



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

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

Hearing Date: January 23, 2020

To: Humboldt County Planning Commission

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

Subject: **Greenlife Farms Inc. Special Permit**  
Record No. PLN-12165-SP  
Assessor's Parcel Number (APNs) 504-021-011

<b>Table of Contents</b>	<b>Page</b>
Agenda Item Transmittal	2
Recommended Action and Executive Summary	3
Draft Resolution	6
Maps	
Topo Map	9
Zoning Map	10
Aerial Maps	11
Site Plan	12
Attachments	
Attachment 1: September 19, 2017 letter sent to the applicant to inform applicant that the 3-acre conversion expired and specific instruction on how to move project forward.	13
Attachment 2: May 28, 2019 phone call with "agent" Joe Loung regarding the applicant's desire to cancel the project and subsequent email with applicant, Vivian Khong with specific instructions with project cancellation instructions.	16
Attachment 3: September 30, 2019 email with applicant, Vivian Khong with the same specific instructions sent May 28, 2019.	18
Attachment 4: Notice and Acknowledgement of Land Use Limitations	21
Attachment 5: Required Findings for Approval	23

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

## AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
January 23, 2020	Special Permit	Portia Saucedo

**Project Description** A Special Permit for Greenlife Farms, Inc. for a proposed wholesale nursery, commercial processing facility, and 10,000 square feet of new commercial cannabis cultivation. The proposed project is located on Assessor's Parcel Number (APN) 504-021-011 which is approximately 15.29 acres in area.

**Project Location:** The project is located in Humboldt in the Glendale area, on both sides of Alder Lane, approximately 650 feet west from the intersection of Essex Lane and Alder Lane, on the property known as 197 Alder Lane.

**Present Plan Land Use Designations:** Residential Agricultural (RA5-20), Humboldt County General Plan, Density: One dwelling unit per 20 acres, Slope Stability: Low Instability (1)/High Instability (3)

**Present Zoning:** Agriculture General (AG).

**Application Number:** 12165

**Record Number:** PLN-12165-SP

**Assessor Parcel Numbers:** 504-021-011

**Applicant**

Greenlife Farms, Inc.  
Vivian Khong  
9315 Bolsa Ave #905  
Westminster, CA 92683

**Owner**

Alder Lane  
Holdings, LLC Co  
515 J. ST  
Eureka, CA 95501

**Environmental Review:** The proposed project is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA) per section 15270 (Projects Which Are Disapproved) of the CEQA Guidelines.

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

**Major Issues:** Inconsistency with the Commercial Medical Marijuana Land Use Ordinance

**GREENLIFE FARMS, INC**  
Record No. PLN-12165-SP  
Assessor's Parcel Number 504-021-001

**Recommended Zoning Administrator Action**

1. Describe the application as a 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 deny the application as part of the consent agenda:

Find the project exempt from environmental review pursuant to State CEQA Guidelines Section 15270, make the finding that the project is not consistent with Section 314-55.4.10(j) of the Humboldt County Code and that therefore the required findings for approval can not be made, and adopt the Resolution denying the proposed Greenlife Farms, Inc. project.

**Executive Summary:** For Zoning Administrator consideration is an application under the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) for a Special Permit (SP) for Greenlife Farms, Inc. for a proposed wholesale nursery, a Special Permit for a proposed commercial processing facility, and a Zoning Clearance Certificate for 10,000 square feet of new commercial cannabis cultivation. The proposed project is located on Assessor's Parcel Number (APN) 504-021-011 which is approximately 15.29 acres in area. The parcel is zoned Agriculture General (AG) and is consists almost entirely of timberland. The applicant has not been responsive to requests for the information necessary to demonstrate that this application meets the requirements of the County's Commercial Medical Marijuana Land Use Ordinance (CMMLUO). Multiple requests for information have been sent to the applicant; however, the applicant has yet to submit any sufficient information to demonstrate that the application is consistent with the CMMLUO and all available information indicates that the proposed project is inconsistent with the CMMLUO.

Specifically, Section 314-55.4.10(j) of the Humboldt County Code states the following as an application requirement:

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 (CAL-FIRE). Alternatively, for existing operations occupying sites created through prior unauthorized conversion of timberland, if the landowner has not completed a civil or criminal process and/or entered into a negotiated settlement with CAL-FIRE, the applicant shall secure the services of a registered professional forester (RPF) to evaluate site conditions and conversion history for the property and provide a written report to the Planning Division containing the RPF's recommendation as to remedial actions necessary to bring the conversion area into compliance with provisions of the Forest Practices Act. The Planning Division shall provide CAL\_FIRE written NOTICE of AVAILABILITY of the RPF's report. If CAL-FIRE takes not action within ten (10) days of the notice of availability, the report recommendations shall become final.

The above section of the CMMLUO implements the findings of the Mitigated Negative Declaration adopted for the MND that found no possibility of significant impact to the County's timberland through conversion of timberland to cannabis uses. Conversion of timberland that occurred prior to the environmental baseline established for the MND and the ordinance (January 1, 2016) has a pathway for retroactive compliance with the Forest Practices Act. New conversion of timberland is only allowed with prior approval from CAL-FIRE and only where it can be shown to be consistent with the MND's finding that no loss of timberland would occur.

The subject parcel is approximately 15.9 acres and consists almost entirely of what appears to be timberland as defined per Section 4526 of the Public Resources Code, which is "land, other than land owned by the federal government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees. Commercial species shall be determined by the board on a district basis."

