

## **SUPPLEMENTAL INFORMATION #1**

For Planning Commission Agenda of:  
March 21, 2019

[X] Consent Agenda Item

**Item No.: F-3**

**Re: IXXCO Inc. Conditional Use Permit**

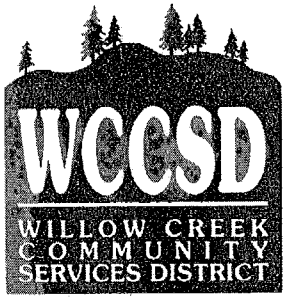
Record Number(s) PLN-2018-15131

Assessor Parcel Number(s) 522-221-008

39057 Highway 299, Willow Creek

Attached for the Planning Commission's record and review are the following supplementary information items:

1. March 14, 2019 Letter from Willow Creek Community Services District opposing the project.
2. November 1, 2017 comments from Willow Creek Community Services District on the Commercial Cannabis Land Use Ordinance.



March 14, 2019

Planning Commission Clerk  
County of Humboldt Planning and Building Department  
3015 H Street  
Eureka, CA 95501

**RE: APPS# PLN-2018-15131**

Planning Clerk,

The Willow Creek Community Services District (WCCSD) has received a project referral for IXXCO Inc. (APPS# PLN-2018-15131). The project is planned for 39075 Highway 299 in Willow Creek.

The WCCSD Board met on February 28th at their regular board meeting and discussed this project. The WCCSD Board objects to this project and urges the county to deny the application.

This project is located in the middle of downtown Willow Creek, on what is essentially our main street. This project does not include a retail element. Without a retail element, there really isn't a reason that this business needs to be in downtown. It is the opinion of the WCCSD Board that our very small downtown area be available for retail or service businesses.

Additionally, the county, under its own action, has recently proposed to rezone this property to a multi use zone. This new zoning will include the possibility of residential uses in downtown. Given it is a newly created zoning, it is not mentioned in the cannabis 2.0 ordinance. The ordinance, however, does not include any zones with residential options as being permissible for a manufacturing or distribution project. As such, your own future planning would essentially not allow this project at this location.

If the County decides to permit this project, which the WCCSD feels would be a disregard for the considerations of our community, please at least place some conditions on the project so that it disrupts our town as little as possible. In November of 2017, the WCCSD sent the attached letter to the county regarding the cannabis ordinance update 2.0. This letter contained six criteria we feel are important to maintain the vision of our community's small downtown.

1. Per our letter of November 1, 2017, item #3: "Smell – We would like to have our town be welcoming to all walks of life. To do this, we would like to avoid the smell of cannabis in our downtown area."

Please include a condition that this project have significant air purification to ensure the smell of cannabis is not noticeable outside the building.

2. Per the letter, item #4: "Safety – We would like our downtown to be as safe as possible. We would like to restrict the types of businesses in downtown that require the security of armed

guards. If a business requires an armed security guard, this generally means they have significantly valuable goods in the building that could entice armed robberies."

Please include a condition that this project be small enough that armed security guards are not necessary. If armed guards are present and there is enough product on site to inspire a theft attempt, the possibility of a shooting in our downtown is increased. This is absolutely unacceptable in the center of our town.

3. Per the letter, Item #5: "Welcoming – We would like all buildings and properties in downtown to be welcoming. Tourism is a significant element in our community and a welcoming downtown is key to maintaining tourism. For example, security fences, or boarded up windows which impart exclusivity are not desired effect."

Please include a condition that requires the business owner to maintain a welcoming building and site.

In closing, the WCCSD would like to remind the county that Willow Creek is an important community in Humboldt County. Appropriate planning actions and planning discretion should be used when permitting projects in Willow Creek. Your own planning staff, at a zoning meeting in Willow Creek, said recently that special and conditional use permits are discretionary permits and not an absolute given that they will be permitted.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan O'Gorman", with a long horizontal flourish extending to the right.

Susan O'Gorman  
General Manager  
Willow Creek Community Services District



November 1, 2017

Planning Commission Clerk  
County of Humboldt Planning and Building Department  
3015 H Street  
Eureka, CA 95501

**RE: WCCSD comments on updates to the Humboldt County Commercial Cannabis Ordinance**

Planning Clerk,

The Willow Creek Community Services District (WCCSD) Board met on October 26th, 2017 at their regular board meeting and discussed the current proposed draft changes to the Humboldt County Commercial Cannabis ordinance. Specifically, we discussed how the ordinance will impact our downtown.

The WCCSD has always had a vested interest in our community. Please see the attached vision and mission statements of our three departments. Additionally, I would like to direct your attention to the Willow Creek Community Action Plan (CAP) from 1996 and 2003. The vision statements in the CAP include the following which are particularly relevant to the topic of this letter.

- Willow Creek will be an attractive rural community with a healthy downtown business district.
- The town will be comprised of a number of thriving small businesses (rather than one or two large ones).
- The town will retain the positive aspects of a rural community, including low crime, trust, safety, and a relaxed feel.

The community of Willow Creek is quite spread out with the exception of our small downtown. This downtown area, or business district, is critical to the viability of our community. Please see attached map which was developed for our current wastewater project which we are currently in the final stages of design. For the purposes of this letter, the "downtown" area also includes the properties on each side of the highway north on highway 96, which includes the elementary school, forest service, and medical services.

We would like this downtown area to be used for commercial businesses which serve the public by providing goods or services. Our downtown area currently has gas stations, restaurants, coffee shops, markets, accountants, realty office, vet and pet grooming and other similar businesses.

We would like the county to help the community of Willow Creek maintain our vision for our small downtown. Specifically, the following are items we hope to maintain:

1. Retail – Our downtown area is quite small. For this reason, we would like to maintain the small amount of space for retail and service businesses. A small amount of manufacturing associated with a retail store may be welcomed.
2. 2 Stories – We understand the local volunteer fire department does not have the ability to fight fires over 2 stories in height. For this reason, the building height in downtown (and in all of the greater Willow Creek area) should be restricted to not more than 2 stories in height.
3. Smell – We would like to have our town be welcoming to all walks of life. To do this, we would like to avoid the smell of cannabis in our downtown area.
4. Safety – We would like our downtown to be as safe as possible. We would like to restrict the types of businesses in downtown that require the security of armed guards. If a business requires an armed security guard, this generally means they have significantly valuable goods in the building that could entice armed robberies.
5. Welcoming – We would like all buildings and properties in downtown to be welcoming. Tourism is a significant element in our community and a welcoming downtown is key to maintaining tourism. For example, security fences, or boarded up windows which impart exclusivity are not desired effect.
6. Hazards – We would like to restrict the use of volatile chemicals and other hazardous elements in our downtown district.

While this letter is meant to address the cannabis ordinance, we don't necessarily expect the items above to be incorporated into the ordinance itself. We will leave the determination of how to best apply the land use goals of the downtown area of Willow Creek to the Planning Department and Planning Commission. Additionally, with this new business market and associated regulations, the WCCSD plans to meet and discuss this topic at future meetings. Additional comments or concerns may be developed at these meetings that will be sent to the county at that time.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan O'Gorman", with a stylized flourish at the end.

Susan O'Gorman  
General Manager