



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

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Phone: (707)445-7541 Fax: (707) 268-3792

Hearing Date: August 20, 2020  
To: Humboldt County Planning Commission  
From: John H. Ford, Director of Planning and Building Department  
Subject: **Riverbar Lavender Farm, LLC**  
Record number PLN-2019,15779  
Assessor's Parcel Number (APN): 204-331-019  
1806 River Bar Rd., Hydesville, CA

**Table of Contents**

**Page**

Agenda Item Transmittal	2
Recommended Action and Executive Summary	3
Draft Resolution	5

**Maps**

Topo Map	7
Zoning Map	8
Aerial Map	9
Site Plan and Project Proposal Maps	10

**Attachments**

Attachment 1: Recommended Conditions of Approval	11
Attachment 2: Required Findings	16
Attachment 3: CEQA Addendum	33
Attachment 4: Applicant's Evidence in Support of the Required Findings	37
A. Biological Report	Separate
Attachment 5: Referral Agency Comments and Recommendations	60

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

**AGENDA ITEM TRANSMITTAL**

<b>Hearing Date</b> August 20, 2020	<b>Subject</b> Conditional Use Permit	<b>Contact</b> Elizabeth Moreno
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**Project Description:** An application for a Conditional Use Permit for 12, 000 square feet (SF) of new cannabis cultivation, located in the Hydesville-Carlotta Community Planning Area. Project includes for 6,000 SF of new mixed light cultivation within two hoop houses and 6,000 SF of new open air outdoor commercial cannabis cultivation. Water for irrigation is sourced from a well onsite. Annual water use is estimated at 52,800 gallons. Processing will occur off site at a licensed processing facility. On-grid power is provided to the site.

**Project Location:** The project is located in Humboldt County, in the Hydesville area, on the south side of River Bar Rd, approximately 9,200 feet southeast from the intersection of River Bar Rd and State Highway 36, on the property known as 1806 River Bar Rd.

**Present Plan Land Use Designations:** Agricultural Exclusive (AE), Density: Range is 20 to 60 acres per unit, Carlotta-Hydesville Community Plan (CHCP), 2017 General Plan, Slope Stability: Low Instability (1).

**Present Zoning:** Agricultural Exclusive (AE).

**Record Number:** PLN-2019-15779.

**Assessor Parcel Number:** 204-331-019.

<b>Applicant</b> Riverbar Lavender Farm, LLC David Parris Jr. 1806 Riverbar Road Fortuna, CA 95540	<b>Owner</b> Parris David Jr & Parris Taylor A 1806 River Bar Rd Hydesville, CA. 95547	<b>Agent</b> none
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**Environmental Review:** An Addendum to a previously adopted Environmental Impact Report has been prepared for consideration per §15164 of CEQA Guidelines.

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

**Major Issues:** None.

**RIVERBAR LAVENDER FARM, LLC**  
RECORD NUMBER: PLN-2019-15779  
Assessor's Parcel Number 204-331-019

**Recommended Commission Action**

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

Find that the Planning Commission has considered the Addendum to the Environmental Impact Report adopted for the Commercial Cannabis Land Use Ordinance pursuant to Section 15164 of the State CEQA Guidelines, make all of the required findings for approval of the Conditional Use Permit based on evidence in the staff report and approve the proposed Riverbar Lavender Farm, LLC project subject to the recommended conditions.

**Executive Summary:** An application for a Conditional Use Permit for 12,000 square feet (SF) of new cannabis cultivation, located in the Hydesville-Carlotta Community Planning Area. Project includes for 6,000 SF of new mixed light within two hoop houses and 6,000 SF of new outdoor commercial cannabis cultivation. Additionally, a 1,000 SF nursery greenhouse is proposed to support the project.

The parcel is developed with a 2,800 SF residence, 1,024 SF barn, and pond that is considered a wetland. The barn will be used for storage and drying. Further processing will occur offsite at a licensed facility.

The annual water usage is about 52,800 gallons. The water source is well onsite. The well log does not indicate that the well is connected to surface water. The project was referred to the California Department of Fish and Wildlife (CDFW) who did not comment on the project. Conditions of approval require the applicant to install water flow meters in accordance with applicable regulations and require the applicant to obtain and implement all recommendations and requirements of the Final Streambed Alteration Agreement issued by CDFW.

The site is located approximately 150 feet south of a wetland/ pond. Further, the project site is located 500 feet from the Streamside Management Area of the Van Duzen River.

The applicant has submitted a *Biological Report* prepared by Natural Resource Constants, dated July 2019. According to the report, there are two Northern Spotted Owl Activity Centers within the vicinity of the project, one at 1.6 miles southeast of the project area and the other one, at 2 miles west of the project area. Further the report states that the impact to the NSO will be minimal as the project is not using generators and light used for the project will be enclosed, and no light will escape. The California Natural Diversity Data Base (CNDDB) mapped rare and endangered species, the Bank Swallow. The report also states that project site does not contain Bank Swallow habitat and that no impacts are expected. The report does indicate that a Yellow Breasted Chat was audible from the project site. The habitat for Yellow Breasted Chat is primarily riparian shrubs, given the proximity to the Van Duzen River, the report recommends strict adherence to riparian setback requirements, no generator shall be used, and all light shall adhere to International Dark Sky Standards. The project has been conditioned as such.

In Addition, the applicant to submit evidence of enrollment into the State Cannabis Cultivation Discharge program by submitting copies of all documents filed with the State Water Resources Control Board, including, but not limited to, a Notice of Applicability and a Site Management Plan. The applicant is required to adhere to and implement the requirements contained in the SWRCB's

Cannabis Cultivation Policy, the General Order and the Notice of Applicability. A copy of the reporting form portion of the Mitigation and Reporting Program (MRP) shall be submitted annually to the Planning and Building Department concurrent with the submittal to the SWRCB.

The project is accessed from River Bar Road off State Highway 36. Public Works commented on the project and recommended that the applicant complete a Road Evaluation Report for River Bar Road. The applicant subsequently submitted a Road Evaluation report prepared by Chapman Engineering, dated April 2020 and then revised the document on July 2020. Public Works reviewed the revised Road Evaluation and recommended that the applicant adhere to the Engineers revised Road Evaluation. As a condition of approval, the applicant is to join or start a Road Maintenance Association (RMA) and share the cost of maintaining the road and the installation of the turnouts, pursuant to section 55.4.12.1.8 of the CCLUO. The applicant is to submit evidence that the turnouts have been completed and evidence that the applicant joined or started an RMA.

Environmental review for the proposed project was reviewed under the Environmental Impact Report (EIR) for the Commercial Cannabis Land Use Ordinance (CCLUO) addressed the broad environmental impacts that could be expected to occur from the adoption and implementation of the ordinance. The EIR specified that the regulations established in the CCLUO would mitigate the impacts of new cannabis operations to prevent and reduce environmental impacts. An addendum to the EIR has been prepared for this staff recommendation of permitting the new cultivation operation. The addendum is included as Attachment 3.

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

**ALTERNATIVES:** The Planning Commission could elect not to approve the project, or to require the applicant to submit further evidence, or modify the project. If modifications may cause potentially significant impacts, additional CEQA analysis and findings may be required. These alternatives could be implemented if the Commission is unable to make all of the required findings. Planning Division staff has stated that the required findings in support of the proposal have been made. Consequently, Planning staff does not recommend further consideration of either alternative.

The Commission could also decide the project may have environmental impacts that would require further environmental review pursuant to CEQA. Staff did not identify any potential impacts. As Lead Agency, the Department has determined that the Project is consistent with the EIR for the CCLUO as stated above. However, the Commission may reach a different conclusion. In that case, the Commission should continue the item to a future date at least two months later to give staff the time to complete further environmental review.

**RESOLUTION OF THE PLANNING COMMISSION  
OF THE COUNTY OF HUMBOLDT  
Resolution Number 20-  
Record Number: PLN-2019-15779  
Assessor's Parcel Number: 204-331-019**

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

**WHEREAS, Riverbar Lavender Farm, LLC**, an application for a Conditional Use Permit for 12, 000 square feet (SF) of new cannabis cultivation, located in the Hydesville-Carlotta Community Planning Area. Project includes for 6,000 SF of new mixed light cultivation within two hoop houses and 6,000 SF of new open air outdoor commercial cannabis cultivation. Water for irrigation is sourced from a well onsite. Annual water use is estimated at 52,800 gallons. Processing will occur off site at a licensed processing facility. On-grid power is provided to the site.

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

**WHEREAS, WHEREAS**, the County Planning Division, the lead agency, prepared an Addendum to the Final Environmental Impact Report prepared for the Commercial Medical Land Use Ordinance (CMMLUO) adopted by the Humboldt County Board of Supervisors on January 26, 2016. The proposed project does not present substantial changes that would require major revisions to the previous Mitigated Negative Declaration, and no new information of substantial importance that was not known and could not be known at the time was presented as described by Section 15162 (c) of the State CEQA Guideline; 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 † (Record Number PLN-2019-15779); and

**WHEREAS**, a public hearing was held on the matter before the Humboldt County Planning Commission on August 20, 2020.

**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 Planning Commission considered the addendum to the Environmental Impact Report prepared for the CCLUO.
2. Planning Commission makes all the required findings in Attachment 2 of the Planning Commission staff report for Record Number PLN-2019-15779 based on the submitted substantial evidence; and
3. The Conditional Use Permit (Record Number PLN-2019-15779) is approved as recommended and conditioned in Attachment 1.

Adopted after review and consideration of all the evidence on August 20, 2020

The motion was made by Commissioner \_\_\_\_\_ and second by Commissioner \_\_\_\_\_.

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

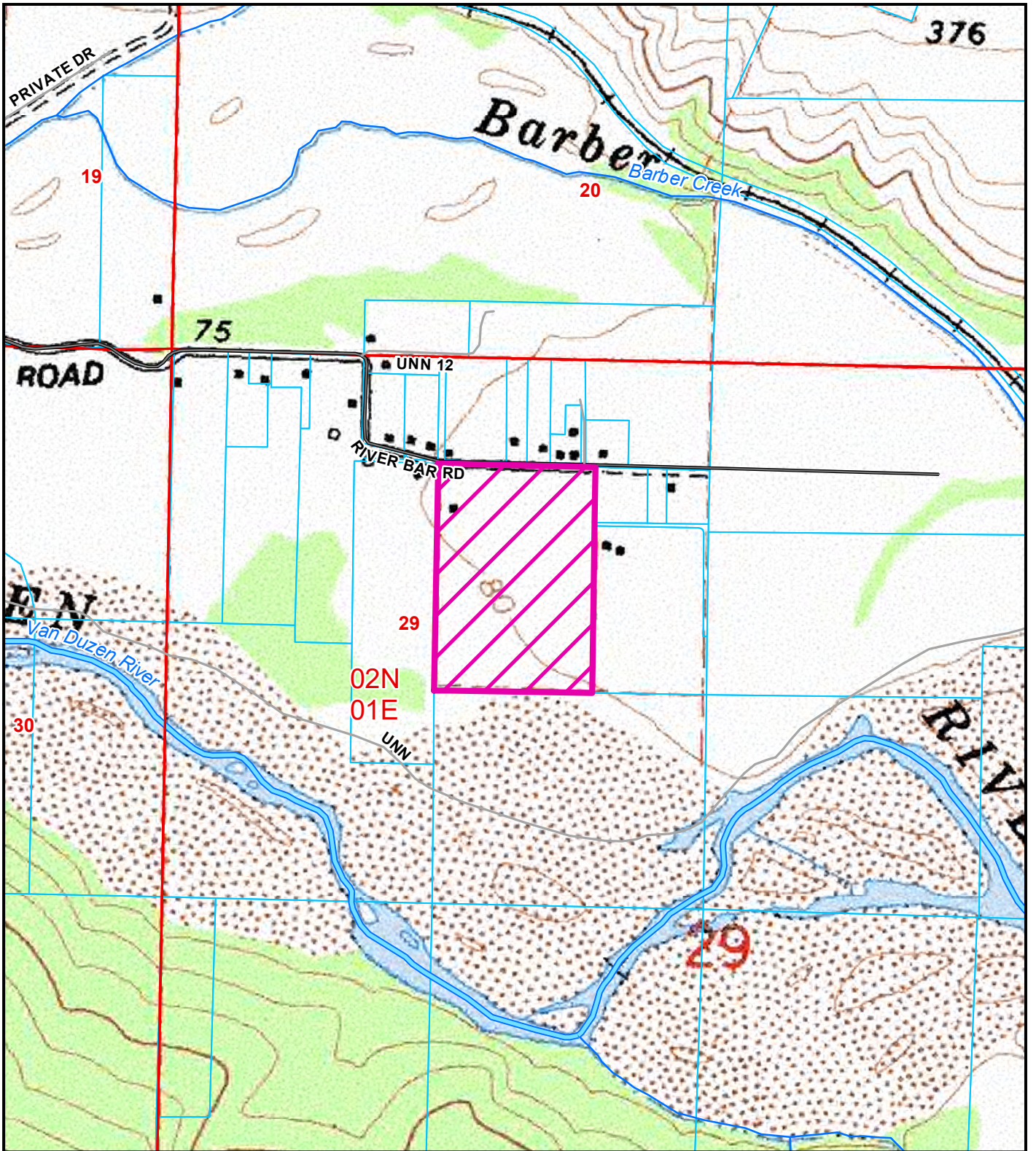
ABSTAIN: Commissioners:

