

SUPPLEMENTAL INFORMATION #2

For Planning Commission Agenda of: September 5, 2019

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|-------------------------------------|------------------------|-------|
| <input type="checkbox"/> | Consent Agenda Item | } |
| <input type="checkbox"/> | Continued Hearing Item | } |
| <input checked="" type="checkbox"/> | Public Hearing Item | } #G2 |
| <input type="checkbox"/> | Department Report | } |
| <input type="checkbox"/> | Old Business | } |

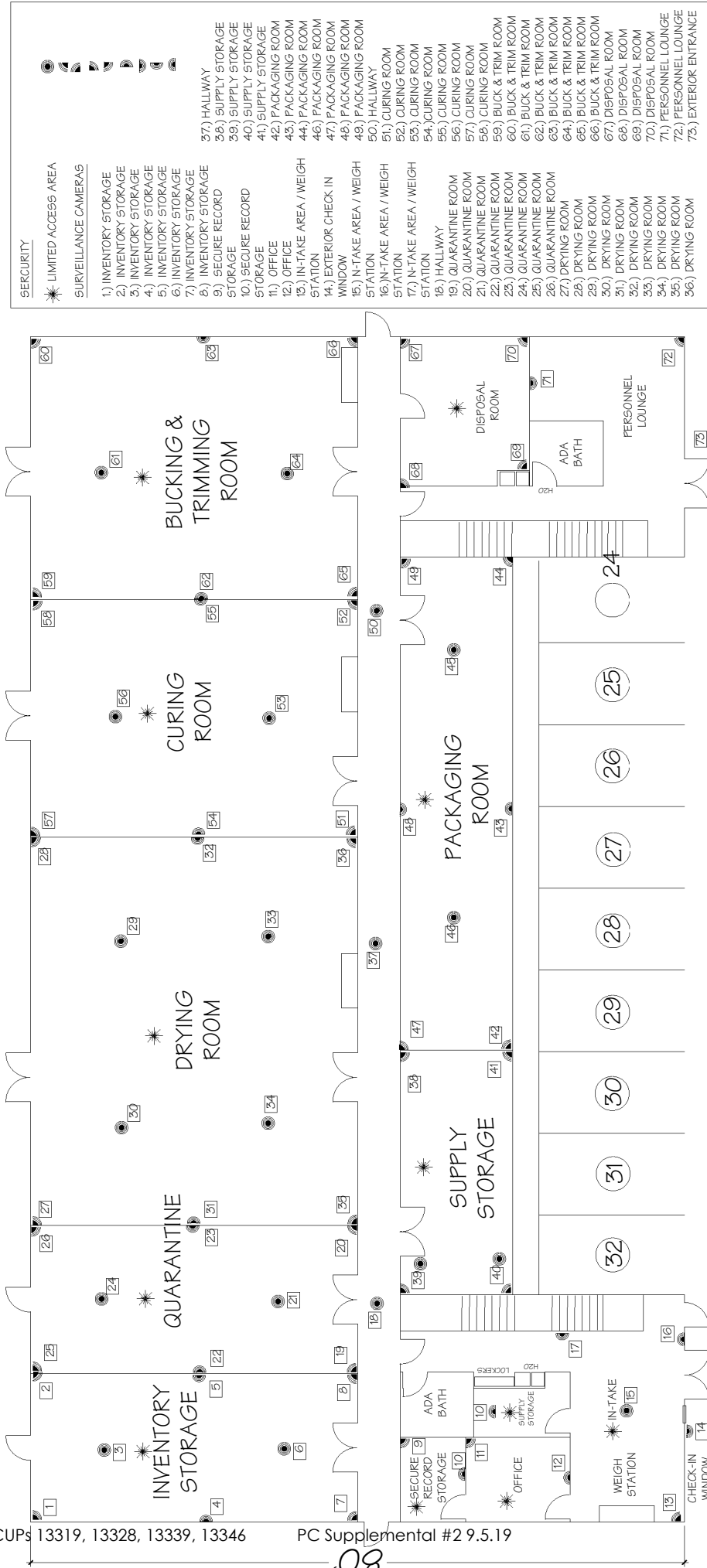
Re: **Brosgart Special Permits**
Application Numbers 13119, 13328, 13339, 13346
Case Numbers SP-16-868, SP-16-870, SP-16-871, SP-16-872
Assessor's Parcel Number (APN) 516-111-064
1695 Glendale Drive

Attached for the Planning Commission's record and review is (are) the following supplementary information item(s):