Staff has repeatedly informed the applicant that the project does not appear to meet the requirements of the ordinance and the applicant has been unresponsive. The history is as follows:

1. On September 19, 2017 the County sent a deficiency letter to the applicant, Vivian Khong, to inform applicant of the following:
  - a) The applicant applied for two (2) Less-Than-Three-Acre Conversions; one in March of 2016 and the other in May of 2017. Neither of these Less-Than-Three-Acre Conversions were executed. Further, as part of the May 2017 conversion application the applicant signed a notice and acknowledgement that the converted area would not be used for commercial cannabis activities.
  - b) The applicant was asked to provide an updated Site Plan and Cultivation and Operations Plan that excluded the 10,000 square feet of commercial cannabis cultivation due to the CMMLUO prohibiting timber conversion for proposed cultivation areas if the timber conversion was applied for after the effective date of the ordinance [reference: Humboldt County Code Section 314-55.4.8.2].
  - c) An updated Site Plan was requested with the proposed location of the wholesale nursery and a revised Cultivation and Operations Plan to regarding the specifics of nursery operations.
  - d) The applicant was asked to provide an updated Site Plan showing the location of the proposed 5,000 square foot processing facility and an updated Cultivation and Operations Plan regarding the specifics of the processing facility operations. Further, how the proposed facility would forgo timber removal.
2. On May 28, 2019 the County initiated contact by phone to the number on file for the applicant and spoke with "agent" Joe Loung (spelling unclear) regarding the applicant the applicant's desire to formally cancel the project. An email was sent the same day to the applicant, Vivian Khong, to reiterate the County's understanding that the applicant intended to formally cancel the project. Specific instructions to formally cancel the project with the County were provided in the email.
3. On September 30, 2019 the County sent a second email to the applicant, Vivian Khong, with the same specific instructions to formally cancel the project last sent May 28, 2019.
4. As of the date of this staff report, the applicant has not responded or withdrawn the application.

In order to approve a Special Permit, the Zoning Administrator must find that the proposed development conforms with all requirements of the Humboldt County Zoning Regulations. This includes the requirement to conduct all commercial cannabis in compliance with all laws. This application is inconsistent with the Humboldt County Code due to the need for timber conversion to cultivate commercial cannabis, the need for timber conversion to construct a processing facility, the need for timber conversion to install a commercial nursery, and the lack of information in the application showing that the application complies with other aspects of the Humboldt County Code. The applicant was given repeated opportunities to formally withdraw the application and has not. Accordingly, the application must therefore be denied.

**ALTERNATIVES:** The Zoning Administrator could elect to direct staff to work with the applicant to resolve the outstanding issues and continue processing the application in accordance with HCC §312-4.1 et seq. Based on the information available in the file and on the County's GIS, the application does not appear to have a path to approval and staff therefore does not recommend this alternative.

**RESOLUTION OF THE ZONING ADMINISTRATOR  
OF THE COUNTY OF HUMBOLDT  
Resolution Number 20-**

**Record No. PLN-12165-SP  
Assessor Parcel Numbers: 504-021-011**

**The Humboldt County Zoning Administrator makes the required findings for certifying compliance with the California Environmental Quality Act and denies the Greenlife Farms, Inc. Special Permit request.**

**WHEREAS**, Greenlife Farms, Inc. submitted an application requesting approval of a Special Permit for a proposed wholesale commercial cannabis nursery, commercial processing facility, and 10,000 square feet of new outdoor commercial cannabis cultivation located on APN 504-021-011.

**WHEREAS**, Section 314-55.4.10(j) of the Humboldt County Code requires that the conversion of timberland after January 1, 2016 for cannabis cultivation may occur only when a copy of a less-than-3-acre conversion exemption or timberland conversion permit to convert the area for commercial cannabis purposes, approved by the California Department of Forestry and Fire Protection (CAL-FIRE), has been submitted.

**WHEREAS**, Greenlife Farms, Inc. obtained approval but did not execute a Less-Than 3-Acre Conversion that was approved in March 2016 for an agricultural accessory building; and

**WHEREAS**, Greenlife Farms, Inc. submitted a subsequent Less-Than 3-Acre Conversion May 15, 2017 and signed a notice and acknowledgement that the conversion area would not be utilized for commercial cannabis activities, and that this conversion exemption was not approved; and

**WHEREAS**, in September of 2017 the County requested that Greenlife Farms, Inc. provide supporting documentation to show either a new proposed location or revised project description that would eliminate the planned timber conversion from the project; and

**WHEREAS**, in September of 2017 the County requested that Greenlife Farms, Inc. provide a revised site plan specifying the proposed location for the wholesale nursery and operation specifics barring any timber conversion; and

**WHEREAS**, in September of 2017 the County requested that Greenlife Farms, Inc. provide a revised site plan that cohered with the cultivation and operations plan specifying the proposed location for the proposed processing facility in accordance with HCC Section 314-55.4.11(u) barring any timber conversion; and

**WHEREAS**, on two (2) separate occasions, May 28, 2019 and September 30, 2019, the County sent specific instructions to the applicant to execute the formal cancellation of the proposed project within 30 days of receipt of correspondence lest the project be moved forward for denial; and

**WHEREAS**, the applicant has been unresponsive to these requests to formally cancel the application; and

**WHEREAS**, 312-17.1.3 of the Humboldt County Code requires the County to make the finding that the proposed development conforms with all applicable standards and requirements of these regulations in order to approve a permit; and

**WHEREAS**, the proposed project is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA) per section 15270 (Projects Which Are Disapproved) of the CEQA Guidelines; and

**WHEREAS**, a public hearing was held on the matter before the Humboldt County Zoning Administrator on January 23, 2020.

