



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

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

Hearing Date: January 18, 2018

To: Humboldt County Planning Commission

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

Subject: **Lost Coast Botanical Cooperative, Inc., Conditional Use Permit**  
Application Number 11249  
Case Number CUP-16-199  
Assessor's Parcel Number (APN) 215-241-063  
325 Shelter Cove Rd. Whitethorn, CA

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Please contact Rodney Yandell, Planner II, at 707-268-3732 or by email at [ryandell@co.humboldt.ca.us](mailto:ryandell@co.humboldt.ca.us) if you have any questions about the scheduled public hearing item.

## AGENDA ITEM TRANSMITTAL

| Hearing Date     | Subject                | Contact        |
|------------------|------------------------|----------------|
| January 18, 2018 | Conditional Use Permit | Rodney Yandell |

**Project Description** Lost Coast Botanical Cooperative, Inc. is applying for a Conditional Use Permit to allow for the operation of a medical cannabis dispensary in accordance with Humboldt County Code Section 314-55.3 of Chapter 4 of Division 1 of Title III Medical Cannabis Dispensaries section of the Commercial Medical Marijuana Land Use Ordinance (CMMLUO). The proposed medical cannabis dispensary (Project) will be located within 336 square feet of an existing 13,500-square-foot building. The hours of operation for the dispensary will be Monday through Friday, 10:00 AM to 5:00 PM. The Applicant states that these hours will change as business increases.

**Project Location:** The project is located in Humboldt County, in the Whitethorn area, on the North side of Shelter Cove Road, approximately .35 miles west from the intersection of Briceland Thorne Road and Shelter Cove Road, on the property known as 325 Shelter Cove Road.

**Present Plan Land Use Designations:** Rural Community Center (RCC), Humboldt County General Plan 2040 (GP), Density: The maximum residential density is 1 dwelling unit per acre with community water, or 2 to 4 dwelling units per acre with a package treatment plant, and the maximum allowable floor area ratio (FAR) is 2, Slope Stability: Moderate Instability (2).

**Present Zoning:** Heavy Industrial (MH).

**Application Number:** 11249

**Case Number:** CUP-16-199

**Assessor Parcel Number:** 215-241-063

**Applicant**

Lost Coast Botanical Cooperative, Inc.  
Virginia Anderson  
PO Box 2546  
Redway, CA 95560

**Owner**

Robert McKee  
PO Box 400  
Whitethorn, CA 95589

**Agent**

None

**Environmental Review:** The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per Class 1, 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines.

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

**Major Issues:** None

## LOST COAST BOTANICAL COOPERATIVE, INC.

Case Number CUP-16-199

Assessor's Parcel Numbers 215-241-063

### Recommended Commission Action

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

*Move to find the project exempt from environmental review pursuant to Sections 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 Lost Coast Botanical Cooperative, Inc. project subject to the recommended conditions.*

**Executive Summary:** A Conditional Use Permit has been requested by Lost Coast Botanical Cooperative, Inc. to authorize operation of a medical cannabis dispensary in the Whitethorn area. The proposed medical cannabis dispensary (Project) will be located within 336 square feet of an existing 13,500-square-foot building. Lost Coast Botanical Cooperative, Inc. would provide medical cannabis flowers, oils, tinctures, edibles and salves. There will be a maximum of no more than three employees on the premises at any given time.

The project site has a land use classification of Rural Community Center (RCC) per the Humboldt County General Plan and is zoned Heavy Industrial. The Medical Cannabis Dispensary Ordinance identified industrially zoned properties as sites where dispensaries could be subject to the issuance of a CUP in Section 314-55.3.8.2. The parcel to the west and south contains other commercial and industrial uses. Parcels to the north and east contain low density residential and/or pasture lands. Lost Coast Botanical Cooperative, Inc. is located in a commercial building constructed in 1997. There are five units located in the building that are rented out by Whitethorn Construction. There is currently an existing permitted indoor clone and seed nursery, a screen printing company and lumber storage in the building where the dispensary is located. In addition, there is an application pending for a cannabis manufacturing (extraction) operation.

### Water

The property is served by existing on-site water system. Water is provided via a permitted diversion (#15316) through an agreement with Whitethorn Construction, who holds an appropriative right that serves multiple parcels.

Wastewater treatment is provided by an existing on-site wastewater disposal system. The Department of Environmental Health (Department) recommended approval of the project but did not provide comments directly related to the existing system.

### Power

The facility uses an existing electrical service from Pacific Gas & Electric (PG&E). Lost Coast Botanical Cooperative, Inc. has installed energy efficient florescent lighting and the building is equipped with low thermal emissivity windows and insulation.

### Access/Parking

Access to the facility is provided by a private roadway that connects to Shelter Cove Road, which is a County roadway that is adequate for serving the site. The private driveway is in good condition and provides paved access to other facilities on the property.

The facility has existing on-site parking for up to 24 vehicles. The facility also includes American Disabilities

Act (ADA)-compliant parking and access.

There will be three green cross signs posted to direct customers to Lost Coast Botanical Cooperative, Inc. The first sign will be at the entrance of the driveway on Shelter Cove Road. The next sign will be on the building that Lost Coast Botanical Cooperative, Inc. is located in. The third sign will be in front of the dispensary. Near the entrance of the building there will be a sign indicating that smoking is not allowed on the premises.

## **Operation Standards**

### *Screening/Registration/Verification*

All Lost Coast Botanical Cooperative, Inc. employees must be in compliance with California 215 regulations. Employees must also pass a background check. If a person has a felony on their record they cannot be employed by Lost Coast Botanical Cooperative, Inc. Furthermore, if a current employee gets convicted of a felony, their employment will be terminated immediately.

Members of the cooperative are limited to California residents in possession of a current verified 215 certification. There will be no cap membership numbers. Lost Coast Botanical Cooperative, Inc. will be open from 10am to 5pm Monday through Friday. These hours will change as business increases but will adhere to the dispensary performance standard (10AM to 7PM).

Intake begins with prospective members filling out a membership application. A photocopy of the applicant's driver's license and doctor's recommendation is obtained. After verification a physical file is created and the information is entered into the company database.

Members must also sign Representations and Acknowledgement of Association (Health & Safety §11362.5 et seq. and Health & Safety §11362.7 et seq.), a declaration of their eligibility and explanation of their legal status within the collective.

### *Security*

Lost Coast Botanical Cooperative, Inc. is renting a small interior space within a commercial building and is installing a security alarm system with automatic law enforcement notification. There will be a silent alarm for staff during business hours. There will be a video surveillance system with remote monitoring capabilities and motion lighting installed above the entrance of the dispensary. There will be a security guard on the premises during operation hours. Secure doors and reinforced windows are also being installed.

### *Operational Requirements and Restrictions*

In the dispensary there are two rooms: the first is an intake room with a reception desk and the second room contains available medicine. Patients are permitted into the second room after their ID and 215 recommendation have been verified and intake is complete. The second room has a small display area where examples of the product offered and displayed in a lockable glass case. The bulk of the product is stored in a locked safe that is under constant video surveillance.

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 Lost Coast Botanical Cooperative, Inc. 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 Lost Coast Botanical Cooperative, Inc. 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 and residential treatment facilities. There is currently an existing permitted indoor clone and seed nursery on the parcel. In addition, there are two pending applications pending on the parcel; one application for cannabis (oil extraction) manufacturing use and one for cannabis distribution. 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 has been 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, consuming, or sharing of medicine on-site or within the project vicinity.

## **Staff Recommendation**

Staff recommends that the Planning Commission conduct a public hearing and receive public input on the project. 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 18-**

**Case Number CUP-16-199  
Assessor Parcel Number: 215-241-063**

**Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Lost Coast Botanical Cooperative, Inc. Conditional Use Permit request.**

**WHEREAS**, Lost Coast Botanical Cooperative, Inc. submitted an application and evidence in support of approving a Conditional Use Permit for the development and operation of a new medical cannabis dispensary within an existing commercial building; and

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

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

**WHEREAS**, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Conditional Use Permit (Case Number CUP 16-199); and

**WHEREAS**, a public hearing was held on the matter before the Humboldt County Planning Commission on January 18, 2018.

**NOW, THEREFORE**, be it resolved, determined, and ordered by the Humboldt County Planning Commission that:

1. The proposed project is exempt from environmental review; and
2. The findings in Attachment 2 of the Planning Commission staff report support approval of Case Number CUP-16-199 based on the submitted substantial evidence; and
3. Conditional Use Permit CUP-16-199 is approved as recommended and conditioned in Attachment 1.