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

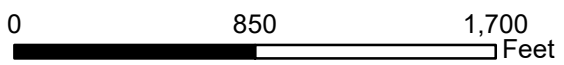


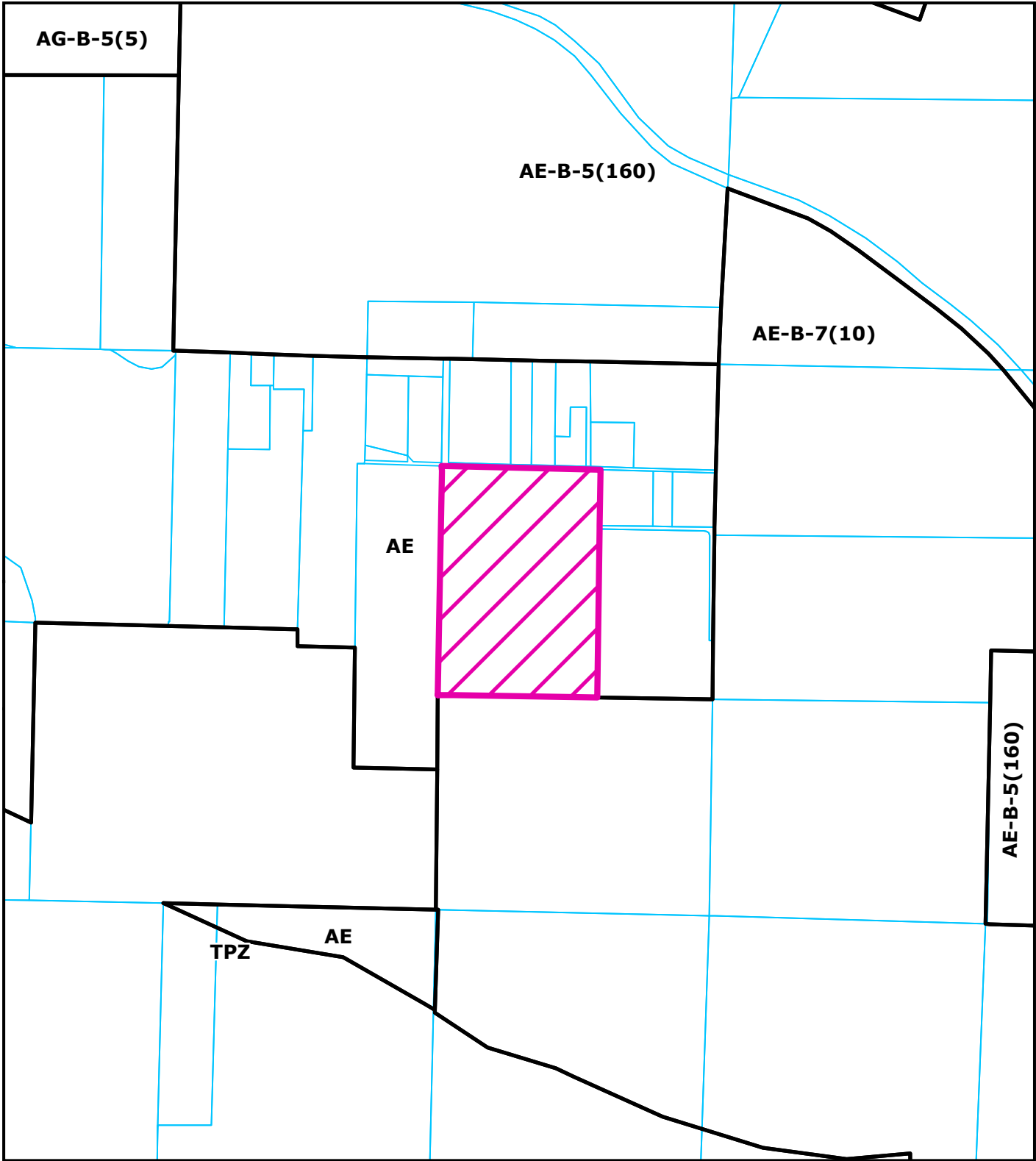
Project Area = 

**TOPO MAP**  
**PROPOSED RIVERBAR LAVENDER**  
**HYDESVILLE AREA**  
**PLN-2019-15779**  
**APN: 204-331-019**  
**T02N R01E S29 HB&M (HYDESVILLE)**



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.



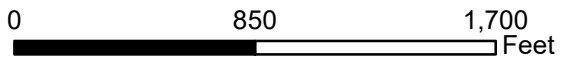


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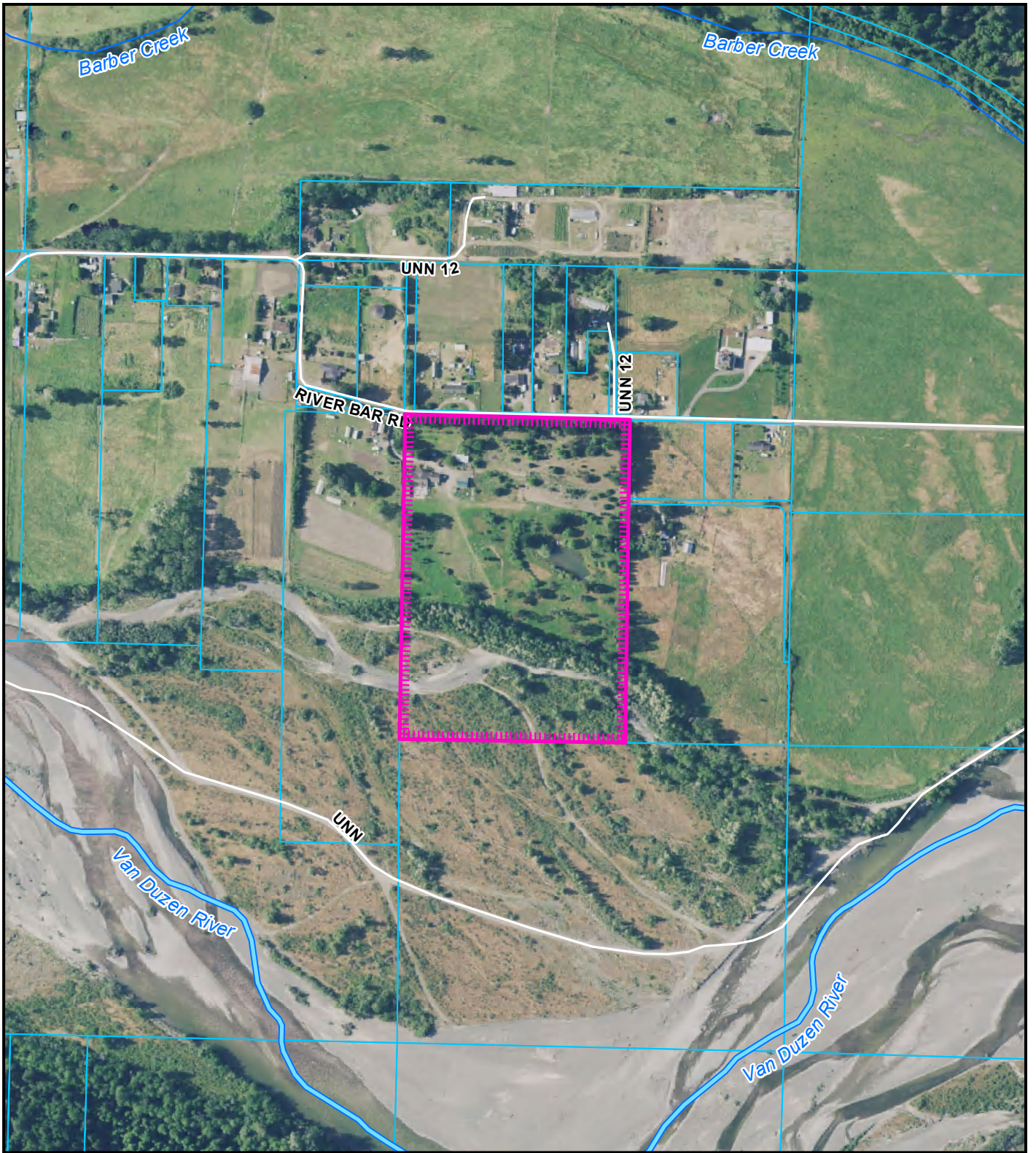
**ZONING MAP**  
**PROPOSED RIVERBAR LAVENDER**  
**HYDESVILLE AREA**  
**PLN-2019-15779**  
**APN: 204-331-019**  
**T02N R01E S29 HB&M (HYDESVILLE)**



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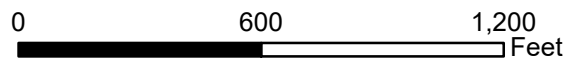


Project Area = 

**AERIAL MAP**  
**PROPOSED RIVERBAR LAVENDER**  
**HYDESVILLE AREA**  
**PLN-2019-15779**  
**APN: 204-331-019**  
**T02N R01E S29 HB&M (HYDESVILLE)**

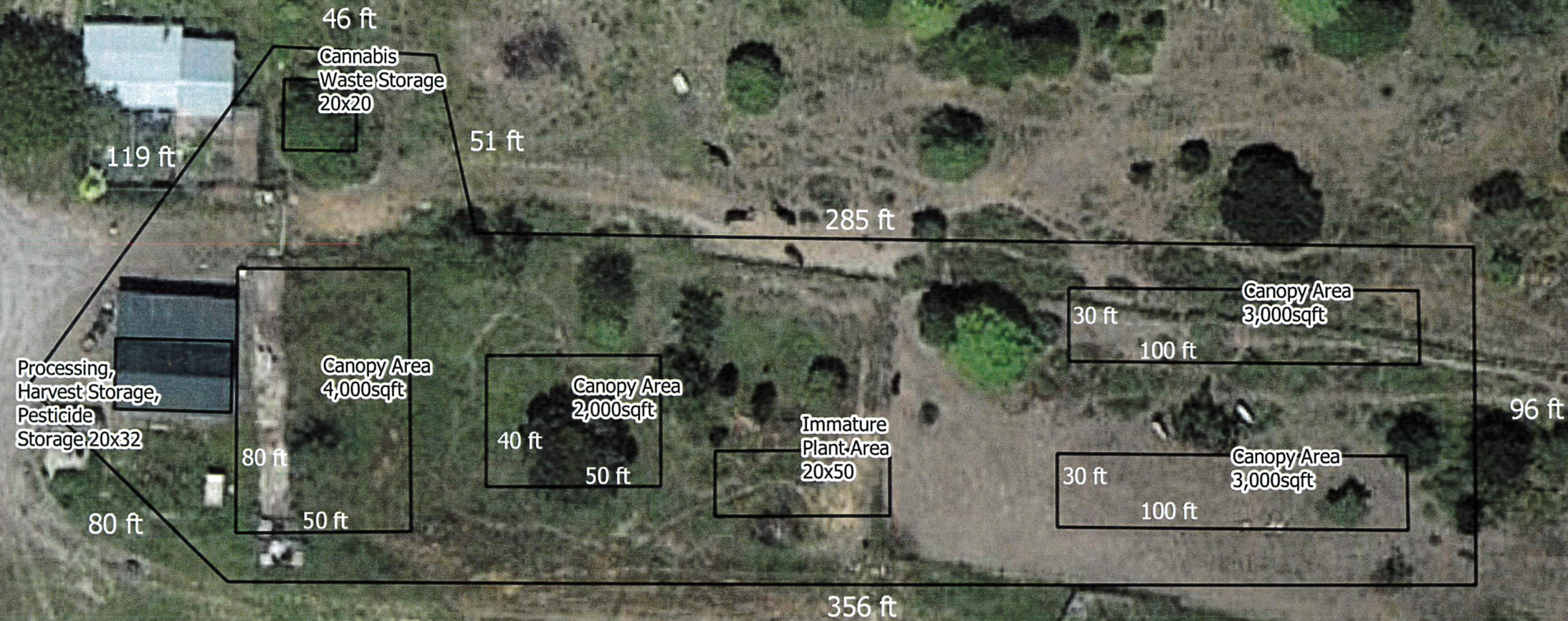


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APN 204-331-019-000; T2N, R1E, SEC 29, HB&M; USGS  
Hydesville QUAD; HUC12: 180101050906

# Premises Diagram



POD - Well



August 20, 2020

**ATTACHMENT 1**  
**RECOMMENDED CONDITIONS OF APPROVAL**

**APPROVAL OF THE CONDITIONAL USE PERMIT AND SPECIAL PERMIT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE CULTIVATION MAY TAKE PLACE**

1. The applicant shall secure permits for all structures related to the cannabis cultivation and other commercial cannabis activity. The plans submitted for building permit approval shall be consistent with the project description and approved project site plan. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.
2. The applicant is to adhere to the Road Evaluation report prepared by Chapman Engineering, dated on July 2020. Additionally, the applicant is to join or start a Road Maintenance Association (RMA) and share the cost of the maintenance the road and the installation of the turnouts, pursuant to section 55.4.12.1.8 of the CCLUO. The applicant is to submit evidence that the turnouts have been completed and evidence that the applicant joined or started an RMA. Additionally, the applicant shall adhere to the recommendations made by the Department of Public Works, as described in Exhibit A and Exhibit B of the referral comment.
3. The applicant is to install water flow meters in accordance with applicable regulations and required pursuant to section 55.4.12.7.5 to the CCLUO Metering and Recordkeeping.
4. The applicant to obtain and adhere to and implement all recommendations and requirements of the Final Streambed Alteration Agreement issued by CDFW and submit evidence to the Planning Department.
5. The report recommends strict adherence to the riparian setback requirements to the Van Duzen River and shall not use a generator, and all light shall adhere to International Dark Sky Standards. Further, the applicant is to adhere to the recommendations made in the *Biological Report*, prepared by Natural Resource Constants, dated July 2019.
6. The cannabis structures will be removed by October 31st of every year. The applicant will obtain Flood Elevation Certificates for all structures with a nexus to the cannabis activity. Further, the applicant shall comply with the Humboldt Flood Damage Prevention Ordinance.
7. The applicant shall provide an invoice, or equivalent documentation, to the Department of Environmental Health to confirm the use of portable toilets to serve the needs of cultivation staff prior to annual renewal of the permit.
8. The applicant to submit evidence of enrollment into the State Cannabis Cultivation Discharge program by submitting copies of all documents filed with the State Water Resources Control Board, including, but not limited to, a Notice of Applicability and a Site Management Plan. The applicant is required to adhere to and implement the requirements contained in the SWRCB's Cannabis Cultivation Policy, the General Order and the Notice of Applicability. A copy of the reporting form portion of the Mitigation and Reporting Program (MRP) shall be submitted annually to the Planning and Building Department concurrent with the submittal to the SWRCB.
9. The applicant is to meet the requirements of the County's Fire Safe Regulations and to provide evidence of emergency access turnarounds, signing & building numbers, emergency water standards, a designated water storage for fire, and fuel modification standards. The Humboldt County Fire Safe Ordinance (Section 3111-1 et seq.).
10. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all of the requirements as set forth by other regulatory agencies.

11. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding hazardous materials. A written verification of compliance shall be required before any provisional permits may be finalized. Ongoing proof of compliance with this condition shall be required at each annual inspection in order to keep the permit valid.
12. 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.

**Ongoing Requirements/Development Restrictions Which Must be Satisfied for the Life of the Project:**

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. Noise levels shall not exceed 50 dBA at the property lines except for the noise levels associated with backup alarms for delivery vehicles.
3. The applicant and operator shall maintain records of delivery vehicle routes that will be made available upon request as part of annual inspection by County staff.
4. For the life of the project, the project shall not result in a discernable odor at the property lines adjoining the existing residential uses. Should the Department receive complaints regarding odor, the Department will work with the applicant/operator to resolve and return the project to compliance in a timely manner. Resolution may entail additional maintenance and/or replacement of the air filtration system.
5. If on-site processing is chosen to be the preferred method of processing, this permit shall be modified to identify the offsite licensed facility.
6. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in Commercial Cannabis Land Use Ordinance, Humboldt County Code Section 314-55.4.1 et seq. and hereby incorporated by reference, and MAUCRSA as applicable by permit type. The requirements described are current at the time of approval but may be superseded or modified by changes to the laws and regulations governing commercial cannabis cultivation and associated activities.
7. Permittees and operators shall conduct all commercial cannabis activities in compliance with Project Description, the approved Site Plan, the Plan of Operations, these conditions of approval, and the performance standards as set forth in Humboldt County Code Section 314-55.4.12 et seq. and hereby incorporated by reference. Failure to comply shall be grounds for permit revocation and administrative penalties.
8. Possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MAUCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
9. The applicant shall maintain, and is responsible for, compliance with all applicable state laws and County ordinances.
10. The applicant shall refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.

11. The applicant shall pay all applicable application, review for conformance with conditions and annual inspection fees.
12. Storage of Fuel - Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, including the County of Humboldt's CUPA program, and in such a way that no spillage occurs.
13. The Master Log Books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
14. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Section 719-1 et seq.).
15. The purchase of carbon offset credits for grid power procured from non-renewable producers to satisfy Humboldt County Section 314-55.4.12.5, Performance Standards for Energy Use, may only be made from reputable sources, including those found on Offset Project Registries managed the California Air Resources Board, or similar sources and programs determined to provide bona fide offsets recognized by relevant state regulatory agencies.
16. Structures used for indoor cultivation and ancillary propagation shall be shielded so that no light escapes between sunset and sunrise.
17. Any security lighting for commercial cannabis activities shall be shielded and angled in such a way as to prevent light from spilling outside of the boundaries of the Parcel(s) or Premises or directly focusing on any surrounding uses.
18. 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.
19. Term of Commercial Cannabis Activity Special Permit. Any Commercial Cannabis Cultivation Special Permit issued pursuant to the CMMLUO shall expire after one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval [Reference Humboldt County Code Section 314-55.4.5.6].

If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the Special Permit or permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the non-compliance, or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether or not the permit holder has cured all issues of non-compliance. Failure to request reinspection or to cure any items of non-compliance shall terminate the Special Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to Humboldt County Code Section 314-4.5.8.
20. Acknowledgements to Remain in Full Force and Effect. Permittee acknowledges that the County reserves the right to reduce the extent of any Commercial Cannabis Activity, including but not limited to the area of cultivation, allowed under any clearance or permit issued in accordance with CCLUO in the event that environmental conditions, such as a sustained drought or low flows in the watershed where the Commercial Cannabis Activity is located, will

not support water withdrawals without substantially adversely affecting existing fish and wildlife resources.

Permittee further acknowledges and declares that:

- (1) All commercial cannabis activity that I, my agents, or employees conduct pursuant to a permit from the County of Humboldt shall be solely for medical purposes and all commercial cannabis products produced by me, my agents, or employees are intended to be consumed solely by qualified patients entitled to the protections of the Compassionate Use Act of 1996 (codified at Health and Safety Code Section 11362.5); and
- (2) All cannabis or cannabis products under my control, or the control of my agents or employees, and cultivated or manufactured pursuant to local Ordinance and the California Medical and Adult Use Cannabis Regulation and Safety Act will be distributed within the State of California; and
- (3) All commercial cannabis activity conducted by me, or my agents or employees pursuant to a permit from the County of Humboldt will be conducted in compliance with the California Medical and Adult Use Cannabis Regulation and Safety Act.

21. 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 Humboldt County Code Section 314-55.401 et seq. eligibility requirements, and agreement to permit terms and acknowledgments. The fee for required permit transfer 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 Cannabis.

**Informational Notes:**

1. Pursuant to Section 314-55.4.11 (a) of the CMMLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state of county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity but in no event more than two (2) years of the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the Permittee within one (1) year of the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to section 314-55.4.13 of the CMMLUO.
2. 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.

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 Section 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 Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to Public Resources Code Section 5097.98. Violators shall be prosecuted in accordance with Public Resources Code Section 5097.99.

3. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions prior to release of building permit or initiation of use and at time of annual inspection. In order to demonstrate that all conditions have been satisfied, applicant is required to pay the conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made 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 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 and Special Permit:

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



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

**1. The proposed development must be consistent with the General Plan, Open Space Plan and Open Space Action Program.** The following table identifies the evidence which supports finding that the proposed development is in conformance with all applicable policies.

Relevant Section(s)	Plan	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Land Use Chapter 4</p> <p>Land Use Designations Section 4.8</p>	<p><b>Agricultural Exclusive (AE)</b></p> <p>This plan designation applies to bottomland farms and lands that can be irrigated; also used in upland areas to retain agricultural character. Typical uses include dairy, row crops, orchards, specialty agriculture, and horticulture. Residential subdivision is not supported. Residential uses must support agricultural operation. Density range is 20-60 acres/unit.</p>	<p>An application for a Conditional Use Permit for 12, 000 SF of new outdoor and mixed light cannabis cultivation.</p> <p>This designation allows for commercial agriculture activities, which cannabis cultivation is considered a agriculture activity, therefore it is consistent with the land use 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, C-G2); coordinated planning design, development, operations, and maintenance between the County and other transportation system service providers (C-G3); and access for all transportation mode types with improved opportunities to move goods within, into and out of Humboldt County. (C-G4, C-G5)</p> <p>Related policies: C-P3, Consideration of Transportation Impacts in Land Use Decision Making.</p>	<p>The project is accessed from River Bar Road off State Highway 36. Public Works commented on the project and recommended that the applicant complete a Road Evaluation Report for River bar Road. The applicant subsequently submitted a Road Evaluation report prepared by Chapman Engineering, dated April 2020 and then revised the document on July 2020. Public Works reviewed the revised Road Evaluation and recommended that the applicant adhere to the Engineers revised Road Evaluation. As a condition of approval, the applicant is to join or start a Road Maintenance Association (RMA) and share the cost of maintaining the road and the installation of the turnouts, pursuant to section 55.4.12.1.8 of the CCLUO. The applicant is to submit evidence that the turnouts have been completed and evidence that the applicant joined or started an RMA.</p>	

Relevant Section(s)	Plan	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
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 residential development, nor is the project site part of the 2019 Regional Housing Needs Allocation (RHNA) as the subject property is planned and zoned for Agriculture General. Nor with the project will interfere or inhibit the County or the City of Fortuna from meeting its RHNA by adversely impacting existing infrastructure or other public facilities. 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  Open Space Section 10.2		<p>Goals and policies contained in this Chapter relate to an Open Space and Conservation Program that is complimentary to other agencies' plans and that preserves the county's unique open spaces. (CO-G1, CO-G3)</p> <p>Related policies: CO-P1, Conservation and Open Space Program; CO-P12, Development Review, CO-S1. Identification of Local Open Space Plan, and CO-S2. Identification of the Open Space Action Program.</p>	<p>The project is consistent with the Open Space Plan because the proposed project is consistent with the allowable uses of the Land Use Designations. The proposed cannabis cultivation - an agricultural product - is within land planned for agricultural purposes, consistent with the use of Open Space land for management production of resources</p> <p>The project as proposed and conditioned will not preclude orderly development and coordination with other agencies programs related to conserving open space lands.</p>

<p>Conservation and Open Space Chapter 10</p> <p>Biological Resources Section 10.3</p>	<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>Related policies: BR-P1. Compatible Land Uses, BR-P5. Streamside.</p>	<p>The site is located approximately 150 feet south of a wetland/ pond. Further, the project site is located 500 feet the Streamside Management Area of the Van Duzen River.</p> <p>The applicant has submitted a Biological Report prepared by Natural Resource Constants, dated July 2019. According to the report, there are two Northern Spotted Owl Activity Centers within the vicinity of the project, one at 1.6 miles southeast of the project area and the other one, at 2 miles west of the project area. Further the report states that the impact to the NSO will minimal as the project is not using generators and light used for the project will be enclosed, and not light will escape.</p> <p>The California Natural Diversity Data Base (CNDDDB) mapped rare and endangered species, the Bank Swallow. The report also states that project site does not contain Bank Swallow habitat and that no impacts is expected. The report does indicate that a Yellow Breasted Chat was audible from the project site. The habitat for Yellow Breasted Chat is primarily riparian shrubs, given the proximity to the Van Duzen River, the report recommends strict adherence to riparian setback requirements, no generator shall be used, and all light shall adhere to International Dark Sky Standards. The project has been conditioned as such.</p> <p>The annual water usage is a bout at 52,800 gallons. The water source is well onsite. The well log does not indicate that the well is connected to surface water. The project was referred to the California Department of Fish and Wildlife (CDFW) who did not comment on the project. Conditions of approval require the applicant to install water flow meters in accordance with applicable regulations and require the applicant to obtain adhere to and implement all recommendations and requirements of</p>
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Relevant Section(s)	Plan	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
			the Final Streambed Alteration Agreement issued by CDFW.
Conservation and Open Space Chapter 10  Cultural Resources Section 10.6		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)  Related policies: CU-P1. Identification and Protection, CU-P2. Native American Tribal Consultation]	The project was referred to the Bear River of the Rohnerville Rancheria and Wiyot Tribe. Bear River of the Rohnerville Rancheria recommended inadvertent discovery protocol to protect cultural resources. Th project is conditioned as such.
Conservation and Open Space Chapter 10  Scenic Resources Section 10.7		Goals and policies contained in this Chapter relate to the protection of scenic areas that contribute to the enjoyment of Humboldt County's beauty and abundant natural resources (SR-G1); and a system of scenic highways roadways that increase the enjoyment of, and opportunities for, recreational and cultural pursuits and tourism in the County. (SR-G2)  Related policies: SR-S4. Light and Glare	The project site is not within an area mapped or designated with scenic vistas or resources.  Additionally, the project has been conditioned to fully shield the mixed light cultivation and propagation area so that it does not direct light within the property boundaries. With these conditions of approval, the proposed project would meet the goals and policies contained in this chapter relating to the protection of scenic areas.

Relevant Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Water Resources Chapter 11</p> <p>Stormwater Drainage</p>	<p>Goals and policies contained in this Chapter relate to coordinated watershed planning and land use decision making to advance management priorities (WR-G3, WR-G4, WR-G5); watershed conservation and restoration efforts aimed at de-listing water bodies and watersheds which are restored to meet all beneficial uses, including water use, salmon and steelhead recovery plans, recreational activities, and the economy. (WR-G1, WR-G, WR-G7, WR-G8, WR-G9)</p> <p>Related policies: WR-P10, Erosion and Sediment Discharge; WR-P42, Erosion and Sediment Control Measures.</p>	<p>The cultivation area is in an area of FEEMA mapped flood Zone.</p> <p>The cannabis structures will be removed by October 31<sup>st</sup> of every year and the project will adhere to the Flood Ordinance. The applicant will obtain Flood Elevation Certificates for all structures with a nexus to the cannabis activity.</p>
<p>Water Resources Chapter 11</p> <p>Onsite Wastewater Systems</p>	<p>Goals and policies contained in this Chapter relate to adequate public water supply as well as onsite wastewater 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 G10)</p> <p>Related policies: WR-IM7, Basin Plan Septic Requirements; and IS-P17, On-Site Sewage Disposal Requirements</p>	<p>The Division of Environmental Health reviewed the project and recommended approval of the project. The applicant will have no employees onsite. The applicant shall provide an invoice, or equivalent documentation, to the Department of Environmental Health to confirm the use of portable toilets to serve the needs of cultivation staff prior to annual renewal of the permit.</p>
<p>Noise Chapter 13</p>	<p>Goals and policies contained in this Chapter discourage incompatible uses within communities and reduce excessive noise through the application of standards. (N-G1, N-G2)</p> <p>Related policies: N-P1, Minimize Noise from Stationary and Mobile Sources; and N-P4, Protection from Excessive Noise.</p>	<p>The project will use on-grid power provided by P.G.&amp;E. for all energy needs. No generators will be used for the project.</p>

Relevant Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<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-P11, Site Suitability; and S-P7, Structural Hazards.</p>	<p>The project site is not located in a mapped Alquist-Priolo fault zone nor is subject to liquefaction. Geologic hazard maps of the parcel show the slope instability of the property to be low, and the proposed project is not likely to be subject to geologic hazards.</p>
<p>Safety Element Chapter 14</p> <p>Flooding</p>	<p>Goals and policies contained in this Chapter relate to the use of natural drainage channels and watersheds that are managed to minimize peak flows in order to reduce the severity and frequency of flooding. (S-G3)</p> <p>Related policies include: S-P10, Federal Flood Insurance Program; S-P11, Flood Plains; S-PX3, Construction Within Special Flood Hazard Areas</p>	<p>The subject site is within the mapped flood hazard areas. The project site is located approximately 500 feet south from the riparian setback of the Van Duzen River. The cultivation area is in an area of FEEMA mapped flood Zone. The cannabis structures will be removed by October 31st of every year and the project will adhere to the Flood Damage Prevention Ordinance. The applicant will obtain Flood Elevation Certificates for all structures with a nexus to the cannabis activity. The project site is not within a mapped dam or levee inundation area and, at 14 miles distant from the coast, is outside the areas subject to tsunami run-up.</p>