**NOW, THEREFORE**, be it resolved, determined, and ordered by the Humboldt County Zoning Administrator that:

1. The proposed project is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA) per section 15270 (Projects Which Are Disapproved) of the CEQA Guidelines; and
2. The project is not consistent with Section 314-55.4.10(j) of the Humboldt County Code.
  - a. Section 314-55.10 provides the application requirements for all CMMLUO Clearances and Permits, which includes subsection(j) which states that *"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 (CAL-FIRE). Alternatively, for existing operations occupying sites created through prior unauthorized conversion of timberland, if the landowner has not completed a civil or criminal process and/or entered into a negotiated settlement with CAL-FIRE, the applicant shall secure the services of a registered professional forester (RPF) to evaluate site conditions and conversion history for the property and provide a written report to the Planning Division containing the RPF's recommendation as to remedial actions necessary to bring the conversion area into compliance with provisions of the Forest Practices Act. The Planning Division shall provide CAL\_FIRE written NOTICE of AVAILABILITY of the RPF's report. If CAL-FIRE takes not action within ten (10) days of the notice of availability, the report recommendations shall become final."*
  - b. The project site is approximately 15.29 acres in size and is almost entirely consists of timberland as defined in section 4526 of the Public Resources Code. In order to develop the project substantial timber conversion would be required, and the applicant has not provided or executed a less-than-three-acre conversion exemption or timber conversion permit to convert the area for commercial cannabis use. Accordingly, the project may not be found consistent with Section 314-55.10(j) of the Humboldt County Code.
3. The required findings for approval in Section 312-17.1.3 of the Humboldt County Code can not be made.
  - a. Finding: 312-17.1.3: The proposed development conforms with all applicable standards and requirements of these regulations;
  - b. Evidence: Because the project is not consistent with Section 314-55.4.10(j), the project does not conform with all applicable standards and requirements of the Humboldt County Code.
4. Special Permit Record No. PLN-12165-SP is denied.

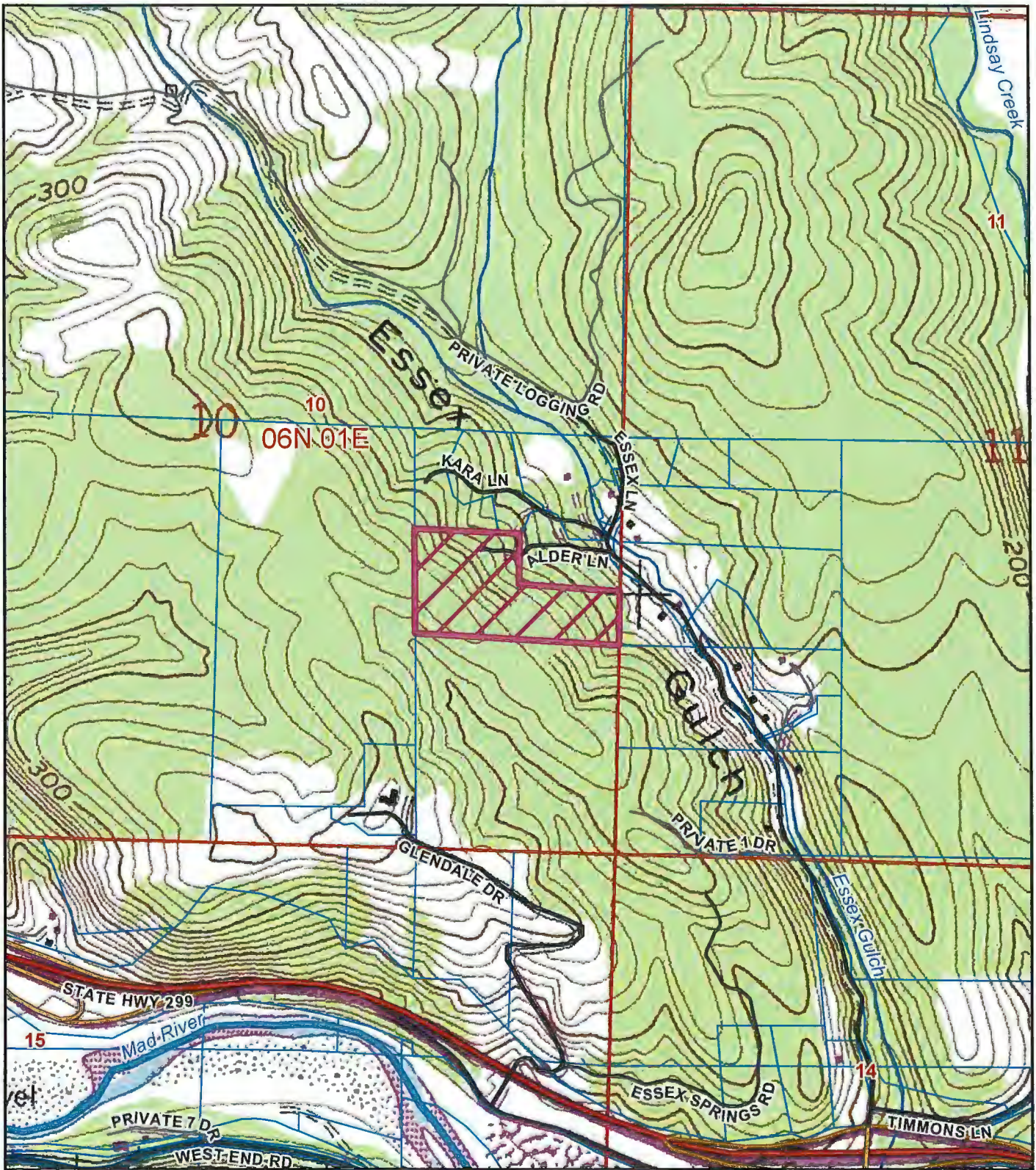
Adopted after review and consideration of all the evidence on January 23, 2020.