Adopted after review and consideration of all the evidence on January 18, 2018.

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

AYES: Commissioners:

NOES: Commissioners:

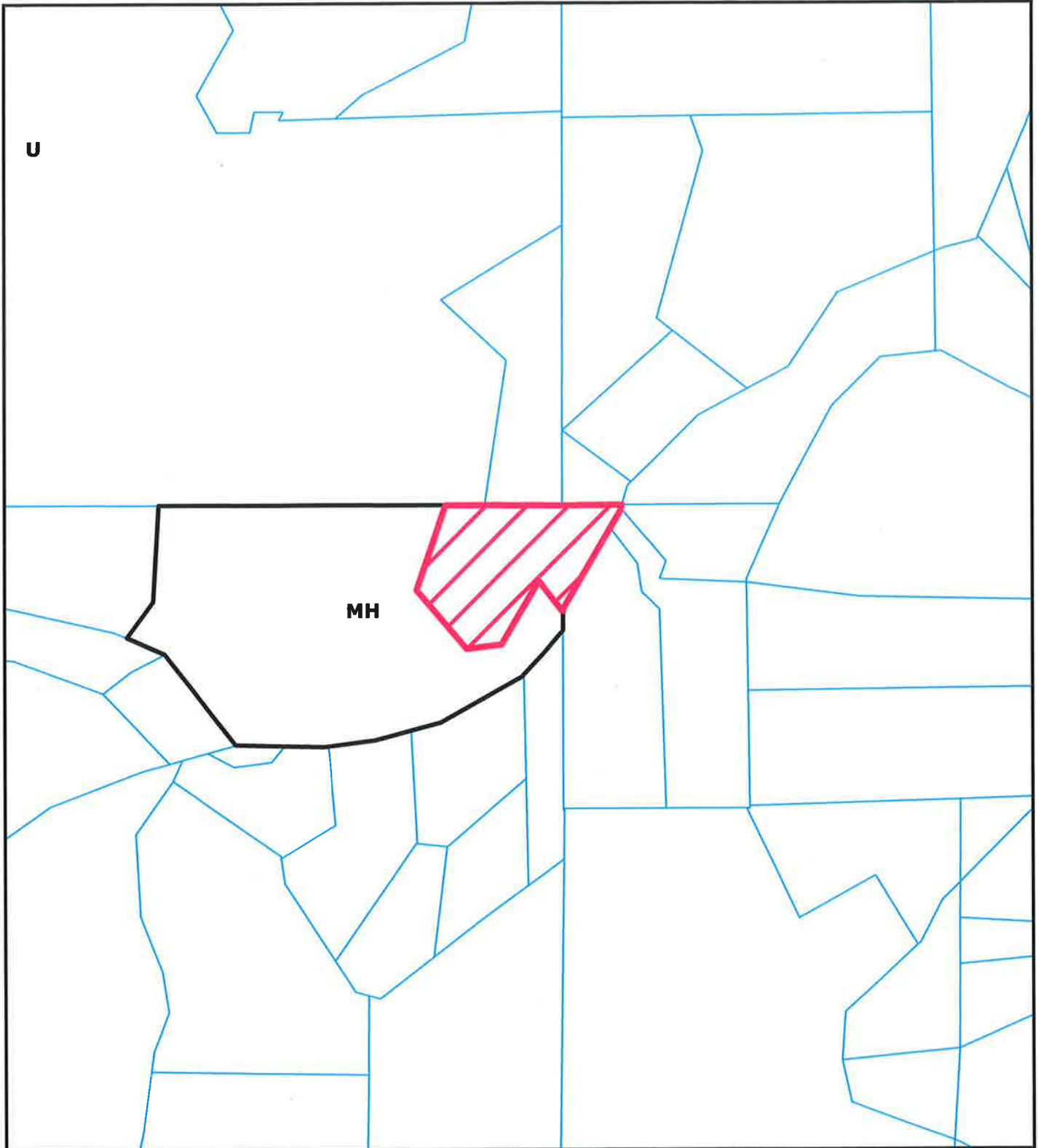
ABSTAIN: Commissioners:

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  
Planning and Building Department



**ZONING MAP**  
**PROPOSED LOST COAST BOTANICAL COOPERATIVE**  
**WHITETHORN AREA**  
**CUP-16-199**  
**APN: 215-241-063**  
**T05S R02E S5 HB&M (BRICELAND)**

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.

0 625 1,250 Feet

CUP 16-199 Lost Coast Botanical 11249 January 18, 2018 Page 7





**AERIAL MAP  
PROPOSED LOST COAST BOTANICAL COOPERATIVE  
WHITETHORN AREA**

**Project Area =** 

**CUP-16-199**

**APN: 215-241-063**

**T05S R02E S5 HB&M (BRICELAND)**



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.

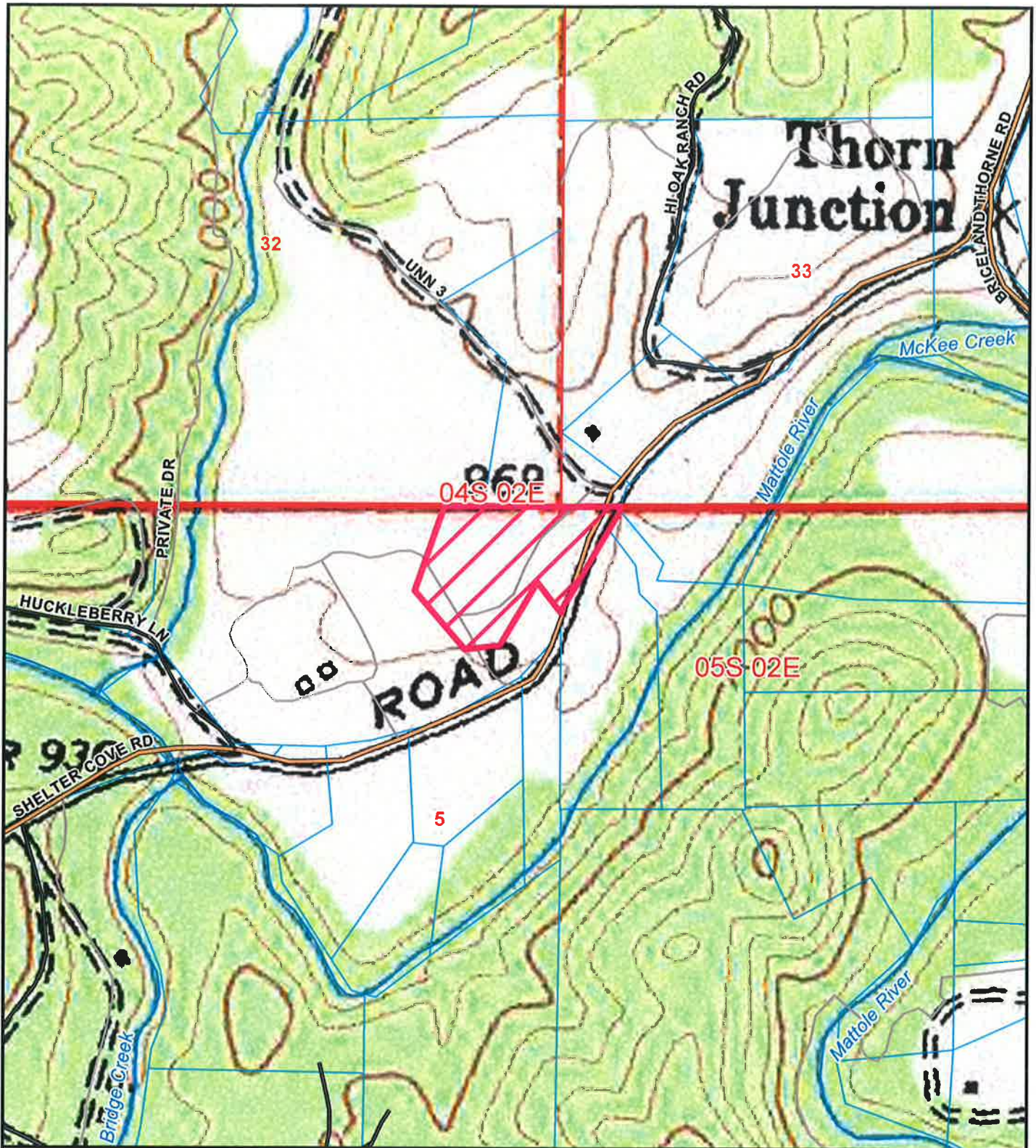
CUP 16-199 Lost Coast Botanical 11249

January 18, 2018

0 435 870 Feet

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**TOPO MAP**  
**PROPOSED LOST COAST BOTANICAL COOPERATIVE**  
**WHITETHORN AREA**  
**CUP-16-199**  
**APN: 215-241-063**  
**T05S R02E S5 HB&M (BRICELAND)**

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.



