



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

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

Hearing Date: October 3, 2019

To: Humboldt County Planning Commission

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

Subject: **The Ganjery, LLC**
Application Number: PLN-2019-15574
Assessor's Parcel Number: 508-242-042-000
1580 Nursery Way, Suite C, McKinleyville, CA 95519

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Please contact Portia Saucedo, Planner I, at (707) 268-3745, or by email at psaucedo1@co.humboldt.ca.us, if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
October 3, 2019	Conditional Use Permit	Portia Saucedo

Project Description: The Applicant is seeking a Conditional Use Permit to operate a Microbusiness on APN 508-242-042. The applicant was previously approved to operate a retail dispensary on the parcel. The applicant proposes to add Manufacturing (Infusion Type N) and Distribution uses in order to obtain a Microbusiness permit. The subject parcel is served water and sewer by McKinleyville Community Services District. Electricity is sourced from PGE and backup generator power. The proposed project would have three full-time employees and the hours of operation would be 10:00 a.m. to 7:00 p.m., seven days a week.

Project Location: The project is located in the McKinleyville area, on the south side of Nursery Way, approximately 363 feet North from the intersection of Central Avenue and Nursery Way, on the property known as 1580 Nursery Way, Suite C.

Present Plan Land Use Designations: Commercial Services (CS), McKinleyville Community Plan (MCCP), Seismic Safety - Relatively Stable (0).

Present Zoning: Community Commercial (C-2) with a Noise Impact Combining Zone (N)

Application Number: PLN-2019-15574

Assessor Parcel Number: 508-242-042-000

Applicant

The Ganjery, LLC
Attn: Stephen Gieder
1580 Nursery Way, Suite D
McKinleyville, CA 95519

Owner

D&R Miller Family LLC
400 G Street
Arcata, CA 95521

Agent

1 Degree Consulting
Attn: Joe Moran
1580 Nursery Way, Suite D
McKinleyville, CA 95519

Environmental Review: CEQA Exemption Section: 15301-Existing Facilities

State Appeal Status: The project is NOT appealable to the California Coastal Commission.

The Ganjery, LLC Conditional Use Permit
Application No. PLN-2019-15574
Assessor's Parcel Number (APN): 508-242-042-000

Recommended Commission Action

1. Describe the application as part of the Consent Agenda.
2. Survey the audience for any person who would like to discuss the application.
3. If no one requests discussion, make the following motion to approve the application as part of the Consent Agenda:

Find the project exempt from environmental review pursuant to Section 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 adopt the Resolution approving the proposed The Ganjery, LLC Conditional Use Permit subject to the recommended conditions.

Executive Summary

The Conditional Use Permit (CUP) has been requested by The Ganjery, LLC to authorize the operation of a Microbusiness in the McKinleyville Area. The proposed microbusiness activities include manufacturing (Infusion Type N) and distribution. The applicant was previously approved to operate adult use cannabis retail sales and medical cannabis dispensary on the project parcel in Suite B-E (PLN-11071-CUP). The manufacturing activities are proposed to take place within a portion of Suite B-C, while the distribution activities are proposed to occur in Suite P-Q. The proposed manufacturing will consist of infusion activities in a restricted access portion of Suite B-C. Manufactured cannabis products sourced from other licensed manufacturers will be utilized to make infusions including, but not limited to: edibles, tinctures, and topical ointments. The distribution activities will occur in Suite P-Q, which has existing features to facilitate distribution activities including an overhead door and a port in which vehicles may enter/exit. The distribution activities are proposed to include detailed inventory, tracking, quality control, laboratory testing, and storage procedures in accordance with all state and local regulations. The proposed project would have three full-time employees and the hours of operation would be 10:00 a.m. to 7:00 p.m., seven days a week.

The project site has a land use classification of Commercial Services (CS) per the Humboldt County General Plan and is zoned Community Commercial (C-2) with a Noise Impact (N) overlay. The project site is a developed commercial shopping center, with a paved parking lot that includes 160 parking spaces. This manufacturing and retail/dispensary of the microbusiness utilizes four (4) suites and requires 4 parking spaces in addition to the 13 spaces required for the retail/dispensary facility. Electricity is provided by Pacific Gas and Electric (PGE), and measures to offset the carbon footprint of the manufacturing and distribution facilities will consist of a recycling program and opting to purchase only renewable energy from PGE.

The property is served by the McKinleyville Community Services District. Access to the project site is via Nursery Way, a paved county roadway. The County Public Works Department has determined that Nursery Way and the property's existing driveway are adequate to accommodate the proposed uses. Parking facilities are shared with other businesses on-site. The surrounding parcels to the north and east are zoned C-2, while land to the east and west of the project site is zoned Residential One-Family (R-1).

Within 600 feet of the project site, there are five (5) currently permitted cannabis projects three of which are located at 1551 Nursery way including Satori Wellness Dispensary (PLN-11177-CUP)),

Satori Wellness Café and Lounge (PLN-2019-15348), and High-Grade Distribution Co. (PLN-2018-15059). The fourth approved cannabis project within 600 feet of this project is Calyx Mountain Inc. Dispensary (PLN-11847-CUP) located at 1751 Central Avenue. The fifth project is AHMC for distribution, volatile manufacturing, processing, commercial nursery, and 10,000 square feet of indoor cannabis cultivation (PLN-13235-CUP).

The proposal is within 600 feet of a residential area, and Section 314-55.3.9.2 details that the Planning Commission shall specifically regulate the location commercial cannabis businesses considering the potential impacts and cumulative impacts of proposed commercial cannabis businesses as a whole and specifically on residential uses located within a 600-foot radius of a commercial cannabis business. Staff had prepared findings with respect to this Section in the Zoning Section of this report, under 313-55.4 et seq. The Ganjery, LLC, see "Location" discussion.

Directly to the west across Nursery Way is a residential neighborhood off Chanterelle Drive that is separated from Nursery Way by fencing. The homes along Chanterelle Drive face the opposite direction of the project. The nearest residence is located approximately 60 feet from Suite B-C off Chanterelle Drive. There is also a residential neighborhood directly to the South of Suite P-Q, which is approximately 30 feet from the nearest residence off Marty Avenue. The homes along Marty face the opposite direction of the project. The project parcel is separated from the residential parcels by an existing fence and there is no direct vehicular access from the homes to the project site. In addition, all activities associated with the proposed project will occur inside the existing commercial building which will have a secured, controlled entrance points.

Manufacturing

The Ganjery manufacturing division is proposing to conduct infusion activities in a portion of Suite B-C. The Ganjery manufacturing division will receive manufactured cannabis products sourced from other licensed manufactures to make infusions including but not limited to: edibles, tinctures, and topical ointments. Manufacturing would be conducted in separate, enclosed area of Suite B-C with restricted access and private entryway adjacent to the retail storefront portion of the microbusiness. There will be strict inventory recordkeeping procedures in place for all incoming and outgoing cannabis material. An employee of The Ganjery manufacturing division will assume the title of "Inventory Manager" and will uphold inventory protocol and maintain records. Each batch of finished cannabis product will be relocated to the distribution facility in Suite P-Q to await third party testing. The proposed security plan for the manufacturing division will include burglary alarm system, a dedicated password-protected entryway, commercial grade door locks, secured windows/roofs/ventilation systems, real-time security alarm system, sign-in/sign-out procedures, and other measures as outlined in the Facility Premises Security Plan.

Distribution

As part of the microbusiness, The Ganjery intends to engage in Distribution activities within suite P-Q. The distribution division proposes to have strict management procedures and employ unique identifiers including the licensee name, transaction date(s), and the origin of each cannabis product. All products will be weighed and separated into batches prior to licensed third party laboratory testing. An electronic database will be utilized to record the specifics of each type of product. Storage and tracking within the distribution division shall ensure that all cannabis goods batches are stored separately and distinctly from other cannabis goods batches within the distributor's area. The Ganjery distribution division may re-package and re-label cannabis and manufactured cannabis products for retail as long as the packaging and labeling is done pursuant to Section 26120 of MAUCRSA. The cannabis and manufactured cannabis products may come from other licensed operators or from The Ganjery manufacturing division.

Transportation procedures include proper state permitting, concealment, secure containment,

security measures (i.e. alarm systems), pre-planned routes, detailed labeling of transported goods, and separate transport of non-cannabis and cannabis goods.

Personnel involved with the transport of cannabis goods will be 21 years of age or older and either an employee or a contracted licensee of The Ganjery LLC. Prior to transporting cannabis goods, a shipping manifest will include testing and sampling information, sale tracking information of cannabis goods, and destruction or disposal information for cannabis goods.

Facility Premises Security Plan

The proposed security procedures include restricted access to persons employed with (or persons given explicit permission) The Ganjery and each person must be 21 years of age or older. Cameras will be monitoring in real time and recording the grounds of the property and within each suite of the complex. The distribution portion of the project proposes to have one (1) access point with admittance by key/code only. The entire facility is proposed to be equipped with a secure premises 24 hours a day seven (7) days per week by implementing strict limitations on human presence. Limited access areas will be clearly established and will only be accessible by authorized personnel. All cannabis products will be secured within locked storage to prevent diversion, theft, or loss.

Stormwater Management Plan

The project parcel is completely paved and has an existing stormwater drainage system. All the buildings have gutters which flow into storm drains. The parking area is sloped to divert rainwater to storm drains. The storm drains will be monitored for proper flow and if impeded, the landlord will be notified to mitigate the blockage(s).

Materials Management Plan

The Ganjery LLC proposes to receive products, materials, ingredients, labels, packaging, etc. All recyclable materials will be recycled. Other refuse will be hauled away weekly. Wastes produced as a result of the manufacturing and/or distribution division operations will be mixed with more than 50%, by weight, with cannabis material. This combination of waste will constitute as green waste and accepted as such by local green waste receiving facilities.

Sewage Disposal Plan

Suites B-C and P-Q have existing ADA restrooms for employees. They were installed with permits and are connected to the McKinleyville Community Services District sewer system. This project will not add a significant amount of waste water into the sewer system. Two (2) DEH worksheets were submitted as part of this application; one for the distribution facility and the other for the manufacturing facility.

Energy Plan

The proposed project is 100% supplied by grid power sourced from PG&E. The Ganjery LLC manufacturing division will be utilizing electric and natural gas appliances. There is one large commercial refrigerator for food-grade cannabis products. The distribution division will utilize small table top electric appliances. The existing retail division will use electricity in a normal sense, mostly lighting and computers. All energy use is compatible with existing infrastructure.

Noise Source Assessment

The project does not anticipate an increase in the existing ambient noise levels. Ambient noise levels normally vary with vehicular traffic within the complex parking area. Ambient noise levels were recorded by the applicant as follows:

- Outside the rear door of Suite B-C the measured ambient noise level was recorded at 40 decibels. When the refrigerator cooling unit is on, the noise level increases to 55 decibels. When one vehicle drives by the rear door of Suit B-C, the decibel level increases to 65.

- Outside the front door of Suite B-C the measured ambient noise level was recorded at 55 decibels.
- The ambient noise level for both the rear and front doors of Suite P-Q were measured at approximately 55 decibels. Suite P-Q does not contain a refrigeration unit. There is vehicular traffic both in front of and behind the Suite, as the alleyway functions as a thoroughfare to the adjacent suites within the complex.

Referral Comments

The Northern Humboldt School District requested a denial of the proposed project due to the school district receiving Federal and cites Federal law deeming cannabis illegal.

Public Comments

The County received an email August 22, 2019 citing previously witnessed suspicious activity in the neighboring 1581-1585 Central Avenue properties. Further, a plan for security was requested prior to project approval. A copy of the Operations Plan was provided in response. On August 23, 2019 a letter in opposition to the proposed project forecasting a negative impact on the community at large was received from the owners of Mickey's Quality Cars within 1,000 feet of the proposed project. In response, Mickey's Quality Cars was sent a notice of public hearing. On September 6, 2019 a letter in support for the proposed project from The Humboldt Green, LLC and 1 Degree Consulting.

Staff recommends that the Planning Commission describe the application as a part of the consent agenda, survey the audience to see if any person would like to discuss the application and, if no one requests discussion, make all the required findings based on the evidence in the record and approve the application subject to the recommended conditions.

The proposed project would be exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines.

Alternatives:

The Planning Commission could elect not to approve the project, or to require the applicant to submit further evidence, or modify the project. Modifications may cause potentially significant impacts, additional CEQA analysis and findings may be required. These alternatives could be implemented if the Commission is unable to make all of the required findings. Planning Division staff has stated that the required findings in support of the proposal have been made. Consequently, Planning staff does not recommend further consideration of the alternatives.

The Commission could also decide that the project may have environmental impacts that would require further environmental review pursuant to CEQA. Staff did not identify any potentially significant impacts. As Lead Agency, the Department has determined that the Project is categorically exempt from environmental review pursuant to Section 15301 of the CEQA Guidelines. However, the Commission may reach a different conclusion. In that case, the Commission should continue the item to a future date at least two months later to give staff the time to complete further environmental review.

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 19-
Application No. PLN-2019-15574
Assessor's Parcel Number (APN): 508-242-042-000**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves The Ganjery, LLC Conditional Use Permit request.

WHEREAS, The Ganjery, LLC submitted an application and evidence in support of approving the Conditional Use Permit for the operation of a microbusiness including adult use retail sales, manufacturing, and distribution occupying approximately 5,600 square feet within an existing commercial building located on APN 508-242-042; and

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

WHEREAS, that the proposed project meets the criteria to be considered categorically exempt from environmental review per Section 15301 (Existing Facilities) of the California Environmental Quality Act (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 (project number PLN-2019-15574); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on October 3, 2019.

NOW, THEREFORE, be it resolved, determined, and ordered by the Humboldt County Planning Commission that the following findings be and are hereby made:

1. The Planning Commission determined that the proposed project is categorically exempt from environmental review per Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines; and
2. The Planning Commission makes all of the required findings in Attachment 2 of the Planning Division staff report for Case Number PLN-2019-15574, based on the submitted substantial evidence; and
3. Conditional Use Permit PLN-2019-15574 is approved as a recommended and conditioned in Attachment 1.

Adopted after review and consideration of all the evidence on October 3, 2019.

The motion was made by Commissioner _____ and second by Commissioner _____.

