

SUPPLEMENTAL INFORMATION #1

For Planning Commission Agenda of: January 18, 2018

- ☐ Consent Agenda Item
- ☐ Continued Hearing Item
- ☒ Public Hearing Item #5
- ☐ Department Report
- ☐ Old Business

Re:

The Emerald Kid Conditional Use Permit and Special Permit

Application Number 12251

Case Numbers CUP16-582 and SP16-460

Assessor's Parcel Number (APN) 522-211-055

100 Stagecoach Lane, Willow Creek

- Letters from Neighbors – received 1/18/2018, in opposition to the project.

1/17/2018

Dear Humboldt Co. Planning Commission,

My name is Elaine Holmes. Together with my husband Thervald Holmes & mother-in-law Patsy Holmes, we have lived at 390 Brannan Mt. Rd in Willow Creek since 2006. We are very close neighbors to the Emerald Kid, located at 100 Stagecoach Ln, Willow Creek - application # 12251, case # CUP-16-582 & SP-16-460.

There are several reasons I have for speaking out against the granting of this application:

1. the smell of marijuana is very similar to a skunk that has just sprayed. We already have multiple grows in our neighborhood that we can smell. This will only make it worse.
2. potential criminal activity & degradation of the neighborhood. Most "grows" up here have high fences & big dogs that love to bark. One grower had a hound dog that "bayed" all day & night. These deterrents to criminal activity don't always work & diminish the quality of life in our area. (The dogs from this property have already escaped several times & ended up in our yard).
3. Use of chemical poisons to deter rodent activity has been shown to cause death to owls, raptors & small mammals such as fishers, when they get introduced into the food chain. Since this property borders the creek, these poisons also run the risk of entering the creek - this communities' water source. This item is my primary concern.
4. Given that the market seems to be overwhelmed with product & the price is falling drastically,

it seems unclear why we need more
grows with their negative side effects.

Even though I have very little faith that my
comments will have any effect, I appreciate the
opportunity you have provided us to voice our
opinion.

Sincerely,
Elaine Holmes
PO Box 1078
Willow Creek CA 95573
530-629-3867

January 18, 2017

John H. Ford - Director
Humboldt County Planning and Building Department
3015 H Street
Eureka, California 95501

Subject: The Emerald Kid Conditional Use Permit and Special Permit
Application Number 12251
Case Number CUP 16-582, SP 16-460
Assessor's Parcel Number 522-211-55
100 Stagecoach Lane, Willow Creek

The subject parcel is in a subdivision that is compliant with previous County development ordinances and the Willow Creek Community Plan. Willow Creek is also a designated Community Plan Area in the current General Plan, which includes this subject parcel. Similar to the design constraints established in previous subdivisions, design features and characteristics remain critical because residents wanted, and still want, development to compliment the character of their neighborhood and community.

Keeping in mind that the design of subdivisions, buildings, streetscapes and open spaces contributes to community character, this residential area has the opportunity to remain aesthetically appealing and enhance the community of Willow Creek. Proposed projects should minimize eliciting adverse neighborhood reactions during the permitting process.

Traditionally, the residential layout in the subject parcel area retains contiguous open space and helps to buffer adjacent resources and open space uses. Historically, the residences in this area minimize or avoid the use of fences to avoid interference with habitat circulation and natural landscape views.

A General Plan goal is to provide residential opportunities in a variety of environments to aid in providing a diversification of Humboldt County housing. Humboldt County is confronting housing problems, including diversification. Converting existing residences to "grows" is a mistake.

Cannabis Cultivation regulation stipulates that it shall provide for the health, safety, and welfare of the community. Surrounding the subject parcel is a recently (last 30 days) security fence which averages over 8'-6" in height and incorporates spearhead pickets clearly intended to intimidate or harm. The fence does not convey an aesthetic which compliments a residential neighborhood except one that includes a drug cartel. The steel security fence rivals the new security fence being installed as part of the new juvenile hall project.

The applicant's fence forecasts and prepares for the dangerous problems the applicant introduces to the neighbors adjacent to his property, including one who is 89 years old. The long term negative impact of this fence on the neighborhood will permanently de-value the residential use of this once pastoral, quite-established residential area within the Willow Creek Community. The new installation of this illegal steel security fence shines a light on this high-risk adjacency which completely jeopardizes the health, safety, and welfare of the adjacent parcels.

