



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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Hearing Date: April 4, 2019

To: Humboldt County Planning Commission

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

Subject: **CannaBoutique (dba 215) Dispensary Conditional Use Permit Modification**
Application Number 15450
Case Number Pln-2019-15450 (CUP Mod)
Assessor's Parcel Number (APN) 015-011-029
1672 Myrtle Avenue, Eureka Area

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

AGENDA ITEM TRANSMITTAL

Hearing Date April 4, 2019	Subject Conditional Use Permit Modification	Contact Elizabeth Schatz
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Project Description: CannaBoutique (dba 215) Dispensary is applying for a Conditional Use Permit modification of an existing medical cannabis dispensary occupying approximately 1,200 square feet of an existing commercial building to change the hours of operation from 10 a.m. to 7 p.m. Monday through Friday to 10 a.m. to 7 p.m. Sunday through Saturday, seven days per week. A maximum of 6 employees will be on-site during the operating hours. The modification will also remove the condition that requires a ventilation/air filtration system that is designed, signed, and stamped by a mechanical engineer. Odor impacts will be addressed through a substituted condition that requires odor to be contained on the property and air filtration and ventilation equipment to be maintained in good working order. The subject parcel is served community water and sewer by Humboldt Community Services District.

Project Location: The project site is located in Humboldt County, in the Eureka area, on the west side of Myrtle Avenue, approximately 216 feet north from the intersection of 17th Street and Myrtle Avenue, on the property known as 1672 Myrtle Avenue.

Present Plan Land Use Designations: Commercial General (CG), Eureka Community Plan (ECP), Relative Slope Stability 1, low instability

Present Zoning: Neighborhood Commercial, Planned Development (C-1-P)

Application Number: 15450 **Case Number:** Pln-2019-15450

Assessor's Parcel Number: 015-011-029

Applicant	Owner	Agent
CannaBoutique Dispensary Alonzo Bradford 30 Monument Avenue, Apt. 1 Rio Dell, CA 95562	Chau You S Y & Chhon PO Box 144 Eureka, CA 95502	Same as applicant

Environmental Review: CEQA Exemption Section 15301 – Existing Facilities.

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

Major Issues: None

CANNABOUTIQUE (DBA 215) DISPENSARY MODIFICATION

Case Number Pln-2019-15450

Assessor's Parcel Number 015-011-029

Recommended Commission Action

1. Describe the application as part of the consent agenda.
2. Survey the audience for any person who would like to discuss the application.
3. If no one requests discussion, make the following motion to approve the application as a part of the consent agenda:
Find the project exempt from environmental review pursuant to Section 15301 of the State CEQA Guidelines, make all of the required findings for approval of the Conditional Use Permit based on evidence in the staff report and any public testimony, and adopt the Resolution approving the proposed CannaBoutique (dba 215) Dispensary Modification project subject to the recommended conditions.

Executive Summary: A Conditional Use Permit Modification has been requested by the CannaBoutique (dba 215) Dispensary to authorize additional hours of operation for an existing medical cannabis dispensary in the Eureka area. The existing permit allows the business to be open from 10 a.m. to 7 p.m. Monday through Friday. The applicant has requested additional hours of 10 a.m. to 7 p.m. Saturday and Sunday. If the modification is approved, the business would be allowed to be open seven days per week from 10 a.m. to 7 p.m.

The modification request also involves removal of current Condition A.5, shown in Attachment 1 as strikeout text, which requires that a ventilation/air filtration system which limits potential adverse odor emission impacts be designed, signed, and stamped by a mechanical engineer. The applicant has requested that this condition be removed because the adjacent dispensary was not required to meet that condition. Staff proposes to add an ongoing restriction, Condition C.5 shown in Attachment 1, to ensure that air filtration and ventilation equipment be maintained in good working condition and monitored on an on-going basis to limit potential adverse odor emission impacts. It will also require that the permit holder work with the Building Official to correct any odor concerns if an odor complaint is received that can be verified by County staff. Staff believes that this condition is sufficient to address odor issues. No odor complaints have been submitted to date for either this dispensary or the neighboring THCC dispensary.

The facility is operated by six employees: one pharmacist, three cashiers, and two sales agents. The CannaBoutique Dispensary would provide medical cannabis as well as other retail products.

The project site has a land use classification of Commercial General (CG) per the Humboldt County General Plan and is zoned Neighborhood Commercial with a Planned Development Combining Zone (C-1-P). The project parcel is developed with two existing commercial buildings and paved areas for vehicle parking and circulation. According to the Humboldt Community Services District, water and sewer service is available to serve the site. Access to the project site is via Myrtle Avenue, a paved county roadway. The County Public Works Department has determined Myrtle Avenue and the property's existing driveway to be adequate to accommodate the proposed use. Parking facilities are shared with other businesses located on-site. The subject parcel is also developed with a second commercial building and is one of three parcels in the Myrtle town Shopping Center. The surrounding parcels to the north, south, and east contain other commercial uses. A multifamily residential complex is located to the west. The Humboldt County Collective (THCC) an existing permitted medical cannabis dispensary is located on the adjacent parcel (015-011-005) approximately 130 feet from the CannaBoutique (dba 215) Dispensary.

Operating Standards

Dispensary medical cannabis sales and distribution are limited to members of the CannaBoutique Dispensary. Sale and distribution of medical cannabis would be prohibited to nonmembers, except for registered, designated primary caregivers of members. The project's hours of operation would be Sunday through Saturday, 10:00 AM to 7:00 PM. No person under the age of 18 is allowed in the storage area or retail area of the facility. On-site consumption, inhalation, ingestion, or topical application of usable marijuana is strictly prohibited for members and employees.

Each member of the cooperative is required to present a valid recommendation for cannabis from a licensed medical doctor in good standing with the licensing board as well as proof of identification and California residency. All patient/member recommendations are verified at the registration facility prior to permitting registration and access to the dispensing facility. All buying and selling of medical cannabis is restricted to established members of the cooperative. The application includes a Dispensary Operations Manual (Attachment 3) that addresses issues of authorization of County verification of information, staff screening, hours of operation, security measures, patient screening, patient records, cannabis inventory tracking, carbon footprint offset, chemical use, cannabis quality procedure, and patient dosage documentation. No on-site cultivation of medical cannabis is being requested as part of this application. However, CannaBoutique (dba 215) Dispensary may request authorization to cultivate medical cannabis on the premises in the future.

Registration / Verification / Recordkeeping

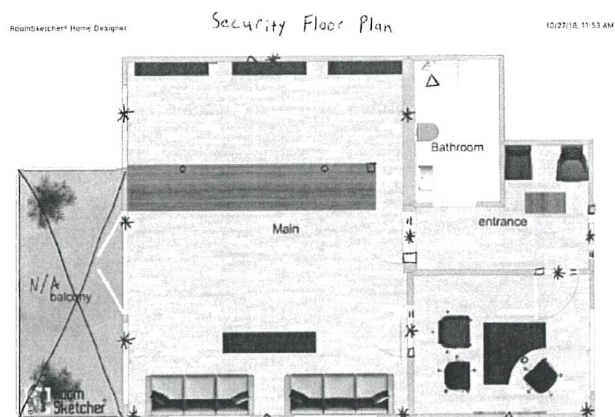
All patients fill out a membership form for CannaBoutique (dba 215) Dispensary. During registration, a registrant's physician's recommendation (for the use of medical cannabis) would be reviewed along with the registrant's identification and proof of resident status. According to the Dispensary Operations Manual, staff would verify recommendations with the office of the physician who wrote the recommendation before the patient is allowed to acquire medical cannabis. Upon verification of the physician's recommendation, a patient profile is created and the recommendation as well as the patient's proof of identification is scanned and retained to be kept on file. The patient profile would automatically inactivate any patient with an expired physician's recommendation.

Security

Security for the facility includes a Bosch security systems control panel, motion detectors, door contacts, cellular backup lines, panic buttons, fire alarms, a 12-camera surveillance system (with stored footage), and a motion detector lighting system in the back parking lot. The security system will contact the business location and then local law enforcement if any alarm other than the fire alarm is tripped.

Operational Requirements and Restrictions

The tenant space consists of an entry room, office, main sales area, and a bathroom. Dispensary members would pass through two doors to access the main sales area. Both of these doors would contain motion detectors, security cameras, and door contacts. A long counter equipped with two panic buttons and a motion detector would divide the main sales area. This area also would have seven security cameras.



- * Cameras
- Motion detectors
- △ Fire Alarm
- Panic button

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

- Prohibiting the use of cannabis on the premises or in the vicinity
- Requiring that any cannabis-associated waste products are destroyed, prohibiting on-site sale of alcoholic beverages, maintaining records of all patients/members, and conducting routine background checks for employees (prohibiting the employment of any member with a prior felony conviction for the sale and/or distribution of controlled substances)
- Restricting loitering on or about the premises
- Providing adequate security to ensure the safety of persons and to protect the premises from theft
- Restricting members to receive no more than 1 ounce of cannabis per visit
- Restricting membership by patients under 18 years of age except under special circumstances where "documentation has been provided which demonstrates the patient suffers from a serious medical condition for which treatment with medical cannabis has been recommended."
- Requiring that CannaBoutique (dba 215) Dispensary provide the planning director, the sheriff, and all property owners within 300 feet of the establishment the name and telephone number of an on-site representative for purposes of contacting the collective if operating problems are observed by nearby property owners and residents. The collective is asked to make a good faith effort at solving problems if any are discovered. If unresolved problems persist, any aggrieved party may petition the Planning Commission to initiate the use permit revocation process.
- Requiring that the operation is inspected annually and the Planning Commission is provided a "Performance Review Report"

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

Buffers

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

Under the dispensary regulations the Planning Commission may regulate the location of a proposed medical cannabis dispensary by considering the potential impacts and cumulative impacts to the community as a whole and specifically on certain existing uses located within 600 feet of the proposed facility, including residential neighborhoods, churches, playgrounds, parks and licensed day care facilities, residential treatment facilities, and the cumulative impacts from the addition of another dispensary when there are other such facilities within 600 feet of the proposed new facility. Within the Myrtleowne Shopping Center complex, another permitted dispensary, The Humboldt County Collective (THCC), is located on the opposing side of the same building on a different parcel approximately 180 feet walking distance away. Only CannaBoutique (dba 215) dispensary is visible from Myrtle Avenue. The Code provides that the Planning Commission has the discretion to use proximity as a reason for denial of the application if the impact of a proposed new dispensary on these uses is "significant". To address any potential impacts due to proximity to other commercial or residential uses, Condition of Approval A.4 is included requiring a security guard or designated staff member to monitor the parking lot during hours of operation and enforce rules of the collective prohibiting: loitering,

smoking, or sharing of medicine on-site or within the project vicinity. The project noticing included all owners and residents within the 600-foot radius.

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

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

Staff Recommendation

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

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

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

**Case Number Pln-2019-15450
Assessor's Parcel Number: 015-011-029**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the CannaBoutique (dba 215) Dispensary Conditional Use Permit Modification request.

WHEREAS, CannaBoutique submitted an application and evidence in support of approving a modification to an approved Conditional Use Permit to add additional hours of operation and modify odor conditions for an existing medical cannabis dispensary; and

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

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

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Conditional Use Permit (Case Number Pln-2019-15450); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on April 4, 2019.

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

1. The proposed project is exempt from environmental review; and
2. The findings in Attachment 2 of the Planning Division staff report support approval of Case Number Pln-2019-15450 based on the submitted evidence; and
3. The Conditional Use Permit Modification applied for is approved as recommended and conditioned in Attachment 1 for Case Number Pln-2019-15450.

