



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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Hearing Date: December 3, 2020

To: Humboldt County Planning Commission

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

Subject: **Yeti Enterprises, LLC**
Record number PLN-12249-CUP
Assessor's Parcel Number (APN): 510-211-053

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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
December 3, 2020	Conditional Use Permit	Elizabeth Moreno

Project Description: A Conditional Use Permit for 1,300 square feet (SF) of new indoor cultivation. The proposed project will occur in a 2,880 SF building and the applicant will add a 390 SF room to add an ADA restroom, the total size of the building will be 3,270 SF. The applicant projects 5-6 cultivation cycles per year. Water for irrigation would be sourced from the McKinleyville Community Services District. Water would be stored in eight tanks totaling 2,900 gallons. The annual water usage is about 120,000 gallons. Drying and curing would occur on-site, with all other processing occurring in a licensed off-site processing facility. The subject property is served by P.G.&E. power and the applicant will enroll in the P.G.&E. Solar and Renewable Energy Program.

Project Location: The project is located in Humboldt County, in the McKinleyville area, on the west side of McKinleyville Ave, approximately 260 feet west from the intersection of McKinleyville Ave and Commercial Ln, on the property known to be in Section 31 of Township 07N, Range 01E, Humboldt Base & Meridian on the property known as 2214 McKinleyville Avenue.

Present Plan Land Use Designations: Commercial Services (CS), McKinleyville Community Plan, Density: N/A, Slope Stability: Relatively Stable (0).

Present Zoning: Commercial Services, Density: N/A, Slope Stability: Relatively Stable (0).

Record Number: PLN-12249-CUP

Assessor Parcel Number: 510-211-057

Applicant
Yeti Enterprises, LLC
Kevin Bourque
PO Box 610
Fortuna, CA 95540

Owner
The Humboldt Group, LLC
PO BOX 121
Trinidad, CA. 95570

Agent
N/A

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.

YETI ENTERPRISES, LLC
RECORD NUMBER: PLN-12249-CUP
Assessor's Parcel Number 510-211-057

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 approve the proposed Yeti Enterprises, LLC project subject to the recommended conditions.

Executive Summary: An application for a Conditional Use Permit for 1,300 square feet (SF) of new indoor cultivation in the McKinleyville Community Planning Area.

The project site is a parcel that is part of a business park comprised of five parcels. The parcels are served by a private 25-foot-wide right of way (Commercial Lane). Additionally, a Conditional Use Permit for a parking exemption to allow substitute parking, shared among five other parcels: 510-211-053, -054, -055, -056, and -057, and a Special Permit to reduce the size of the required loading space, normally 10' x 60', to accommodate a van or small box truck applied to the same parcels based on anticipated levels of use, has been previously approved under application number 12677, on September 13, 2018.

The proposed project is in a base zoning district that allows the requested cannabis activities. Under the adopted CCLUO ordinance, indoor cannabis cultivation is not subjected to the setbacks from school bus stop. The indoor nature of the cannabis activities will not have an adverse impact on children at bus stops. The project site is located in McKinleyville Community Planning Area and it is within two bus stops, one at 670 feet and another at 700 feet. The proposed project building is about 2,880 SF and will add 390 SF as an addition to add an ADA restroom and a water treatment and will be designed appropriately with odor mitigation and there will not be adverse impacts to the neighborhood related to visual and odor impacts, or security concerns. Therefore, Staff recommends approval of the project.

Water use for irrigation is sourced and provided McKinleyville Community Service District (MCSD). The applicant has submitted a Will Serve Letter from MCSD, indicating that sufficient water will be provided to meet the project demands. The total estimated annual water use for this indoor cultivation is 120,000 gallons per year. Yeti Enterprises, LLC plans to conduct five to six cultivation cycles annually. Irrigation water will be metered, timed and within a closed loop drip irrigation system. The project was referred to the McKinleyville Community Service District and recommended approval of the project. The project was also referred to the Division of Environmental Health and recommended approval.

In the 3,270 SF building there will be one Veg Room #1 at 441 SF and it will be for immature plants and considered as propagation area. The other Veg Room #2 will be about 240 SF will have larger vegging plants and will be considered as cultivation area. There will be two flowering room totaling 1,058 SF. Therefore, the total taxable area is 1,300 SF of indoor.

The building will have a dedicated room for drying cannabis plants and then taken to a third-party processing facility. All rooms will be climate controlled for optimal growing or drying conditions. Yeti Enterprises, LLC anticipates having five full time employees during peak operation.

Yeti Enterprises, LLC will use on-grid power supply provided by Pacific Gas and Electric Company and will operate a carbon neutral facility as required by purchasing certified carbon offset credits from certified offset programs. The applicant has also submitted a detailed security plan, which includes the installation of a security coded electronic gate.

The site is located approximately 545 feet southeast of a McKinleyville wetland; however, the site is not located within a designated Streamside Management Area. The project is located on a site that is already commercially developed. The parcel does fall within the 1-mile radius of a California Natural Diversity Data Base (CNDDB) mapped rare and endangered species, the Western Snowy Plover. According to U.S. Fish and Wildlife Service the Western Snowy Plover population breeds above the high tide line on coastal beaches, sand spits, dune-backed beaches, sparsely vegetated dunes, beaches at creek and river mouths, and salt pans at lagoons and estuaries. The parcel does not contain any of the characteristics of breeding grounds for the Western Snowy Plover, as it is considered an urban area. Therefore, the Western Snowy Plover would not be disturbed by the proposed project and no Biological Study or Natural Resource Assessment is required. Additionally, pursuant to 55.4.12.1.10 of the CCLUO ordinance; Performance Standard – Biological Resource Protections Exception: This section shall not apply to new development activities within the footprint of existing structures or proposed on lands planned or zoned for commercial or industrial activities. The parcel is located in a commercial zone. The proposed building is also within a footprint of a building that was previously existing between 2004 to 2016. The project was referred to the Department of California Department of Fish and Fish and Wildlife and did not provide any comment.

The Conditional Use Permit previously approved for parking exemption allows substitute parking, shared among the subject parcel and the four other parcels in the business park. Substitute parking is an exception to the standard requirement that all parking be provided on the parcel on which the business is located. Pursuant to Humboldt County Code §314-109.1.2.1.1 parking exemption is to allowed for commercial uses if it is found that: 1) A substitute parking area is to be provided and remain available for as long as the use to which the required parking pertains shall continue. As a condition of approval, the property owners shall record an easement granting all tenants shared parking access. 2) The substitute parking area is within an area designated in the General Plan for commercial or other business use and within which parking is a permitted and compatible use. All parking is within the business park on property with a land use designation of Commercial Services. 3) All or part of the substitute location is within four hundred feet (400') of the principal use for which the parking is being provided, measured in walking distance along the way open to public pedestrian passage. All the substitute parking is within the 200 feet of the distribution facility. 4) The substitute parking area is owned by the owner of the property on which the use for which the parking is being provided or is owned by a public entity empowered to provide public parking facilities. All five parcels are owned by one entity.

Access to the driveway is accessed via Joanna Court or McKinleyville Avenue. All parcels have shared parking and parking agreements are included in their rental agreement. On average each parcel will have two to three employees onsite at any given time and a maximum of five. Total parking spaces for all five parcels is 33 and includes four American Disabilities Act (ADA)-compliant parking with access (figure A).

Figure A

Apps Number	APN:	Applicant	Number of Employees	Parking Needed	Available Parking**
12677	510-211-054	Fugate	3	3	4
12672	510-211-056	Arctek	5	5	3
12249	510-211-057	Yeti	5	5	0
12175	510-211-055	TTF	5	5	11
12241	510-211-053	Yeti	5	5	15
			23	23	33*

* As noted, these businesses are not open to the general public. The 10 additional parking spaces are intended to accommodate vendors and others directly serving the business.

** Parking within the 25-foot-wide right of way (Commercial Lane) will be prohibited.

The Bear River Band of the Rohnerville Rancheria and Blue Lake Rancheria recommended Inadvertent Discovery. The Building Inspection Division recommended approval based on the condition that all grading, building, plumbing electrical and mechanical permits and or agriculture exemption are obtained.

Public Works commented on the project and recommended that the applicant shall retrofit the existing commercial driveway on Joanna Court to meet current ADA standards. Additionally, all fences and gates shall be relocated out of the County right of way. All gates shall be setback sufficiently from the County road so that vehicles will not block traffic when staging to open/close the gate. In addition, no materials shall be stored or placed in the County right of way. This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license. Surfaced parking lots shall have an oil-water filtration system prior to discharge into any County maintained facility. This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.

Environmental review for the proposed project was reviewed under the Environmental Impact Report (EIR) for the Commercial Cannabis Land Use Ordinance (CCLUO) 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 new cannabis operations to prevent and reduce environmental impacts. An addendum to the EIR has been prepared for this staff recommendation of permitting the new cultivation operation. The addendum is included as Attachment 3.

Based on a review of Planning Division reference sources, and comments from all involved referral agencies, planning staff believes that the applicant has submitted evidence in support of making all of the required findings for approving the conditional use permit.

ALTERNATIVES: The Planning Commission could elect not to approve the project, or to require the applicant to submit further evidence, or modify the project. If 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 the project may have environmental impacts that would require further environmental review pursuant to CEQA. Staff did not identify any potential

impacts. As Lead Agency, the Department has determined that the Project is consistent with the EIR for the CCLUO as stated above. 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-12249-CUP
Assessor's Parcel Number: 510-211-057**

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

WHEREAS, Yeti Enterprises, LLC, A Conditional Use Permit for 1,300 square feet (SF) of new indoor cultivation. The proposed project will occur in a 3,270 SF building. The applicant projects 5-6 cultivation cycles per year. Water for irrigation would be sourced from the McKinleyville Community Services District. Water would be stored in eight tanks totaling 2,900 gallons. The annual water usage is about 120,000 gallons. Drying and curing would occur on-site, with all other processing occurring in a licensed off-site processing facility. The subject property is served by P.G.&E. power and the applicant will enroll in the P.G.&E. Solar and Renewable Energy Program.; and

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

WHEREAS, 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. The proposed project does not present substantial changes that would require major revisions to the previous EIR and no new information of substantial importance that was not known and could not be known at the time was presented as described by Section 15162 (c) of the State CEQA Guideline; and

WHEREAS, Attachment 2 in the Planning Division staff report includes substantial evidence in support of making all of the required findings for approving the proposed Conditional Use Permit † (Record Number PLN-12249-CUP); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on December 3, 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 Environmental Impact Report prepared for the CCLUO.
2. Planning Commission makes all the required findings in Attachment 2 of the Planning Commission staff report for Record Number PLN-12249-CUP based on the submitted substantial evidence; and
3. The Conditional Use Permit (Record Number PLN-12249-CUP) is approved as recommended and conditioned in Attachment 1.

Adopted after review and consideration of all the evidence on December 3, 2020

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

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTAIN: Commissioners:

DECISION:

I, John Ford, Secretary to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above entitled matter by said Commission at a meeting held on the date noted above.

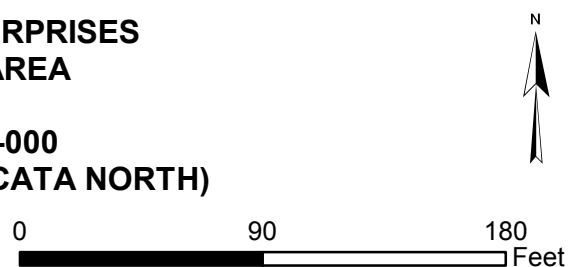
John Ford, Director
Planning and Building Department

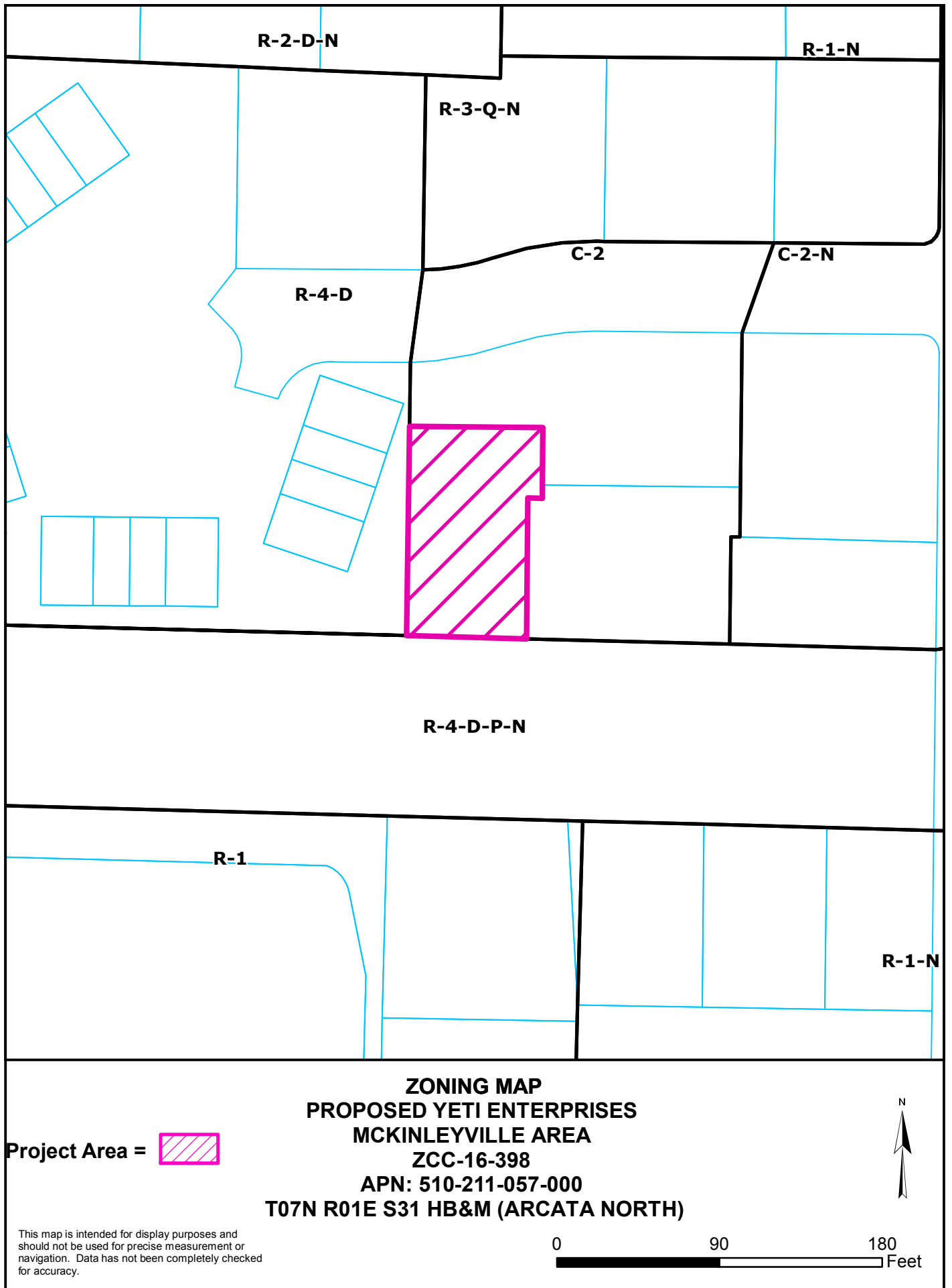


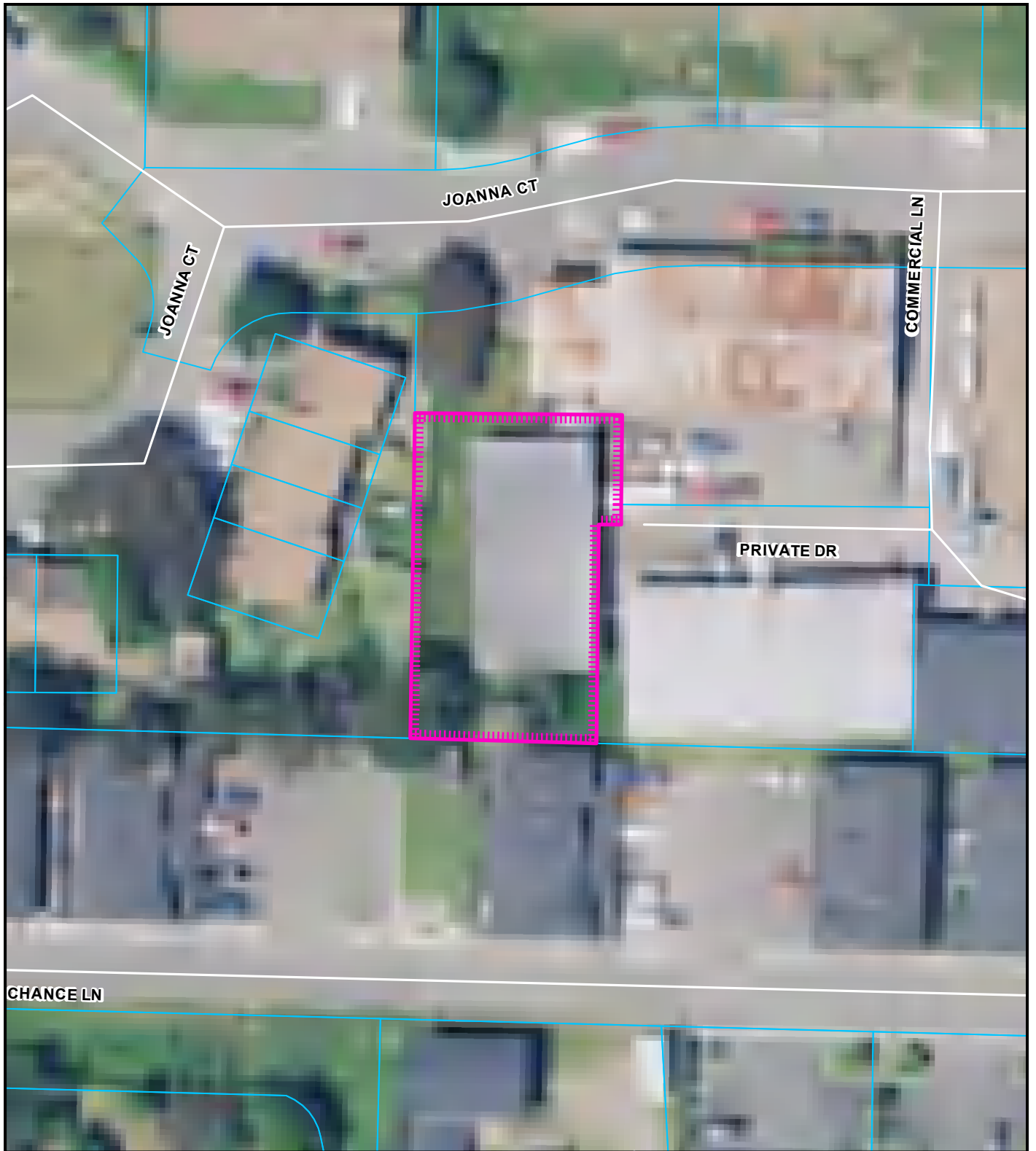
Project Area = 

TOPO MAP
PROPOSED YETI ENTERPRISES
MCKINLEYVILLE AREA
ZCC-16-398
APN: 510-211-057-000
T07N R01E S31 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.





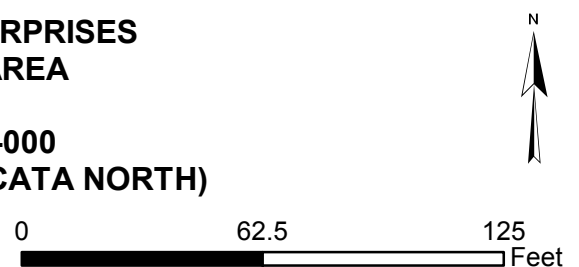


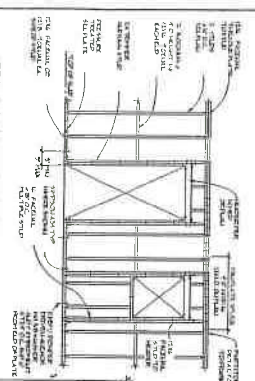
**AERIAL MAP
PROPOSED YETI ENTERPRISES
MCKINLEYVILLE AREA
ZCC-16-398**

**APN: 510-211-057-000
T07N R01E S31 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.





ATTACHMENT 1
RECOMMENDED CONDITIONS OF APPROVAL

APPROVAL OF THE CONDITIONAL USE PERMIT AND SPECIAL PERMIT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE CANNABIS OPERATION MAY BEGIN.

