



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: January 9, 2020

To: Humboldt County Planning Commission

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

Subject: **Today's Humboldt County, LLC**
Application Number 15526
Record Number PLN-2019-15526
Assessor's Parcel Number 507-381-006
5065 Boyd Road, Arcata CA.

Table of Contents	Page
Agenda Item Transmittal	2
Recommended Action and Executive Summary	3
Draft Resolution	5
Maps	
Topo Map	7
Zoning Map	8
Aerial Maps	9
Site Plan	10
Attachments	
Attachment 1: Recommended Conditions of Approval	11
Attachment 2: Findings for Approval	17
Attachment 3: CEQA Addendum	31
Attachment 4: Applicant's Evidence in Support of the Required Findings	34
Attachment 5: Referral Agency Comments and Recommendations	51

Please contact Elizabeth Moreno, Planner, at 707-445-7541 or by email at emoreno@co.humboldt.ca.us if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
January 9, 2020	Conditional Use Permit	Elizabeth Moreno

Project Description: An application for a Conditional Use Permit for a commercial processing, distribution, and 1,624 square feet nursery operation. All activities would occur in existing facilities. Processing activities will comprise of three types of processing methods. The distribution would include distribution of all cannabis products produced on site, as well as cannabis products sourced from other licensees. Distribution will occur in 286 SF secured room in the first floor of the unit initially. In 2020, the applicant will expand to the adjacent building into Units E and F, where additional processing product will be stored, and distribution space will increase by 286 SF feet. Nursery activities would utilize artificial light to propagate juvenile plants that would eventually be transported or sold to other licensees. Water is sourced from the McKinleyville Community Service District. The nursery will be indoor and will be powered by PG&E. The applicant is enrolled in the PG&E "RePower+" program in order to source 100% renewable power. It will be operated continuously throughout the year with the hours of operation being between 7 AM and 7 PM daily. The applicant states that a maximum of 12 people would be employed during peak operations.

Project Location: The project is located in the Arcata area, on the north side of Boyd Road, approximately 1,000 feet north from the intersection of Sierra Way and Boyd Road, on the property known as 5065 Boyd Road.

Present General Plan Land Use Designation: Industrial General (IG) Slope Stability: Relatively Stable (0).

Present Zoning: Limited Industrial (ML)

Application Number: 15526 **Record Number:** PLN-2019-15526

Assessor Parcel Number: 507-381-006

Applicant	Owner	Agent
Today's Humboldt County, LLC PO Box 1174 Blue Lake, CA 95525	Francis A and Dorothy V Dutra TR PO Box 898 Willow Creek, CA 95573	1 Degree Consulting Attn: Joe Moran 1580 Nursery Way, Suite D McKinleyville, CA 95519

Environmental Review: An Addendum to a previously adopted Environmental Impact Report has been prepared for consideration per §15164 of CEQA Guidelines.

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

Major Issues: None.

TODAY'S HUMBOLDT COUNTY, LLC
Record Number: PLN-2019-15526
Assessor's Parcel Number: 507-381-006

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 a part of the consent agenda:

Find that the Planning Commission has considered the Addendum to the Environmental Impact Report adopted for the Commercial Cannabis Land Use Ordinance pursuant to Section 15164 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 Today's Humboldt County, LLC Conditional Use Permit subject to the recommended conditions.

Executive Summary: An application for a Conditional Use Permit for a commercial processing, distribution, and 1,624 square feet (SF) nursery operation. All activities would occur on an existing Limited Industrial (ML) zoned parcel just outside of Arcata City limits.

The proposed site is located within Unit J of the industrial complex (See Site Plan). The complex supports a various of industrial business and uses. The Mad River is located to the west of the parcel; however, the development is not located in the 100-year flood zone. The project was referred to the Humboldt Bay Municipal Water District on May 3, 2019 and as of the date of this staff report they did not provide any comments. Further, the project was also referred to Arcata Fire Protection District who recommended approval for the proposed project.

Nursery activities would utilize artificial light to propagate juvenile plants that would eventually be transported or sold to other licensees. The nursery will take place in two 812 SF space and will consist of only immature plant cultivation including tissue culture propagation. The applicant estimates that a total of 2,015 gallons a month is needed for the cultivation, about 24,180 gallons a year. Water for irrigation will be provided by McKinleyville Community Services District (MCSD). MCSD submitted a will serve letter to the County on October 30, 2018 confirming that they will be able to accommodate the water volume of 50,000 gallons a year. The applicant will start new clones or from seeds in a small flood tables and then once they root the applicant will transplant them into small pots. The applicant will use a drip irrigation method to prevent overwatering and to conserve water. The applicant will reuse about 75 % water and re-filter it with a reverse osmosis system.

Commercial processing activities will occur in two a 714 SF rooms, one upstairs and one downstairs of the Unit. All dry cannabis will be cut down into smaller stalks and sorted into trays and be weighted and recorded. The rooms will be environment -controlled, and the trays will either hold racks or in totes, ready to be processed by employees. Processing will be compromise of the use of manual techniques, trim machines, industrial scale mercerator, and pre-roll machines.

Distribution will initially occur in a 286 SF secured room in the first floor of Unit J. In 2020, the applicant will expand to the adjacent building into Units E and F, where additional processing product will be stored, and distribution space will increase by 286 SF feet. McKinleyville Community Services District will also provide water services to these Units. Other cannabis product will be brought in from licensed transporters and stored in these locations.

The applicants do not propose any water storage as water is provided by the community water. The site will be powered by PG&E. The applicant is enrolled in the PG&E "RePower+" program in order to source 100% renewable power. It will be operated continuously throughout the year with the hours of operation being between 7 AM and 7 PM daily. The applicant states that a maximum of 12 people would be employed during peak operations.

The project site is immediately adjacent to the city limits of the City of Arcata. Pursuant to Section 214-55.4.5.1 of the Commercial Cannabis Land Use Ordinance, projects within 1,000 feet of an incorporated city are required to provide early notification of the project to the city, and all property owners and occupants within 1,000 feet of the site. In accordance with these provisions, a Notice of Application was sent to the City of Arcata and all property owners and occupants within 1,000 feet on November 22, 2019. As of the date of this staff report, no comments were received.

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.

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 either alternative.

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 consistent with the Environmental Impact Report adopted for the Commercial Cannabis Land Use ordinance (CMMLUO). 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 20-
Record Number: PLN-2019-15526
Assessor Parcel Number: 507-381-006**

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

WHEREAS, Today's Humboldt County, LLC submitted an application and evidence in support of approving the Conditional Use Permit for proposed commercial processing, distribution, and a 1,624 square feet nursery. Activities would occur in existing buildings; and

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

WHEREAS, the County Planning Division, the lead agency, prepared an Addendum to the Final Environmental Impact Report prepared for the Commercial Cannabis Land Use Ordinance (CCLUO) adopted by the Humboldt County Board of Supervisors on May 8, 2018. The proposed project does not present substantial changes that would require major revisions to the previous Environmental Impact Report. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of 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 for commercial processing, 1,624 square feet nursery, and distribution (Record Number PLN-2019-15526); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on January 9, 2020.

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 has considered the Addendum to the EIR adopted for the Commercial Cannabis Land Use Ordinance (CCLUO); and
2. The Planning Commission makes all of the required findings in Attachment 2 of the Planning Commission staff report for Record Number PLN-2019-15526 based on the submitted substantial evidence; and
3. The Conditional Use Permit Case Number PLN-2019-15526 is approved as recommended and conditioned in Attachment 1.

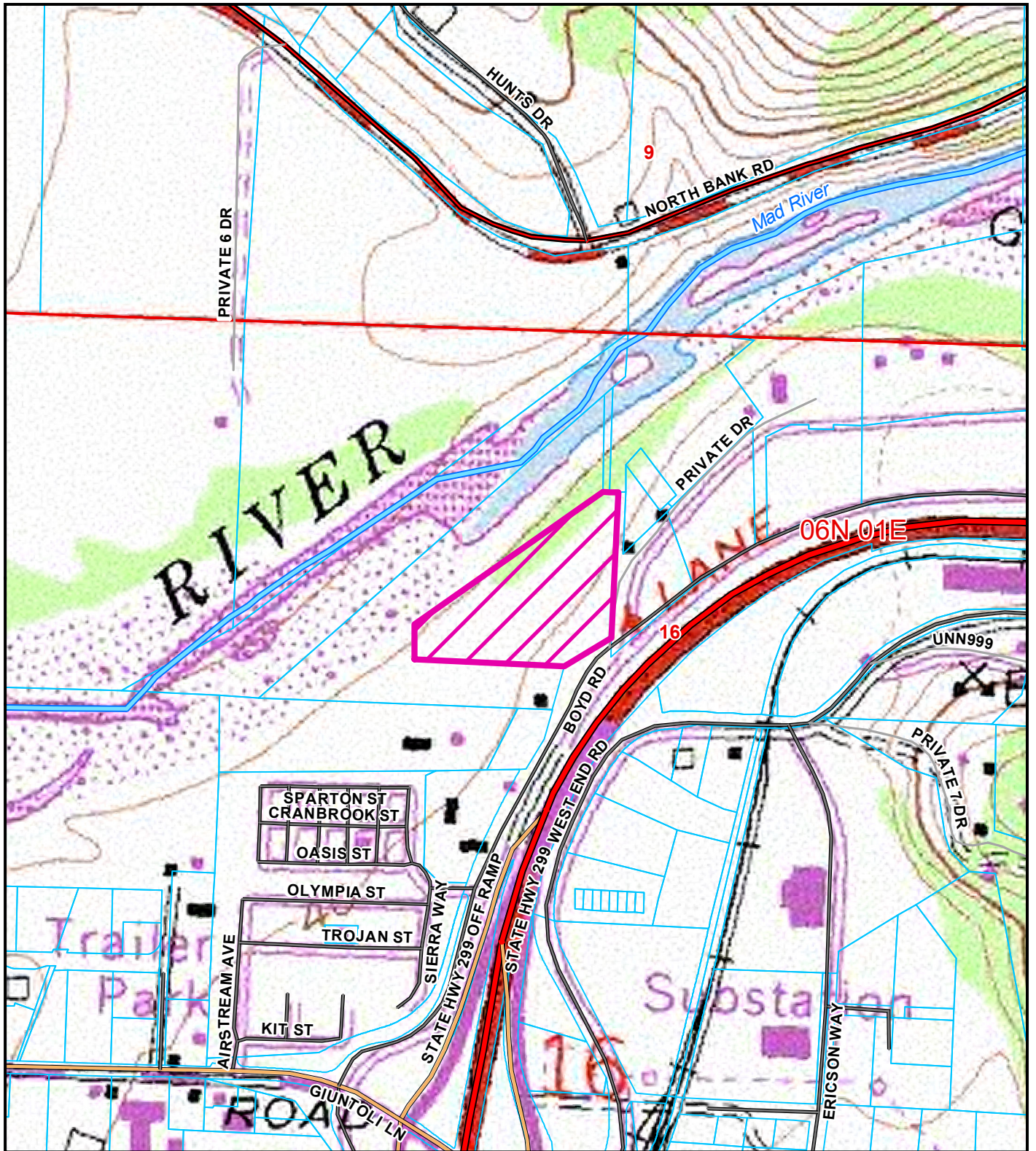
Adopted after review and consideration of all the evidence on January 9, 2020

The motion was made by Commissioner and seconded by Commissioner.