Adopted after review and consideration of all the evidence on April 4, 2019.

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

AYES: Commissioners:

NOES: Commissioners:

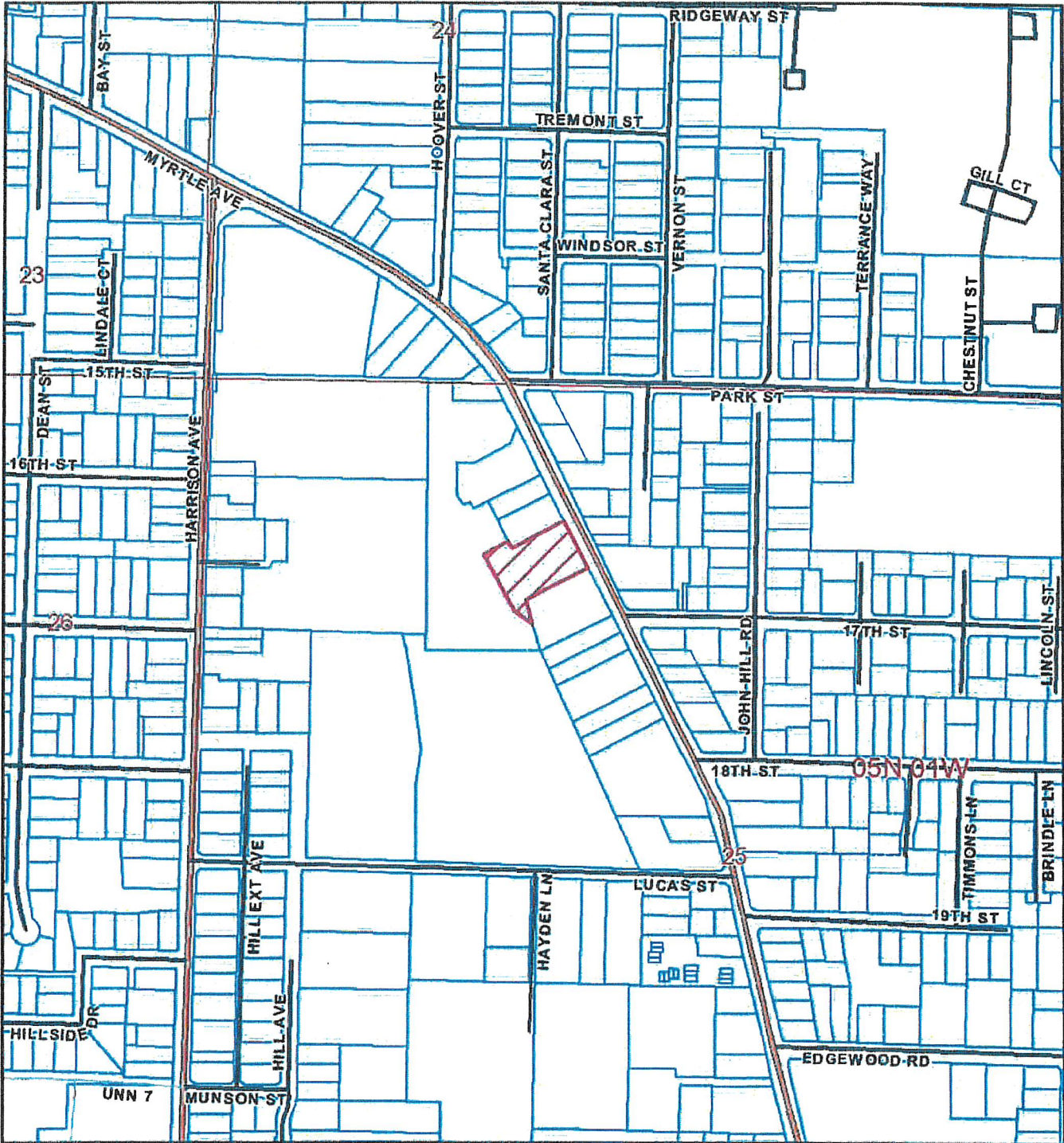
ABSTAIN: Commissioners:

ABSENT: Commissioners:

DECISION:

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

John Ford, Director




LOCATION MAP

**PROPOSED CANNABOUTIQUE DISPENSARY
CONDITIONAL USE PERMIT
EUREKA AREA**

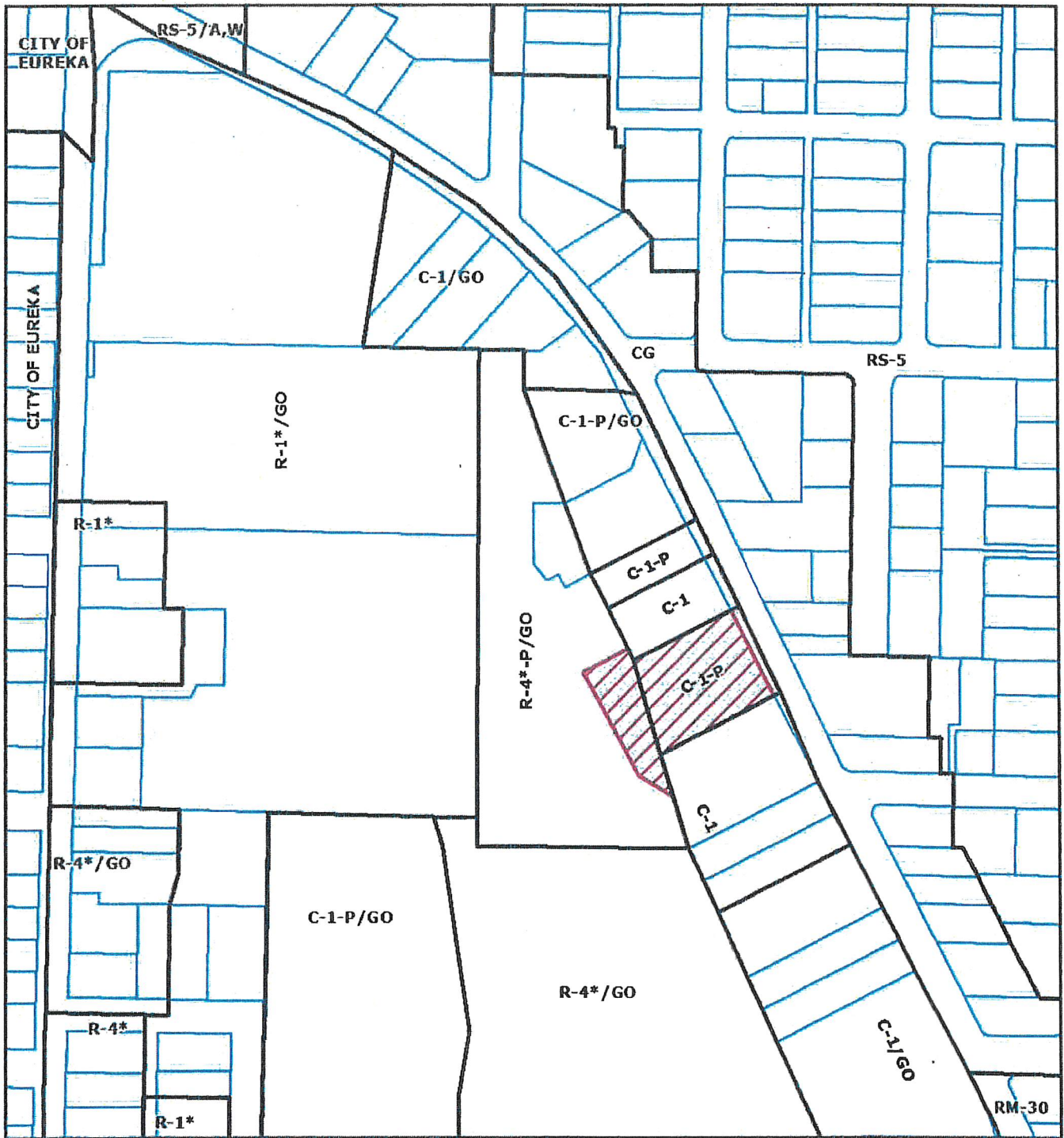
**CUP-16-632
APN: 015-011-029**

T05N R01W S25 HB&M (Eureka)



Project Area = 

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




ZONING MAP

**PROPOSED CANNABOUTIQUE DISPENSARY
CONDITIONAL USE PERMIT
EUREKA AREA
CUP-16-632**

APN: 015-011-029


T05N R01W S25 HB&M (Eureka)

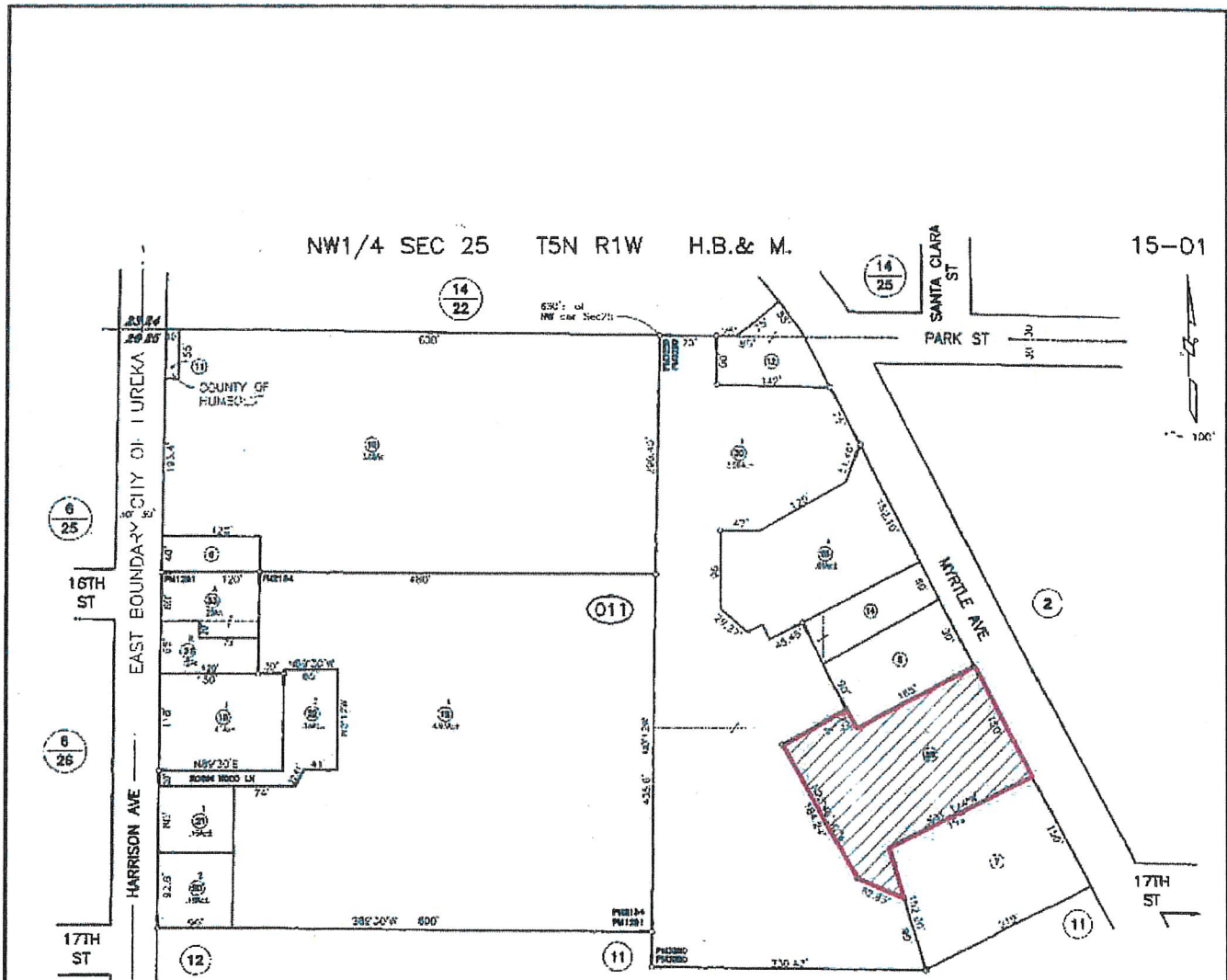
Project Area = 

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



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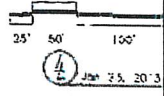




PARCEL MAP
 PREPARED FOR
 PURPOSES ONLY.
 ASSUMED TO BE
 THE EXACT OWNER.
 NOTES MAY NOT
 BE RELIED UPON
 FOR A CHALLENGE.