1. Proposed Processing Facility Floor Plans associated with the Processing Facility Operations Plan.
2. Letter dated September 2, 2019 from Cynthia S. Trobitz-Thomas.
3. Revised Conditions of Approval – Ongoing Requirements/Development Restrictions Which Must be Satisfied for the Life of the Project – Revised No. 6 to add annual reporting of testing results associated with the collection, storage and testing of wastewater prior to discharge to sewer shall be provided to the Planning Department for review.
4. Letter from Barbara Russell dated September 5, 2019

- BUILDING A - 1ST FLOOR -
PROCESSING APPS#13346

SCALE : 10' 20' 50'



- SECURITY**
 * LIMITED ACCESS AREA
 SURVEILLANCE CAMERAS
- 1.) INVENTORY STORAGE
 - 2.) INVENTORY STORAGE
 - 3.) INVENTORY STORAGE
 - 4.) INVENTORY STORAGE
 - 5.) INVENTORY STORAGE
 - 6.) INVENTORY STORAGE
 - 7.) INVENTORY STORAGE
 - 8.) INVENTORY STORAGE
 - 9.) SECURE RECORD STORAGE
 - 10.) SECURE RECORD STORAGE
 - 11.) OFFICE
 - 12.) OFFICE
 - 13.) IN-TAKE AREA / WEIGH STATION
 - 14.) EXTERIOR CHECK IN WINDOW
 - 15.) N-TAKE AREA / WEIGH STATION
 - 16.) IN-TAKE AREA / WEIGH STATION
 - 17.) N-TAKE AREA / WEIGH STATION
 - 18.) HALLWAY
 - 19.) QUARANTINE ROOM
 - 20.) QUARANTINE ROOM
 - 21.) QUARANTINE ROOM
 - 22.) QUARANTINE ROOM
 - 23.) QUARANTINE ROOM
 - 24.) QUARANTINE ROOM
 - 25.) QUARANTINE ROOM
 - 26.) QUARANTINE ROOM
 - 27.) DRYING ROOM
 - 28.) DRYING ROOM
 - 29.) DRYING ROOM
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 - 31.) DRYING ROOM
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 - 35.) DRYING ROOM
 - 36.) DRYING ROOM
 - 37.) HALLWAY
 - 38.) SUPPLY STORAGE
 - 39.) SUPPLY STORAGE
 - 40.) SUPPLY STORAGE
 - 41.) SUPPLY STORAGE
 - 42.) PACKAGING ROOM
 - 43.) PACKAGING ROOM
 - 44.) PACKAGING ROOM
 - 45.) PACKAGING ROOM
 - 46.) PACKAGING ROOM
 - 47.) PACKAGING ROOM
 - 48.) PACKAGING ROOM
 - 49.) PACKAGING ROOM
 - 50.) HALLWAY
 - 51.) CURING ROOM
 - 52.) CURING ROOM
 - 53.) CURING ROOM
 - 54.) CURING ROOM
 - 55.) CURING ROOM
 - 56.) CURING ROOM
 - 57.) CURING ROOM
 - 58.) CURING ROOM
 - 59.) BUCK & TRIM ROOM
 - 60.) BUCK & TRIM ROOM
 - 61.) BUCK & TRIM ROOM
 - 62.) BUCK & TRIM ROOM
 - 63.) BUCK & TRIM ROOM
 - 64.) BUCK & TRIM ROOM
 - 65.) BUCK & TRIM ROOM
 - 66.) BUCK & TRIM ROOM
 - 67.) DISPOSAL ROOM
 - 68.) DISPOSAL ROOM
 - 69.) DISPOSAL ROOM
 - 70.) DISPOSAL ROOM
 - 71.) PERSONNEL LOUNGE
 - 72.) PERSONNEL LOUNGE
 - 73.) EXTERIOR ENTRANCE

CANNABIS WASTE STORAGE:
 ALL CANNABIS MATERIALS OR CANNABIS PRODUCTS THAT ARE REQUIRED TO BE DESTROYED WILL BE DEEMED UNRECOGNIZABLE BEFORE DISCARDING. WHEN POSSIBLE MATERIALS WILL BE GROUND DOWN, PACKAGING WILL BE EMPTIED AND RECYCLED. ALL DISPOSED PRODUCTS AND MATERIALS WILL BE PLACED IN A WATERTIGHT CONTAINER AND PICKED UP BY A PRIVATE LICENSED WASTE HAULER.

ODOR MITIGATION
 HVAC SYSTEM THROUGH OUT FACILITY WILL BE EQUIPPED WITH CARBON FILTERS TO MINIMIZE ODOR RELEASED FROM PREMISES.

RAW CANNABIS MATERIALS WILL BE RECEIVED FROM THE DISTRIBUTION CENTER INSPECTED, WEIGHED, ENTERED INTO INVENTORY AND TRACK AND TRACE SYSTEM.

