017

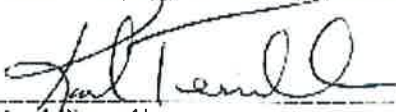
Southern Humboldt Unified School District Waiver of 600 foot Set Back Requirement For County of Humboldt's Cultivation Ordinance

Applicant: Kevin Jodry
County Cultivation Application #: 12824
Assessor's Parcel Number: 053-271-004
School Bus Stop Location: Cooks Valley Patriot, Piercy, CA

To Whom It May Concern:

Kevin Jodry s of the One Log House has met the Southern Humboldt Unified School District's Bus Stop Waiver qualifications. Kevin Jodry has sufficiently stated what measures he will be taking to assure his medical marijuana cultivation will not will not compromise student safety nor interfere with the District's strict no tolerance policy of Drugs and Alcohol. Therefore, Southern Humboldt Unified School District grants Kevin Jodry a waiver of the 600 foot set back from a school bus stop as required by the County of Humboldt's Cultivation Ordinance".

*Should any incident involving a student from the Southern Humboldt Unified School District occur at any time with the waiver applicant, this waiver would be considered void and immediately revoked.


Karl Terrell
Director of Maintenance,
Operations and Transportation

110 School Rd; P.O. Box 650, Miranda, California 95553
Telephone: (707) 943-1789 Fax: (707) 943-1921
www.humboldt.k12.ca.us/southumb_usd/school/index.html

"All students can learn and succeed, but not on the same day in the same way." William G Spady

ATTACHMENT 5
NOTICE OF CEQA EXEMPTION

Notice of Exemption**Appendix E**

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

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

Project Title: Wonderland Nursery

Project Applicant: Wonderland Nursery

Project Location - Specific:

East side of US Highway 101, approximately 0.66 miles north of the intersection of State Highway 271 and Highway 101 at 705 US Highway 101 #1.

Project Location - City: Gaberille area Project Location - County: Humboldt

Description of Nature, Purpose and Beneficiaries of Project:

Conditional Use Permit for a 272 square foot Medical Cannabis Dispensary within an existing 1,999 square foot building.

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

Name of Person or Agency Carrying Out Project: Wonderland Nursery

Exempt Status: (check one):

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
☒ Categorical Exemption. State type and section number: 15301 - existing facilities
☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

Project is limited to alterations of an existing facility.

Lead Agency
Contact Person: Michelle Nielsen Area Code/Telephone/Extension: 707-268-3708

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: _____ Date: _____ Title: _____

☐ Signed by Lead Agency ☐ Signed by Applicant

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

Date Received for filing at OPR: _____

Revised 2011

ATTACHMENT 6

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

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

Referral Agency	Response	Recommendation	Location
Building Inspection Division	✓	Change of use permit required for proposed tenant improvements	On file
Department of Environmental Health			
Public Works Land Use Division	✓	This project has no direct effect on any facilities maintained by Public Works	On file
Cal Fire	✓	Conditional Approval	On file
NWIC	✓	Conditional Approval	On file
Bear River Band of Rohnerville Rancheria	✓	Approval	On file
Southern Humboldt Unified School District	✓	School bus stops across the street from the Patriot Station entrance to Cooks Valley RV Park. Leggett schools use it too.	On file
California Department of Transportation, District 1	✓	Provide copy of approved Caltrans driveway encroachment permit	Attached
North Coast Regional Water Quality Control Board			

DEPARTMENT OF TRANSPORTATION

DISTRICT 1, P. O. BOX 3700
EUREKA, CA 95502-3700
PHONE (707) 441-4693
FAX (707) 445-6314
TTY 711



*Making Conservation
a California Way of Life.*

August 16, 2017

1-HUM-101-0.82
Wonderland Nursery CUP
APN: 033-271-004

Michelle Nielsen
Planning & Building Department
County of Humboldt
3015 H Street
Eureka, CA 95501



Dear Ms. Nielsen,

Thank you for giving Caltrans the opportunity to review and comment on the proposed Wonderland Nursery conditional use permit. The applicant proposes to establish a 300 square-foot cannabis dispensary on the second floor of an existing 10,000 square-foot commercial building. The project is located less than a mile north of the Mendocino-Humboldt County line, at 705 US Highway 101. We offer the following comment:

We request that the county require a copy of the approved Caltrans encroachment permit that identifies the applicant or property title-holder as the owner responsible for the driveway connection encroachment within the state's right-of-way. If the applicant cannot produce an approved encroachment permit, the District is willing to issue a fee-exempt permit to provide documentation identifying the responsible owner of an existing commercial road approach, assuming that it meets the Department's current standards. Any work within Caltrans Right-of-Way will require an Encroachment Permit from Caltrans. Applications are reviewed for consistency with State standards and are subject to Department approval. To streamline the permit application and review process, we encourage the applicant to consult with our Permit staff prior to submitting an application. Requests for permit applications can be sent to: Caltrans District 1 Permits Office, P.O. Box 3700, Eureka, CA 95502-3700, or requested by phone at (707) 445-6389. For additional information, the Caltrans Permit Manual is available online at: <http://www.dot.ca.gov/hq/traffops/developserv/permits/>.

Please contact me with questions or for further assistance at the number above regarding the above comments.

Sincerely,

Jesse Robertson
Transportation Planning
Caltrans District 1

*"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability"*