RS. Bk 31 of surveys, Pg 27
 PM1201 of PM Bk 11, Pg 85
 PM2154 of PM Bk 19, Pg 16
 RS. Bk 31 of surveys, Pg 148
 PM3250 of PM Bk 30, Page 128-130
 PM3280 of PM Bk 31, Page 57-59
 RS. Bk 70 of surveys, Pg 18

NOTE - Assessor's Block Numbers Shown in Filled Circles
 Assessor's Parcel Numbers Shown in Open Circles
 Assessor's Map Bk. 15, Pg. C1
 County of Humboldt, CA.



ASSESSOR PARCEL MAP
PROPOSED CANNABOUTIQUE DISPENSARY
CONDITIONAL USE PERMIT
EUREKA AREA
CUP-16-632
APN: 015-011-029

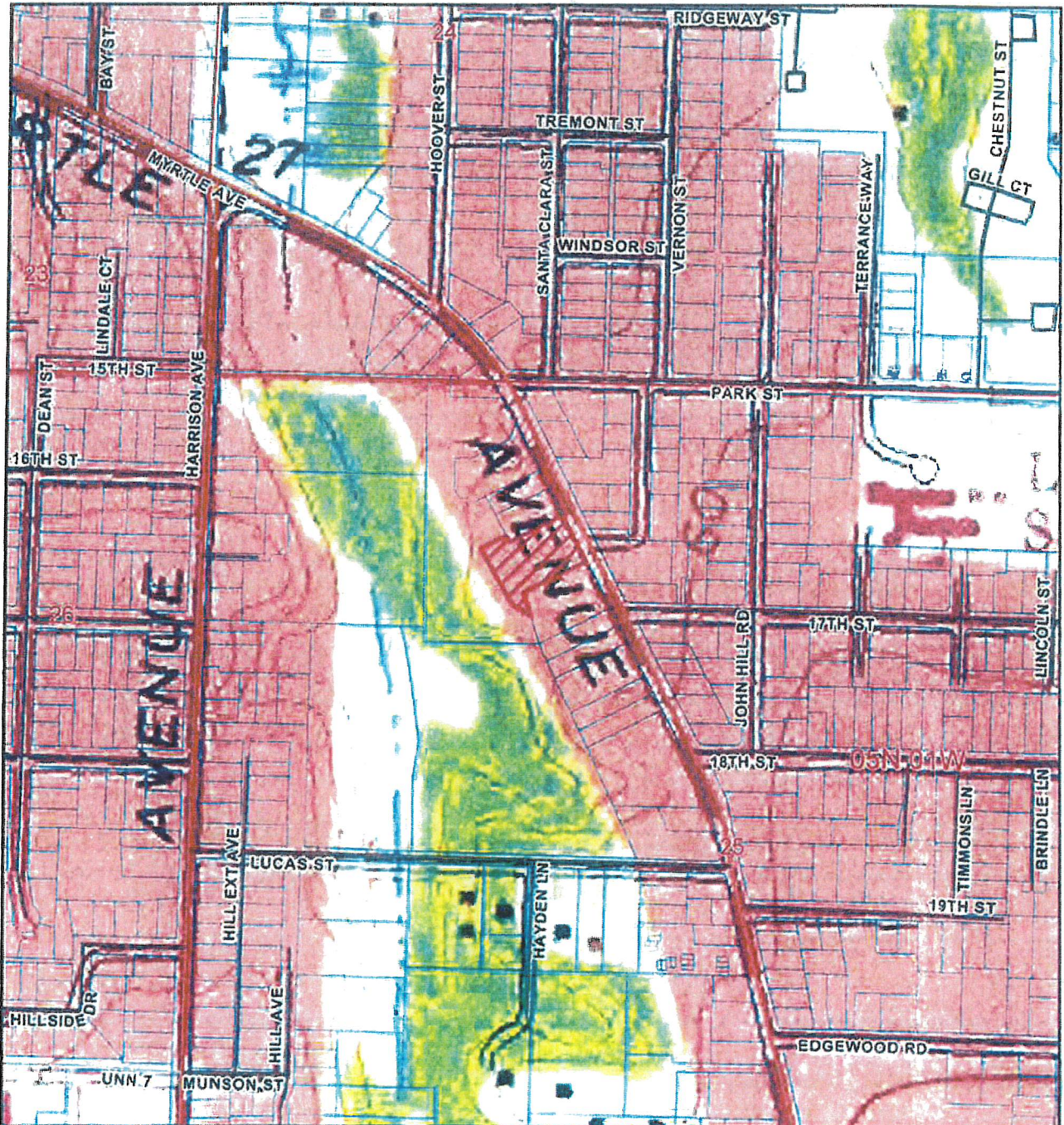


Project Area =

T05N R01W S25 HB&M (Eureka)

MAP NOT TO SCALE

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



TOPO MAP


PROPOSED CANNABOUTIQUE DISPENSARY
CONDITIONAL USE PERMIT

EUREKA AREA

CUP-16-632

APN: 015-011-029

T05N R01W S25 HB&M (Eureka)

Project Area = 


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



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Feet




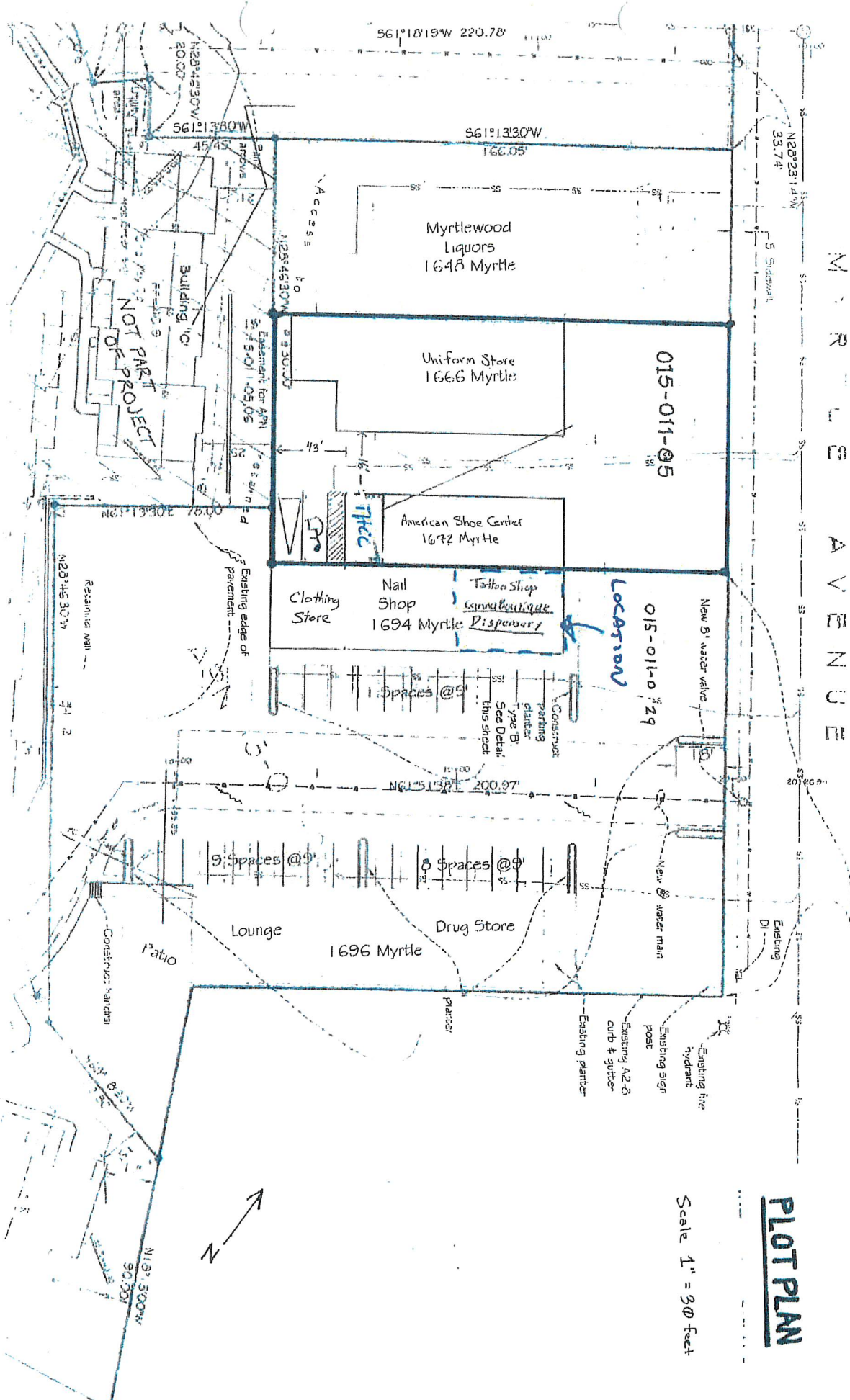
AERIAL MAP
PROPOSED CANNABOUTIQUE DISPENSARY
CONDITIONAL USE PERMIT
EUREKA AREA
CUP-16-632
APN: 015-011-029
T05N R01W S25 HB&M (Eureka)

Project Area = 

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



0 100 200
 Feet



MYRTLEWOOD AVENUE

015-011-05

015-011-029

PLOT PLAN

Scale 1" = 30' Feet

ATTACHMENT 1

RECOMMENDED CONDITIONS OF APPROVAL

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

A. General Conditions

1. Building permits are required for all tenant improvements. The applicant must specify on the building plans the prior use of all tenant spaces in the building. All work done shall meet current Structural, Electrical, Plumbing, and Mechanical Codes. Issuance of a building permit for the necessary tenant improvements, or written documentation from the Planning and Building Department that no building permits are required, shall satisfy this condition.
2. Prior to the issuance of the building permit, the applicant shall obtain a business license from the Humboldt County Tax Collector.
3. To ensure the safety of the collective members, the applicant shall have a qualified laboratory test samples of all medicine for pesticides, herbicides, mold, mildew, and pests.
4. Due to the collective's proximity to residential land uses and other commercial land uses (including a cannabis dispensary on an adjacent parcel), the collective shall retain a security guard or designated staff member to monitor the parking lot during hours of operation and enforce rules of the collective, prohibiting loitering, smoking, or sharing of medicine on-site or within the vicinity. Collective members who violate the terms of this permit shall be subject to suspension and/or exclusion from membership.
- ~~5. The project shall address odor management by incorporating a ventilation/air filtration system which limits potential adverse odor emission impacts to employees and/or properties located in the vicinity. The system shall be designed, signed, and stamped by a mechanical engineer for review and approval by the building official.~~
- 5.6. The applicant shall install a Knox ® Box, as required by the Humboldt #1 Fire Protection District.
- 6.7. A final Signage Plan shall be submitted subject to review and approval by the Planning Director. Signage shall be compatible and not distract from with surrounding uses in the area.