AYES: Commissioners:

NOES: Commissioners:

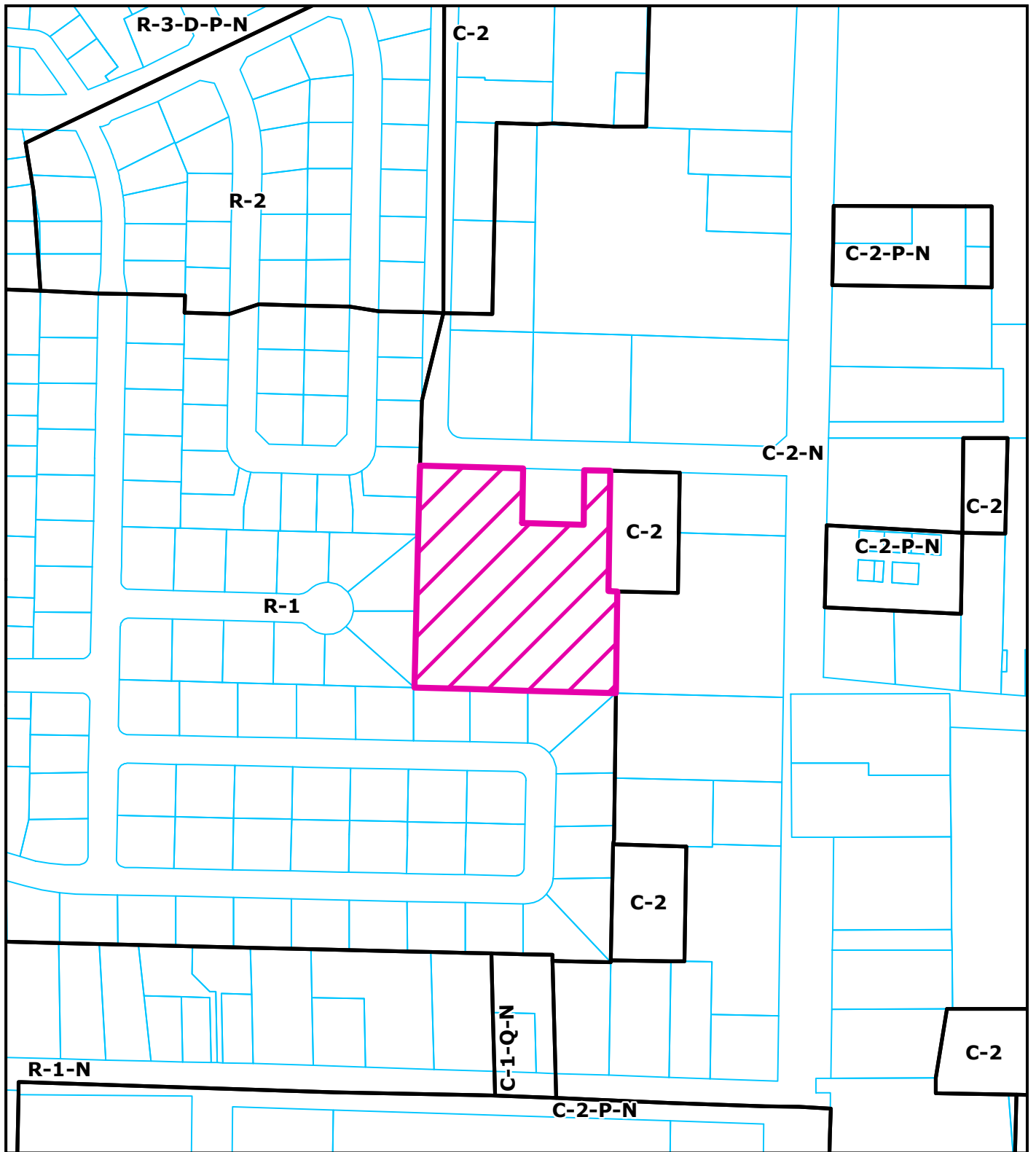
ABSENT: Commissioners:

ABSTAIN: 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



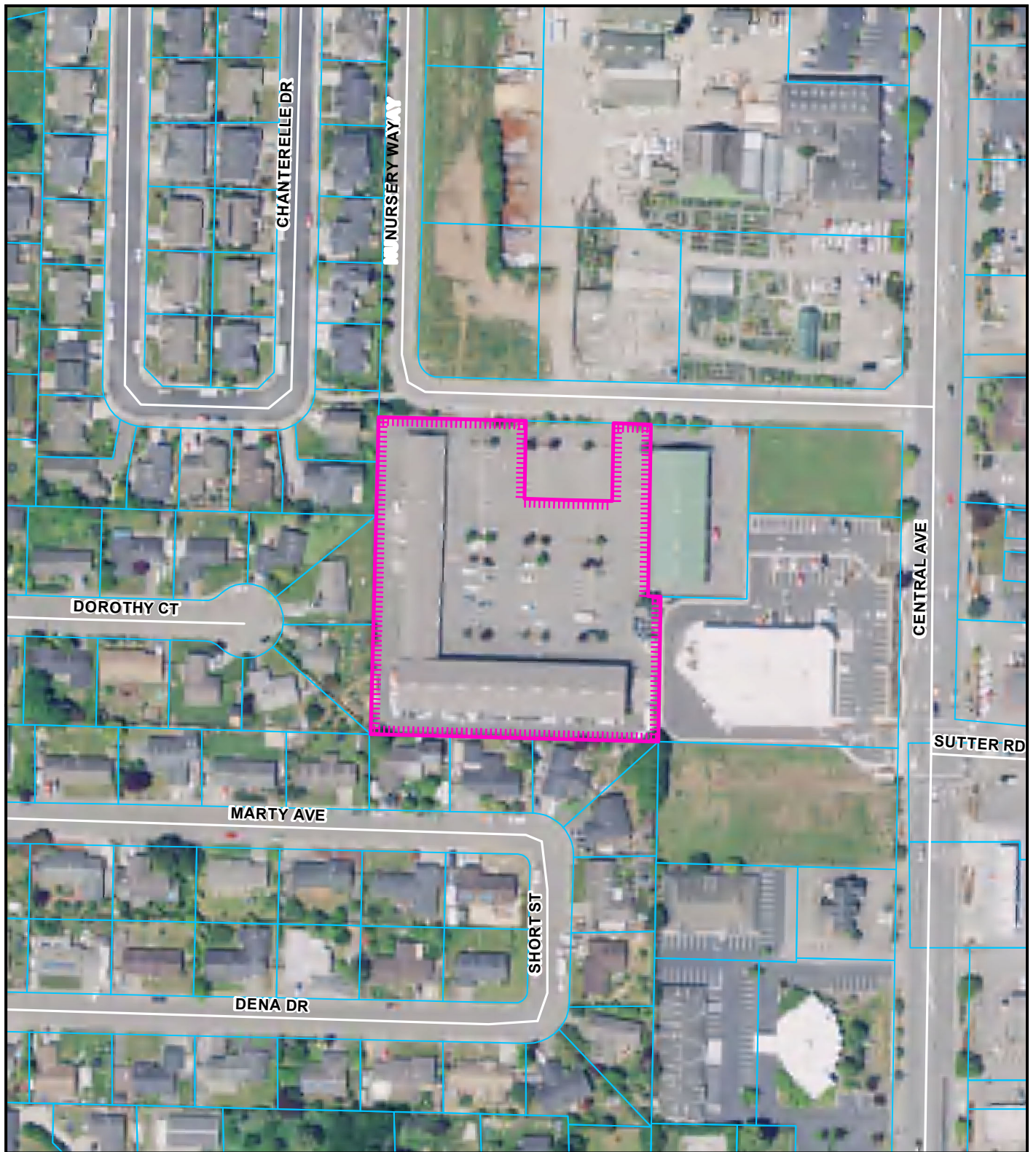
Project Area = 

ZONING MAP
PROPOSED THE GANJERY LLC
MCKINLEYVILLE AREA
PLN-2019-15574
APN: 508-242-042
T06N R01E S6 HB&M (ARCATA NORTH)

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.

0 305 610 Feet





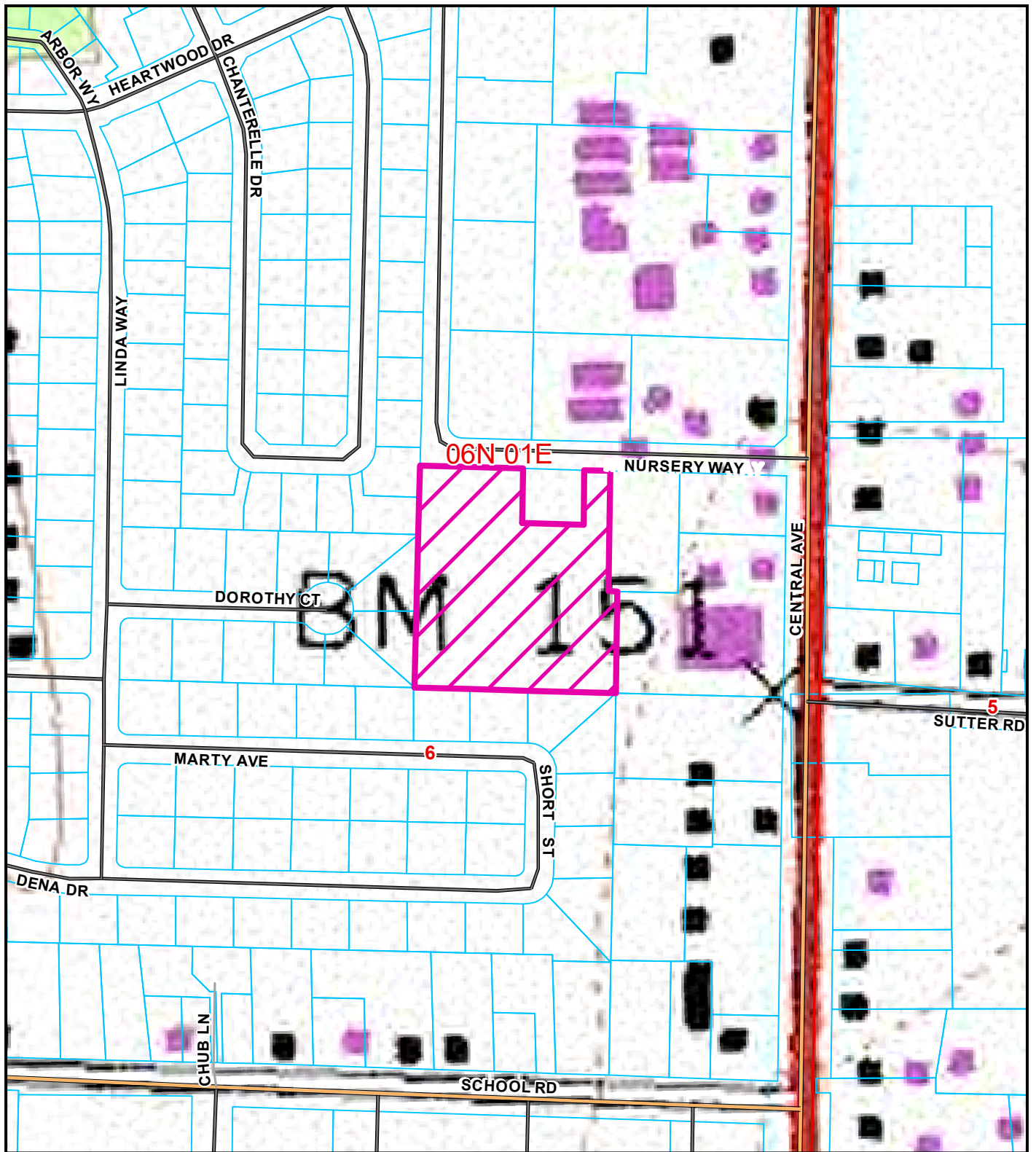
AERIAL MAP
PROPOSED THE GANJERY LLC
MCKINLEYVILLE AREA
PLN-2019-15574
APN: 508-242-042
T06N R01E S6 HB&M (ARCATA NORTH)

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.

0 215 430 Feet

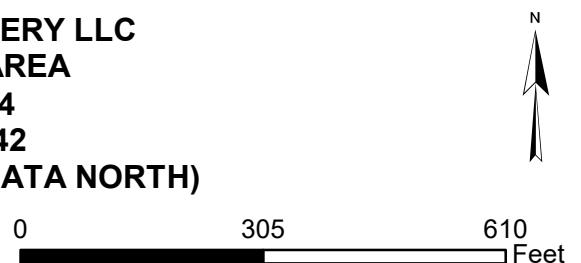




Project Area = 

TOPO MAP
PROPOSED THE GANJERY LLC
MCKINLEYVILLE AREA
PLN-2019-15574
APN: 508-242-042
T06N R01E S6 HB&M (ARCATA NORTH)

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.