I, John Ford, Zoning Administrator 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 Zoning Administrator at a meeting held on the date noted above.

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John Ford  
Director, Planning and Building Department

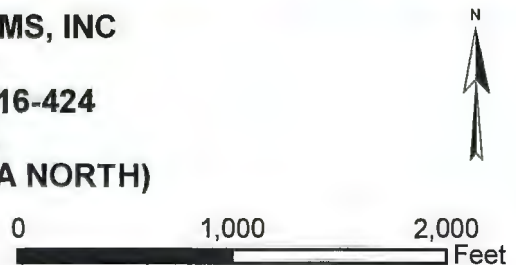




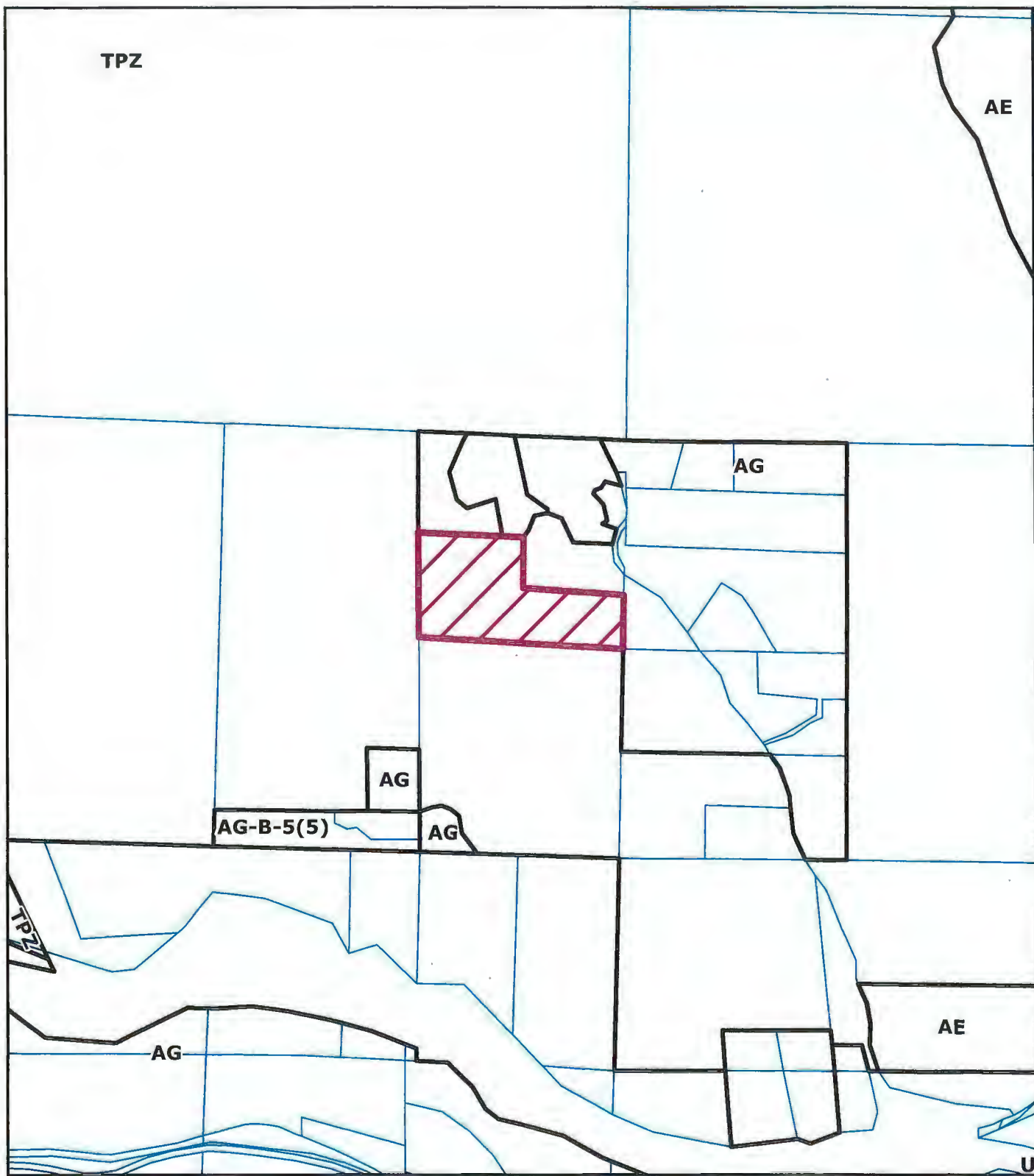
**TOPO MAP**  
**PROPOSED GREENLIFE FARMS, INC**  
**FLDDBROOK AREA**  
**ZCC-16-366; SP-16-423; SP-16-424**  
**APN: 504-021-011-000**  
**T06N R01E S10 HB&M (ARCATA NORTH)**

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 =**

**ZONING MAP**  
**PROPOSED GREENLIFE FARMS, INC**  
**FLDDBROOK AREA**  
**ZCC-16-366; SP-16-423; SP-16-424**  
**APN: 504-021-011-000**  
**T06N R01E S10 HB&M (ARCATA NORTH)**

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.