B. Operation Restrictions

1. The hours of operation shall be Sunday through Saturday, 10:00 AM to 7:00 PM.
2. The collective will provide adequate security on the premises, including lighting, alarms, and law enforcement notification, to ensure the safety of persons and to protect the premises from theft.
3. The collective shall operate at all times in conformance with the provisions of Humboldt County Ordinance #2554, including the Operating Standards in Section 314-55.3.11 and the requirement for annual Performance Review Reports per Section 314-55.3.12.

4. No cannabis shall be smoked, ingested, or otherwise consumed on the premises.
5. The collective shall not hold or maintain a license from the California Department of Alcoholic Beverage Control to sell alcoholic beverages, or operate a business that sells alcoholic beverages.
6. The collective shall maintain records of all patients using only the identification card number issued by the County, or its agent, pursuant to California Health and Safety Code Section 11362.7 et seq., as protection of the confidentiality of the cardholders, or a copy of the written recommendation.
7. The collective shall follow the staff screening process as detailed on page 13 of the Operations Manual that includes a criminal background check.
8. As identified under the 2008 Attorney General Guidelines (for the Security and Non-Diversion of Marijuana Grown for Medical Use), the collective shall "track and record the source of their marijuana," and keep records of its division and distribution.
9. The collective shall permit the Planning Director or his/her designee to have access to the entity's books, records, accounts, and any and all data relevant to its permitted activities for the purpose of conducting an audit or examination to determine compliance with the conditions of the Conditional Use Permit. Books, records, accounts, and any and all relevant data will be produced no later than 24 hours after the request from the Planning Director or his/her designee.
10. All compensation to grower/members providing excess medicine to the collective shall be made by check instead of cash as soon as banking is available. The grower/member shall provide or verify his/her Social Security Number (SSN) to the collective in association with each transaction. SSNs will be kept on file with the collective and used to file 1099 forms for each grower/member at the end of each fiscal year.
11. CannaBoutique (dba 215) Dispensary shall provide the Planning Director or his/her designee, the Sheriff, and all neighboring property owners within 300 feet of the establishment with the name and telephone number of an on-site representative of the collective to whom one can provide notice if there are operating problems associated with the facility. The collective shall make every good faith effort to encourage neighbors to call this contact person to try and solve problems, if any, before calls or complaints are made to the Sheriff or Planning Director. Should problems arise that cannot be adequately resolved in this group setting, the disgruntled party can petition the Planning Commission to initiate the process of permit revocation per Section 312-14 of the Humboldt County Code.
12. There is to be no loitering on or about the premises at any time. Further, the Sheriff shall provide to the Planning Director and/or his/her designee a list of any complaints and law enforcement related problems associated with the collective, upon request.
13. The collective shall participate in inspections to verify that all cannabis is being distributed in compliance with all state and local regulations.
14. A review fee for conformance with conditions as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors shall be paid to the Humboldt County Planning Division, 3015 H Street, Eureka. This fee is a deposit, and if actual review costs exceed this amount, additional fees will be billed at the County's current burdened hourly rate.

15. Patients younger than 18 will not be allowed membership except under special circumstances where they can provide "documentation of a serious condition for which treatment with medical cannabis has been recommended."
16. Methods used to track inventories, quantities, and distribution between verified members will match "standard industry procedures" which includes the following:
 - All incoming medicine will be assigned a lot number which will be retained as medicine is subsequently divided and distributed to members.
 - All medical cannabis will be tracked by the gram.
 - Quickbooks or similar software shall be used as a point of sale to record transactions, inventory, invoicing, and revenue-related record keeping.
17. Patients shall receive medicine in individual units no more than twice during a 24-hour period. Patients are required to take the medicine directly home and not to share it with anyone. Membership shall be immediately revoked for any patient found violating this rule.
18. The medical marijuana cooperative, collective, or delivery service shall be inspected by the Humboldt County Sheriff or his/her designee and either members of the Code Compliance Division of the Planning and Building Department or the Code Enforcement Investigator on an annual basis, or more frequently as requested by the Planning Commission, to determine if the cooperative, collective, or delivery service is in compliance with its Conditional Use Permit and Operations Manual. After payment of the inspection fees as indicated in the following section, a copy of the results from this inspection shall be given to the medical marijuana collective, cooperative, or delivery service for inclusion in its "Performance Review Report" to the Planning Commission.
19. Noncompliance by the medical marijuana collective, cooperative, or delivery service in allowing the inspection by the above-mentioned County personnel, or non-compliance in submitting the annual "Performance Review Report" per Section 314-55.3.12 for review by the Planning Commission, shall be deemed grounds for a revocation of the Conditional Use Permit and/ or subject the holder of the Conditional Use Permit to the penalties outlined in the code section above. A deposit shall be collected for the County's time spent performing the inspection (based on the fees in effect at the time the request is submitted).
20. The applicant shall complete and submit a Commercial, Industrial, and Agricultural User Addendum supplied by the Community Services District.
21. There is an active public water main running through APN 015-011-029 that requires a public utility easement. The owner of the property is required to contact the Community Services District to complete the easement granting process.

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

1. Operations shall be consistent with the project description, site plan, and the plan of operations as modified by Conditions of Approval B.1 through B.21 inclusive.
2. Applicant shall submit a request for agency review for substantial conformance on any proposed changes of the operation, including but not limited to changes to operational procedure or policy. Changes in operation may be processed as a minor deviation if all the

findings of Section 312-11.1 can be made.

3. All new and existing outdoor lighting shall be compatible with the existing setting and directed within the property boundaries.
4. A Signage Plan shall be submitted subject to review and approval by the Planning Director. Signage shall be compatible with surrounding uses and not distract from other uses in the area.
5. Odors shall be contained on the property on which the Cannabis activity is located. To implement this requirement, air filtration and ventilation equipment is to be maintained in good working condition and monitored on an on-going basis to limit potential adverse odor emission impacts to employees and/or properties located in the vicinity. If the County receives any odor complaints that are verified by County staff, the permit holder shall work with the building Official to correct odor concerns.

D. Informational Notes

1. Applicant is responsible for receiving all necessary permits and/or approvals from other state and local agencies.
2. This permit shall expire and become null and void at the expiration of one year after all appeal periods have lapsed (see "Effective Date"); except where construction under a valid building permit or use in reliance on the permit has commenced prior to such anniversary date. The period within which construction or use must be commenced may be extended as provided by Section 312-10.5 of the Humboldt County Code.
3. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the hearing officer shall be paid to the Humboldt County Planning Division, 3015 H Street, Eureka.
4. If buried archaeological or historical resources are encountered during construction activities, the contractor on-site shall call all work in the immediate area to halt temporarily, and a qualified archaeologist is to be contacted to evaluate the materials. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, dietary bone, and human burials. If human burial is found during construction, state law requires that the County coroner be contacted immediately. If the remains are found to be those of a Native American, the California Native American Heritage Commission will then be contacted by the coroner to determine appropriate treatment of the remains. The applicant is ultimately responsible for ensuring compliance with this condition.
5. Medical cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the Humboldt County Commercial Medical Marijuana Land Use Ordinance (CMMLUO) and the Medical Cannabis Regulation and Safety Act (MCRSA), as may be amended from time to time, as applicable to the permit type.
6. The operation shall participate in the Medical Cannabis Track and Trace Program administered by the Humboldt County Agricultural Commissioner or state equivalent, when available.

7. The project operator shall possess a current, valid required license, or licenses, issued by any agency of the state of California in accordance with the MCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
8. The project operator shall possess a current, valid permit or license, issued by the Humboldt County Department of Health and Human Services-Environmental Health Division, as soon as such permits or licenses become available.
9. **Transfers.** Transfer of any leases or permits approved for this project is subject to the review and approval of the Planning Director for conformance with Section 314-55.3 of the zoning regulations. The fee for required conformance with conditions review shall accompany the request. The request shall include the following information:
 - A. Identifying information for the new owner(s) and management as required in an initial permit application;
 - B. A written acknowledgment by the new owner in accordance as required for the initial permit application;
 - C. The specific date on which the transfer is to occur;
 - D. Acknowledgement of full responsibility for complying with the existing permit.
10. **Fences/Gates:** Pursuant to County Code Section 411-11(j) and California Streets & Highways Code Sections 1481 & 1482, fences are not allowed within the public right of way of County-maintained roads. Prior to constructing any fences along (or near) the right of way line, the applicant is advised to consult with the Department of Public Works Encroachment Permit Office at 707-445-7205.

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

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

Fences and gates taller than 6 feet may require a building permit. The applicant is advised to consult with the Planning and Building Department – Building Division at 707-445-7245 prior to constructing any fences or gates.

11. **Low Impact Development (LID):** The subject property is located within the municipal separate storm sewer system (MS4) boundary area. Development of the property is required to comply with MS4 permit requirements. The applicant is advised to ensure that MS4 requirements for the proposed project can be achieved prior to the project being heard by the Planning Commission (or Zoning Administrator). [Reference: National Pollutant Discharge Elimination System (NPDES) General Permit for Waste Discharge Requirements (WDRS) for Storm Water Discharges From Small Municipal Separate Storm Sewer Systems (MS4S), Order No. 2013-001-DWQ, NPDES No. CAS000004 adopted 02/05/2013, Section E.12; *Interim Humboldt Low Impact Development Stormwater Manual (06/30/2015), Part 1, Table 1*].
12. If the applicant proposes to grow cannabis on-site, trim cannabis on-site, or manufacture goods from cannabis on-site, in addition to the appropriate permit approvals to conduct

such activities, an appropriately sized, privately owned and maintained water backflow prevention device may be required by the Community Services District.

13. **Modifications to the Facility.** Prior to making any modifications to a permitted facility, the permittee shall submit to the Planning Director a request for determination of County approvals, together with the appropriate fee. The request shall contain a description sufficiently detailed to allow the Planning Director to determine what permits and other approvals, are needed, and whether a modified Permit is required.
14. **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.

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 Permits) specifies the findings that are required to grant a Conditional Use Permit:

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

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

Relevant Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Land Use Chapter 4 Land Use Designations Section 4.8	Commercial General (CG): Lands that because of their location, access, and availability of services are suitable for commercial development. Allowable land uses vary and include retail sales, retail services, essential services, health care services and similar compatible uses. Floor to Area Ratio is 3.	The project proposes continued use of a tenant space within an existing commercial building as a medical cannabis dispensary and distribution facility located within 1,200 square feet of existing office/retail building. Health care and retail services are allowable use types for this designation.
Circulation Chapter 7	Goals and policies contained in this Chapter relate to a balanced, safe, efficient, accessible and convenient circulation system that is appropriate for each type of community (C-G1, C-G2); coordinated planning design, development, operations, and maintenance between the County and other transportation system service providers (C-G3); and access for all transportation mode types with improved opportunities to move goods within, into and out of Humboldt County. (C-G4, C-G5) Related policies: C-P3, Consideration of Transportation Impacts in Land Use Decision Making.	The project site is located on Myrtle Avenue in Eureka within the Myrtle Towne Shopping Center. The Cannaboutique (dba 215) dispensary is accessed by a three-lane paved driveway from Myrtle Avenue. The driveway has one lane entering the parking lot and two lanes exiting it with clear demarcation. There is a public bus stop in front of the nearby Myrtle Towne Liquor and John's Cigar shop. With the improvements completed for the original Cannaboutique dispensary application, the parking lot and travelled ways within the shopping center are functioning appropriately for the existing uses.
Housing Chapter 6	Goals and policies contained in this Element seek to identify existing and projected housing needs and establish goals, policies, standards and measures for the preservation, improvement, and development of housing. Related policies: H-P3, Development of Parcels in the Residential Land Inventory.	The project is within the Housing Opportunity Zone but does not involve residential development. The project will not preclude any future residential development or reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with Housing Element law.