AYES: Commissioners:
NOES: Commissioners:
ABSTAIN: Commissioners:
ABSENT: 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.

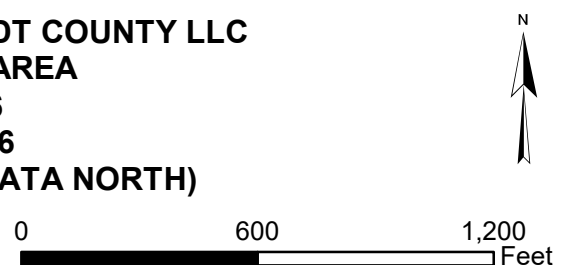
John Ford, Director
Planning and Building Department

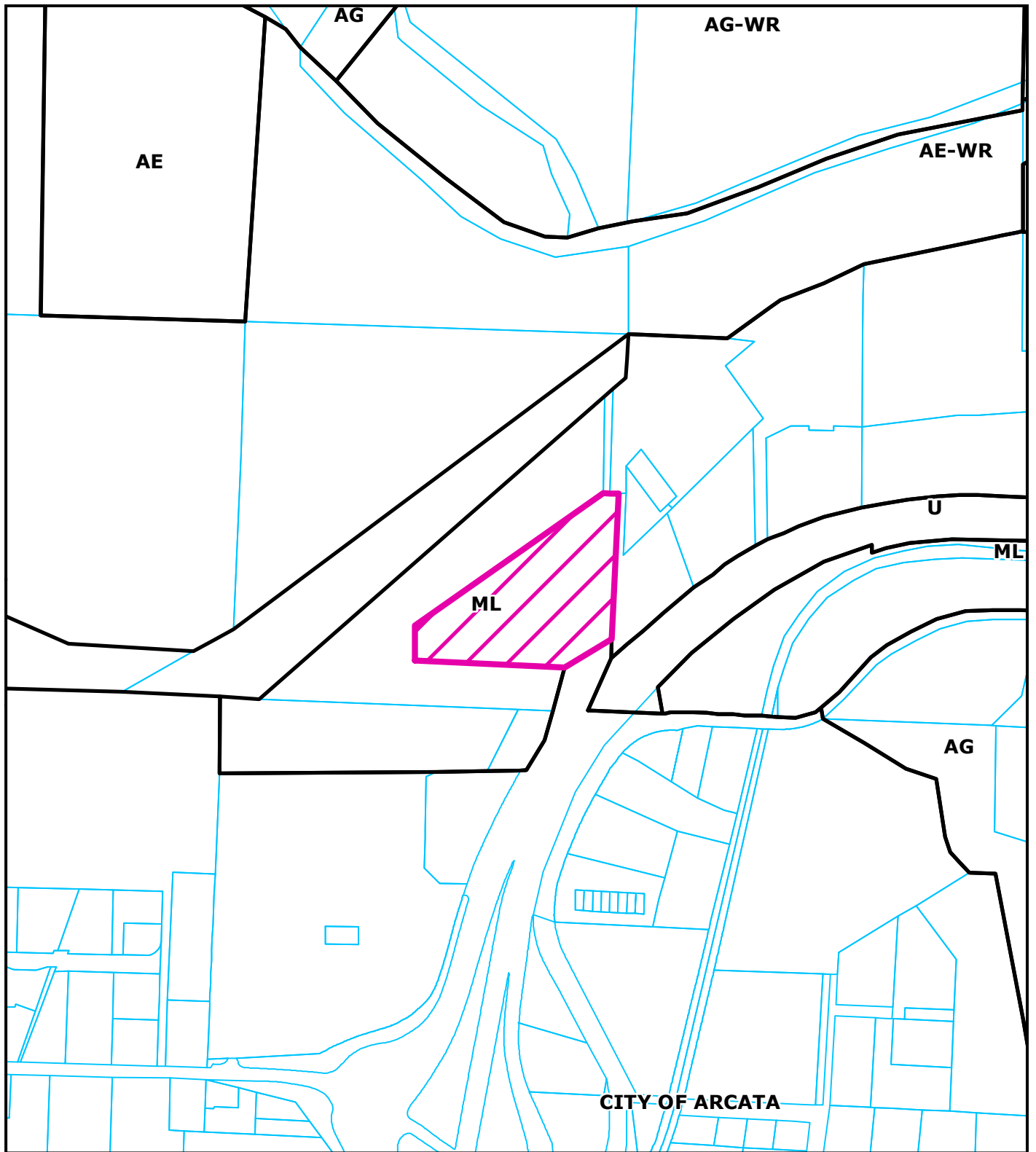


TOPO MAP
PROPOSED TODAY'S HUMBOLDT COUNTY LLC
ARCATA BOTTOMS AREA
PLN-2019-15526
APN: 507-381-006
T06N R01E S16 HB&M (ARCATA NORTH)

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.





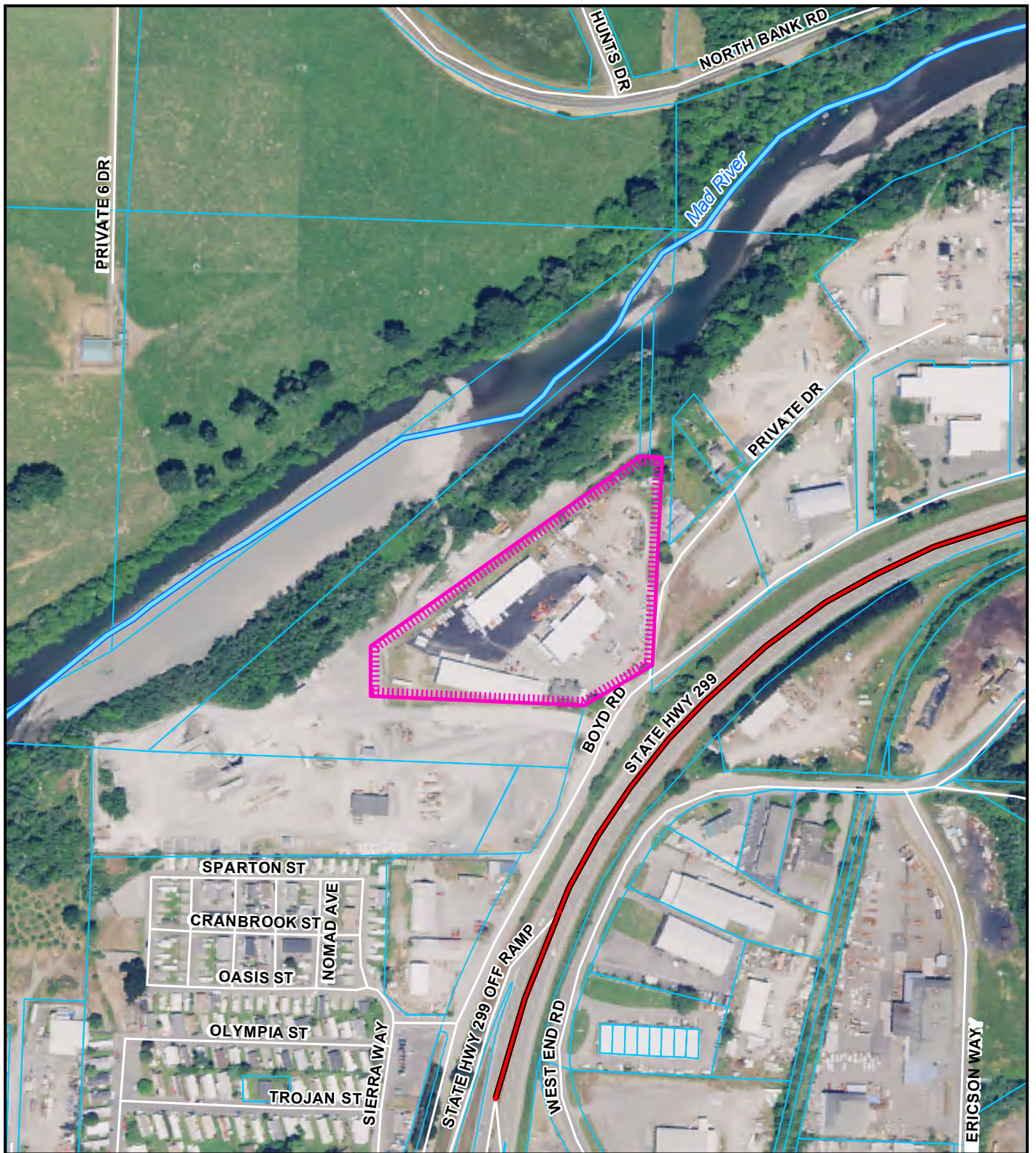
Project Area =

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.

ZONING MAP
PROPOSED TODAY'S HUMBOLDT COUNTY LLC
ARCATA BOTTOMS AREA
PLN-2019-15526
APN: 507-381-006
T06N R01E S16 HB&M (ARCATA NORTH)

0 600 1,200

Feet



AERIAL MAP
PROPOSED TODAY'S HUMBOLDT COUNTY LLC
ARCATA BOTTOMS AREA
PLN-2019-15526
APN: 507-381-006
T06N R01E S16 HB&M (ARCATA NORTH)