Relevant Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<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-P19, Conformance with State Responsibility Areas (SRA) Fire Safe Regulations.</p>	<p>The parcel is located within the Fortuna Fire Protection District Response Area and within the State Fire Responsibility Area where the State of California has the primary financial responsibility for the prevention and suppression of wildland fires. CAL FIRE stated that they had no comments regarding the proposed project. Nonetheless, the project is conditioned that applicant meet the requirements of the County's Fire Safe Regulations and to provide evidence of emergency access turnarounds, signing &amp; building numbers, emergency water standards, a designated water storage for fire, and fuel modification standards. The Humboldt County Fire Safe Ordinance (Section 3111-1 et seq.) establishes development standards for minimizing wildfire danger in state responsibility designated areas.</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, applications for grading and or building permits shall be referred to the North Coast Air Quality Management District (NCAQMD) for review and consultation. Dust control practices during construction and grading shall achieve compliance with NCAQMD fugitive dust emission standards.</p>

**2. Zoning Compliance and 3. Conforms with applicable standards and requirements of these regulations:** The following table identifies the evidence which supports finding that the proposed development is in conformance with all applicable policies and standards in the Humboldt County Zoning Regulations and the County Cannabis Cultivation Land Use Ordinance (CCLUO)

Zoning Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
§312-1.1.2  Legal Requirement                      Lot	Development permits shall be issued only for a lot that was created in compliance with all applicable state and local subdivision regulations.	The subject parcel qualifies for Certificate of Compliance pursuant to section 66499.35 of the Subdivision map Act due to approval of building permit 03-1254 OB4.
§314-7.1 Agriculture Exclusive zone (AE)	The Agriculture Exclusive or AE Zone is intended to be applied in fertile areas in which agriculture is and should be the desirable predominant use and in which the protection of this use from encroachment from incompatible uses is essential to the general welfare. The following regulations shall apply in all Agriculture Exclusive or AE Zones. (	The applicant is seeking a Conditional Use Permit for 6,000 square feet of new mixed light cannabis cultivation and 6,000 square feet of new outdoor cannabis cultivation.  The AE zoning district is enumerated as an eligible zoning district for cultivation pursuant to HCC Sections 314-5.4.5.1.4 with a Conditional Use Permit.
Minimum lot Area	Twenty acres	19 acres
Minimum Lot Width:	One hundred feet	1,117 feet
Maximum Lot Depth:	(None Specified)	757 feet
Max. Lot Coverage:	Thirty-five percent	>25 %
Min. Yard Setbacks (through the SRA requirements):	Front Setbacks: 30 feet Rear Setbacks: 20 feet	Front:>30 Rear: >30 Side: >30



	Side: Ten percent (10%) of the lot width on each side but not more than twenty feet (20') shall be required.	
Max. Building Height:	None Specified	N/A

<b>314-55.4 Commercial Cultivation, Processing, Manufacturing, Distribution, Testing and Sale of Cannabis Land Use Regulation for the Inland Area of the County of Humboldt – Commercial Cannabis Land Use Ordinance (CCLUO)</b>		
<b>Zoning Section</b>	<b>Summary of Applicable Requirement</b>	<b>Evidence That Supports the Zoning Finding</b>
§314-55.4.5.1.4 a)  City Spheres of Influence, Community Planning Areas, Tribal Lands	A Conditional Use Permit shall be required for any Commercial Cannabis Activity where located within the Sphere of Influence (SOI) of any incorporated city or within any of the following mapped Community Planning Areas (CPA's) Blue Lake, Fieldbrook-Glendale, Fortuna, Hydesville-Carlotta, McKinleyville, Rio Dell-Scotia, Shelter Cove, Trinidad-Westhaven, and Willow Creek. A Conditional Use Permit shall also be required for any Commercial Cannabis Activity where located within one thousand feet (1,000') of any incorporated city, Tribal Lands, or any of the Community Planning Areas (CPA's) identified herein.	The subject property is in the Hydesville-Carlotta Community Planning Area. Therefore, the applicant seeks approval for a Conditional Use Permit for 12, 000 square feet (SF) of new cultivation. Project includes for 6,000 SF of new mixed-light cultivation within two hoop houses and 6,000 SF of new open air outdoor commercial cannabis cultivation.
§314-55.4.5.4  Permit Limits and Permit Counting	No more than eight acres of Commercial Cannabis permits may be issued to a single Person. No more than ten (10) Persons shall be granted permits authorizing three (3) or acres of cultivation pursuant to the provisions of 55.4.6.1.2(c).	According to records maintained by the Planning Department, the party who is the applicant, submitted one cannabis application, for 12,000 square feet of new cultivation, which equals less than 3 acres of cultivation.

<p>§314-55.4.6</p> <p>Commercial Cannabis Cultivation, Propagation, and Processing – open air activities</p>	<p>55.4.6 Outdoor and Mixed-light Cultivation Activities, On-Site Processing, and Nurseries shall be principally permitted with a Zoning Clearance Certificate when meeting the following Eligibility and Siting Criteria and all applicable Performance Standards, except when otherwise specified.</p>	<p>An application for a Conditional Use Permit for 12,000 square feet of new cultivation, located in the Hydesville-Calotta Community Planning Area.</p>
<p>Eligibility Criteria §314-55.4.6.3.1 Energy Source.</p>	<p>Energy Source Electricity must be exclusively provided by a Renewable Energy Source, meeting the Performance Standard for Energy Use.</p>	<p>The subject property is served by P.G.&amp;E. power. No generators will be used.</p>
<p>§314-55.4.6.3.2: Water Source.</p>	<p>Irrigation shall exclusively utilize Stored Water from Non-Diversionary Sources or water from a Public or Private Water Supplier.</p>	<p>Water use for irrigation is sourced by an onsite well. The well log provided by the applicant indicates that well is not hydrologically connected to surface water.</p>
<p>§314-55.4.6.4.1 Siting Criteria</p>	<p>Slope: Cultivation Site(s) must be confined to areas of the Parcel where the Slope is 15 percent or less.</p>	<p>According to the County's WebGIS the entire parcel is 15% or less.</p>
<p>§314-55.4.6.0 Conversion of Timberland</p>	<p>Conversion of Timberland Prohibited: Cultivation Site(s) may only be located within a Non-Forested area that was in existence prior to January 1, 2016.</p>	<p>The entire parcel is open land with no timberland. The project does not propose any trees to be removed.</p>

<p>§31455.4.6.4.4 Sensitive Receptors</p> <p>Special Setbacks for Odor Mitigation (j)</p>	<p>a) Property Lines - Thirty (30') feet from any property line;</p> <p>b) Residences and undeveloped parcels - Three hundred feet (300') from any residence on an adjacent separately owned parcel, and two hundred seventy feet (270') from any adjacent undeveloped separately owned parcel</p> <p>(c) Six hundred feet (600') from a Church or other Place of Religious Worship, Public Park, Tribal Cultural Resource, or School Bus Stop currently in use at the time of project application submittal.</p> <p>d) Tribal Ceremonial Sites - One thousand feet (1,000') from all Tribal Ceremonial Sites</p> <p>g) In all cases, structures must comply with the setback requirements and similar provisions of the principal zoning district(s) as well as those required by the Building Code, including lot coverage.</p> <p>(j) Six hundred feet (600') from the boundary of any residentially zoned area</p>	<p>The project site is within 300 feet from any residences and 270 feet within an undeveloped property. Additionally, the project site not within 600 feet from a Church or other Place of Religious Worship, Public Park, Tribal Cultural Resource, or School Bus Stop currently in use at the time of project application submittal an there is no Tribal Ceremonial Sites within 1,000').</p> <p>Additionally, the project is not within 600 feet from a residentially zoned area.</p>
<p>314-55.4.9</p> <p>Performance Standard for Adaptive Reuse</p>	<p>On Parcels 2 acres or larger in size, within existing structures previously developed for a lawful heavy industrial operation, occupancy of up to one acre of gross floor area may be permitted for use by Commercial Cannabis activities including: Indoor Cultivation, Manufacturing, and Cannabis Support Facilities. A Zoning Clearance Certificate will be required for each discrete lease area. Where permitted occupancy and use of the site has reached one acre, a Use Permit will be required to</p>	<p>The cited section does not apply as the property is not developed with a lawful heavy industrial operation. Nor was the property previously developed for commercial or industrial uses. The evidence supports finding the project consistent with this standard.</p>

	consider any further use of the site by Commercial Cannabis Activities	
§314-55.4.11 Application Requirements	Identifies the Information Required for All Applications	Attachment 4 identifies the information submitted with the application and shows all the required information was received
§314-55.4.12 Performance Standards	Identifies the Performance Standards for Cannabis Cultivation Activities.	All the applicable performance standards are included as conditions of project approval. They are required to be met throughout the timeframe of the permit.
§314-55.4.12.1.8 Performance Standards–  Road System	Roads providing access to any parcel(s) or premises on which commercial cannabis activities occur must comply with standards regarding dead-end road length, functional capacity and private road systems.	The project site is accessed directly off a County Maintained Road; however, it does meet the category 4 standard. As a condition of approval, the applicant is to join or start a Road Maintenance Association and submit evidence that the turnouts have been completed per the Road Evaluation prepared by Chapman. Engineering July 2020.
§314-55.4.12.1.9  Burning of Plant Material	The Burning of Plant Material associated with Cultivation and Processing of Commercial Cannabis is Prohibited	As an Ongoing Condition of approval, the burning of Plant Material associated with Cultivation and Processing of Commercial Cannabis is Prohibited.
§314-55.4.12.1.10 Performance Standards–  Biological Resource Protection	Projects proposing new development activities shall provide the necessary information to implement Mitigation Measures 3.4-1a – 3.4-1l, 3.4-3a, 3.4-4, 3.4-5 and 3.4-6 from the Final Environmental Impact Report.	The proposed cultivation site is located approximately 150 feet south of a wetland/pond. Further, the project site is located 500 feet the Streamside Management Area of the Van Duzen River. The applicant has submitted a <i>Biological Report</i> prepared by Natural Resource Constants, dated July 2019. According to the report, there are two Northern Spotted Owl Activity Centers (NSO) within the vicinity of the project, one at 1.6 miles southeast of the project area and the other one, at 2 miles west of the project area. Further the report states that the impact to the NSO will minimal as the project is not prepossessing to remove any trees or using generators and light used for the project will be enclosed. The California Natural Diversity Data Base (CNDDDB) mapped a rare and endangered species, the Bank Swallow. However, the report also states that project site does not contain Bank Swallow habitat and that no impacts is expected occur from the proposed cultivation. The report does indicate that a Yellow Breasted Chat was audible from the project site. The habitat for Yellow Breasted Chat is primarily riparian shrubs and given the proximity to the Van Duzen River, the report recommends strict

		adherence to riparian setback requirements, no generator shall be used, and all light shall adhere to International Dark Sky Standards. The project has been conditioned as such.
§314-55.4.12.1.12 Hazardous Material Site Assessments and Contingency Plan	Where commercial cannabis activities are located or proposed on a property previously developed with an industrial or heavy commercial use, applications must be accompanied by a Phase I Environmental Site Assessment (ESA) for the presence of potential hazardous materials. (It goes on)	The proposed cultivation is not located in an area that was previously developed as an industrial or heavy commercial use.
§314-55.4.12.1.12 Stormwater Management	Applications for cannabis activities shall include a plan detailing how stormwater will be addressed for the property, including the location, capacity, and operation of all existing and proposed drainage facilities and features.	The applicant has submitted a plan for stormwater onsite. The applicant will use native grass and wood chips mulch to cover bare soil. The Division of Environmental Health reviewed the project and recommended approval of the project.
§314-55.4.12.1.13 Management of Waste and Hazardous Materials	Applicants shall include a plan for disposal of project-related waste, including solid waste, effluent, and byproducts from commercial activities.	All nutrients will be store in secondary containment. Trash and recycling will be stored in watertight containers. Trash will be removed bi-weekly by Humboldt Recology.
§314-55.4.12.1.14 Protection of Historical Resources	Applications proposing projects which include the removal or exterior alteration of structures over 45-years in age shall provide a report prepared by a historical consultant meeting the Secretary of the Interior's Professional Qualification Standards.	The project does not include the removal or exterior alteration of structures over 45-years in age.

<p>§314-55.4.12.2 Performance Standards–  Commercial Cannabis Cultivation</p>	<p>Identifies the Performance Standards for Cannabis Cultivation Activities.</p>	<p>The project as proposed and conditioned meets all of the requirements stipulated in the cited section. In Attachment 1, these performance standards have been incorporated into the On-going Conditions of approval that must be satisfied for the life of the project.</p>
<p>§314-55.4.12.4 Performance Standards–  Light Pollution Control</p>	<p>a) Structures used for Mixed Light Cultivation and Nurseries shall be shielded so that no light escapes between sunset and sunrise. b) Where located on a Parcel abutting a residential Zoning District or proposed within Resource Production or Rural Residential areas, any Security Lighting for Commercial Cannabis Activities shall be shielded and angled in such a way as to prevent light from spilling outside of the boundaries of the Parcel(s) or Premises or directly focusing on any surrounding uses.</p>	<p>All external lighting and any Security Lighting from the proposed building shall be shielded and angled in such a way as to prevent light from spilling outside of the boundaries of the Parcel(s) or Premises or directly focusing on any surrounding uses.</p>
<p>§314-55.4.12.5 Performance Standards–  Energy Use</p>	<p>All electricity utilized by Commercial Cannabis Cultivation, Manufacturing or Processing activities shall conform to one or more of the following standards:</p> <ul style="list-style-type: none"> <li>• Grid power supplied from 100% renewable source; and</li> <li>• On-site renewable energy system with twenty percent net non-renewable energy use</li> </ul> <p>Grid power supplied by partial or wholly non-renewable source with purchase of carbon offset credits.</p>	<p>The applicant will use on-grid power supply provided by Pacific Gas and Electric Company.</p>

<p>§314-55.4.12.6 Performance Standards–  Noise</p>	<p>Noise from cultivation and related activities shall not result in an increase of more than three decibels of continuous noise above existing ambient noise levels at any property line of the site. Existing ambient noise levels shall be determined by take twenty-four measurements on three or more property lines when all cannabis related activities are not in operation.</p>	<p>The project does include a back-up generator or back-up generators. The applicant has produced a noise assessment for the project site. According to the noise source assessment, the average ambient noise level is 45.5 decibels. The project noise will not increase of three decibels.</p>
<p>§314-55.4.12.7 Performance Standards –  Cannabis Irrigation</p>	<p>A Special Permit shall be required where Irrigation of Commercial Cannabis Cultivation Activities occurs wholly or in part using one or more Diversionary sources of water. All Cannabis Irrigation, regardless of cultivation area, shall be subject to documentation of water use, forbearance periods and storage requirements, metering and recordkeeping.</p>	<p>Water use for irrigation is sourced from an onsite well.</p>

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

Code Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
<p>§312-17.1.4</p>	<p>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.</p>	<p>The Department finds that the proposed project will not be detrimental to the public health, safety and welfare since all reviewing referral agencies have approved the proposed project design. The project as proposed and conditioned is consistent with the general plan and zoning ordinance and the project is not expected to cause significant environmental damage.</p>

**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 property was not included in the 2019 Housing Inventory. Proposed development will not preclude residential units in the future if consistent with the general plan and zoning designations; therefore, the project is in conformance with the Housing Element

**6. Environmental Impact:** The following table identifies the evidence which supports finding that the proposed development will not adversely impact the environment.