Relevant Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Conservation and Open Space Chapter 10</p> <p>Open Space Section 10.2</p>	<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 site is not within or near a land use designation or zoning classification identified for the Local Open Space Plan, nor does it contain scenic attributes, unique open spaces, or watercourses on the subject parcel.</p>
<p>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 Management Areas.</p>	<p>As shown in the Central Humboldt Biological Resources Map prepared for the Humboldt 21st Century Humboldt County General Plan Update, the project site is located within a California Natural Area that contains both plant and animal resources. However, the project site is completely paved and developed and is part of a developed, urban area. Additionally, the project is to continue to occupy an existing tenant space within an existing building and is not expected to generate any earth movement or alter any existing vegetation. Therefore, the project would have no impact on designated sensitive and critical resource habitats.</p>
<p>Conservation and Open Space Chapter 10</p> <p>Cultural Resources Section 10.6</p>	<p>Goals and policies contained in this Chapter relate to the protection and enhancement of significant cultural resources, providing heritage, historic, scientific, educational, social and economic values to benefit present and future generations. (CU-G1, Protection and Enhancement of Significant Cultural Resources)</p> <p>Related policies: CU-P1, Identification and Protection; CU-P2, Native American Tribal Consultation.</p>	<p>No new construction is proposed, so no ground disturbance will occur. Nonetheless, the project is conditioned to include an inadvertent discovery protocol should the project encounter undocumented cultural resources (Informational Note #4).</p>

Relevant Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Conservation and Open Space Chapter 10</p> <p>Scenic Resources Section 10.7</p>	<p>Goals and policies contained in this Chapter relate to the protection of scenic areas that contribute to the enjoyment of Humboldt County's beauty and abundant natural resources (SR-G1); and a system of scenic highways roadways that increase the enjoyment of, and opportunities for, recreational and cultural pursuits and tourism in the County. (SR-G2)</p> <p>Related policies: SR-S4, Light and Glare</p>	<p>The project site is not within or near a land use designation or zoning classification identified for the Local Open Space Plan, nor does it contain scenic attributes, unique open spaces, or watercourses on the subject parcel.</p>
<p>Water Resources Chapter 11</p> <p>Stormwater Drainage</p>	<p>Goals and policies contained in this Chapter relate to coordinated watershed planning and land use decision making to advance management priorities (WR-G3, WR-G4, WR-G5); watershed conservation and restoration efforts aimed at de-listing water bodies and watersheds which are restored to meet all beneficial uses, including water use, salmon and steelhead recovery plans, recreational activities, and the economy. (WR-G1, WR-G, WR-G7, WR-G8, WR-G9)</p> <p>Related policies: WR-P10, Erosion and Sediment Discharge; WR-P42, Erosion and Sediment Control Measures.</p>	<p>The applicant is not proposing to cultivate cannabis and is not discharging water on the premises so is not required to enroll in the North Coast Regional Water Quality Control Board's (NCRWQCB's) Cannabis Waste Discharge Regulatory Program as a Tier 2 discharger.</p> <p>There are no watercourses on the site within the shopping center. There is a water course approximately 420 feet to the west, beyond the Myrtleowne Shopping Center, a residential parcel (APN# 015-011-030), and a heavily-vegetated streamside management area (APN# 015-011-019).</p> <p>The existing paved parking lot surrounding the Myrtleowne Shopping Center, where the project is located, will not contribute to soil erosion.</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 treatment systems (OWTS) and natural and developed storm drainage systems that minimize interference with surface and groundwater flows and storm water pollution (WR-G6, WR-G9, WR G10)</p> <p>Related policies: WR-IM7, Basin Plan Septic Requirements; and IS-P17, On-Site Sewage Disposal Requirements.</p>	<p>There is one bathroom on the premises. The Humboldt Community Services District provides water and sewer services for the site and recommended approval of the project. The Division of Environmental Health also recommended approval of the project.</p>

Relevant Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Noise Chapter 13	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) Related policies: N-P1, Minimize Noise from Stationary and Mobile Sources; and N-P4, Protection from Excessive Noise.	The dispensing of medical cannabis does not generate excessive noise within the Myrtleowne Shopping Center.
Safety Element Chapter 14 Geologic & Seismic	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) Related policies: S-P11, Site Suitability; and S-P7, Structural Hazards.	The dispensary site is not near the Alquist-Priolo Earthquake Fault Zone. The Little Salmon Fault Zone is approximately four miles to the southwest. The site does not overlay an area of potential liquefaction and no new buildings are proposed. This project does not unnecessarily expose people or property to damage or injury related to geologic or seismic hazards.
Safety Element Chapter 14 Flooding	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) Related policies include: S-P12, Federal Flood Insurance Program; S-P13, Flood Plains; S-P15, Construction Within Special Flood Hazard Areas.	The project parcel is outside of the Tsunami Evacuation Area, drains to an adjacent creek through storm water drains and existing slope of the existing paved parking lot, and is not proposing new construction or site development as part of this project. The project site is located outside of the FEMA flood plain and special flood hazard areas.
Safety Element Chapter 14 Fire Hazards	Goals and policies of this Chapter encourage development designed to reduce the risk of structural and wildland fires supported by fire protection services that minimize the potential.	The subject property is located within a local responsibility area for fire protection, Humboldt #1 Fire Protection District. The site is designated as a low wildfire risk. The Fire District recommended approval of the project.

Relevant Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Air Quality Chapter 15	<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-G3) and the successful reduction of greenhouse gas emissions to levels consistent with state and federal requirements (AQ-G4)</p> <p>Related policies: AQ-P4, Construction and Grading Dust Control; AQ-S1, Construction and Grading Dust Control; AQ-P7, Interagency Coordination.</p>	The project is an existing operation, with no proposed construction. The proposed project would not result in generation of particulate matter or greenhouse gases inconsistent with state and federal requirements.

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

Zoning Section	Summary of Applicable Requirement	Evidence
§314-2.1 Neighborhood Commercial §314-31 Planned Development §314-55.3 Medical Cannabis Dispensaries	<p>The Neighborhood Commercial Zone (C-1) allows for neighborhood shopping centers which will provide convenient sales and service facilities to residential areas without detracting from the residential desirability of such areas. The Planned Development Combining Zone encourages planned developments, and allows for flexibility in the administration of development standards. The Medical Cannabis Dispensary Ordinance allows dispensaries in the C-1 zone with a Conditional Use Permit.</p>	<p>The proposed project is a Conditional Use Permit for a medical cannabis dispensary. The proposed cannabis dispensary is specifically allowed with a Conditional Use Permit in this zone district under Section 314-55.3 of the Humboldt County Code.</p>
Development Standards		
Minimum Lot Area:	2,000 sq. ft.	The subject parcel is approximately 40,510 square feet.
Maximum Ground Coverage:	(None specified.)	The setbacks detailed below can be utilized to define a building envelope for siting purposes.

Zoning Section	Summary of Applicable Requirement	Evidence
Minimum Yard Setbacks:	Front: None Rear: 15 feet Side: None	Front: Not applicable. Rear: Approximately 75 feet. Side: Not applicable.
Maximum Building Height:	45 feet	Single story, less than 45 feet
<p>§314-109.1.3.3: Commercial Uses Off-Street Parking</p> <p>§314-109.1.4: Loading Spaces Required</p>	<p><u>Retail Uses:</u> One space for 300 square feet of gross floor area and one parking space per employee. A minimum of two parking spaces are required.</p> <p><u>Loading Spaces:</u> One space for each 20,000 square feet of gross floor area or portion thereof.</p>	<p>The proposed medical cannabis dispensary would occupy a 1,200-square-foot tenant space within an existing commercial building. The dispensary would require 10 parking spaces, as there would be a maximum of 6 employees. Aerial images show that there are approximately 50 parking spaces on-site and the applicant has indicated that 12 parking spaces have been allocated to the dispensary. Therefore, adequate parking exists to accommodate the dispensary.</p> <p>No developed loading space exists for this building; however, the dispensary is a retail service use that is replacing a use of like intensity and character, therefore per Section 109.1.2.5 as a nonconforming use the loading space requirement is not applicable.</p>
§314-87.2 Signs	<u>Commercial:</u> Not more than 3 sq. ft. for each 100 foot of lot frontage not to exceed 300 sq. ft. divided into no more than 6 single- or double-faced signs	The lot frontage is 150 feet. The project proposes two, approximately 2 foot by 4 foot single-faced signs non-illuminated. The sign area is currently approximately 36 sq. ft. and the additional 16 sq. ft. of signage will total 52 sq. ft., well within the 300 sq. ft. allowance under the development standard. The final sign design will be subject to review and approval by the Planning Director.

314-55.3 Medical Cannabis Dispensary Ordinance		
Zoning Section	Summary of Applicable Requirement	Evidence
§314-55.3.8 Dispensaries	<p>All medical cannabis dispensaries shall operate in compliance with the County code, the MCRSA, and all other applicable state and local laws.</p> <p>Medical cannabis dispensaries are a conditionally permitted use in zone districts C-1, C-2, C-3, MB, ML, MH.</p> <p>Dispensaries shall at all times be operated in such a way as to ensure the safety of patients and staff; to ensure the security of the medical cannabis; and to safeguard against the diversion of medical cannabis for nonmedical purposes.</p>	<p>The proposed project will:</p> <ol style="list-style-type: none"> 1. Receive deliveries from regional cannabis farmers; and 2. Make available medical cannabis products to patients throughout the state. <p>The subject property is zoned C-1 Community Commercial. The Operations Manual and conditions of approval require that the proposed use is operated consistent with the County code, the MCRSA, and all other applicable state and local laws, to ensure the security of the medical cannabis, and to safeguard against the diversion of medical cannabis for nonmedical purposes.</p>
§314-55.3.9.1 Medical Cannabis Dispensary Requirements	<p>Preparation of a hazardous materials storage, handling, and disposal plan approved by the Division of Environmental Health, if applicable.</p>	<p>The Division of Environmental Health has reviewed the project and recommended approval, with no comment. Additionally, the applicant has filed an application for Commercial Medical Marijuana clearance/permits and will satisfy all applicable requirements from the Division of Environmental Health.</p>