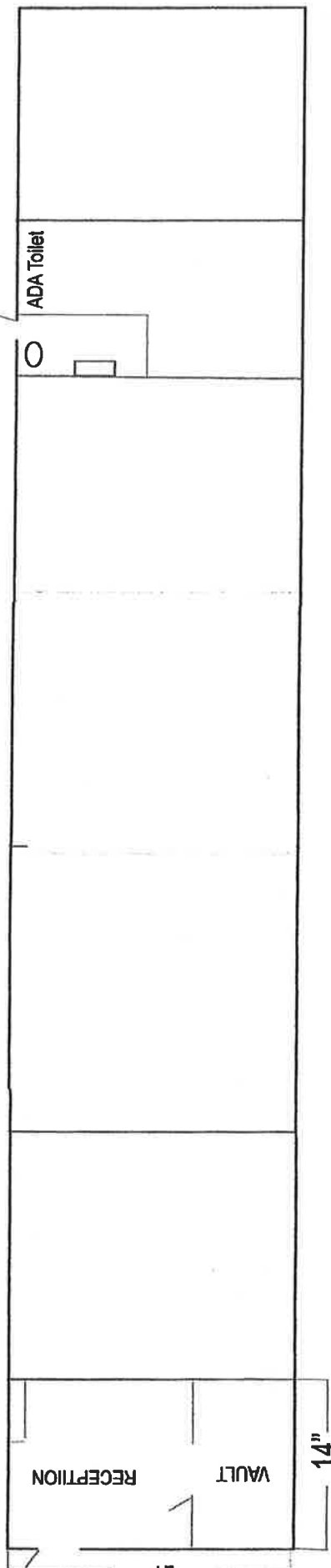




325 Shelter Cove Road, Unit 6  
Whitethorn CA 95589  
Lost Coast Botanical Co-op  
Dispensary Location

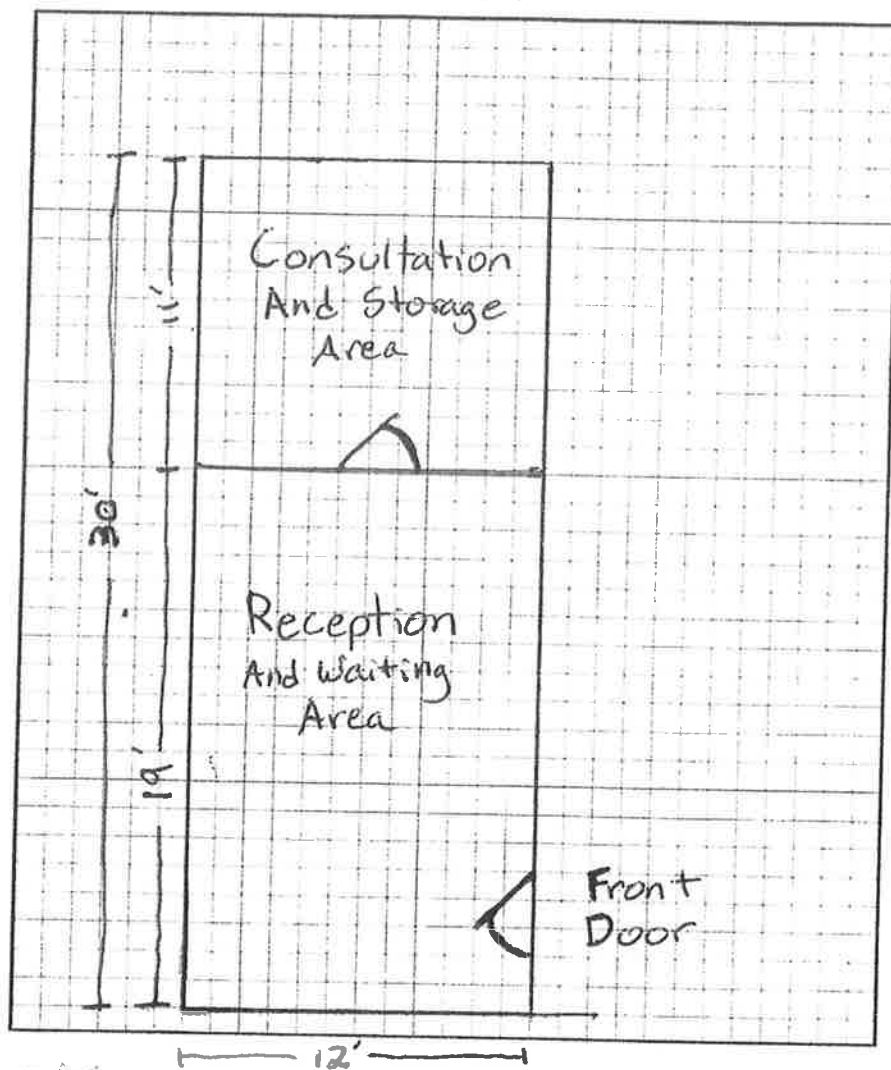
## HANDICAP PARKING

CUP 16-199 Lost Coast Botanical 11249



Shelter Cove Road

APR 25 1977



Name: Lost Coast Botanical  
Dispensary Store Front  
Floorplan

## 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 initiation of use, 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 nursery on the same 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. 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.
6. Prior to occupancy of the dispensary, the applicant shall satisfy all of the requirements as specified in Exhibit A of Attachment 1 to the satisfaction of the Department of Public Works. Contact the Department of Public Works for more information
7. A review fee for conformance with conditions as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$125.00) shall be paid to the Humboldt County Planning Division, 3015 H Street, Eureka. This fee is a deposit, and if actual review costs exceed this amount, additional fees will be billed at the County's current burdened hourly rate.
8. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after the decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

#### **B. Operation Restrictions**

1. The hours of operation shall be no earlier than 10:00 AM and no later than 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 Ordinance #2554, including the Operating Standards in Section 31-55.4.11 and the requirement for annual



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 6 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. Lost Coast Botanical Cooperative, Inc. 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. 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."
15. 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.

- Software shall be used as a point of sale to record transactions, inventory, invoicing, and revenue-related record keeping.
16. 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.
  17. 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.
  18. 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).

**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.18 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. The operation shall participate in the Medical Cannabis Track and Trace Program administered by the Humboldt County Agricultural Commissioner or state equivalent, when available.
5. 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 MAUCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
6. 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.
7. **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.
8. **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.
9. **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.

**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.

**EXHIBIT B of ATTACHMENT 1**

# EXHIBIT A TO ATTACHMENT 1



## DEPARTMENT OF PUBLIC WORKS COUNTY OF HUMBOLDT

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

ARCATA-EUREKA AIRPORT TERMINAL  
McKINLEYVILLE  
FAX 839-3595

839-5401

ADMINISTRATION 445-7491  
BUSINESS 445-7852  
ENGINEERING 445-7377  
FACILITY MAINTENANCE 445-7483

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

NATURAL RESOURCES 445-7741  
NATURAL RESOURCES PLANNING 287-9540  
PARKS 445-7651  
ROADS & EQUIPMENT MAINTENANCE 445-7421

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

LAND USE 445-7205

### LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Michelle Nielsen, Senior Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer

DATE: 12-07-2017

RE:

|                |                           |
|----------------|---------------------------|
| Applicant Name | LOST COAST BOTANICAL LOOP |
| APN            | 215-241-063               |
| APPS#          | 11249                     |

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

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

\*Note: Exhibits are attached as necessary.