RECEIVED
MAY - 9 2019
Humboldt County
Planning Division



APN: 508-242-042
OWNER:
D & R Miller Family LLC
400 G Street, Arcata, Ca 95521
707-498-6441

APPLICANT:
THE GANJERY, LLC
1580 Nursery Way Suite D
MCKINLEYVILLE CA 95519
707-362-6511

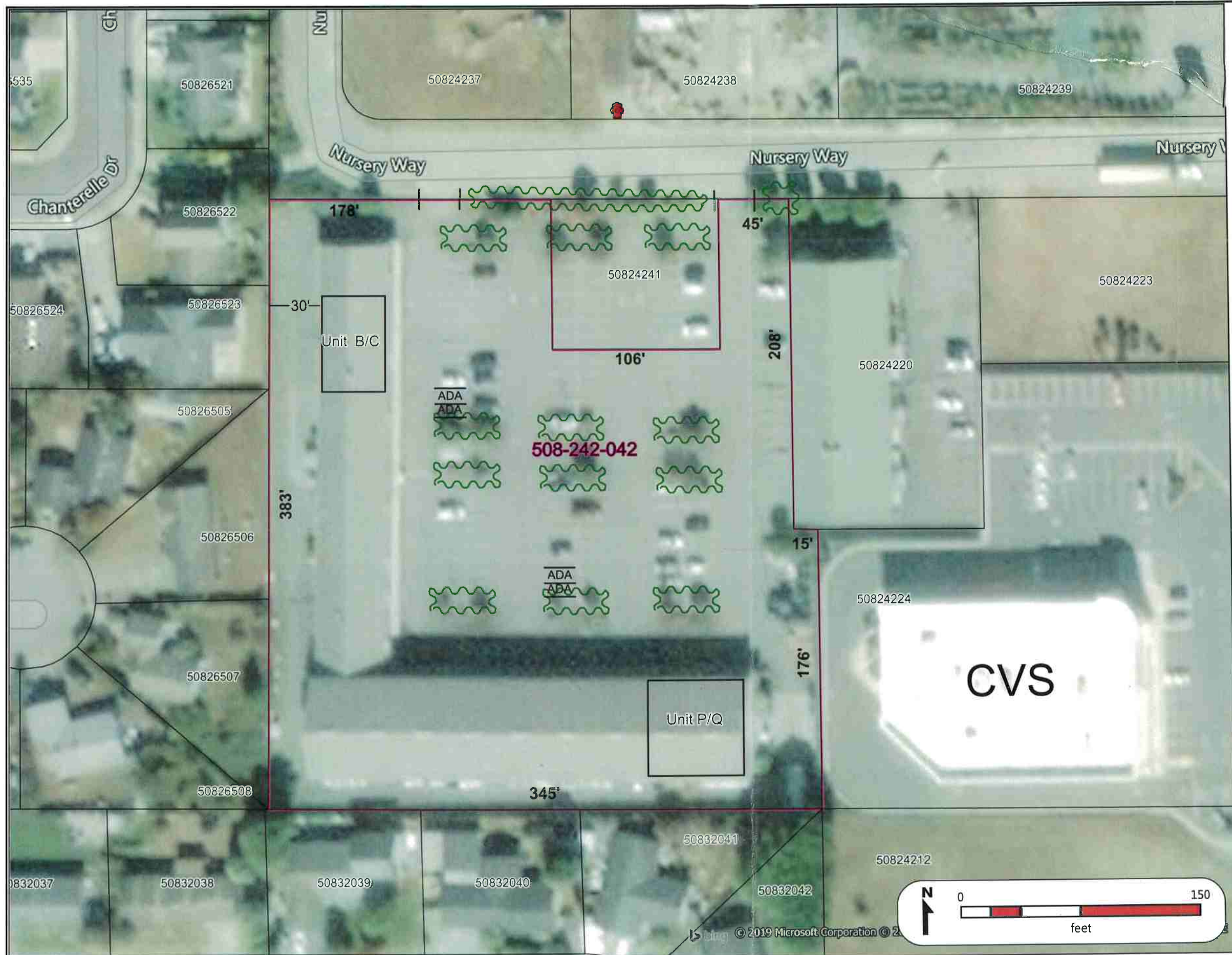
- > LEASE UNIT B/C FOR RETAIL & MANUFACTURING
- > ADDRESS IS ON BUILDING ADJACENT TO DOOR
- > LEASE UNIT P/Q FOR DISTRIBUTION
- > PARCEL IS PAVED WITH STORMWATER DRAINS
- > NO EASEMENTS
- > NO STREAMS
- > PARCEL IS NOT WITHIN 100 YEAR FLOOD ZONE.
- > NO HISTORICAL BUILDINGS
- > NO KNOWN ARCHAEOLOGICAL OR PALEONTOLOGICAL RESOURCES WITHIN 600 FT
- > NEAREST RESIDENCE IS 40 FEET FROM UNIT P/Q
- > NEAREST RESIDENCE IS 50 FEET FROM UNIT B/C
- > NO SCHOOL BUS STOP WITHIN 600 FEET OF PARCEL
- > BUILDING CONSTRUCTED 2004
- > ALL UTILITIES LOCATED UNDERGROUND
- > MUNICIPAL WATER AND SEWER



1580 NURSERY WAY, STE. D
MCKINLEYVILLE, CA 95519
(707) 890-6600

MARCH 27, 2019

SHEET 1 OF 5



RECEIVED
MAY -9 2019
Humboldt County
Planning Department

APN: 508-242-042
OWNER:
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400 G Street, Arcata, Ca 95521
707-498-6441

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1580 Nursery Way Suite D
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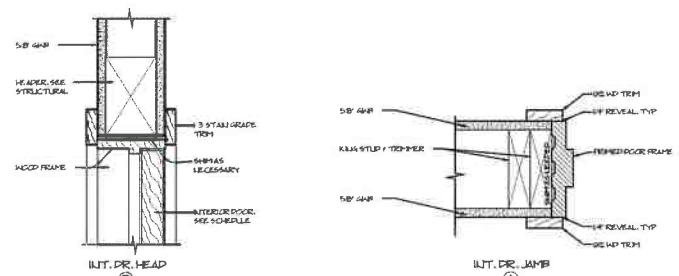
- LANDSCAPING
- FIRE HYDRANT
- ADA ADA PARKING

- > LEASE UNIT B/C FOR RETAIL & MANUFACTURING
- > ADDRESS IS ON BUILDING ADJACENT TO DOOR
- > LEASE UNIT P/Q FOR DISTRIBUTION
- > PARCEL IS PAVED WITH STORMWATER DRAINS
- > NO EASEMENTS
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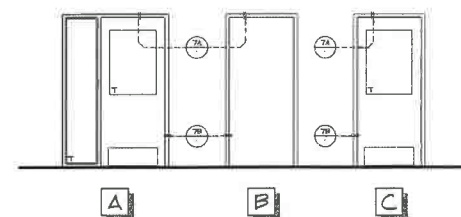
1580 NURSERY WAY, STE. D
McKINLEYVILLE, CA 95519
(707) 890-6600

MARCH 27, 2019 SHEET 2 OF 5

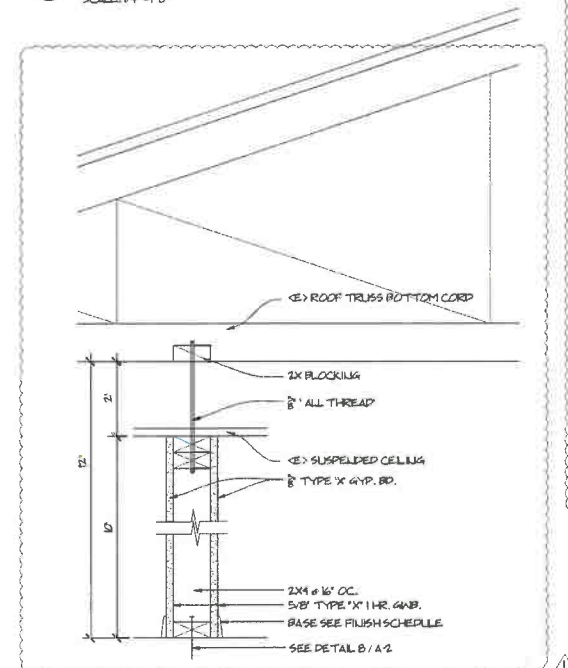
FINISH SCHEDULE									
#	ROOM NAME	FLOOR MFTL	WALL MFTL	BASE	WALLS	HEIGHT	CEILING		REMARKS
							MFTL	HEIGHT	
01	RETAIL / DISPENSARY	SEALED CALC	GNB	WOOD	U/A	U/A	<D-T BASE	9'-0"	
02	ENTRY CORRIDOR	SEALED CALC	GNB	WOOD	U/A	U/A	<D-T BASE	9'-0"	
03	PACK BAR	SEALED CALC	GNB	WOOD	U/A	U/A	<D-T BASE	9'-0"	
04	OFFICE	SEALED CALC	GNB	WOOD	U/A	U/A	<D-T BASE	9'-0"	
05	OFFICE	SEALED CALC	GNB	WOOD	U/A	U/A	<D-T BASE	9'-0"	
06	<D APA RESTROOM	GLASSY TLE	GNB	G.T.	PRP	8'-0"	GNB	10'-0"	
07	<D APA RESTROOM	GLASSY TLE	GNB	G.T.	PRP	8'-0"	GNB	10'-0"	
08	WALKER APA REST.	GLASSY TLE	GNB	G.T.	PRP	8'-0"	GNB	10'-0"	
09	OFFICE	SEALED CALC	GNB	PLUMBER	U/A	U/A	GNB	10'-0"	
10	PROCESSING AREA	GLASSY TLE	GNB	G.T.	PRP	8'-0"	GNB	10'-0"	



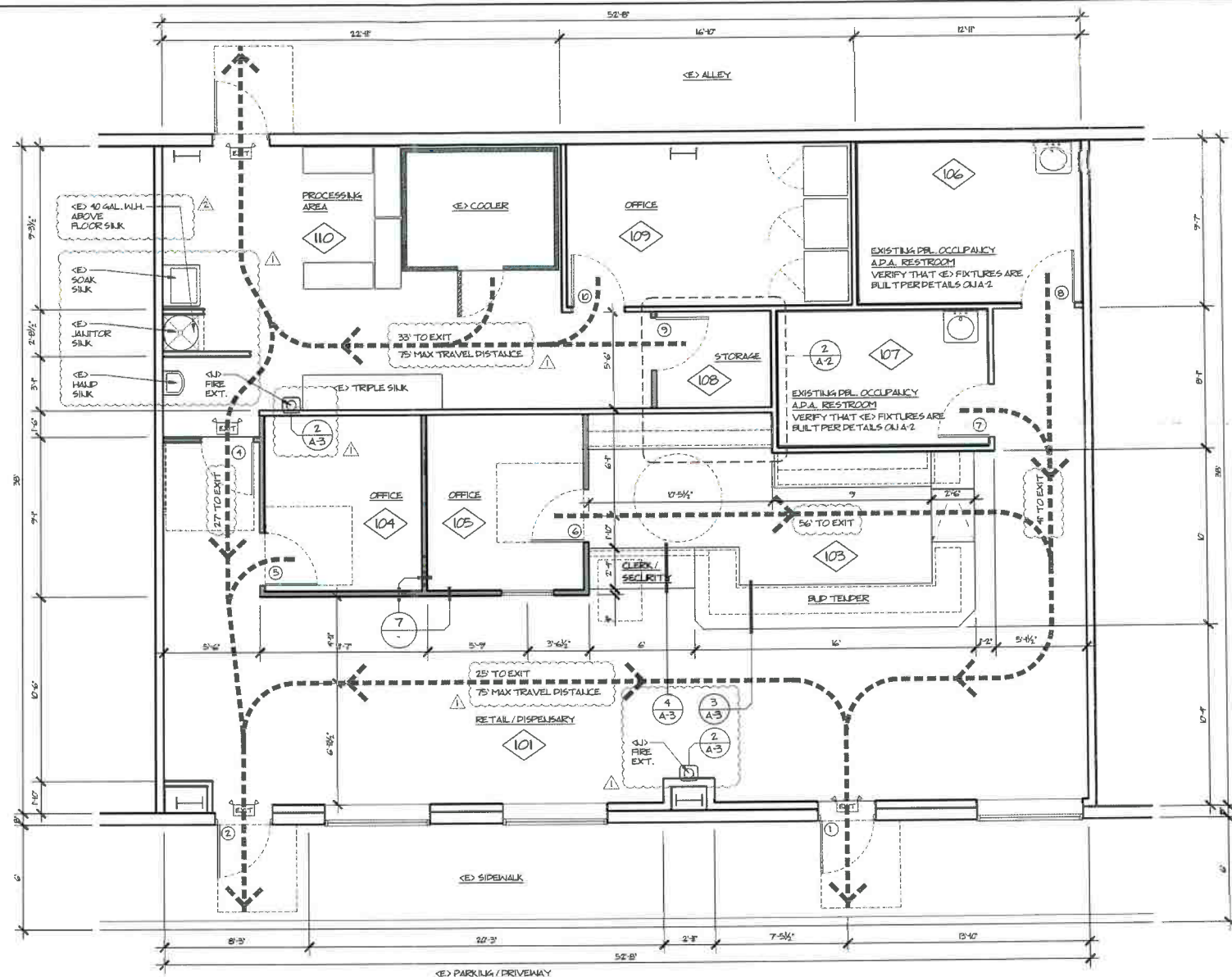
⑤ DOOR DETAILS
SCALE: 1" = 1'-0"



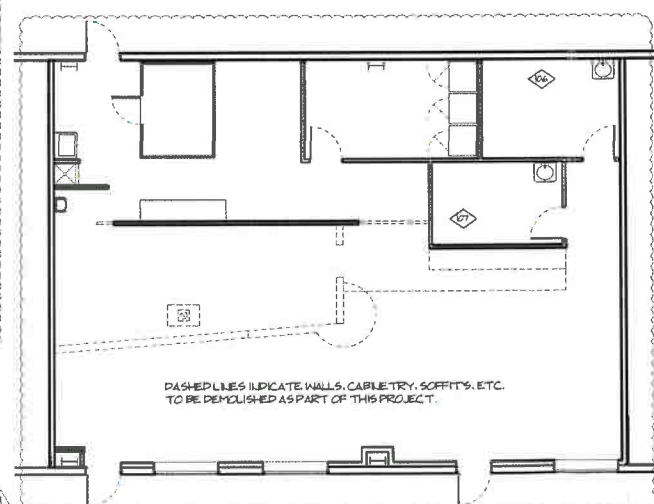
6 DOOR TYPES



⑦ WALL EXTENSION DETAIL
SCALE: N.T.S.



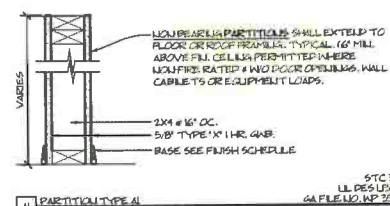
① FLOOR PLAN
SCALE: 1/4" = 1'-0"



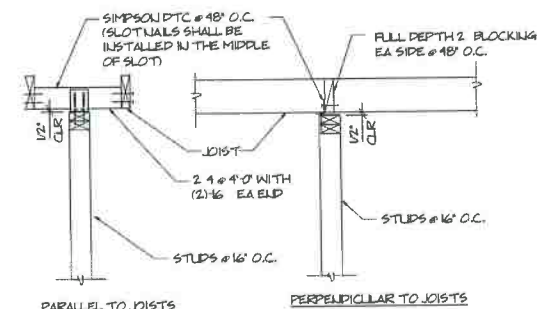
④ <E> / DEMO PLAN
SCALE: 1/8" = 1'-0"

PROJECT SCOPE

1. SEE DETAIL 4-1 FOR BRACKING ALL NEW WALLS.
2. ADD SINGLE OCCUPANCY A.P.A. RESTROOM (S) SUIT (S) SLAB, EXTEND PLUMBING, ETC.).
3. NEW WALLS SHAPED ON THIS FLOOR PLAN.
4. NEW A.P.A. CLERK COUNTER AND BLD TENDER COUNTER.
5. NEW INTERIOR DOORS AND WINDOWS, SEE SCHEDULE.
6. ABANDON (S) COOKING EQUIPMENT WITHIN THE NEW DISPENSARY.
7. NO CHANGE TO EXTERIOR FINISHES, WINDOWS OR DOORS.
8. DEMOLISH (S) ABANDON (S) SALVAGE GRILL HOOD SYSTEM IN THE OLD DISPENSARY.
9. DEMOLISH (S) DIVIDER WALL / COUNTER AS WELL AS ALL ELECTRICAL WITHIN THE WALL AND THE SUSPECTED SOFFIT ABOVE, AND IN THE SAME SHAPE AS THE COUNTER BELOW.