314-55.3 Medical Cannabis Dispensary Ordinance		
Zoning Section	Summary of Applicable Requirement	Evidence
§314-55.3.9.2 §314-55.3.9.3 Medical Cannabis Dispensary Requirements	<p>No medical cannabis dispensaries, operators, establishments, or providers who possess, cultivate, or distribute medical cannabis shall be located within a 600-foot radius of a school.</p> <p>The location of a dispensary proximate to existing uses such as residential neighborhoods, churches, parks, residential treatment facilities, school bus stops, or other dispensaries may be used to deny issuance of a permit if found to have a potential significant impact.</p>	<p>The nearest school is Lafayette Elementary School, which is more than 600 feet from the site. The applicant's site plan indicates that there are no playgrounds, public parks, libraries, licensed day care facilities, residential treatment facilities, or places of worship within 600 feet of the site. A search of the Eureka City Schools website revealed no school bus stops located within 600 feet of the project site.</p> <p>Of the described existing uses, a residential neighborhood and another dispensary are located within 600 feet of the site. Condition of Approval A.4 addresses potential impacts due to proximity to these uses by requiring a security guard or designated staff member to monitor the parking lot during hours of operation and enforce rules of the collective prohibiting: loitering, smoking, or sharing of medicine on-site or within the vicinity.</p>
§314-55.3.10 Operations Manual	<p>Dispensaries shall submit an Operations Manual that includes all the following:</p> <ul style="list-style-type: none"> • Authorization for the County, its agents, and employees to seek verification of the information contained within the conditional use permit application. • A description of the staff screening processes, including a requirement for criminal background checks. 	<p>A detailed Dispensary Operations Manual is included in Attachment 3 that contains all of the required elements. Additionally, the operations will remain subject to annual monitoring and reporting requirements. Furthermore, the collective will be regulated by numerous state and local regulations including Article 2.5 of the Health and Safety Code (Senate Bill 420). The retail dispensary is also regulated by the MCRSA and will be subject to state licensing in 2018 once available.</p>

314-55.3 Medical Cannabis Dispensary Ordinance		
Zoning Section	Summary of Applicable Requirement	Evidence
§314-55.3.10 Operations Manual	<p>Dispensaries shall submit an Operations Manual that includes all the following:</p> <p>The hours and days of the week when the Dispensary will be open.</p> <p>Text and graphic materials showing the site, floor plan and facilities. The material shall also show structures and land uses within a 600 foot radius.</p> <p>A description of the security measures located on the premises, including but not limited to, lighting, alarms, and automatic law enforcement notification, and how these will ensure the safety of staff and clients and secure the medical cannabis against diversion for non-medical purposes.</p> <p>A description of the screening, registration and validation process and procedures for qualified patients and primary caregivers.</p> <p>A description of qualified patient records acquisition and retention procedures and policies.</p> <p>A description of the processes, procedures and inventory controls for tracking the disparate strains, the source of supply, and amounts of medical cannabis that come in and go out of the dispensary.</p>	<p>A detailed Dispensary Operations Manual that contains all of the required elements. Additionally, the operations will remain subject to annual monitoring and reporting requirements. Furthermore, the collective will be regulated by numerous state and local regulations including Article 2.5 of the Health and Safety Code (Senate Bill 420). The retail dispensary is also regulated by the Medical Cannabis Regulation and Safety Act (MCRSA) and will be subject to state licensing in 2018 once available.</p>

314-55.3 Medical Cannabis Dispensary Ordinance		
Zoning Section	Summary of Applicable Requirement	Evidence
§314-55.3.10 Operations Manual	<p>Description of measures taken to minimize or offset the carbon footprint from operational activities.</p> <p>Description of chemicals stored, used and any effluent discharged as a result of operational activities.</p> <p>The procedure, documentation, and notice process for assuring the quality and safety of all medical cannabis distributed. The procedure and documentation process for determining patient dosage, including any testing for the major active agents in medical cannabis offered to qualified patients, such as cannabinoids tetrahydrocannabinol (THC), Cannabidiol (CBD), and Cannabinol (CBN).</p>	<p>A detailed Dispensary Operations Manual is included in Attachment 3 that contains all of the required elements. Additionally, the operations will remain subject to annual monitoring and reporting requirements. Furthermore, the collective will be regulated by numerous state and local regulations including Article 2.5 of the Health and Safety Code (Senate Bill 420). The retail dispensary is also regulated by the Medical Cannabis Regulation and Safety Act (MCRSA) and will be subject to state licensing in 2018 once available.</p>
§314-55.3.11 Operating Standards	<p>Dispensaries that function as medical cannabis delivery services shall not operate from an address of convenience located in a residential zone.</p>	<p>The proposed site is zoned C-1 Neighborhood Commercial.</p>

314-55.3 Medical Cannabis Dispensary Ordinance		
Zoning Section	Summary of Applicable Requirement	Evidence
§314-55.3.11 Operating Standards	<p>Medical cannabis dispensaries may not be operated by any persons who have been convicted of a felony in the last five years.</p> <p>No dispensing of medical cannabis to an individual qualified patient shall be permitted more than twice a day.</p> <p>The hours of operation of medical cannabis dispensaries shall be no earlier than 10 a.m. and no later than 7 p.m.</p> <p>Dispensaries shall only provide medical cannabis to an individual qualified patient who has a valid, verified physician's recommendation issued in the state of California. Dispensaries shall verify on an annual basis, or more frequently if required by the state of California, that the physician's recommendations of their clients are current and valid.</p> <p>Dispensaries shall display their client rules and/or regulations in a conspicuous place that is readily seen by all persons entering the dispensary. A copy of the client rules and/or regulations shall be provided to the qualified patient by a medical cannabis delivery service.</p> <p>Smoking, ingesting, or otherwise consuming medical cannabis products on the premises of a medical cannabis dispensary is prohibited. Each building entrance to a medical cannabis dispensary shall be clearly and legibly posted with a notice indicating that smoking, ingesting, or consuming medical cannabis or medical cannabis edibles on the premises or in the vicinity of the dispensary is prohibited.</p>	All operating standards have been made conditions of approval.

314-55.3 Medical Cannabis Dispensary Ordinance		
Zoning Section	Summary of Applicable Requirement	Evidence
§314-55.3.11 Operating Standards	<p>Each building entrance to a medical cannabis dispensary shall be clearly and legibly posted with a notice indicating that persons under the age of 18 are precluded from entering the premises unless they are qualified patients and they are accompanied by their parent or legal guardian.</p> <p>No medical cannabis dispensary or delivery service shall provide medical cannabis to any qualified patient or holder of a medical cannabis recommendation who is under 18 unless their parent or guardian has previously given written permission that is on file with the delivery service and that same parent or guardian is present to accept the delivery of medical cannabis.</p> <p>All medical cannabis dispensaries shall display a copy of the inspection receipt issued by the Humboldt County Sealer of Weights and Measures for all weighing and measuring devices.</p> <p>All medical cannabis dispensed by dispensaries must be obtained in accordance with the MCRSA and other applicable state and local laws.</p> <p>All signs for medical cannabis dispensaries must comply with Sections 313-87.3 and 314-87.2 of the County Zoning Regulations.</p> <p>An up-to-date inventory of all hazardous materials stored and used on-site shall be maintained on the premises of the dispensary with a copy of this inventory provided to the Humboldt County Division of Environmental Health.</p>	All operating standards have been made conditions of approval.

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

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

Code Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
§312-17.1.4 Conditional Use Permit Findings	The proposed development will not be detrimental to the public health, safety, and welfare, and will not be materially injurious to properties or improvements in the vicinity.	All responding referral agencies have either provided no comment or recommended approval of the proposed use. The proposed commercial use is consistent with the type of development in the area. There is no evidence that the project will be materially injurious to properties or improvements in the vicinity.
§15301 of CEQA Guidelines	Categorically exempt from state environmental review.	The project has been determined to be exempt from CEQA pursuant to Sections 15301 – Existing Facilities of the CEQA Guidelines. Section 15301 exempts from environmental review the operation, repair, maintenance, permitting, licensing, or minor alteration of existing private structures or facilities where involving negligible or no expansion of use. The proposed development will occupy 1,200 square feet of an existing structure. The project site is served by public water and sewer. The proposed use within the existing building will not result in any significant adverse impact on the environment as the lot is approximately 40,510 square feet in size and the proposed use will occupy a portion of an existing building on the property.

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

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

ATTACHMENT 3

Applicant's Evidence in Support of the Required Findings

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

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

CannaBoutique

(Logo in design)



Cannabis Dispensary Operations Manual

CannaBoutique Dispensary, a medical cannabis Dispensary Store will be located in Humboldt County, California. We have acquired a lease for the the following address: 1674 Myrtle Ave . Eureka, Ca 95501, it is a 1500 square ft existing structure, the facility is well positioned and it matches the ideal picture of a community dispensary store. We are not doing any major construction to face lift the facility, it was already a retail shop in the past. CannaBoutique Dispensary will be involved in the retailing of medical cannabis. We are a medical cannabis dispensary business seeking to retail medical cannabis as permitted by the law in California to our customers. Our employees are well trained and qualified to handle the wide range of customers that we are positioned to serve. We will engage in the sale of medical cannabis at the counter. CannaBoutique Dispensary, will operate from 10am - 7pm Monday thru Sunday.

We are in business to service walk – in customers only. Our workforce is going to be well trained to operate within the framework of our company’s corporate culture and also to meet the needs of all our customers. CanaBoutique Dispensary will ensure that all our customers are given first class treatment whenever they visit our store. We have a CRM software that will enable us manage a one on one relationship with our customers no matter how large the numbers of our customers’ base grows. We are a family business owned and managed by CanaBoutique Dispensary family.

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Company Description and Services

CannaBoutique Dispensary LLC(CBD) is a non-profit organization that was formed to bring awareness of a progressive disorder known as Fabry Disease to the world. To help provide alternative medicine and pain management for the medically impaired is truly a privilege. We hope to start operations in the heart of Humboldt County. It's a great County with a way of life that is therapeutic to the soul. A city in this county would be perfect for CBD to begin educating patients, neighboring cities, and locals on Fabry. As well, pain management through use of cannabis. The following is some of the information that caused for the birth of CBD

Fabry disease is an inherited disorder that results from the buildup of a particular type of fat, called globotriaosylceramide, in the body's cells. Beginning in childhood, this buildup causes signs and symptoms that affect many parts of the body. Characteristic features of Fabry disease include episodes of pain, particularly in the hands and feet (acroparesthesias); clusters of small, dark red spots on the skin called angiokeratomas; a decreased ability to sweat (hypohidrosis); cloudiness of the front part of the eye (corneal opacity); problems with the gastrointestinal system; ringing in the ears (tinnitus); and hearing loss. Fabry disease also involves potentially life-threatening complications such as progressive kidney damage, heart attack, and stroke. Some affected individuals have milder forms of the disorder that appear later in life and affect only the heart or kidneys.

This inspired us to come together and organize CannaBoutique Dispensary LLC, "A Place for those who feel the cold isolation and division of suffering through a medical illness. Although they may not understand you, CannaBoutique Dispensary LLC will always understand. We've seen the depression and sorrow that builds from that isolation and want to provide what we call "complete compassionate care."

Unlike other cannabis businesses, all our medicine will be issued to our verified patients. The medicine will be received from verified farmers of Humboldt County and neighbouring communities. We do not sell for profit to any other collectives or cooperatives. We will however ask them for donate some of their resources to help those with disorders, such as Fabry patients. CBD's complete compassionate care program will provide patients who merit special care free or reduced rates cannabis. Only for those refereed by verified institutes such as Hospice of Humboldt or Eel Valley Rural Health Clinic.

We aim to provide only the highest quality organic medical products. It will be issued by professional staff in a professional setting. Right here in Humboldt County our patients will value their CBD memberships. Undoubtedly there are patients facing catastrophic conditions and patients on fixed income that are in dire need of medical cannabis that is free or subsidized and easily accessible in town. CannaBoutique Dispensary LLC would love to be able to do this for them, but because of our current small size and infamy, with no ability to have a garden at this time. All patients however, can purchase small amounts of cannabis medicine via fresh buds from local farmers. This are the only forms of revenue to support CannaBoutique Dispensary's "Complete Compassionate Care" C.C.C program. The revenue generated would also support our efforts in future community development projects for Humboldt County.