As lead agency, the Department prepared an Addendum to the previously adopted Environmental Impact Report (EIR) (State Clearinghouse # 2017042022) prepared for the Commercial Cannabis Land Use Ordinance (CCLUO) and adopted by the County Board of Supervisors May 8, 2018. The EIR prepared for the CCLUO established that the environmental effects of existing cultivation operations would be reduced from the baseline impacts through the regulations applied by the CCLUO. The EIR prepared for the CCLUO also established local land use regulations to allow for continued commercial cannabis operations in the unincorporated area of the County that ensure the health and safety of residents, employees, County visitors, neighboring property owners and end users of cannabis. The proposed project is consistent with all regulations within the CCLUO and all mitigation measures of the EIR.



ATTACHMENT 3  
CEQA ADDENDUM TO THE  
FINAL ENVIRONMENTAL IMPACT REPORT FOR THE COMMERCIAL CANNABIS LAND USE ORDINANCE

*Commercial Cannabis Land Use Ordinance Final Environmental Impact Report (EIR)  
(State Clearinghouse # 2017042022), January 2018*

*APN: 204-331-019, River Bar Road. Fortuna, County of Humboldt.*

Prepared By  
Humboldt County Planning and Building Department  
3015 H Street, Eureka, CA 95501

*August 2020*

## Background

### Modified Project Description and Project History –

The Commercial Cannabis Land Use Ordinance (CCLUO) updated the County's existing Commercial Medical Marijuana Land Use Ordinance (Section 313-55.4 and 314-55.4 of Chapter 3 of Division 1 of Title III of the County Code) as well as repeal of the Medical Cannabis Testing and Research Laboratories provisions and on-site consumption prohibition found in Sections 313-55.3.15, 314-55.3.15, 313-55.3.11.7, and 314-55.3.11.7 of Division 1 of Title III of the County Code, respectively. These regulations establish land use regulations for the commercial cultivation, processing, manufacturing, distribution, testing, and sale of cannabis within Humboldt County. These regulations were developed in concert with the Final Environmental Impact Report (EIR) that was adopted for the ordinance in order to implement the mitigation measures of the EIR. The EIR addressed the broad environmental impacts that could be expected to occur from the adoption and implementation of the ordinance. The EIR specified that the regulations established in the CCLUO would mitigate the impacts of existing cannabis operations by establishing regulations for an existing unregulated land use to help prevent and reduce environmental impacts that are known to result from unpermitted baseline cultivation operations. The EIR prepared for the CCLUO also established local land use regulations to allow for continued commercial cannabis operations in the unincorporated area of the County that ensure the health and safety of residents, employees, County visitors, neighboring property owners and end users of cannabis. The proposed project is consistent with all regulations within the CCLUO and all mitigation measures of the EIR. Commercial cannabis cultivation in existence as of December 31, 2015, was included in the environmental baseline for the EIR. The current project was contemplated by the EIR and compliance with the provisions of the CCLUO will fully mitigate all environmental impacts of the project to a less than significant level.

An application for a Conditional Use Permit for 12,000 square feet (SF) of new cannabis cultivation, located in the Hydesville-Carlotta Community Planning Area. Project includes for 6,000 SF of new mixed light within two hoop houses and 6,000 SF of new outdoor commercial cannabis cultivation. Additionally, a 1,000 SF nursery greenhouse is proposed to support the project.

The parcel is developed with a 2,800 SF residence, 1,024 SF barn, and pond that is considered a wetland. The barn will be used for storage and drying. Further processing will occur offsite at a licensed facility.

The annual water usage is about at 52,800 gallons. The water source is well onsite. The well log does not indicate that the well is connected to surface water. The project was referred to the California Department of Fish and Wildlife (CDFW) who did not comment on the project. Conditions of approval require the applicant to install water flow meters in accordance with applicable regulations and require the applicant to obtain and implement all recommendations and requirements of the Final Streambed Alteration Agreement issued by CDFW.

The site is located approximately 150 feet south of a wetland/ pond. Further, the project site is located 500 feet the Streamside Management Area of the Van Duzen River.

The applicant has submitted a Biological Report prepared by Natural Resource Constants, dated July 2019. According to the report, there are two Northern Spotted Owl Activity Centers within the vicinity of the project, one at 1.6 miles southeast of the project area and the other one, at 2 miles west of the project area. Further the report states that the impact to the NSO will be minimal as the project is not using generators and light used for the project will be enclosed, and not light will escape. The California Natural Diversity Data Base (CNDDDB) mapped rare and endangered

species, the Bank Swallow. The report also states that project site does not contain Bank Swallow habitat and that no impacts is expected. The report does indicate that a Yellow Breasted Chat was audible from the project site. The habitat for Yellow Breasted Chat is primarily riparian shrubs, given the proximity to the Van Duzen River, the report recommends strict adherence to riparian setback requirements, no generator shall be used, and all light shall adhere to International Dark Sky Standards. The project has been conditioned as such.

The project is accessed from River Bar Road off State Highway 36. Public Works commented on the project and recommended that the applicant complete a Road Evaluation Report for River bar Road. The applicant subsequently submitted a Road Evaluation report prepared by Chapman Engineering, dated April 2020 and then revised the document on July 2020. The revised report states that road can accommodate the increased traffic from the cannabis project with the addition of two other turnouts. The report further indicates that the applicant will be the only one operating the project and estimates no more the two commercial sized trucks per season. As a condition of approval, the applicant is to join or start a Road Maintenance Association (RMA) and share the cost of maintaining the road and the installation of the turnouts, pursuant to section 55.4.12.1.8 of the CCLUO. The applicant is to submit evidence that the turnouts have been completed and evidence that the applicant joined or started an RMA.

**Purpose** - Section 15164 of the California Environmental Quality Act (CEQA) provides that the lead agency shall prepare an addendum to a previously certified Final Environmental Impact Report (EIR) if some changes or additions are necessary but none of the conditions described in Section 15162 calling for a subsequent EIR or Negative Declaration have occurred. Section 15162 states that when an EIR has been certified for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final EIR was certified as complete, shows any of the following: A) the project will have one or more significant effects not discussed in the previous Final EIR; B) significant effects previously examined will be substantially more severe than shown in the Final EIR; C) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or D) mitigation measures or alternatives which are considerably different from those analyzed in the Final EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

### **Summary of Significant Project Effects and Mitigation Recommended**

No changes are proposed for the Final EIR recommended mitigations. The proposal to authorize consisting of 12,000 square feet of new cultivation and to construct minor improvements necessary

to bring the operation into compliance with the CCLUO is fully consistent with the impacts identified and adequately mitigated in the Final EIR. The project as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the Final EIR.

### **Other CEQA Considerations**

Staff suggests no changes for the revised project.

### **EXPLANATION OF DECISION NOT TO PREPARE A SUPPLEMENTAL MITIGATED NEGATIVE DECLARATION OR ENVIRONMENTAL IMPACT REPORT**

See Purpose statement above.

In every impact category analyzed in this review, the projected consequences of the current project proposal are either the same or less than significantly increased than the initial project for which the EIR was adopted. Based upon this review, the following findings are supported:

### **FINDINGS**

1. The proposed project will permit a new cannabis operation and bring the operation into compliance with county and state requirements intended to adequately mitigate environmental impacts.
2. The circumstances under which the project was approved have not changed substantially. There are no new significant environmental effects and no substantial increases in the severity of previously identified effects.
3. For the current proposed project, there has been no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was adopted as complete.

### **CONCLUSION**

Based on these findings it is concluded that an Addendum to the previous Final EIR is appropriate to address the requirements under CEQA for the current project proposal. All of the findings, mitigation requirements, and mitigation and monitoring program of the EIR, remain in full force and effect on the original project.

**ATTACHMENT 4**  
**Applicant's Evidence In Support of the Required Findings**

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

1. The name contact address and phone number(s) of the applicant. (Application form on file)
2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. (On file)
3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including: access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within ¼ mile (1,320 ft.) of a school, school bus stop, church or other place of religious worship, public park, or Tribal Cultural Resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. (Attached)
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; and proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel, and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. (Attached)
5. Copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable. (Not applicable)
6. Description of water source, storage, irrigation plan, and projected water usage. (On file)
7. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (On File)
8. If any on-site or off-site component of the cultivation facility, including access roads, water supply, grading or terracing impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the Department of Fish & Wildlife. (Not applicable)
9. If the source of water is a well, a copy of the County well permit, if available. (Attached)
10. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of

Forestry and Fire Protection (CALFIRE). Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing that the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with CALFIRE. (Not applicable)

11. Consent for onsite inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On file)
12. For indoor cultivation facilities, identify the source of electrical power and how it will meet with the energy requirements in section 55.4.8.2.3, and plan for compliance with applicable Building Codes. (Not Applicable)
13. Acknowledge that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this Section in the event that environmental conditions, such as a sustained drought or low flows in the watershed will not support diversions for irrigation. (On file)
14. Acknowledge that the county reserves the right to engage with local Tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined herein. This process will follow current departmental referral protocol, including engagement with the Tribe(s) through coordination with their Tribal Historic Preservation Officer (THPO) or other tribal representatives. This procedure shall be conducted similar to the protocols outlined under SB 18 (Burton) and AB 52 (Gatto), which describe "government to government" consultation, through tribal and local government officials and their designees. During this process, the tribe may request that operations associated with the clearance or permit be designed to avoid, minimize or mitigate impacts to Tribal Cultural Resources, as defined herein. Examples include, but are not limited to: conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, requiring that a professional cultural resources survey be performed, or requiring that a tribal cultural monitor be retained during project-related ground disturbance within areas of sensitivity or concern. The county shall request that a records search be performed through the California Historical Resources Information System (CHRIS). (On file)
15. DEH Worksheet (On file)
16. Biological Report prepared by Natural Resource Constants, dated July 2019. (Attached)
17. Road Evaluation report prepared by Chapman Engineering, dated April 2020 and then revised the document on July 2020. (Attached)
18. Flood Certificates and temporary structures form (attached).

RECEIVED

AUG 21 2019

Humboldt County  
Cannabis Svcs

***iv. CULTIVATION AND OPERATION PLAN:***

Riverbar Lavender Farm is located on nearly twenty acres off of River Bar Road, Fortuna CA, parcel number 204-331-019. Property is zoned Agriculture Exclusive. The overall topography of the property is flat, with a grade less than fifteen percent. The proposed operational area would total 13,000 square feet that consists of two 3,000 square feet (100x30) greenhouses, 6,000 square feet of outdoor cultivation, and 1,000 (50x20) square feet for a propagation greenhouse. The property also holds a business license for a lavender farm. Our goal is to have a diverse flower farm as well as a working animal farm. We strive to be eco-friendly, practice conservation methods, and become fully sustainable.

The property currently acts as the primary residence for the farm owners. The single-family residence is a 2,800 square foot house built in 2004 with an attached garage and an adjacent 32x32ft barn. The secured barn will serve as the location for drying, processing, and storage of growing materials. County maintained, River Bar Road, accesses the property location. Entire length of road is paved as well as the property entrance. River Bar Road is accessible per Fortuna emergency services: ambulance, fire, etc.

The proposed cultivation operation will consist of two 100ft by 30ft greenhouses to total 6,000 square feet of mixed lighting as well as 6,000 square feet of outdoor cultivation. In addition, a 1,000 square foot greenhouse will be utilized for propagation. The outdoor cultivation space will consist of raised beds with organic soil purchased from Royal Gold. The greenhouse garden will consist of plants growing in soil bags and fabric bags (Smart Pots). The greenhouse will be temporary built and only used for cannabis cultivation purposes. The greenhouse material will consist of steel pipe, wood, and have a poly carbonate cover. In case of a flood, the greenhouses have been designed to prevent floatation, collapse, and movement related to flood waters (See attached Wet Flood Proofing Certification). Floodwaters will also not be impeded by the design of the greenhouses. According to Oregon Valley Greenhouse, INC the greenhouses can withstand wind loads up to 110mph and snow loads up to 50lbs.

**Water Source**

An agriculture well serves the single-family residence. The well was originally dug in 1956 (See attached drillers report). Given the well was created in 1956 the work predates local ordinance requiring a well completion permit. In 2004, the well filtration system was upgraded to UV filtration (see attached photos in Biological Survey) and is maintained regularly by Watson Well. Fully maintained and UV filter change in May 2019 (See attached receipt).

According to Watson Well:

Well Depth: 47'  
Static Water: 13'  
Casting Size 8" steel  
Sub-pump: 1hp- 10gpm

Pump Set: 40-42  
Pressure Tank PSI: 40  
Pressure Switch on: 44  
Pressure Switch off: 65  
Cycle Time: 00:53

The well has been evaluated and deemed not hydrologically connected to the Van Duzen River per Chapman Engineering. (Engineer report attached). In addition to the well, there are two 3,000-gallon water storage tanks filled over the winter months via rain catchment. There also is a one-acre pond is located on the property filled by rain catchment. The pond water will not be used for cannabis cultivation. State Waterboard application under the Cannabis General Order completed (see attached receipt). CDFW Lake and Streambed Alteration Agreement waiver is also in process.