Additional comments/notes:

Only need to review Item 4 on Exhibit "C"

// END //



## Exhibit "A"

### Public Works Recommended Conditions of Approval

APPS # 11249

(All checked boxes apply)

☒ **COUNTY ROADS- FENCES & ENCROACHMENTS:**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

☐ **COUNTY ROADS- PRIVATE ROAD INTERSECTION:**

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

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

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

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

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

// END //

## Exhibit "C"

### Additional Review is Required by Planning & Building Staff

APPS #

11249

**All of the following questions are to be answered by Planning and Building Department staff.** No further involvement with the Department of Public Works is required for these items; however Public Works staff is available to answer any questions that may arise.

1. **ROADS – PART 1.** Does the project takes access from a series of non-county maintained roads that connect directly to a State Highway (36, 96, 101, 255, 299, etc...)?

☐ YES ☐ NO

If YES, the project does not need to be referred to the Department. Include the following requirement:

**All recommendations in the Road Evaluation Report(s) for non-county maintained road(s) shall be constructed/implemented to the satisfaction of the Planning & Building Department prior to commencing operations, final sign-off for a building permit, or approval for a business license. A grading permit may be required; check with the Building Division of the Planning and Building Department for any permit requirements.**

2. **ROADS – PART 2.** Does the project takes access from a series of non-county maintained roads that connect directly to a Caltrans State Highway, US Forest Service Road, BLM Road, or a City road?

☐ YES ☐ NO

If YES, the Department recommends that prior to the project presented to the Planning Commission or Zoning Administrator, that the project should be referred to the affected road agency(ies).

3. **ROADS – PART 3.** Does the project take access or use a county maintained road that does not have a centerline stripe or is not on the "approved list" of known category 4 roads? ☐ YES ☐ NO

If YES, a *Road Evaluation Report* must be done for the County road(s) that do not have a centerline stripe or are not on the "approved" list. The project along with the road evaluation report(s) for the County maintained road(s) must be referred to Public Works for review to ensure that the Department supports the findings in the report. If the road is on the "not approved" list, then Part B of the *Road Evaluation Report* form must be completed.

4. **Deferred Subdivision Improvements.** Does the project have deferred subdivision improvements? ☐ YES ☒ NO

**How to check:** Method 1: Planning and Building Department staff review the legal description for the subject property in the deed. If the deed reads similar to "Parcel \_\_ of Parcel Map No. \_\_" then there may be deferred subdivision improvements; further research will be needed. Method 2: Planning and Building Department staff need to review the title report(s) for the subject property(ies) to see if a "Notice of Construction Requirements" document is listed. If the document is listed, then there are deferred subdivision improvements.

If YES then the subject property has deferred subdivision improvements. The project cannot be presented to the Zoning Administrator or the Planning Commission until the deferred subdivision improvements are completed. The applicant should be directed to the Department of Public Works regarding the deferred subdivision improvements.

5. **AIRPORT- PART 1 (ALUCP).** Is the project located within Airport Land Use Compatibility Plan (ALUCP) Zone A, B, B1, B2, or B3 as shown on the ALUCP GIS layer? ☐ YES ☐ NO

If YES, include the following requirement:

**The applicant shall cause to be dedicated to the County of Humboldt an Avigation Easement. The avigation easement shall be on the form prescribed by the Department of Public Works. This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.**

## Exhibit "C"

### Additional Review is Required by Planning & Building Staff

**The applicant shall conduct all operations consistent with the ALUCP and in a manner that does not attract flocks of birds. Open ponds shall not be permitted.**

6. **AIRPORT – PART 2 (County Code Section 333).** Is the project located within the County Code Section 333 GIS layer AND is the project proposing to construct (or permit) a fence, building or other structure? ☐ YES ☐ NO

If YES, the applicant shall submit a completed *Airspace Certification Form* prior to the project being presented to the Zoning Administrator or the Planning Commission for approval.

7. **AIRPORT – PART 3 (Height Restrictions).** Planning & Building Staff shall review the completed *Airspace Certification Form* as follows:

- If Box 1 is checked NO, the applicant shall either modify the project to comply with County Code Section 333-4 or the applicant shall request a variance pursuant to County Code Section 333-8. The project shall not be presented to the Zoning Administrator or the Planning Commission for approval until the variance is approved by the Board of Supervisors, or the project was modified to comply with County Code Section 333-4.
- If Box 2 is checked YES, the applicant shall submit form FAA 7460-1 to the FAA for review and comment. The project shall not be presented to the Zoning Administrator or the Planning Commission for approval until the FAA supports the project.
- If Box 3 is checked YES, then the project cannot be permitted and must be modified to conform to the easement. As an alternative, the applicant may wish to seek approval from both the County and the FAA to quitclaim a portion of the easement to allow the project to be permitted.
- If Box 1 is checked YES and Box 2 is checked NO and Box 3 checked NO or NA, then Planning & Building staff shall signoff on the project in the "county use only" section of the form. In the "pre-construction" right of way (or "post construction" right of way if the building exists), check the approval box; date and initial your work.

Note that if the proposed structure is close to the imaginary surface (within 5 feet), then require a post construction certificate to be filed. By including the following requirement:

**Applicant shall file a post construction *Airspace Certification Form* to ensure that the proposed structures are in compliance with County Code 333-3. This shall be completed within 90 days of completion of construction or prior to building final, whichever occurs first.**

Submit a copy of all processed *Airspace Certification Forms* to the Land Use Division.

8. **MS4/ASBS Areas.** Is the project located within MS4 Permit Area as shown on the GIS layer? ☐ YES ☐ NO

If YES, include the following requirement:

**The applicant shall demonstrate to the satisfaction of the Planning & Building Department that the project is in compliance with MS4/ASBS requirements.**

// END //

## 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.

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

- 1. The proposed development must be consistent with the General Plan.** The following table identifies the substantial evidence which supports finding that the proposed development is in conformance with all applicable policies and standards of the Humboldt County General Plan.

| Plan Section  | Summary of Applicable Goal, Policy or Standard   | Evidence Which Supports Making the General Plan Conformance Finding  |
|---|--|--|
| Land Use Chapter 4<br><br>Land Use Designations Section 4.8 | <b>Rural Community Center (RCC):</b><br>The Rural Community Center (RCC) designation is used for small unincorporated towns and community centers which provide a variety of community and tourist oriented goods and services, but that may not have developed identifiable commercial or residential districts. These centers may also serve a small grouping of rural residential housing, allowing limited retail and public services. The maximum residential density is 1 dwelling unit per acre with community water, or 2 to 4 dwelling units per acre with a package treatment plant, and the maximum allowable FAR is 2. | The project proposes use of a tenant space within an existing commercial building as a medical cannabis dispensary, where cannabis is provided to members of the cooperative who are capable of providing sufficient documentation to demonstrate they have recently been recommended the medical use of cannabis by a California licensed physician.  |
| 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 unincorporated community (C-G1, C-G2); coordinated planning design, development, operations, and maintenance between the County and other transportation system service providers (C-G3); and access for all transportation mode types with improved opportunities to move goods within, into and out of Humboldt County (C-G4, C-G5)<br><br>Related policies: C-P3.<br>Consideration of Transportation Impacts in Land Use Decision Making.                 | The parcel is accessed by Shelter Cover Road, a paved public County maintained road and considered a major collector, approximately 260 feet east of the project area. Direct access to the site is provided by a privately maintained road that intersects with Shelter Cover Road. This road is partially paved and provides paved access to a parking area associated with the existing building. There are eight parking spaces dedicated to the portion of the building that the Applicant will use with an ADA-dedicated parking space near the entrance of the dispensary.<br><br>The Department of Public Works (DPW) provided no comments or conditions regarding the County access road. The DPW determined that the County roadway serving the property is adequate and that the driveway that connects to the County road meets County standards and no improvements to the encroachment is necessary. |