IN PROCESS PRODUCTS, FINISHED PRODUCTS AND RAW MATERIALS WILL BE STORED SEPARATELY. ALL RAW MATERIALS AND FINISHED PRODUCTS WILL BE STORED IN QUARANTINE FOR TESTING AND MONITORING.

FINISHED PRODUCTS WILL BE TRANSFERRED TO LICENSED DISTRIBUTION CENTER ON SITE.

CHECK-IN WINDOW:
 ALL DELIVERY PERSONS, CONTRACTORS, SUB CONTRACTORS AND THE LIKE WILL HAVE TO REGISTER AND CHECK IN BEFORE GAINING ACCESS.

MATERIAL PROCESS
 NON CANNABIS MATERIALS AND SUPPLIES WILL BE DELIVERED DIRECTLY TO THE PROCESSING FACILITY VIA SPRINTER VANS OR BOX TRUCKS. DELIVERIES WILL BE THROUGH THE MAIN ENTRANCE

PROCESSING FACILITY

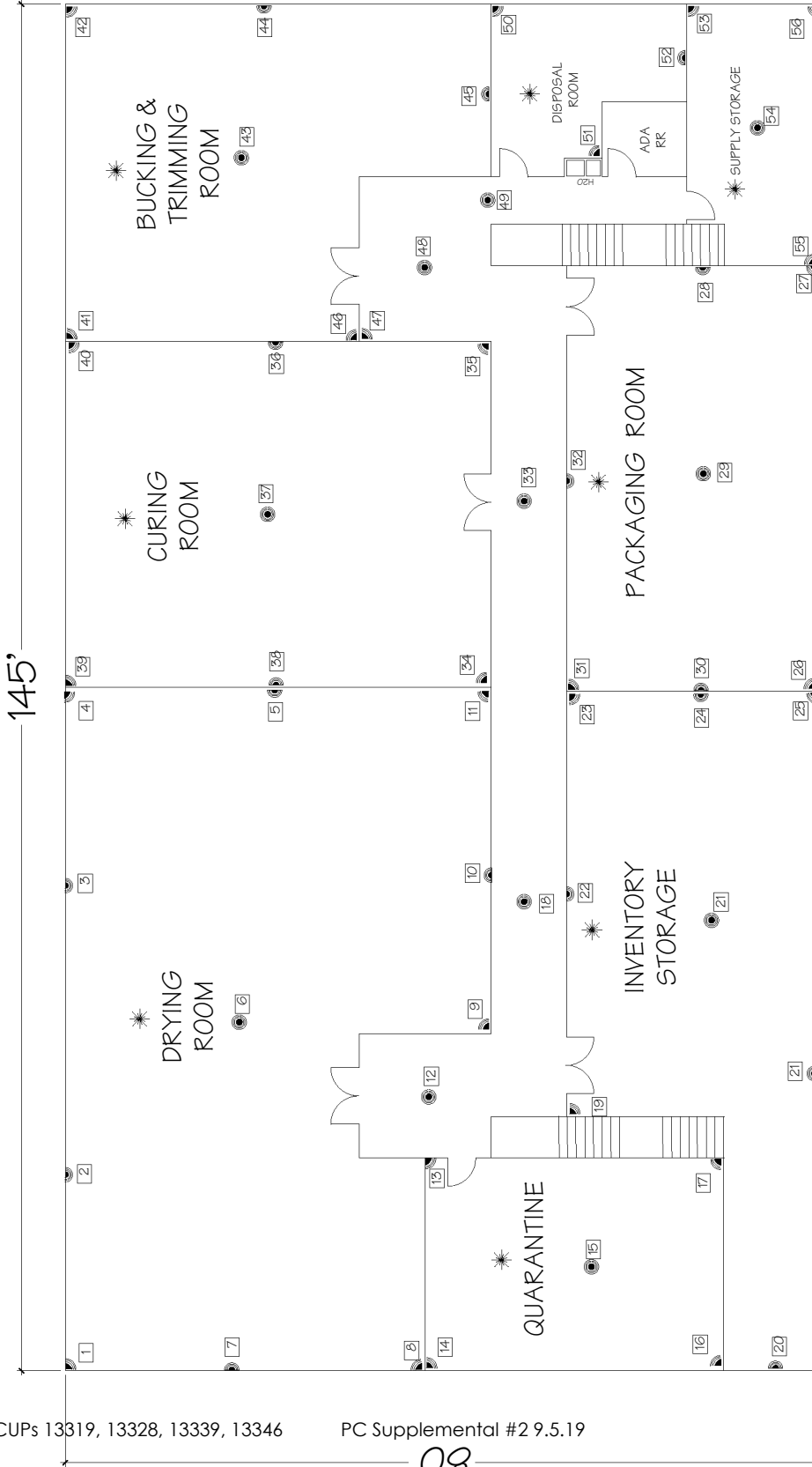
- (1) OFFICE CONNECTED TO SECURED RECORD STORAGE
- INTAKE ROOM WITH WEIGH STATION
- HAND WASHING SINK
- (2) ADA UNISEXY BATHROOMS IN COMMON AREA
- (1) ADA WATER FOUNTAIN IN COMMON AREA
- (1) STANDARD WATER FOUNTAIN IN COMMON AREA
- EMPLOYEE LOCKERS FOR PERSONAL BELONGINGS IN COMMON AREA
- SUPPLY STORAGE ROOM (MATERIALS & PRODUCTS)
- DISPOSAL ROOM
- PACKAGING AREA
- QUARANTINE ROOM
- (2) INVENTORY STORAGE ROOM