The water will be delivered by gravity through food grade poly hoses to the greenhouses. From there, a sump pump and food grade poly hose will distribute the water to the plants. Mixing tanks may be used to add teas and other amendments to the irrigation water. Mulching methods and watering by hand will be utilized to promote water conservation, using a direct stream nozzle to carefully manage water runoff/waste. Our water conservation goal is to utilize drip irrigation to better control/manage water usage.

Projected irrigation demands consist of an estimated 1,500 gallons total of water per week. During the warmer summer months, July through September, an estimated 2,000 gallons of water per week will be needed. The proposed greenhouse growing period will begin in April with harvest season towards the end of June. July begins the next round with harvest starting in October. The outdoor cultivation space would be planted in June and harvest would begin in September. No cultivation will occur in the winter months.

### **Sewage Disposal Plan**

Three full bathrooms are located inside the single-family residence that will be available for use. Built in 2004, the bathrooms each are up to date and in perfect working condition. Wastewater from the home is disposed via septic system. The septic tank is an 1800-gallon concrete tanks with as needed maintenance by Steve's Septic Services (see attached records). The septic tank was last pumped in 2018 before the sale of 1806 River Bar Road. (See attached receipt)

### **Security Plan**

A locked gate protects the property entrance, the property owners being the only holder of the keys. During regular business hours our premises will be locked but accessible on request. Locks secure all external doors of house/barn and the front gate. During non-operating hours, all usable marijuana, harvested plants, and finished product will be store indoors on the premise in a secured barn. The single-family dwelling has an alarm system programmed to activate upon unauthorized breach of any door and/or window. Two dogs also roam the property for added safety.



### **Parking Plan**

Parking is located near the barn in a pre-existing gravel lots. Two parking spots located in front of the barn. Three to left of the barn. Each spot can be wheelchair accessible if needed and conveniently located near the purposed greenhouse location.

### **Energy Plan**

The purposed cultivation plan will be 90% sun grown within the greenhouses. The remaining 10% will be provided by 100% grid power from 100% renewable energy source provided by Redwood Coast Energy Authority during the shorter light seasons. Also, the farm is enrolled in Ohm Connect to work towards utilizing clean energy and saving power. Greenhouses compared to indoor cultivation offer a potential saving of 60-75% of total energy consumption. To further reduce energy consumption solar fans will be implemented. To better manage energy, a goal will be set to reduce energy and tracking progress towards the energy reduction, i.e solar energy.

### **Soil Management Plan**

Soil will be bought through Royal Gold. Organic Kings Mix will be purchased for cultivation for the year. The cultivation plan consists of growing within soil bags, smart pots, and raised beds. After the first year, the spent soil will be re-amended with our own animal manure/compost and will be recycled the following year, working towards sustainability. Testing will be performed through Dirty Business to ensure proper amendments are added. In case of extra soil, it will be utilized in raised beds for gardening; flowers, fruit, etc and/or disposed of properly through Wes Green Landscape Materials in Arcata, CA. The following season the same soil bags and/or replacing with smart pots will be used with the hopes of utilizing raised beds within the greenhouses as well. Our goal is to have sustainable farm practicing methods to reduce our environmental impact.

### **Processing Plan**

Cannabis will be dried within the barn located on the farm. The cannabis processing will then occur at an off site location. Cannabis will be handled with clean hands protected by clean gloves that will be disposed of after each use. *At a licensed processing Facility.*

### **Materials Management Plan**

All non-cannabis trash will be taken to the dump and if the case of any hazardous materials it will be disposed of properly through Humboldt Recology. Trash will be stored in trashcans in the household garage and/or barn. No trash will be stored outside. No fertilizers or pesticides will be utilized. Organic biological compost teas from Beneficial Living Center will be applied, an estimated amount of 50 galloons every 10 days. The tea will be picked up on day of use and administered within hours. The empty drum will then be returned to Beneficial Living Center. The tea will be held in a stock tank that will then be delivered to the plants by a food grade poly hose with a direct stream nozzle. All products will be stored properly in the secured barn. Remaining plant material will be rendered unrecognizable and will be disposed of through Wes Green Landscape Materials.

### **Pest Management**

The majority of products will be applied only as needed and the least amount necessary will be applied. In case of an actual pest problem, neem oil will be used, an estimated amount of 30 gallons per week. It will not be used on a regular preventative schedule, only as necessary. Diatomaceous earth will be utilized if there is an infestation of soft-bodied insects and slugs. In case of fungus causing damage to plants, the affected plant material will be removed and disposed of. The only weekly preventive product that will be used is organic Plant Therapy. A 32oz concentrate mix is used over a span of two months. It is used to ensure pest free, mildew free plants. Non-toxic, non- GMO, food grade ingredients, and approved for organic gardening practices. In addition, beneficial organisms that prey on detrimental pest will be promoted, example: ladybugs, praying mantis.

### **Storm Water Management Plan**

The property is sloped slightly, less than 15%. There is no proposed change to current property drainage. The proposed greenhouse location within the 150ft set back from the pond area. Swales will be around the perimeter of the cultivation site to collect water. Also, mulch (wood chips or bark) will be laid down in areas that don't have ground cover to prevent erosion and minimize evaporative loss. Cover crops (native non-invasive species) will be planted to boost soil fertility and protect from storm events. Best management practices will be implemented. Utilizing intermittent watering so the infiltration rate of the soil will not be exceeded. We will regularly inspect to ensure excessive runoff is not occurring. Buffer zones will be established as well as recycling the runoff water. Cannabis clippings, leaves, sticks, will be disposed through green waste through Wes Green in Arcata, mixed with mulch so cannabis products will not be distinguishable. Plant waste will not be disposed in waterways or storm drainage areas. All federal, state, and local laws and regulations governing the use, storage, and disposal of products will be followed. Manufactures recommendations and label directions will be followed. When watering, techniques will be employed to minimize off target application.

### **Invasive Species Control Plan**

According to the Humboldt County Weed Management Area our property contains periwinkle, poison oak, and English/cape ivy. All invasive species will be physically removed with a shovel and/or other gardening tools. Plants will be removed according to HWMA recommendations for proper eradication. To keep reoccurrence at bay we will be purchasing goats to keep down the growth, utilizing a burn permit to properly dispose of the waste, and yearly maintenance will be practiced.

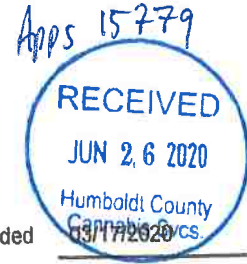
### **Noise source assessments**

Noise will be kept at a minimum. Due to grid power, use a generator will only be used in case of a power outage. The generator is stored in the barn for safekeeping. The decibel estimate for the Honda generator is 63-65dB. Solar fans will be used within the greenhouse, which emit a low noise level. In front of both greenhouses the sound emitted is 53.0dB, with the solar fans circulating. The estimated sound level at the northeast corner is 42.4dB while the northwest corner is 48.5dB. To reduce what little sound we may create, landscaping will be added around the greenhouse to attenuate noise and will also provide an esthetically pleasing element to the greenhouses. In addition, it can act as a vegetated buffer zone that can provide a catchment system for slowing and infiltrating possible storm water and sediments. Noise is related to small farm activities: raising livestock, birds, dogs, and occasional tractor usage for field and garden maintenance. Incoming traffic will be kept at a minimum, normal everyday traffic due to project manager/cultivator being property owner.

### **Light Pollution**

The main benefit of using a greenhouse is the primary source of lighting is the sun, grow lights are used only as occasional supplements. The minimum amount of lighting will be used to achieve the appropriate light level. During the summer months lighting will be obtained through sunlight. The additional 4-5 hours of light will be obtained through grow lights in the shorter months. Black tarps will be pulled over the greenhouses to minimize escaped light. No light will escape at night. Because natural sunlight will be utilized as the primary lighting source rather than lighting fixtures, green houses are more energy efficient. With energy efficiency in mind we will be working towards lights being used on an as needed basis.

State of California  
**Well Completion Report**  
 Form DWR 188 Submitted 3/18/2020  
 WCR2020-003724



Owner's Well Number \_\_\_\_\_ Date Work Began 03/09/2020 Date Work Ended \_\_\_\_\_  
 Local Permit Agency Humboldt County Department of Health & Human Services - Land Use Program  
 Secondary Permit Agency \_\_\_\_\_ Permit Number 19/20-0732 Permit Date 03/06/2020

<b>Well Owner (must remain confidential pursuant to Water Code 13752)</b>	<b>Planned Use and Activity</b>
Name <u>David Parris</u>	Activity <u>New Well</u>
Mailing Address <u>1806 Riverbar Rd</u>	Planned Use <u>Water Supply Irrigation - Agriculture</u>
City <u>Fortuna</u> State <u>CA</u> Zip <u>95540</u>	

Well Location	
Address <u>1806 Riverbar Rd</u>	APN <u>204-331-019</u>
City <u>Fortuna</u> Zip <u>95540</u> County <u>Humboldt</u>	Township <u>02 N</u>
Latitude <u>40 31 53.4018 N</u> Longitude <u>-124 5 45.7782 W</u>	Range <u>01 E</u>
Dec. Lat. <u>40.5315005</u> Dec. Long. <u>-124.0960495</u>	Section <u>29</u>
Vertical Datum _____ Horizontal Datum <u>WGS84</u>	Baseline Meridian <u>Humboldt</u>
Location Accuracy _____ Location Determination Method _____	Ground Surface Elevation _____
	Elevation Accuracy _____
	Elevation Determination Method _____

Borehole Information	
Orientation <u>Vertical</u> Specify _____	
Drilling Method <u>Direct Rotary</u> Drilling Fluid <u>Bentonite</u>	
Total Depth of Boring <u>200</u> Feet	
Total Depth of Completed Well <u>200</u> Feet	

Water Level and Yield of Completed Well	
Depth to first water <u>12</u> (Feet below surface)	
Depth to Static _____	
Water Level <u>15</u> (Feet) Date Measured <u>03/17/2020</u>	
Estimated Yield* <u>10</u> (GPM) Test Type <u>Air Lift</u>	
Test Length <u>4</u> (Hours) Total Drawdown _____ (feet)	
*May not be representative of a well's long term yield.	

Geologic Log - Free Form		
Depth from Surface	Feet to Feet	Description
0	5	Top Soil
5	30	Loose Gravel
30	32	Blue Clay
32	82	Cemented Gravel
82	86	Yellow Clay
86	97	Cemented Gravel
97	152	Bedrock
152	160	Fractured Shale
160	170	Blue Clay
170	200	Silty Soft Shale

### Casings

Casing #	Depth from Surface Feet to Feet		Casing Type	Material	Casings Specifications	Wall Thickness (inches)	Outside Diameter (inches)	Screen Type	Slot Size If any (inches)	Description
1	0	100	Blank	Low Carbon Steel	Grade: ASTM A53	0.188	8			N/A
1	100	150	Blank	PVC	OD: 5.563 in.   SDR: 17   Thickness: 0.327 in.	0.327	5.563			
1	150	160	Screen	PVC	OD: 5.563 in.   SDR: 17   Thickness: 0.327 in.	0.327	5.563	Milled Slots	0.032	
1	160	200	Blank	PVC	OD: 5.563 in.   SDR: 17   Thickness: 0.327 in.	0.327	5.563			

### Annular Material

Depth from Surface Feet to Feet		Fill	Fill Type Details	Filter Pack Size	Description
0	40	Bentonite	Other Bentonite	3/8	Hole Plug
40	200	Filter Pack	Other Gravel Pack	3/8	Pea Gravel

Other Observations:

### Borehole Specifications

Depth from Surface Feet to Feet		Borehole Diameter (Inches)
0	120	12
120	200	8

### Certification Statement

I, the undersigned, certify that this report is complete and accurate to the best of my knowledge and belief

Name RICH WELL DRILLING & PUMP SERVICE INC  
 Person, Firm or Corporation

1251 RAILROAD DRIVE MC CA 95519  
 Address City State Zip

Signed electronic signature received 03/18/2020 902702  
 C-57 Licensed Water Well Contractor Date Signed C-57 License Number

### DWR Use Only

CSG #	State Well Number	Site Code	Local Well Number

	N		W
--	---	--	---

Latitude Deg/Min/Sec

Longitude Deg/Min/Sec

TRS:

APN:



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

Road Name: River Bar Rd Date Inspected: 3/10/20 APN: 204-331-219  
 From Road:  Hwy 36  (Post Mile  1.7 ) Planning & Building  
 To Road:  Dead end  (Post Mile  ) Department Case/File No.:

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

Number of other known cannabis projects included in ADT calculations:  
 (Contact the Planning & Building Department for information on other nearby projects.)  75

ADT:  75  Date(s) measured:  3-20-20

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

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

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

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

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

A. Pattern of curve related crashes.

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

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

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

C. Substantial edge rutting or encroachment.

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

D. History of complaints from residents or law enforcement.

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

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

Check one:  No.  Yes.

F. Need for turn-outs.

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

3. Conclusions/Recommendations per AASHTO. Check one:

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

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

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

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

[Signature]   
 Signature of Civil Engineer

4/3/20   
 Date

(SEAL)

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

HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS  
ROAD EVALUATION REPORT

**PART A: Part A may be completed by the applicant**

Applicant Name: David Parris APN: 204-331-019

Planning & Building Department Case/File No.: \_\_\_\_\_

Road Name: River Bar Rd (complete a separate form for each road)

From Road (Cross street): HWY 36

To Road (Cross street): Dead end

Length of road segment: 2 miles Date Inspected: 3-20-20

Road is maintained by:  County  Other \_\_\_\_\_  
(State, Forest Service, National Park, State Park, BLM, Private, Tribal, etc)

Check one of the following:

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

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

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

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

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

[Signature]  
Signature

4/3/20  
Date

Marvin Chapman  
Name Printed

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





Chapman Engineering  
P.O. Box 2756  
McKinleyville, CA 95519  
707-839-0298  
Chapman@Tidepool.com

*Att*  
*E. Moreno*



Owner David & Taylor Parris  
Address 1806 River Bar Rd  
Fortuna  
AP # 204-331-019  
Date July 22, 2020

I have performed an evaluation of the condition of the existing road with regard to the impact that construction of the proposed cannabis operation will have on the existing road.