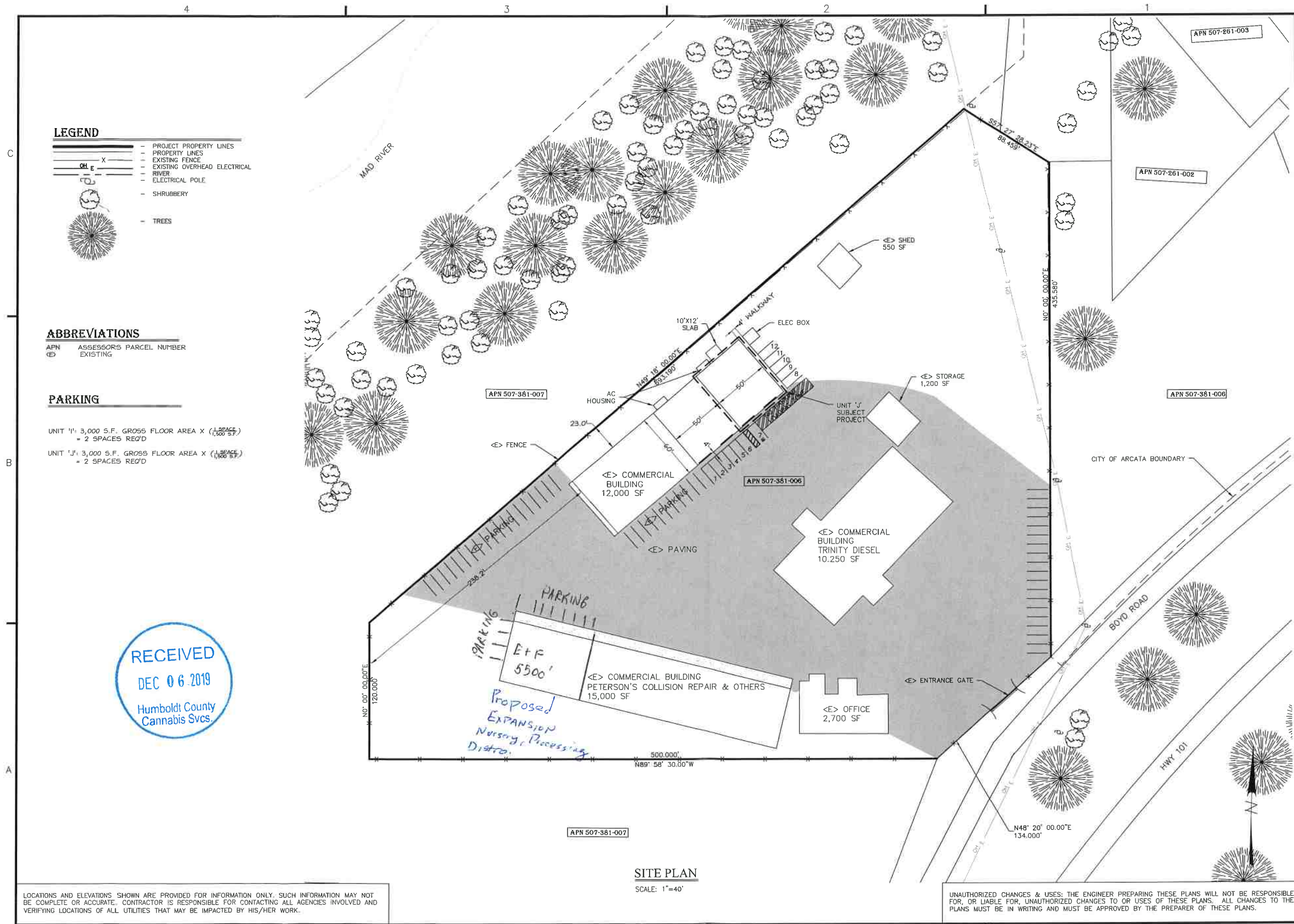
Project Area = 

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.

0 435 870 Feet



Ap # 15526



LEGEND

- PROJECT PROPERTY LINES
- PROPERTY LINES
- EXISTING FENCE
- EXISTING OVERHEAD ELECTRICAL
- RIVER
- ELECTRICAL POLE
- SHRUBBERY
- TREES

ABBREVIATIONS

APN ASSESSOR'S PARCEL NUMBER
<E> EXISTING

PARKING

UNIT 'I' 3,000 S.F. GROSS FLOOR AREA X (1 SPACE)
= 2 SPACES REQ'D
UNIT 'J' 3,000 S.F. GROSS FLOOR AREA X (1 SPACE)
= 2 SPACES REQ'D

RECEIVED
DEC 06 2019
Humboldt County
Cannabis Svc.

SITE PLAN
SCALE: 1"=40'

LOCATIONS AND ELEVATIONS SHOWN ARE PROVIDED FOR INFORMATION ONLY. SUCH INFORMATION MAY NOT BE COMPLETE OR ACCURATE. CONTRACTOR IS RESPONSIBLE FOR CONTACTING ALL AGENCIES INVOLVED AND VERIFYING LOCATIONS OF ALL UTILITIES THAT MAY BE IMPACTED BY HIS/HER WORK.

UNAUTHORIZED CHANGES & USES: THE ENGINEER PREPARING THESE PLANS WILL NOT BE RESPONSIBLE FOR, OR LIABLE FOR, UNAUTHORIZED CHANGES TO OR USES OF THESE PLANS. ALL CHANGES TO THE PLANS MUST BE IN WRITING AND MUST BE APPROVED BY THE PREPARER OF THESE PLANS.

FOR PLAN REVIEW ONLY - NOT FOR CONSTRUCTION

REVISIONS

NO.	DESCRIPTION	DATE	BY

SIGNATURE

PACIFIC AFFILIATES
CONSULTING ENGINEERS
980 W WATERFRONT DRIVE, EUREKA, CA 95501
TEL (707) 445-3001 FAX (707) 445-3001

REGISTERED PROFESSIONAL ENGINEER
STATE OF CALIFORNIA
EXPIRATION DATE 12/31/2021
46972

SITE PLAN

TODAY'S HUMBOLDT COUNTY, LLC
5065 BOYD ROAD
ARCATA, CA 95521
APN 507-381-006

Date: JULY 30, 2019
Scale: AS NOTED
Drawn by: NM

SHEET NUMBER
C-1

JOB NUMBER
19-2416

ATTACHMENT 1

RECOMMENDED CONDITIONS OF APPROVAL

APPROVAL OF THE SPECIAL PERMIT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE PROVISIONAL CANNABIS CULTIVATION PERMIT CAN BE FINALIZED.

A. Standard Conditions

1. A review fee for Conformance with Conditions as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750.00) shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka. This fee is a deposit, and if actual review costs exceed this amount, additional fees will be billed at the County's current burdened hourly rate.
2. 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.
3. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the 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 payable to the Humboldt County Clerk/Recorder. If this payment is not received within this time period, the Department will file the NOD and will charge this cost to the project.
4. The applicant shall provide evidence of enrollment in the PG&E Repower+ renewable energy program on an annual basis.

B. Operation Restrictions:

1. The hours of operation for the processing, nursery, and distribution facility shall be Monday through Sunday, 7:00 AM to 7:00 PM.
2. The project will provide an adequate security system on the premises to insure the safety of persons and to protect the premises from theft.
3. The facility 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 activities 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. 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.

8. 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.
9. 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.
10. 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.
11. 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.
12. The project shall participate in inspections to verify that all cannabis products are being manufactured and distributed in compliance with all state and local regulations. Inspections are intended to ensure that grower-members are legal and compliant in the products they store, and that storage is done in a safe and sustainable manner, away from public view, and inaccessible to minors.
13. Methods used to track inventories, quantities, and distribution between verified members will match "standard industry procedures" which includes the following:
 - All incoming cannabis will be assigned a lot number which will be retained as medicine is subsequently divided and distributed to members
 - All 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.
14. 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 Zoning Administrator, to determine if the cooperative or delivery service is in compliance with its Special 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.
15. 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 Zoning Administrator 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).

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

1. All components of the 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. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CMMLUO and MAUCRSA, as applicable to the permit type.
3. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than two (2) years from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning & Building Department within one (1) year of issuance of the provisional clearance or permit. If good faith effort towards compliance can be shown within the two years following the issuance of the provisional clearance or permit, The Planning Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow for additional time to meet the outstanding requirements.
4. Possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MAUCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
5. Compliance with all statutes, regulations and requirements of the California State Water Resources Control Board and the Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration, as applicable.
6. Confinement of the area of cannabis cultivation, processing, manufacture or distribution to the locations depicted on the approved site plan. The commercial cannabis activity shall be set back at least 30 feet from any property line, and 600 feet from any School, School Bus Stop, Church or other Place of Religious Worship, or Tribal Cultural Resources, except where a reduction to this setback has been approved pursuant to Section 55.4.11 (d).
7. Maintain enrollment in Tier 1, 2 or 3, certification with the North Coast Regional Water Quality Control Board (NCRWQCB) Order No. R1-2015-0023, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
8. Comply with the terms of any applicable Streambed Alteration (1600) Permit obtained from the California Department of Fish & Wildlife, if applicable.
9. If any wildlife is encountered during the authorized activity, the applicant shall not disturb the wildlife and shall allow wildlife to leave the work site unharmed.
10. All refuse be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
11. Consent to an annual on-site compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday – Friday, 9:00 am – 5:00 pm, excluding holidays).
12. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
13. Pay all applicable application and annual inspection fees.
14. The noise produced by any generator used on an emergency-only basis for cannabis drying, curing, and processing shall not be audible by humans from neighboring residences. The decibel level for generators measured at the property line shall be no more than 60 decibels. Where applicable, sound

levels must also show that they will not result in the harassment of Marbled Murrelet or Spotted Owl species. Conformance will be evaluated using current auditory disturbance guidance prepared by the United States Fish and Wildlife Service, and further consultation where necessary. Under these guidelines, generator noise may not exceed 50dB as measured at 100 feet from the generator or at the edge of the nearest Marbled Murrelet or Spotted Owl habitat, whichever is closer.

15. Storage of Fuel - Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, including the County of Humboldt's CUPA program, and in such a way that no spillage occurs.
16. The Master Log Books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
17. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).
18. The operation shall participate in the Medical Cannabis Track and Trace Program administered by the Humboldt County Agricultural Commissioner, when available.

Performance Standards for Cultivation and Processing Operations

19. Pursuant to the MAUCRSA, Health and Safety Code section 19322(a)(9), an applicant seeking a cultivation license shall "provide a statement declaring the applicant is an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law."
20. Cultivators shall comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include: federal and state wage and hour laws, CAL/OSHA, OSHA, California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).
21. Cultivators engaged in processing shall comply with the following Processing Practices:
 - i. Processing operations must be maintained in a clean and sanitary condition including all work surfaces and equipment.
 - ii. Processing operations must implement protocols which prevent processing contamination and mold and mildew growth on cannabis.
 - iii. Employees handling cannabis in processing operations must have access to facemasks and gloves in good operable condition as applicable to their job function.
 - iv. Employees must wash hands sufficiently when handling cannabis or use gloves.
22. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:
 - I. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
 - (a) Emergency action response planning as necessary;
 - (b) Employee accident reporting and investigation policies;
 - (c) Fire prevention;
 - (d) Hazard communication policies, including maintenance of material safety data sheets (MSDS);
 - (e) Materials handling policies;
 - (f) Job hazard analyses; and
 - (g) Personal protective equipment policies, including respiratory protection.