③ NEW WALL DETAIL
SCALE: 1" = 1'-0"



2 WALL BRACING DETAIL
SCALE: 1/4" = 1'-0"



P.O. BOX 702
FERNDALE, CA 95530
(707) 502-8939
DEROWNDISIGNS@HOTMAIL.COM

ALL DRAWINGS, DESIGNS, CONCEPTS, IDEAS AND
DETERMINATIONS DEPICTED WITHIN THESE
DOCUMENTS AND SPECIFICATIONS ARE THE
SOLE PROPERTY OF BROWN DESIGNS, AND ARE
EXTENDED TO BE USED IN CONNECTION WITH
THIS SPECIFIC PROJECT ONLY, AND SHALL NOT
BE USED IN WHOLE OR IN PART FOR ANY OTHER
PURPOSE WHATSOEVER WITHOUT THE
WRITTEN CONSENT OF DOUG BROWN

SIG  DATE 1/25/14
DESIGNER DOUGLAS BROWN
BROWN DESIGNS

GANJERY
DISPENSARY
TENANT IMPROVEMENT

UNIT B/C

1580 NURSERY WAY
MCKINLEYVILLE, CA 95570
707.442.7777

REVISIONS
1 HUMBOLDT CO. BUILDING DEPT. COMMENTS 10/29/18
2 HUMBOLDT CO. BUILDING DEPT. COMMENTS 12/27/18

DRAWN:	P.A.B.
SCALE:	AS NOTED
JOB NO.:	18023
DATE:	10/ 11/ 88
RELEASE DATE:	1/ 25/ 89
CAD NAME:	
SHEET NO.	

A-1



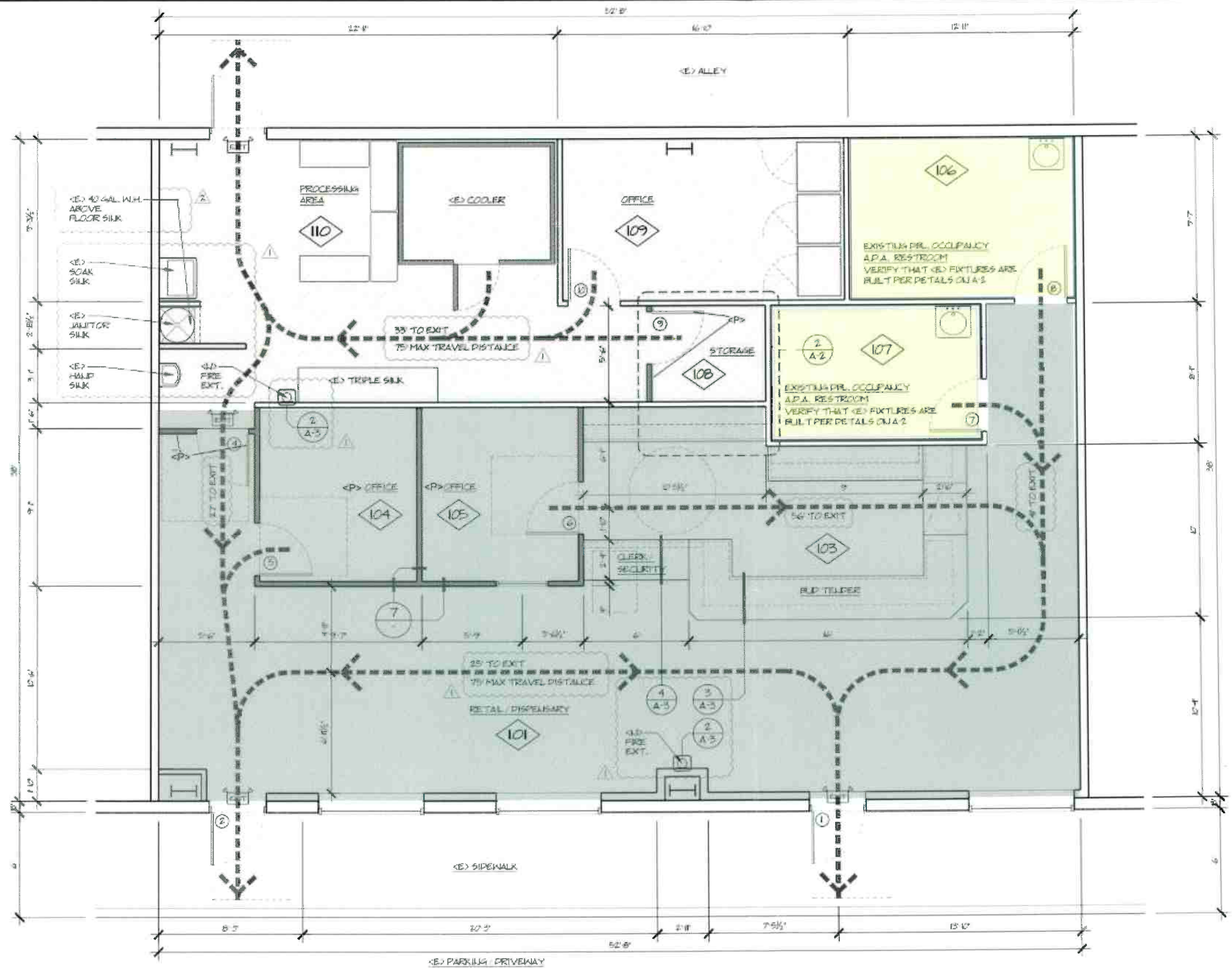
APN: 508-242-42
OWNER:
D & R Miller Family LLC
400 G Street, Arcata, Ca 95521
707-498-6441

APPLICANT:
THE GANJERY, LLC
1580 Nursery Way Suite D
MCKINLEYVILLE CA 95519
707-362-6511

COMMERCIAL ACTIVITY

- MANUFACTURING AREA
- COMMON AREA
- RETAIL AREA

UNIT B/C



FLOOR PLAN
NOT TO SCALE

1580 NURSERY WAY, STE. D
MCKINLEYVILLE, CA 95519
(707) 890-6600



APN: 508-242-042
OWNER:
D & R Miller Family LLC
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APPLICANT:
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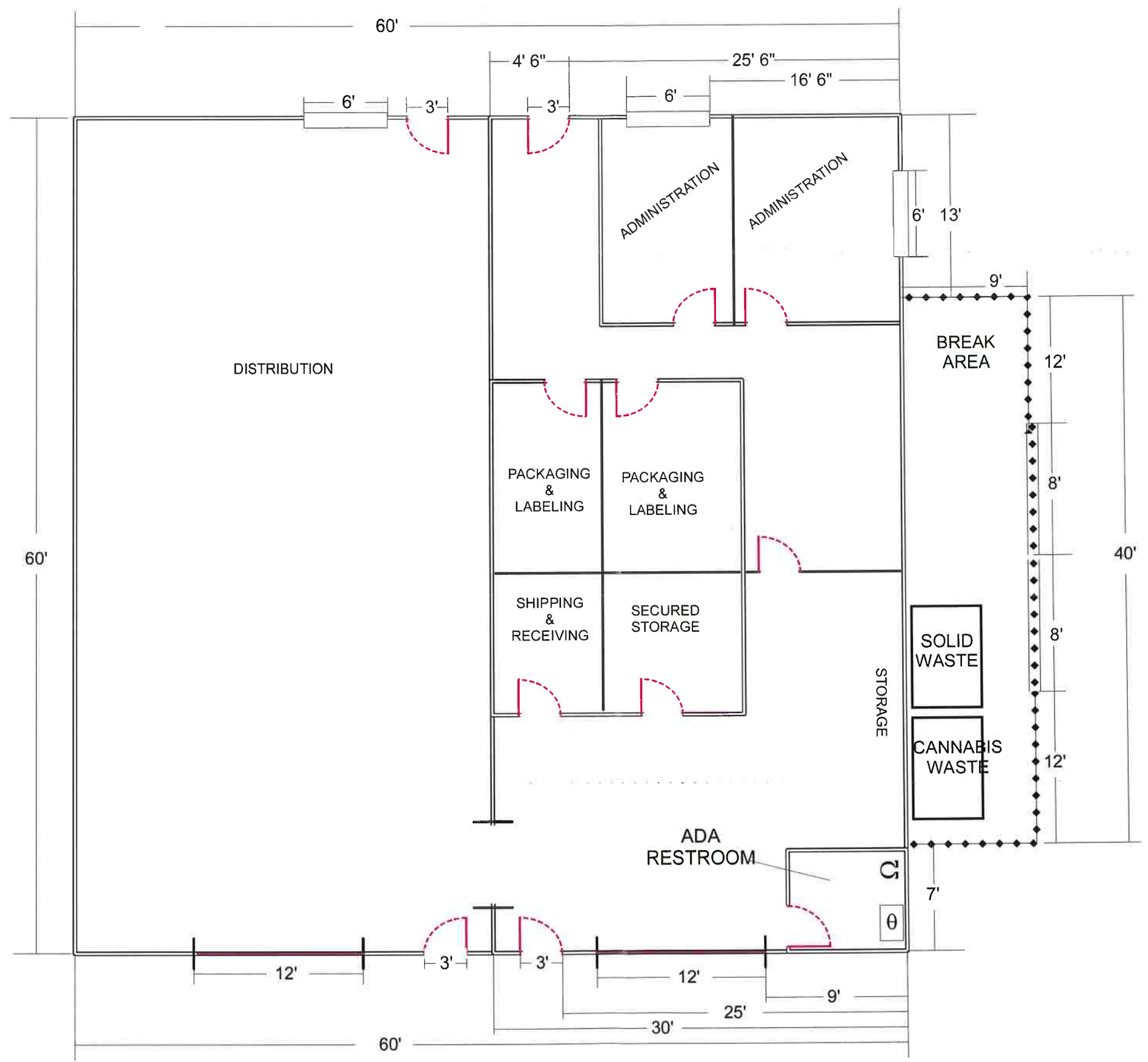
COMMERCIAL ACTIVITY
DISTRIBUTION AREA
PACKAGING / LABELING AREA
ADMINISTRATION AREA

UNIT P/Q
ALL CONSTRUCTION IS EXISTING

LEGEND

	WINDOW
	ROLL-UP DOOR
	FENCE
	GATE
	DUMPSTER

1580 NURSERY WAY, STE. D
MCKINLEYVILLE, CA 95519
(707) 890-6600



NOT TO SCALE

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 INITIATION OF OPERATIONS.

1. Building permits are required for all tenant improvements. All work done shall meet the current Structural, Electrical, Plumbing, and Mechanical Codes. Issuance of a building permit for the necessary tenant improvements, or written documentation from the Building Department that no building permits are required shall satisfy this condition.
2. The approved project 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.
3. 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.
4. Due to the project proximity to residential land uses and other commercial land uses, the project shall retain a security guard or designated staff member to monitor the parking lot during hours of operation and enforce the rules of the project, prohibiting loitering, smoking, or sharing of medicine on-site or in the vicinity. Project members who violate the terms
5. 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 (California Licensed HVAC Installer) for review and approval by the Building Official.
6. 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. All signs shall be installed in accordance with County Code Section 341-1 (Sight Visibility Ordinance).
7. Section 314-55.3.9.1 HCC, indicates that a Hazardous materials storage, handling, and disposal plan is to be developed for medical cannabis support facilities, approved by the Division of Environmental Health (DEH). The applicant is required to contact the DEH and secure a statement from that Division as to the need for preparation of this Report.
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.

Operation Restrictions:

1. The hours of operation shall be daily from 10:00 AM to 7:00 PM.
2. 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.

3. The project shall operate, at all times, in conformance with the provisions of Humboldt County Commercial Cannabis Land Use Ordinance (CCLUO) meeting all applicable the Performance Standards in Section 314-55.4.12.
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 follow the staff screening process as detailed on page 3 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 project shall "track and record the source of their marijuana," and keep records of its division and distribution.
9. 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.
10. The project shall 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.
11. 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.
12. 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.
13. The project shall participate in inspections to verify that all cannabis products are being 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.

14. Methods used to track inventories, quantities, and distribution between verified members will match "standard industry procedures" which includes the following:
 - All incoming medical cannabis 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
 - 'Quickbooks' or similar software shall be used as a point of sale to record transactions, inventory, invoicing, and revenue-related record keeping.
15. 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.
16. 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. All components of project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan.
2. Future signage proposals are subject to review and approval by the Planning Director.
3. Commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in Commercial Cannabis Land Use Ordinance (CCLUO), Humboldt County Code Section 314-55.4.1 et seq. and hereby incorporated by reference, and MAUCRSA as applicable by permit type. The requirements described are current at the time of approval but may be superseded or modified by changes to the laws and regulations governing commercial cannabis cultivation and associated activities.
4. 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.

5. For the life of the project, the project shall not result in a discernable odor at the property lines. 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.
6. Any Commercial Cannabis Activity Conditional Use Permit issued pursuant to the CCLUO shall expire after 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 [Reference Humboldt County Code Section 314-55.4.5.6].
7. 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 Conditional Use Permit or 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 re-inspection to determine whether or not the permit holder has cured all issues of non-compliance. Failure to request re-inspection or to cure any items of non-compliance shall terminate the Conditional Use Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to Humboldt County Code Section 314-4.5.8.
8. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CCLUO eligibility requirements, and agreement to permit terms and acknowledgments. The fee for required conformance with conditions review shall accompany the request. The request shall include the following information:
 - (1) Identifying information for the new Owner(s) and management as required in an initial permit application;
 - (2) A written acknowledgment by the new Owner in accordance as required for the initial Permit application;
 - (3) The specific date on which the transfer is to occur; and
 - (4) Acknowledgement of full responsibility for complying with the existing Permit; and
 - (5) Execution of an Affidavit of Non-diversion of Medical Cannabis.
9. 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.
10. 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.

11. The operation shall participate in the Medical Cannabis Track and Trace Program administered by the Humboldt County Agricultural Commissioner.
12. The project 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 consumed 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 handling;
 - c. Clean all equipment, counters and surfaces thoroughly; and
 - d. Dispose of any waste produced during the preparation or consumption 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 preparation and consumption 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 preparation or consumption 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 preparation or consumption of any Cannabis product and the step that individual performed.

