

## SUPPLEMENTAL INFORMATION #1

For Planning Commission Agenda of:  
February 7, 2019

<input checked="" type="checkbox"/>	Consent Agenda Item	<b>No. <u>3</u></b>
<input type="checkbox"/>	Continued Hearing Item	
<input type="checkbox"/>	Public Hearing Item	
<input type="checkbox"/>	Department Report	
<input type="checkbox"/>	Old Business	

**Re: Pipe Creek Canyon Inc. Conditional Use Permit**

Case Numbers CUP16-937

Application Number: 12966

Assessor Parcel Number 218-121-005

838 Lauffer Rd, Garberville Area

Attached for the Planning Commission's record and review is (are) the following supplementary information items. For all, see strikethrough and replacement text in red:

1. Revised Conditions of Approval
2. Revised Site Plan, Exhibit A

## REVISED RECOMMENDED CONDITIONS OF APPROVAL

### APPROVAL OF THE CONDITIONAL USE PERMIT AND APPLICATION ASSISTANCE IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE PROVISIONAL CANNABIS CULTIVATION PERMIT CAN BE FINALIZED.

1. Within 60 days of the effective date of project approval, the applicant shall execute a Compliance Agreement with the Humboldt County Planning and Building Department detailing all necessary permits and infrastructure improvements described under Conditions of Approval #3 through ~~#17~~ #19. The agreement shall provide a timeline for completing all outstanding items. All activities detailed under the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
2. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all of the requirements as set forth by other regulatory agencies.
3. At the time of filing the compliance agreement the property owner shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.
4. Within 60 days of the effective date, the applicant shall notify the California Department of Fish and Wildlife (CDFW) to determine if the construction of the water storage pond is jurisdictional. A Lake and Streambed Alteration Agreement shall be obtained from CDFW, and forbearance consistent with County Code Section 55.4.11(l) shall be implemented with adequate water storage provided.
5. Prior to cultivating in 2019 the applicant shall submit restoration plan prepared by a qualified professional that describes area(s) to be restored and methods of restoration.
6. The applicant shall submit evidence that the work described in the restoration plan occurs consistent with the schedule included in that plan. Inspection by county staff or a signed letter from a biologist, forester or professional with comparable qualification shall satisfy this condition.
7. If the well is found to be jurisdictional, the applicant shall obtain the appropriate surface water diversion rights from the California State Water Resources Control Board, the Division of Water Rights (see Ongoing Requirements/Development Restrictions Which Must be satisfied for the Life of the Project Condition #5). A copy of the water right registration or license or letter or similar communication from the State Water Resources Control Board verifying that this requirement has been met will satisfy this condition.
8. The Applicant shall use a water meter to demonstrate that there is sufficient water supply to meet the demands of the project. The Applicant shall install additional water storage tanks, if needed.
9. The applicant shall secure permits for all grading and structures related to the cannabis cultivation and other commercial cannabis activity. The plans submitted for building permit approval shall be consistent with the project description and approved project site plan. A

letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.

10. The approved building plans shall meet all applicable fire codes, including fire suppression infrastructure requirements deemed necessary for the project by the Building Inspection Division. Sign-off on the Occupancy Permit by the Building Division shall satisfy this requirement.
11. The applicant shall obtain an encroachment permit from the Department of Public Works and construct the intersection improvements to the intersection of Lauffer Road and ~~Island Mountain Road~~ the private drive to access the project site.
12. The applicant shall utilize portable toilet and handwashing facilities for cultivation employees only. The applicant shall furnish receipts or other documentation to the DEH for the continual use of portable toilets for employees unless a permanent septic system is installed to their satisfaction. A letter or similar communication from DEH verifying that all their requirements have been met will satisfy this condition.
13. The applicant shall demonstrate the driveway and emergency vehicle turn around conform to the Humboldt County Code Section 3112-12, the Fire Safe Regulations. The applicant shall be responsible for implementing any necessary improvements to bring the driveway and emergency vehicle turn around into compliance. A letter from a qualified engineer shall satisfy this requirement.
14. The applicant shall obtain permits from the North Coast Regional Water Quality Control Board for repair or replacement of ~~six~~ all water crossings, as deemed necessary by that agency. A letter or similar communication from the North Coast Regional Water Quality Control Board will satisfy this condition.
15. The applicant shall contact the local fire service provider [Palo Verde Volunteer Fire Protection District] and furnish written documentation from that agency of the available emergency response and fire suppression services and any recommended project mitigation measures. If emergency response and fire suppression services are not provided, the applicant shall cause to be recorded an "ACKNOWLEDGMENT OF NO AVAILABLE EMERGENCY RESPONSE AND FIRE SUPPRESSION SERVICES" for the parcel(s) on a form provided by the Humboldt County Planning Division.
16. The applicant shall submit a copy of the final Water Resource Protection Plan (WRPP) for the site.
17. The applicant shall implement all corrective actions detailed within the WRPP developed for the parcel, prepared pursuant to Tier 2 enrollment under the North Coast Regional Water Quality Control Board Cannabis Waste Discharge Regulatory Program. including those measures later determined necessary during annual and periodic site inspections in accordance with the monitoring element. A copy of the reporting form portion of the Mitigation and Reporting Program (MRP) shall be submitted annually to the Planning and Building Department concurrent with the submittal to the RWQCB. A letter or similar communication from the RWQCB verifying that all their requirements have been met by the listed dates or the applicant has proven to the satisfaction of RWQCB or the Third Party Consultant verifying that all the requirements in the MRP have been met will satisfy this condition. [After July 31, 2019, plans and reporting shall conform to the Cannabis Cultivation Policy and Cannabis General Order adopted October 17, 2017 by the State Water Board.]

18. All noise generated from generators shall comply with the standards set forth in Section 55.4.11(o) of the CMMLUO which requires the combined decibel level for all noise sources to be no more than 60 decibels at the property line.
19. If applicable, the applicant shall secure permits from the North Coast Unified Air Quality Management District. A letter or similar communication from the North Coast Air Quality Management District verifying that all their requirements have been met and/or no additional permitting is required will satisfy this condition.
20. 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.

## Revised Site Plan, Exhibit A