- II. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:
 - (a) Operation manager contacts;
 - (b) Emergency responder contacts;
 - (c) Poison control contacts.
 - III. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.
 - IV. On site-housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.
23. All cultivators shall comply with the approved Processing Plan as to the following:
- I. Processing Practices.
 - II. Location where processing will occur.
 - III. Number of employees, if any.
 - IV. Employee Safety Practices.
 - V. Toilet and handwashing facilities.
 - VI. Plumbing and/or septic system and whether or not the system is capable of handling increased usage.
 - VII. Drinking water for employees.
 - VIII. Plan to minimize impact from increased road use resulting from processing.
 - IX. On-site housing, if any.
24. Term of Commercial Cannabis Activity Special Permit. Any Commercial Cannabis Cultivation SP issued pursuant to the CMMLUO shall expire one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittee(s) and the permitted site have been found to comply with all conditions of approval.
25. 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 SP 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 reinspection to determine whether or not the permit holder has cured all issues of non-compliance. Failure to request reinspection or to cure any items of non-compliance shall terminate the Special Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to section 55.4.13.
26. Permit Renewals to comply with Updated Laws and Regulations. Permit renewal per Ongoing Condition of Approval #22 above is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure that new standards are met.
27. Acknowledgements to Remain in Full Force and Effect. Permittee Acknowledges that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this Section in the event that environmental conditions, such as a sustained drought or low flows in the watershed in which the cultivation area is located will not support diversions for irrigation.
28. Permittee further acknowledges and declares that:
- I. All commercial cannabis activity that I, my agents, or employees conduct pursuant to a permit from the County of Humboldt shall be solely for medical purposes and all commercial cannabis

products produced by me, my agents, or employees are intended to be consumed solely by qualified patients entitled to the protections of the Compassionate Use Act of 1996 (codified at Health and Safety Code section 11362.5); and

- II. All cannabis or cannabis products under my control, or the control of my agents or employees, and cultivated or manufactured pursuant to local Ordinance and the California Medical Marijuana Regulation and Safety Act will be distributed within the State of California; and
 - III. All commercial cannabis activity conducted by me, or my agents or employees pursuant to a permit from the County of Humboldt will be conducted in compliance with the California Medical Marijuana Regulation and Safety Act.
29. Transfers. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CMMLUO eligibility requirements, and agreement to permit terms and acknowledgments. The fee for required permit transfer review shall accompany the request. The request shall include the following information:
- a. Identifying information for the new Owner(s) and management as required in an initial permit application;
 - b. A written acknowledgment by the new Owner in accordance as required for the initial Permit application;
 - c. The specific date on which the transfer is to occur;
 - d. Acknowledgement of full responsibility for complying with the existing Permit; and
 - e. Execution of an Affidavit of Non-diversion of Medical Cannabis.
30. Inspections. The permit holder and subject property owner are to permit the County or representative(s) or designee(s) to make inspections at any reasonable time deemed necessary to assure that the activities being performed under the authority of this permit are in accordance with the terms and conditions prescribed herein.

Informational Notes:

1. 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.

2. 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.

ATTACHMENT 2

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) specify the findings that are required to grant a Conditional Use Permit:

1. The proposed development is in conformance with the 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.

1. **The proposed development must be consistent with the General Plan, Open Space Plan, and Open Space Action Program.** The following table identifies 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, and Open Space Action Program.

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Land Use Chapter 4</p> <p>Land Use Designations Section 4.8</p> <p>Industrial Land Use Designations</p>	<p>Industrial, General (IG): This designation provides for general industrial and manufacturing uses, typically in urban areas, where convenient access to transportation systems and full range of urban services are available. Heavy Industrial and Hazardous Industrial are listed as allowable uses. The maximum allowable Floor Area Ratio (FAR) is 3.</p>	<p>Conditional Use Permit for commercial processing, distribution, and 1,624 square feet nursery. Activities would occur in existing structures. In 2020, the applicant will expand to the adjacent building into Units E and F, where additional processing product will be stored, and distribution space will increase by 286 SF feet. McKinleyville Community Services District will also provide water services to these Units. The parcel is about 5.90 acres with an Industrial General Land Use designation.</p>
<p>Circulation Chapter 7</p>	<p>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-G5).</p> <p>Related policies: C-P3, Consideration of Transportation Impacts in Land Use Decision Making.</p>	<p>The parcel is accessed directly from Boyd Road which is non-County maintained road.</p> <p>The Department of Public Works indicated that this project has no effect on any facilities maintained by the Public Works Department.</p>
<p>Housing Chapter 8</p>	<p>Goals and policies contained in this Element seek to identify existing and projected housing needs and establish goals, policies, standards and measures for the preservation, improvement, and development of housing.</p> <p>Related policies: H-P3, Development of Parcels in the Residential Land Inventory.</p>	<p>The project site is not part of the Housing Element Residential Land Inventory. The project does not involve residential development; however, the project will not preclude any future residential development if allowed by the zoning and general plan designation. 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.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Conservation and Open Space Chapter 10</p> <p>Open Space Section 10.2</p>	<p>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).</p> <p>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.</p>	<p>The proposed project is located within an existing commercial and industrial development, not on working resource lands or park lands. However, the project will not preclude orderly development and coordination with other agencies programs related to conserving open space lands.</p> <p>The Mad River does run adjacent to the property on the west. The Streamside Management Area is located within 140 feet from the structure.</p>
<p>Conservation and Open Space Chapter 10</p> <p>Biological Resources Section 10.3</p>	<p>Goals and policies contained in this Chapter relate to mapped sensitive habitat areas where policies are applied to protect fish and wildlife and facilitate the recovery of endangered species (BR-G1, Threatened and Endangered Species, BR-G2, Sensitive and Critical Habitat, BR-G3, Benefits of Biological Resources).</p> <p>Related policies: BR-P1, Compatible Land Uses; BR-P5, Streamside Management Areas.</p>	<p>A designated Streamside Management Area (SMA) does exist adjacent to the subject parcel. The proposed development will occur outside of the SMA within existing structures.</p> <p>The project is located on a site that is already commercially developed. The parcel does have potential to contain a California Natural Diversity Data Base (CNDDDB) mapped rare and endangered species, Thaleichthys Pacifius. This fish lives near shore and in coastal inlets and rivers, spending most of its life in the sea, returning to freshwater streams to spawn. The proposed development will be located within an existing building approximately 140 feet from the top of bank of the Mad River adjacent to the site. Therefore, species would not be disturbed by the proposed project and no Biological Study or Natural Resource Assessment is required. The California Department of Fish and Wildlife had no comments for this project.</p>
<p>Conservation and Open Space Chapter 10</p> <p>Cultural Resources Section 10.6</p>	<p>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).</p> <p>Related policies: CU-P1, Identification and Protection; CU-P2, Native American Tribal Consultation.</p>	<p>The project was referred to the Blue Lake Rancheria, Wiyot, and Bear River Band of the Rohnerville Rancheria. Blue Lake Rancheria and Bear River Band of the Rohnerville Rancheria recommended to include the inadvertent discovery protocol to protect cultural resources. The project has been conditioned accordingly.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Conservation and Open Space Chapter 10</p> <p>Scenic Resources Section 10.7</p>	<p>Goals and policies contained in this Chapter relate to the protection of scenic areas that contribute to the enjoyment of Humboldt County's beauty and abundant natural resources (SR-G1); and a system of scenic highways roadways that increase the enjoyment of, and opportunities for, recreational and cultural pursuits and tourism in the County (SR-G2).</p> <p>Related standards: SR-S4, Light and Glare.</p>	<p>The proposed project is located within an existing commercial development. The proposed project does not include any additional lighting or signage currently. Any future lighting and/or signs proposed must conform to Humboldt County Code lighting or signage requirements.</p>
<p>Water Resources Chapter 11</p> <p>Stormwater Drainage</p>	<p>Goals and policies contained in this Chapter relate to coordinated watershed planning and land use decision making to advance management priorities (WR-G3, WR-G4, WR-G5); watershed conservation and restoration efforts aimed at de-listing water bodies and watersheds which are restored to meet all beneficial uses, including water use, salmon and steelhead recovery plans, recreational activities, and the economy (WR-G1, WR-G2, WR-G7, WR-G8, WR-G9).</p> <p>Related policies: WR-P10, Erosion and Sediment Discharge; WR-42, Erosion and Sediment Control Measures.</p>	<p>The proposed project occurs within an existing permitted commercial structure that met the requirements of the Building Department and the Department of Public Works regarding erosion and storm water management at time of construction.</p>
<p>Water Resources Chapter 11</p> <p>Onsite Wastewater Systems</p>	<p>Goals and policies contained in this Chapter relate to adequate public water supply as well as onsite wastewater systems and natural and developed storm drainage systems that minimize interference with surface and groundwater flows and storm water pollution (WR-G6, WR-G9, WR-G11).</p> <p>Related policies: WR-IM7, Basin Plan Septic Requirements; and IS-P17, On-Site Sewage Disposal Requirements.</p>	<p>Water to the existing buildings is provided by the McKinleyville Community Services District. The applicant has submitted a will serve letter by McKinleyville Community Services District dated October 30, 2019. The Department of Environmental Health recommended approval of the project.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Noise Element Chapter 13	<p>Goals and policies contained in this Chapter discourage incompatible uses within communities and reduce excessive noise through the application of standards (N-G1, N-G2).</p> <p>Related policies: N-P1, Minimize Noise from Stationary and Mobile Sources; N-P4, Protection from Excessive Noise.</p>	The subject parcel is not located in an area that requires special noise attenuation measures. Power is provided by PG&E.
Safety Element Chapter 14 Geologic & Seismic	<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-P7, Structural Hazards; and S-P11, Site Suitability.</p>	The project site is not located in a mapped Alquist-Priolo fault zone but is subject to liquefaction. Slope stability is mapped relatively stable and the entire site is less than 15% slope.
Safety Element Chapter 14 Flooding	<p>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).</p> <p>Related policies include: S-P12, Federal Flood Insurance Program; S-P13, Flood Plains; and S-P15, Construction Within Special Flood Hazard Areas.</p>	The project site is located outside of a mapped FEMA Flood Zone, and, at 3.5 miles distant from the coast, is outside the areas subject to tsunami run-up. The project site is, however, within a mapped dam inundation area for catastrophic failure of the Ruth Dam on the Mad River.
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 for loss of life, property, and natural resources (S-G4).	<p>The parcel is in an area of high Fire Rating hazard and within Arcata Fire Protection District (AFPD). The project is located in a Local Responsibility Area.</p> <p>The AFPD recommended approval of the project.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
	Related policies: S-P19, Conformance with State Responsibility Areas (SRA) Fire Safe Regulations.	
Community Infrastructure and Services Element, Chapter 5 Implementation Action Plan	IS-S5 requires new industrial, commercial and residential development located outside of fire district boundaries to obtain written acknowledgment of available emergency response and fire suppression services from the local fire agency, including any recommended mitigation.	The project is located within the jurisdiction of Arcata Fire Protection District.
Chapter 15 Air Quality	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-G4). Related policies: AQ-P4, Construction and Grading Dust Control; and AQ-P7, Interagency Coordination.	Applications for grading and/or building permits shall be referred to the North Coast Air Quality Management District (NCAQMD) for review and consultation. Dust control practices during any construction and grading shall achieve compliance with NCAQMD fugitive dust emission standards.

2. Zoning Compliance and 3. Conforms with applicable standards and requirements of these regulations:

The following table identifies the evidence which supports finding that the proposed development is in conformance with all applicable policies and standards in the Humboldt County Zoning Regulations.