13. Persons engaging in the preparation of any cannabis product shall:

- A. Be over 21 years of age.
- B. Not have been convicted of a felony for the illegal possession for sale, sale, manufacture, transportation, or cultivation of a controlled substance; a violent crime, as specified in subdivision (c) of Section 667.5 of the Penal Code; a serious crime, as specified in subdivision (c) of Section 1192.7 of the Penal Code; or a crime involving fraud, deceit, or embezzlement
- C. Ensure that all equipment, counters and surfaces used in the preparation or consumption of any Cannabis product is food-grade including ensuring that all counters and surface areas were constructed in such a manner that it reduces the potential for the development of microbials, molds, and fungi and can be easily cleaned.
- D. Ensure that all equipment, counters, and surfaces used in the processing or distribution of any Cannabis product are thoroughly cleaned after the completion of each Production Batch.
- E. Ensure that the appropriate safety or sanitary equipment, including personal protective equipment, is provided to, and appropriately used by, each person engaged in the preparation or consumption of any Cannabis product.

14. Consent to annual on-site inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday-Friday, 9:00am -5:00 pm, excluding holidays).

15. Pay all applicable application and annual inspection fees.

D. Informational Notes:

- 1. Pursuant to Section 314-55.4.6.5.7 of the CCLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state of county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity but in no event more than two (2) years of the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the Permittee within one (1) year of the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to section 314-55.4.6.5.7 of the CCLUO.
- 2. 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.
- 3. 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 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.

4. 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 Section 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 Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to Public Resources Code Section 5097.98. Violators shall be prosecuted in accordance with Public Resources Code Section 5097.99.

5. A Notice of Exemption (NOE) will be prepared and filed with the County Clerk for this project in accordance with State CEQA Guidelines. Within three days of the effective date of permit approval, it is requested that the applicant submit a check or money order for the required filing fee in the amount of \$50.00 payable to the Humboldt County Clerk/Recorder. If this payment is not received within this time period, the Department will file the NOE and will charge this cost to the project.

ATTACHMENT 2

REQUIRED FINDINGS FOR APPROVAL

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, Sections 312-1.1.2 and 312-17.1 of the Humboldt County Code (Required Findings for All Discretionary 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, Open Space Plan, and Open Space Action Program;
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 Department of Housing and Community Development in determining compliance with housing element law (the midpoint of the density range specified in the plan designation) unless the following written findings are made supported by substantial evidence: 1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the 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; and
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.

The following tables documents the evidence in support of making **all** of the following required findings.

1. The proposed development must be consistent with the General Plan, Open Space Plan, and Open Space Action Program. The following table documents 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, Open Space Plan, Open Space Action Program, and the McKinleyville Community Plan (MCP).

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Land Use Chapter 4	The Commercial Services (CS) designation is intended for heavy commercial uses and compatible light industrial uses serving day to day needs. A full range of urban services is required. Primary and compatible uses include heavy commercial, neighborhood commercial, retail sales and services, office and professional uses, warehousing, storage, and distribution, research and light industrial, civic uses, and subordinate residential uses.	The project proposes use of an existing commercial building as a commercial cannabis manufacturing and distribution facilities. Warehousing, storage, distribution, and light industrial facilities are allowed uses within the CS designated areas.
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) Related policies: C-P3, Consideration of Transportation Impacts in Land Use Decision Making.	Access to the project is off of Nursery Way, a paved public road, to a paved parking lot. The Public Works Department has indicated that the road is adequate to serve the proposed use and that no improvements are required.

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Conservation and Open Space Chapter 10 Open Space Section 10.2	Goals and policies contained in this Chapter relate to an Open Space and Conservation Program that is complimentary to other agencies' plans and that preserves the county's unique open spaces. (CO-G1, CO-G3) Related policies: CO-P1, Conservation and Open Space Program; CO-P12, Development Review, CO-S1. Identification of Local Open Space Plan, and CO-S2. Identification of the Open Space Action Program.	The project can be found consistent with the Open Space Plan and Open Space Action Program because the proposed project is consistent with the allowable uses of the Land Use Designations. The project site is fully paved, and no additional structures are proposed. Therefore, the project is consistent with and complimentary to the Open Space Plan and its Open Space Action Program.
Biological Resources Section 10.3	Protect designated sensitive and critical resource habitats.	There are no mapped sensitive habitat areas on the proposed project parcel or in the vicinity. There are no known threatened or endangered species on the parcel. The parcel is paved, and the use will be conducted within an existing structure.
Cultural Resources Section 10.6	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)	No new construction is proposed, so no ground disturbance will occur. Nonetheless, the project is conditioned to include an inadvertent discovery protocol should the project encounter undocumented cultural resources.
Safety Element Chapter 14 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	The parcel is in an area of Low Fire Hazard rating and within the Arcata Fire Protection District (AFPD) Local Responsibility Area. AFPD recommended approval of the project with no conditions.
Safety Element Chapter 14 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)	According to the Flood Insurance Rate Map (FIRM) Panel No. 06023 C0680G, the project site is located within an area minimal flood hazard.

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Safety Element Chapter 14</p> <p>Geologic & 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; and S-P7, Structural Hazards.</p>	<p>Geologic hazard maps show the property to be relatively stable with a slope of less than 5%. Since no new exterior construction is proposed, no soils report is required. People and property on the project site will not be unnecessarily exposed to geologic and seismic risks.</p>
<p>Air Quality Chapter 15</p>	<p>Goals and policies contained in this Chapter relate to improved air quality to meet current and future state and federal standards, including attainment of particulate matter requirements (AQ-G1, AQ-G2, AQ-G3) and the successful reduction of greenhouse gas emissions to levels consistent with state and federal requirements. (AQ-G3)</p> <p>Related policies: AQ-P4, Construction and Grading Dust Control, AQ-S1. Construction and Grading Dust Control, AQ-P7. Interagency Coordination.</p>	<p>No ground disturbance is proposed for this project.</p> <p>As a conditional of approval, 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 (California Licensed HVAC Installer) for review and approval by the Building Official.</p>

2. Zoning Compliance and 3. Conforms with applicable standards and requirements of these regulations: The following table documents the evidence which supports finding that the proposed development is in conformance with all applicable policies and standards in the Humboldt County Zoning Regulations and the Humboldt County Commercial Cannabis Land Use Ordinance (CCLUO).

Zoning Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
§312-1.1.2 Legal Lot Requirement	Development permits shall be issued only for a lot that was created in compliance with all applicable state and local subdivision regulations.	The parcel of land known as APN 508-242-042 was created in its current configuration by an approved lot line adjustment (file number LLA-03-16), and is referred to as Parcel B in the Notice of Lot Line Adjustment and Certificate of Subdivision Compliance recorded as document 2005-34383 of Official Records on October 11, 2005. There is no evidence indicating there have been any subsequent acts to merge or divide this parcel. Therefore, the subject parcel was lawfully created in its current configuration and can be developed as proposed.
§314-2.2 Community Commercial §314-29.14 Noise Impact (N) combining zone:	The C-2 zone allows for commercial facilities that are of a light commercial character, conducted completely within an enclosed building. The Noise Impact (N) combining zone establishes regulations to maintain within single family and multi-family structures and within structures designed for transient habitation, low exposure to levels of noise associated within airports and major roads.	The proposed project is a Conditional Use Permit for microbusiness facilities conducted completely within an enclosed building. The proposed facility is specifically allowed with a Conditional Use Permit in this zone district under Section 314-55.4.5.1.4. of the Commercial Cannabis Land Use Ordinance (CCLUO). In adherence with Section 314-55.4.12.6, the applicant measured ambient noise levels in accordance with the specifications of the section.
Development Standards	Community Commercial Zone (C-2)	
Minimum Lot Area:	2,000 sq. ft.	The subject parcel is 2.74 acres in size.
Max. Lot Coverage:	(None specified)	N/A
Min. Yard Setbacks	Front: None, except that where frontage is in a block which is partially in a Residential Zone (RS, R-1, R-2, R-3, R-4) the front yard shall be the same as that required in such Residential Zone. Rear: Fifteen feet (15') except that where a rear yard may not be less than five feet (5').	Front: There are no residential zones on the block of the project site so no front yard setback required. Rear: 28 feet Side: 35 feet.

Zoning Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
	Side: None, except that a side yard of an interior lot abutting on a Residential Zone (RS, R-1, R-2, R-3, R-4) or Agricultural Zone (AE, AG) shall be no less than the front yard required in such Residential Zone or Agricultural Zone.	
Max. Building Height:	75 feet	Single story, less than 20 feet.

<p>Special Regulations:</p> <p><u>§314-31.1.4 Off-Street Parking Industrial Uses Management.</u> The parking requirements for office space associated with industrial uses shall be the same as identified for commercial type offices, or one (1) parking space for every 300 square feet of gross floor area plus one (1) space for each employee.</p> <p><u>Manufacturing.</u> The higher of one parking space for each 1,500 square feet of gross floor space within all enclosed building areas or one (1) parking space for each employee at the peak shift. A minimum of two (2) parking spaces are required.</p> <p><u>Warehouse.</u> The higher of one (1) parking space for every four (4) employees or one (1) parking space for each 2,500 square feet of gross floor area.</p> <p><u>Loading Spaces Required.</u> One (1) loading space for each 20,000 square feet of gross floor area, or portion thereof.</p>	<p>The proposed commercial cannabis distribution and manufacturing facilities would occupy 5,600 square feet tenant space within an existing commercial building. The proposed project and the adjacent leased space (not associated with the project) requires two (2) spaces for the manufacturing facility and two (2) spaces for the distribution facility, as there would be a maximum of three (3) full time employees and additional parking spaces. The parking requirement for the permitted distribution and manufacturing facilities. Based on the parking analysis provided, the parking lot contains 160 parking spaces, and therefore, adequate parking exists to accommodate the manufacturing and distribution facilities.</p> <p>There are adequate loading and unloading spaces located around the building.</p>
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314-55.4 Commercial Cultivation, Processing, Manufacturing, Distribution, Testing and Sale of Cannabis Land Use Regulation for the Inland Area of the County of Humboldt – Commercial Cannabis Land Use Ordinance (CCLUO)

Zoning Section and Summary of Applicable Requirement	Evidence that Supports the Required Finding
<p>Eligibility Criteria</p> <p>§314-55.4.6.3.1: Energy Source Electricity must be exclusively provided by a Renewable Energy Source, meeting the Performance Standard for Energy Use.</p>	<p>PGE will provide power for all the proposed facilities operations. The applicant has chosen to purchase only renewable energy from PGE as outlined in the Operations Manual. The project as proposed and conditioned in the operating restrictions section of approval will meet the requirements of HCC Section 314-</p>

	55.4.6.3.1.
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Zoning Section and Summary of Applicable Requirement	Evidence that Supports the Required Finding
<p>§314-55.4.5.1.1 No Commercial Cannabis Activity shall be permitted within six hundred feet (600') of a school.</p> <p>§314-55.4.5.1.2 No Commercial Cannabis Activity shall be permitted within Tribal Lands without the express written consent of the Tribe.</p>	<p>As discussed above for finding of conformance to HCC Section 314-55.4.65.4.4(c), there are no schools within 600 feet of the project site. The site is not located within tribal lands. The evidence supports a finding of consistency with the cited section.</p>
<p>§314-55.4.5.1.4 a) A Conditional Use Permit shall be required for any Commercial Cannabis Activity where located within the Sphere of Influence (SOI) of any incorporated city or within any of the following mapped Community Planning Areas (CPA's)... McKinleyville... A Conditional Use Permit shall also be required for any Commercial Cannabis Activity where located within one thousand feet (1,000') of any incorporated city, Tribal Lands, or any of the Community Planning Areas (CPA's) identified herein.</p>	<p>The subject property is located in the McKinleyville Community Planning Area. The project, however, is not located within 1,000 feet of any tribal lands. The project application includes a Conditional Use Permit.</p>
<p>§314-55.4.5.1.4 b) Early Notification to Surrounding Areas, nearby Cities, and Tribes. Whenever a permit application for a Commercial Cannabis Activity is located within any of the areas specified in Sections 55.4.5.1.4(a) and has been determined complete for processing in accordance with Section 312-6.1, notice of the proposed project shall be provided to all property owners and occupants by first class mail to the address(es) shown on the latest Assessment Roll within one thousand feet (1,000') of the perimeter of the parcel on which a permit is being requested. The notice shall include the location of the project and a description of the size and type of activity proposed.</p>	<p>Early notification was provided by way of the mailing of a Notice of Application (NOA) to all property owners and occupants within 1,000 feet of the perimeter of the subject property.</p>

§314-55.4.5.1.4 c) The Hearing Officer shall consider the potential impacts and cumulative impacts of proposed cannabis activities upon the community as a whole, including impacts to neighboring uses within Cities or their SOI's and buffers, and to residents within CPA's, or Tribal land. The Hearing Officer shall have the discretion to deny any discretionary permit application within these areas if it is found, based on substantial evidence in the record, that the impacts of a proposed activity on the existing uses will have a significant adverse effect on the public health, safety, or welfare.	The subject property is located in the McKinleyville Community Planning Area. The project, however, is not located within 1,000 feet of any tribal lands. The project approval will result in a Microbusiness: distribution, manufacturing, and existing retail sales/dispensary businesses in an existing enclosed structure and will not result in any additional impacts. The project implementation in accordance with the proposal and conditions of approval will not have a significant adverse effect on the public health, safety, or welfare.
§314-55.4.11 Application Requirements Identifies the Information Required for All Applications	Attachment 3 identifies the information submitted with the application, and shows all the required information was received.
§314-55.4.12.1.8 Performance Standards–Road System	As discussed above, Nursery Way will provide access to the project site. Nursery Way is a paved roadway and is adequate to serve the proposed use.
§314-55.4.12.5 Performance Standards–Energy Use All electricity utilized by Commercial Cannabis Cultivation, Manufacturing or Processing activities shall conform to one or more of the following standards: <ul style="list-style-type: none"> • 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. 	Electricity will be supplied by Pacific Gas and Electric Company (PGE). The applicant has chosen to purchase only renewable energy from PGE as outlined in the Operations Manual. To ensure compliance with this requirement for the life of the project, the cited performance standard is incorporated into the under the operating restrictions within the Conditions of Approval, Attachment 1.

4. **Public Health, Safety and Welfare.** The following table identifies the evidence which supports finding that the proposed development will not be detrimental to the public health, safety and welfare or materially injurious to properties or improvements in the vicinity.