To operate our C.C.C. program at CBD with professionalism and compassion is Alonzo Bradford. He is a patient who has Fabry Disease and has worked closely with Genzyme's, Emory, UCLA. and Cedars Sinai to help better understand the effectiveness of medical cannabis on persons with Lipid Storage Disorders. Monitoring and researching the progression of fabry disease, generating scientific data that has helped the Fabry Community. We hope that our collaboration with Humboldt County will further the understanding and responsibilities of patients with fabry and other disorders.

To both our patients and the general public we hope to set policies and procedures that are sensitive to family and community values.

Together we will be at the forefront of clinical cannabis and may even create new methods and practices in the field. We hope that Humboldt County will embrace our compassionate approach to community development that will connect the entire community. We will work non-stop to meet the needs of our patients, as well as the small town we know and love. We are happy to meet the

county's vision on how cannabis issues should be handled and respectfully request the city to approve our collective.

We appreciate your consideration,
CannaBoutique Dispensary

Medical Marijuana Collective Agreement

Pursuant to the provisions of California Health and Safety Code § 11362.775, this agreement is entered into between the undersigned and the organization (sometimes referred to below as "association").

The undersigned certifies the following under penalty of perjury under the laws of the State of California:

1) I have the right to obtain and use marijuana for medical purposes where that medical use has been deemed appropriate and has been recommended or approved by a California physician who has determined that my health would benefit from the use of marijuana in the treatment of cancer, anorexia, AIDS, chronic pain, spasticity, glaucoma, arthritis, migraine, or any other illness for which marijuana provides relief.

2) I am a qualified medical marijuana patient who is entitled to the protections of California Health and Safety Code Sections 11362.5, and 11262.7 et seq.

3) A true and correct copy of my current written physician's recommendation or approval for the medical use of marijuana is attached hereto. At such time that it may expire I will provide a current copy to the association. By my signature below, I authorize a representative of the organization to confirm my recommendation or approval for the medical use of marijuana and this document shall constitute my written release per Health Insurance portability and Accountability Act (HIPAA).

4) As a qualified medical marijuana patient under the Compassionate Use Act, and the Medical Marijuana Program Act, I intend to associate with the members of the medical marijuana association, in part, through this agreement, in order associate for the purpose or cultivating marijuana for medical purposes pursuant to the Medical Marijuana Program Act, which includes in part, California Health and Safety Code § 11362.775 and Section 1 (b)(3) of the un-codified portion of the Medical Marijuana Program Act, which was enacted by the people of the State of California, in part, in order to promote uniform and consistent application of the Compassionate Use Act among the counties within the state, and to enhance the access of patients and caregivers to medical marijuana through collective, cooperative cultivation projects.

5) I understand that another member may transport medical marijuana on my behalf, and if so, the person transporting it will have a copy of my current written physician's recommendation or approval, which may be relied upon by a third party as valid authorization from me to transport my medical marijuana.

6) I understand and agree that compensation may be required to be paid by me for the cost of labor, supplies, services or materials or transportation costs towards the cultivation or procurement of marijuana for my medical purposes.

7) That the association may also provide a means for facilitating or coordinating transactions between associates, while excluding all non-associates from any exchanges, reimbursements, provisions, remunerations or any other transaction that involves medical marijuana.

8) That medical marijuana associations should acquire marijuana only from their constituent associates, because only marijuana grown by a qualified patient or his or her primary caregiver may lawfully be transported by, or distributed to, other associates of a collective or cooperative (§§ 11362.765, 11362.775).

9) That the collective may allocate medical marijuana to other associates of the group, and that nothing allows marijuana to be distributed or allocated outside the individuals associated for this purpose and pursuant to these legal requirements;

10) That marijuana grown for medical purposes may be:

- a) Provided free to qualified patients and primary caregivers who are members of the association;
- b) Provided in exchange for services rendered to the entity;
- c) Allocated based on fees that are reasonably calculated to cover overhead costs and operating expenses; or
- d) Any combination of the above;

11) In accordance with the Medical Marijuana Program Act, the Compassionate Use Act, and the 2008 California Attorney General Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use (a copy of which is attached hereto) this association is formed in accordance with California Health and Safety Code § 11362.775, as well as under any and all California State laws that may provide the association and its patient-members relief, where California Health and Safety Code § 11362.775 provides as follows:

“Qualified patients, persons with valid identification cards, and the designated primary caregivers of qualified patients and persons with identification cards, who associate within the State of California in order collectively or cooperatively to cultivate marijuana for medical purposes, shall not solely on the basis of that fact be subject to state criminal sanctions under Section 11357, 11358, 11359, 11360, 11366, 11366.5, or 11570.” (H&S § 11362.775)

12) According to the State guidelines codified within the Medical Marijuana Program Act, H&S § 11362.77.

(a) A qualified patient or primary caregiver may possess no more than eight ounces of dried marijuana per qualified patient. In addition, a qualified patient or primary caregiver may also maintain no more than six mature or 12 immature marijuana plants per qualified patient.

(b) If a qualified patient or primary caregiver has a doctor's recommendation that this quantity does not meet the qualified patient's medical needs, the qualified patient or primary caregiver may possess an amount of marijuana consistent with the patient's needs.

(c) Counties and cities may retain or enact medical marijuana guidelines allowing qualified patients or primary caregivers to exceed the state limits set forth in subdivision (a).

(d) Only the dried mature processed flowers of female cannabis plant or the plant conversion shall be considered when determining allowable quantities of marijuana under this section;

13) We receive cultivated medical marijuana for all patients who are associated with this group. The organization will possess or cultivate enough medical marijuana to meet the aggregate needs of all of its qualified patient-members;

14) I will not divert, furnish, sell, distribute or give any marijuana to any persons who are not qualified patient- members of this association, collective or any other person; and

15) I agree to pay any dues assessed by the organization/association necessary to maintain its operations for the benefit of its patient-members.

16) I understand I am not a member of CannaBoutique Dispensary LLC a California mutual benefit corporation, but I am a patient-member of the Corporation. I further acknowledge I have no voting or other rights with respect to the Corporation.

17) I have read and understand the rules and consent to them.

18) I am 18 years of age or older. If I am a law enforcement officer, I will disclose that information below. I understand the medicinal use of cannabis remains illegal under federal law and circumstances may require defense in state or federal court, which requires the disclosure of patient-members names and medical information, as well as, I may be asked to participate in such defense.

This agreement shall be in effect as of _____ . Renewal Date _____

Print clearly to avoid errors

First Name _____ Last Name _____

Address _____ City, State, Zip _____

Phone _____ Email: _____

Doctor's Name _____ Doctor's Phone _____

Doctor's recommended dosage _____

Check box and insert if member of law enforcement, Provide the agency below:

CA ID or CDL _____

I certify under penalty of perjury that (1) The information provided is true and accurate, and (2) I am not seeking membership for any fraudulent purposes.

Signed: _____ Date: _____

I am a primary Caregiver for the registered Member _____

Complete this section only if you already have a doctor's recommendation pursuant to California Health and Safety Code 11356.7 and Sb-420, 2003

ID CARD ISSUED BY _____

ID CARD NUMBER _____ EXP. DATE _____

I authorize my recommending physician to verify his or her recommendation or approval for the use of medical cannabis (marijuana

Sign _____

Date _____

NOTICE TO LOCAL LAW ENFORCEMENT: Pursuant to the Constitution of the State of California, Amendment III, Section 3.5(c), state enforcement officials do not have the authority to refuse to enforce a statute on the basis that federal law or federal regulations prohibit the enforcement of such statute. Furthermore, in Garden Grove v, Superior Court, the Court of Appeal for the Fourth Appellate District has observed that, "it is not the job of the local police to enforce the federal drug laws." Thank you for your understanding and compliance.

Staff Initials _____ Recommendation Verified By _____

Database ID# _____ Date of Verification _____

City Authorization

This authorization allows The Humboldt County planning department, its agents and employees, to verify information contained in this application as it applies to this conditional use permit, confidential patient and employee information will not be accessible.

Sign: _____

Date: _____

Collective size and make-up

Business type: Non-Profit Organization, Medical Marijuana Collective and Dispensary. This is a permanent business, open Monday through Sunday.

Number of employees: 6

Pharmacist: 1

Cashier: 3

Sales Agent: 2

Customers per day: unknown as we haven't been in operation yet.

Building area: The Dispensary is 1500 s.f.

Business Growth: Eventually as word spreads we will accommodate the needs of patients and the city.

No Chemicals will be stored in the building.

Environmental impact: The dispensary will generate no more waste than your average medical office. No cultivation will take place on the premises until authorized by permit. No noise or odor will be produced and there will be no use of any toxic or combustible substances.

Use of public facilities: This dispensary will reside within existing building that will require no major draw on the City of Humboldt County's public facilities. Only water and electric are necessary however, CBD is committed to the conservation and minimal use of both.

Parking: Parking lot is available with enough stalls for employee's and customers. 12 stalls

Rules and Regulation

Dispensary address: To be discussed

Hours of Operation: 10AM - 7PM Mon - Sun

Rules:

No one under the age of 18 is permitted unless they are a registered patient.

Patients are limited to purchasing medicine no more than twice a day

No Smoking or Alcohol use is permitted within 100 yards of the collective.

Smoking, ingesting or consuming medical cannabis on the premises, or in the vicinity of this collective is strictly prohibited.

Employee Guidelines

- All employees will maintain strict patient confidentiality at all times

- All new employees will have appropriate background checks including but not limited to work history and education, prior to employment.
- All new employees will be required to complete a company application and background check, prior to employment.
- All employees will be required to fill out an emergency contact form upon hire.
- All employees will be required to complete all state employment forms for tax purposes upon hire.
- All employees will be given employment handbooks
- All employees working over fifteen hours a week will be offered health and dental benefits after their first 90 days.
- Employees as with patients will not be allowed to smoke, ingest, or consume cannabis on the premises of CBD
- Employment will not begin until a background check has been passed.

Security

The security system includes:

- Bosch Control Panel
- Motion detectors
- Door contacts
- Cellular back-up lines
- Panic button (Alarm rings come from both outside and inside the location)
- Fire Alarm
- Surveillance camera system
- Motion detector lighting system in back parking lot area

The surveillance camera system records all activity onto a dvr which is periodically reviewed. If any alarm other than the fire alarm is tripped. Advanced security systems calls the business location first. Then calls the director of C.B.D If they are unable to make contact for further directions, they will have the local law enforcement dispatched.

If the fire alarm is tripped, Advance security systems immediately calls the fire department and the director of C.B.D.

Patient Rules and Regulations

All qualified patients of CannaBoutique Dispensary LLC will need to present a valid recommendation for cannabis from a licensed Medical Doctor in good standing with the licensing board.

All recommendations will be verified with the physician's office who wrote the recommendation before a patient will be allowed to acquire medicine at CBD

All recommendations must also be accompanied by proof of identification and California residency.

All patients must fill out a membership form for CBD

No person may pick up medicine for a patient without a state card that identifies the person as the patient's caregiver.

No patient will be allowed to acquire medicine more than twice in one day with a maximum total daily not to exceed 4 (four) ounces of cannabis.

Anyone caught presenting false information will be dismissed from CBD and will not be allowed to return to the facility.