Zoning Section	Summary of Applicable Requirement	Evidence That Supports the Zoning 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 subject parcel was created by lot line adjustment Case No. LLA-002-86, recorded in Record of Survey Book 57, pages 6 and 7. Therefore, the subject parcel is a separate, legal parcel in its current configuration and can be developed as proposed.

Zoning Section	Summary of Applicable Requirement	Evidence That Supports the Zoning Finding
§314-3.3 Limited Industrial - ML	The Limited Industrial (ML) Zone is intended to apply to areas in which light manufacturing and heavy commercial uses of the non-nuisance type and large administrative facilities are the desirable predominant uses.	The proposed operation is located within existing commercial/industrial structures on a parcel zoned ML.
Minimum Lot Area:	One acre	The subject parcel is approximately 5.9 acres in area.
Maximum Ground Coverage:	none specified	1.5 %.
Minimum Lot Width:	60 feet	Lot is approximately 200 feet wide at the narrowest point and 900 feet at the widest point, for an average of 550 feet.
Maximum Lot Depth:	none specified	Lot is approximately 480 feet deep.
Minimum Yard Setbacks:	Front: 50 feet Rear: 50 feet Side: 10% of average lot width, but not less than 25 feet Average lot width is 550 feet, so Side setback is 55 feet.	Front: 289 feet Rear: 50 feet Side: 408
Max. Building Height:	75 feet	< 75 feet
§314-61.1 Streamside Management Area (SMA)	Purpose: To provide minimum standards pertaining to the use and development of land located within Streamside Management Areas (SMAs) and other wet areas to implement the County's Open Space Element of the General Plan.	A designated Streamside Management Area (SMA) does exist adjacent to the subject parcel. The proposed development will occur outside of the SMA within existing structures.
§314-109.1.3.4 Off-Street Parking Industrial Uses	<u>Loading Spaces Required.</u> One (1) loading space for each 20,000 square feet of gross floor area, or portion thereof.	The loading space is about 120 square feet. The site has dedicated 12 parking spaces for 12 employees.

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	Summary of Applicable Requirement	Evidence That Supports the Zoning Finding
§314-55.4.5.1.4 a) City Spheres of Influence, Community Planning Areas, Tribal Lands	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) Blue Lake, Fieldbrook-Glendale, Fortuna, Hydesville-Carlotta, McKinleyville, Rio Dell-Scotia, Shelter Cove, Trinidad-Westhaven, and Willow Creek. 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.	The subject property is located in the Arcata Community Planning Area and within the Sphere of Influence of the City of Arcata, thus a Conditional Use Permit is being requested.
§314-55.4.5.4 Permit Limits and Permit Counting	No more than eight acres of Commercial Cannabis permits may be issued to a single Person. No more than ten (10) Persons shall be granted permits authorizing three (3) or acres of cultivation pursuant to the provisions of 55.4.6.1.2(c).	According to records maintained by the Planning Department, the party who is the Today's Humboldt County, LLC applicant, submitted one other cannabis application.
Eligibility Criteria §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.	=PG&E provides power for the project and the applicant is required to enroll in the PG&E Repower+ program which will provide power from 100% renewable sources.
§314-55.4.6.3.2: Water Source	Irrigation shall exclusively utilize stored water from non-diversionary sources or water from a public or private water supplier.	Water for the nursery will be provided by McKinleyville Community Service District.
§314-55.4.6.3.3: Access Roads and Road Systems	Road Systems must meet functional capacity of a Road Category 4.	The parcel is accessed directly from Boyd Road which is non-County maintained road and meets the functional capacity of a Road Category 4. The Department of Public Works indicated that this project has no effect on any facilities maintained by the Public Works Department

Zoning Section	Summary of Applicable Requirement	Evidence That Supports the Zoning Finding
§314-55.4.6.4.4 Standard Setbacks	The area of cannabis cultivation and on-site processing shall be setback at least 30 feet from any property line, 300 feet from any residence on an adjacent parcel or 270 feet from any undeveloped adjacent parcel, 600 feet from any school, school bus stop, church or other place of religious worship, public park, or tribal cultural resources (TCRs) and 1,000 feet from all Tribal Ceremonial Sites.	There are no schools within 600 feet, school bus stop, church or other place of religious worship, public park, or tribal cultural resources (TCRs) and 1,000 feet from all Tribal Ceremonial Sites. The project is also, setback at least 30 feet from any property line, 300 feet from any residence on an adjacent parcel or 270 feet from any undeveloped adjacent parcel.
§314-55.4.6.4.4 Special Setbacks for Odor Mitigation	Open Air Cultivation Sites located within special areas including Community Planning Areas are subject to the following enhanced setbacks unless confined within enclosed structures: 600 feet from the boundary of any residentially zoned area or residence located on a separately owned parcel.	The proposed cultivation activities are not located within a Special Community Planning Area and the nursery and processing will occur in enclosed building.
§314-55.4.11 Application Requirements	Identifies the Information Required for All Applications	Attachment 4 identifies the information submitted with the application and shows all the required information was received.
§314-55.4.12 Performance Standards	Identifies the Performance Standards for Cannabis Cultivation Activities.	All the applicable performance standards are included as conditions of project approval. They are required to be met throughout the timeframe of the permit.
§314-55.4.12.1.8 Performance Standards– Road System	Roads providing access to any parcel(s) or premises on which commercial cannabis activities occur must comply with standards regarding dead-end road length, functional capacity and private road systems.	The parcel is accessed directly from Boyd Road which is non-County maintained road and meets the functional capacity of a Road Category 4. The Department of Public Works indicated that this project has no effect on any facilities maintained by the Public Works Department.
§314-55.4.12.1.9 Burning of Plant Material	The Burning of Plant Material associated with Cultivation and Processing of Commercial Cannabis is Prohibited	There will be no Burning of Plant Material associated with processing of commercial cannabis.
§314-55.4.12.1.10 Performance Standards– Biological Resource Protection	Projects proposing new development activities shall provide the necessary information to implement Mitigation Measures 3.4-1a – 3.4-1l, 3.4-3a, 3.4-4, 3.4-5 and 3.4-6 from the Final Environmental Impact Report.	There are no mapped Special Status Species on the subject parcel. The proposed project will occur within an industrial area no biological resources are expected to be Impacted.

Zoning Section	Summary of Applicable Requirement	Evidence That Supports the Zoning Finding
§314-55.4.12.1.12 Hazardous Material Site Assessments and Contingency Plan	Where commercial cannabis activities are located or proposed on a property previously developed with an industrial or heavy commercial use, applications must be accompanied by a Phase I Environmental Site Assessment (ESA) for the presence of potential hazardous materials. (It goes on)	The proposed cultivation activities is not located in an area that was previously developed with heavy commercial use.
§314-55.4.12.1.12 Stormwater Management	Applications for cannabis activities shall include a plan detailing how stormwater will be addressed for the property, including the location, capacity, and operation of all existing and proposed drainage facilities and features.	The location of the project is in an urban, industrial setting with existing drainage facilities and features.
§314-55.4.12.1.13 Management of Waste and Hazardous Materials	Applicants shall include a plan for disposal of project-related waste, including solid waste, effluent, and byproducts from commercial activities.	The project is serviced by the City if Arcata Wastewater Treatment Plant. In addition, the applicant will not require use of any hazardous materials at a reportable quantity.
§314-55.4.12.1.14 Protection of Historical Resources	Applications proposing projects which include the removal or exterior alteration of structures over 45-years in age shall provide a report prepared by a historical consultant meeting the Secretary of the Interior's Professional Qualification Standards.	The project was referred to the Blue Lake Rancheria, Wiyot, and Bear River Band of the Rohnerville Rancheria. Blue Lake Rancheria and Bear River Band of the Rohnerville Rancheria recommended to include the inadvertent discovery protocol to protect cultural resources. The project has been conditioned accordingly.

Zoning Section	Summary of Applicable Requirement	Evidence That Supports the Zoning Finding
§314-55.4.12.2 Performance Standards– Cannabis Support Facilities	Identifies the Performance Standards for Cannabis Support Facilities.	The project as proposed and conditioned meets all of the requirements stipulated in the cited section. In Attachment 1, these performance standards have been incorporated into the On-going Conditions of Approval that must be satisfied for the life of the project.
§314-55.4.12.4 Performance Standards– Light Pollution Control	a) Structures used for Mixed Light Cultivation and Nurseries shall be shielded so that no light escapes between sunset and sunrise. b) Where located on a Parcel abutting a residential Zoning District or proposed within Resource Production or Rural Residential areas, any Security Lighting for Commercial Cannabis Activities shall be shielded and angled in such a way as to prevent light from spilling outside of the boundaries of the Parcel(s) or Premises or directly focusing on any surrounding uses.	All lighting used for the nursery will occur indoors and enclosed. There is no risk of light pollution.

Zoning Section	Summary of Applicable Requirement	Evidence That Supports the Zoning Finding
§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; and • 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.	The site will be powered by PG&E. The applicant is enrolled in the PG&E “RePower+” program in order to source 100% renewable power.
§314-55.4.12.6 Performance Standards– Noise	Noise from cultivation and related activities shall not result in an increase of more than three decibels of continuous noise above existing ambient noise levels at any property line of the site. Existing ambient noise levels shall be determined by take twenty-four measurements on three or more property lines when all cannabis related activities are not in operation.	The project is located in an urban and industrial setting, adjacent to a State Highway. The project is not expected to increase the ambient level. The applicant will build the nursery and conduct processing activities inside framed walls and ceilings with r19 insulation and 5/8" sheetrock.

Zoning Section	Summary of Applicable Requirement	Evidence That Supports the Zoning Finding
§314-55.4.12.7 Performance Standards – Cannabis Irrigation	A Special Permit shall be required where Irrigation of Commercial Cannabis Cultivation Activities occurs wholly or in part using one or more Diversionary sources of water. All Cannabis Irrigation, regardless of cultivation area, shall be subject to documentation of water use, forbearance periods and storage requirements, metering and recordkeeping.	Water is sourced from the McKinleyville Community Service District.
314-55.4.12.10 Performance Standards – Soils Management	A soils management plan shall be provided detailing the use of imported and native soil on the Parcel(s) or Premises. The plan shall provide accounting for the annual and seasonal volume of soil that is imported and exported and documentation of the approved location of any Parcel(s) used for off-site disposal of spent soil if this occurs or is proposed.	Spent soil used in the nursery will be sold with plant and any excess will be discarded at a permitted waste facility.
314-55.4.12.16 Performance Standards – Invasive Species Control	It is the responsibility of a certificate or permit holder to work to eradicate invasive species.	The project is located in urban setting, no invasive species control plan is necessary.

4. Public Health, Safety and Welfare: The following table documents 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 and will not adversely impact the environment.

Code Section	Summary of Applicable Requirements	Evidence that Supports the Required Finding
§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 ordinance and the project is not expected to cause significant environmental damage.