**- BUILDING A - 2ND FLOOR -
PROCESSING APPS #13346**

SCALE: 10' = 20' = 50'

Brosgart CUPs 13319, 13328, 13339, 13346

PC Supplemental #2 9.5.19



SECURITY
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 SURVEILLANCE CAMERAS

- 1.) DRYING ROOM
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CYNTHIA S. TROBITZ-THOMAS

585 Glendale Drive • McKinleyville, CA 95519

Home: 707-822-5025 • Cell: 707-502-7248 • Email: ctrobitz1@gmail.com

September 2, 2019

Humboldt County Planning Commission
3015 H Street
Eureka, CA 95501

**RE: Michael Brosgart and Arielle Brosgart, Special Permits
Application Numbers: 13319, 13328, 1339 & 13346
Case Numbers: SP16-868, SP16-870, SP16-871 & SP16-872
Assessor's Parcel Number (APN) 516-111-064; 1695 Glendale Drive**

Dear Commissioners:

In previous letters and testimony concerning the above referenced applications, we have brought to your attention the negative impacts of this project to our community. These negative impacts still remain a concern and we now offer the additional comments, concerns and questions regarding the environmental analysis contained in the Mitigated Negative Declaration (MND) and project staff report. Please note that the items addressed by no means represent all the issues, but highlight several key matters.

5.11 LAND USE AND PLANNING

In the **Analysis** (page 47) Finding: The project will not physically divide an established community. *No impact*. "...There is no established community on the project site or adjacent areas..." **This finding is inaccurate**. The proposed site is surrounded on three sides by long established residences. In addition, Murphy's Market serves Glendale, Blue Lake, Korbek, West End Road and portions of Fieldbrook. The current land use baseline for the Glendale community is primarily residential with some commercial and industrial. There has been a decline in industrial uses from previous decades.

Further, the Commission is hopefully aware that the Board of Supervisors placed a hold on rezoning within the Glendale Community Planning area until a Glendale Community Plan can be prepared. The impetus of the Board action was an outcry from the community regarding the proposed zoning that would have facilitated cannabis projects. The Glendale community made it clear to the Board that cannabis projects would be detrimental to their community. This community planning effort could likely result in a land use designation and zoning that would not allow cannabis. The community planning effort has not progressed as the months go by. Cannabis projects for this area continue to be brought forward and supported by the County, and there is no mention anywhere in the Initial Study or staff report of this community planning effort.

Considering this information, the land use and planning analysis in the Initial Study is clearly flawed. It ignores the fact there is a Glendale community. It ignores the Board of Supervisors community planning effort and dismisses the potential for this cannabis project to physically divide the Glendale community.

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5.17 TRANSPORTATION

In the Analysis (page 60) Finding: The project will not conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. *Less than significant impact*. **Questions?** Has a traffic study been conducted to determine if there is less than significant impact? If so, did the study include what type of traffic (i.e. heavy industrial trucks, cars, bicycles), visibility, inadequate shoulder.

Has there been an analysis of the current condition of the road? The Initial Study states that a 2008 report found Glendale Drive to be in “fair condition”. There has been no road work done in 11 years and characterizing Glendale Drive as being in “fair condition” is extremely generous.

Glendale Drive is narrow, making it difficult for pedestrians and bicyclists to use safely and provides a challenge when meeting a car and truck going in alternate directions on a curve. In addition, Glendale is now home to a herd of over 100 Roosevelt elk. The elk routinely cross Glendale Drive to enter the McAdams Ranch, which is adjacent to a curve with poor visibility. Has the elk population been taken into consideration in regard to safety impacts on Glendale Drive with the increased traffic?