1. The applicant shall secure permits for all structures related to the cannabis cultivation and other commercial cannabis activity. The plans submitted for building permit approval shall be consistent with the project description and approved project site plan. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.
2. Plans shall meet all applicable fire codes, including fire suppression infrastructure requirements deemed necessary for the project by the Arcata Fire Protection District and Building Inspection.
3. The applicant shall secure all necessary permits and approvals of the Division of Environmental Health for the on-site sewage disposal system for the proposed use. A letter from those agencies indicating approval has been issued will satisfy this condition.
4. All fences and gates shall be relocated out of the County right of way. All gates shall be setback sufficiently from the County road so that vehicles will not block traffic when staging to open/close the gate. In addition, no materials shall be stored or placed in the County right of way. This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.
5. Surfaced parking lots shall have an oil-water filtration system prior to discharge into any County maintained facility. This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.
6. Applicant shall retrofit the existing commercial driveway approach on Joanna Court to meet current County standards. This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.
7. Where feasible, new utilities shall be underground or sited unobtrusively if above ground.
8. The project shall address odor management by incorporating a ventilation/air filtration system to limit potential adverse odor emission impacts to employees and/or properties located in the vicinity. The system shall be designed, signed, and stamped by a mechanical engineer for review and approval by the Building Official.
9. Parcels APN: 510-211-053, -054, -055, -056, and -057 shall use a vehicle that will not exceed the dimensions of the loading sizes described in the site plan (approximately 20 feet). No parking is to extend at any time into the 25-foot wide right of way (Commercial Lane).
10. The property owners shall record a contingent easement for the shared parking exemption to allow substitute parking, shared among five parcels within the business park: APNs 510-211-053, -054, -055, -056, and - 057. The easement shall also include the shared loading space on 510-211-054, also serving 510-211-056.
11. Use of the shared loading space shall adhere to the schedule of use described in the Operations Plan for Fugate Falls Distribution receipt-dated July 23, 2018. The applicant shall furnish to the Planning Division copies of the site leases for APNs 510-211-054 and 510-211-056 showing that the days and time of use of the shared loading zone will not be concurrent and will not be conflicting.

12. The approved project shall meet all applicable fire codes, including fire suppression infrastructure requirements deemed necessary for the project. Sign off on the Occupancy Permit by the Building Division shall satisfy this requirement.
13. 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.
14. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding hazardous materials. A written verification of compliance shall be required before any provisional permits may be finalized. Ongoing proof of compliance with this condition shall be required at each annual inspection in order to keep the permit valid.
15. 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.

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

1. All components of project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan.
2. The applicant and operator are responsible for ensuring all delivery vehicles are routed to State Highway 36 via Drake Hill Road to Rohnerville Road. Should the Planning Division receive two or more written complaints from other than the same individual within any 12 month period regarding delivery vehicles using routes other those prescribed, as may be verified by the Planning, the applicant shall prepare and submit a delivery vehicle management and reporting plan for the Planning Director's review and approval, and then implement the approved delivery vehicle management plan for the life of the project. Alternatively, the applicant shall secure a modification to this Conditional Use Permit and Special Permit.
3. Noise levels shall not exceed 60 dBA at the property lines except for the noise levels associated with backup alarms for delivery vehicles.
4. Deliveries shall be limited to Monday through Friday from 8:00 am to 6:00 pm, Saturday from 9:00 am to 5:00 pm with no deliveries on Sunday.
5. The applicant and operator shall maintain records of delivery vehicle routes that will be made available upon request as part of annual inspection by County staff.
6. For the life of the project, the project shall not result in a discernable odor at the property lines adjoining the existing residential uses. Should the Department receive complaints regarding odor, the Department will work with the applicant/operator to resolve and return the project to compliance in a timely manner. Resolution may entail additional maintenance and/or replacement of the air filtration system.
7. If on-site processing is chosen to be the preferred method of processing, this permit shall be modified to identify the offsite licensed facility.
8. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in Commercial Cannabis Land Use Ordinance, Humboldt County Code Section 314-55.4.1 et seq. and hereby incorporated by

reference, and MAUCRSA as applicable by permit type. The requirements described are current at the time of approval but may be superseded or modified by changes to the laws and regulations governing commercial cannabis cultivation and associated activities.

9. Permittees and operators shall conduct all commercial cannabis activities in compliance with Project Description, the approved Site Plan, the Plan of Operations, these conditions of approval, and the performance standards as set forth in Humboldt County Code Section 314-55.4.12 et seq. and hereby incorporated by reference. Failure to comply shall be grounds for permit revocation and administrative penalties.
10. 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.
11. The applicant shall maintain, and is responsible for, compliance with all applicable state laws and County ordinances.
12. The applicant shall refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
13. The applicant shall pay all applicable application, review for conformance with conditions and annual inspection fees.
14. 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.
15. The Master Log Books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
16. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Section 719-1 et seq.).
17. The purchase of carbon offset credits for grid power procured from non-renewable producers to satisfy Humboldt County Section 314-55.4.12.5, Performance Standards for Energy Use, may only be made from reputable sources, including those found on Offset Project Registries managed the California Air Resources Board, or similar sources and programs determined to provide bona fide offsets recognized by relevant state regulatory agencies.
18. Structures used for indoor cultivation and ancillary propagation shall be shielded so that no light escapes between sunset and sunrise.
19. 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.
20. 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.
21. Term of Commercial Cannabis Activity Special Permit. Any Commercial Cannabis Cultivation Special Permit issued pursuant to the CMMLUO shall expire after one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval [Reference Humboldt County Code Section 314-55.4.5.6].

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 Special Permit or permit holder

with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the non-compliance, or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a 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 Humboldt County Code Section 314-4.5.8.

22. Acknowledgements to Remain in Full Force and Effect. Permittee acknowledges that the County reserves the right to reduce the extent of any Commercial Cannabis Activity, including but not limited to the area of cultivation, allowed under any clearance or permit issued in accordance with CCLUO in the event that environmental conditions, such as a sustained drought or low flows in the watershed where the Commercial Cannabis Activity is located, will not support water withdrawals without substantially adversely affecting existing fish and wildlife resources.

Permittee further acknowledges and declares that:

- (1) 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
 - (2) 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 and Adult Use Cannabis Regulation and Safety Act will be distributed within the State of California; and
 - (3) 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 and Adult Use Cannabis Regulation and Safety Act.
23. 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 Humboldt County Code Section 314-55.401 et seq. 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:
- (1) Identifying information for the new Owner(s) and management as required in an initial permit application;
 - (2) A written acknowledgment by the new Owner in accordance as required for the initial Permit application;
 - (3) The specific date on which the transfer is to occur; and
 - (4) Acknowledgement of full responsibility for complying with the existing permit; and
 - (5) Execution of an Affidavit of Non-diversion of Cannabis.

Informational Notes:

1. Pursuant to Section 314-55.4.11(a) of the CCLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state of county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the

agreement, the permittee agrees to abate or cure the violations at the earliest opportunity but in no event more than two (2) years of the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the Permittee within one (1) year of the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to section 314-55.4.13 of the CMMLUO.

2. 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.

3. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions prior to release of building permit or initiation of use and at time of annual inspection. In order to demonstrate that all conditions have been satisfied, applicant is required to pay the conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

ATTACHMENT 2

Staff Analysis of the Evidence Supporting the Required Findings

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, Section 312-17.1 of the Humboldt County Code (Required Findings for All Discretionary Permits) specifies the findings that are required to grant a Conditional Use Permit:

1. The proposed development is in conformance with the County General Plan, Open Space Plan and open Space Action Program;
2. The proposed development is consistent with the purposes of the existing zone in which the site is located;
3. The proposed development conforms with all applicable standards and requirements of these regulations;
4. The proposed development and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare; or materially injurious to property or improvements in the vicinity;
5. The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law (the midpoint of the density range specified in the plan designation) unless the following written findings are made supported by substantial evidence: 1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized; and
6. In addition, the California Environmental Quality Act (CEQA) states that one of the following findings must be made prior to approval of any development which is subject to the regulations of CEQA. The project either:
 - a) Is categorically or statutorily exempt; or
 - b) Has no substantial evidence that the project will have a significant effect on the environment and a negative declaration has been prepared; or
 - c) Has had an environmental impact report (EIR) prepared and all significant environmental effects have been eliminated or substantially lessened, or the required findings in Section 15091 of the State CEQA Guidelines have been made.

Staff Analysis of the Evidence Supporting the 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.

1. The proposed development must be consistent with the General Plan, Open Space Plan and Open Space Action Program. The following table identifies the evidence which supports finding that the proposed development is in conformance with all applicable policies.

Relevant Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Land Use Chapter 4 Land Use Designations Section 4.8	Commercial Services (CS): This designation is intended for heavy commercial uses and compatible light industrial uses not serving day to day needs. Full range of urban services required (i.e., good access, public sewer and water, electricity, fire protection, and waste disposal). Density: 1 unit/acre with community water, or 2 to 4 units/acre with a package treatment plant, and the maximum allowable FAR is 2.	A Conditional Use Permit for 1,300 square feet (SF) of new indoor cultivation. The proposed project will occur in a 3,270 SF building. This designation allows for heavy commercial and commercial recreation activities, which indoor cultivation is considered a commercial activity, therefore consistent with the land use designation.
Circulation Chapter 7	Goals and policies contained in this Chapter relate to a balanced, safe, efficient, accessible and convenient circulation system that is appropriate for each type of unincorporated community (C-G1, C-G2); coordinated planning design, development, operations, and maintenance between the County and other transportation system service providers (C-G3); and access for all transportation mode types with improved opportunities to move goods within, into and out of Humboldt County. (C-G4, C-G5) Related policies: C-P3, Consideration of Transportation Impacts in Land Use Decision Making.	The parcel is accessed by Joanna Court and McKinleyville Road and both are paved County maintained roads. An internal 25-foot private road right of way (Commercial Lane) serves all five parcels in the business park. There are 33 on-site parking spaces of which four are ADA-dedicated. The Department of Public Works provided comments on the existing commercial driveway approach on Joanna Court. The applicant shall retrofit the driveway on Joanna Court to meet current ADA standards and the surfaced parking lots shall have an oil-water filtration system prior to discharge into any County maintained facility. Also, the applicant shall demonstrate to the satisfaction of the Planning & Building Department that the project is in compliance with MS4/ASBS requirements. .

Relevant Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Housing Chapter 8	<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 does not involve residential development, nor is the project site part of the 2019 Regional Housing Needs Allocation (RHNA) as the subject property is planned and zoned for limited industrial development. Nor with the project will interfere or inhibit the County from meeting its RHNA by adversely impacting existing infrastructure or other public facilities. 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>
<p>Conservation and Open Space</p> <p>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>As stated above, the proposed project is located within a parcel designated CS. The business park is entirely designated CS, which includes four other parcels. The CS land use designation does not apply to lands intended to provide open space, e.g., agriculture or timber production, or on public lands owned and managed for open and/or wildlife management. The project as proposed and conditioned will not preclude orderly development and coordination with other agencies programs related to conserving open space lands.</p>

Relevant Plan Section(s)	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>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.</p>	<p>The site is located approximately 545 feet southeast of a McKinleyville wetland.</p> <p>The site is not located within a designated Streamside Management Area.</p> <p>The project is located on a site that is already commercially developed. The parcel does fall within the 1-mile radius of a California Natural Diversity Data Base (CNDDDB) mapped rare and endangered species, the Western Snowy Plover. According to U.S. Fish and Wildlife Service the Western Snowy Plover population breeds above the high tide line on coastal beaches, sand spits, dune-backed beaches, sparsely vegetated dunes, beaches at creek and river mouths, and salt pans at lagoons and estuaries. The parcel does not contain any of the characteristics of breeding grounds for the Western Snowy Plover, as it is considered an urban area. Therefore, the Western Snowy Plover would not be disturbed by the proposed project and no Biological Study or Natural Resource Assessment is required.</p> <p>Additionally, pursuant to 55.4.12.1.10 of the CCLUO ordinance; Performance Standard – Biological Resource Protections Exception: This section shall not apply to new development activities within the footprint of existing structures or proposed on lands planned or zoned for commercial or industrial activities. The parcel is located in a commercial zone. The proposed building is also within a footprint of a building that was previously existing between 2004 to 2016. The project was referred to the Department of California Department of Fish and Fish and Wildlife and did not provide any comment.</p>

Relevant Plan Section(s)	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>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 Rancheria. Blue Lake Rancheria and Wiyot recommended no further cultural study. Nonetheless, an ongoing condition of approval includes the inadvertent discovery protocol to protect cultural resources</p>
<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 policies: SR-S4. Light and Glare</p>	<p>The project site is not within an area mapped or designated with scenic vistas or resources. The proposed project is for indoor cultivation, these activities will occur inside an enclosed structure.</p> <p>The proposed project does not include any additional lighting or signage at this time. Any future lighting and/or signs proposed must conform to Humboldt County Code lighting or signage requirements.</p>

Relevant Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<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-G, WR-G7, WR-G8, WR-G9)</p> <p>Related policies: WR-P10, Erosion and Sediment Discharge; WR-P42, Erosion and Sediment Control Measures.</p>	<p>The cultivation area is in an area of minimal flooding.</p> <p>The applicant has submitted a Stormwater Management Plan prepared by Mother Earth Engineering, dated September 2019. The report calls for three roof gutter discharge points to be installed. Additionally, the report calls for monitoring and maintenance of the site. As a condition, of approval the applicant is to adhere to the Stormwater Management Plan and acquired the building permits necessary for the improvements.</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 G10)</p> <p>Related policies: WR-IM7, Basin Plan Septic Requirements; and IS-P17, On-Site Sewage Disposal Requirements</p>	<p>The Division of Environmental Health reviewed the project and recommended approval of the project. Additionally, the applicant submitted a Will Serve letter, indicating that water and sewer service will be provided by the McKinleyville Community Services District.</p>
<p>Noise Chapter 13</p>	<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</p>	<p>The project will use on-grid power provided by P.G.&E. for all energy needs. Fans will be used as part of the air filtration system for the project; however, these will be interior to the building.</p>

Relevant Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
	Sources; and N-P4, Protection from Excessive Noise.	
<p>Safety Element Chapter 14</p> <p>Geologic & Seismic</p>	<p>Goals and policies contained in this Chapter relate to communities that are designed and built to minimize the potential for loss of life and property resulting from natural and manmade hazards; and to prevent unnecessary exposure to areas of geologic instability, floodplains, tsunami run-up areas, high risk wildland fire areas, and airport areas planned and conditioned to prevent unnecessary exposure of people and property to risks of damage or injury. (S-G1, S-G2)</p> <p>Related policies: S-P11, Site Suitability; and S-P7, Structural Hazards.</p>	<p>The project site is not located in a mapped Alquist-Priolo fault zone nor is subject to liquefaction. Geologic hazard maps of the McKinleyville Community Plan show the slope instability of the property to be low, and the proposed project is not likely to be subject to geologic hazards.</p>
<p>Safety Element Chapter 14</p> <p>Flooding</p>	<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-P10, Federal Flood Insurance Program; S-P11, Flood Plains; S-PX3, Construction Within Special Flood Hazard Areas</p>	<p>The subject site is outside any mapped flood hazard areas. The project site is located approximately 545 feet southwest from a mapped wetland. The project site is not within a mapped dam or levee inundation area and, at 1.1 miles distant from the coast, is outside the areas subject to tsunami run-up. The evidence supports finding the project consistent with the General Plan policies exposure of people and property to flood or tsunami hazards due because the property is outside these mapped hazard areas.</p>

Relevant Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Safety Element Chapter 14</p> <p>Fire Hazards</p>	<p>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.</p> <p>Related policies: S-P19, Conformance with State Responsibility Areas (SRA) Fire Safe Regulations.</p>	<p>The parcel is in an area of low Fire Rating hazard and within Arcata Fire Protection District (AFPD).</p> <p>The project is not located in a State Responsibility Area (SRA).</p> <p>The project was referred to AFPD on commented on July 31, 2020 and did not provide any comments.</p>
Air Quality Chapter 15	<p>Goals and policies contained in this Chapter relate to improved air quality to meet current and future state and federal standards, including attainment of particulate matter requirements (AQ-G1, AQ-G2, AQ-G2X) and the successful reduction of greenhouse gas emissions to levels consistent with state and federal requirements (AQ-G3)</p> <p>Related policies: AQ-P4, Construction and Grading Dust Control, AQ-S1. Construction and Grading Dust Control, AQ-P7. Interagency Coordination.</p>	<p>As a condition of project approval, 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 construction and grading shall achieve compliance with NCAQMD fugitive dust emission standards. The project is not anticipated to contribute significantly to fugitive dust as Joanna Court Road and McKinleyville Ave Road is paved.</p>

- 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 and the County Cannabis Cultivation Land Use Ordinance (CCLUO)

Zoning Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
<p>§312-1.1.2</p> <p>Legal Lot Requirement</p>	<p>Development permits shall be issued only for a lot that was created in compliance with all applicable state and local subdivision regulations.</p>	<p>The parcel known as APN 510-211-057 has been determined to be one legal parcel as shown on Recorded Map in Book 18 of Maps page 24.</p>

§314-2.2 Community Commercial or C-2 -N	<p>The Community Commercial or C-2-N Zone is intended to apply to areas where more complete commercial facilities are necessary for community convenience.</p> <p>The Noise Impact Regulations shall apply to lands designated "N" on the Zoning Maps that are located within areas mapped by the General Plan to have a noise exposure level of equal to or in excess of 60 dB Community Noise Equivalent Level – Day-Night Average Level (CNEL-Ldn).</p>	<p>A Conditional Use Permit for 1,300 square feet (SF) of new indoor cultivation. The proposed project will occur in a 3,270 SF building.</p> <p>The CS-2 zoning district is enumerated as an eligible zoning district for indoor cultivation pursuant to HCC Sections 314-5.4.8.1.2(b) with a Special Permit. Pursuant to HCC Section 314-55.4.8.1.2(c). However, because this proposed project is located in Community Planning Area and pursuant to 55.4.5.1.4, a Conditional Use Permit shall be required for any Commercial Cannabis Activity.</p>
Minimum lot Area	2,000 square feet.	The subject parcel is approximately .22 acres
Minimum Lot Width:	Twenty-five feet (25').	Lot is approximately 109 feet wide
Maximum Lot Depth:	None specified	Lot is approximately 113 feet deep
Max. Lot Coverage:	None specified	N/A
Min. Yard Setbacks (through the SRA requirements):	<p>Front Setbacks: none.</p> <p>Rear Setbacks: Fifteen feet (15'), except that where a rear yard abuts on an alley, such rear yard may be not less than five feet (5').</p> <p>Side: none.</p> <p>The parcel is within the mapped State Responsibility Area and 30-foot setbacks to all property lines are required.</p>	<p>Front:20</p> <p>Front:20</p> <p>Rear: 23</p> <p>Side: 0</p>
Max. Building Height:	75 feet	32 feet
§314-109.1.3.4.1 Off-Street Parking	The higher of one parking space for each 1500 square feet of gross floor area within	The proposed project includes a new two story 3,270 square foot building.

<p>§314-109.1.2.1.1 Substitute Parking</p>	<p>all enclosed building areas or one (1) parking space for each employee at the peak shift. A minimum of two (2) parking spaces are required.</p> <p>Allows an exception to the requirement that all parking be located on the same building site when certain standards are met.</p>	<p>The parcel is accessed by Joanna Court and McKinleyville Road which are both paved, and County maintained. The parcels within the business park are accessed via a 25-foot wide private right of way. There are approximately 33 total on-site parking spaces of which four are ADA-dedicated. The parking calculation for the five (5) businesses sharing the substitute parking spaces within the business park is 23. With the allowance for shared parking, the parking requirements of the zoning regulations are met.</p>
<p>314-109.1.4 Loading Spaces Required</p>	<p>One loading space for each 20,000 square feet of commercial space or fraction thereof.</p> <p>109.1.4.3.2 Exceptions to loading space size requirements may be allowed by filing an exception petition containing sufficient information in support of the exception to the Planning Division.</p> <p>109.1.4.3.2.6 Levels of anticipated use.</p> <p>109.1.2.6 Parking/loading spaces may be shared if their use is not concurrent or conflicting.</p>	<p>One loading space per 20,000 square feet is required. This special permit is for an exception to the size of the loading space, normally 10' x 60', to accommodate a van or small box truck. The exception is supported based on anticipated levels of use as described in the "The Avenue" Cannabis Business park Development Plan receipt-dated July 23, 2018. A loading space is also shared between parcel number 510-211-054 and adjacent parcel APN 510-211-056 and is addressed in the Conditional Use Permit for substitute parking previously approved under application number 12677, on September 13, 2018. The loading size exemption also includes the following parcels in the business park: APN: 510-211-057, APN: 510-211-055; and APN: 510-211-053. As a condition of approval all parcels shall use a vehicle that will not exceed the dimensions of the loading sizes described in the site plan and will abide by a schedule for the common shared loading space. Adherence to the schedule will ensure that the shared use is not concurrent or conflicting, previously approved under application number 12677, on September 13, 2018.</p>

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
<p>§314-55.4.5.1.4 a)</p> <p>City Spheres of Influence, Community Planning Areas, Tribal Lands</p>	<p>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.</p>	<p>The subject property is in the McKinleyville Community Planning Area. Therefore, the applicant seeks approval for a Conditional Use Permit for 1,300 square feet of new indoor cultivation.</p>
<p>§314-55.4.5.4</p> <p>Permit Limits and Permit Counting</p>	<p>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).</p>	<p>According to records maintained by the Planning Department, the party who is the Yeti Enterprises, LLC applicant, submitted two cannabis applications, which equals less than 3 acres of cultivation. This application is one Conditional Use Permit for 1,300 square feet of new indoor cultivation.</p>
<p>§314-55.4.8.1</p> <p>Indoor Cultivation</p>	<p>Indoor Cultivation must comply with all applicable performance standards, meet the Eligibility Criteria specified in Section 314-55.4.6.3.1 and 314-55.4.6.3.2, and comply with the Siting Criteria specified in Sections 314-55.4.6.4.1, 55.4.6.4.2, 55.4.6.4.3, and 55.4.6.4.4 (c), (d), and (g). All Indoor Cultivation activities shall be conducted within an Enclosed setting and shall not be subject to the setbacks from School Bus Stops prescribed within 55.4.6.4.4(c).</p>	<p>An application for a Conditional Use Permit for 1,300 square feet of new indoor cultivation. The building will be enclosed, and odor mitigation will be encompassed.</p>

Eligibility Criteria §314-55.4.6.3.1 Energy Source.	Energy Source Electricity must be exclusively provided by a Renewable Energy Source, meeting the Performance Standard for Energy Use.	The subject property is served by P.G.&E. power and will operate a carbon neutral facility as required by purchasing certified carbon offset credits from certified offset programs.
§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 use for irrigation is sourced by McKinleyville Community Service District (MCSD). The applicant has submitted a Will Serve Letter from MCSD, indicating that sufficient water will be provided to meet the project demands.
§314-55.4.6.4.1 Siting Criteria	Slope: Cultivation Site(s) must be confined to areas of the Parcel where the Slope is 15 percent or less.	According to the County's WebGIS the entire parcel is 15% or less.
§314-55.4.6.0 Conversion of Timberland	Conversion of Timberland Prohibited: Cultivation Site(s) may only be located within a Non-Forested area that was in existence prior to January 1, 2016.	The entire parcel is urban with no timberland. The parcel is located in an urban area.