0                      1,000                      2,000  
 Feet





Project Area = 

**AERIAL MAP  
PROPOSED GREENLIFE FARMS, INC  
FIELDBROOK AREA**

**ZCC-16-366; SP-16-423; SP-16-424**

**APN: 504-021-011-000**

**T06N R01E S10 HB&M (ARCATA NORTH)**

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.

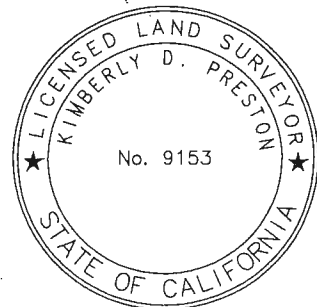
0 800 1,600 Feet





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PLN-12165-SP Green Life Farms, Inc.  
SCALE: 1" = 100' if printed on 24" x 36"



KIMBERLY D. PRESTON  
P.L.S. 9153

DATE

January 23, 2020

#### UTILITIES

WATER & SEWER	ON-SITE
ELECTRIC	PACIFIC GAS & ELECTRIC COMPANY
TELEPHONE	CELLULAR SERVICE

#### LEGEND

SYMBOL	INDICATES
	PARKING SPACE
	DIRECTION OF SURFACE WATER RUNOFF
(P)	PROPOSED
(E)	EXISTING
S.F.	SQUARE FOOT
BLDG.	BUILDING
SMA	STREAMSIDE MANAGEMENT AREA
ESS	EXISTING STORAGE SHED
	PRIME AGRICULTURAL SOILS
	AREA OF 3 ACRE CONVERSION
200	CONTOUR AT 40 FOOT INTERVALS
	STREAM
GM-2	SEWAGE DISPOSAL TEST HOLE LOCATION

#### NOTES

- THIS PLOT PLAN, FOR APN 504-021-011, HAS BEEN PREPARED IN ACCORDANCE WITH HUMBOLDT COUNTY'S COMMERCIAL MEDICAL MARIJUANA LAND USE ORDINANCE (CMMLUO) NO. 2559, AND FOR THE PURPOSE OF ENROLLING AND/OR CERTIFYING THE SITE'S AGRICULTURAL OPERATIONS UNDER THE NORTH COAST REGIONAL WATER QUALITY CONTROL BOARD ORDER NO. R1-2015-0023.
- THE PROPERTY HAS A GENERAL PLAN DESIGNATION OF FOREST (MC65) AND IS CURRENTLY ZONED AGRICULTURE GENERAL (AG).
- LOT BEARINGS AND DISTANCES SHOWN HEREON HAVE BEEN COMPILED FROM FIELD SURVEY AND RECORD DATA PER BOOK 4 OF PARCEL MAPS, PAGE 17 AND BOOK 28 OF PARCEL MAPS, PAGE 9. IF REQUIRED FOR COMPLIANCE WITH STATE LAW, A FULL BOUNDARY SURVEY WILL BE CONDUCTED AT A LATER DATE, FOLLOWING APPROVAL OF THE PROJECT.
- THE PROPERTY IS CURRENTLY DEVELOPED WITH ONE (1) STORAGE SHED, ONE (1) GARAGE, SEPTIC SYSTEM AND WELL.
- THE SITE'S EXISTING AND PROPOSED IMPROVEMENTS, COMMERCIAL AGRICULTURAL OPERATIONS/ACTIVITIES, SETBACKS AND EASEMENTS/ENCUMBRANCES AFFECTING THE PROPERTY ARE AS SHOWN OR DENOTED HEREON.
- CONTOURS SHOWN HEREON ARE AT 40-FOOT INTERVALS AND ARE BASED ON USGS 1/3 ARC-SECOND DIGITAL ELEVATION MODELS.
- THE PROJECT IS NOT LOCATED WITHIN AN AREA WHERE KNOWN CULTURAL RESOURCES HAVE BEEN LOCATED. HOWEVER, AS THERE EXISTS THE POSSIBILITY THAT UNDISCOVERED CULTURAL RESOURCES MAY BE ENCOUNTERED, MITIGATION MEASURES MAY BE REQUIRED UNDER FEDERAL AND STATE LAW.
- NO SCHOOLS, SCHOOL BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS OR TRIBAL CULTURAL RESOURCES ARE LOCATED WITHIN SIX HUNDRED (600') OF THE CULTIVATION SITE.
- A LESS THAN 3 ACRE CONVERSION EXEMPTION HAS BEEN APPLIED FOR AND GRANTED BY CALFIRE (REFERENCE: 1-16EX-063-HUM). NO GRADING PERMIT IS BEING APPLIED FOR IN CONJUNCTION WITH THIS PROJECT.
- SEWAGE DISPOSAL FOR THE SITE'S AGRICULTURAL OPERATIONS SHALL BE ON-SITE, WITH SEPTIC TESTING, DESIGN AND REPORT PREPARATION BY OMSBERG & PRESTON, DATED APRIL 27, 2017.
- WATER FOR THE PARCEL IS FROM AN EXISTING ON-SITE PERMITTED WELL, AS SHOWN HEREON. WATER STORAGE REQUIRED FOR THE SITE'S AGRICULTURAL OPERATIONS WILL BE STORED IN HARD TANKS.
- A SOILS REPORT IS BEING PREPARED BY WHITCHURCH ENGINEERING INC., WHICH WILL DETAIL THE SITE'S SPECIFIC GEOTECHNICAL RECOMMENDATIONS.
- ACCESS TO THE SITE IS VIA ESSEX LANE FROM HIGHWAY 299.
- THIS PROJECT IS IN THE STATE RESPONSIBILITY AREA (SRA), AND CURRENT SRA FIRE SAFE STANDARDS FOR ROADWAYS, DRIVEWAYS, TURNOUTS, TURNAROUNDS, ETC. SHALL BE ADHERED TO. SRA SETBACKS ARE 30' FROM PROPERTY LINE.
- THIS PLAN IS NOT INTENDED TO BE USED FOR CONSTRUCTION PURPOSES.
- THE DATE OF CONSTRUCTION FOR THE EXISTING STRUCTURES IS UNKNOWN.