Anyone cause selling or giving medicine to non patients will no longer be allowed to be a patient at CBD and will not be allowed to return to the facility.

No one under 21 will be allowed in the facility unless they are a patient of CannaBoutique Dispensary.

Patient Records Acquisition and Retention Procedures

- CBD uses a quickbook point of sale program for managing all patient records
- A copy of each patient's' physician's recommendation and proof of identification is scanned and retained in a confidential file.
- This program inactivates any patient who has an expired physician's recommendations.
- All transactions are followed by a receipt to patient.

Tracking Medical Marijuana

CannaBoutique Dispensary LLC supplies organically grown cannabis that is produced locally in Humboldt County to its patients.

Cannabis is tracked as follows:

After completion of a harvest detail form, all medicine received from farmers is bar coded into the safe and must coincide with the figures presented by the farmer. All figures are recorded, before being transferred to display in the front. It is bar coded out of the safe and then it is bar coded into the front desk. Before patients receive their medicine, it is bar coded out of the front desk totals. The Front balances all medicine and the cash drawers at the end of the day using quickbooks point of sale program. Cannabis is prepackaged into 1/8ths and 1 grams then stored in secure bins. All remaining cannabis is to be stored in secure location.

Resource Conservation

CannaBoutique Dispensary LLC is dedicated to serving the local community through the dispensing of medical marijuana, as well as education it's patients in safe practices and health sustaining practices for the community. We desire it create a healthier world and promote a green environment.

Bike parking: A bicycle park and lock location will be proposed to promote an alternative to reduce vehicular traffic. It will be funded using the revenue acquired from CBD

Environmental systems: Heating and cooling needs for the space will be accomplished through the use of a air heat pump, this will condition the interior space at a fraction of the energy required.

Harvest Details

Before any medicine is accepted from farmers they must first fill out this form:

Date plant - 1st shoot up: 2nd shoot up: 8 week:

<u>Strain</u>	<u>Planted</u>	<u>Dry RM</u>	<u>Comment</u>

Soil used:

Harvest date:

Total Bud weight:

Testing: Testing will be conducted via third party testing sites.

Exhibit A

ATTENTION:

Smoking, Ingesting, or Consuming Medical Cannabis On The Premises Or In The Vicinity of This Collective Is Strictly Prohibited.

No Persons Under 18 May Enter The Premises Unless They Are A Qualified Patient And Or They Are Under The Supervisions Of Their Parent Or Legal Guardian.

Exhibit B

welcome to cannabOUTIQUE
DISPensary

we Are open:

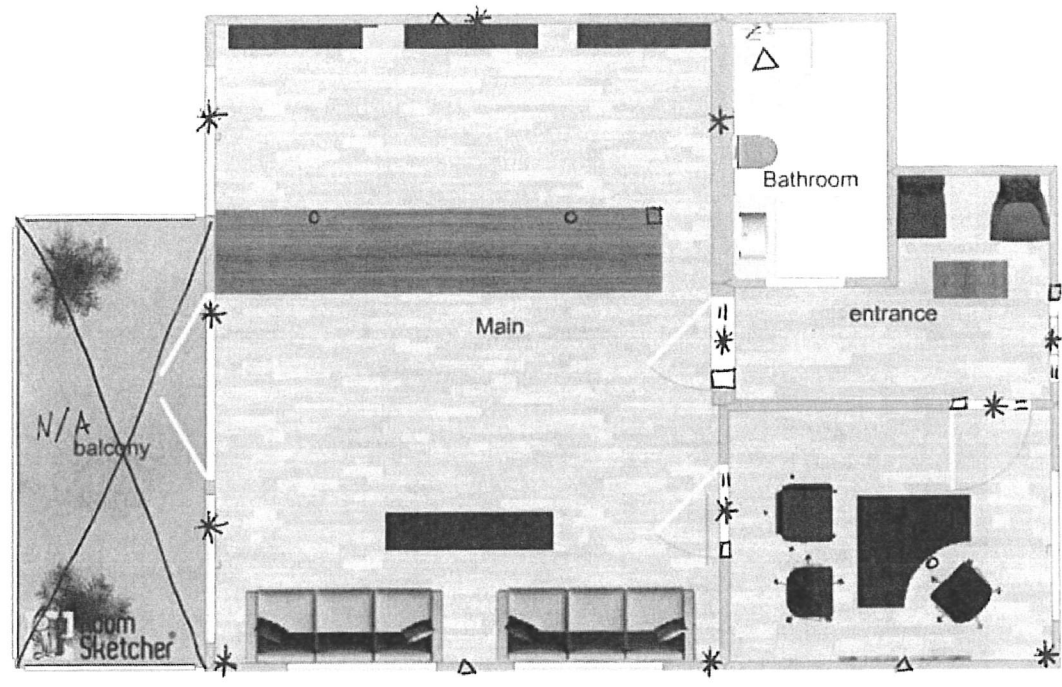
Monday - Thursday
10:00 A.M. UNTIL 7:00 P.M.

Friday - Sun
10:00 A.M. UNTIL 7:00 P.M.

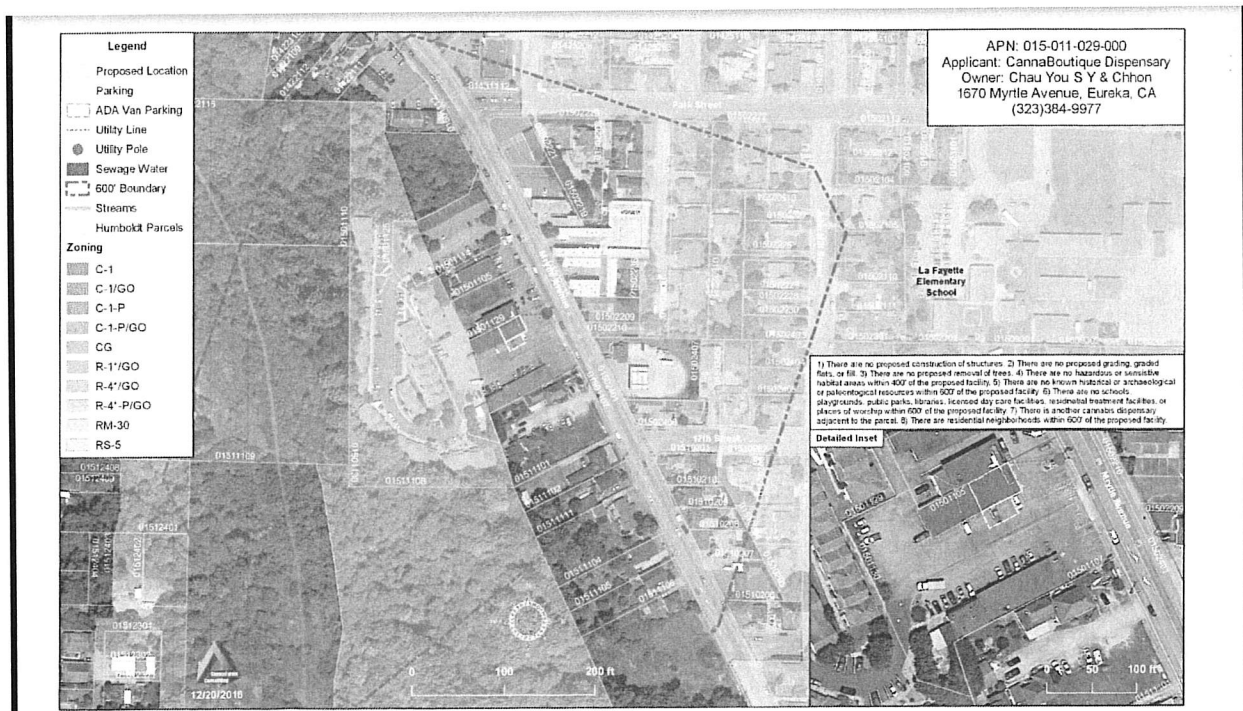
PLEASE NOTE THE FOLLOWING:

- 1) NO one under THE age OF 18 IS PERMITTED WITHOUT THEIR GUARDIAN WHO IS a PATIENT OF CBD.
- 2) PATIENTS OF CBD. are LIMITED TO PURCHASING medicine no more THAN TWICE IN THE same Day.
- 3) NO SMOKING OR ALCOHOL IS ALLOWED WITHIN 1000 yards OF cannabOUTIQUE DISPensary.

Security Floor Plan



- * Cameras
- Motion detectors
- △ Fire Alarm
- Panic button
- || Door Contact



Testing Procedure: Testing will be conducted via third party testing sites.

The manager and designated employees will be solely responsible for the intake and verification of testing usable marijuana for CannaBoutique Dispensary.

All inventory must be tested before it can be transferred to CannaBoutique Dispensary.

Testing for usable marijuana will include the following information: Pesticides, Molds, and Mildew.

If the batch fails the test, the entire batch must be returned to the person transferring the usable marijuana. Usable Marijuana will also include an analysis of the THC, CBN, and CBD levels.

Proper testing information for In-Take will include: Proper test results from labs in good standing with our facility. The grower or individual can demonstrate that a sufficient random sample was taken from the batch and that batch has been properly sealed and not tampered with.

Upon transfer of useable marijuana to us it must be batched properly. Proper batching must have the following information attached to bags: Strain name, Person or vendor who transferred the product, date, received.

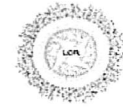
Quality Assurance/Quality Control

Sampling plans shall be designed to meet specified sample quality criteria. This includes using a sampling plan that meets a 95% confidence level for representative sampling and limits the fundamental sampling error. The most common way to achieve this is by increasing the number of sample increments to compensate for normal batch heterogeneity. It is recommended that a minimum of seven (7) increments be taken for the sample to be considered a representative decision unit for Usable Marijuana.

The sampler must be prepared to collect adequate sample mass for all analyses requested by the producer. This must include adequate sample mass for re-testing in the event a sample fails a criterion as well as adequate sample mass for any quality control samples required by the laboratory, such as duplicates or matrix spikes.

Lost Coast Research
(707) 798-9070
www.lostcoastresearch.com
info@lostcoastresearch.com

Chain of Custody



**LOST
COAST
RESEARCH**

	Sample Name	Sample Reference #	Tests Requested					Sample Type			Subtype (Optional)	Sample Mass, Volume, Quantity	Initials	Internal Use Only: LIMS ID
			Potency	Terpene	Pesticide	Microbial	RS	Flower	Concentrate	Clone				
1														
2														
3														
4														
5														
6														
7														
8														
9														
10														
11														
12														
13														
14														
15														

Client Contact Information:

Date:

Notes:

Signature Releasing Custody: _____

Amount Collected: \$ _____

Signature of person accepting Custody: _____

Sample Amount Necessary per Test: Flower: 1 gram, Concentrate: 1/2 gram, Edible: 1 full serving size, Tincture: 5 ml

Patient dosage procedure and documents:

Patients dosage is inquired on membership form, then confirmed by manager when checking patients information is correct.

ATTACHMENT 4

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

The project was originally referred to the following referral agencies for review and comment. The modification was not re-referred. Those agencies that provided written comments for the original project are checked.

Referral Agency	Response	Recommendation	Location
Building Inspection Division	✓	Approval	On file
Department of Environmental Health	✓	Approval	On file
Public Works Land Use Division	✓	Comments and Informational Notes Received	On file
Humboldt #1 Fire Protection District	✓	Conditional Approval	On file
Eureka Unified School District			
County Counsel	✓	Approval	On file
City of Eureka			
Humboldt Community Services District	✓	Conditional Approval	On file