<p>§31455.4.6.4.4 Sensitive Receptors (c)(d)(g)</p> <p>Special Setbacks for Odor Mitigation (j)</p>	<p>(c) Six hundred feet (600') from a Church or other Place of Religious Worship, Public Park, Tribal Cultural Resource, or School Bus Stop currently in use at the time of project application submittal.</p> <p>d) Tribal Ceremonial Sites - One thousand feet (1,000') from all Tribal Ceremonial Sites</p> <p>g) In all cases, structures must comply with the setback requirements and similar provisions of the principal zoning district(s) as well as those required by the Building Code, including lot coverage.</p> <p>(j) Six hundred feet (600') from the boundary of any residentially zoned area</p>	<p>Under the adopted CCLUO ordinance, indoor cannabis cultivation is not subjected to the setbacks from school bus stop. The indoor nature of the cannabis activities will not have an adverse impact on children at bus stops. The project site is located in McKinleyville Community Planning Area and it is within two bus stops, one at 670 feet and another at 700 feet.</p> <p>The indoor cultivation will be enclosed and includes odor mitigation.</p>
<p>Indoor Cultivation Within those zones specified under 314-55.4.6.2.1</p>	<p>Within those zones specified under 314-55.4.6.2.1 (C-3, ML, MH, and U) and C-2 as a part of a microbusiness provided all cannabis activities occur within a building that is two-stories or less in height, cultivation area is limited to 2,500 square feet, and where the cultivation and activities area in scale with the surrounding community,</p> <p>a) Up to 5,000 square feet of cultivation area may be permitted with a Zoning Clearance Certificate.</p> <p>b) Up to 10,000 square feet of cultivation area may be permitted with a Special Permit.</p> <p>c) A Use Permit shall be required where more than one clearance or permit is being sought on a parcel. This application is a Special Permit and Conditional Use permit to allow for the development of a new 8,560 square foot (sf) indoor cannabis cultivation facility, and ancillary processing and ancillary facilities within a proposed 13,000 sf building that would be 28 feet in height. The Conditional Use Permit is required when more than one clearance or permit is being sought on a parcel, and as the applicant has a</p>	<p>An application for a Conditional Use Permit for 1,300 square feet of new indoor cultivation in 3,270 square foot building. The building will be enclosed with or mitigation. The parcel is zoned C-2 and all cannabis cultivation will occur within enclosed proposed two-story building.</p>

	<p>second pending permit application for a second new indoor cannabis cultivation detached facility on the same parcel, a CUP pursuant to sub-section (c) is included.</p> <p>As discussed herein the cultivation facility and operations are consistent with the requirements for the cultivation type, status, and zoning of the parcel. The applicant will comply with all conditions of the CCLUO, as specified in the recommended conditions of approval.</p>	
<p>§314-55.4.8.1.3</p> <p>Indoor Cultivation Locational Criteria</p>	<p>Indoor Cultivation shall be located on roads that are paved with centerline stripe, or paved meeting the Category 4 standard.</p> <p>Exceptions may be considered with a Use Permit. Where an exception is sought, the Use Permit application shall include an evaluation of the local road network and relevant segments prepared by a licensed engineer. The engineers report shall include substantial evidence to support a finding that measures have been taken to protect the public health and safety, including fire safe road access, capacity to support anticipated traffic volumes, water quality objectives, and sensitive habitat.</p>	<p>Access to the driveway is accessed via Joanna Court or McKinleyville Avenue. Both access roads are paved with centerline stripe meeting the Category 4 standard.</p>
<p>314-55.4.9</p> <p>Performance Standard for Adaptive Reuse</p>	<p>On Parcels 2 acres or larger in size, within existing structures previously developed for a lawful heavy industrial operation, occupancy of up to one acre of gross floor area may be permitted for use by Commercial Cannabis activities including: Indoor Cultivation, Manufacturing, and Cannabis Support Facilities. A Zoning Clearance Certificate will be required for each discrete lease area. Where permitted occupancy and use of the site has reached one acre, a Use Permit will be required to consider any further</p>	<p>The cited section does not apply as the property is not developed with an existing structure or other lawful heavy industrial operation. Nor was the property previously developed for commercial or industrial uses. The evidence supports finding the project consistent with this standard.</p>

	use of the site by Commercial Cannabis Activities	
§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 project site is accessed directly off a County Maintained Roads which meets the Road Category 4 standards.
§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	As an Ongoing Condition of approval, the burning of Plant Material associated with Cultivation and Processing of Commercial Cannabis is Prohibited.
§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.	As the subject parcel is planned Commercial Services (CS) and zoned Community Commercial or C-2-N which are industrial use land use designation and zoning district, respectively, the exception for the preparation and submission of technical studies for biological resources, and additional buffers to mitigate potential impacts applies: Exception: This section shall not apply to new development activities within the footprint of existing structures or proposed on lands planned or zoned for commercial or industrial activities.

§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 is not located in an area that was previously developed as an industrial or 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 Division of Environmental Health reviewed the project and recommended approval of the project. Additionally, the applicant submitted a Will Serve letter, indicating that water and sewer service will be provided by the McKinleyville Community Services District.
§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.	No Fuel will be stored onsite. Trash and recycling will be stored in water tight containers. Trash will be removed bi-weekly by Humboldt Sanitation and Recycling.
§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 does not include the removal or exterior alteration of structures over 45-years in age.

§314-55.4.12.2 Performance Standards– Commercial Cannabis Cultivation	Identifies the Performance Standards for Cannabis Cultivation Activities.	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 external lighting and any Security Lighting from the proposed building 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.
§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: • 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.	Yeti Enterprises, LLC will use on-grid power supply provided by Pacific Gas and Electric Company and will operate a carbon neutral facility as required by purchasing certified carbon offset credits from certified offset programs.
§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 applicant will not use a generator. The applicant has submitted ambient noise data. The average ambient noise level is about 54 decibels. The project will not result in an increase of more than three decibels.

§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 use for irrigation is sourced and provided McKinleyville Community Service District (MCSD). The applicant has submitted a Will Serve Letter from MCSD, indicating that sufficient water will be provided to meet the project demands. The total estimated annual water use for this indoor cultivation is 120,000 gallons per year. Yeti Enterprises, LLC plans to conduct four to five cultivation cycles annually. Irrigation will be metered, timed and within a closed loop drip irrigation system.
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4. **Public Health, Safety and Welfare:** The following table identifies the evidence which supports finding that the proposed development will not be detrimental to the public health, safety and welfare or materially injurious to properties or improvements in the vicinity and will not adversely impact the environment.

Code Section	Summary of Applicable Requirement	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 Requirement	Evidence that Supports the Required Finding
§312-17.1.5 Housing Element Densities	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 property was not included in the 2019 Housing Inventory. 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 table 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: 510-211-057, 2214 McKinleyville Avenue, County of Humboldt.

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

December 2020

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 1,300 square feet (SF) of new indoor cultivation in the McKinleyville Community Planning Area.

The project site is a parcel that is part of a business park comprised of five parcels. The parcels are served by a private 25-foot-wide right of way (Commercial Lane). Additionally, a Conditional Use Permit for a parking exemption to allow substitute parking, shared among five other parcels: 510-211-053, -054, -055, -056, and -057, and a Special Permit to reduce the size of the required loading space, normally 10' x 60', to accommodate a van or small box truck applied to the same parcels based on anticipated levels of use, has been previously approved under application number 12677, on September 13, 2018.

The proposed project is in a base zoning district that allows the requested cannabis activities. Under the adopted CCLUO ordinance, indoor cannabis cultivation is not subjected to the setbacks from school bus stop. The indoor nature of the cannabis activities will not have an adverse impact on children at bus stops. The project site is located in McKinleyville Community Planning Area and it is within two bus stops, one at 670 feet and another at 700 feet. The proposed project building is about 2,880 SF and will add 390 SF as an addition to add an ADA restroom and a water treatment and will be designed appropriately with odor mitigation and there will not be adverse impacts to the neighborhood related to visual and odor impacts, or security concerns. Therefore, Staff recommends approval of the project.

Water use for irrigation is sourced and provided McKinleyville Community Service District (MCSD). The applicant has submitted a Will Serve Letter from MCSD, indicating that sufficient water will be provided to meet the project demands. The total estimated annual water use for this indoor cultivation is 120,000 gallons per year. Yeti Enterprises, LLC plans to conduct five to six cultivation cycles annually. Irrigation water will be metered, timed and within a closed loop drip irrigation

system. The project was referred to the McKinleyville Community Service District and recommended approval of the project. The project was also referred to the Division of Environmental Health and recommended approval.

In the 3,270 SF building there will be one Veg Room # 1 at 441 SF and it will be for immature plants and considered as propagation area. The other Veg Room # 2 will be about 240 SF will have larger vegging plants and will be considered as cultivation area. There will be two flowering room totaling 1,058 SF. Therefore, the total taxable area is 1,300 SF of indoor.

The building will have a dedicated room for drying cannabis plants and then taken to a third-party processing facility. All rooms will be climate controlled for optimal growing or drying conditions. Yeti Enterprises, LLC anticipates having five full time employees during peak operation.

Yeti Enterprises, LLC will use on-grid power supply provided by Pacific Gas and Electric Company and will operate a carbon neutral facility as required by purchasing certified carbon offset credits from certified offset programs. The applicant has also submitted a detailed security plan, which includes the installation of a security coded electronic gate.

The site is located approximately 545 feet southeast of a McKinleyville wetland; however, the site is not located within a designated Streamside Management Area. The project is located on a site that is already commercially developed. The parcel does fall within the 1-mile radius of a California Natural Diversity Data Base (CNDDB) mapped rare and endangered species, the Western Snowy Plover. According to U.S. Fish and Wildlife Service the Western Snowy Plover population breeds above the high tide line on coastal beaches, sand spits, dune-backed beaches, sparsely vegetated dunes, beaches at creek and river mouths, and salt pans at lagoons and estuaries. The parcel does not contain any of the characteristics of breeding grounds for the Western Snowy Plover, as it is considered an urban area. Therefore, the Western Snowy Plover would not be disturbed by the proposed project and no Biological Study or Natural Resource Assessment is required. Additionally, pursuant to 55.4.12.1.10 of the CCLUO ordinance; Performance Standard – Biological Resource Protections Exception: This section shall not apply to new development activities within the footprint of existing structures or proposed on lands planned or zoned for commercial or industrial activities. The parcel is located in a commercial zone. The proposed building is also within a footprint of a building that was previously existing between 2004 to 2016. The project was referred to the Department of California Department of Fish and Fish and Wildlife and did not provide any comment.

The Conditional Use Permit previously approved for parking exemption allows substitute parking, shared among the subject parcel and the four other parcels in the business park. Substitute parking is an exception to the standard requirement that all parking be provided on the parcel on which the business is located. Pursuant to Humboldt County Code §314-109.1.2.1.1 parking exemption is to allowed for commercial uses if it is found that: 1) A substitute parking area is to be provided and remain available for as long as the use to which the required parking pertains shall continue. As a condition of approval, the property owners shall record an easement granting all tenants shared parking access. 2) The substitute parking area is within an area designated in the General Plan for commercial or other business use and within which parking is a permitted and compatible use. All parking is within the business park on property with a land use designation of Commercial Services. 3) All or part of the substitute location is within four hundred feet (400') of the principal use for which the parking is being provided, measured in walking distance along the way open to public pedestrian passage. All the substitute parking is within the 200 feet of the distribution facility. 4) The substitute parking area is owned by the owner of the property on which the use for which the parking is being provided or is owned by a public entity empowered to provide public parking facilities. All five parcels are owned by one entity.

Access to the driveway is accessed via Joanna Court or McKinleyville Avenue. All parcels have shared parking and parking agreements are included in their rental agreement. On average each parcel will have two to three employees onsite at any given time and a maximum of five. Total parking spaces for all five parcels is 33 and includes four American Disabilities Act (ADA)-compliant parking with access.

The Bear River Band of the Rohnerville Rancheria and Blue Lake Rancheria recommended Inadvertent Discovery. The Building Inspection Division recommended approval based on the condition that all grading, building, plumbing electrical and mechanical permits and or agriculture exemption are obtained.

Public Works commented on the project and recommended that the applicant shall retrofit the existing commercial driveway on Joanna Court to meet current ADA standards. Additionally, all fences and gates shall be relocated out of the County right of way. All gates shall be setback sufficiently from the County road so that vehicles will not block traffic when staging to open/close the gate. In addition, no materials shall be stored or placed in the County right of way. This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license. Surfaced parking lots shall have an oil-water filtration system prior to discharge into any County maintained facility. This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.

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 consisting of 1,300 square feet of new indoor cultivation in the McKinleyville Community Planning Area and to construct 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 and bring the operation into 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 3 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 with the Planning Division:

1. The name, contact 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. (On file)
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)
16. McKinleyville Community Service District, Will Serve Letter have dated,
17. Sound Evaluation Report prepared by Green Road Consulting, dated October 2019. (Attached)
18. Stormwater Management Plan, Mother Earth Engineering, dated September 2019.
19. Invasive Plant Species Management Plan, prepared by Mother Earth Engineering, dated September 2019. (Attached)



**GREEN
ROAD
CONSULTING**

Site Plan Overview and Cultivation and Operations Plan

Applicant/Owner

Yeti Enterprises, LLC

572 3rd Street, Suite 9

Eureka, CA 95521

Parcel: 510-211-057

Agent

Kaylie Saxon

Green Road Consulting

1650 Central Avenue, Suite C

McKinleyville, CA 95519



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I. Site Plan Overview

1.0 Project Information

Yeti Enterprises, LLC ("Applicant") is submitting this application for a Conditional Use Permit for a new 2,457-square foot Indoor commercial cannabis cultivation on a 0.18-acre parcel, located near McKinleyville, CA ("Parcel"), Assessor's Parcel Number 510-211-057.

This application is submitted through their agent, Kaylie Saxon of Green Road Consulting, Inc., and has been prepared in accordance with Humboldt County's ("County") Commercial Medical Marijuana Land Use Ordinance ("CCLUO").

The Conditional Use Permit would achieve the following results for the Applicant:

- a. Permit 2,457 square feet of indoor commercial cannabis cultivation activities that were not in existence prior to January 1, 2016, in compliance with the County CCLUO.
- b. Comply with applicable standards for water quality maintenance and watershed protection through the Waiver of Waste Discharge requirements of the North Coast Regional Water Quality Control Board ("Water Board") and California Department of Fish and Wildlife ("Fish and Wildlife").

2.0 Project Location

The Applicant's Parcel is located in the inland zone of Humboldt County near McKinleyville, CA. The Parcel is comprised of 0.18-acres and is identified by Assessor's Parcel Number ("APN") 510-211-057. The street address for the Parcel is 2214 Commercial Lane McKinleyville, CA 95519.

2.1 Zoning Classification

The County's Zoning Classification of the Parcel is C-2 with a Current General Plan Framework of CS (MCC). The CCLUO permits new commercial cannabis cultivation on land zoned as C-2 with indoor cultivation sites up to 5,000 square feet with a conditional Use Permit.

2.2 Site Topography

A map of the Parcel's topography is included as Attachment "A."

3.0 Easements

The following information is taken from the Legal Description of the Grant Deed, a copy of which is included in Evidence of Ownership and Authorization section of this application.

"THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF HUMBOLDT, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

Parcel 17 and 18 as shown on the Map of Tract No. 212 filed in Book 18 of Maps, pages 24 and 25, Humboldt County Records."

4.0 Natural Waterways

There are no natural waterways that cross the Parcel. There are two (2) wetland areas identified by the Humboldt County GIS that are in the area. The closest wetland area is more than 500 feet from the proposed cultivation area and the next closest wetland area is more than 800 feet from the proposed cultivation area.

Once they begin discharging, the Applicant will be enrolled in the North Coast Regional Water Quality Control Board's Waiver of Waste Discharge Program as a Tier I discharger. Because the cultivation area is less than 5,000 square feet, a Water Resource Protection Plan will not be required.

5.0 Location and Area of Existing Cultivation

The 2,400 square feet of cannabis cultivation occurs in one (1) location on the Parcel within the existing 45'x80' commercial building. There will be two (2) different rooms within the building that will be used for cultivation related activities.

Cultivation Area 101

Cultivation Area 101 is within a 36'x52.7' room. The cultivation is to occur in two (2) distinct areas separated by an aisle. The two (2) cultivation areas measure 49'x17' totaling 1,666ft² of indoor cultivation.

Cultivation Area 104

Cultivation Area 104 is within a 20'x28' room. The cultivation area within the room will consist of one area measuring 14.58'x27' and one area measuring 4'x3'. The cultivation area totals 405.66 ft². Within the room there is also a nontaxable veg area measuring 24'x4' (96ft² total).

6.0 Setbacks of Cultivation Area

The building is setback from the southern parcel line by approximately 22 feet, the western parcel line by approximately 13 feet, the northern parcel line by 8 feet, and the eastern parcel line by approximately 7 feet.

7.0 Access Roads

The Parcel is located off of Commercial Lane, off of McKinleyville Avenue, both of which are paved and in excellent condition. The interior of the parcel is paved and is in excellent condition.

8.0 Graded Flats

There are no graded flats on the parcel.

9.0 Existing and Proposed Buildings

The 2,457 square feet of cannabis cultivation occurs in one (1) location on the Parcel within the existing 45'x80' commercial building. There will be several different rooms within the building that will be used for cultivation related activities.

10.0 Water Source, Storage, Irrigation Plan and Projected Water Use

10.1 Water Source

The Applicant will be sourcing water from the McKinleyville Community Services District.

10.2 Water Storage

The Applicant has one (1) 2,500-gallon HDPE tanks and eight (8) 50-gallon water barrels totaling 2,900-gallons of hard tank water storage on site.

The Applicant estimates their annual water use to be approximately 120,000-gallons.

10.3 Irrigation Plan

The Applicant irrigates with a timed, metered, closed loop drip irrigation system.

10.4 Projected Water Use

Because they are cultivating in a controlled environment, the Applicant's projected water use will be consistent year-round. The Applicant estimates their annual water use to be approximately 120,000 gallons.

11.0 Site Drainage, Runoff, Erosion Control Measures and Watershed Protection

Site Drainage, Runoff, Erosion Control Measures

The Applicant will be running indoor cultivation that produces minimal runoff. All runoff from irrigation/cultivation will be collected and put into an evaporator. There will be no runoff from cannabis cultivation irrigation to the connected sewer system. Because the slope of the land is between 0% and 2%, the cultivation being confined indoors within a controlled environment and the Applicant's cultivation practices, there will not be any drainage, runoff or erosion issues or concerns.

Watershed Protection

The cultivation resides at least 500 feet from the closest identified wetland area and 800 feet from the second closest identified wetland area. Should the Applicant produce any runoff, it will enter into the sewer system.

12.0 Invasive Species Report

**The following information was taken from the Applicants invasive species report drafted by Mother Earth Engineering.*

Adaptive management is a systematic and iterative process that provides feedback between monitoring and management actions. This process includes reviewing invasive plant management goals and objectives, reviewing baseline data, applying treatment techniques for target invasive plants, subsequently conducting monitoring and analysis to measure achievement of goals.

13.0 Storm Water Management Plan

**The following information was taken from the Applicants invasive species report drafted by Mother Earth Engineering. Map referenced below are in referencing maps provided*

Due to site topography, existing vegetation and existing swale feature, the expected stormwater runoff from onsite pervious surfaces can be attenuated sufficiently as required by regulations if the following improvements are implemented:

- Rain gutters shall be installed on the western side of existing building.
- The rain gutters shall be pitched such that the captured rainfall flows from longitudinally north to south.
- Three roof gutter discharge points shall be installed (see map). Roof discharge points shall be located approximately at northern corner, southern corner, and midpoint of building (see map). The flow from the discharge points shall be directed to the existing swale, and the downspouts shall extend a minimum of two (2) feet from the existing concrete slab.