5. Residential Density Target: The following table identifies 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 Requirements	Evidence that Supports the Required Finding
17.1.5 Housing Element Densities	The proposed development shall not reduce the residential density for any parcel below that is 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), 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 property was not included in the 2014 Housing Inventory. The site contains no single-family residences. Proposed development will not preclude residential units in the future if consistent with the general plan and zoning designations; therefore, the project is in conformance with the Housing Element.

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

As lead agency, the Department prepared an Addendum to the previously adopted Environmental Impact Report (EIR) (State Clearinghouse # 2017042022) prepared for the Commercial Cannabis Land Use Ordinance (CCLUO) and adopted by the County Board of Supervisors May 8, 2018. The EIR prepared for the CCLUO established that the environmental effects of existing cultivation operations would be reduced from the baseline impacts through the regulations applied by the CCLUO. The EIR prepared for the CCLUO also established local land use regulations to allow for continued commercial cannabis operations in the unincorporated area of the County that ensure the health and safety of residents, employees, County visitors, neighboring property owners and end users of cannabis. The proposed project is consistent with all regulations within the CCLUO and all mitigation measures of the EIR.

ATTACHMENT 3

CEQA ADDENDUM TO THE
FINAL ENVIRONMENTAL IMPACT REPORT FOR THE COMMERCIAL CANNABIS LAND USE ORDINANCE

*Commercial Cannabis Land Use Ordinance Final Environmental Impact Report (EIR)
(State Clearinghouse # 2017042022), January 2018*

APN 507-381-006, 5065 Boyd Road, Arcata Area, County of Humboldt.

Prepared By
Humboldt County Planning and Building Department
3015 H Street, Eureka, CA 95501

December 2019

Background

Modified Project Description and Project History –

The Commercial Cannabis Land Use Ordinance (CCLUO) updated the County's existing Commercial Medical Marijuana Land Use Ordinance (Section 313-55.4 and 314-55.4 of Chapter 3 of Division 1 of Title III of the County Code) as well as repeal of the Medical Cannabis Testing and Research Laboratories provisions and on-site consumption prohibition found in Sections 313-55.3.15, 314-55.3.15, 313-55.3.11.7, and 314-55.3.11.7 of Division 1 of Title III of the County Code, respectively. These regulations establish land use regulations for the commercial cultivation, processing, manufacturing, distribution, testing, and sale of cannabis within Humboldt County. These regulations were developed in concert with the Final Environmental Impact Report (EIR) that was adopted for the ordinance in order to implement the mitigation measures of the EIR. The EIR addressed the broad environmental impacts that could be expected to occur from the adoption and implementation of the ordinance. The EIR specified that the regulations established in the CCLUO would mitigate the impacts of existing cannabis operations by establishing regulations for an existing unregulated land use to help prevent and reduce environmental impacts that are known to result from unpermitted baseline cultivation operations. The EIR prepared for the CCLUO also established local land use regulations to allow for continued commercial cannabis operations in the unincorporated area of the County that ensure the health and safety of residents, employees, County visitors, neighboring property owners and end users of cannabis. The proposed project is consistent with all regulations within the CCLUO and all mitigation measures of the EIR. Commercial cannabis cultivation in existence as of December 31, 2015, was included in the environmental baseline for the EIR. The current project was contemplated by the EIR and compliance with the provisions of the CCLUO will fully mitigate all environmental impacts of the project to a less than significant level.

An application for a Conditional Use Permit for commercial processing, distribution, and 1,624 square feet nursery. All activities would occur in an existing Light Industrial zoned parcel just outside of Arcata City limits.

The proposed site is located within Unit J of the industrial complex. The complex supports a various of industrial business and uses. The Mad River is located to the west of the parcel; however, it is out of the 100-year flood zone. The project was referred to the Humboldt Bay Municipal Water District on May 3, 2019, they did not provide any comments. Further, the project was also referred to Arcata Fire Protection District and recommended approval for the proposed project.

Nursery activities would utilize artificial light to propagate juvenile plants that would eventually be transported or sold to other licensees. The nursery will take place in two 812 SF space and will consist of only immature plant cultivation including tissue culture propagation. Water is sourced from the McKinleyville Community Service District. The applicant estimates that a total of 2,015 gallons a month is needed for the cultivation, about 24,180 gallons a year. Water for irrigation will provided by McKinleyville Community Services District (MCSD). MCSD submitted a will serve letter to the County on October 30, 2018 confirming that they will be able to accommodate the water volume of 50,000 gallons a year. The applicant will start new clones or from seeds in a small flood tables and then once they root the applicant will transplant them into small pots. The applicant will use a drip irrigation method to prevent overwatering and to conserve water. The applicant will reuse about 75 % water and re-filter it with a reverse osmosis system.

Commercial processing activities will occur in two a 714 SF rooms, one upstairs and one downstairs of the unit. All dry cannabis will be cut down into smaller stalks and sorted into trays and be weighted and recorded. The rooms will be environment -controlled, and the trays will either hold racks or in totes, ready to be processed by employees. Processing will be compromise of the use of manual techniques, trim machines, industrial scale mercerator, and pre-roll machines.

Distribution will occur in 286 SF secured room in the first floor of the Unit. In 2020, the applicant will expand to the adjacent building into Units E and F, where additional processing product will be stored, and distribution space will increase by 286 SF feet. McKinleyville Community Services District will also provide water services to these Units. Other cannabis product will be brought in from licensed transporters and stored in these locations.

The applicants do not propose any water storage. The site will be powered by PG&E. The applicant is enrolled in the PG&E "RePower+" program in order to source 100% renewable power. It will be operated continuously throughout the year with the hours of operation being between 7 AM and 7 PM daily. The applicant states that a maximum of 12 people would be employed during peak operations.

Purpose - Section 15164 of the California Environmental Quality Act (CEQA) provides that the lead agency shall prepare an addendum to a previously certified Final Environmental Impact Report (EIR) if some changes or additions are necessary but none of the conditions described in Section 15162 calling for a subsequent EIR or Negative Declaration have occurred. Section 15162 states that when an EIR has been certified for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final EIR was certified as complete, shows any of the following: A) the project will have one or more significant effects not discussed in the previous Final EIR; B) significant effects previously examined will be substantially more severe than shown in the Final EIR; C) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or D) mitigation measures or alternatives which are considerably different from those analyzed in the Final EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Summary of Significant Project Effects and Mitigation Recommended

No changes are proposed for the Final EIR recommended mitigations. The proposal to authorize the proposed commercial processing, distribution, and 1,624 square feet nursery operation and minor improvements necessary to bring the operation into compliance with the CCLUO is fully consistent with the impacts identified and adequately mitigated in the Final EIR. The project as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the Final EIR.

Other CEQA Considerations

Staff suggests no changes for the revised project.

EXPLANATION OF DECISION NOT TO PREPARE A SUPPLEMENTAL MITIGATED NEGATIVE DECLARATION OR ENVIRONMENTAL IMPACT REPORT

See **Purpose** statement above.

In every impact category analyzed in this review, the projected consequences of the current project proposal are either the same or less than significantly increased than the initial project for which the EIR was adopted. Based upon this review, the following findings are supported:

FINDINGS

1. The proposed project will permit a new cannabis operation which is fully in compliance with county and state requirements intended to adequately mitigate environmental impacts.
2. The circumstances under which the project was approved have not changed substantially. There are no new significant environmental effects and no substantial increases in the severity of previously identified effects.
3. For the current proposed project, there has been no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was adopted as complete.

CONCLUSION

Based on these findings it is concluded that an Addendum to the previous Final EIR is appropriate to address the requirements under CEQA for the current project proposal. All of the findings, mitigation requirements, and mitigation and monitoring program of the EIR, remain in full force and effect on the original project.

ATTACHMENT 4
Applicant's Evidence In Support of the Required Findings

Attachment 4 includes a listing of all written evidence which has been submitted by the applicant in support of making the required findings. The following materials are on file (PLN-2018-15092-SP) with the Planning Division:

1. The name contacts address and phone number(s) of the applicant. (Application form on file)
2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. (On file)
3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including: access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within ¼ mile (1,320 ft.) of a school, school bus stop, church or other place of religious worship, public park, or Tribal Cultural Resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. (Attached)
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; and proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel, and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. (Attached)
5. Copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable. (Not applicable)
6. Description of water source, storage, irrigation plan, and projected water usage. (Attached)
7. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (Not Applicable)
8. If any on-site or off-site component of the cultivation facility, including access roads, water supply, grading or terracing impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the Department of Fish & Wildlife. (Not applicable)
9. If the source of water is a well, a copy of the County well permit, if available. (Not applicable)
10. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (CALFIRE). Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing that the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with CALFIRE. (Not applicable)

11. Consent for onsite inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On file)
12. For indoor cultivation facilities, identify the source of electrical power and how it will meet with the energy requirements in section 55.4.8.2.3, and plan for compliance with applicable Building Codes. (Attached)
13. Acknowledge that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this Section in the event that environmental conditions, such as a sustained drought or low flows in the watershed will not support diversions for irrigation. (On file)
14. Acknowledge that the county reserves the right to engage with local Tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined herein. This process will follow current departmental referral protocol, including engagement with the Tribe(s) through coordination with their Tribal Historic Preservation Officer (THPO) or other tribal representatives. This procedure shall be conducted similar to the protocols outlined under SB 18 (Burton) and AB 52 (Gatto), which describe "government to government" consultation, through tribal and local government officials and their designees. During this process, the tribe may request that operations associated with the clearance or permit be designed to avoid, minimize or mitigate impacts to Tribal Cultural Resources, as defined herein. Examples include but are not limited to: conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, requiring that a professional cultural resources survey be performed, or requiring that a tribal cultural monitor be retained during project-related ground disturbance within areas of sensitivity or concern. The county shall request that a records search be performed through the California Historical Resources Information System (CHRIS). (On file)
15. DEH Worksheet (On file)



Today's Humboldt County, LLC

5065 Boyd Rd. Unit J
Arcata CA 95521
APN: 507-381-006

Operations Plan:

Commercial Processing
Nursery
Distribution

*Agent: 1 Degree Consulting,
a Division of Humboldt Green, LLC.*

1580 Nursery Way Suite D, McKinleyville

*Joe Moran, General Manager
(707) 890-6600
Joe@gohumboldtgreen.com*

Project Info & Site Overview:

The applicant Today's Humboldt County, LLC (THC) is proposing to develop and operate a cannabis support facility at 5065 Boyd Road in Arcata. The proposed facility location is Unit J of the building, and would host 3 commercial cannabis activities:

1. Commercial Processing
2. Distribution
3. Nursery

The applicant plans to utilize this facility to fulfill nursery, processing and distribution needs for several licensed Outdoor/Mixed light cultivation projects in the Humboldt area (APP# 11963, 11965, 11373, 10897, 10659, and 11268) as well as the needs of additional permit holders in the Humboldt County region.

Hours of Operation

The hours of operation at THC will be between 7 am and 7 pm daily.

New Construction/Tenant Improvements

THC intends to apply to the Building Department immediately following the submittal a complete Planning Department application. Proposed tenant improvements for Unit J are reflected on the attached plot plan and are indicated with a (P) for proposed. All existing facilities are indicated with an (E) for existing.