Code Section	Summary of Applicable Requirements	Evidence that Supports the Required Finding
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§312-17.1.4	The proposed development will not be detrimental to the 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.
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5. Residential Density Target: The following table documents 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
§312-17.1.5 Housing Element Density	The proposed development does 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 mid-point 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 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.	The proposed project involves operation of a Microbusiness including distribution, manufacturing, and an already approved adult use retail/dispensary facilities on lands designated "Commercial Services (CS) and zoned C-2 Community Commercial. No residences exist on the parcel. The parcel was not inventoried as source of potential residential units. Therefore, the 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.

6. Environmental Impact: The following table identifies the evidence supports the finding that the proposed development will not adversely impact the environment.

Code Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
§15301 of CEQA Guidelines	Categorically exempt from State environmental review.	The project has been determined to be exempt from CEQA pursuant to Sections 15301 – Existing Facilities of the Guidelines for the Implementation of CEQA. Section 15301 exempts from environmental review the operation, repair maintenance, permitting, licensing, or minor alteration of existing private structures or facilities where involving negligible or no expansion of use. The proposed development will occupy 5,600 square feet of an existing structure Suites B-C and BP-Q). The project site is an urbanized area served by community water and on-site sewer. The proposed use within the existing building will not result in any significant adverse impact on the environment because the lot is approximately 119,354 square feet in size and the proposed use will occupy a portion of an existing building on the property. Per the submitted evidence and agency responses none of the exceptions to the Categorical Exemption per Section 15300.2 of the State CEQA guidelines apply to this project.

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:

- Application Form [on file]
- Organizational Documents [on file]
- Grant Deed [on file]
- Indemnification Agreement [on file]
- Acknowledgement Form [on file]
- Consent for On-site Inspection [on file]
- Operations Manual [attached]

GANJERY, LLC

1580 Nursery Way Suites B-C & P-Q

APN: 508-242-042

PLAN OF OPERATIONS

MICROBUSINESS

- **Manufacturing (Infusion)**
- **Distribution**
- **Retail (Storefront & Delivery)**
 - **CUP16-140**
 - **BLD-2018-48193**
 - **C10-18-0000155-TEMP**

Agent:

1 Degree Consulting, a Division of Humboldt Green, LLC

1580 Nursery Way Suite D

Joe Moran, General Manager

(707) 890-6600, Joe@GoHumboldtGreen.com

APPLICANT & PARCEL INFORMATION:

The applicant, Ganjery, LLC, is applying for a Special Permit through Humboldt County's CCLUO to operate a Microbusiness at 1580 Nursery Way in McKinleyville, APN# 508-242-042. Ganjery has received a Conditional Use Permit (CUP16-140), a copy is included in this application package, from Humboldt County Planning Division to operate the retail portion of the proposed microbusiness in Suite B-C on the parcel. A cannabis Application/Permit Transfer Request Form was filed, a copy is included in this application package (dated September 6, 2018), to transfer the C.U.P. to *Ganjery, LLC*. Ganjery also has secured a Temporary Retail License (C10-18-0000155-TEMP) from the Bureau of Cannabis Control (BCC) which is valid through July 12, 2019, a copy is included in this application package. Ganjery is also applying to the BCC for their annual Retail license, and anticipates securing that prior to the temporary expiring.

The parcel is 2.7 Acres zoned C-2-N (Community Commercial – Noise Impact) and is currently the home of multiple small businesses including Northcoast Horticulture Supply and 1 Degree Consulting, a Division of Humboldt Green. The premises will consist of two (2) – double suites. Suite B-C will include the Retail and Manufacturing activities, while Suite P-Q will include all Distribution and administrative activities.

PROJECT SUMMARY:

Ganjery LLC. is seeking a Special Permit from Humboldt County Planning Division under the CCLUO to commercially operate a Microbusiness at 1580 Nursery Way Suite B-C, P-Q. The proposed microbusiness activities are Manufacturing (Infusion Type N), Distribution, and Retail - Storefront. The intention of this application is to obtain a special permit for a microbusiness that includes CUP16-140 to operate the retail storefront, while applying for the manufacturing and distribution activities. The manufacturing activities would take place in a portion Suite B-C, and the distribution activities would take place in Suites P-Q.

The ultimate goal for Ganjery is to obtain a Type-12 Microbusiness license from the Bureau of Cannabis Control. ***During the county and state application processes, Ganjery's commercial cannabis activities will be limited to retail sales under their local CUP and state temporary license. When the retail application was submitted, Microbusiness was not an option at that time. Now that we are applying for the Microbusiness, we respectfully request that this application be considered as a "Support Facility", which will assist other commercial cannabis operators enter the marketplace, and have this application fast tracked.***

NEW CONSTRUCTION/TENANT IMPROVEMENTS

Ganjery has applied to the Building Department (BLD-2018-48193) for proposed tenant improvements in Suite B-C for the retail storefront and manufacturing activities. The plans have been approved and construction will begin in April 2019.

Ganjery retail division will utilize the front portion of Suite B-C. They may use the back portion of Suite B-C for storage of documents and non-cannabis goods. When the manufacturing activities are permitted under local and state authorization, the Retail area will be limited to the front portion of Suite B-C. We anticipate this microbusiness county permit application and state license application will take many months.

DESCRIPTION OF MANUFACTURING ACTIVITIES

General:

Ganjery manufacturing division is proposing to conduct infusion activities in a portion of Suite B-C. They would receive manufactured cannabis products sourced entirely from other licensed manufacturers. Ganjery manufacturing division will use manufactured cannabis products to make infusions including but not limited to: edibles, tinctures and topicals. This would occur

within Suite B-C unit of the property in a separate enclosed area adjacent to the retail storefront portion of the microbusiness. All manufacturing activities including receiving manufactured cannabis products and transfer of final product to the distribution portion of the microbusiness would be conducted in separate, enclosed area of Suite B-C with restricted access and a private entryway.

Inventory Procedures

Ganjery manufacturing division will be responsible for maintaining strict inventory records of all incoming and outgoing cannabis material. An employee of Ganjery manufacturing division will assume the title of "Inventory Manager" and will uphold inventory protocol and maintain records. The records will include information about incoming raw material and manufactured cannabis products and information about outgoing manufactured cannabis batches.

Incoming raw material and manufactured cannabis products:

- (1) The licensee's name and license number, and the batch number.
- (2) The date of entry into the storage area of Ganjery's manufacturing facility.
- (3) The unique identifiers and batch number associated with the batch.
- (4) A description of the cannabis goods with enough detail to easily identify the batch.
- (5) The weight of or quantity of units in the batch.
- (6) The best-by, sell-by, or expiration date of the batch, if any.

Outgoing manufactured cannabis batches including:

- (1) Chain of custody paperwork in the Track and Trace system from the incoming plant material (i.e. the manufacturer or cultivator's name and license number who provided the batch.)
- (2) The date of delivery the quarantine area of Ganjery's Distribution facility.
- (3) The date of sampling by a licensed testing lab employee for each manufactured batch.
- (4) The results from the licensed testing lab when returned.
- (3) The unique identifiers and batch number associated with each manufactured batch.
- (4) A description of the cannabis goods with enough detail to identify each manufactured batch.
- (5) The weight of or quantity of units in each manufactured batch.
- (6) The best-by, sell-by, or expiration date of each manufactured batch, if any.

Storage and tracking:

Ganjery manufacturing division shall ensure that all cannabis goods batches are stored separately and distinctly from other cannabis goods batches within the manufacturing area. Ganjery manufacturing division shall ensure a label with the following information is physically attached to each container of each batch:

- (1) The licensee's name, license number, and the batch number.
- (2) The date of entry into the manufacturer's storage area.
- (3) The unique identifiers and batch number associated with the batch.
- (4) A description of the cannabis goods with enough detail to easily identify the batch.
- (5) The weight of or quantity of units in the batch.
- (6) The best-by, sell-by, or expiration date of the batch, if any.

Quality control Procedures

Ganjery manufacturing division will maintain quality control procedures at the manufacturing facility. This includes temperature and humidity control in all storage areas. All products will be stored separately based on product type and batch in appropriate areas.

After the manufacturing process is complete and the product has been assigned a batch number it will be transported by foot to Ganjery distribution division located in Suite P-Q to await testing.

Each batch of finished product will be stored in the distribution facility until sampled by a third party for the testing of potency, residual solvents, chemical contaminants and biological pathogens. Results will then be used to determine potency, terpene and cannabinoid content and ensure product safety. Lab results will be attached to and permanently included with chain of custody paperwork in the Track and Trace system from the incoming cannabis material.

Once results are received, the manufactured cannabis product will then be processed and packaged specifically for the desired end use.

Extract for infusions, inhalable products and other cannabis products will be stored in a refrigerator onsite. These extracts will be stored with chain of custody paperwork until processed and labeled for sale.

Any finished products will be packaged with a primary and secondary panel and labeled, entered into the Track and Trace system, and securely stored onsite in the distribution facility until ready for transportation to a retailer or another distributor. This process is further explained in the *Description of Distribution Activities*.

Manufacturing Security Plan

- Ganjery manufacturing division shall maintain a commercial burglar alarm monitoring system. Ganjery manufacturing division and retail division (Unit B-C) will have a separate point of access with an access code specific for their areas. Only owners, employees and other authorized personnel of Ganjery will have access to the security code required for entry.
- Ganjery manufacturing division will prevent access to the manufacturing area by unauthorized persons and protect the physical safety of employees by:

1. Establishing physical barriers to secure perimeter access and all points of entry into the premises by locking primary entrances with commercial grade, non-residential door locks, and securing any secondary entrances including windows, roofs, or ventilation systems;
 2. Installing a real-time security alarm system operated by Advanced Security to notify and record incident(s) where physical barriers have been breached;
 3. Establishing an identification and sign-in/sign-out procedure for authorized personnel, suppliers, and visitors;
 4. Maintaining the premises such that visibility and security monitoring of the premises is possible; and
 5. Establishing procedures for the investigation of suspicious activities.
- Other Security measures and protocols are outlined in the Facility/Premises Security Plan later in this document.

DESCRIPTION OF DISTRIBUTION ACTIVITIES

General

As part of the Microbusiness, Ganjery intends to engage in Distribution activities. Ganjery distribution division activities will occur in Suite P-Q. Suite P-Q has existing features that are ideal for distribution activities such as an overhead door and the ability for vehicles to enter/exit the unit. All proposed activities will be conducted in accordance with state regulations and will not occur until both a local permit and a state license have been obtained. The BCC has issued their final regulations, which will be the bases of our operating procedures.

Inventory Procedures

Ganjery distribution division will have strict inventory management procedures. The Ganjery distribution division will utilize unique identifiers (UID) pursuant to Section 26069 of MAUCRSA to organize products, secure packaging, and record information of:

- (1) The licensee receiving the product (Ganjery distribution division).
- (2) The transaction date(s).
- (3) The licensee from which the product originated, including the associated unique identifier.

All products will be recorded, weighed and separated into "batches" prior to lab testing. Cannabis flower batches will be separated into "harvest batches" that are determined by variety, cultivation area, date of harvest and/or 50-pound batch (maximum size). Manufactured cannabis products will be separated into "manufactured cannabis batches" based on product

type. Products will be inputted into state and local track and trace systems after testing has occurred and result have been verified.

Ganjery distribution division will utilize an electronic database containing the electronic shipping manifests to facilitate the administration of the track and trace program, which shall include, but not be limited to, the following information:

- (1) The variety and quantity or weight of products shipped.
- (2) The estimated times of departure and arrival.
- (3) The variety and quantity or weight of products received.
- (4) The actual time of departure and arrival.
- (5) A categorization of the product.
- (6) The license number and the unique identifier issued by the licensing authority for all licensees involved in the shipping process, including, but not limited to, cultivators, manufacturers, distributors, and dispensaries.

Storage and tracking

Ganjery distribution division shall ensure that all cannabis goods batches are stored separately and distinctly from other cannabis goods batches within the distributor's area. Ganjery distribution division shall ensure a label with the following information is physically attached to each container of each batch:

- (1) The licensee's name, license number, and the batch number.
- (2) The date of entry into the distributor's storage area.
- (3) The unique identifiers and batch number associated with the batch.
- (4) A description of the cannabis goods with enough detail to easily identify the batch.
- (5) The weight of or quantity of units in the batch.
- (6) The best-by, sell-by, or expiration date of the batch, if any.

Quality control Procedures

Ganjery distribution division will maintain quality control procedures at the facility. This includes temperature and humidity control in all storage areas. All products will be stored separately based on product type and batch in appropriate areas. All products stored at Ganjery distribution division will be separated into 3 different areas:

1. An area specifically for cannabis products awaiting test results. This area is referred to as "quarantine".
2. An area for staging and organizing products awaiting distribution/transportation.
3. An area for storing product that failed testing and is awaiting remediation/disposal.

Lab testing

A licensed laboratory will provide testing services to Ganjery distribution division for all in house and out of house products. After taking physical possession of a cannabis goods batch,

The Ganjery distribution division will contact a licensed testing laboratory and arrange for a laboratory employee to come to the distributor's licensed premises to select a sample for laboratory testing. This licensed laboratory employee will collect a representative sample of each batch of cannabis products based on protocol outlined by the BCC.

Ganjery distribution division will ensure that the batch size from which the sample is taken meets the requirements of the BCC. An employee of Ganjery distribution division shall be physically present to observe the laboratory employee obtain the sample of cannabis goods for testing and shall ensure that the increments are taken from throughout the batch. The sampling will be video recorded with the batch number stated at the beginning of the video and a visible time and date indication on the video recording footage. The video recordings will be maintained by Ganjery distribution division for 180 days. After the sample has been selected, both the Ganjery employee and the laboratory employee shall sign and date the chain of custody form, pursuant to BCC regulations, attesting to the sample selection having occurred. No employee of Ganjery distribution division will assist the laboratory employee nor touch the cannabis goods or the sampling equipment while the laboratory employee is obtaining the sample.

The lab will conduct testing at its licensed facility and return the results to Ganjery distribution division. Ganjery distribution division will obtain results VIA mail or Email from the licensed lab and verify test result before any product is distributed. If and when Ganjery distribution division receives a certificate of analysis stating that the sample meets specifications required by law. Before transporting the cannabis goods to one or more retailers, and employee of Ganjery distribution division shall ensure the following:

- (a) The certificate of analysis the distributor received from the testing laboratory is the certificate of analysis that corresponds to the batch.
- (b) The label on the cannabis goods is consistent with the certificate of analysis regarding cannabinoid content and contaminants required to be listed by law.
- (c) The packaging complies with applicable packaging laws including, but not limited to, Business and Professions Code section 26120 of MAUCRSA.
- (d) The packaging is tampering evident. "Tamper evident" means a one-time-use seal is affixed to the opening of the package, allowing a person to recognize whether or not the package has been opened;
- (e) The weight or count of the cannabis batch comports with that in the track and trace system. A distributor shall use scales as required by the Act; and
- (f) All events up to this point have been entered into the track and trace system.