A stormwater analysis was conducted using the State Water Board's Post-Construction Calculator tool. The analysis determined that with the installation of the rain gutters in conjunction with the existing site conditions all regulatory criteria are satisfied with respect to stormwater management.

14.0 Energy Use

The Applicant is grid tied and does not require the use of generators. The building receives PG&E power and there are no generators on-site. The Applicant will enroll in PG&E Solar and Renewable Energy Program (100% offset). Solar Panels and system will be installed to the buildings within two (2) years of operation to offset their grid use of power.

15.0 Distances from Significant Landmarks

The Parcel resides in a mostly residential area. Morris Elementary School is approximately 1,100 feet away from the proposed cultivation area. There is also a school bus stop that is within 600 feet from the cultivation area. The Applicant is seeking an exemption from the 600 ft setback regarding the bus stop. There are no public parks or places of worship within 600 feet of the proposed cultivation area.

II. Cultivation and Operations Plan

1.0 Materials Storage

All fertilizers and amendments will be located within the building on the Parcel. Fertilizers and amendments will be placed on the shelves and floor where any spill will be contained. All labels are kept and directions are followed when nutrients are applied. The storage area is in need of posted instructions for storing fertilizers and amendments, instructions for cleaning up spills and a spill kit that contains a container, gloves, towels, absorbent socks and an absorbent material (kitty litter).

Currently, there are no pesticides or herbicides registered specifically for use directly on cannabis. The Applicant will be using items that were accepted under Legal Pest Management Practices for Marijuana Growers in California.

No fuel will be stored on site. Trash and recycling is stored in water tight containers. Trash is removed weekly and recycling is removed bi-weekly by Humboldt Sanitation and Recycling. The Applicant does not keep a compost or soils piles on site. Should soil need to be removed, it will be taken to Wes Green in Arcata, CA and replaced.

The building receives PG and E power and there are no generators on-site. No fuel is stored. The Applicant will enroll in PG and E Solar and Renewable Energy Program (100% offset). Solar Panels and system will be installed to the buildings within two (2) years of operation to offset their grid use of power.

2.0 Cultivation Activities

Cultivation activities may vary based on strain and the applicants personal schedule.

The Main flowering room is made to be in continuous operation. This is accomplished by the dividing of the cultivation space of each flowering room into multiple zones, each zone occupied by a different strain. Each strain is put into flowering, into the flowering room that operates on a 12/12 (12 hours on 12 hours off) light cycle, in an ordered, delayed schedule from the onset of the first flowering strain.

EXAMPLE:

Zone 1

First strain is put into flower sept 1st
(scheduled to be harvested Oct 31)

Zone 2

Second strain is put into flower sept 15
(Scheduled to be harvested Nov 15)

Zone 3

Third strain is put into flower oct 1st
(Scheduled to be harvested Nov 30)

Zone 4

Fourth strain is put into flower oct 15
(Scheduled to be harvested Dec 15)

Zone 5

First strain harvested Oct 31
(Fifth strain put into flower Nov 1)

Zone 6

First strain harvested Oct 31
(Fifth strain put into flower Nov 1)

In order to keep the flowering rooms running continuously, based on the example above, the plants will have to be kept in a vegetative stage long enough to immediately transition to their

flowering stage and placed in a flowering room. The square footage required to veg 20-25 plants is roughly 16 square feet. or a 4'x4' ft footprint.

The upstairs flowering room is meant to support 84 lights. Each of the lights is meant to have 16-20 plants flowering underneath of it. The room in its entirety is meant to handle between 1300 and 1700 plants.

Each flowering room will contain two sperate zone. Each zone will contain 15 lights and each zone will have up to 280 plants. In total there will be four different flowering zones, a harvest is expected every 10-15 days.

That schedule and the time that it realistically takes to veg a plant to a suitable stature to flower, the propagation schedule would understand two strains, staggered one week apart occupying the veg space, each strain for 2-3 weeks. At the fulfillment of each stain's time in the veg room a new strain is put into the veg room to fulfill the production schedule.

3.0 Processing Practices

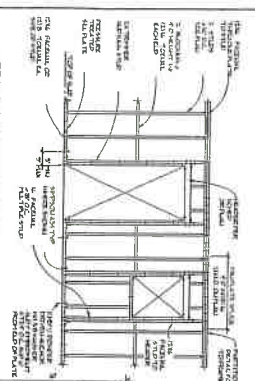
Plants are harvested and transferred to a sanitized, climate controlled drying and curing room. During the 7-10 day drying period, temperature, humidity and air circulation are carefully monitored. The drying room will be equipped with carbon air filters and air conditioners to maintain temperature along with dehumidifiers and fans for air circulation.

After curing, the harvested cannabis is taken to a 3rd party processor. All work surfaces and equipment are maintained in a clean, sanitary condition. Protocols to prevent the spread of mold are strictly followed. The final cannabis product is stored in a secure location.

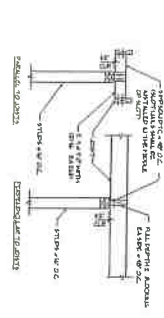
The Applicant will be utilizing any Track and Trace program the County seeks to implement, abiding by all appropriate record keeping practices.

4.0 Security Measures

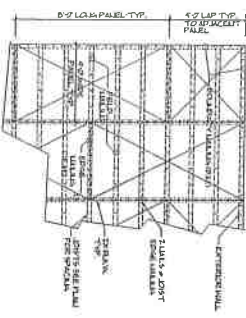
Secure fencing and locked gates surround the parcel. Coded entry is required at each gate. There will be one code for daytime business hours and one code for after hours entry. Every employee will receive a unique gate code and non-managers (excepting cultivators) will only be granted entry to the facility by the manager on-duty. All employees will have gate code access during business hours. Only the owner and head cultivator will have access during non-business hours. Security cameras will be installed at all gates, around the perimeter fence and on all buildings to cover all angles of entry. Motion sensor lights will be installed around the entire outside of the facility and driveways. A burglar alarm that is tied in with the Sheriff's Department and Fire Department will be installed for all doors and windows. Every room within the facility will have video surveillance.



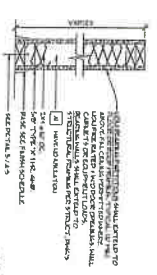
5 FRANK DETAIL (TYP)
SCALE: 1/8" = 1'-0"



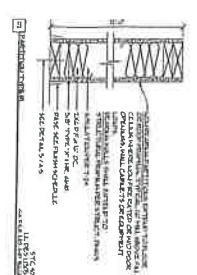
2 WALL BRACK DETAIL
SCALE: 1/8" = 1'-0"



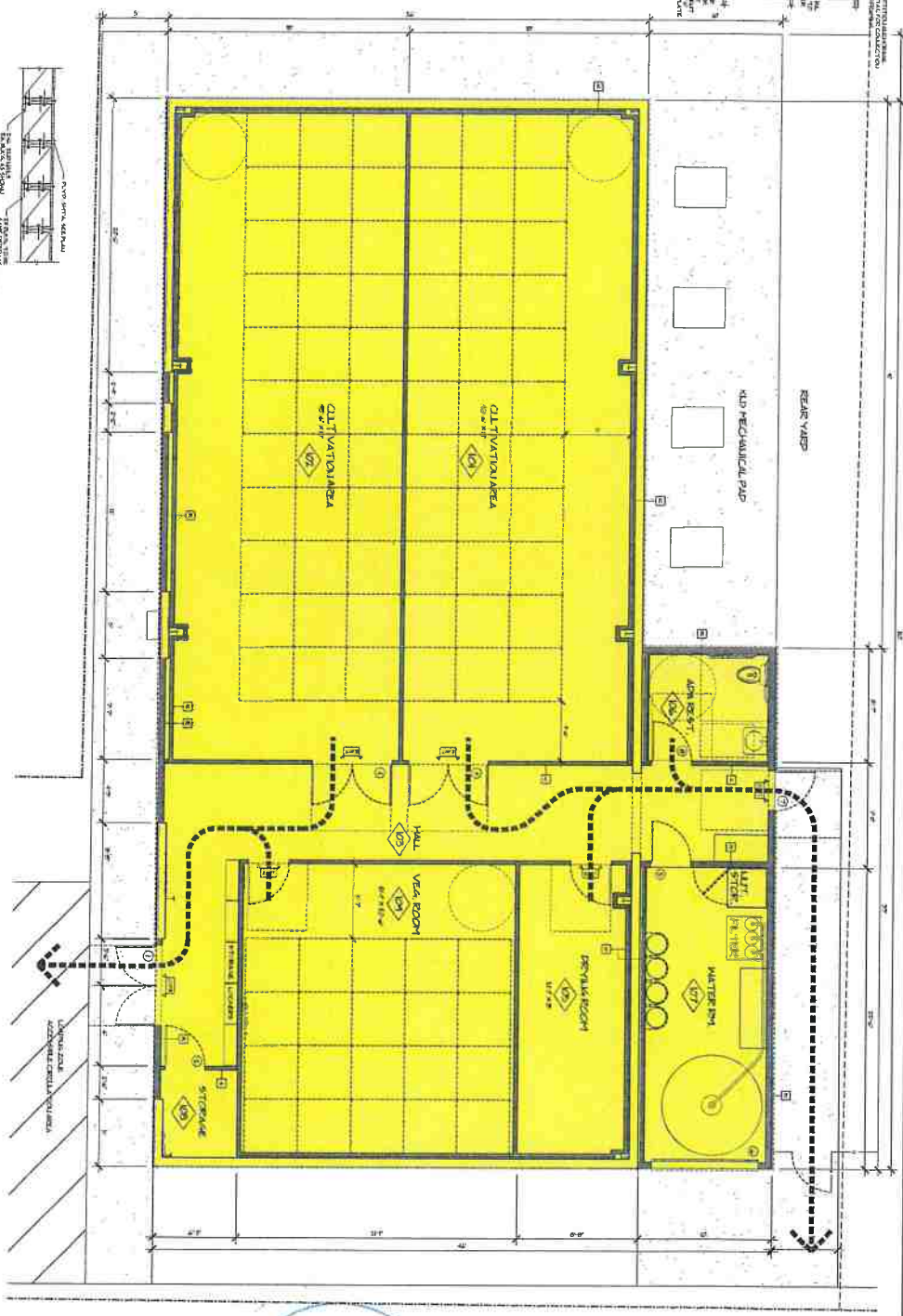
7 TYP SHEATHING DETAIL
SCALE: 1/8" = 1'-0"



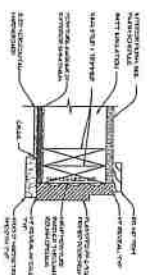
4 TYPICAL BLOCKING
SCALE: 1/8" = 1'-0"



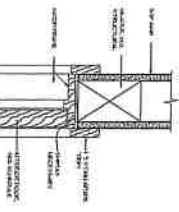
3 WALL TYPES
SCALE: 1/8" = 1'-0"



2 FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"



3 DOOR DETAILS
SCALE: 1/8" = 1'-0"



1 FOOTING DETAIL
SCALE: 1/8" = 1'-0"



BROWN
DESIGNS

PO BOX 702
FERNALD, CA 94538
BRUNSWICK HOUSE, FERNALD, CA
TEL: 925/455-1111
WWW.BROWNDISIGNS.COM
BROWN DESIGNS IS AN EQUAL OPPORTUNITY EMPLOYER
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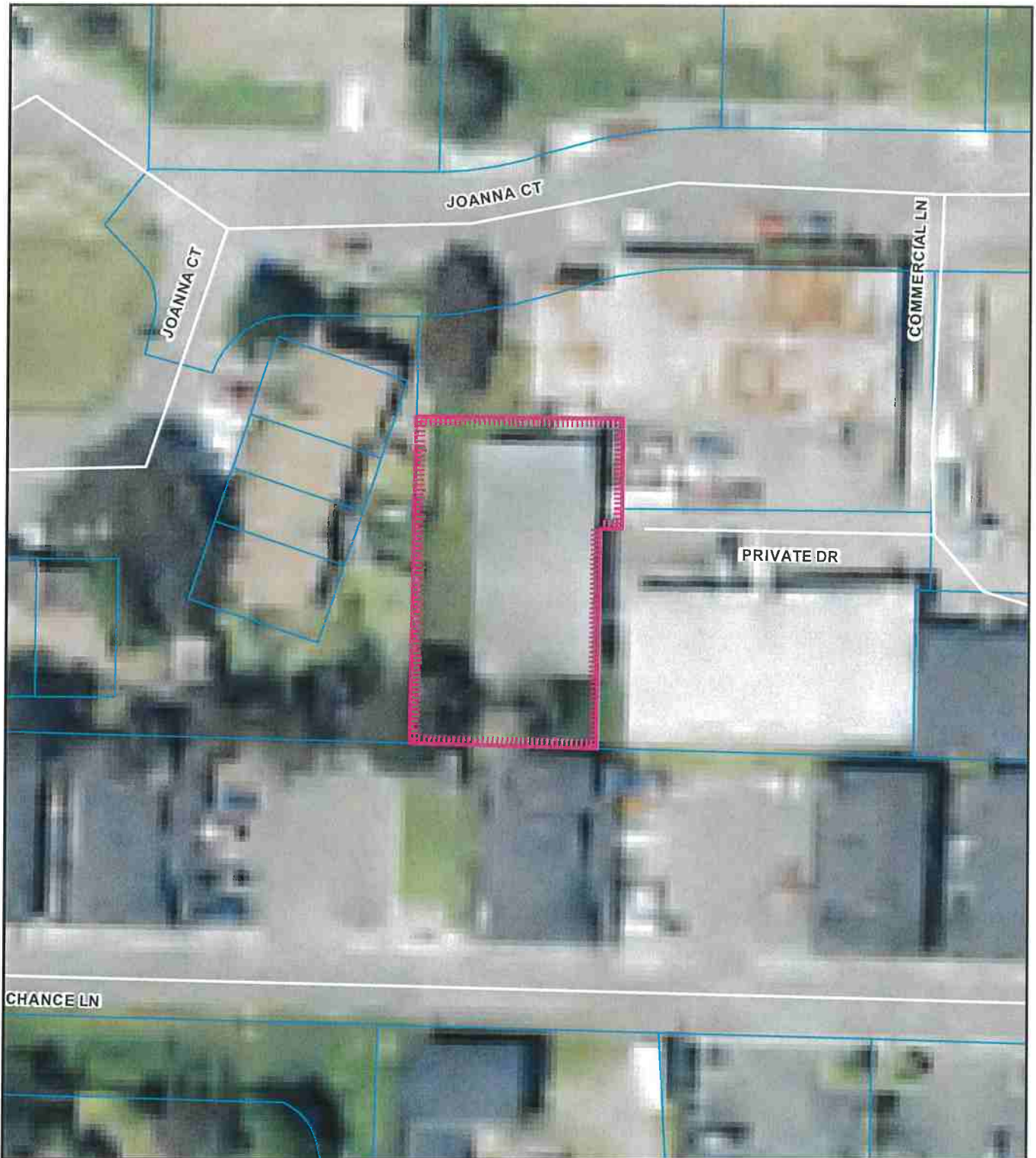


BOURNE
CONCRETE CONCRETE
CONCRETE CONCRETE

2220 HICKLEWILE AVE
HICKLEWILE, CA 95970
APN 590-211-055

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	12/03/20
2	ISSUED FOR PERMIT	12/03/20
3	ISSUED FOR PERMIT	12/03/20
4	ISSUED FOR PERMIT	12/03/20
5	ISSUED FOR PERMIT	12/03/20
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100	ISSUED FOR PERMIT	12/03/20

A




Project Area = 

**AERIAL MAP
PROPOSED YETI ENTERPRISES
MCKINLEYVILLE AREA
ZCC-16-398
APN: 510-211-057-000
T07N R01E S31 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 62.5 125 Feet





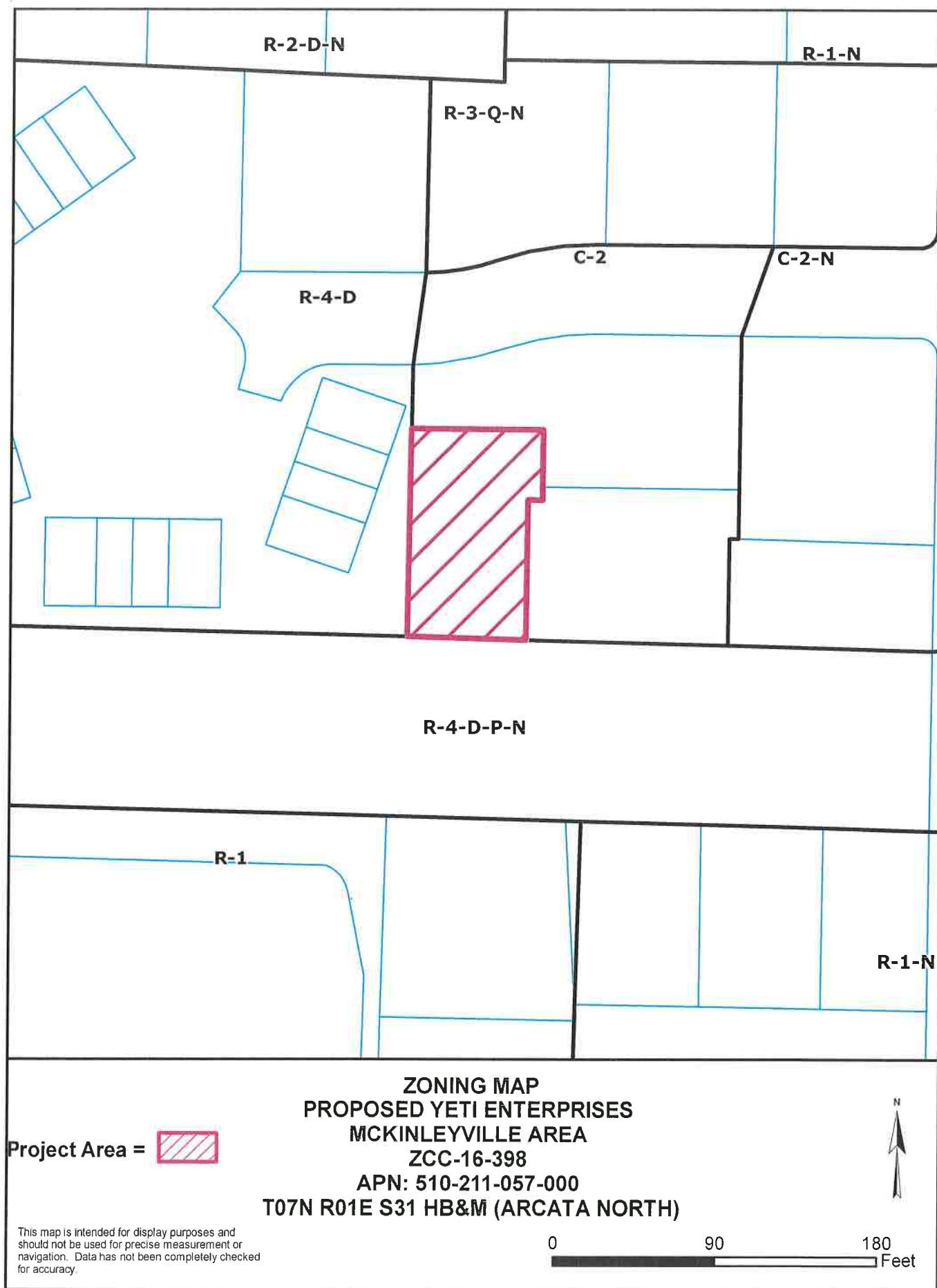
Project Area = 

**TOPO MAP
PROPOSED YETI ENTERPRISES
MCKINLEYVILLE AREA
ZCC-16-398
APN: 510-211-057-000
T07N R01E S31 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 90 180 Feet



CULTIVATION OVERVIEW

APN: 510-211-57



INDOOR CULTIVATION

INDOOR CULTIVATION AREA
ID =5,000 FT²

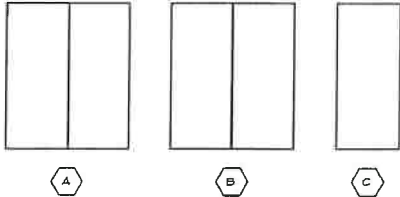


PROJECT INFORMATION		
PROJECT	YETI ENTERPRISES, LLC	
ADDRESS	APN: 510-211-57	
SHEET INFO	CULTIVATION OVERVIEW	

REVISIONS		
NO.	NOTES	DATE

DATE	12/20/18
DRAFTER	RP
SCALE	NOT TO SCALE
SHEET	CO

DOOR SCHEDULE				
MARK	SIZE	TYPE	REMARKS	LOCK SETS
(A)	PR. 3'-0" x 6'-8" x 1-3/4"	PAIN. GRADE - MTL. - SOLID CORE	NEW	ENTRY
(B)	PR. 3'-0" x 6'-8" x 1-3/4"	PAIN. GRADE - MTL. - SOLID CORE	NEW	ENTRY
(C)	3'-0" x 6'-8" x 1-3/4"	PAIN. GRADE - MTL. - SOLID CORE	NEW	ENTRY



DOOR TYPES
SCALE: 1/4" = 1'-0"

DOOR NOTES

NOTE:

1. INTERIOR LANDINGS TO BE LEVEL.
2. EXTERIOR LANDINGS MAY HAVE 1/4" FOOT MAX. SLOPE.
3. FIRE RATED CORRIDORS WITH DOORS SWINGING INTO CORRIDOR TO BE 6'-0" WIDE CORRIDOR MIN.
4. WALKS TO HAVE 60"x60" AREA EVERY 200' MAX.