The road is currently under evaluation for two other cannabis operations that will install turnouts at the driveway entrances to AP # 204-171-012 and between 204-091-023 and 204-091-011. Additional turnouts will need to be constructed at the driveway serving parcel address 1442 River Bar Rd, 1489 River Bar Rd, and at the southwest corner of 1917 River Bar Rd. Each of these are at points where oncoming traffic may not be able to see other traffic in the opposite direction.

A detail of a standard turnout is enclosed.

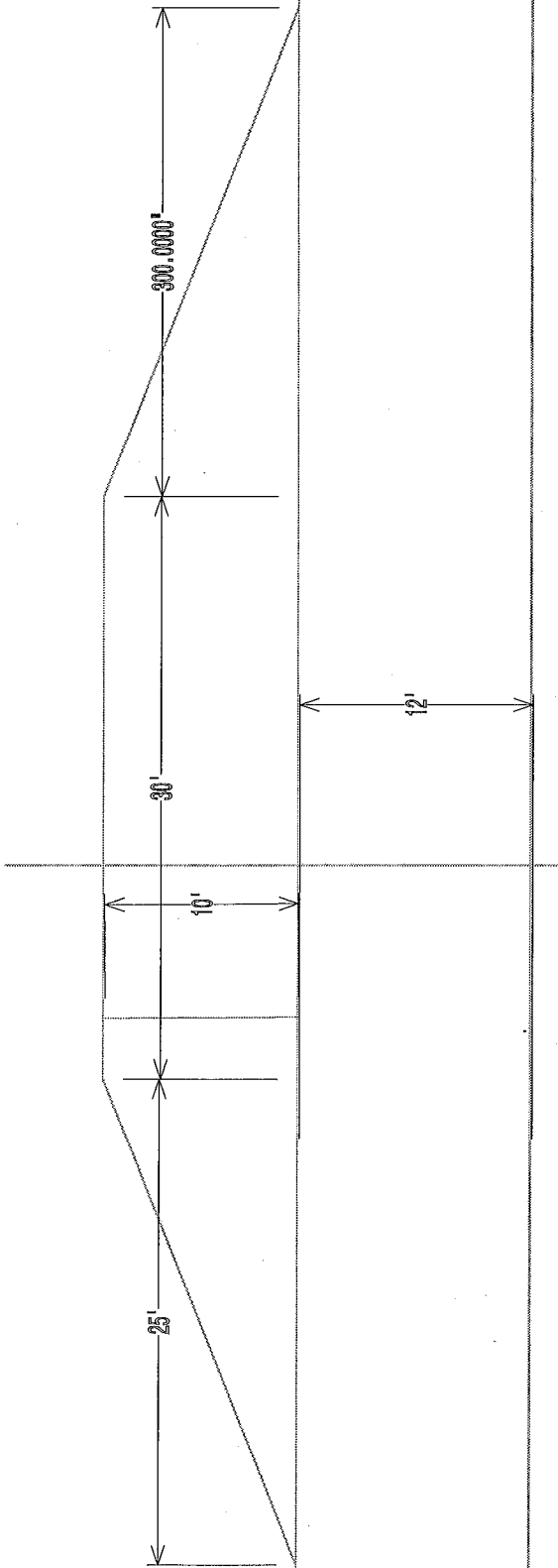
The expected additional traffic from the proposed cannabis operation is approximately two vehicle transits per day.

This is inconsequential given the existing traffic on this road and in particular when compared to the large truck traffic related to the gravel operation at the end of the road,

If you have any questions, please call me.

Thank You  
Marvin Chapman

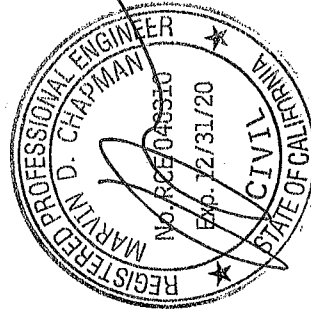




added width for turnout  
minimum total width of paving 20'

existing county rd  
minimum paved width: 12'

slope turnout 4% to outside



<b>CE</b>	Details of added turnouts	
	Client:	David & Taylor Parms
	Address:	1800 River Bar RD Fortuna
	City/State/Zip:	Fortuna, TN 37068
	Scale:	1" = 10'
	Drawn by:	Martin Chapman
	Checked by:	David & Taylor Parms
	Approved by:	Martin Chapman
	Date:	7-22-20
	Sheet No.:	1 of 1

# ELEVATION CERTIFICATE

**Important:** Follow the instructions on pages 1-9.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A – PROPERTY INFORMATION					FOR INSURANCE COMPANY USE
A1. Building Owner's Name David & Taylor Parris					Policy Number:
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 1806 River Bar Rd					Company NAIC Number:
City Fortuna		State California		ZIP Code 95540	
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) AP # 204-331-019					
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.)					Non residential Greenhouse #2
A5. Latitude/Longitude: Lat. 40.5320 Long. 124.0960					Horizontal Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.					
A7. Building Diagram Number <u>1A</u>					
A8. For a building with a crawlspace or enclosure(s):					
a) Square footage of crawlspace or enclosure(s) <u>3000.00</u> sq ft					
b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade <u>2</u>					
c) Total net area of flood openings in A8.b <u>28800.00</u> sq in					
d) Engineered flood openings? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
A9. For a building with an attached garage:					
a) Square footage of attached garage <u>N/A</u> sq ft					
b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade <u>N/A</u>					
c) Total net area of flood openings in A9.b <u>N/A</u> sq in					
d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No					
SECTION B – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION					
B1. NFIP Community Name & Community Number Humboldt County Unincorporated 060060			B2. County Name Humboldt		B3. State California
B4. Map/Panel Number 06023C1240	B5. Suffix F	B6. FIRM Index Date 06-21-2017	B7. FIRM Panel Effective/ Revised Date 11-04-2016	B8. Flood Zone(s) AE	B9. Base Flood Elevation(s) (Zone AO, use Base Flood Depth) 89.0
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9: <input type="checkbox"/> FIS Profile <input checked="" type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other/Source: _____					
B11. Indicate elevation datum used for BFE in Item B9: <input type="checkbox"/> NGVD 1929 <input checked="" type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other/Source: _____					
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date: _____ <input type="checkbox"/> CBRS <input type="checkbox"/> OPA					

# ELEVATION CERTIFICATE

OMB No. 1660-0008  
Expiration Date: November 30, 2022

<b>IMPORTANT: In these spaces, copy the corresponding information from Section A.</b>			<b>FOR INSURANCE COMPANY USE</b>
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 1806 River Bar Rd			Policy Number:
City Fortuna	State California	ZIP Code 95540	Company NAIC Number

## SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on:  Construction Drawings\*  Building Under Construction\*  Finished Construction  
\*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations – Zones A1–A30, AE, AH, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO. Complete Items C2.a–h below according to the building diagram specified in Item A7. In Puerto Rico only, enter meters.

Benchmark Utilized: LV0331 Vertical Datum: NAVD88

Indicate elevation datum used for the elevations in items a) through h) below.

NGVD 1929  NAVD 1988  Other/Source: \_\_\_\_\_

Datum used for building elevations must be the same as that used for the BFE.

Check the measurement used.

- |   |             |  |                                 |
|---|-------------|--|---------------------------------|
| a) Top of bottom floor (including basement, crawlspace, or enclosure floor)   | <u>88.3</u> | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| b) Top of the next higher floor   | <u>N/A</u>  | <input type="checkbox"/> feet            | <input type="checkbox"/> meters |
| c) Bottom of the lowest horizontal structural member (V Zones only)   | <u>N/A</u>  | <input type="checkbox"/> feet            | <input type="checkbox"/> meters |
| d) Attached garage (top of slab)  | <u>N/A</u>  | <input type="checkbox"/> feet            | <input type="checkbox"/> meters |
| e) Lowest elevation of machinery or equipment servicing the building<br>(Describe type of equipment and location in Comments) | <u>93.3</u> | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| f) Lowest adjacent (finished) grade next to building (LAG)  | <u>88.2</u> | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| g) Highest adjacent (finished) grade next to building (HAG)   | <u>88.3</u> | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support                                  | <u>N/A</u>  | <input type="checkbox"/> feet            | <input type="checkbox"/> meters |

## SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Were latitude and longitude in Section A provided by a licensed land surveyor?  Yes  No  Check here if attachments.

Certifier's Name Marvin Chapman	License Number RCE 040310	
Title Civil Engineer		
Company Name Chapman Engineering		
Address P.O. Box 2756		
City McKinleyville	State California	ZIP Code 95519
Signature 	Date 05-28-2016	Telephone (707) 499-5624
Ext.		

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including type of equipment and location, per C2(e), if applicable)  
Greenhouse with loose sides. Sides are assumed to move so that the lower 12 is free to pass water. The length of the sides is 100' each. This yields a net area of 200 SF = 57600 SI water passage area.

Electrical equipment shall be installed at or above elev. 93.3

Latitude and longitude from Humboldt County GIS

# ELEVATION CERTIFICATE

**Important:** Follow the instructions on pages 1–9.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A – PROPERTY INFORMATION				FOR INSURANCE COMPANY USE	
A1. Building Owner's Name David & Taylor Parris				Policy Number:	
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 1806 River Bar Rd				Company NAIC Number:	
City Fortuna		State California		ZIP Code 95540	
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) AP # 204-331-019					
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) <u>Non residential Greenhouse #1</u>					
A5. Latitude/Longitude: Lat. <u>40.5320</u> Long. <u>124.0960</u> Horizontal Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983					
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.					
A7. Building Diagram Number <u>1A</u>					
A8. For a building with a crawlspace or enclosure(s):					
a) Square footage of crawlspace or enclosure(s) <u>3000.00</u> sq ft					
b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade <u>2</u>					
c) Total net area of flood openings in A8.b <u>28800.00</u> sq in					
d) Engineered flood openings? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
A9. For a building with an attached garage:					
a) Square footage of attached garage <u>N/A</u> sq ft					
b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade <u>N/A</u>					
c) Total net area of flood openings in A9.b <u>N/A</u> sq in					
d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No					
SECTION B – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION					
B1. NFIP Community Name & Community Number Humboldt County Unincorporated 060060			B2. County Name Humboldt		B3. State California
B4. Map/Panel Number 06023C1240	B5. Suffix F	B6. FIRM Index Date 06-21-2017	B7. FIRM Panel Effective/ Revised Date 11-04-2016	B8. Flood Zone(s) AE	B9. Base Flood Elevation(s) (Zone AO, use Base Flood Depth) 89.0
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9: <input type="checkbox"/> FIS Profile <input checked="" type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other/Source: _____					
B11. Indicate elevation datum used for BFE in Item B9: <input type="checkbox"/> NGVD 1929 <input checked="" type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other/Source: _____					
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date: _____ <input type="checkbox"/> CBRS <input type="checkbox"/> OPA					



# ELEVATION CERTIFICATE

**Important:** Follow the instructions on pages 1-9.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A – PROPERTY INFORMATION				FOR INSURANCE COMPANY USE	
A1. Building Owner's Name David & Taylor Parris				Policy Number:	
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 1806 River Bar Rd				Company NAIC Number:	
City Fortuna		State California		ZIP Code 95540	
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) AP # 204-331-019					
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) <u>Non residential Greenhouse #4</u>					
A5. Latitude/Longitude: Lat. <u>40.5320</u> Long. <u>124.0960</u> Horizontal Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983					
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.					
A7. Building Diagram Number <u>1A</u>					
A8. For a building with a crawlspace or enclosure(s):					
a) Square footage of crawlspace or enclosure(s) <u>1000.00</u> sq ft					
b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade <u>2</u>					
c) Total net area of flood openings in A8.b <u>14400.00</u> sq in					
d) Engineered flood openings? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
A9. For a building with an attached garage:					
a) Square footage of attached garage <u>N/A</u> sq ft					
b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade <u>N/A</u>					
c) Total net area of flood openings in A9.b <u>N/A</u> sq in					
d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No					
SECTION B – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION					
B1. NFIP Community Name & Community Number Humboldt County Unincorporated 060060			B2. County Name Humboldt		B3. State California
B4. Map/Panel Number 06023C1240	B5. Suffix F	B6. FIRM Index Date 06-21-2017	B7. FIRM Panel Effective/ Revised Date 11-04-2016	B8. Flood Zone(s) AE	B9. Base Flood Elevation(s) (Zone AO, use Base Flood Depth) 89.0
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9: <input type="checkbox"/> FIS Profile <input checked="" type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other/Source: _____					
B11. Indicate elevation datum used for BFE in Item B9: <input type="checkbox"/> NGVD 1929 <input checked="" type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other/Source: _____					
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date: _____ <input type="checkbox"/> CBRS <input type="checkbox"/> OPA					

**ELEVATION CERTIFICATE**

OMB No. 1660-0008  
Expiration Date: November 30, 2022

<b>IMPORTANT: In these spaces, copy the corresponding information from Section A.</b>			<b>FOR INSURANCE COMPANY USE</b>
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 1806 River Bar Rd			Policy Number:
City Fortuna	State California	ZIP Code 95540	Company NAIC Number

**SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)**

C1. Building elevations are based on:  Construction Drawings\*  Building Under Construction\*  Finished Construction  
\*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations – Zones A1–A30, AE, AH, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO. Complete Items C2.a–h below according to the building diagram specified in Item A7. In Puerto Rico only, enter meters.

Benchmark Utilized: LV0331 Vertical Datum: NAVD 88

Indicate elevation datum used for the elevations in items a) through h) below.

NGVD 1929  NAVD 1988  Other/Source: \_\_\_\_\_

Datum used for building elevations must be the same as that used for the BFE.

Check the measurement used.

- a) Top of bottom floor (including basement, crawlspace, or enclosure floor) \_\_\_\_\_ 88.3  feet  meters
- b) Top of the next higher floor \_\_\_\_\_ N/A  feet  meters
- c) Bottom of the lowest horizontal structural member (V Zones only) \_\_\_\_\_ N/A  feet  meters
- d) Attached garage (top of slab) \_\_\_\_\_ N/A  feet  meters
- e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment and location in Comments) \_\_\_\_\_ 93.3  feet  meters
- f) Lowest adjacent (finished) grade next to building (LAG) \_\_\_\_\_ 88.2  feet  meters
- g) Highest adjacent (finished) grade next to building (HAG) \_\_\_\_\_ 88.3  feet  meters
- h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support \_\_\_\_\_ N/A  feet  meters

**SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION**

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Were latitude and longitude in Section A provided by a licensed land surveyor?  Yes  No  Check here if attachments.