The discussion states the following: “...the 22 trips that occur during the peak hours would constitute approximately 6 percent of the capacity of Glendale Drive. Given that Highway 299, which runs adjacent to Glendale Drive, only carries 400 vehicles during the peak hour, it is unlikely that Glendale Drive is operating close to its operation capacity of 350 vehicles per hour.” The Transportation Setting discussion in the Initial Study states that the Glendale Drive and Highway 299 ramps have a functional capacity of 350 vehicles per hour; it makes no statement of the functional capacity of Glendale Drive. The transportation impact analysis presumes the 350 vehicles per hour functional capacity applies to Glendale Drive. What is the basis for this presumption? The estimated 60 trips per day, which does not appear to include employees leaving throughout for day for things such as lunch and appointments, will exacerbate an already dangerous bad situation on Glendale Drive. Without an accurate analysis of the condition and capacity of Glendale Drive, a finding of less than significant impact cannot be supported.

CUMULATIVE IMPACTS

As of May 7th, 2019, there were 9 Glendale cannabis applications (1 approved, 2 closed due to not being complete and 6 active). The Initial Study contains a brief cumulative impact analysis, including land use and transportation. With regards to land use, the number of cannabis projects seeking to locate on Glendale Drive will have cumulatively significant impact on the character of the Glendale Community. Further this conversion would occur well ahead of the community planning effort which was initiated to prohibit conversion of our community to cannabis uses. Is the County viewing Glendale as the County’s designated Cannabis Innovation Zone? If so, review the Arcata Cannabis Innovation Zone. It is located in an industrial area with no existing or planned residential uses adjacent.

Cumulative land use impacts would be significant.

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With regards to cumulative transportation impacts, the analysis states up to 1,000 trips per day could be generated by future cannabis projects. There is no way Glendale Drive in its current condition could handle this increased volume of traffic without a threat to public health and safety. In addition, this traffic volume would destroy the rural character of this residential community.

Cumulative transportation impacts would be significant.

ADDITIONAL COMMENTS

Glendale now has a significant amount of vacant property. This provides an excellent opportunity to receive input from residents and property owners through the development and approval of a Glendale Community Plan, which was approved by the Board in December 2018 and has yet to be scheduled. With the shortage of housing in Humboldt County, there may be opportunities to develop first-time homeownership on these vacant underutilized sites.

Property and business owners deserve an opportunity to have input regarding the future of their investments and community. Please honor the Board of Supervisors' moratorium on rezoning in Glendale/Blue Lake, until such time this neighborhood has received the promised planning staff support and time to conduct and complete a Glendale Community Plan.

Thank you in advance for your consideration.

Cindy Trobitz-Thomas & Vince Thomas
2145 Glendale Drive & 585 Glendale Drive

Dr. David Trobitz & Heather Trobitz
2101 Glendale Drive

Cc: John Ford, Director of Planning and Building Department; Cliff Johnson, Supervising Planner; Michael Richards, Supervising Planner; Caitlin Castellano, Planner, Board of Supervisors

ATTACHMENT 1

REVISED RECOMMENDED CONDITIONS OF APPROVAL

APPROVAL OF THE SPECIAL PERMITS IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED.

1. The applicant shall implement all mitigation measures as incorporated (refer to Mitigation Monitoring and Reporting Program included as Attachment 3).
2. The applicant is responsible for obtaining necessary County and State permits and licenses, and for meeting all of the requirements as set forth by other regulatory agencies.
3. The applicant shall obtain all necessary building permits and grading permits from the Building Inspection Division (BID) for all structures, grading and equipment related to the volatile manufacturing facility, non-volatile manufacturing facility, distribution center and processing facility. The applicant/owner shall submit plans by a California-licensed engineer for the building permit and grading permit. All building and grading plans submitted for approval shall be consistent with the project description and plans approved by the Planning Commission. A letter or similar communication from the Building Division verifying that all structures, grading and equipment related to the cannabis activities are permitted will satisfy this condition.
4. The approved building plans shall address odor management by incorporating the ventilation/air filtration system to limit potential adverse odor emission impacts to employees and/or properties located in the vicinity. The system shall be designed, signed, and stamped by a mechanical engineer for review and approval by the Building Official.
5. The grading plan shall be designed to ensure disturbance does not exceed four feet at the rear of the parcel.
6. The applicant shall secure an encroachment permit from the Department of Public Works. Plans shall be submitted to the Department and approved before construction commences. The plans shall address how storm water is discharged from the parking lot, construction of a curb, gutter, and sidewalk, the commercial driveways, and any gates or fencing that will be installed. A letter or similar communication from the Department of Public Works Land Use Division verifying that the improvements have been completed will satisfy this condition.
7. The applicant shall demonstrate the driveway and emergency vehicle turn around conform with Humboldt County's Fire Safe Regulations (HCC §3112-12) and any requirements of the Blue Lake Fire Protection District. A letter from a qualified engineer shall satisfy this requirement.
8. A portion of the subject parcel is identified as being in an area subject to liquefaction on the County WebGIS application. A soils report shall be conducted by a register professional to identify the extent of the potentially unstable soils and recommend engineering solutions for project construction.
9. The applicant shall submit a landscaping plan meeting the requirements of HCC§314-109.1.5.2 for the review and approval of the Planning Director, and that the plan shall be implemented prior to issuance of occupancy. Plant materials used for landscaping shall be regionally appropriate native species and shall not be pyrophytic. The landscaping plan shall include a maintenance plan that specifies the person or agency responsible for maintenance and shall address pruning, weeding, cleaning, fertilization and watering. Whenever necessary, planting shall be replaced in-kind with similar plant materials to ensure continued compliance with the

landscaping requirements. All screening shall be in sound functional condition and repaired and replaced when necessary.