OWNER  
ALDER LANE HOLDING, LLC  
515 J STREET  
EUREKA, CA 95501

APPLICANT  
GREENLIFE FARMS, INC.  
c/o VIVIAN KHONG  
9315 BOLSA AVE #905  
WESTMINSTER, CA 92683  
(714) 717-9896

APPS # 12165  
APN 504-021-011

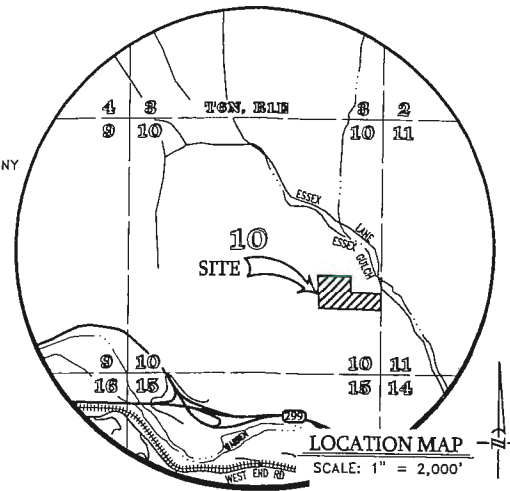


DESIGNED BY: S.G.N. DATE: 11/18/16  
DRAWN BY: C.W.B. DATE: 11/18/16  
CHECKED BY: KIMBERLY D. PRESTON DATE: 06/05/17

#### PLOT PLAN

for  
GREENLIFE FARMS, INC. Image 12  
in the unincorporated area of Humboldt County  
Section 10, T.6N., R.1E. H.B.&M.

SCALE  
AS SHOWN  
JOB NO.  
16-1932  
SHEET OF  
1 1



**ATTACHMENT 1**

**September 19, 2017 Deficiency Letter sent to Applicant**



**COUNTY OF HUMBOLDT**  
**PLANNING AND BUILDING DEPARTMENT**  
**CANNABIS SERVICES DIVISION**

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

September 19, 2017

Greenlife Farms, Inc.  
Attn: Vivian Khong  
9315 Bolsa Avenue  
Westminster, CA 92683

RE: Permit Application No. 12165, APN 504-021-011

Dear Ms. Khong,

Thank you for submitting a commercial cannabis application for Greenlife Farms, Inc. After a review, this submittal requires revisions and these items must be provided before we can continue processing your application.

The proposed project includes a Zoning Clearance Certificate for a proposed 10,000 square foot outdoor cultivation area, a wholesale nursery and a processing facility. First, the Commercial Medical Marijuana Land Use Ordinance does not allow for timber conversion for proposed cultivation areas if the timber conversion was applied for after the effective date of the ordinance [reference: Humboldt County Code Section 314-55.4.8.2]. A review of County records indicates a Less-Than-Three-Acre Conversion was approved in March 2016. However, based on review of aerial imagery, the Less-Than-Three-Acre Conversion was never commenced. Therefore, a second application for a Less-Than-Three-Acre Conversion was submitted on May 15, 2017, to allow for timber removal on the subject parcel in the same location as the proposed cannabis cultivation area. Because the proposed cultivation area requires timber removal, the supporting documents (i.e. operations plan and site plan) must be revised to show either a new proposed location for cultivation that does not require tree removal or please provide a revised project description that does not include 10,000 square feet of cultivation.

Second, Humboldt County Code (HCC) Section 314-55.4.8.7 states that a wholesale nursery license is permittable in the Agriculture General (AG) zoning district with a Special Permit. However, the site plan does not show the proposed location for the wholesale nursery nor does the operations plan discuss how the nursery will be operated (i.e. hours of operation, number of employees, anticipated traffic generated). Water use and storage specifically for the wholesale nursery should also be clearly defined. As previously stated, if the proposed wholesale nursery requires timber removal, the supporting documents (i.e. operations plan and site plan) must be revised to show either a new proposed location for the wholesale nursery that does not require tree removal or please provide a revised project description that does not include the wholesale nursery.