Certifier's Name Marvin Chapman	License Number RCE 040310		
Title Civil Engineer			
Company Name Chapman Engineering			
Address P.O. Box 2756			
City McKinleyville	State California		ZIP Code 95519
Signature 	Date 05-28-2020	Telephone (707) 499-5624	Ext.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including type of equipment and location, per C2(e), if applicable)  
Greenmpise with loose side walls. Side walls are assumed to pass water 12 inches deep. Length of the sidewalls is 100 feet.  
Total area of water passage = 50' x 2 x 1x 144 in/SF = 14400 SI

All electrical equipment, panels, and switches shall be installed a minimum of five feet above floor

Latitude and longitude from Humboldt County GIS



# ELEVATION CERTIFICATE

**Important:** Follow the instructions on pages 1-9.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A – PROPERTY INFORMATION				FOR INSURANCE COMPANY USE	
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A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 1806 River Bar Rd				Company NAIC Number:	
City Fortuna		State California		ZIP Code 95540	
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) AP # 204-331-019					
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) <u>barn</u>					
A5. Latitude/Longitude: Lat. <u>40.5320</u> Long. <u>124.0960</u> Horizontal Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983					
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.					
A7. Building Diagram Number <u>1A</u>					
A8. For a building with a crawlspace or enclosure(s):					
a) Square footage of crawlspace or enclosure(s) <u>637.00</u> sq ft					
b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade <u>3</u>					
c) Total net area of flood openings in A8.b <u>750.00</u> sq in					
d) Engineered flood openings? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
A9. For a building with an attached garage:					
a) Square footage of attached garage <u>N/A</u> sq ft					
b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade <u>N/A</u>					
c) Total net area of flood openings in A9.b <u>N/A</u> sq in					
d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No					
SECTION B – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION					
B1. NFIP Community Name & Community Number Humboldt County Unincorporated 060060			B2. County Name Humboldt		B3. State California
B4. Map/Panel Number 06023C1240	B5. Suffix F	B6. FIRM Index Date 06-21-2017	B7. FIRM Panel Effective/ Revised Date 11-04-2016	B8. Flood Zone(s) AE	B9. Base Flood Elevation(s) (Zone AO, use Base Flood Depth) 89.0
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9: <input type="checkbox"/> FIS Profile <input checked="" type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other/Source: _____					
B11. Indicate elevation datum used for BFE in Item B9: <input type="checkbox"/> NGVD 1929 <input checked="" type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other/Source: _____					
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date: _____ <input type="checkbox"/> CBRS <input type="checkbox"/> OPA					





COUNTY OF HUMBOLDT  
PLANNING AND BUILDING DEPARTMENT

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



## Temporary Structures In The Flood Zone Hoop Houses Only

The Planning and Building Department has amended the Flood Damage Prevention Regulations Section 335-5 of the Humboldt County Code to allow placement of temporary structures in mapped flood hazard areas for up to 180 days from **April 16 through October 15**.

Temporary structures (hoop houses) not removed by October 16 will be in violation of Humboldt County Code Section 352-3(h), Category 4, Violations: Violations that are committed intentionally or through inexcusable neglect and have a significant and/or substantial impact on health, safety, comfort and/or general welfare of the public. Category 4 Violations shall include, but are not limited to, commercial cultivation of marijuana in violation of any applicable local or state laws, regulations, polices, procedures, permits and agreements. There will be an inspection fee at the current rate to verify the structures are not in violation of these regulations.

**Category 4 Violations shall be subject to an administrative civil penalty of six thousand dollars (\$ 6,000.00) to ten thousand dollars (\$ 10,000.00), or as allowed by applicable state law, whichever is higher, per calender day.**

Address: 1806 Riverbar Rd Fortuna CA APN: 2041-331-019

I declare under penalty of perjury and hereby certify that: I am the owner/contractor/agent for the above referenced property:

Owner/Contractor/Agent Signature:  Date: 8 / 13 / 19

PURSUANT TO THE 2016 CALIFORNIA RESIDENTIAL CODE AND THE CALIFORNIA BUILDING CODE, THE BUILDING OFFICIAL OR HIS/HER DESIGNEE IS AUTHORIZED TO CONDUCT INSPECTIONS IN ORDER TO DETERMINE CODE COMPLIANCE. COMPLETION AND SUBMISSION OF THIS FORM DOES NOT WAIVE, NEGATE, OR DIMINISH THE BUILDING OFFICIAL'S INSPECTION AUTHORITY AND DOES NOT LIMIT THE BUILDING OFFICIAL'S RIGHT TO CONDUCT INSPECTIONS FOR CODE COMPLIANCE AND/OR TO VERIFY THAT THE INFORMATION CERTIFIED ABOVE IS ACCURATE.

**ATTACHMENT 5**

**REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS**

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

<b>Referral Agency</b>	<b>Response</b>	<b>Recommendation</b>	<b>Location</b>
Building Inspection Division	✓	Conditional Approval	Attached
Public Works Land Use Division	✓	Conditional Approval	Attached
Environmental Health Division	✓	Approval	On File
NWIC	✓	Conditional Approval	On file
CA Department of Fish & Wildlife		No Comment	
Bear River Band Rancheria	✓	Conditional Approval	On file
Wiyot Tribe		No Comment	
Cal Fire		No Comment	
Fortuna Union Unified School District		No Comment	
Hydesville Elementary School		No Comment	
Fortuna Fire Protection District		No Comment	
Humboldt County Sherriff		No Comment	
District Attorney		No Comment	
County Counsel		No Comment	
AG Commissioner		No Comment	
RWQCB		No Comment	
NCUAQMD		No Comment	
P.G.&E.		No Comment	



COUNTY OF HUMBOLDT  
PLANNING AND BUILDING DEPARTMENT  
CURRENT PLANNING  
3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7245

8/27/2019

**Project Referred To The Following Agencies:**

AG Commissioner, County Counsel, District Attorney, Environmental Health, Sheriff, PW Land Use, Building Inspections, FPD: Fortuna, RWQCB, NCUAQMD, School District: Hydesville Elementary School, Cal Fish & Wildlife, CalFire, Bear River Band, Wiyot Tribe, PGE, School District: Forunta Union

**Applicant Name** Riverbar Lavender Farm **Key Parcel Number** 204-331-019-000

**Application (APPS#)** PLN-2019-15779 **Assigned Planner**

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

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

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

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

**Return Response No Later Than: 9/11/2019**

Planning Clerk  
County of Humboldt Planning and Building Department  
3015 H Street  
Eureka, CA 95501  
**Email:** PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268 - 3792

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

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

Other Comments: Notes in Acceler

DATE: 10/29/19 PRINT NAME: Rudy Maronghi



HUMBOLDT COUNTY  
PLANNING AND BUILDING DEPARTMENT ~ PLANNING DIVISION  
3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7245

## PRE-SITE INVESTIGATION FORM

THIS IS NOT A PERMIT DOCUMENT

### APPLICATION INFORMATION

**Name**

**Address 1** 1806 Riverbar Road **Address 2**

**City** Fortuna **State** CA **Zip** 95540

### OWNERS NAME AND MAILING ADDRESS

**Name** Parris David Jr & Parris Taylor A

**Email**

**Address 1** **Address 2**

**City** Hydesville **State** CA **Zip** 95547

### SITE INFORMATION

**Parcel Number** 204-331-019-000 **Application Number** PLN-2019-15779

**Street Address** 1806 River Bar Rd **City** Hydesville **State** CA **Zip** 95547

### PRESITE INVESTIGATION

**Project is already started**

**Soil report is required due to**

**Project is in flood zone A per**

**Flood elevation certificate required**

**Plans stamped by a licensed person required**

**SRA water storage requirements apply**

**Appr.SRA req. need to be shown on plot plan**

**Driveway slope appears to be**

**Grading permit required**

**Incomplete submittal Construction Plan**

**Erosion and sediment control measures req.**

**AOB Inspection**

**Project appears to be within wet area**

**FIRM panel number**

**Is 2nd Flood Certificate Required?**

**SRA requirements apply**

**Lot created prior to 1992**

**Plot plan incomplete, must be revised** Yes

**Submit engineered foundation for**

**Applicant must locate property lines**

**Other concerns exist**

### Inspector Notes

10/29/19 15779

-Revise site map to show barn as drying shed and show use and dimensions of all cannabis related structures.

-Ensure plan of operation is up to date

RM

**QUESTIONS? Please contact the County of Humboldt Building Division**



DEPARTMENT OF PUBLIC WORKS  
**COUNTY OF HUMBOLDT**  
 MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579  
 AREA CODE 707

ON-LINE  
 WEB: CO.HUMBOLDT.CA.US

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


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

CLARK COMPLEX  
 HARRIS & H ST., EUREKA  
 FAX 445-7388

LAND USE 445-7205

**LAND USE DIVISION INTEROFFICE MEMORANDUM**

TO: Elizabeth Moreno, Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer 

DATE: 08/05/2020

RE:

<b>Applicant Name</b>	<b>RIVERBAR LAVENDER FARM</b>
<b>APN</b>	<b>204-331-019</b>
<b>APPS#</b>	<b>PLN-2019-15779</b>

The Department has reviewed the above project and has the following comments:

- The Department's recommended conditions of approval are attached as **Exhibit "A"**.
- Additional information identified on **Exhibit "B"** is required before the Department can review the project. **Please re-refer the project to the Department when all of the requested information has been provided.**
- Additional review is required by Planning & Building staff for the items on **Exhibit "C"**. **No re-refer is required.**
- Road Evaluation Reports(s)* are required; See **Exhibit "D"**

**Note:** Prior to requesting an applicant to submit a road evaluation report, verify if the project is exempt from meeting road system performance standards under CCLUO v2.0 sections 313-55.4.6.5.1 and 314-55.4.6.5.1, even if this box is checked.

**No re-refer is required.**

\*Note: Exhibits are attached as necessary.

Additional comments/notes:

Applicant has submitted a revised road assessment received by Humboldt County Planning Division on July 22, 2020.

The Department requires all recommendations noted on the July 22,2020 letter by the engineer to be completed.

The Department encourages that all owners and applicants with cannabis applications to coordinate and perform their recommended improvements at the same time to reduce administration and construction costs. With coordination the Department can write one encroachment permit for all the work. In addition, having one paving company perform all the work in one lump period will save on equipment mobilization costs.

// END //

**Exhibit "A"**

**Public Works Recommended Conditions of Approval**

(All checked boxes apply)

APPS # 15779

**COUNTY ROADS- PROXIMITY OF FARMS:**

Applicant is advised that County maintained roads may generate dust and other impacts to farm(s). Applicant shall locate their farm(s) in areas not subject to these impacts. Applicant shall be responsible for protecting their farm(s) against these impacts. Applicant shall hold the County harmless from these impacts. Applicant is advised that a paved road may not always remain paved and Applicant shall locate their farms appropriately. Applicant is advised that the amount of traffic on a road will vary over time which may increase or decrease the impacts.

**COUNTY ROADS- FENCES & ENCROACHMENTS:**

All fences and gates shall be relocated out of the County right of way. All gates shall be setback sufficiently from the County road so that vehicles will not block traffic when staging to open/close the gate. In addition, no materials shall be stored or placed in the County right of way.

This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.

**COUNTY ROADS- DRIVEWAY (PART 1):**

The submitted site plan is unclear and/or shows improvements that are inconsistent with County Code and/or Department of Public Works policies. The applicant is advised that these discrepancies will be addressed at the time that the applicant applies to the Department of Public Works for an Encroachment Permit. If the applicant wishes to resolve these issues prior to approval of the Planning & Building permit for this project, the applicant should contact the Department to discuss how to modify the site plan for conformance with County Code and or Department of Public Works policies. Notes:

**COUNTY ROADS- DRIVEWAY (PART 2):**

Any existing or proposed driveways that will serve as access for the proposed project that connect to a county maintained road shall be improved to current standards for a commercial driveway. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way. This also includes installing or replacing driveway culverts; minimum size is typically 18 inches.

- If the County road has a paved surface at the location of the driveway, the driveway apron shall be paved for a minimum width of 18 feet and a length of 50 feet.
- If the County road has a gravel surface at the location of the driveway, the driveway apron shall be rocked for a minimum width of 18 feet and a length of 50 feet.
- If the County road is an urban road, frontage improvements (curb, gutter, and sidewalk) shall also be constructed to the satisfaction of the Department. Any existing curb, gutter or sidewalk that is damaged shall be replaced.

The exact location and quantity of driveways shall be approved by the Department at the time the applicant applies to the Department of Public Works for an Encroachment Permit.

This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.

**COUNTY ROADS- DRIVEWAY (PART 3):**

The existing driveway will require substantial modification in order to comply with County Code. The applicant may wish to consider relocating the driveway apron if a more suitable location is available.

**COUNTY ROADS-PARKING LOT- STORM WATER RUNOFF:**

Surfaced parking lots shall have an oil-water filtration system prior to discharge into any County maintained facility.

This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.

**COUNTY ROADS- DRIVEWAY & PRIVATE ROAD INTERSECTION VISIBILITY:**

All driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance).

This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.

**COUNTY ROADS- PRIVATE ROAD INTERSECTION: (AT COUNTY MAINTAINED RD)**

Any existing or proposed non-county maintained access roads that will serve as access for the proposed project that connect to a county maintained road shall be improved to current standards for a commercial driveway. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way.

- If the County road has a paved surface at the location of the access road, the access road shall be paved for a minimum width of 20 feet and a length of 50 feet where it intersects the County road.
- If the County road has a gravel surface at the location of the access road, the access road shall be rocked for a minimum width of 20 feet and a length of 50 feet where it intersects the County road.

This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.

**COUNTY ROADS- ROAD EVALUATION REPORT(S):**

All recommendations in the *Road Evaluation Report(s)* for County maintained road(s) shall be constructed/implemented to the satisfaction of the Public Works Department prior to commencing operations, final sign-off for a building permit, or approval for a business license. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way. // END //