A building permit application packet will be submitted when complete, along with engineered, stamped, building plans.

Parking Plan

There will be 9 parking spots dedicated to Unit J at 5065 Boyd Rd. This will be adequate parking for all employees of THC and any other authorized personal/visitors. There will be no retail sales or customer transactions taking place at THC and all Distribution/Transportation activities will be conducted by 1-2 approved company vehicle(s) therefore total traffic and parking space requirements are **expected** to be minimal.

(See Plot plan for location of parking spaces)

Water Source

The property is served by McKinleyville Community Services District (MCSD). THC will be securing a new hook up for Unit J water supply that will provide water for all activities including the Nursery cultivation activities. A Will Serve letter will be submitted to the Planning Department when provided. The distribution and processing activities will use minimal water for handwashing, restrooms, and cleaning equipment. DEH worksheets are part of this application.

Biological

No negative impacts to any species of special concern (SSC) or habitat are anticipated by any of THC's proposed activities at 5065 Boyd Road Unit J. The property is Zoned Light-Industrial.

Energy Plan

The electricity for the property is provided by PG&E. THC will be creating an account with PG&E for all power needs for Unit J. All grid power provided by PG&E will be supplied from 100% renewable source via their "Solar Choice" program. There will be a back up generator system that will be used only in the event of a power outage and will be capable of powering all of Unit J. Evidence of enrollment in PG&E's solar choice program or another 100% renewable energy program will be provided to the Planning Department when secured.

Stormwater Management Plan

The existing building located at Boyd Road has an approximate 12,000 sq. ft. roof with adequate drainage features. The building currently has 8 gutters around the entire perimeter of the roof and several spouts that distribute the rain/storm water evenly during a storm event. Unit J has 2 gutters, one in the front and one in the back. Water from the front gutter is dispersed into the storm drains, and the back gutter drains into a vegetated area, there has never been any sort of excessive runoff or excessive sedimentation that would affect nearby waterways. There will be no changes to the existing stormwater drainage facilities therefore the project will retain pre-project drainage conditions and result in no net increase in the volume of stormwater runoff from the property.

Hazardous Waste: Site Assessment and Statement

Based on an online Envirostor search, we have determined that the property has never been a hazardous waste facility nor is there one nearby. Also, based on information provided by the property owner, the property historically was not developed for any industrial or heavy commercial use therefore no exposure to hazardous material is expected. The parcel is zoned "light Industrial".

Noise Source Assessment

The potential point source noise at 5065 Boyd Road will be minimal. The only sources of noise will be from vehicles coming and going (an average of twice per day), ventilation/odor control systems in the Nursery and Processing areas within the building, and a backup Generator that will only be used in the event of a power outage. All ambient noise levels were measured at 40 decibels and will be less than 60 db at the property line at all times. Furthermore, the proposed facility location is in an industrial area (zoned light industrial) away from any residences, which hosts other business that create noise during business hours. Across the Mad River is Highway 299 which contributes to the ambient noise level.

Sewage Disposal Plan

All individuals present at THC will have access to ADA restrooms that are serviced by the City of Arcata's Wastewater Treatment Plant.

Security Plan

THC shall secure the premises at 5065 Boyd Road 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. Each exterior camera will be configured to record upon motion detection during the evening hours and will also be configured to email and/or text the appropriate person(s) if motion is detected in any of the predefined areas of the cameras view. The access control system as well as the camera system can be viewed in real time with the ability of the user to view all entry/exit logs, camera logs, and review any previously recorded video by using a smart phone, tablet or PC/MAC computer. If an individual is loitering on the premises or acting suspicious, law enforcement will be notified immediately.
- Establishing limited access areas accessible only to authorized personnel of THC including security measures to deter and prevent unauthorized entrance of areas containing cannabis or cannabis products, or theft of cannabis products. On the interior of the building there will be a keyless access control system that uses a authentication code that grants access into each area, (area being defined as a windowless room with single or multiple doors that's located inside the building). Each door will be equipped with an electric lock that is opened by using a code that will be changed regularly, and only given to authorized personnel.
- Storing all finished Cannabis and Cannabis products in a secured and locked room, known as a "Safe Room" to prevent diversion, theft, or loss of cannabis materials. The "Safe Room" which will have a secure door and will be used for storage of anything deemed of high value (e.g. finished product, etc.). This room will be secured with electric locks that are assigned a specific authentication code only given to authorized personnel.
- Providing tamper proof and tamper evident packaging for all "finished cannabis products" by utilizing a sealer and appropriate packaging on site.
- Preventing off site impacts to adjoining or nearby properties through odor, visibility, and noise control methods. Operations at this facility will not create odor or noise at a decibel level that would disturb adjoining or nearby properties. The operations directly involving cannabis product at this facility will be behind closed doors and there are no windows into secure areas therefore the visibility of operations to the public is not possible.

THC will Prevent access to the premises by unauthorized person and will 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.

THC 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 process;
- 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 commercial cannabis activity areas.

THC will Secure and back up electronic records in a manner that prevents unauthorized access and that ensures the integrity of records maintained. All electronic records will be stored in a limited access area, accessible only to authorized personnel by key/key code.

THC will notify the Arcata Police Department or 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 THC.
- 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 will contact 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 that a breach has taken place before contacting any entity. This is to help prevent false alarms from being reported.

Cultivation Activities - Nursery:

Cultivation Plan – Description of Cultivation Activities

The cultivation activities at THC will take place in two (2) X 812 sq. ft. nursery spaces in Unit J and will consist of only immature plant cultivation including tissue culture propagation. These spaces will be illuminated with up to 80 T5 florescent lights depending on the time of year, and productivity of THC nursery. A portion of the cultivation area(s) will be for long term “mother plants” to secure genetic material. Another portion will be dedicated to tissue culture and clone production. From these plants and from the tissue culture production, cuttings will be taken to create new clones. All clones will then be planted into soil/grow medium in small containers and moved into a vegetative growth area. These plants will be eventually be transported via licensed distribution and/or transportation to THC cultivation operations in the Humboldt Area. Additionally, immature plants will be regularly sold, to licensed distributors, licensed cultivators and/or licensed retailers.

Materials Management Plan

The cultivation activities at THC will not require the storage and use of any hazardous materials at a reportable quantity. Vegetative growth of immature cannabis plants requires much less nutrient intake than mature, flowering plants. THC is committed to organic practices and does not see the need to store any reportable quantities of potentially hazardous materials associated with cannabis cultivation and/or liquid nutrients.

THC nursery will also practice Integrated Pest Management for all pest control needs. Active Ingredients in products used for pesticides are as follows:

- Regalia: extract of Reynoutria sachalinensis
- Og Biowar: 30% bacterial and fungal spores 70% Talc powder
- Venerate: heat killed Burkholderia spp.strain A396 cells
- Neem Oil: azadirachtin, nimbin, picrin, sialin
- Dr.Zymes: fermented citric acid
- Plant therapy: soy oil, alcohol, peppermint essential oil, citric acid, sodium citrate
- Trifecta: Thyme oil, clove oil, garlic oil, peppermint oil, corn oil, geraniol, citric acid, rosemary oil

Light Pollution Control Plan

The nursery cultivation area at THC will be fully enclosed within Unit J and no light will escape the enclosed room between sunset and sunrise. We do not anticipate any Light Pollution from cultivation activities at THC.

Soils Management Plan

All soil used at THC will be imported from outside the facility. The cultivation process of maintaining nursery stock requires very little soil. Mother plants and larger clones will be potted in soil in small pots (3-12 inch) and minimal soil will be used. Other mediums such as rockwool will be used for earlier stages of growth. Spent soil/mediums will be self-hauled to a permitted waste facility such as Humboldt Sanitation on Central Ave in McKinleyville. There will be very minimal soil waste because all soil will be placed into containers that will eventually be sold with a clone/plant. Also, in some cases immature plants and clones will be contained in rockwool for their lifetime at THC.

Irrigation Plan

Propagation and vegetative growth use very little water. Making new clones and/or starting seeds uses small flood tables. Once new plants grow roots they are transplanted in small containers. All plants will be watered using drip irrigation. This is the most efficient manner to apply water to individual containers. THC will use a water recirculation system that re-filters wastewater and runoff leftover from the nursery with a reverse osmosis filtration system. The water will then be reintroduced to the watering system. THC anticipates that up to 75% of the initial water used will be re-used. Total annual water use is difficult to determine at this time, however less than 65 GPD is anticipated. Water will be supplied by the McKinleyville Community Services District and a will serve letter will be provided at the time it is received.

SWRCB

THC intends to enroll with the State Water Board under the General Order via the SIUR portal. THC expects that we will qualify for categorical exemption. Water will be supplied by the McKinleyville Community Services District.

Schedule of Activities:

The hours of operation at THC will be between 7 am and 7 pm daily. The schedule for nursery activities will be determined by several factors but will not exceed the hours of operation. It is anticipated that peak operations will occur between the months of February - July, and standard operations will be year-round. During peak operations up to 4 people will be working full time. During slower times of year, there may only be 1 or 2 employees in THC nursery operations at any given time. While there will only be employees present during the hours of operation, lights will be running between 18-24 hours a day, daily. Below is a monthly timeline for nursery activities in each room.

Nursery Cultivation Schedule of Activities

	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Room 1 & 2: VG = Vegetative Growth TC = Tissue Culture	V/TC	V/TC	V	V	V	V	V/TC	V/TC	V/TC	V/TC	V/TC	V/TC

Processing Activities:

Description of Processing Activities

Processing Facility will house trimming, curing and packaging operations at THC (Unit J). THC Distribution will deliver/transport unprocessed cannabis to the Processing Facility. Once fully dry, the plants will be cut down into smaller stalks and sorted into trays. The trays of ready to trim product will be weighed and recorded. All ready to trim product will then be stored in an environment-controlled room on racks or in totes while each tray is processed by employees. Trimmers and Trim machines (detailed below) will process the material and separate trimmed flower, sugar leaf (trim for manufacturing) and compost waste (fan leaves and stems). After each tray/rack/tote, all material will then be re-weighed to ensure that no material is unaccounted for, including compost waste. All compost waste shall be disposed of by mixing with more than 50% non-cannabis material as to be made unusable. Cannabis waste material shall be weighed and recorded before disposal by composting. All trim and trimmed flower will be weighed and recorded before being moved into THC distribution area. All finished product will remain on site and inputted into THC's distribution facility. Product will be sent off for testing and then back to the distribution. Final sale of product will be from THC distribution to a licensed retail storefront in CA, distributed by THC distribution. All activities in the processing department will align with regulations set forth by the relevant State agencies (BCC, CDFA).

Processing activities at THC will be contained in two, enclosed 740 sq. ft. rooms in Unit J separate from the rest of the facility. There will be one processing room on the first floor of Unit J and another on the second floor. These rooms are referred to as the "processing areas" on the plot plan. These rooms will be secured with electric locks and will only be accessible to authorized personnel such as manicurists, and other employees of THC.