10. The applicant shall submit a fencing plan for the review and approval of the Planning Director that demonstrates the fencing will screen the facility from adjacent residential properties.
11. The applicant shall submit a Signage Plan for the review and approval by the Planning Director that will be compatible and not distract from surrounding uses in the area.
12. The applicant shall submit a lighting plan for review and approval of the Planning Director prior to issuance of building permit. The lighting plan shall demonstrate the proposed facilities will not deliver or have the potential to deliver light pollution, during hours of sunset to sunrise, which may affect adjoining residential properties, or fish and wildlife directly or from a distance; and, outdoor lighting shall be compatible with the existing setting and directed within the property boundaries. Additionally, the lighting plan shall comply with design standards outlined in the Humboldt County Code §314-109.1.2.7 and the exterior of the proposed buildings shall not be made of reflective materials that would introduce a new source of glare and limit light spillover and intensity.
13. Prior to occupancy permit, the applicant shall install a metering device on all discrete points of water withdrawal for each facility, e.g. personnel use, sanitation/janitorial use and landscaping. The applicant shall maintain the metering device (s) in a serviceable and working condition.
14. The applicant shall secure a building permit prior to installing signage for the proposed project. The signage plan shall be subject to the review and approval of the Planning Director. Signage shall be compatible and not distract from the surrounding uses in the area.
15. Prior to occupancy permit, the applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding hazardous materials. A written verification of compliance shall be required before any cannabis activity commences and ongoing proof of compliance with this condition shall be required at each annual inspection in order to keep the permit valid.
16. The project shall post onsite, provide the Planning Director or his/her designee, the Sheriff, and all neighboring property owners within three-hundred (300) feet of the establishment with the name, telephone number of an on-site representative of the project to whom one can provide notice if there are operating problems associated with the facility. The project 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 §312-14, Humboldt County Code.
17. Prior to initiating commercial cannabis activities the applicant shall obtain a Business License from the Humboldt County Tax Collector.
18. If cultural resources are encountered during construction activities, the contractor on site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist as well as the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and lead

agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the NAHC will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to PRC 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.

19. 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.
20. **Prior to hearing**, the applicant shall submit a check to the Planning Division payable to the Humboldt County Recorder in the amount of \$2,404.75. Pursuant to Section 711.4 of the Fish and Game Code, the amount includes the Department of Fish and Wildlife (DF&W) fee plus a \$50 document handling fee for filing a Notice of Determination (NOD). This fee is effective through December 31, 2019, at such time the fee will be adjusted pursuant to Section 713 of the Fish and Game Code. Alternatively, the applicant may contact DF&W by phone at (916) 651-0603 or through the DF&W website at www.dfg.ca.gov for a determination stating the project will have no effect on fish and wildlife. If DF&W concurs, a form will be provided exempting the project from the \$2,354.75 fee payment requirement. In this instance, only a copy of the DF&W form and the \$50.00 handling fee is required.
21. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions prior to release of building permit or initiation of use and at time of annual inspection. In order to demonstrate that all conditions have been satisfied, applicant is required to pay the conformance review deposit for each project activity (currently four (4)) as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

Operation Restrictions:

1. The hours of operation for the Glendale Cannabis Facility shall be Monday through Saturday, 7:00 AM to 7:00 PM, and closed Sunday and all federally recognized holidays. Deliveries shall be limited to Monday through Friday, 8:00 am to 6:00 pm.
2. Personnel and deliveries to and from the site shall only access the site from Exit 4 for Glendale Drive from State Route Highway 299 and not Exit 5 for City of Blue Lake/Glendale Drive.
3. The project will provide adequate security on the premises, including lighting, alarms and law enforcement notification, to insure the safety of persons and to protect the premises from theft.
4. No cannabis shall be smoked, ingested, or otherwise consumed on the premises.