The County is culpable when it hastily processes "form letter" cannabis applications. This is underlined by the inability of the County to reference or honor the General Plan or CEQA appropriately and professionally. There have been no historical/existing grows on this site. The site is recently, specifically developed, permitted and built as a residence within the fabric of a residential neighborhood and part of the Willow Creek Community. The County's willingness to ignore decades of a community's faithful and optimistic efforts for a harried and questionable application process is shameful.

Please review these Reference Materials and Documents:

- Exhibit A - Current GIS Map, Existing Neighborhood Context
- Exhibit B - Current GIS Map, Neighborhood Relationship Within The Willow Creek Designated Community Plan Area
- Exhibit C -- Photographs relate to Subject Parcel
- Exhibit D - Notice of Public Hearing, January 18, 2018
- Humboldt County General Plan

SUMMARY:

1. The applicant should remove the illegally installed and unpermitted steel security fence that is having an immediate negative and material impact on the neighborhood.
2. Conditional Use Permits and Special Permits are planning tools and they should not necessarily be considered to allow non-compatible adjacencies. The adoption of legal cannabis laws, does not grant pre-approval for permitting. If the alleged merits in these situations actually detract from the greater benefit of a community, the application should be denied. Conditional Use Permits and Special Permits are not intended to represent foregone conclusions. The Emerald Kid Conditional Use Permit and Special Permit should be denied because it will materially and negatively affect the health, safety, and welfare of the existing community.

Sincere regards,



Tyler Holmes
380 Brannen Mountain Road
P.O. Box 1168 (mail)
Willow Creek, California 95573

Enclosure:

Exhibit A - Current GIS Map, Existing Neighborhood Context
Exhibit B - Current GIS Map, Neighborhood Relationship Within The Willow Creek Designated Community Plan Area
Exhibit C -- Photographs relate to Subject Parcel
Exhibit D- Notices of Public Hearing, January 18, 2018

cc: APN 522-492-012; File



ArcGIS Web Map

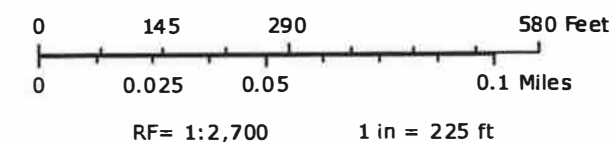
Humboldt County Planning and Building Department

Printed: January 17, 2018

Web AppBuilder 2.0 for ArcGIS

Map Disclaimer:
While every effort has been made to assure the accuracy of this information, it should be understood that it does not have the force & effect of law, rule, or regulation. Should any difference or error occur, the law will take precedence.

Highways and Roads	— Private or Unclassified	— Intermittent
— Principal Arterials	— Major River or Stream	— Subsurface
— Minor Arterials	— City Boundary	— Counties
— Major Collectors	— Parcels	
— Minor Collectors		
— Local Roads		
Blue Line Streams		
— Perennial 1-3		
— Perennial >4		



Sources: NRCs
Humboldt County GIS
California Coastal Commission GIS/Mapping Unit, 2014
Healthy Rural Roads
Esri, HERE, DeLorme, MapmyIndia, OpenStreetMap contributors, and the GIS user community
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Neighborhood context; Historic and thoughtful layout respective of open space, residential inter-relationships and General Plan.

EXHIBIT A

Application Number 12251



ArcGIS Web Map

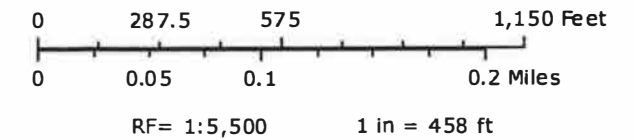
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Highways and Roads		Private or Unclassified	Intermittent
—	Principal Arterials	—	Major River or Stream
- - -	Minor Arterials	- - -	Subsurface
—	Major Collectors	—	City Boundary
—	Minor Collectors	—	Counties
—	Local Roads	—	Parcels
Blue Line Streams		—	Perennial 1-3
		—	Perennial >4



Sources: NRCS
Humboldt County GIS
California Coastal Commission GIS/Mapping Unit, 2014
Healthy Rural Roads

Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Historic residential neighborhood within walking distance to work, shopping, schools and recreation. Base on General Plan principles

EXHIBIT B

Application Number 12251



Existing Residential Neighborhood Context Quality, Aesthetics And Open Space



Existing Residential Neighborhood Context Quality, Aesthetics And Open Space



Pre-emptive, Unpermitted Steel Security Fence Recently Installed At Existing Residence



Steel Security Fence Averages 8'-6" In Height At The Edge Of Existing Residential Parcel



New Aesthetic Introduced Into The Existing Neighborhood's Public Roadways



Historic Aesthetic In The Existing Neighborhood's Public Roadways

PUBLIC NOTICE
HUMBOLDT COUNTY PLANNING COMMISSION
NOTICE OF PUBLIC HEARING

On **Thursday, January 18, 2018 at 6:00 p.m.**, or as soon thereafter as the matter can be heard, the Humboldt County Planning Commission will hold a public hearing in the Board of Supervisors' Chamber, Humboldt County Courthouse, 825 Fifth Street, Eureka, California, to consider the matter listed below. If you have specific questions regarding the proposed project contact Rodney Yandell, Planner II, at (707) 445-7541 or ryandell@co.humboldt.ca.us.

The Emerald Kid, Willow Creek area; Application Number 12251 (filed December 22, 2016); Case Number CUP-16-582 and SP-16-460; Assessor Parcel Number (APN) 522-211-055. The Emerald Kid is seeking a Conditional Use Permit (CUP16-582) for 5,000 square feet of new mixed light cannabis cultivation and a Special Permit (SP16-460) for 1,600 square feet of indoor cultivation within an existing non-residential structure. The cultivation activities involve four mixed light cycles and four indoor cycles. The applicant will have PG&E service the indoor cultivation and will purchase carbon offsets from TerraPass to meet the indoor requirements for a non-renewable energy source. The water source comes from Willow Creek Community Services and two rainwater catchment tanks with a total capacity of 5,000 gallons. Irrigation will be completed by a metered drip irrigation system. The projected water usage is about 276,000 gallons a year. Once dried onsite, the cultivation will be transported and processed offsite in a county-approved processing center. The applicant will have no employees. The Emerald Kid has filed a Notice of Intent with the North Coast Water Quality Control Board under Tier 2. The Humboldt County Planning Commission will consider adoption of a finding that the project is exempt from environmental review pursuant to Sections 15301 (Existing Facilities), 15303 (New Construction or Conversion of Small Structures) and 15304 (Minor Alterations to Land) of the State CEQA Guidelines. The project is located in Humboldt County, in the Willow Creek area, on the south side of Stagecoach Lane, approximately 437 feet west from the intersection of Brannan Mountain Road and Stagecoach Lane, on the property known as 100 Stagecoach Lane, Willow Creek.

Any person may appear and present testimony in regard to this matter at the hearing. If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing. The Planning Commission needs **ONE ORIGINAL AND 14 COPIES** of any materials submitted either prior to or at the meeting. The Planning Commission's decision will become effective if an appeal is not filed within the appropriate filing period. An appeal may be filed by any aggrieved person who has testified in person or in writing on the project and must be submitted in writing with the required fees to the Planning Division of the Humboldt County Planning and Building Department before the end of the appeal period. If appealed, the decision will not become effective until the appeal is resolved. If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at or prior to the public hearing. **The staff report for this project will be available on our web site <http://humboldt.legistar.com> on the Friday before the Planning Commission meeting.**

General questions regarding the Planning Commission, the permit process, submission of materials, and other information not specific to this project may be obtained from the Planning Division of the Humboldt County Planning and Building Department, 3015 H Street, Eureka, California 95501. Telephone (707) 445-7541.

Humboldt County Planning Commission

January 3, 2018

Exhibit D

Application Number 12251



Planning and Building Department
Planning Division
COUNTY OF HUMBOLDT
3015 H Street
Eureka CA 95501

RETURN SERVICE REQUESTED

Important Public Hearing Notice



HOLMES TYLER L
PO BOX BX 1168
WILLOW CREEK CA 95573

Please see reverse for Public Notice.

Exhibit D

Application Number 12251