DOOR NOTES:

1. ALL DOORWAYS TO HAVE 32" CLEAR ACCESS MIN. AND DOORS SHALL OPEN 90 DEGREES MIN.
2. WHERE NARROW DOORS ARE USED, A 10" HIGH SMOOTH PANEL SHALL BE INSTALLED ON THE PUSH SIDE OF THE DOOR, WHICH WILL ALLOW THE DOOR TO BE OPENED BY A WHEELCHAIR FOOTREST WITHOUT CREATING A TRIP OR HAZARDOUS CONDITION.
3. UNINTERRUPTED SPACE AT THE BOTTOM OF DOOR (KICK PLATE) TO BE 10" EXCEPT FOR AUTOMATIC DOORS.
4. NO REVOLVING DOORS ALLOWED RO ACCESSIBLE DOORS.
5. THRESHOLDS: ANY CHANGE IN LEVEL BETWEEN 1/4" AND 1/2" IS TO BE BEVELED AT A MAX. GRADIENT OF 1/2 (1 UNIT RISE TO 2 UNIT RUN). VERTICAL EDGES ARE 1/4" MAX. CHANGES GREATER THAN 1/2" USE RAMP.
6. LANDINGS OR FLOORS ARE NO MORE THAN 1/2" LOWER THAN TOP OF THRESHOLD.
7. EVERY REQUIRED EXIT DOORWAY MUST BE 3'-0"x6'-8" MINIMUM.
8. A LEVEL FLOOR OR LANDING IS TO BE PROVIDED ON EACH SIDE OF ALL DOORS.

HARDWARE NOTES

1. OPERABLE FROM A SINGLE EFFORT, REQUIRING NO TIGHT GRASPING, PINCHING OR WRIST-TWISTING (LEVERS, PUSH-PULL OR PANK DEVICES).
2. MOUNTED AT 30" - 44" HIGH ABOVE FINISH FLOORS (A.P.F.)
3. OPENABLE FROM INSIDE WITHOUT USE OF KEY, SPECIAL KNOWLEDGE OR EFFORT, AND OPEN IN EGRESS DIRECTION (AT REQUIRED EXIT DOORS).

HARDWARE

1. APPROVED BY BUILDING DEPARTMENT PRIOR TO INSTALLING.
2. DOOR CLOSERS (IF USED) MUST BE SET SO THAT IT TAKES AT LEAST 3 SECONDS TO CLOSE FROM AN OPEN POSITION OF 70 DEGREES TO WITHIN 3" OF LATCH.

LEVEL MANEUVERING CLEARANCES

1. SHALL PROVIDE A LEVEL AREA WITH DIMENSION OF AT LEAST 60" IN THE DIRECTION OF DOOR SWING AND 48" OPPOSIT TO THE DOOR SWING.

SHEARWALL SCHEDULE

USE: 15/32" PLYWOOD OR OSB PANEL W/8d COMMON NAILS @ 6" o.c. @ EDGES, 12" o.c. FIELD

ALL HOLDDOWS SHALL BE SIMPSON HDU2-SD52.5 OR BETTER WITH SIMPSON SSB16 ANCHOR BOLT, U.O.N. HOLDDOWS AND ANCHORS TO BE INSTALLED PER MANUFACTURERS INSTRUCTION.

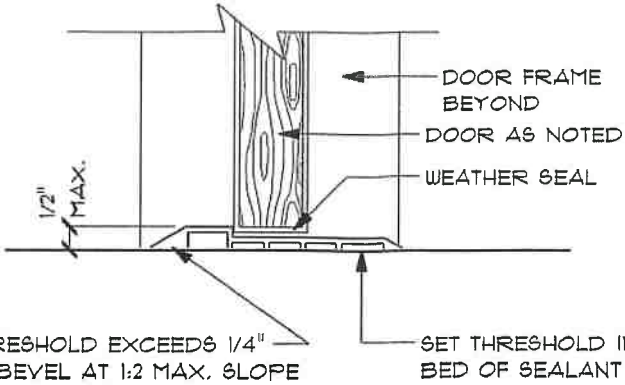
IF T-114 IS USED AS A SHEARWALL PANEL, THE PANEL MUST BE RATED AT 15/32" (MIN.) AS STAMPED BY THE MANUFACTURER. FLOOR TWO SHEARWALL PANELS MUST BE SUPPORTED BY DOUBLE JOISTS OR BLOCKING TO TRANSFER LOAD TO WALL SYSTEM.

PROVIDE CONTINUOUS MEMBER OR BLOCKING ALONG EACH SHEARLINE WHERE SHEARWALLS DO NOT EXIST.

DIAPHRAGMS SHALL HAVE MINIMUM 15/32" WOOD STRUCTURAL PANEL SHEATHING WITH 8d NAILS @ 6" o.c. AT EDGES AND 12" o.c. FIELD. PROVIDE EDGE NAILING ALONG INTERIOR SHEARWALL LINES.

ALL SHEARWALL PANELS MUST BE CONTINUOUS, FROM BOTTOM OF BOTTOM PLATE, TO TOP OF TOP PLATE, OR BLOCKED BETWEEN.

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.

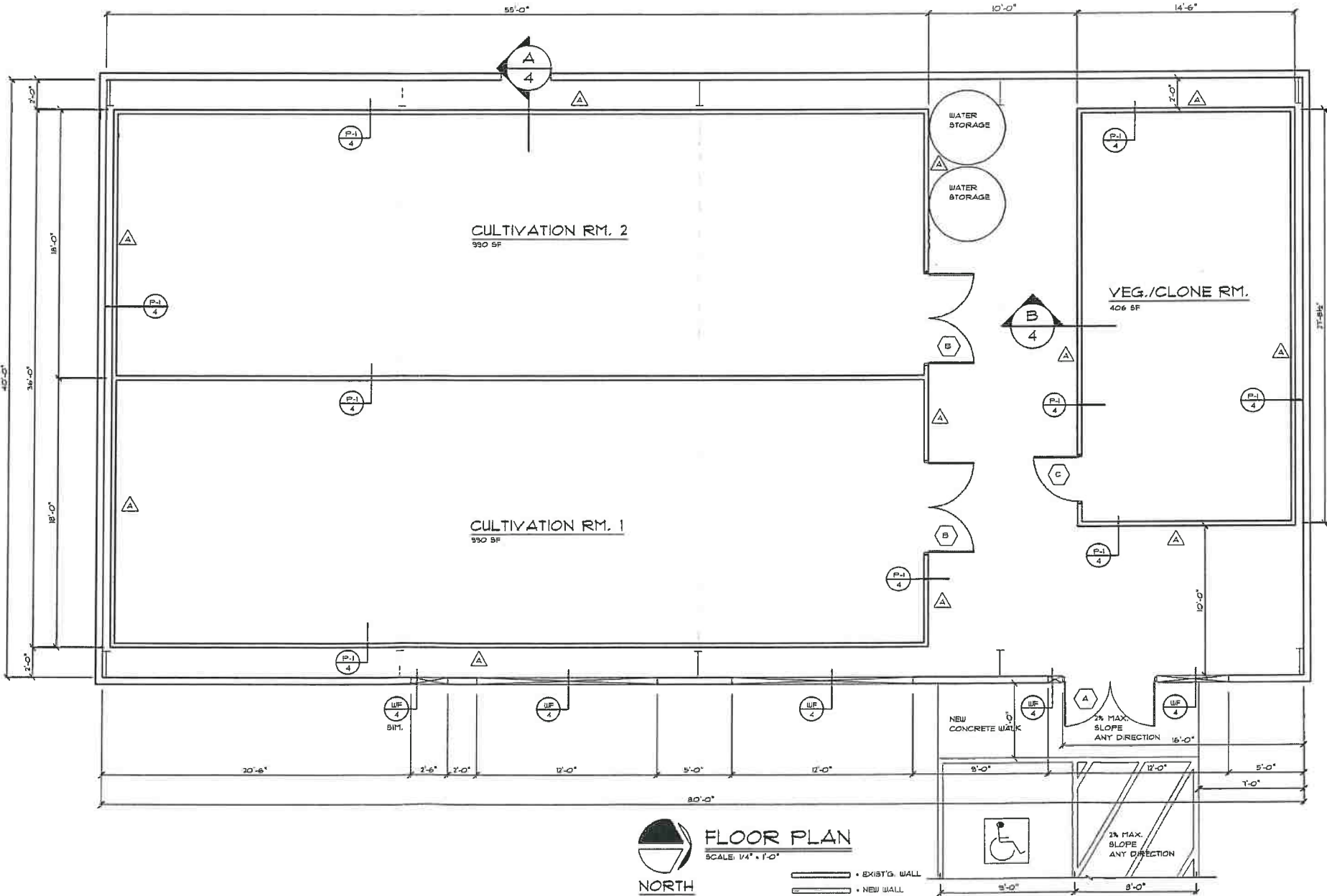


THRESHOLD DETAIL

87M. 10" OF ALL DOORS SHALL HAVE A SMOOTH UNINTERRUPTED SURFACE ON THE PUSH SIDE

ALL DOORS SHALL HAVE SINGLE EFFORT LEVER TYPE HARDWARE CENTERED 30" TO 44" ABV. FLOOR

MAX. EFFORT TO OPERATE DOORS SHALL NOT EXCEED 5 POUNDS FOR EXTERIOR DOORS & 5 POUNDS FOR INTERIOR DOORS.



REVISIONS	BY

PACIFIC AFFILIATES

CONSULTING ENGINEERS

990 W. WATERFRONT DRIVE EUREKA, CA 95501

TEL (707) 445-3001 • FAX (707) 445-3003



FLOOR PLAN

Yeti Enterprises, LLC

Green Road Consulting

1650 Central Avenue, Suite C

McKinleyville, CA 95519

707-630-3041

APN: 310-211-057

Date: Monday, February 27, 2011

Scale: AS NOTED

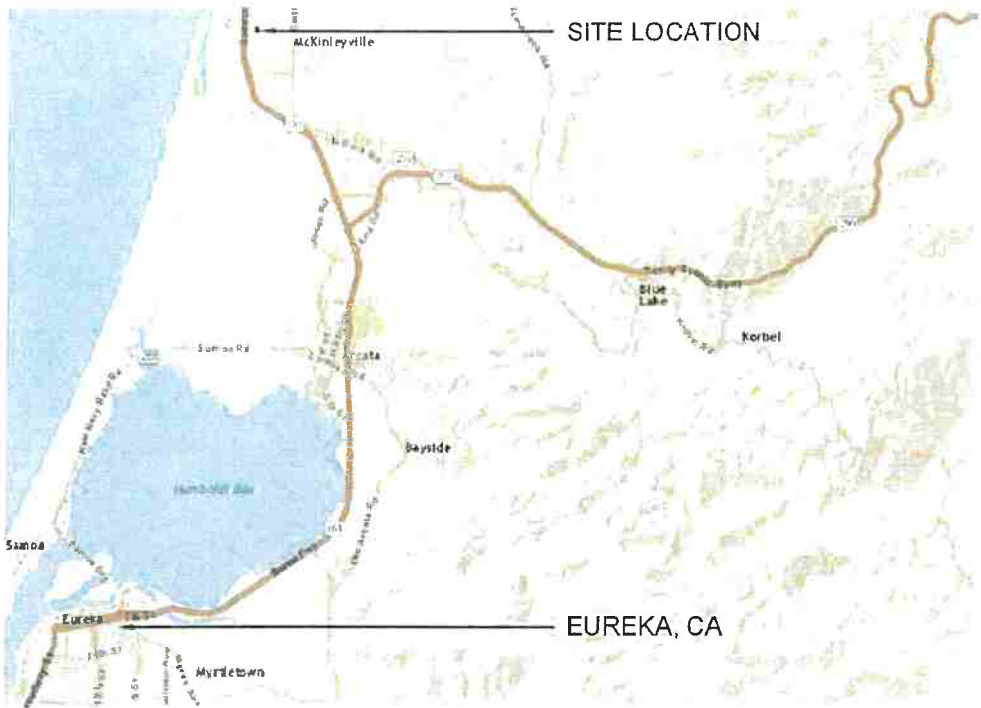
SHEET NUMBER
2

JOB NUMBER

RECEIVED
P 1 5 2011
Humboldt County
Humboldt Svcs.

YETI ENTERPRISES, LLC
APN: 510-211-057

VICINTY MAP
NOT TO SCALE



PROJECT DIRECTIONS

- FROM: EUREKA, CA
- TAKE US-101 NORTH (12 MI)
 - TAKE EXIT 719 FOR SCHOOL ROAD
 - TURN LEFT ONTO WASHINGTON AVE (.5 MI)
 - TURN RIGHT ONTO MCKINLEYVILLE AVE (.5 MI)
 - TURN LEFT ONTO JOANNA COURT

TRAVEL TIME

APPROXIMATELY: 19.4 MILES (20 MINUTES)

SHEET INDEX

CP-COVER PAGE
PO-PARCEL OVERVIEW

PROJECT INFORMATION

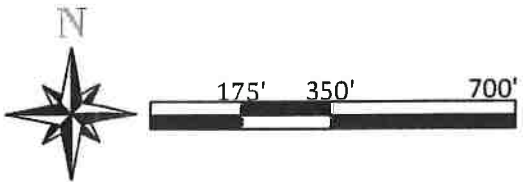
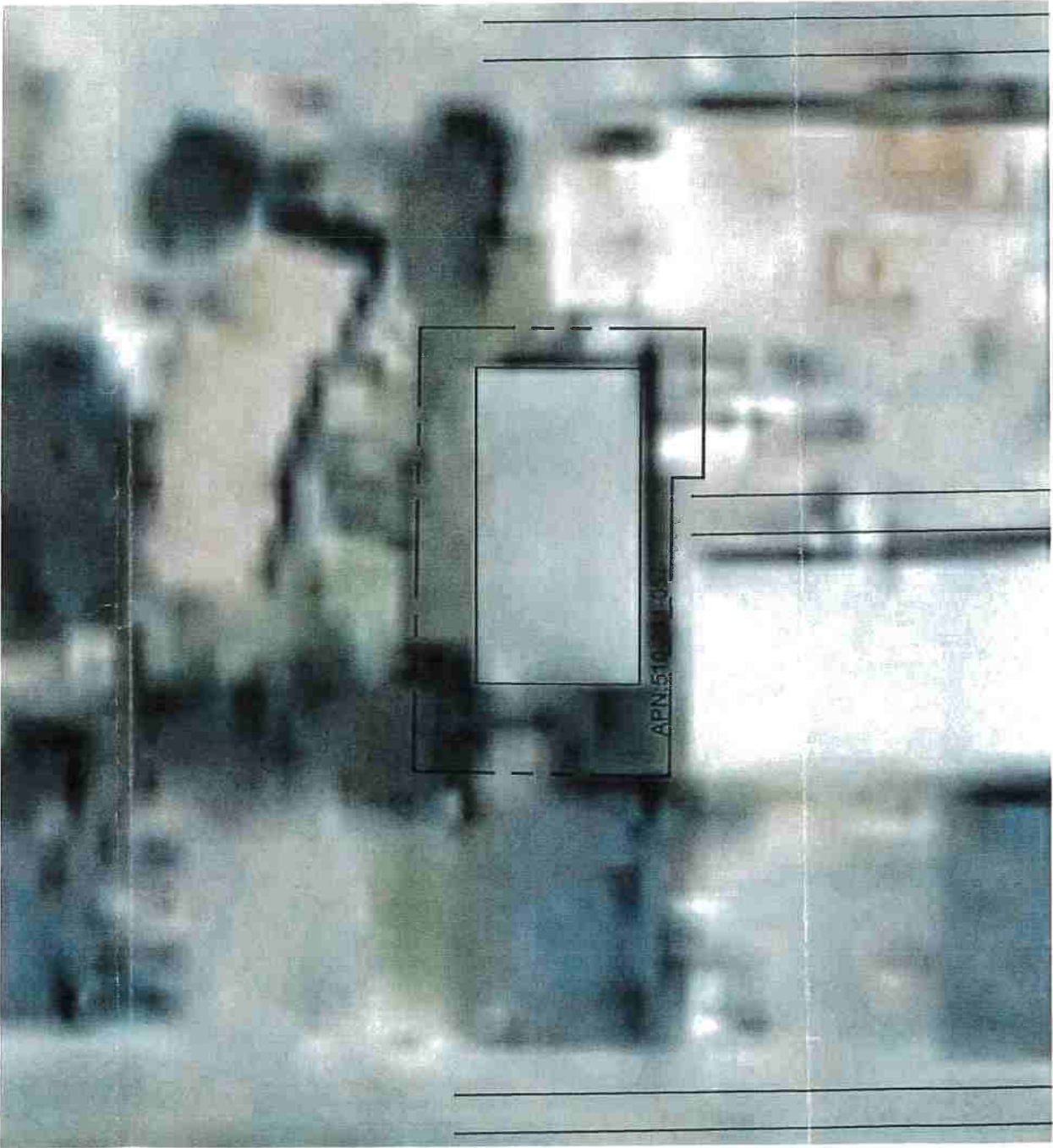
LAT/LONG: 40.9455,-124.1116
APN:510-211-057
APPLICANT:YETI ENTERPRISES, LLC
PARCEL SIZE: .2 ACRES
ZONING: C-2
APPLICATION TYPE:
ZONING CLEARANCE CERTIFICATE

COASTAL ZONE: NO
100 YEAR FLOOD: NO

AGENT:

KAYLIE SAXON
GREEN ROAD CONSULTING INC
1650 CENTRAL AVE. SUITE C
MCKINLEYVILLE, CA 95519
707-630-5041

AERIAL MAP



PROPERTY LINES AND BUILDING LOCATIONS
ARE APPROXIMATE AND BASED ON AERIAL
MAPS AND GPS DATA TAKEN IN THE FIELD.



PROJECT INFORMATION

PROPERTY OWNER	YETI ENTERPRISES, LLC
ADDRESS	2214 COMMERCIAL LANE MCKINLEYVILLE, CA 95519
SHEET INFO	COUNTY COVER PAGE

REVISIONS		
NO	NOTES	DATE

DATE 9/13/17
DRAFTER X
SCALE AS SHOWN

SHEET
CP

Moreno, Elizabeth

12249

From: onedrop cultivators <onedropcultivators@gmail.com>
Sent: Monday, October 26, 2020 11:06 AM
To: Moreno, Elizabeth
Subject: 12249

Sorry for confusion, upon review here are the specs on building and dimensions of building, cultivation rooms, and canopy area within those w sq footage

057 building dimensions

80' x 36' 2880 sq ft

Addition (ada bathroom and h2o treatment room) 10' x 39' 390 sq ft Total building sq footage 3270

Flowering rooms 1 & 2 dimensions

49' x 17' 835 sq ft a piece

Total flowering room sq footage 1670 sq ft *Canopy size in each flowering room *12' x 44' 528 sq ft of canopy in each room

*1056 total sq ft of flowering canopy

Veg room sq dimensions

21' x 21' 441 sq ft

*Veg room type 2 taxable sq footage

*15' x 16' 240 sq ft

Total taxed canopy sq footage for building

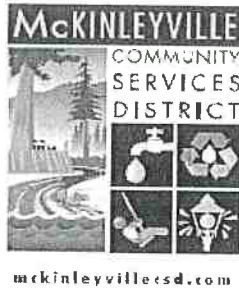
1296 sq ft of taxable canopy sq footage for cultivation

That make sense? Looking over older emails I can't believe I didn't catch that and don't know how those figures got skewed like that

K Bourque
Yeti Enterprises

PHYSICAL ADDRESS:
1656 SUTTER ROAD
McKINLEYVILLE, CA 95519

MAILING ADDRESS:
P.O. BOX 2037
McKINLEYVILLE, CA 95519



Add'l Info 12249

MAIN OFFICE:
PHONE: (707) 839-9251
FAX: (707) 839-8456

PARKS & RECREATION OFFICE:
PHONE: (707) 839-9003
FAX: (707) 839-5964

October 21, 2019

Yeti Enterprises
ATTN: Kevin Bourque
P.O. Box 610
Fortuna, CA 95540-0610



RE: Will Serve for 2214 Commercial Lane
APN #510-211-057
Account #TBD

To whom it may concern:

McKinleyville Community Services District can provide water and sewer service to the address listed above and has sufficient water supply to provide service to them at their current demand once they have paid the capacity and connection fees and established active service.

Sincerely,

A handwritten signature in black ink is located below the word "Sincerely,". The signature appears to be "Gregory P. Orsini".