5. All electricity utilized by the Commercial Cannabis activity shall conform to one or more of the following standards:
 - Grid power supplied from 100% renewable source
 - On-site renewable energy system with twenty percent net non-renewable energy use
 - Grid power supplied by partial or wholly non-renewable source with purchase of carbon offset credits.
6. The project shall not hold or maintain a license from the State Department of Alcohol Beverage Control to sell alcoholic beverages, or operate a business that sells alcoholic beverages.
7. The project shall permit the Planning Director or his/her designee to have access to the entities' books, records, accounts, and any and all data relevant to its permitted activities for the purpose of conducting an audit or examination in order 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 twenty-four (24) hours after the request from the Planning Director or his/her designee.
8. 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 project, upon request.
9. 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.
10. The project shall participate in inspections to verify that all cannabis products are being manufactured and distributed in compliance with all state and local regulations. Inspections are intended to ensure that grower-members are legal and compliant in the products they store, and that storage is done in a safe and sustainable manner, away from public view, and inaccessible to minors.
11. The cannabis project shall be inspected by the Humboldt County Sheriff or his/her designee and either members of the Code Compliance Division of Planning and Building or the Code Enforcement Investigator on an annual basis, or more frequently as requested by the Planning Commission, to determine if the cooperative 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 cannabis project, cooperative or delivery service for inclusion in their "Performance Review Report" to the Planning Commission.
12. Non-compliance by the cannabis project in allowing the inspection by the above-mentioned County personnel, or non-compliance in submitting the annual "Performance Review Report" per the CCLUO section 314-55.4.5.7 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 this Code, 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).

Ongoing Requirements/Development Restrictions Which Must be Satisfied for the Life of the Project:

1. The project shall be developed, operated and maintained in accordance with the project description, Operation Plans, Security Plans, approved project site plan, and floor plans. Access to the rooms where commercial cannabis is present shall be restricted so that no one under the age of 21 is allowed entry. Changes to the project except for Minor Deviations to the Plot Plan as provided in Section 312- 11.1, shall require Modification of this permit.
2. All commercial cannabis activities shall be in conformance with all laws and regulations set forth in the CMMLUO and MCRSA, as applicable to the permit type.
3. Possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
4. Odors shall be contained on the property on which the Cannabis activity is located and shall not result in a discernable odor at the property lines adjoining the existing residential uses for the life of the project. To implement this requirement air filtration and ventilation equipment is to be maintained in good working condition and monitored on an on-going basis to limit potential adverse odor emission impacts to employees and/or properties located in the vicinity. Should the Department receive complaints regarding odor, the Department will work with the applicant/operator to resolve and return the project to compliance in a timely manner. Resolution may entail additional maintenance and/or replacement of the air filtration system. If the County receives any odor complaints, the permit holder shall work with the Building Official to correct odor concerns.
5. Maintain enrollment in Tier 1, 2 or 3, certification with the North Coast Regional Water Quality Control Board (NCRWQCB) Order No. R1-2015-0023, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
6. Consent to an annual on-site compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday – Friday, 9:00 am – 5:00 pm, excluding holidays). **Testing results associated with the collection, storage and testing of wastewater prior to discharge to sewer, reused or hauled offsite by licensed disposal company shall be recorded and provided to the Planning Department for review at the annual inspection.**
7. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
8. Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, including the County of Humboldt's CUPA program, and in such a way that no spillage occurs.
9. Pay all applicable application, review for conformance with conditions and annual inspection fees.
10. The noise produced by a generator used on an emergency-only basis for cannabis drying, curing, and processing shall not be audible by humans from neighboring residences. The decibel level for generators measured at the property line shall be no more than 60 decibels. Where applicable, sound levels must also show that they will not result in the harassment of Marbled Murrelet or Spotted Owl species. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and

further consultation where necessary. Under these guidelines, generator noise may not exceed 50dB as measured at 100 feet from the generator or at the edge of the nearest Marbled Murrelet or Spotted Owl habitat, whichever is closer.

11. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).
12. The applicant shall not use any erosion control measures that contain synthetic (e.g. plastic or nylon) monofilament netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.
13. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
14. All refuse shall be contained in wildlife proof containers, at all times, and relocated to an authorized waste management facility, in compliance with State and local laws, on a regular and on-going basis.
19. The Glendale Cannabis Facility operations shall use the following best management practices to ensure the safety of employees and the Cannabis product:
 - A. Ensure that the space in which any Cannabis product is to be processed and packaged is a fully enclosed room and clearly designated on the approved floor plan.
 - B. Ensure that all applicable sanitary rules are followed.
 - C. Ensure that the standard operating procedure includes, but need not be limited to, step-by-step instructions on how to safely and appropriately:
 - a. Conduct all necessary safety checks prior to commencing handling;
 - b. Prepare Cannabis products for distribution;
 - c. Clean all equipment, counters and surfaces thoroughly; and
 - d. Dispose of any waste produced during the processing and distribution of Cannabis in accordance with all applicable local, state and federal laws, rules and regulations.
 - D. Establish written and documentable quality control procedures designed to maximize safety for employees and minimize potential product contamination.
 - E. Establish written emergency procedures to be followed by employees in case of a fire, chemical spill or other emergency.
 - F. Have a comprehensive training manual that provides step-by-step instructions for processing and distribution of cannabis products on its Licensed Premises. The training manual shall include, but need not be limited to, the following topics:
 - a. All standard operating procedures used at that Licensed Premises;
 - b. The quality control procedures;
 - c. The emergency procedures for the Licensed Premises;
 - d. The appropriate use of any necessary safety or sanitary equipment;
 - e. The hazards presented by all chemicals and solvents used within the Licensed Premises as described in the material safety data sheet for each chemical and solvent;
 - f. Clear instructions on the safe use of all equipment involved in each process and in accordance with manufacturer's instructions, where applicable; and
 - g. Any additional periodic cleaning required to comply with all applicable sanitary rules.

- G. Provide adequate training to every employee prior that to that individual undertaking any step in processing or distribution of a Cannabis product.
 - a. Adequate training shall include, but need not be limited to, providing a copy of the training manual for that Licensed Premises and live, in-person instruction detailing at least all of the topics required to be included in the training manual.
 - b. The individual training each employee shall sign and date a document attesting that all required aspects of training were conducted and that he or she is confident that the trainee can safely handle and distribute a Cannabis product.
 - c. The employee that received the training shall sign and date a document attesting that he or she can safely implement all standard operating procedures, quality control procedures, and emergency procedures, operate all equipment, use all safety, sanitary and other equipment and understands all hazards presented by the chemicals and solvents to be used within the Licensed Premises and any additional period cleaning required to maintain compliance with all applicable sanitary rules.
- H. Maintain clear and comprehensive records of the name and signature of every individual who engaged in any step related to the processing and distribution of any Cannabis product and the step that individual performed.

- 20. Term of Commercial Cannabis Activity Special Permit. Any Commercial Cannabis Permit issued pursuant to the CMMLUO shall expire one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval.

If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the non-compliance, or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether or not the permit holder has cured all issues of non-compliance. Failure to request reinspection or to cure any items of non-compliance shall terminate the Special Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to section 55.4.13.

- 21. Permit Renewals to comply with Updated Laws and Regulations. Permit renewal per Ongoing Condition of Approval #2 above is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure that new standards are met.
- 22. Acknowledgements to Remain in Full Force and Effect. Permittee Acknowledges that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this Section in the event that environmental conditions, such as a sustained drought or low flows in the watershed in which the cultivation area is located will not support diversions for irrigation.
- 23. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CMMLUO eligibility requirements,

and agreement to permit terms and acknowledgments. The fee for required permit transfer 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; and
 - d. Acknowledgement of full responsibility for complying with the existing Permit; and
 - e. Execution of an Affidavit of Non-diversion of Medical Cannabis.
24. 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.
32. 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.
33. Pay all applicable application and annual inspection fees.

Informational Notes:

1. This permit shall expire and become null and void at the expiration of one (1) 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.

Sept. 5th, 2019

Dear Humboldt County Planning Commission,

This project before you today, known as the "MichaelBrosgart and Arielle Brosgart Glendale Cannabis Facility", located at 1695 Glendale Drive, is Not in alignment with the proposed COMMUNITY Commercial Zone.

The Community Commercial Zone includes such things as retail shops, healthcare services, community assembly, essential services, professional offices, bed and breakfasts, social halls, clubs with needed upstairs Residential.

The project before you is not in alignment with the proposed zoning, as we ask that you do not approve the 4 special permits that will rob the community of the benefits the proposed Community Commercial will promote, which we need in Glendale, for our and the other neighboring communities of Blue Lake and Fieldbrook.

We ask that you do not approve the special permits. And instead, we ask you to put a hold on all such Community Defining Projects, such as this one in the center of our community and the only place possible for such community serving activities may take place., until Glendale's Community Plan Process is complete and the General Plan Update is finalized.

You may be aware, in 1984 the California Court of Appeal determined that "Local Governments must have a complete and valid General Plan before they can issue any Special Permits. (Civ. No.22468. Court of Appeals of California, Third Appellate District. June 8, 1984.)

This would allow there to be a subdivision of this lot into 2,000 sq ft lots to be used for small business, retail and other resident opportunities as the proposed zoning states, and for goods, services and upstairs housing as the proposed Community Commercial Zone promotes, and our Blue Lake, Fieldbrook and Glendale Communities so desperately need.

Thank you.,

Barbara Russell

1901 Glendale Drive, Mckinleyville (Glendale), Ca., 95519