All personnel working at the THC Processing would follow section 55.4.11 Performance Standards for all CCLUO Cultivation and Processing Operations, specifically section u), pertaining to Processing Activities. In total a maximum of 10-12 employees would work in accordance with California labor laws to trim/process the cannabis including drying and packaging.

The safety practices upheld at THC processing will be detailed in an employee manual in full by THC to each new employee. All employees will exercise caution while at work, especially when handling sharp object such as trimming scissors, tools and components for trim machines. All employees will wear gloves while in contact with cannabis products, and masks will be available upon request.

The processing facility will be maintained in a clean and sanitary condition including all work surfaces and equipment. Processing operations will implement protocols to prevent processing contamination and mold/mildew growth on cannabis, this includes temperature and humidity control and cross contamination prevention methods. Employees handling cannabis in processing operations will have access to facemasks and gloves in good operable condition as applicable to their job function. Employees will wash hands sufficiently when handling cannabis or use gloves.

Equipment used by THC processing will include the following:

1. Trim scissors.
2. 3 types of trim machines; "The Twister", "The Triminators", and a "GreenBroz".
3. Industrial scale macerator that will evenly grind/macerate cannabis material.
4. And 2 "Futurola" pre-roll machines, to be used for THC pre-roll productions.

The Processing Facility will contain an ADA compliant bathroom. The bathroom ties into the City of Arcata's Wastewater Treatment Plant and will receive all waste from the bathroom in Unit J. Filtered drinking water will be available in the Processing Facility, sourced from municipal water. Hot water will also be available for handwashing and general cleanup.

There will be no on-site housing of any kind at 5065 Boyd Road for employees of THC.

The increased road use from employees of THC processing will not substantially impact Boyd Road or the entrance/parking area of 5065 Boyd Road. Boyd Road is a category 4, city/county-maintained road able to support larger vehicles and commercial/industrial activity. There are currently multiple businesses in the same area and on the same parcel that have employees coming and going daily. There is adequate road infrastructure and parking to support up to 12 additional vehicles daily from THC processing employees.

Materials Management Plan

The processing activities at THC will not require the storage and use of any hazardous materials at a reportable quantity. Other than Isopropyl Alcohol and household cleaning solutions like soap, THC processing will refrain use of potentially hazardous materials for processing activities. There will be 2-5 gallons of Isopropyl Alcohol onsite at any given time to be used for the maintenance and cleaning of processing equipment such as the automated trim machines, scissors and additional tools. All bulk Isopropyl Alcohol will be stored in an enclosed storage space shown on the plot plan.

Schedule of Activities:

The hours of operation at THC will be between 7 am and 7 pm daily. The schedule for processing activities will be determined by several factors but will not exceed the hours of operation. It is anticipated that peak operations will occur between the months of July and November, and standard operations will be year-round. During peak operations up to 15 people will be working full time. During slower times of year, there may only be 1 or 2 employees in processing at any given time. Due to the influxes in supply and demand of cannabis and cannabis products, and the nature of processing activities, a more detailed schedule is difficult to determine at this time.

Distribution Activities:

Description of Distribution Activities

A distribution center will be housed in a new proposed structure and will share a building with other proposed activities. THC Distribution will serve as a distribution network for THC's cultivation operations in the Humboldt area and for other local permitted cannabis operations that are seeking distribution services. THC will be applying for a Distribution license from the State of California upon local approval. All finished product produced and/or processed by THC will remain on site and inputted into THC's distribution facility. Other products will be brought to THC through a licensed transporter and inputted into THC's distribution facility. Product types will include dried cannabis flowers, cannabis extracts, cannabis infusions, cannabis edibles as well as other regulated cannabis products. There will be no consumption of any cannabis products at the premises. All of THC's products will be inputted and organized by batch number as they are received. All products will be sampled for testing by an offsite licensed testing laboratory employee by batch number prior to distribution. Final sale of all of THC's product to the consumer will be through a licensed cannabis Retailer in CA, distributed by THC distribution. THC distribution will serve as both a distribution center for all cannabis products produced on site as well as cannabis products sourced from other licensees.

Inventory Procedures:

THC distribution will have strict inventory management procedures. THC distribution 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 (THC distribution).
- (2) The transaction date(s).
- (3) The cultivator 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 from licensed cultivators will be separated into “harvest batches” which are determined by strain, cultivation site, and date of harvest or each 50-pound batch, if the harvest is over 50 pounds of flower. Manufactured cannabis products will be separated into “manufactured cannabis batches” based on product type, cannabis products will be inputted into local and state track and trace systems, after testing has occurred and results have been verified.

THC distribution 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.

Materials Management Plan

The distribution activities at THC will not require the storage and use of any hazardous materials at a reportable quantity.

Schedule of Activities:

The hours of operation at THC will be between 7 am and 7 pm daily. The schedule for distribution activities will be determined by several factors but will not exceed the hours of operation. It is anticipated that peak operations for THC distribution will occur between the months of August and February, and standard operations will be year-round. During peak operations up to 5 people will be working full time. During slower times of year, there may only be 1 or 2 employees in Distribution at any given time. Due to the influxes in supply and demand of cannabis and cannabis products, and the nature of Distribution activities, a more detailed schedule is difficult to determine at this time.

From: [Percy Busman](#)
To: [Moreno, Elizabeth](#)
Subject: todays humboldt county 15526
Date: Wednesday, November 13, 2019 12:45:27 PM

Elizabeth,

Below is the stated equipment used and a brief description of how it wont increase sound by 3 decibals , let me know if this is adequate.

The nursery will be built inside of the zoned industrial building. This will include framed wall and ceilings with r19 value insulation and 5/8" sheetrock. All equipment listed below will be inside room as to not allow any increase in sound outside of building.

12" can fan brand with built in muffler, insulated ducting, and charcoal filter

8" can fan brand with insulated ducting and charcoal filter

Quest 110 dehumidifier

The processing side of application will incorporate similiar design with building rooms inside of existing industrial building. This will allow us to frame walls and ceilings with r 19 value insulation to prevent increase in sound outside builing. All equipment will be inside of built out rooms. We will be using the green bros brand trim machine which puts off virtually no noise. Other equipment will include

8" can fans with charcoal filter and insulated ducting to minimize noise and to srcub air in enclosed room.

Tim

Lippre, Suzanne

From: Percy Busman <percy.spireridgefarms@gmail.com>
Sent: Tuesday, December 10, 2019 8:33 AM
To: Moreno, Elizabeth
Subject: Re: clarification boyd rd

Elizabeth. Nursery will stay the same size. The expansion will b for storage of product for processing and expansion of the 286 feet of distribution.

Tim

On Mon, Dec 9, 2019 at 5:12 PM Moreno, Elizabeth <EMoreno@co.humboldt.ca.us> wrote:

Tim,

What will be the final square footage in 2020 when the nursesey is expanded into unit E and F?

Best,



Elizabeth Moreno

Planner II
Cannabis Services Division
Planning and Building Department
707.445.7245

From: Percy Busman <percy.spireridgefarms@gmail.com>
Sent: Thursday, December 05, 2019 2:50 PM
To: Moreno, Elizabeth <EMoreno@co.humboldt.ca.us>
Subject: Fwd: clarification boyd rd

----- Forwarded message -----

From: **Percy Busman** <percy.spireridgefarms@gmail.com>

Date: Thu, Dec 5, 2019 at 2:49 PM

Subject: clarification boyd rd

To: <clinhunter@hotmail.com>

Elizabeth,

Below is revised project description:

An application for a conditional use permit for a commercial processing, distribution and a 1624 sq foot nursery operation. All activities would occur in an existing facilities. Processing activities will comprise of three types of processing methods. The distribution would include distribution of all cannabis products produced on site , as well as cannabis products sourced from other licensees. Distribution will occur in 286 sq foot secured room initially. In 2020 the applicant will lease 2 suites E and F. for expansion of nursery, processing, and distribution. Nursery activities would use artificial light to propogate juvenile plants that would eventually be transported or sold to other licensees. Water is sourced from the Mckinleyville Community Service District. The nursery will be indoor and will be powered by PG&E. The applicant is enrolled in the PG&E "RePower+" progra in order to source 100% renewable power. It will be operated continuously throughout the year with the hours of operation being between 7am and 7pm daily. The applicant states that a maximum of 12 people would be employed during peak operations.

Hope this clears things up.

Tim

ATTACHMENT 5

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 off.

Referral Agency	Response	Recommendation	Location
Building Inspection Division	✓	Approval	Attached
City of Arcata		No Response	
Bear River Band of Rohnerville Rancheria	✓	Conditional Approval	On file- Confidential
Blue Lake Rancheria	✓	Conditional Approval	On file- Confidential
NWIC	✓	Conditional Approval	On file- Confidential
Environmental Health Division	✓	Approval	On file
Public Works Land Use Division	✓	Approval	On file
NCRWQCB		No response	
CA Department of Fish & Wildlife		No response	
Agricultural Commissioner		No Response	
County Counsel		No Response	
Humboldt County District Attorney		No Response	
Arcata Fire Protection District	✓	Approval	On file
North Coast Unified Air Quality Management District		No Response	
Pacific Union School District	✓	Denial	
McKinleyville Community Service District	✓	Approval	
Humboldt Bay Municipal Water District		No Response	
Wiyot Tribe		No Response	



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

PRE-SITE INVESTIGATION FORM

THIS IS NOT A PERMIT DOCUMENT

APPLICATION INFORMATION

Name Today's Humboldt County LLC
Address 1 Tim Busman **Address 2** PO Box 1174
City Blue Lake **State** CA **Zip** 95525

OWNERS NAME AND MAILING ADDRESS

Name Dutra Francis A & Dorothy V Tr **Email**
Address 1 **Address 2**
City Willow Creek **State** CA **Zip** 95573

SITE INFORMATION

Parcel Number 507-381-006-000 **Application Number** PLN-2019-15526
Street Address 5055 Boyd Rd **City** Arcata **State** CA **Zip** 95521

PRESITE INVESTIGATION

Project is already started No	AOB Inspection No
Soil report is required due to	Project appears to be within wet area None
Project is in flood zone A per No	FIRM panel number
Flood elevation certificate required No	Is 2nd Flood Certificate Required? No
Plans stamped by a licensed person required Yes	SRA requirements apply No
SRA water storage requirements apply No	Lot created prior to 1992
Appr.SRA req. need to be shown on plot plan No	Plot plan incomplete, must be revised No
Driveway slope appears to be Under 16%	Submit engineered foundation for None
Grading permit required No	Applicant must locate property lines Yes
Incomplete submittal Construction Plan No	Other concerns exist No
Erosion and sediment control measures req. Ordinance standard 4/15-10/15	

Inspector Notes

7-1-19
RE
PLN 15526

- Obtain all necessary permits
- Recommend approval

QUESTIONS? Please contact the County of Humboldt Building Division