| Plan Section  | Summary of Applicable Goal, Policy or Standard   | Evidence Which Supports Making the General Plan Conformance Finding  |
|---|--|--|
| Housing<br>Chapter 8  | <p>Goals and policies contained in this Element seek to identify existing and projected housing needs and establish goals, policies, standards and measures for the preservation, improvement, and development of housing.</p> <p>Related policies: H-P3, Development of Parcels in the Residential Land Inventory</p>   | No new housing is proposed. The proposed use is considered retail sales.   |
| Conservation and Open Space<br>Chapter 10<br><br>Biological Resources<br>Section 10.3 | <p>Goals and policies contained in this Chapter relate to mapped sensitive habitat areas where policies are applied to protect fish and wildlife and facilitate the recovery of endangered species (BR-G1, Threatened and Endangered Species, BR-G2, Sensitive and Critical Habitat, BR-G3, Benefits of Biological Resources)</p> <p>Related policies: BR-P1, Compatible Land Uses, BR-P5, Streamside Management Areas.</p>                  | <p>The site is located approximately 700 feet north of the Mattole River.</p> <p>The site is not located within a designated Streamside Management Area.</p> <p>The project is located on a site that is already developed. No grading or ground disturbance is required. Therefore, no Biological Study or Natural Resource Assessment is required.</p>   |
| Conservation and Open Space<br>Chapter 10<br><br>Cultural Resources<br>Section 10.6   | <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>Records from the Northwest Information Center of the California Historical Resources Information System identified no cultural resources within the project site. The project site is located approximately 400 feet to 710 feet from the Mattole River. The site is considered to have a moderate potential for unrecorded Native American resources. The Tribal Historic Preservation Officer of the Bear River Band of the Rohnerville Rancheria was contacted, who indicated that the project would not result in a direct impact to archeological resources given that the project would not involve any new ground disturbance and no further investigation is required.</p> <p>The Intertribal Sinkyone Wilderness Council was also contacted. However, the Council has not provided a response to date.</p> |

| Plan Section   | Summary of Applicable Goal, Policy or Standard   | Evidence Which Supports Making the General Plan Conformance Finding  |
|--|--|--|
| <p>Water Resources Chapter 11</p> <p>Onsite Wastewater Systems</p> | <p>Goals and policies contained in this Chapter relate to adequate public water supply as well as onsite wastewater systems and natural and developed storm drainage systems that minimize interference with surface and groundwater flows and storm water pollution (WR-G6, WR-G9, WR G10)</p> <p>Related policies: WR-IM7. Basin Plan Septic Requirements; and IS-P17. On-Site Sewage Disposal Requirements.</p>   | <p>The site is flat, less than 15 percent slope. An existing sewage disposal system serves the existing building located on the parcel.</p>  |
| <p>Noise Chapter 13</p>  | <p>Goals and policies contained in this Chapter discourage incompatible uses within communities and reduce excessive noise through the application of standards (N-G1, N-G2)</p> <p>Related policies: N-P1, Minimize Noise from Stationary and Mobile Sources; N-P4, Protection from Excessive Noise</p>   | <p>According to the applicant's plan of operation power for operations will be provided by PG&amp;E and solar; generators will not be used. Therefore, the project will conform with the County's noise standards.</p>   |
| <p>Safety Element Chapter 14</p> <p>Geologic &amp; Seismic</p>     | <p>Goals and policies contained in this Chapter relate to communities that are designed and built to minimize the potential for loss of life and property resulting from natural and manmade hazards; and to prevent unnecessary exposure to areas of geologic instability, floodplains, tsunami run-up areas, high risk wildland fire areas, and airport areas planned and conditioned to prevent unnecessary exposure of people and property to risks of damage or injury (S-G1, S-G2)</p> <p>Related policies: S-P11. Site Suitability, S-P7. Structural Hazards.</p> | <p>No grading is required for the proposed project. The existing building is located on a flat, open terrace surrounded by forested hills. The building is located in an area of low slope instability.</p> <p>The project site is not within the Alquist Priolo Fault Zone. The site is located approximately 5.0 miles east of the Alquist Priolo Fault Zone. Other faults in the area include the Whale Gulch Harbor Fault, located approximately 2.3 mile west of the project site.</p> <p>The site is not located in an area subject to liquefaction.</p> <p>The structure occurs on slopes of less than 15 percent.</p> <p>Elevation of the site is approximately 960 feet to 1,000 feet.</p> <p>Based on the characteristics of the area of development and project as proposed, staff believes the project will not expose people or property to significant geologic hazards.</p> |

| Plan Section                                  | Summary of Applicable Goal, Policy or Standard  | Evidence Which Supports Making the General Plan Conformance Finding  |
|---|---|--|
| Safety Element Chapter 14<br><br>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)<br><br>Related policies include: S-P12, Federal Flood Insurance Program; S-P13, Flood Plains; S-P15, Construction Within Special Flood Hazard Areas. | The project site is located approximately 450 feet northwest of the FEMA Flood Zone "A" associated with the Mattole River.<br><br>The project site is not within a mapped dam or levee inundation area and, at ± 5 miles distance from the coast, is outside the areas subject to tsunami run-up.  |
| Safety Element Chapter 14<br><br>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<br><br>Related policies: S-P19 Conformance with State Responsibility Areas (SRA) Fire Safe Regulations.   | The subject property is located within an area that is within a High Fire Rating hazard area and within a Moderate Fire Severity zone.<br><br>The parcel is located within the State Fire Responsibility Area for fire protection (Calfire). The Humboldt County Fire Safe Ordinance (Section 3111-1 et seq.) establishes development standards for minimizing wildfire danger in "state responsibility" designated areas.<br><br>The existing building has the characteristics of a commercial or industrial use. The dispensary will employ up to six year-round employees that would drive to the facility.<br><br>The County's Fire Safe Regulations (Section 3112-1 through 3112-13) establishes development standards for minimizing wildfire danger in state responsibility designated areas.<br><br>The project would comply with Section 3112-1 through 3112-13 of the County's Firesafe Ordinance. The site's interior access road to the facility can conform to the County's Firesafe regulations as long as the widest paved area opposite the building is designed as a "slip-T" emergency vehicle turnaround.<br><br>The property is also located within the Whitethorn Fire Protection District, an agency that did not provide comments on the project. |

## 2. Zoning compliance and 3. Conforms with applicable standards and requirements of these regulations:

The following table identifies the evidence which supports finding that the proposed development is in conformance with all applicable policies and standards in the Humboldt County Zoning Regulations.

| Zoning Section       | Summary of Applicable Requirement   | Evidence That Supports the Zoning Finding  |
|----------------------|---|--|
| 314-3.3              | <p>MH: The Heavy Industrial or MH Zone is intended to apply to areas devoted to normal operations of industries subject only to regulations as are needed to control congestion and protect surrounding areas.</p> <p>The MH Type refers to industrial plants engaged in manufacturing, compounding, processing, assembling, packaging, treatment, or fabrication of materials and products, wrecking and salvage yards, petroleum refining, animal and fish product processing, electrical generation and distribution, and pulp mills, but excludes activities included within the Hazardous Industrial Use Type.</p> | The site plan and attached zoning map shows the existing building and cannabis dispensary operation are located on a parcel zoned MH. Section 314-55.3.8.2 of the Medical Cannabis Dispensary Ordinance enumerates MH as a zoning district where commercial cannabis products for retail sale may be permitted with a CUP. |
| Min. Lot Size        | One (1) acre  | Approximately 5.25 acres.  |
| Min. Lot Width       | None Specified  | Lot is 260 feet wide at its minimum.   |
| Max. Lot Depth       | None Specified  | Lot is 540 feet deep on average.   |
| Max. Ground Coverage | None Specified  | 28 percent.  |
| Setbacks             | <p>Front Setbacks: 50 Feet<br/>Rear Setbacks: 50 Feet<br/>Side: Ten percent (10%) of average lot width but not less than twenty-five feet (25').</p> <p>Firesafe setbacks of 30 feet from all property lines apply.</p>   | The new commercial cannabis dispensary will be located in an existing building on the property that is set back by at least 30 feet from the property line.  |
| Max. Building Height | Seventy-five feet (75').  | The existing building is one story and less than 75 feet in height.  |