Gregory P. Orsini
General Manager

.cc file
James Henry
Erik Jones

PHYSICAL ADDRESS:

1656 SUTTER ROAD
McKINLEYVILLE, CA 95519

MAILING ADDRESS:

P.O. BOX 2037
McKINLEYVILLE, CA 95519



mckinleyvillecsd.com

MAIN OFFICE:

PHONE: (707) 839-3251
FAX: (707) 839-8456

PARKS & RECREATION OFFICE:

PHONE: (707) 839-9003
FAX: (707) 839-5964

October 21, 2019

Yeti Enterprises
ATTN: Kevin Bourque
P.O. Box 610
Fortuna, CA 95540-0610

RE: Will Serve for 2220 McKinleyville Ave/Commercial Lane
APN #510-211-053
Account #14-716-000

To whom it may concern:

McKinleyville Community Services District provides water and sewer service to the address listed above and has sufficient water supply to provide service to them at their current demand.

Sincerely,

A handwritten signature in black ink, appearing to read "Gregory P. Orsini".

Gregory P. Orsini
General Manager

.cc file

James Henry
Erik Jones



GREEN
ROAD
CONSULTING



Sound Evaluation Report

Prepared For:

Yeti Enterprises LLC

APN: 510-211-057

Signature of Civil Engineer

Date

Seal

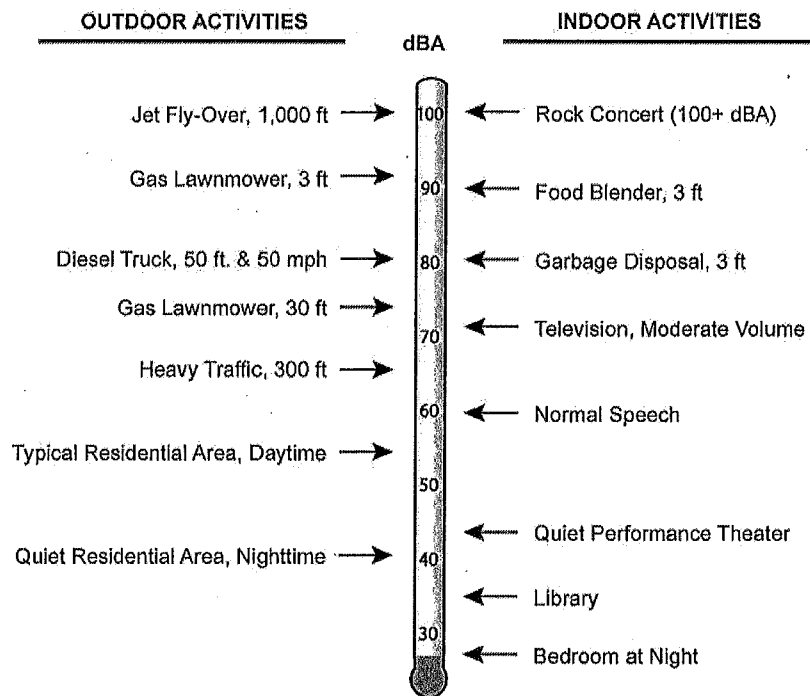
Introduction:

Green Road Consulting (GRC) performed a sound evaluation study to determine changes in ambient noise levels related to cannabis cultivation activities. Cannabis cultivation in Humboldt County is typically done in rural areas that require the use of off-grid power from diesel generators. The use of diesel generators in conjunction with cannabis cultivation activities has the potential to significantly alter natural sound levels and disturb native animals. However, parcels with zoning TPZ or U (with a General Plan Land Use Designation of “Timberland” or “Unclassified”) are prohibited from using generators.

Background:

On May 6, 2018, the Humboldt County Board of Supervisors passed Ordinance No. 2599 defining the rules and regulations of commercial cultivation, processing, manufacturing, distribution, testing and sale of cannabis for medicinal or adult use outside the coastal zone. Section 55.4.12 of the ordinance describes the performance standards related to all commercial cannabis activities at cultivation sites that must be met for the applicant to be eligible for a commercial cannabis cultivation permit issued by Humboldt County. As defined in Section 55.4.12.6 regarding 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.”

Oxford Dictionary defines noise as “a sound, especially one that is loud or unpleasant or that causes disturbance” (Oxford Dictionary 2018). In terms of physics, sound is a mechanical disturbance from a state of equilibrium that propagates through an elastic material medium, such as water or air (Britannica 2018). Humans have evolved to be more receptive to sound frequencies between 500 Hz and 6 kHz (measured in decibels, dB), however, sounds can occur below or above the range of human hearing. To account for the full range of human hearing, the “A-weighted” scale was created to include a full range of frequencies, from 20 Hz up to 20 kHz and is measured in dBA (Britannica 2018). Several activities and their associated noise level for indoor and outdoor settings have been measured and are shown in Figure 1 for reference (West Los Angeles College ND).



Sources: FTA, 1995; ATS Consulting, 2005

Figure 1: Examples of noise levels for indoor and outdoor settings.

Site Summary:

APN: 510-211-057

Coordinates: <40.9454, -124.1116>

Acreage: 0.18

Zoning: C-2 [GenUse: CS (MCCP)]

Methods:

Two, 24-hour studies will be conducted by GRC on APN 510-211-057 using four CEM DT-8852 Industrial High Accuracy Digital Sound Noise Level Meter Data Loggers. These sound level data loggers feature a measurement range of 30-130 dB with an accuracy of ± 1.4 dB, and internal memory for standalone data recording. The first study was conducted before cannabis cultivation activities began on the parcel to establish a baseline ambient sound level to compare to future measurements. After cannabis cultivation activities begin, a second 24-hour study will be conducted to capture the increase, if any, of sound levels related to cannabis cultivation.

If the parcel is located within one mile of mapped critical habitat for Marbled Murrelet or Northern Spotted Owls, the maximum noise expose from background cultivation related noise cannot exceed 50 decibels at a distance of 100 feet from the noise source or edge of habitat, whichever is closer. If pre-existing cultivation sites submitted for permitting prior to December 31, 2019 are located within 0.7 miles of a known Northern Spotted Owl activity center a qualified biologist shall conduct a disturbance and habitat modification assessment to determine the presence of the species and whether the cultivation site can operate or have its operation modified to avoid take of the species.

Two sound monitoring studies are required to determine how cannabis cultivation activities effect the ambient noise levels on the property. For the duration of each study, one (1) noise level data logger was placed as close to each property boundary line as possible (minimum of 3) to capture the noise level being emitted from within the parcel (Figure 2). Data was collected every 6 seconds for at least 24 hours. The first 24-hour study was conducted from 3/12/2019-3/13/2019, before cannabis cultivation activities occurred on the property. The data was uploaded to Microsoft Excel, where a moving average was performed on 500, 1,000, and 2,000 data points to relax any extreme short-term fluctuations in the time-series data. The second 24-hour study will be conducted when commercial cannabis activities begin.

Critical habitats for Marbled Murrelet and Spotted Owls have been mapped by California Department of Fish and Wildlife (CDFW) and were viewed using a commercial license to the California Natural Diversity Database (CNDDB). The CNDDB uses the Biogeographic Information and Observation System (BIOS) to project observed critical habitat for Marbled Murrelet and Spotted Owls in an online mapping tool. This online mapping program has a distance measuring tool that was used to find the distance from this parcel to the nearest marked critical habitat.

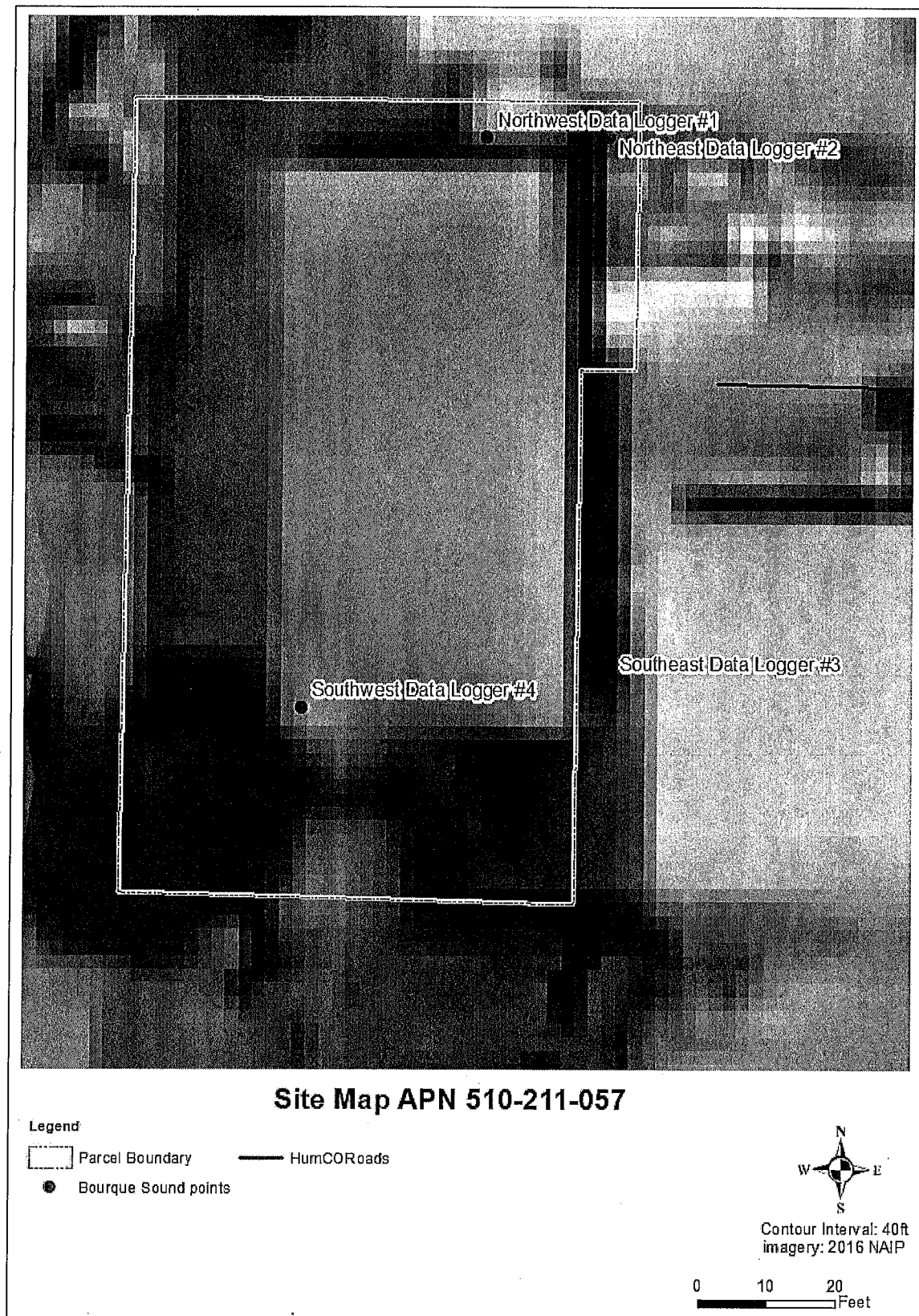


Figure 2: Map of data logger locations on APN:510-211-057.

Results:

Data from the sound study conducted during the no-cultivation period were imported into excel and plotted on a line chart to visualize the measurements over time. Rolling averages were applied to a group of 2,000 data points, which were compared to the original data (Figures 3-6).

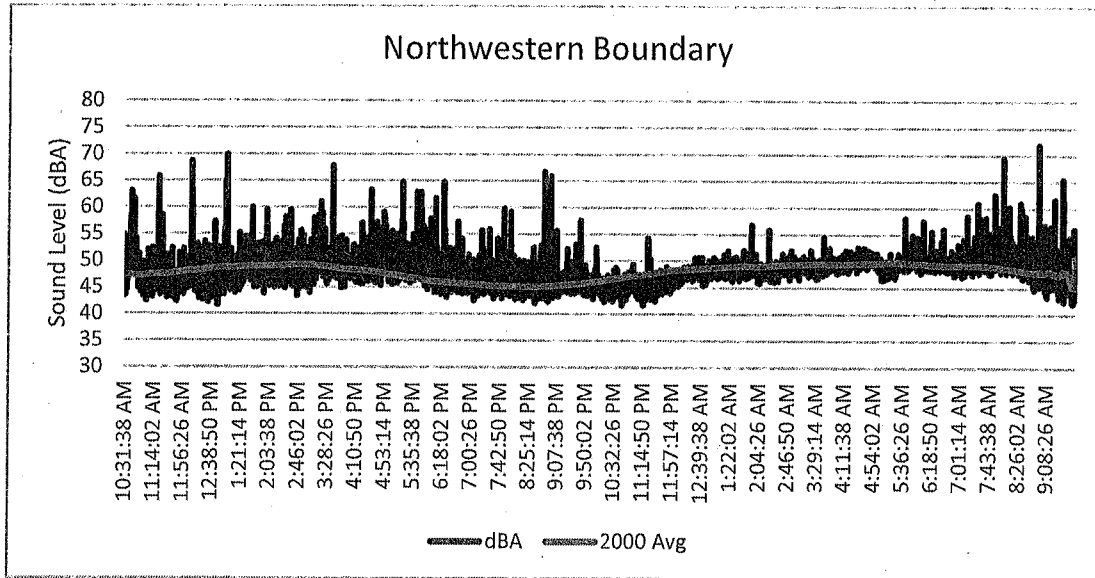


Figure 2: Results from 24 hours of sound data collected on 3/12/2019-3/13/2019 near the Northwestern parcel boundary. The 2,000 data point rolling average (orange) are overlaid on the original data (blue). **Average dBA: 47.94**

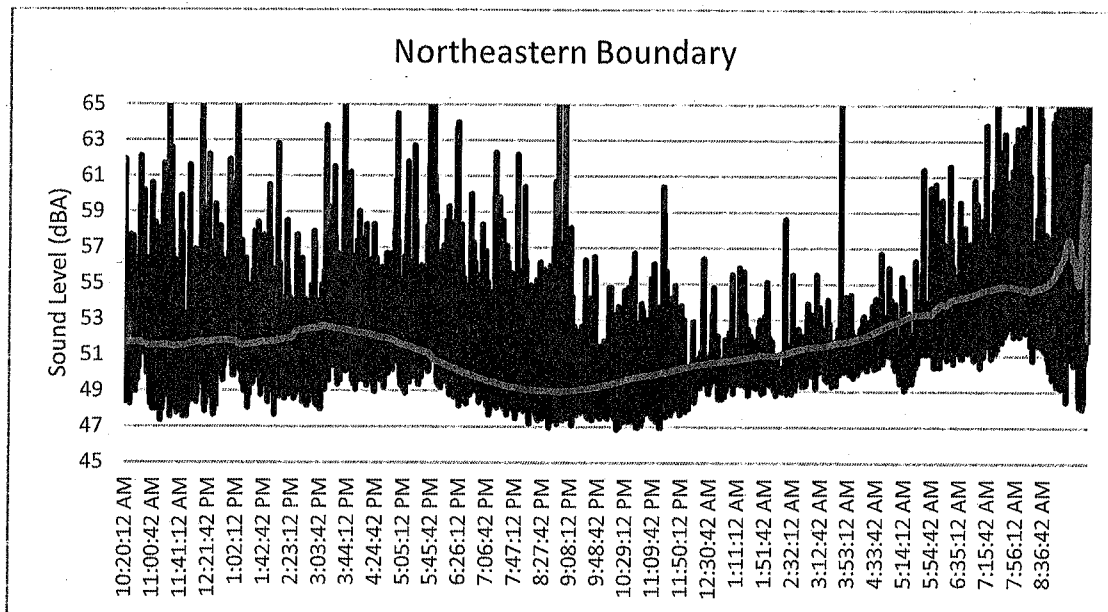


Figure 3: Results from 24 hours of sound data collected on 3/12/2019-3/13/2019 near the Eastern parcel boundary. The 2,000 data point rolling averages (orange) are overlaid on the original data (blue). **Average dBA: 51.39**

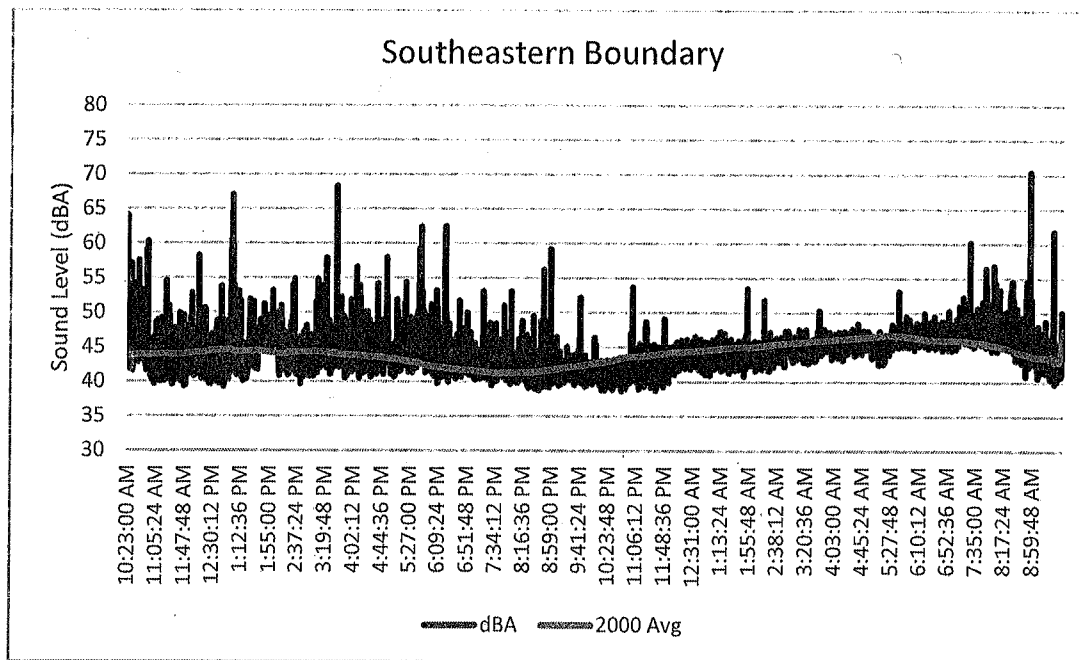


Figure 4: Results from 24 hours of sound data collected on 3/12/2019-3/13/2019 near the Southeastern parcel boundary. The 2,000 data point rolling averages are overlaid on the original data. **Average dBA: 44.11**

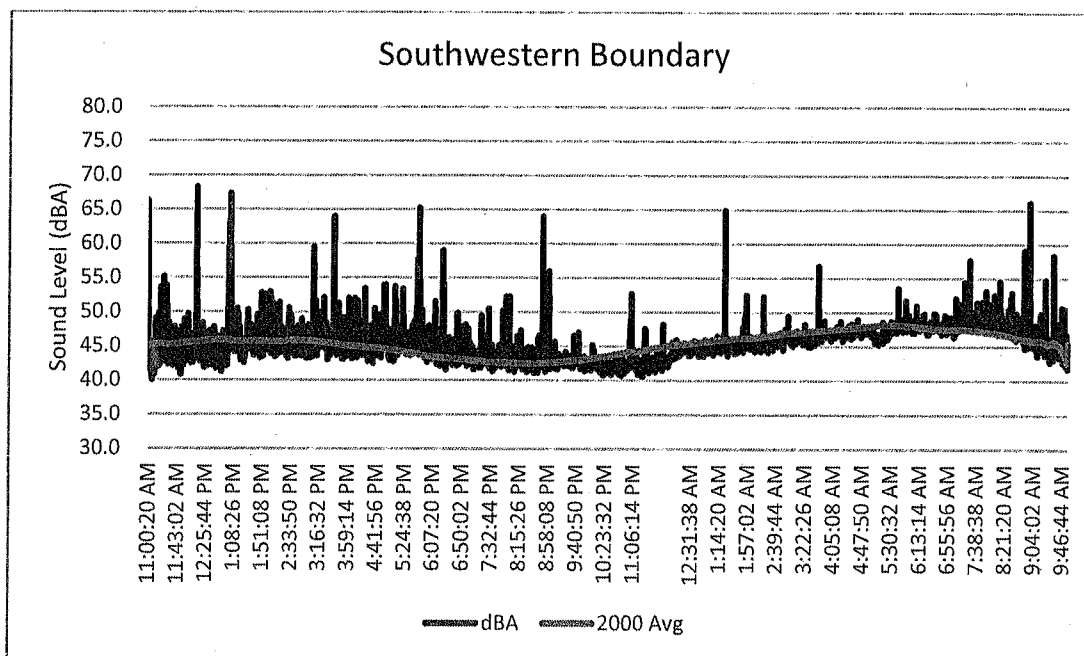


Figure 5: Results from 24 hours of sound data collected on 3/12/2019-3/13/2019 near the Southwestern parcel boundary. The 2,000 data point rolling averages are overlaid on the original data. **Average dBA: 45.33**

The second sound study will be performed after Cannabis cultivation commences. That study will be used to identify if there is an increase of 3 decibels or more. If an increase of over 3 decibels is observed, changes will be made to reduce the sound levels.