Packaging/labeling

Ganjery distribution division may re-package and label cannabis and manufactured cannabis products for retail as long as the packaging and labeling is done in pursuant to Section 26120 of MAUCRSA. The cannabis and manufactured cannabis products may come from other licensed operators or from Ganjery manufacturing division.

Transportation Procedures

The following conditions will be met:

1. All vehicles transporting cannabis goods will have a motor carrier permit pursuant to Chapter 2 (commencing with Section 34620) of Division 14.85 of the Vehicle Code
2. Cannabis goods transported by Ganjery's distribution division will only be transported inside of a vehicle or trailer and will not be visible or identifiable from outside the vehicle or trailer.
3. Cannabis goods will be locked in a box, container, or cage that is secured to the inside of the vehicle or trailer.
4. While left unattended, Ganjery's distribution division vehicles and trailers will be locked and secured. Ganjery distribution division will not leave a vehicle or trailer containing cannabis goods unattended in a residential area or parked overnight in a residential area.
5. Ganjery distribution division shall have a vehicle alarm system on all transport vehicles and trailers. Motion detectors, pressure switches, duress, panic, and hold up alarms may be used at the discretion of Ganjery.
6. All packages and containers holding cannabis goods will not be tampered with, or opened, during transport.
7. Ganjery distribution division will only travel between licensees shipping or receiving cannabis goods and its own licensed premises when engaged in the transportation of cannabis goods.
8. Ganjery distribution division's cannabis goods will be clearly identified and marked as "A" for Adult-use cannabis goods, or "M" for Medical cannabis goods both on the physical packaging of the cannabis goods as well as in the shipping manifest. While in transport, the medicinal and adult-use goods shall remain separate and secured within the vehicle or trailer.
9. Ganjery distribution division will ensure that non-cannabis goods will never be transported with cannabis goods.

Ganjery distribution division will provide the following required transport vehicle information to the BCC:

1. Proof of ownership or a valid lease for any and all vehicles and trailer that will be used to transport cannabis goods.
2. The year, make, model, license plate number, and numerical Vehicle Identification Number (VIN)
3. Proof of Insurance for each vehicle and trailer used to transport cannabis goods.
4. Ganjery distribution division will provide information to the BCC in writing for any new vehicle or trailer that will be used to transport cannabis goods prior to using the vehicle or trailer.

Transportation Personnel Requirements

1. No person under the age of 21 years old and will be in a commercial vehicle or trailer when transporting cannabis goods.
2. Only a licensee or an employee of Ganjery distribution division shall be in the vehicle while transporting cannabis goods.

Prior to transporting cannabis goods, Ganjery distribution division shall generate a shipping manifest through the Track and Trace system for the following activities:

1. Testing and sampling
2. Sale of cannabis goods to a licensee
3. Destruction or disposal of cannabis goods.

Distribution Security Procedures

- Individuals will only gain access to the distribution portion of the premises if:
 - They are 21 years of age or older, and
 - They are employed by or given explicit permission to enter by Ganjery distribution division.
- There are multiple cameras located throughout Ganjery's facilities with live monitoring and recording. Some of these cameras are located in the distribution division portion of the premises. These cameras are strategically placed in each room of the distribution area and placed in positions so that every room can be monitored at all times. Video surveillance equipment is maintained regularly and footage from each camera is stored for no less than 180 days.
- The distribution division portion of the premise has 1 access point, which remains locked 24 hours a day 7-days a week and can only be accessed by key/code. The distribution division portion of the premises is considered a "limited access area" because cannabis goods stored and held inside, therefore only certain employees are allowed access to this area. Any person on the distribution division portion of the premises, except for employees and contractors of the licensee, are accompanied at all times by the licensee or at least one employee of the licensee when in the limited-access areas of the premises.
- The distribution division portion of the premises is equipped with a security alarm system that is operated by Advanced Security, a local security firm in the Humboldt area. Services contracted through Advanced Security include 24-hour daily monitoring and contact with a designated Ganjery representative and local law enforcement in the event of a triggered alarm.

More comprehensive security measures/procedures may be implemented based on the language in the final regulations and the application process of the BCC.

Facility/Premises Security Plan:

- Ganjery shall secure the premises 24 hours per day, 7 days a week by implementing the following security measures:
 - Preventing individuals from remaining on the premises if they are not engaged in activity expressly related to the operations of the permit with the use of security cameras and automatic notification systems. If an individual is loitering on the premises or acting suspicious, law enforcement will be notified.
 - Establishing limited access areas accessible only to authorized personnel including security measures to both deter and prevent unauthorized entrance into areas containing cannabis or cannabis products and theft of cannabis or cannabis products.
 - Storing all finished Cannabis and Cannabis products in a secured and locked storage to prevent diversion, theft, or loss of cannabis materials.
- Ganjery shall maintain a monitoring system and install a video surveillance system. There will be a several cameras at the premises, 2 on the exterior of the building equipped for night and low light conditions, and 3-5 on the interior of the building. The primary exterior camera will support pan, tilt, and zoom (PTZ camera). The PTZ camera additionally allows also the option for a user to control the camera remotely from any of these devices as well.
- Security Access: for the purpose of monitoring employee access, non-employee visitor's access in the service of employee safety, public safety, and theft prevention.
- Employee Access: Employees are all given key cards that are used to access exterior doors as well as interior areas within the Ganjery premises.
- Biometric face scanning may be used in conjunction with key cards for limited access areas.
- 3rd Party Delivery Drivers:
 - Delivery drivers have no access to building or premises unless accompanied by Ganjery personnel.
 - Delivery Drivers must sign in and out using Ganjery visitor logs.
 - Delivery drivers are accompanied by Ganjery personnel for the entirety of their time in facility.
- State and Local Personnel:
 - State and Local Personnel have complete autonomy for announced and unannounced site visits.
 - Ganjery will accommodate any time/day site visits are required.
 - Please the General Manager to schedule a visit and a Ganjery employee will greet you and grant full access to the premises at any time.

- Preventing off site impacts to adjoining or nearby properties through odor and visibility control. No operations at this facility will create noise at a decibel level that would disturb adjoining or nearby properties.
- Ganjery will Secure and back up electronic records in a manner that prevents unauthorized access and that ensures the integrity of the records is maintained. All electronic records will be stored in a limited access area, accessible only to authorized personnel by key/key code.
- Employee Belongings:
 - Employees will be provided with designated lockers to place all personal belongings
 - All personal belongings will be stored in lockers during the duration of their shift and/or at the employee's discretion
 - All employee lockers will be stored in break rooms/common areas separated from all cannabis related manufacturing and activity.
 - Are confined to non-cannabis space to service in the prevention of theft.
- Security Maintenance:
 - Monthly maintenance:
 - All storage drives are storing surveillance data, security cameras are verified as fully operational.
 - Redundancies are verified as in stock and available to ensure 24 hour a day stored surveillance is maintained.
- Security Alarm System: for the purpose of securing employee access and non-employee visitors' access in the service of employee safety, public safety, and the prevention of loss or theft.
 - Security alarm system is monitored on a 24hr. daily basis.
 - Fire:
 - Manual fire alarms are located at both entrances of the building
 - Eureka fire department is automatically notified if Fire Alarm is activated.
- Security Breach:
 - A permittee shall notify the Humboldt County Sheriff Office within 24 hours after discovering any of the following:
 - Diversion, theft, loss, or any criminal activity involving the cannabis or any agent or employee of the permittee.
 - The loss or unauthorized alteration of records related to Cannabis, registered qualifying patients, primary caregivers, or employees or agents.
 - Significant discrepancies identified during inventory.
 - Any other breach of security.

- Security breaches will be addressed first by assessing the impact of the breach as well as the type and if warranted contacting the proper authorities (police, fire, ambulance, etc.) within 24 hours. If the breach takes place when management/Owner is off-site from the property and is notified by phone or text an additional step will be taken to physically verify either by watching video footage or in person that a breach has taken place before contacting any entity. This is to help prevent false alarms from being reported.
- Ganjery will Prevent against theft or loss of cannabis and cannabis products. This includes but is not limited to:
 - Establishing an inventory system to track cannabis and cannabis products and the personnel responsible for processing it throughout the manufacturing and distribution processes;
 - Limiting access of personnel within the premises to those areas necessary to complete job duties, and to those time-frames specifically scheduled for completion of job duties, including access by outside vendors, suppliers, contractors or other individuals conducting business with the licensee that requires access to the premises;
 - Supervising tasks or processes with high potential for diversion, including the loading and unloading of cannabis transportation vehicles; and
 - Providing areas in which personnel may store and access personal items that are separate from the manufacturing areas.

Stormwater Management Plan

The parcel is completely paved and has an existing stormwater drainage system. All the buildings have gutters which flow into storm drains. The parking area is sloped to capture rain water on the parcel to also flow into storm drains.

Ganjery will monitor the storm drains in the parking lot do not fill up with debris. They will also monitor rain gutters to make sure they flow properly. If not, the landlord will be notified.

Materials Management Plan

Ganjery will be receiving and products, materials, ingredients, labels, packaging, etc. All of these generate waste. Materials such as cardboard, plastics, food containers, etc. will be recycled. Other materials will be solid waste and hauled away weekly. The solid waste area is designated on the plot plan.

Ganjery will also be distributing cannabis and manufactured cannabis products. These product packaging may generate some waste however recycling is a priority. Packaging design will consider waste implications and the ability for customers to recycle post consumption.

If cannabis waste is generated as result of either the manufacturing or distribution divisions, it will be mixed with more than 50%, by weight, with the cannabis material. Then the mixture can be accepted by authorized green waste facilities.

Sewage Disposal Plan

Both suites B-C and P-Q have existing ADA bathrooms for employees. They were installed with permits and are connected to the MCSD sewer system. This project will not add a significant amount of waste water into the sewer system. Two (2) DEH worksheets were submitted as part of this application, one for each activity.

Parking Plan

The project location is a developed retail/warehouse complex. There are approximately 135 parking spaces including ADA spots. This project utilizes four (4) suites, which would essentially mean thirty-two (32) dedicated parking spots. This is more than enough to accommodate the employees for the manufacturing, distribution and retail activities. It is also plenty of parking to accommodate the public who are patronizing the storefront retail. See plot plans for parking layout of the site.

Energy Plan

The project is 100% supplied by grid power from PG&E. Ganjery manufacturing division will be utilizing electric and natural gas appliances. There is one large commercial refrigerator for food grade products. Ganjery distribution division will utilize small table top electric appliance. Ganjery retail division will use electric in a normal sense, mostly lighting and computers. All energy use is compatible with existing infrastructure.

Noise Source Assessment

The project does not anticipate an increase in the existing noise levels. Ambient noise levels were recorded and are as follows:

- Outside the rear door of Suite B-C has an ambient level of 40 decibels (quiet library). When the refrigerator cooling unit turns on the noise level increases slightly to 55 decibels (quiet office). When one vehicle drives by the rear of Suite B-C the level increases 10 decibels.

This is a very short time frame and the vehicle traffic is normal activity in a complex with so many suites.

- Outside the front door of Suite B-C has an ambient level of 55 decibels. Vehicle traffic in the parking area does increase the levels when driving by. This increase is a normal activity for the complex and should be considered as not significant.
- The same conditions are present outside of the front and rear doors for Suite P-Q, approximately 55 decibels. There is no refrigerator in this suite, so there is no equipment outside to increase noise levels. Vehicle traffic does occur behind this suite as well. The alleyway services adjacent suites as well.

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.

Referral Agency	Response	Recommendation	On File	Attached
County Building Inspection Division,	✓	Approval	✓	
County Public Works, Land Use	✓	Conditional Approval		✓
County Division of Environmental Health	✓	Approval	✓	
McKinleyville Community Service District	✓	Approval		✓
Arcata Fire Protection District	✓	Approval	✓	
Northern Humboldt School District	✓	Denial		✓
Northwest Information Center	✓	Confidential	✓	
Blue Lake Rancheria	✓	Confidential	✓	
Bear River Band of the Rohnerville Rancheria		Confidential	✓	
Wiyot Tribe		No Response		
Pacific Gas & Electric (6/3/2019)		No Response		
California Department of Fish and Wildlife (6/3/2019)		No Response		
Humboldt County Sheriff (6/3/2019)		No Response		
County Counsel (6/3/2019)		No Response		
Agricultural Commissioner (6/3/2019)		No Response		
District Attorney (6/3/2019)		No Response		
North Coast Unified Air Quality Management District (6/3/2019)		No Response		
Humboldt Bay Municipal Water District (6/3/2019)		No Response		
California Division of Water Rights (6/3/2019)		No Response		
McKinleyville Unified School District (6/3/2019)		No Response		



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 839-3596
AVIATION 839-5401

PUBLIC WORKS BUILDING
SECOND & L ST., EUREKA
FAX 445-7409
ADMINISTRATION 445-7491
BUSINESS 445-7652
ENGINEERING 445-7377
FACILITY MAINTENANCE 445-7493
NATURAL RESOURCES 445-7741
NATURAL RESOURCES PLANNING 267-9540
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: Elizabeth Schatz, Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer

DATE: 06/05/2019

RE:

Applicant Name	THE GANJERY LLC
APN	508-242-042
APPS#	PLN-2019-15574-CUP

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"**

Note: Prior to requesting an applicant to submit a road evaluation report, verify if the project is exempt from meeting road system performance standards under CCLUO v2.0 sections 313-55.4.6.5.1 and 314-55.4.6.5.1, even if this box is checked.

No re-refer is required.

*Note: Exhibits are attached as necessary.

Additional comments/notes:

The existing commercial driveway aprons (encroachment) that connect to the County road do not meet County and ADA accessibility standards. Although the commercial driveway and parking lot are existing, the applicant shall retrofit the commercial aprons to meet current County and ADA accessibility standards. This will involve constructing a four foot (4') accessible path across the entrance as shown on Urban Driveway #1 (attached). Prior to commencing operations, the commercial driveway shall be improved to meet the County visibility ordinance and encroachment permit ordinance standards. [References: County Code Sections 411-51(g)]

Prior to constructing improvements within a County maintained road right of way, the applicant shall apply for and obtain an encroachment permit from the Department of Public Works. [Reference: County Code 411-11(a)(b)]

// END //

Exhibit "A"

Public Works Recommended Conditions of Approval

(All checked boxes apply)

APPS # 15574

☐ **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.