| Zoning Section  | Summary of Applicable Requirement  | Evidence That Supports the Zoning Finding   |
|---|--|---|
| <b>314-55.3 Medical Cannabis Dispensary Ordinance</b>     |  |   |
| §314-55.3.8<br>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"> <li>1. Receive deliveries from regional cannabis farmers; and</li> <li>2. Make available medical cannabis products to patients throughout the state.</li> </ol> <p>The subject property is zoned MH Heavy Industrial. The Plan of Operation and conditions of approval require the proposed use is operated consistent with this Code, the MCRSA, and all other applicable state and local laws, and to ensure the security of the medical cannabis; and to safeguard against the diversion of medical cannabis for non-medical purposes.</p> <p><i>[Note: Pursuant to Ordinance 2588 which added subsection 55.3.3.8 and 55.3.3.9 to the Humboldt County Code, a medical cannabis dispensary may also engage in distribution as an Adult Use Retail Sales facility upon the effective date of Proposition 64 as implemented through the Medicinal and Adult Use Cannabis Regulation and Safety Act (MAURSA), except where operating under a local permit approved prior to December 14, 2017, the effective date of Ordinance No. 2588. All operating standards and performance reviews shall continue to apply.]</i></p> |
| §314-55.3.9.1<br>Medical Cannabis Dispensary Requirements | Preparation of a hazardous materials storage, handling, and disposal plan approved by the Division of Environmental Health, if applicable.   | 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.  |



| Zoning Section   | Summary of Applicable Requirement   | Evidence That Supports the Zoning Finding  |
|--|---|--|
| §314-55.3.9.2<br>§314-55.3.9.3<br>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 Whitethorn 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.</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<br>Operations Manual  | <p>Dispensaries shall submit an Operations Manual that includes all the following:</p> <ul style="list-style-type: none"> <li>• Authorization for the County, its agents, and employees to seek verification of the information contained within the conditional use permit application.</li> </ul> <p>A description of the staff screening processes, including a requirement for criminal background checks.</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 Adult Use Regulation and Safety Act (MCAURSA) and will be subject to state licensing in 2018 once available.</p>   |

| Zoning Section                    | Summary of Applicable Requirement  | Evidence That Supports the Zoning Finding  |
|-----------------------------------|--|--|
| §314-55.3.10<br>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 Adult Use Regulation and Safety Act (MCAURSA) and will be subject to state licensing in 2018 once available.</p> |

| Zoning Section                      | Summary of Applicable Requirement  | Evidence That Supports the Zoning Finding  |
|-------------------------------------|--|--|
| §314-55.3.10<br>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 Adult Use Regulation and Safety Act (MCAURSA) and will be subject to state licensing in 2018 once available.</p> |
| §314-55.3.11<br>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 MH Heavy Industrial.</p>   |

| Zoning Section                              | Summary of Applicable Requirement  | Evidence That Supports the Zoning Finding                             |
|---|--|---|
| <p>§314-55.3.11<br/>Operating Standards</p> | <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> | <p>All operating standards have been made conditions of approval.</p> |

| Zoning Section                              | Summary of Applicable Requirement  | Evidence That Supports the Zoning Finding                             |
|---|--|---|
| <p>§314-55.3.11<br/>Operating Standards</p> | <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> | <p>All operating standards have been made conditions of approval.</p> |

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

**4. Public Health, Safety, and Welfare.** The following table identifies the evidence that supports the finding that the proposed location of the use and conditions under which it may be operated or maintained will not be detrimental to public health, safety, or welfare, or be materially injurious to properties or improvements in the vicinity.

| Code Section | Summary of Applicable Requirements  | Evidence that Supports the Required Finding  |
|--------------|---|--|
| §312-17.1.4  | The proposed development will not be detrimental to public health, safety, and welfare, and will not be materially injurious to properties or improvements in the vicinity. | The Department finds that the proposed project will not be detrimental to the public health, safety, and welfare since all reviewing referral agencies have approved the proposed project design. The project as proposed and conditioned is consistent with the general plan and zoning ordinances; and the proposed project is not expected to cause significant environmental damage. |

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

| Code Section                        | Summary of Applicable Requirement  | Evidence that Supports the Required Finding  |
|-------------------------------------|--|--|
| 17.1.5<br>Housing Element Densities | The proposed development shall not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law (the midpoint of the density range specified in the plan designation), except where: 1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the | The parcel was not included in the 2014 Housing Inventory due to the fact that it is zoned MH. The project does not include housing. |



|  |  |  |
|--|--|--|
|  | 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. |  |
|--|--|--|

**6. Environmental Impact:** Consistent with CEQA, the project was evaluated for any potential adverse effects on the environment. Based on a site inspection, information in the application, a review of relevant references in the Department, and comments from affected agencies, staff has determined that there is no evidence before the Department that the project could have any adverse effect, either individually or cumulatively, on the environment.

The project involves the use of an existing building. Permitting of a dispensary operation within an existing building is exempt from environmental review per Section 15301 (Existing Facilities) of the CEQA Guidelines, the categorical exemption for permitting of existing facilities.

## **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]

# **Lost Coast Botanical Cooperative Dispensary Proposal**

## **Introduction**

Lost Coast Botanical Cooperative (LCBC) is a farmer-driven cooperative of small family medical marijuana producers and breeders who are actively involved in the operations of their collective. LCBC was created to work with Humboldt County's existing rural population to aid in sustaining an economic base, as rapid changes in marijuana legalization occur. Our primary goal as a dispensary is to provide medical cannabis in a clean, safe, quantifiable form to sick and suffering people in our community, including those in need of end-of-life care. We would also like to help tax-paying, community-supporting, long-established families to stay on their land and pay their bills through a difficult transition, by helping our rural communities evolve with the new medical marijuana economy. We recruit environmentally conscious members who already practice many or all of the organic, sustainable and responsible standards that define our LCBC brand. (See Lost Coast Botanical Cooperative standards Appendix G). We raise the bar, year by year, towards true sustainability (ultimately defined as biodynamic self-sufficiency) by sharing information to limit fertilization and watering, and by helping growers to create their own soils and organic additives on-site from local, natural materials. Our goal is to continuously lighten our communal footprint, while recognizing and rewarding best practices of rural husbandry and homesteading. Our hope is that these practices will inform and inspire others, within and beyond the medical cannabis community. To see this inspiration in action, please visit our website at [www.lostcoastbotanical.com](http://www.lostcoastbotanical.com). But our primary goal as a dispensary is to provide medical cannabis in clean, safe, quantifiable form to sick and suffering people in our community, including those in need of end-of-life care.

Several of our members are long-time cultivators of medicinal cannabis strains with low tetrahydrocannabinol (THC) levels and high levels of cannabidiol (CBD), especially useful in many emerging medical applications. These improved genetics are made available to our producing members who have mastered the art of producing high-quality cannabis over many decades of work in their particular microclimates. This carefully grown and cured crop is delivered to the cooperative to be further processed into tested and quantified concentrates, tinctures, pre-filled vaporizer cartridges, and other value-added processed health products. LCBC tests every strain of medical marijuana our members produce and keeps those results on file for review. We work to be an educational medium for growers as well as the larger public. Our membership contains the grounded wisdom of three generations of watershed and environmental activists, who are eager to learn and to share, as we face up to the challenges of global warming, population growth and environmental degradation. We aim to make "small-footprint values" generally understood in the County as a way of informing and evolving future land-use practices, for the good of the environment and all whose lives depend upon it.

## **Business Plan**

We are a not-for-profit California Cooperative Association of medical cannabis patients who cooperate to supply each other with their medicinal needs by equitably exchanging labor and resources. Our goal is to unite small family farmers of Humboldt's best medical cannabis with patients concerned about the safety and purity of their medicine as well as the health of their environment.