Critical Habitat:

Considerations of noise levels affecting the Marbled Murrelet and Northern Spotted Owl was determined using the California Department of Fish and Wildlife's Biogeographic Information and Observation System (BIOS). This system utilizes the California Natural Diversity Database (CNDDDB) to visualize positive observations and critical habitat for rare and sensitive species.

Critical habitat areas for the Marbled Murrelet and Spotted Owl were viewed in the CNDDDB BIOS Viewer. The property was located over 14 miles from mapped Marbled Murrelet critical habitat areas (Figure 7).

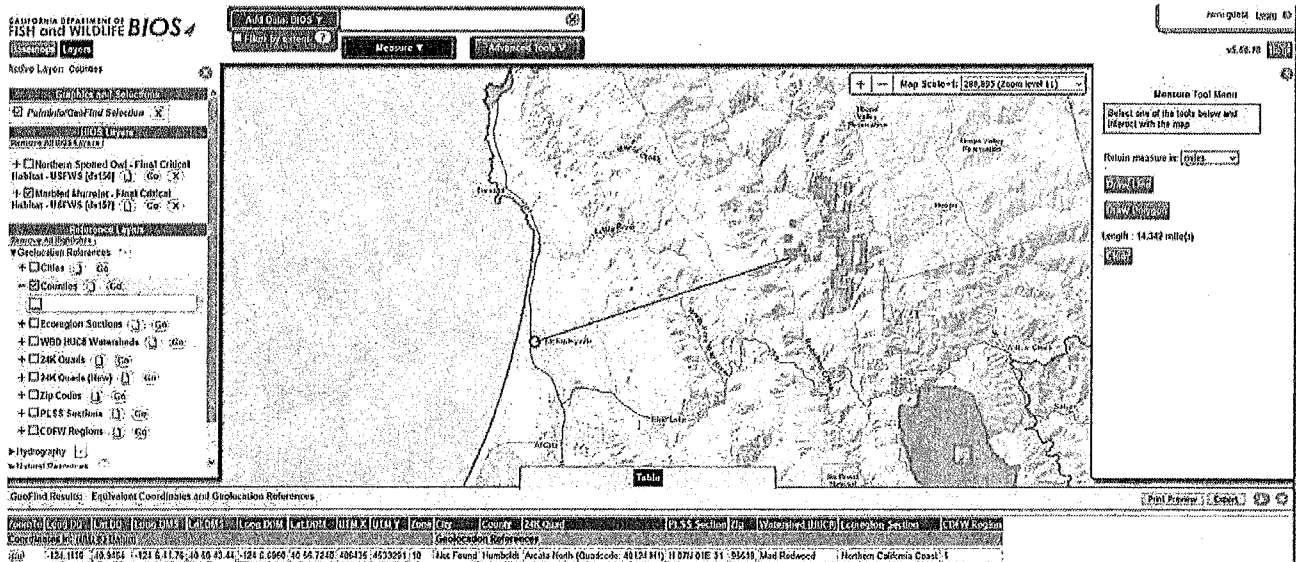


Figure 7: Snip of the CNDDDB BIOS Viewer used to determine the extent of critical habitat of Marbled Murrelet (red square) relative to the parcel (Yellow dot, labeled 057). A distance of over 14 miles was measured from the center of the parcel to the edge of the mapped critical area.

Critical habitat area for the Northern Spotted Owl was observed over 14 miles to the South of APN 510-211-057 (Figure 8).

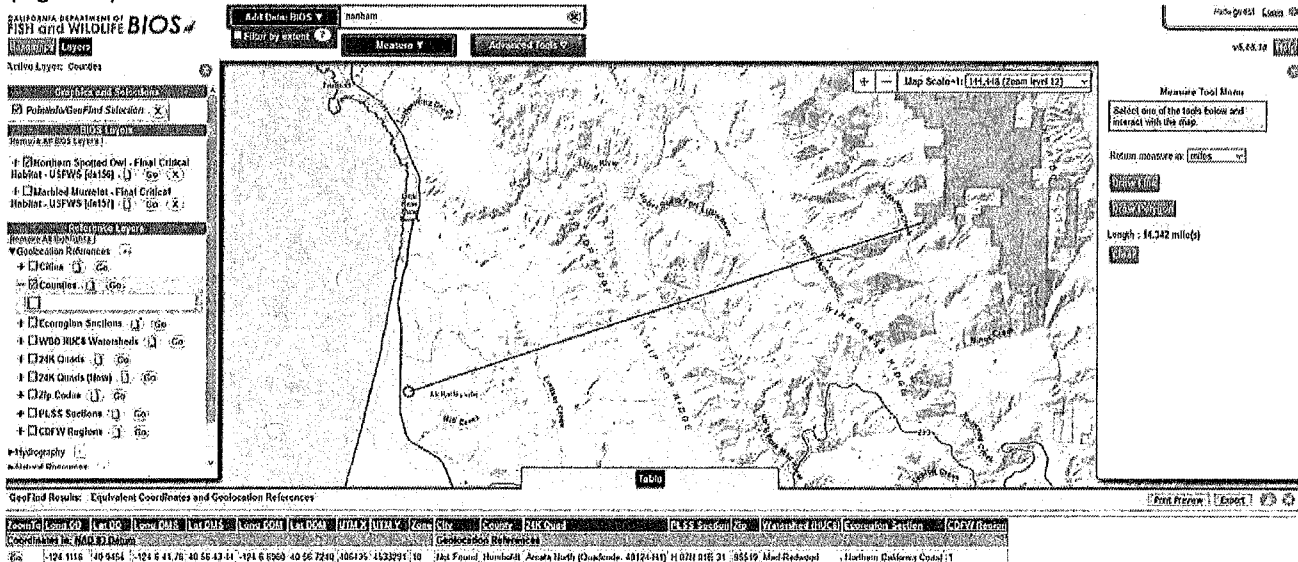


Figure 8: Snip of the CNDDDB BIOS Viewer used to determine the extent of critical habitat of the Northern Spotted Owl (red square) relative to the parcel (Yellow dot, labeled 057). A distance of over 14 miles was measured from the center of the parcel to the edge of the mapped critical area.

Due to the proximity of this parcel to mapped critical habitat for the Northern Spotted Owl (14 miles, more than the required 1.0 mile), maximum noise expose from background cultivation related noise cannot exceed 50 decibels at a distance of 100 feet from the noise source or edge of habitat, whichever is closer. This requirement ensures cultivation related activities do not disturb or endanger protected wildlife.

Activity centers for the Northern Spotted Owl have been observed in the Arcata North Quadrangle. Activity centers are historic nesting sites that have been observed by qualified professional and entered in the CNDDb database. Two activity centers have been mapped near the parcel, one to the North and one to the East. The distance from the center of the parcel to the edge of the activity centers were measured using the embedded Measure Tool within the BIOS Viewer (Figure 9 and Figure 10).

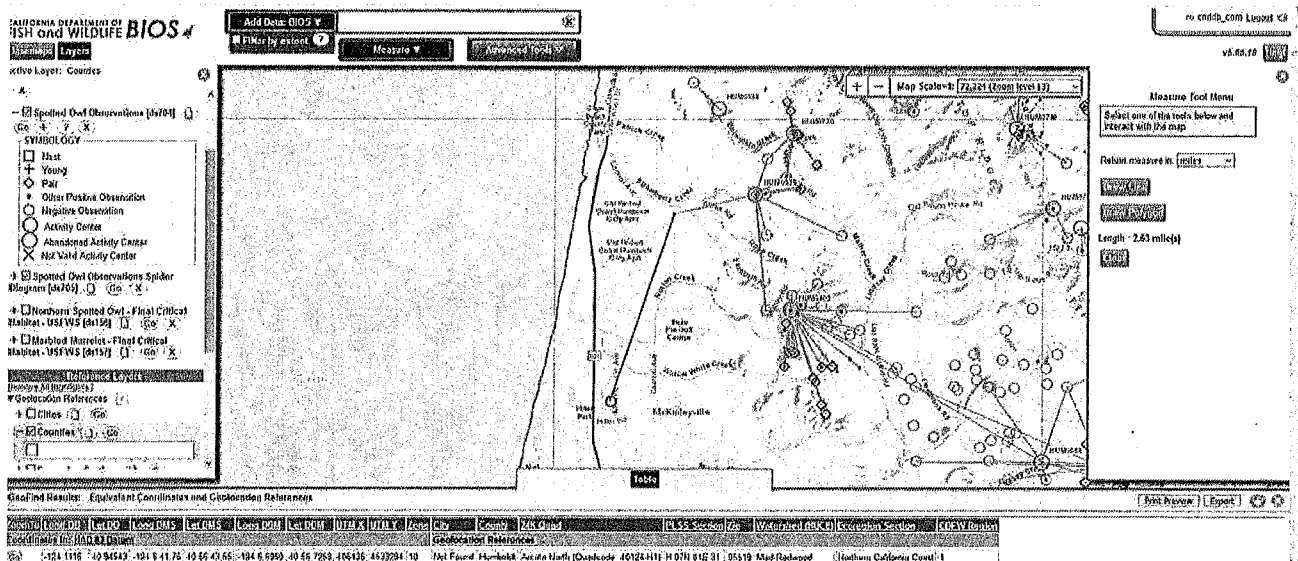


Figure 9: The Northern Spotted Owl activity center to the North of the property is located approximately 2.63 miles away from the property of interest.

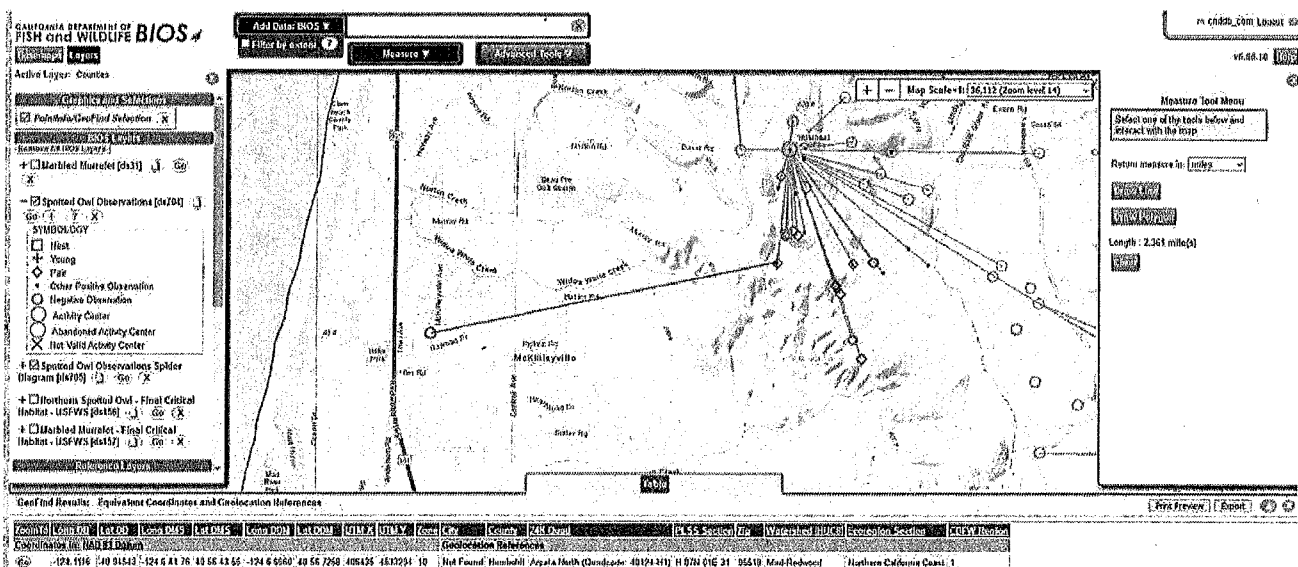


Figure 10: The Northern Spotted Owl activity center to the East of the property is located approximately 2.361 miles away from the property of interest.

Both Northern Spotted Owl activity centers are more than the required minimum .7 miles from the site, and do not require any qualified biological assessment.

Conclusion:

An initial sound study was conducted during a no-cultivation period on APN 510-211-057. During this study, the site was free of cultivation related activities and produced no noise from any generators or fans. Due to the site location being in a commercial building in McKinleyville, CA, there are constant urban area noises. Data from this first study will be compared to a second sound study. The second study will take place once a cultivation permit has been issued by Humboldt County and cultivation begins in order to determine changes in ambient noise levels caused by cannabis cultivation activities. The Pre-cultivation and active cultivation studies will be compared for each Data Logger point (Northwest, Southwest, Northeast, and Southeast) to assess if there is an average increase of 3 decibels or more from any pre-cultivation data logger average. If an increase of 3 decibels or more is observed after the second study, changes will be made to attenuate sound production at the site. See Appendix A for mitigation methods.

The Northwestern, Southwestern, Northeastern, and Southeastern Data Logger point measured average levels of 47.94 dBA, 51.39 dBA, 44.11 dBA, and 45.33 dBA, respectively. These measurements will serve as a baseline for ambient noise levels at the site. We would hope to find sound levels not exceeding 54 decibels in the following study due to the 3-decibel increase cap set forth by Humboldt County Ordinance 2.0 Performance Standards for Noise at Cultivation Sites.

The parcel is located 2.63 miles from a mapped Northern Spotted Owl activity center to the North and 2.361 miles from a mapped activity center to the East. Both activity centers are located outside of the 0.7-mile buffer set forth by California Department of Fish and Wildlife. Therefore, it is unlikely noise caused by cultivation operations on this parcel will negatively impact Northern Spotted Owl activity. A Biological Assessment Report prepared for this site by S.E. McAllister & Associates states, "Harassment associated with noise disturbance at the site is not expected. The project is proposed for permitting under Humboldt County Ordinance 2.0 and will, therefore, only be allowed to use generators for 20% of its power needs and will instead primarily use solar energy."

The parcel is located over 14 miles from mapped critical habitat for the Marbled Murrelet. Critical habitat for the Northern Spotted Owl has been mapped over 14 miles from the parcel. Because the project location is in an urban area (McKinleyville, CA) it is likely there will be louder noise coming from locations closer to critical habitat for the Marbled Murrelet and the Northern Spotted Owl.

References:

Humboldt County Ordinance No. 2599.

"Noise." Def.1. OxfordDictionaries.com. Oxford Dictionaries, 2018. Web. 5/31/18.

Berg, R. 2018. "Sound", Encyclopaedia Britannica, Inc., Encyclopaedia Britannica. 6/1/2018

"Noise Basics". West Los Angeles College Noise Monitoring Program. ND. 6/26/2018

Stormwater Management Plan



CLIENT: YETI ENTERPRISES

PROJECT: HUMBOLDT COUNTY COMMERCIAL CANNABIS PERMIT

ADDRESS: 2214 COMMERCIAL
McKINLEYVILLE, CA 95519

APN: 510-211-057

DATE: September 24, 2019

MEE PROJECT #: 19030



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ENGINEERING**

661 G Street, Arcata, CA 95521 | tel: 707.633.8321 | www.motherearthengineering.com

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1 PROJECT INFORMATION

PROJECT TYPE: Commercial Cannabis Cultivation

DESCRIPTION: New indoor cultivation. 5,000 sq ft. Located in an existing commercial structure on a parcel with commercial zoning. The parcel and structure were previously utilized for an automotive shop. The parcel and vicinity are fully developed with paved roads and all municipal services (water, sewer, power, natural gas).

PROJECT LOCATION

LAT/LONG (WGS84) : 40.5218, -124.1380

PARCEL INFORMATION FROM HUMBOLDT COUNTY WEB GIS

APN : 510-211-057
ASSESSED LOT SIZE [acres] : 0.18
ZONING – GENERAL PLAN : CS – Commercial Services

2 FIELD INVESTIGATION

A field investigation was conducted in order to assess the site with respect to stormwater management requirements.

SITE VISIT DATE + TIME : 31 JULY 2019 ; 11:00 – 13:00 H
MEE STAFF PRESENT : P. Lai
WEATHER CONDITIONS : Sunny, clear. Mild, intermittent wind. Approx 78 degF

Field investigation found the site to be commercially developed. Vegetated, permeable surfaces were estimated to be approximately 3,000 sq ft, less than 30% of the total parcel area. The vegetation on the subject parcel and vicinity can be characterized as domesticated – it is located within existing commercial-suburban municipal development.

Native California blackberry (*rubus ursinus*) was observed onsite as the dominant vegetation in the southern portion of the yard. The western portion of the yard was observed mostly lawn.

Site slopes are relatively flat, less than 5%. A natural berm was observed along the fence line approximately 1.5ft high, with an existing vegetated swale-like feature running longitudinally south to north between the fence and the existing building. The natural stormwater flowpath of the site was observed to be south to north (see attached map). The building roof is pitched, not gabled, drains toward to the west, and no raingutters were observed.



3 STORMWATER MANAGEMENT – FLOW ASSESSMENT + IMPROVEMENTS

Due to site topography, existing vegetation and existing swale feature, the expected stormwater runoff from onsite pervious surfaces can be attenuated sufficiently as required by regulations if the following improvements are implemented:

- Rain gutters shall be installed on the western side of existing building.
- The rain gutters shall be pitched such that the captured rainfall flows from longitudinally north to south.
- Three roof gutter discharge points shall be installed (see map). Roof discharge points shall be located approximately at northern corner, southern corner, and midpoint of building (see map). The flow from the discharge points shall be directed to the existing swale, and the downspouts shall extend a minimum of two (2) feet from the existing concrete slab.

A stormwater analysis was conducted using the State Water Board's Post-Construction Calculator tool. The analysis determined that with the installation of the rain gutters in conjunction with the existing site conditions all regulatory criteria are satisfied with respect to stormwater management.

4 MONITORING + MAINTENANCE

The site shall be visually inspected during wet weather events pursuant to the State Water Board's Cannabis General Order requirements. If there are more than 3 inches of rain within 24 hours, the drainage shall be inspected for functionality. Observations and/or management measures shall be documented.

The swale shall be inspected and monitored regularly following the guidelines in CASQA Stormwater Manual – EC-9 criteria for DRAINAGE SWALES. See attached.



5 REFERENCES

[CASQA] California Stormwater Quality Association. January 2003. California Stormwater BMP Handbook – Construction. Available at www.cabmphandbooks.com.

[NOAA] *Precipitation Frequency Data Server (PFDS)*. US Department of Commerce, National Oceanic and Atmospheric Administration, National Weather Service, Hydrometeorological Design Studies Center. <http://hdsc.nws.noaa.gov/hdsc/pfds>

[NRCS] *Web Soil Survey*. United States Department of Agriculture, Natural Resources Conservation Service. < <https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm> >.

[SWB] California State Water Resources Control Board. SMARTS – Post Construction Stormwater Calculator.
https://www.waterboards.ca.gov/water_issues/programs/stormwater/docs/phase_ii_municipal/120214_post_const_calc.xls



Yeti Enterprises

Stormwater Management Plan

RED ARROWS
INDICATE NATURAL
FLOW PATH DUE TO
SITE SLOPES

YELLOW ARROWS
INDICATE FLOW PATH
OF PROPOSED RAIN
GUTTERS

Legend

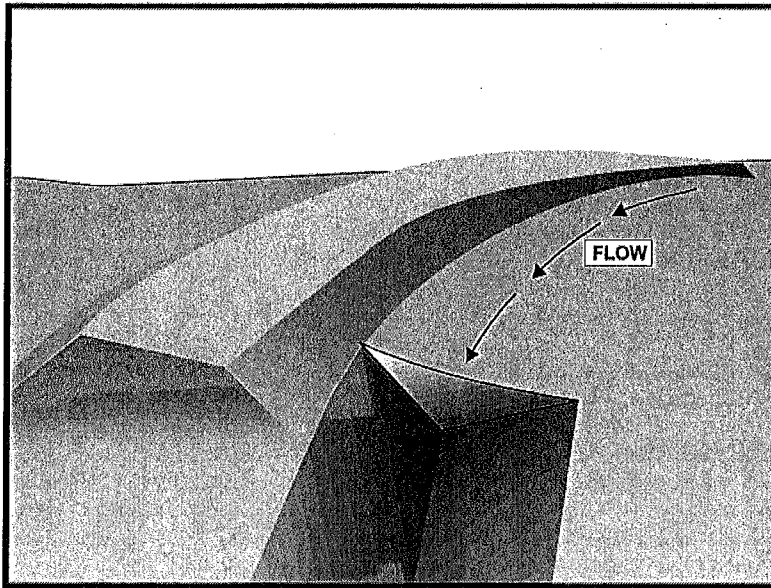
- existing commercial building
- Existing Fence Line with Natural Berm
- Existing Vegetated Swale Feature
- Parcel: 510-211-057-000
- paved surface
- Proposed Downspout Location
- Southern yard - Native Blackberry dominant
- Western yard - Lawn dominant

Google Earth

© 2018 Google

70 ft





Objectives

EC	Erosion Control	<input checked="" type="checkbox"/>
SE	Sediment Control	
TR	Tracking Control	
WE	Wind Erosion Control	
NS	Non-Stormwater Management Control	
WM	Waste Management and Materials Pollution Control	

Legend:

- ☒ Primary Objective
- ☐ Secondary Objective

Description and Purpose

An earth dike is a temporary berm or ridge of compacted soil used to divert runoff or channel water to a desired location. A drainage swale is a shaped and sloped depression in the soil surface used to convey runoff to a desired location. Earth dikes and drainage swales are used to divert off site runoff around the construction site, divert runoff from stabilized areas and disturbed areas, and direct runoff into sediment basins or traps.