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

The existing commercial driveway approaches will require modification in order to comply with current ADA accessibility standards and County Code.

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-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: (AT END OF COUNTY MAINTAINED RD)**

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 //



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING
3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7245

RECEIVED
JUN 5 2019
McK. C.S.D.

6/3/2019

Project Referred To The Following Agencies:

AG Commissioner, County Counsel, District Attorney, Environmental Health, Sheriff, PW Land Use, Building Inspections, McKinleyville: CSD, Arcata: FPD, RWQCB, NCUAQMD, McKinleyville Union: School District, Humboldt Bay Municipal Water District, Cal Fish & Wildlife, CA Division of Water Rights, Bear River Band, Blue Lake Rancheria, NWIC, Wiyot Tribe, Northern Humboldt High: School District

Applicant Name The Ganjery LLC **Key Parcel Number** 508-242-042-000

Application (APPS#) PLN-2019-15574 Planning Application **Assigned Planner** Elizabeth Schatz

Please review the above project and provide comments with any recommended conditions of approval. To help us log your response accurately, please include a copy of this form with your correspondence.

Questions concerning this project may be directed to the assigned planner for this project between 8:30am and 5:30pm Monday through Friday.

County Zoning Ordinance allows up to 15 calendar days for a response. If no response or extension request is received by the response date, processing will proceed as proposed.

☐ If this box is checked, please return large format maps with your response.

Return Response No Later Than: 6/18/2019

Planning Commission Clerk
County of Humboldt Planning and Building Department
3015 H Street
Eureka, CA 95501
Email: PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268 - 3792

We have reviewed the above application and recommend the following (please check one):

- ☒ Recommend Approval. The Department has no comment at this time.
- ☐ Recommend Conditional Approval. Suggested Conditions Attached.
- ☐ Applicant needs to submit additional information. List of items attached.
- ☐ Recommend Denial. Attach reasons for recommended denial.

Other Comments: _____

DATE: _____

6/3/2019

PRINT NAME: _____

Gregory P. Orsini General Manager

12/1/2019



COUNTY OF HUMBOLDT
Planning and Building Department – Current Planning
3015 H Street, Eureka, CA 95501 ~ PHONE (707) 445-7541
PROJECT TRANSMITTAL

APPLICANT KEY PARCEL 508-242-042-000 McKinleyville **DATE** 6/3/2019 **CONTACT** Elizabeth Schatz **APPS#** PLN-2019-15574

PROJECT INFORMATION

SUBJECT The Ganjery LLC - Conditional Use Permit for Microbusiness (Non-Volatile Manufacturing and Distribution added to existing Retail)

PROJECT TYPE Conditional Use Permit (CCLUO2)

PROJECT DESCRIPTION An application for a Conditional Use Permit to operate a Microbusiness on APN 508-242-042. The applicant was previously approved to operate a retail nursery on the parcel. The applicant proposes to add Manufacturing (Infusion Type N), and Distribution uses in order to obtain a Microbusiness permit. The proposed project would have three full-time employees and the hours of operation would be 10:00 a.m. to 7:00 p.m., seven days a week. The subject parcel is served water and sewer by McKinleyville Community Services District. Electricity is sourced from PGE and backup generator power.

PROJECT LOCATION

The project is located in Humboldt County, in the McKinleyville area, on the south side of Nursery Way, approximately 500 feet West from the intersection of Central Avenue and Nursery Way, on the property known to be in Section 6 of Township 06 North, Range 01 East, Humboldt Base & Meridian.

PRESENT PLAN DESIGNATIONS Commercial Services (CS), Density: Heavy commercial uses and compatible light industrial uses, McKinleyville Community Plan (MCCP), 2017 General Plan, Slope Stability: Relatively Stable (0).

PRESENT ZONING
Community Commercial (C-2), Noise Impact (N)

KEY PARCEL NUMBER 508-242-042-000

ADDITIONAL PARCEL #S

APPLICANT INFORMATION

Name The Ganjery LLC
Address 1 Stephen Gieder
Address 2 1580 Nursery Way, Suite D
City McKinleyville **State** CA **Zip** 95519
Phone (707)362-6511 **E-Mail**
steve@forwardllc.com

OWNER INFORMATION

Name Miller D & R Family Llc
Address 1
Address 2 400 G St
City Arcata **State** CA **Zip** 95521
Phone **E-Mail**

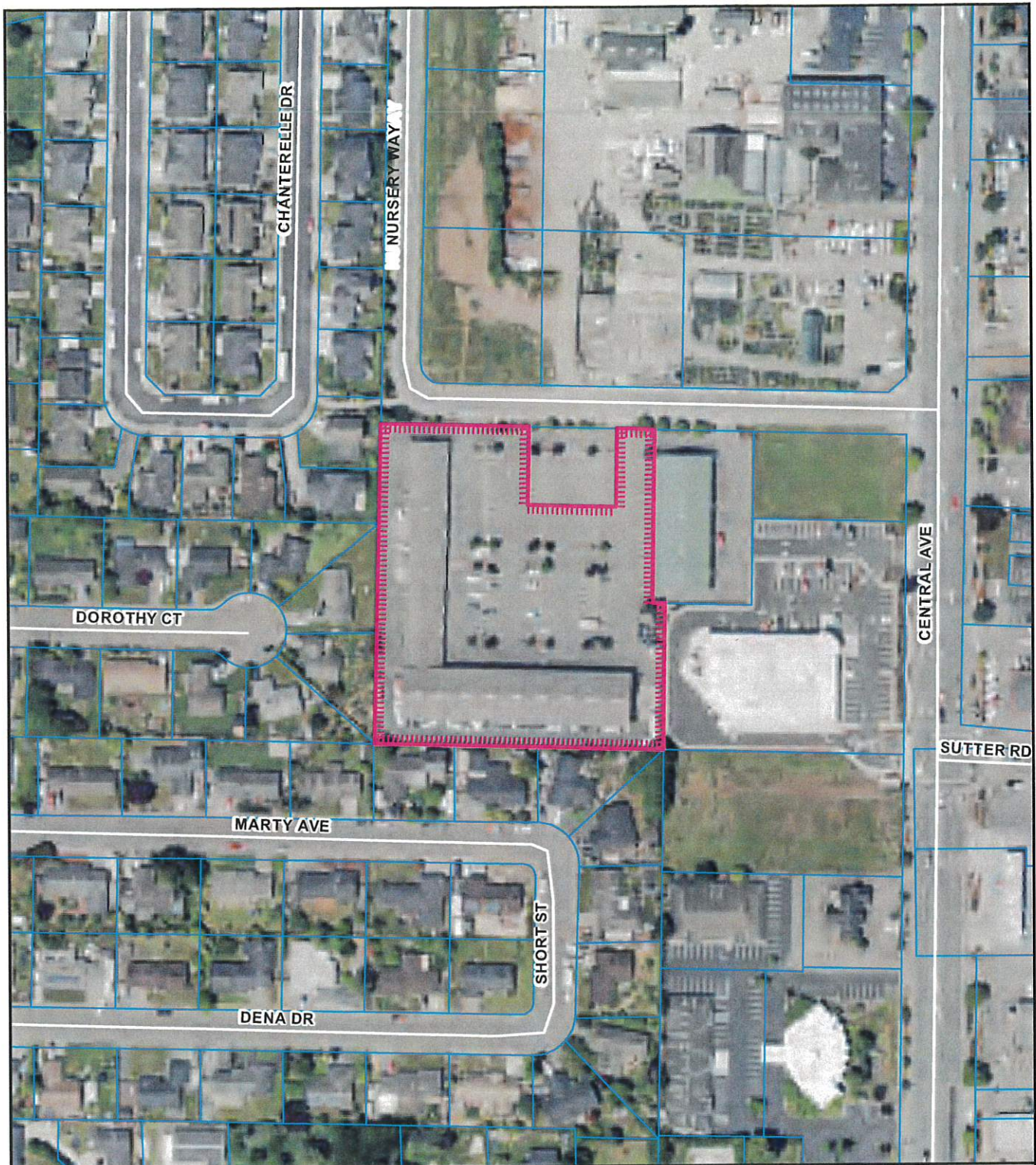
AGENT INFORMATION

Name 1 Degree Consulting
Address 1 Joe Moran
Address 2 1580 Nursery Way, Suite D
City McKinleyville **State** CA **Zip** 95519
Phone (707)845-1143 **E-Mail**
joe@gohumboldtgreen.com

ADDITIONAL PROJECT INFORMATION

ADDITIONAL OWNERS

DECISION MAKER
ENVIRONMENTAL REVIEW REQUIRED?
MAJOR ISSUES
STATE APPEAL STATUS
PRELIMINARY CEQA FINDINGS
CEQA EXEMPTION SECTION
EXEMPTION DESCRIPTION



**AERIAL MAP
PROPOSED THE GANJERY LLC
MCKINLEYVILLE AREA
PLN-2019-15574
APN: 508-242-042**

Project Area = 

T06N R01E S6 HB&M (ARCATA NORTH)

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.

0 215 430 Feet





Northern Humboldt Union High School District

2755 McKinleyville Avenue, McKinleyville, CA 95519-3400

TELEPHONE: (707) 839-6470 • FAX: (707) 839-6477

www.nohum.k12.ca.us

ROGER MACDONALD
District Superintendent

CINDY VICKERS
Director of Fiscal Services

MELANIE SUSAVILLA
Director of Student Services

June 6, 2019

Humboldt County Planning Commissioners
Planning Commission Clerk
3015 H Street
Eureka, CA 95501

RE: Case No. PLN-2019-15574

The proposed facility is not within 600 feet of a school or existing bus stop. However, Northern Humboldt Union High School District has concerns about this proposed facility as cannabis is still illegal under federal law and our district receives federal funds.

Additionally, the district has concerns about a grow operation in an area where current and/or future students may live in the area or near the facility, and be required to pass by it to and from school.

Should you have any further questions, please let me know.

Sincerely,

A handwritten signature in blue ink, appearing to read "Roger MacDonald", with a stylized flourish at the end.

ROGER MACDONALD
Superintendent



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING
3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7245

N/A
6/5/19
55-

6/3/2019

Project Referred To The Following Agencies:

AG Commissioner, County Counsel, District Attorney, Environmental Health, Sheriff, PW Land Use, Building Inspections, McKinleyville: CSD, Arcata: FPD, RWQCB, NCUAQMD, McKinleyville Union: School District, Humboldt Bay Municipal Water District, Cal Fish & Wildlife, CA Division of Water Rights, Bear River Band, Blue Lake Rancheria, NWIC, Wiyot Tribe, Northern Humboldt High School District

Applicant Name The Ganjery LLC **Key Parcel Number** 508-242-042-000

Application (APPS#) PLN-2019-15574 Planning Application **Assigned Planner** Elizabeth Schatz

Please review the above project and provide comments with any recommended conditions of approval. To help us log your response accurately, please include a copy of this form with your correspondence.

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☐ If this box is checked, please return large format maps with your response.

Return Response No Later Than: 6/18/2019

Planning Commission Clerk
County of Humboldt Planning and Building Department
3015 H Street
Eureka, CA 95501
Email: PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268 - 3792

We have reviewed the above application and recommend the following (please check one):

- ☐ Recommend Approval. The Department has no comment at this time.
- ☐ Recommend Conditional Approval. Suggested Conditions Attached.
- ☐ Applicant needs to submit additional information. List of items attached.
- ☒ Recommend Denial. Attach reasons for recommended denial.

Other Comments: _____

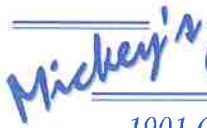
DATE: 6/6/19 PRINT NAME: Roger Macdonald

ATTACHMENT 5

PUBLIC COMMENTS

The project was noticed and the following attached comments were received:

- August 22, 2019 email of concern submitted citing previously witnessed suspicious activity in the neighboring 1581-1585 Central Avenue properties. Further, a plan for security was requested prior to project approval.
- August 23, 2019 letter in opposition to the proposed project forecasting a negative impact on the community at large from Mickey's Quality Car business owners.
- September 6, 2019 letter in support of the proposed project from The Humboldt Green, LLC and 1 Degree Consulting.



1901 Central Avenue • McKinleyville, CA 95519-3605 • 707-839-4324 • Fax 707-839-1662



8/20/2019

Humboldt County Planning and Building Department,

This letter is in response to the Notice of Application for The Ganjery , LLC. We feel that this business will have a negative effect on not only our community and the people that live within it; but also, the longstanding businesses in the area.

We object to this business's application.

Thank you,

A handwritten signature in blue ink that reads 'Mr Jones & Sheril Jones'.

Michael & Sheril Jones

1901 Central Ave, McKinelyville CA 95519



1580 Nursery Way Ste D, McKinleyville, CA 95519
1D@GoHumboldtGreen.com
GoHumboldtGreen.com
(707) 890-6600

Planning and Building Department
Planning Division
County of Humboldt
3015 H Street
Eureka, CA 95501
(707) 445-7541



09/06/2019

To Whom it May Concern,

Comment for project Title: The Ganjery, LLC, Microbusiness Facility – Conditional Use Permit,
Record Number PLN-2019-15574

On behalf of Humboldt Green, LLC and 1Degree Consulting located at 1580 Nursery Way, Suite D in McKinleyville, we are in full support of the opening of The Ganjery. We at Humboldt Green, LLC / 1Degree Consulting believe The Ganjery will be a great asset to the community in providing elevated healing to clients seeking relaxation, recreational, or medicinal uses of cannabis products.

We look forward to being neighbors with The Ganjery and are excited for the services it will be providing to our community.

Thank you for your time and consideration,

The Humboldt Green, LLC / 1Degree Consulting Team
1580Nursery Way, Suite D,
McKinleyville, CA 95521
(707) 890-6600

From: [Julie Nelson Oran](#)
To: [Schatz, Elizabeth](#)
Subject: The Ganjery, LLC
Date: Tuesday, August 20, 2019 10:49:50 AM

Dear Ms. Schatz,

Regarding the Notice of Application, The Ganjery, LLC Microbusiness Facility. We are the owners of 1581-1585 Central Avenue: Property that includes AutoZone and Grocery Outlet. We are wondering if their application includes proper security to be put in place upon opening. Our tenants at our property have noted suspicious activity from time to time, and their inventory is pedestrian. Please let me know if you have the answer to this, or who we should contact.

Thank you very much,

Julie Nelson
Executive Assistant
Della Luna
julie@ivllc.biz
310-442-9210 x2