We aim to use our local dispensary to build awareness and relationships among patients, cultivators, lawmakers, and watershed restorationists within Humboldt County as we grow, to continue to develop practices and policies that strengthen our economy and protect our environment. For this reason we will not restrict membership to Humboldt County, indeed we hope to contribute to a boutique medical marijuana tourist infrastructure already developing within Garberville's long-established hospitality industry. We would like to encourage visitors to learn about natural medical cannabis, meet proud local growers, understand our natural advantages and tell their friends back home all about them.

We are heartfelt believers in compassionate medicinal cannabis use. Several of our families are cultivating high CBD cannabis strains and have provided concentrates and daily leaves for treatment protocols. Our decentralized, but nearby, production enables us to offer such specialized services with no on-site cultivation, which greatly simplifies storage of medicines. We are being install security doors on the windowless bay behind our reception area where all medicine is be kept. On-site inventory is not be large, as it is be replenished daily by farmer-members coming in to staff the facility. Our members are interested in offering edibles, juicing, salves and other value-added processed cannabis products, and also offer information on healing services in our area.

All equitable exchanges of our collective are computerized transactions routed through our state-of-the-art interactive software, MJ Freeway. Our inventory controls document chain of custody from farm through processing to end-user. Periodic reports of all transactions are be available on demand.

At this time we have no limits on the number of members, as patients from all over California have sought us out for our quality high-CBD medication. With this economic model, it should help our County as it transitions towards legalization. The great majority of our members are more than 200 miles away from our proposed collective in the Southern Humboldt area.

We have separate screening procedures for our suppliers (currently 30 families).

## **Business Experience**

Lost Coast Botanical Cooperative has been in operation since 2013. The founders of LCBC Christopher Larson and Lawrence Ringo were two dedicated CBD advocates. Christopher Larson works with hospice and palliative and saw the need for high quality medicine to improve the treatment of these patients. Lawrence was involved with the breeding of high CBD cannabis. Together they formed LCBC to get high quality medicine to the patients of Humboldt County and in the greater California area. They had to provide genetics as clones to producing members thru SoHum Seed Collective, Lawrence's breeding organization. Then they extracted the full range of cannabinoids and associated terpenoids, initially using ethanol but settling on CO2 as the safest most effective method to produce a superior quantified extract. They had to test for potency, terpene content and eventually microbial and pesticide testing of flowers and extracts, as well as any solvent residue ( there is none in CO2 extracted oil) and the tinctures and quantified edibles they produced. At this point LCBC has worked with 7 different cannabis testing labs.

Once LCBC had the ability to create clean CBD extract ranging from 75% CBD/3%THC to any other ratio of CBD/THC they could offer members pure concentrated cannabis extract in virtually any ratio, capsules and chocolates with precise doses (eg 15 mg CBD 1.5 mg THC, or 10 mg CBD/10 mg THC) as well as spray tinctures. In addition LCBC had the goal of working with physicians, Hospice and other health care practitioners to share knowledge results and information and provide a consistent source of high CBD Cannabis and Cannabis extract.

This has been a formidable task in the face of the appeal of black market and recreational demand but we have an excellent record of providing relief to patients and a source for practitioners and health care providers to point to.

Since 2012 we've been trying acquire a business license in Humboldt County and model all practices now required under state law, at considerable sacrifice and cost and feel we know how to provide true medical Cannabis at the best price available by pursuing a not-for-profit cooperative business model.

### **Cultivation**

LCBC has no on-site cultivation. All of our flower product are be produced by qualified producing members. These members are required to follow any state or county guideline for the cultivation of cannabis. Growing members are also required to come into compliance with a third party certification program, such as Chris Van Hook's Clean Green Certification. All product grown by producing members is also tested for potency, microbiological, and pesticide contamination before it is accepted into the facility.

### **Screening, registration, and validation process for qualified growers.**

Since Lost Coast Botanical Cooperative is a horizontally integrated collective of growers, rather than a concentrated single-site indoor factory, we also verify the legal status of our growers.



Growers must be medical cannabis patients with a current doctor's recommendation; they must provide a copy of their California driver's license for our records, and they must also sign the Representations and Acknowledgement of Association. In addition, they must be the owners of the land on which they cultivate, and if not, must provide the written consent of the landowner.

All grower members must be familiar with and practice organic methods of cultivation, and must comply with a series of three inspections of their growing and processing spaces. They must also comply with any California regulations for licensing and registration including county regulation. See Appendix G.

### **Screening, registration and validation process for qualified patients.**

Intake begins with prospective patients filling out our membership application which explains our mutual relationships. We photocopy their driver's licenses and recommendations from doctors, which have telephone numbers or websites for verification. Statewide patient IDs are increasingly common with direct web links for immediate verification of patient status. After verification, we create a physical file folder for these records, and enter them into our MJ Freeway database.

Patients must also sign a Representations and Acknowledgement of Association (Health & Safety §11362.5 et seq. and Health & Safety Code 11362.7 et seq.), a declaration of their eligibility and explanation of their legal status within the collective. (See Appendix D)

### **Qualified patient records acquisition and retention procedures.**

Each patient's folder contains a photocopy of their drivers license, their doctor's recommendation and/or state patient ID card, and a completed and signed membership agreement. Data is also computer-entered with a 'tickler' program to remind us when we need their documents renewed. Grower members also have paper records, and are entered into our database so that we stay current on their recommendations and legal status.

### **Storage**

Storage is minimal because grower-members, serving in rotation, replenishing supplies weekly or as needed. All small inventory items are be stored in a secure safe. All bulk storage is kept in a secure area separate from the dispensary store. We have in place a comprehensive Chain of Custody program that dovetails into dispensary inventory controls. We have two different tracking systems for inventory that allow for cross defending, to validate the dispensary inventory daily.

### **Location of facility**

The Lost Coast Botanical Cooperative store front will be located in a Sublease rooms at 325 Shelter Cove Rd. This unit has a private entrance at the back of the building in a commercial zoned area.

### **Parking and posted signage**

There will be three green cross signs posted to direct customers to Lost Coast Botanical. The first sign will be at the entrance of the driveway on Shelter Cove Road, the next sign will be on the building that Lost Coast Botanical is located in, and the third sign will be in front of the dispensary store. Near the entrance of the building will be a sign indicating that smoking is not allowed on the premises. These signs will be placed once LCBC get county permission to operate a storefront business.

As LCBC is located in a commercial building, there are ample parking spaces surrounding the building for employees and patients.

### **Membership Limits and Controls**

Members is limited to California residents in possession of a verified 215 certification, who could benefit from the use of CBD rich cannabis. As our services are offered to all California residents, we have not put a cap on the number of members we can have.

### **Hours of operation**

Lost Coast Botanical is open from ~~10 am to 4 pm~~ Monday through Thursday. These hours will change as business increases.

*See attached  
Security plan  
addendum.*

### **Security**

We are renting a small interior space within a commercial building, and we are installing a security alarm system with automatic law enforcement notification for after-hours security. This also includes a silent alarm, or 'panic button', for staff during business hours. There is a video surveillance system that can be monitored by staff remotely. Motion detection light are being installed above the entrance of the building. Secure doors and reinforced windows are also being installed.

Signage will advise that cash is not kept in the office. Signs will also be posted notifying patients of the policies and procedures of the facility; and that we reserve the right to refuse service to any of our patient/members.

Patients receive medicine in individual units. Patients are advised to take the medicine directly home and not to share it with anyone else.

## **Chemical usage and disposal**

The only chemicals used in the dispensary are cleaning product used to keep the store front clean and sanitary. These products are disposed of in accordance to the directions on the product bottle.

## **Wastewater**

As LCBC does not cultivate or process material in the dispensary there is no problem with wastewater discharge.

# **Operational Manual**

## **Products and Services Offered**

LCBC primarily offer quantified extractions and preparations of various CBD/THC ratios from 20:1 to 1:20. We offer organically and sustainably grown cannabis from small family farmers for both local needs and for travelers and tourists with medical marijuana writs. We would like to continue to deliver our products and make them available to seniors and the handicapped. Our special high-CBD strains of medical cannabis are especially appropriate for use in tinctures, edibles, capsules and other products that are needed by our patients to best treat their ailments. We also provide information on current cannabis research, sustainable and natural agriculture, and effective husbandry of Humboldt watersheds and natural resources, as well as other healing resources in our area.