Finally, the proposed project includes a 5,000-square-foot processing facility. The site plan shows the location of the proposed processing facility in the northeastern portion of the parcel, while the operations plan states the processing facility will be connected to a proposed greenhouse. Please confirm the location of the processing facility. Additionally, it was unclear if the proposed

Page 1 of 2

processing facility is appurtenant to the on-site cultivation or, as defined by HCC 314-55.4.8.4, if the proposed processing facility is to allow for processing of medical cannabis cultivated off-site by others. Please clarify the intention of the processing facility. The HCC Section 314-55.4.11(u) requires that a processing plan include several elements. Please revise the operations plan to include the following information regarding the processing facility:

- Estimate number of employees
- Description of plumbing and/or septic system and anticipated usage
- Description of increase road use resulting from processing and a plan to minimize that impact
- Description of on-site housing, if any

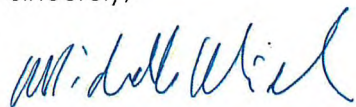
As previously stated, if the proposed processing facility requires timber removal, the supporting documents (i.e. operations plan and site plan) must be revised to show either a new proposed location for the processing facility that does not require tree removal or please provide a revised project description that does not include the processing facility.

Please revise the site plan and operations plan accordingly to address the issues outlined above to enable staff to conduct a thorough review of the proposed project.

If you have questions about this letter, please contact Cannabis Planner-On-Duty, at 707-445-7541. Alternatively, please accumulate all requested material and submit as a complete package and submit these items to the Cannabis Planner-On-Duty during regular business hours. When submitting these items please include the Application Number and APN found at the top of this letter.

Once the required information is submitted we will conduct a more throughout review to determine if the project as proposed is consistent with CMMLUO requirements. **The filing of this application does not authorize the applicant to engage in any new commercial medical marijuana cultivation, processing, manufacture or distribution activity.** No such activity shall commence until the application has been processed to decision and all requisite clearances, permits and/or licenses have been secured.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michelle Nielsen".

Michelle Nielsen, Senior Planner  
Cannabis Services

**ATTACHMENT 2**

**May 28, 2019 email to Applicant, Vivian Khong**



**From:** [Saucedo, Portia](#)  
**To:** [aromasa@yahoo.com](mailto:aromasa@yahoo.com)  
**Subject:** Project Cancellation: Greenlife Farms, App. No. 12165, APN 504-021-001  
**Date:** Tuesday, May 28, 2019 4:38:00 PM  
**Attachments:** [image001.png](#)

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Greetings Vivian Knong,

Per the discussion on the phone this afternoon with Joe Loung, this project is going to be cancelled due to the Less than 3-acre expiration.

Please submit in writing that you'd like to cancel your commercial cannabis cultivation application. Please sign the document. Further, please submit proof that you did not cultivate this year and that you have removed all evidence of cultivation-related and infrastructure from the site. This proof can be a photograph with a newspaper in it (to show the date the photograph was taken) of the cultivation area(s) and/or associated infrastructure.

You will receive another letter from the County after your application for commercial cannabis permit withdrawal is accepted. Be aware that after you receive the letter from the County confirming your withdrawal, you will then have 30 days to remove all cannabis and related fixtures and equipment from the parcel and remediate:

1. Restore and restock any disturbed areas to their natural condition;
2. Any unpermitted structures and grading will need to be addressed through the building permit process.

Once evidence has been received that confirms this work has been completed, we will formally close your application. If not, you may receive a corrective action with fines and/or your project will be taken to decision for denial. Additionally, you will need to address any outstanding violations with the California Department of Fish and Wildlife (CDFW).

Please submit all requested materials above to the Humboldt County Planning and Building Department, Attn: Portia Saucedo.

Kind Regards,



Portia Saucedo  
Planner  
[Cannabis Services Division](#)  
[Planning and Building Department](#)  
Direct: 707.268.3745  
Main: 707.445.7541  
Fax: 707.268.3792  
[psaucedo1@co.humboldt.ca.us](mailto:psaucedo1@co.humboldt.ca.us)

**ATTACHMENT 3**

**September 30, 2019 email to applicant with project cancellation instructions**

**From:** [Saucedo, Portia](#)  
**To:** [aromausa@yahoo.com](mailto:aromausa@yahoo.com)  
**Cc:** [O'Neill, Christina](#); [Johnson, Cliff](#); [Schatz, Elizabeth](#)  
**Subject:** Greenlife Farms, Inc., App. No. 12165, APN 504-021-011-000  
**Date:** Monday, September 30, 2019 9:56:00 AM  
**Attachments:** [image001.png](#)

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Greetings Vivian Knong,

Per the discussion on the phone May 28, 2019 with Joe Loung, this project is going to be cancelled due to the Less than 3-acre expiration. I sent the below email to you on May 28, 2019 and am sending it again today via this email and by mail to request that you please respond and comply with the instruction provided within 30 days. If you do not provide the requested information, the County will move the project forward for denial. The course of action for denial will result in additional fees which will be billed to you.

Please submit in writing that you'd like to cancel your commercial cannabis cultivation application. Please sign the document submitted with this request. Further, please submit proof that you did not cultivate this year and that you have removed all evidence of cultivation-related and infrastructure from the site. This proof can be a photograph with a newspaper in it (to show the date the photograph was taken) of the cultivation area(s) and/or associated infrastructure.