## **Employee Screening**

All Lost Coast Botanical employees must be in compliance with California 215 regulations with current prescription for medical marijuana and a valid California identification card. Employees must also pass a background check. If a person has a felony on their record, they cannot work at Lost Coast Botanical Cooperative. Furthermore, if a current employee gets a felony, their position will be terminated immediately.

## **Buying and selling procedures**

All medical marijuana from our supplier-members is certified through our Cannabis Safety Program (See Appendix E) and our Grower Clean Processing and Product Management Program (see Appendix F). Any product brought in is tested for potency and safety through a third party

testing facility. This intake process is expanded below in the Cannabis Safety Program section.

### **Inventory control and monitoring**

With our existing computer-based inventory tracking and controls, we have daily information summaries tied to each transaction, to be verified daily against physical inventory in the dispensary. (See Appendix A)

### **Methods of controlling odors**

Because LCBC does not have any on-site cultivation and there is a very limited inventory with restricted access that is replenished as needed odor is not an issue for us.

### **Methods for limiting access to medicine storage and distribution areas**

In the dispensary there is two rooms: the first is an intake room with a reception desk, and a second room contains available medicine. Patients are permitted into the second room after their ID and 215 recommendation have been verified and intake is complete. The second room has a small display area where examples of the product offered are displayed in a lockable glass case, and the bulk of the product for sale are stored in a locked safe that is under constant video surveillance.

### **Employee position and duties**

There are be six main positions that need to be filled for the start of the dispensary. It is expected that more positions will open up as the company grows. The initial positions for the company are: director of operations, office manager, store manager, product specialist, product representative, and director of hospice relations.

The director of operations oversees all aspects of the company, from product production to general sales. They ensure that all positions run accurately, and that all tasks are being managed. They are in charge of conflict management and are responsible for any problems that cannot be resolved by one of the other positions. This person is also be responsible for the accurate dosage of any product produced.

The office manager is in charge of relations between producing member and patients. They answer phones, return emails, make sure any special orders are sent to the store manager, and make sure that all bills are paid in a timely manner.

The store manager is in charge of running the dispensary store front. They check-in patients as they arrive, verify the patient has a current doctor's recommendation, and log the patient into the database. They also record all sales for the day and do an inventory check at the end of the

day.

The product specialist works to create any new products such as capsules, tinctures, drippers, or chocolates, as needed by the dispensary store. This person also oversees the bulk inventory and ensure that any products needed for the dispensary are available.

The product representative is in charge of relations between Lost Coast Botanical and other dispensaries that we work with. This includes all communications and negotiations between dispensary and suppliers.

The director of hospice is directly involved with the treatment and care of the hospice and palliative care patients that use Lost Coast Botanical products. They insure that the right product and dosage is administered to each of the patients.

### **Cannabis safety program**

#### **Cannabis documenting program**

LCBC cannabis safety starts with a clean reliable source of clone and seed products provided by a certified and trusted nursery. Sohum Seeds and Sohum Clones is one such nursery program that LCBC works closely with. As LCBC producing members acquire clone and seeds all transaction are documented so that it can later be confirmed what strain each member received and when they received it. When the finished product is brought back to LCBC a chain of custody is created for each new allotment documenting what strains and amount were brought in by each member. Each strain is verified that it was indeed a strain the member received. Three copies of the chain of custody form are created. One of the copies is attached to the allotment of flower brought in, one copy is given to the producing member for their records, and one copy is filed in the member's file. From there the product is entered into the quickbooks and MJfreeway databases where the path from flower to finished product is carefully recorded.

#### **Cannabis safety screening procedure**

Once a member has harvested and packaged the flower a random sampling of each strain is taken and brought to a third party testing facility. There the flower is screened for potency, microbiological, and pesticide content. Once the flower has passed the safety screening process the flower can be purchased and further processed into other products. Subsequently each new product that is created is also tested for potency and safety. This rigorous testing process ensures that LCBC offers a clean, reliable products with accurate dosing.

#### **Patient dosing guidelines**

As each new patient is accessed for his or her particular ailment the patient is first advised to follow any guideline laid out by their physician for their treatment. If the patient does not have a



particular dosing guideline laid out by their physician then the LCBC staff flows any standard guideline laid out by the latest research to treat their ailment. If the patient is unsure about their dosing guideline and the LCBC staff does not have sufficient knowledge in the treatment of their particular disorder then the patient is advised to seek advice from their physician or get a recommendation to a specialist. Once the patient has a particular dosage guideline in place then LCBC will do its best to meet that patient's requirement. As stated above the dosage of all LCBC products is determined through third party testing of the product the patient is using whether it be tinctures, chocolates, oils, capsules, or etc.

## **Carbon Footprint Minimization Actions**

The Lost Coast Botanical dispensary storefront will take the following actions to minimize the carbon footprint from our operational activities: we have installed energy efficient florescent lighting, we chose to rent a building with low e windows and good insulation to minimize heating and cooling energy, and we will use energy conservation methods such as turning off the lights in rooms that aren't in use.



### **Statement 3- Building Type and Usage**

Lost Coast Botanical Cooperative (LCBC) is located in a commercial building constructed in 1997. Building permits are on file with the county. There are five units located in this building that are rented out by Whitethorn Construction. LCBC has rented out unit four of the building since 2014. The proposed LCBC dispensary is located at the end of the build as indicated on the building layout and site map. This space is sublease from the Sohum Seed Collective.

### **Statement 4- Water Storage**

LCBC is not itself involved in the cultivation of cannabis so the water impact that LCBC will have on the water shed is minimal and is closely regulated by Whitethorn construction. The only water usage that occur from the operation of the LCBC dispensary is that of personal use by employees and for use in typical cleaning application such as dishes and moping.

Whitethorn construction has 190,000 gallons of water storage on site. A copy of Whitethorn Constructions water diversion permit and a copy of their Monitoring Self-Certification can be provided if necessary.

### **Lost Coast Botanical Dispensary addition Security plan**

**Due to the current State regulations Lost Coast Botanicals Dispensary will be hiring a security guard for our premises. The guard will be present during our operating hours from 10 until 5:00 ( or as the regulations will dictate) Monday to Friday. See location on floor plan. The security Guard will be responsible for assuring no one enters the Cannabis area that is not s valid medical card holder.**



325 shelter cove road X Q

Show search results for ...

Layer List

Lost Coast Botanical Co-op  
325 Shelter Cove Road Unit 6  
Whitethorn CA 95589  
Dispensary Location

SECURITY POST  
AT DOOR

215241063

SHELTER COVE RD



## ATTACHMENT 4

### REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

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

| Referral Agency                                     | Response | Recommendation       | Location                  |
|---|----------|----------------------|---------------------------|
| Building Inspection Division                        | ✓        | Approval             | On file with Planning     |
| Land Use Division                                   | ✓        | Conditional Approval | Exhibit A of Attachment 1 |
| Division Environmental Health                       | ✓        | Recommended Approval | On file with Planning     |
| Calfire   | ✓        | Conditional Approval | On file with Planning     |
| Department of Fish & Wildlife                       |          | No response          |                           |
| NWIC  |          | No response          |                           |
| Bear River Band of the Rohnerville Rancheria        |          | No response          |                           |
| Intertribal Sinkyone Wilderness Council             |          | No response          |                           |
| RWQCB   |          | No Response          |                           |
| CA Division of Water Rights                         |          | No Response          |                           |
| Humboldt County Sheriff                             |          | No response          |                           |
| Humboldt County District Attorney                   |          | No response          |                           |
| Humboldt County Agricultural Commissioner           |          | No response          |                           |
| Southern Humboldt Joint Unified School District     |          | No response          |                           |
| Whitethorn Fire Protection District                 |          | No response          |                           |
| County Counsel                                      |          | No response          |                           |
| North Coast Unified Air Quality Management District |          | No response          |                           |