You will receive another letter from the County after your application for commercial cannabis permit withdrawal is accepted. Be aware that after you receive the letter from the County confirming your withdrawal, you will then have 30 days to remove all cannabis and related fixtures and equipment from the parcel and remediate:

1. Restore and restock any disturbed areas to their natural condition;
2. Any unpermitted structures and grading will need to be addressed through the building permit process.

Once evidence has been received that confirms this work has been completed, we will formally close your application. If not, you may receive a corrective action with fines and/or your project will be taken to decision for denial. Additionally, you will need to address any outstanding violations with the California Department of Fish and Wildlife (CDFW).

Please submit all requested materials above to the Humboldt County Planning and Building Department, Attn: Portia Saucedo.

Kind Regards,

**Portia Saucedo, M.Sc.**  
Planner  
[Cannabis Services Division](#)  
[Planning and Building Department](#)



Direct: 707.268.3745  
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[psaucedo1@co.humboldt.ca.us](mailto:psaucedo1@co.humboldt.ca.us)

Redway Office Hours

Monday and Wednesday, 9:30 am to 3:30 pm

3156 Redwood Dr, Redway (707) 383-4100

Mondays – Building, Current Planning and Code Enforcement

Wednesdays – Building, Cannabis Planning and Long Range Planning

## **ATTACHMENT 4**

### **Notice and Acknowledgement of Land Use Limitations**



COUNTY OF HUMBOLDT  
PLANNING AND BUILDING DEPARTMENT

NOTICE AND ACKNOWLEDGMENT OF LAND USE LIMITATIONS  
Timberland Conversion

OWNER(S): Alder Lane Holdings LLC-Joe Luong

LOCATION: 197 Alder Lane, Arcata, CA

ASSESSOR PARCEL NO.: 504-021-011

APPLICATION NO.: \_\_\_\_\_

Bona Fide Use (Basis for proposed conversion): Agriculture Accessory Building

ZONING: AG

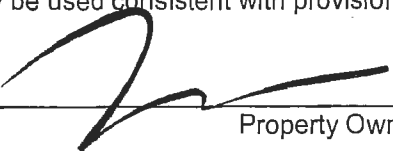
Pursuant to Section 311-10 of the Humboldt County Zoning Regulations (Title III, Division I, Humboldt County Code), no building shall be erected or premises used in a manner other than included among the uses permitted in the zone in which the property is located.

A less-than-3-acre conversion of timberland is being sought pursuant to 14 CCR § 1104.1(a) to effectuate a bona fide use on the subject parcel, as described above and in the application materials on file with Cal-FIRE. Sections 313 and 314-55.4.8.2 of the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) prohibit the commercial cultivation of cannabis for medical use within new areas of timberland conversion (not in existence as of January 1, 2016). Additionally, Sections 313 & 314-55.4.8.2.2 prohibit expansion of an existing area under cultivation, unless qualifying in accordance with 313 & 314-55.4.8.2.1 of the CMMLUO.

Use of the proposed conversion area for commercial activities involving cannabis, constitutes a violation of County Code and will subject the owner to possible enforcement action by the County, which may include administrative penalties and/or criminal prosecution.

ACKNOWLEDGMENT:

I have read and acknowledge the land use limitations under which this property and buildings/structures may be used consistent with provisions of the County Zoning Regulations.

  
\_\_\_\_\_  
Property Owner

May 4, 2017

\_\_\_\_\_  
Date

\_\_\_\_\_  
Property Owner

\_\_\_\_\_  
Date

## ATTACHMENT 5

### REQUIRED FINDINGS FOR PERMIT 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 (Legal Lot Requirement) and 312-17.1 of the Humboldt County Code (Required Findings for All Discretionary Permits) specify the findings that are required to grant a Special Permit:

1. The proposed development is in conformance with the County General Plan, Open Space Plan and Open Space Action Program;
2. The proposed development is consistent with the purposes of the existing zone in which the site is located;
3. The proposed development conforms with all applicable standards and requirements of these regulations;
4. The proposed development and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare; or materially injurious to property or improvements in the vicinity;
5. The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law (the midpoint of the density range specified in the plan designation) unless the following written findings are made supported by substantial evidence:  
1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized; and
6. In addition, 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 proposed project either:
  - a. Is categorically or statutorily exempt; or
  - b. Has no substantial evidence that the proposed 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; 2. Zoning Compliance; 4. Public Health, Safety and Welfare; and 5. Residential Density:**

An analysis of the proposed development regarding these findings was not performed because the applicant did not meet the threshold criteria required in finding #3

**3. Conforms with applicable standards and requirements of these regulations:**

The applicant failed to provide evidence of an approved less-than-three-acre conversion exemption or timber conversion permit for commercial cannabis purposes and has failed to provide evidence that all proposed commercial cannabis cultivation, commercial processing, and wholesale nursery would not require timber conversion as required by HCC §314-55.4.10(j).

Due to the inability to comply with Section 314-55.4.10(j) the finding that the project complies with all applicable development standards and requirements of these regulations cannot be made.

**6. Environmental Impact:**

The recommended action is that the project is statutorily exempt from State environmental review per section 15270 (Projects Which Are Disapproved) of the CEQA Guidelines.