Suitable Applications

Earth dikes and drainage swales are suitable for use, individually or together, where runoff needs to be diverted from one area and conveyed to another.

- Earth dikes and drainage swales may be used:
 - To convey surface runoff down sloping land
 - To intercept and divert runoff to avoid sheet flow over sloped surfaces
 - To divert and direct runoff towards a stabilized watercourse, drainage pipe or channel
 - To intercept runoff from paved surfaces
 - Below steep grades where runoff begins to concentrate
 - Along roadways and facility improvements subject to flood drainage

Targeted Constituents

Sediment	<input checked="" type="checkbox"/>
Nutrients	
Trash	
Metals	
Bacteria	
Oil and Grease	
Organics	

Potential Alternatives

None



EC-9 Earth Dikes and Drainage Swales

- At the top of slopes to divert runoff from adjacent or undisturbed slopes
- At bottom and mid slope locations to intercept sheet flow and convey concentrated flows
- Divert sediment laden runoff into sediment basins or traps

Limitations

Dikes should not be used for drainage areas greater than 10 acres or along slopes greater than 10 percent. For larger areas more permanent drainage structures should be built. All drainage structures should be built in compliance with local municipal requirements.

- Earth dikes may create more disturbed area on site and become barriers to construction equipment.
- Earth dikes must be stabilized immediately, which adds cost and maintenance concerns.
- Diverted stormwater may cause downstream flood damage.
- Dikes should not be constructed of soils that may be easily eroded.
- Regrading the site to remove the dike may add additional cost.
- Temporary drains and swales or any other diversion of runoff should not adversely impact upstream or downstream properties.
- Temporary drains and swales must conform to local floodplain management requirements.
- Earth dikes/drainage swales are not suitable as sediment trapping devices.
- It may be necessary to use other soil stabilization and sediment controls such as check dams, plastics, and blankets, to prevent scour and erosion in newly graded dikes, swales, and ditches.

Implementation

The temporary earth dike is a berm or ridge of compacted soil, located in such a manner as to divert stormwater to a sediment trapping device or a stabilized outlet, thereby reducing the potential for erosion and offsite sedimentation. Earth dikes can also be used to divert runoff from off site and from undisturbed areas away from disturbed areas and to divert sheet flows away from unprotected slopes.

An earth dike does not itself control erosion or remove sediment from runoff. A dike prevents erosion by directing runoff to an erosion control device such as a sediment trap or directing runoff away from an erodible area. Temporary diversion dikes should not adversely impact adjacent properties and must conform to local floodplain management regulations, and should not be used in areas with slopes steeper than 10%.

Slopes that are formed during cut and fill operations should be protected from erosion by runoff. A combination of a temporary drainage swale and an earth dike at the top of a slope can divert runoff to a location where it can be brought to the bottom of the slope (see EC-11, Slope Drains). A combination dike and swale is easily constructed by a single pass of a bulldozer or grader and

compacted by a second pass of the tracks or wheels over the ridge. Diversion structures should be installed when the site is initially graded and remain in place until post construction BMPs are installed and the slopes are stabilized.

Diversion practices concentrate surface runoff, increasing its velocity and erosive force. Thus, the flow out of the drain or swale must be directed onto a stabilized area or into a grade stabilization structure. If significant erosion will occur, a swale should be stabilized using vegetation, chemical treatment, rock rip-rap, matting, or other physical means of stabilization. Any drain or swale that conveys sediment laden runoff must be diverted into a sediment basin or trap before it is discharged from the site.

General

- Care must be applied to correctly size and locate earth dikes, drainage swales. Excessively steep, unlined dikes, and swales are subject to erosion and gully formation.
- Conveyances should be stabilized.
- Use a lined ditch for high flow velocities.
- Select flow velocity based on careful evaluation of the risks due to erosion of the measure, soil types, overtopping, flow backups, washout, and drainage flow patterns for each project site.
- Compact any fills to prevent unequal settlement.
- Do not divert runoff onto other property without securing written authorization from the property owner.
- When possible, install and utilize permanent dikes, swales, and ditches early in the construction process.
- Provide stabilized outlets.

Earth Dikes

Temporary earth dikes are a practical, inexpensive BMP used to divert stormwater runoff. Temporary diversion dikes should be installed in the following manner:

- All dikes should be compacted by earth moving equipment.
- All dikes should have positive drainage to an outlet.
- All dikes should have 2:1 or flatter side slopes, 18 in. minimum height, and a minimum top width of 24 in. Wide top widths and flat slopes are usually needed at crossings for construction traffic.
- The outlet from the earth dike must function with a minimum of erosion. Runoff should be conveyed to a sediment trapping device such as a Sediment Trap (SE-3) or Sediment Basin (SE-2) when either the dike channel or the drainage area above the dike are not adequately stabilized.

EC-9 Earth Dikes and Drainage Swales

- Temporary stabilization may be achieved using seed and mulching for slopes less than 5% and either rip-rap or sod for slopes in excess of 5%. In either case, stabilization of the earth dike should be completed immediately after construction or prior to the first rain.
- If riprap is used to stabilize the channel formed along the toe of the dike, the following typical specifications apply:

Channel Grade	Riprap Stabilization
0.5-1.0%	4 in. Rock
1.1-2.0%	6 in. Rock
2.1-4.0%	8 in. Rock
4.1-5.0%	8 in. -12 in. Riprap

- The stone riprap, recycled concrete, etc. used for stabilization should be pressed into the soil with construction equipment.
- Filter cloth may be used to cover dikes in use for long periods.
- Construction activity on the earth dike should be kept to a minimum.

Drainage Swales

Drainage swales are only effective if they are properly installed. Swales are more effective than dikes because they tend to be more stable. The combination of a swale with a dike on the downhill side is the most cost effective diversion.

Standard engineering design criteria for small open channel and closed conveyance systems should be used (see the local drainage design manual). Unless local drainage design criteria state otherwise, drainage swales should be designed as follows:

- No more than 5 acres may drain to a temporary drainage swale.
- Place drainage swales above or below, not on, a cut or fill slope.
- Swale bottom width should be at least 2 ft
- Depth of the swale should be at least 18 in.
- Side slopes should be 2:1 or flatter.
- Drainage or swales should be laid at a grade of at least 1 percent, but not more than 15 percent.
- The swale must not be overtopped by the peak discharge from a 10-year storm, irrespective of the design criteria stated above.
- Remove all trees, stumps, obstructions, and other objectionable material from the swale when it is built.
- Compact any fill material along the path of the swale.

- Stabilize all swales immediately. Seed and mulch swales at a slope of less than 5 percent, and use rip-rap or sod for swales with a slope between 5 and 15 percent. For temporary swales, geotextiles and mats (EC-7) may provide immediate stabilization.
- Irrigation may be required to establish sufficient vegetation to prevent erosion.
- Do not operate construction vehicles across a swale unless a stabilized crossing is provided.
- Permanent drainage facilities must be designed by a professional engineer (see the local drainage design criteria for proper design).
- At a minimum, the drainage swale should conform to predevelopment drainage patterns and capacities.
- Construct the drainage swale with a positive grade to a stabilized outlet.
- Provide erosion protection or energy dissipation measures if the flow out of the drainage swale can reach an erosive velocity.

Costs

- Cost ranges from \$15 to \$55 per ft for both earthwork and stabilization and depends on availability of material, site location, and access.
- Small dikes: \$2.50 - \$6.50/linear ft; Large dikes: \$2.50/yd³.
- The cost of a drainage swale increases with drainage area and slope. Typical swales for controlling internal erosion are inexpensive, as they are quickly formed during routine earthwork.

Inspection and Maintenance

- Inspect BMPs prior to forecast rain, daily during extended rain events, after rain events, weekly during the rainy season, and at two-week intervals during the non-rainy season.
- Inspect BMPs subject to non-stormwater discharges daily while non-stormwater discharges occur.
- Inspect ditches and berms for washouts. Replace lost riprap, damaged linings or soil stabilizers as needed.
- Inspect channel linings, embankments, and beds of ditches and berms for erosion and accumulation of debris and sediment. Remove debris and sediment and repair linings and embankments as needed.
- Temporary conveyances should be completely removed as soon as the surrounding drainage area has been stabilized or at the completion of construction

References

Erosion and Sediment Control Handbook, S.J. Goldman, K. Jackson, T.A. Bursetynsky, P.E., McGraw Hill Book Company, 1986.

EC-9 Earth Dikes and Drainage Swales

Manual of Standards of Erosion and Sediment Control Measures, Association of Bay Area Governments, May 1995.

National Association of Home Builders (NAHB). Stormwater Runoff & Nonpoint Source Pollution Control Guide for Builders and Developers. National Association of Home Builders, Washington, D.C., 1995

National Management Measures to Control Nonpoint Source Pollution from Urban Areas, United States Environmental Protection Agency, 2002.

Southeastern Wisconsin Regional Planning Commission (SWRPC). Costs of Urban Nonpoint Source Water Pollution Control Measures. Technical Report No. 31. Southeastern Wisconsin Regional Planning Commission, Waukesha, WI. 1991

Stormwater Quality Handbooks Construction Site Best Management Practices (BMPs) Manual, State of California Department of Transportation (Caltrans), November 2000.

Stormwater Management of the Puget Sound Basin, Technical Manual, Publication #91-75, Washington State Department of Ecology, February 1992.

Water Quality Management Plan for the Lake Tahoe Region, Volume II, Handbook of Management Practices, Tahoe Regional Planning Agency, November 1988.

Invasive Plant Species Management Plan



CLIENT: YETI ENTERPRISES

PROJECT: HUMBOLDT COUNTY COMMERCIAL CANNABIS PERMIT

ADDRESS: 2214 COMMERCIAL
McKINLEYVILLE, CA 95519

APN: 510-211-057

DATE: September 24, 2019

MEE PROJECT #: 19030



**MOTHER EARTH
ENGINEERING**

661 G Street, Arcata, CA 95521 | tel: 707.633.8321 | www.motherearthengineering.com

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1 RATIONALE

Invasive plants are a stressor on natural wildlife habitats.

“Proactive prevention of invasive plant spread and infestation is the most cost-effective strategy for managing invasive plants. It reduces future maintenance needs and costs; reduces fire hazards and herbicide use; enhances access and safety; limits landowner liability and maintains good public relations; and protects existing wildlife habitat, endangered species, native plant populations, and beneficial insects” (Cal-IPC 2012).

2 PROJECT INFORMATION

PROJECT TYPE: Commercial Cannabis Cultivation

DESCRIPTION: New indoor cultivation. 5,000 sq ft. Located in an existing commercial structure on a parcel with commercial zoning. The parcel and structure were previously utilized for an automotive shop. The parcel and vicinity are fully developed with paved roads and all municipal services (water, sewer, power, natural gas).

PROJECT LOCATION

LAT/LONG (WGS84) : 40.5218, -124.1380

PARCEL INFORMATION FROM HUMBOLDT COUNTY WEB GIS

APN : 510-211-057
ASSESSED LOT SIZE [acres] : 0.18
ZONING – GENERAL PLAN : CS – Commercial Services

3 FIELD INVESTIGATION

A field investigation was conducted in order to assess the site with respect to invasive species management requirements.

SITE VISIT DATE + TIME : 31 JULY 2019 ; 11:00 – 13:00 H
MEE STAFF PRESENT : P. Lai
WEATHER CONDITIONS : Sunny, clear. Mild, intermittent wind. Approx 78 degF



Field investigation found the site to be commercially developed. Vegetated, permeable surfaces were estimated to be approximately 3,000 sq ft, less than 30% of the total parcel area. The vegetation on the subject parcel and vicinity can be characterized as domesticated – it is located within existing commercial-suburban municipal development.

Native California blackberry (*rubus ursinus*) was observed onsite as the dominant vegetation in the southern portion of the yard. The eastern portion of the yard was mostly lawn. Invasive species were noted in the western yard with few clumps of Scotch Broom (*Cytisus scoparius* L.) and trace Himalayan blackberry (*rubus armeniacus*). See site map attached.

4 INVASIVE PLANT MANAGEMENT APPROACH

Regime: Adaptive Management

Adaptive management is a systematic and iterative process that provides feedback between monitoring and management actions. This process includes reviewing invasive plant management goals and objectives, reviewing baseline data, applying treatment techniques for target invasive plants, subsequently conducting monitoring and analysis to measure achievement of goals.

Approach: Encourage continued presence of desirable native species and remove invasive plants.

Due to the presence of native California Blackberry species onsite as well as the trace to few observations of Himalayan Blackberry and Scotch Broom, the invasive plant species shall be removed and the native species shall be encouraged to remain through management activities.

5 TARGET INVASIVE PLANT SPECIES + TREATMENT METHODS

The target non-native species currently present on the property are Himalayan Blackberry (*Rubus armeniacus*) and Scotch Broom (*Cytisus scoparius* L.).

HIMALAYAN BLACKBERRY:

Himalaya Blackberry is a highly invasive plant characterized by dense canopies and a rapid growth form. The evergreen shrub can be found mostly in open fields and riparian zones, as well as roadsides, canals, and ditch banks. Non-chemical mechanical control of this invasive species should be performed twice annually by hand pulling. Effective removal is characterized by removing the canes, roots and root crowns to prevent re-sprouting. Additionally, repeated cutting of the above-ground biomass during flowering time will exhaust remaining root stores.



SCOTCH BROOM:

Scotch Broom is a fast-growing shrub typically found in mountain regions and cool coastal areas with dry summers. The shrub forms dense stands that limit regeneration of other plant species. Non-chemical mechanical control of this invasive species is recommended for this project site. Manual removal is the prescribed method and is considered effective when the entire root is removed from the soil when the soil is moist. Additionally, cutting broom off before it flowers reduces the potential for the spread of the invasive species, and is recommended to prevent re-sprouting.

6 INVASIVE PLANT MANAGEMENT PROTOCOLS

YEAR 1

- Manually remove invasive species once in spring and once in fall when soil is moist. Removal shall occur when plant seeds/pods are not susceptible to scattering or spreading.
- All invasive plant detritus shall be contained and disposed of offsite once removal activities have been conducted.
- During summer months, regularly mow the eastern lawn to suppress invasive species growth.
- Observe and document effectivity of management efforts 4-8 weeks after management activity has occurred. If adaptations to the management approach are deemed necessary based on site observation, they shall be noted and incorporated into the next round of management activities.

YEAR 2 + (as needed)

- Continue with the YEAR 1 protocols incorporating adaptations as necessary.
- If the success criteria are observed to be achieved, then the ongoing management protocol shall be followed.

CRITERIA FOR SUCCESS

- Observed removal of 80% of the existing onsite invasive plants for one year (spring to spring) is the criteria for success. After this has been achieved, the ONGOING MANAGEMENT protocol shall be followed.

ONGOING MANAGEMENT

- Site inspection and invasive plant removal as necessary shall be conducted once annually in spring.
- Lawn shall be mowed regularly to suppress invasive plant growth.
- Any site observations necessitating adaptations to management shall be documented.

GENERAL BEST MANAGEMENT PRACTICES (BMPs)

- Any straw applied shall be weed-free.
- Any erosion control mix applied shall be native erosion control seed mix.
- Plant native or food-bearing species if further landscaping will be implemented.
- Utilize water conservation techniques.



7 REFERENCES

[Cal-IPC] California Invasive Plant Council. 2012. Preventing the Spread of Invasive Plants: Best Management Practices for Land Managers (3rd Edition). Cal-IPC Publication 2012-03. California Invasive Plant Council, Berkeley, California. Available at www.cal-ipc.org.

[DWR] California Department of Water Resources. July 2016. 2016 Central Valley Flood Protection Plan [CVFPP] Conservation Strategy: Appendix E. Invasive Plant Management Plan. Available at <https://water.ca.gov/Programs/Flood-Management/Flood-Planning-and-Studies/Conservation-Strategy>. Accessed on 2019.05.19.

[HWMA] Humboldt County Weed Management Area. 2010. Invasive Weeds of Humboldt County: A Guide for Concerned Citizens (2nd Edition). Arcata, California.
<http://www.cdfa.ca.gov/go/HumboldtWMA>



Yeti Enterprises

Invasive Species Management Plan

Legend

- Western yard - Lawn dominant
- existing commercial building
- Parcel: 510-211-057-000
- paved surface
- Southern yard - Native Blackberry dominant
- Vicinity of Himalayan Blackberry
- Vicinity of Scotch Broom Clumps



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	✓	Conditional Approval	Attached
Public Works Land Use Division	✓	Conditional Approval	On file
Environmental Health Division	✓	Approval	On file
NWIC	✓	Conditional Approval	On file
CA Department of Fish & Wildlife		No Comment	
Bear River Band Rancheria	✓	Conditional Approval	On file
Wiyot Tribe		No Comment	
Blue Lake Rancheria	✓	Conditional Approval	On file
McKinleyville Unified School District	✓	Denial	Attached
Arcata Unified School	✓		
Arcata Fire Protection District		No comment	
McKinleyville Community Service District	✓	Conditional Approval	Attached

11/3



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

10/27/2020

Project Referred To The Following Agencies:

AG Commissioner, County Counsel, District Attorney, Environmental Health, Sheriff, PW Land Use, CSD: McKinleyville
CSD, FPD: Arcata, School District: Arcata School District, Cal Fish & Wildlife, CalTrans Dist 1, Bear River Band, Blue Lake
Rancheria, Wiyot Tribe, PGE, School District: McKinleyville, **Building Inspections**

Applicant Name Yeti Enterprises **Key Parcel Number** 510-211-057-000

Application (APPS#) PLN-12249-ZCC **Assigned Planner** Elizabeth Moreno 707-268-3713

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

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

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

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

Return Response No Later Than: 11/11/2020

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

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

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

Other Comments:

Recommends Approval based on the condition that All Required
building, plumbing, electrical, and mechanical permits are obtained

DATE: 11-4-2020 PRINT NAME: Rob Edwards



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
BUILDING DIVISION

3015 H STREET EUREKA CA 95501
PHONE: (707) 445-7245 FAX: (707) 445-7446

Building Division's Referral Comments for Cannabis Operations:

Accela Record No: PLN-12249-ZCC APN: 510-211-057

The following comments apply to the proposed project, (check all that apply).

☒ Site plan appears to be accurate.

N/A ☐ Site plan is not accurate, submit revised site plan showing the following items:

- ☐ All grading including ponds and roads,
- ☐ Location of any water course including springs,
- ☐ All structures including size and use and all setbacks from each other, above stated items, and property lines.

☐ _____

☐ _____

N/A ☐ Existing operation appears to have expanded as follows: _____

☒ Proposed new operation has already started.

N/A ☐ Development is near a wet area. If yes, distance from development: _____

N/A ☐ Development is near a Stream side Management Area (SMA). If yes, distance from development: _____

☒ Recommend approval based on the condition that all required grading, building, plumbing, electrical, and mechanical permits and or Agricultural Exemptions are obtained.

☐ Other Comments: _____

Name: Rob Edwards

Date: 11-4-2020

Note: Please take photographs and save them to the Planning Accela record number.



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



10/27/2020

Project Referred To The Following Agencies:

AG Commissioner, County Counsel, District Attorney, Environmental Health, Sheriff, PW Land Use, CSD: McKinleyville
CSD, FPD: Arcata, School District: Arcata School District, Cal Fish & Wildlife, CalTrans Dist 1, Bear River Band, Blue Lake
Rancheria, Wiyot Tribe, PGE, School District: McKinleyville, Building Inspections

Applicant Name Yeti Enterprises **Key Parcel Number** 510-211-057-000

Application (APPS#) PLN-12249-ZCC **Assigned Planner** Elizabeth Moreno 707-268-3713

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

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

Return Response No Later Than: 11/11/2020

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

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

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

Other Comments: This location is less than 600 ft from a designated bus stop used by multiple children.

DATE: NOV 05 2020 PRINT NAME: [Signature]



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

RECEIVED

AUG 04 2020

McK. C. S. S.

7/31/2020

Project Referred To The Following Agencies:

AG Commissioner, County Counsel, District Attorney, Environmental Health, Sheriff, PW Land Use, CSD: McKinleyville
 CSD, FPD: Arcata, School District, Cal Fish & Wildlife, CalTrans Dist 1, Bear River Band, Blue Lake Rancheria, Wiyot
 Tribe, PGE

Applicant Name Yeti Enterprises Key Parcel Number 510-211-057-000

Application (APPS#) PLN-12249-ZCC Assigned Planner Elizabeth Moreno 707-268-3713

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

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

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

Return Response No Later Than: 8/15/2020

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

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

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

Other Comments: _____

DATE:

08/20/2020

PRINT NAME:

Pat Kraspani



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

APPLICANT KEY PARCEL 510-211-057-000 DATE 7/31/2020 CONTACT Elizabeth Moreno APPS# PLN-12249-ZCC

PROJECT INFORMATION

SUBJECT Yeti Enterprises - CUP for Cannabis new indoor 2400

PROJECT TYPE Conditional Use Permit (CCLUO2)

PROJECT DESCRIPTION An application for a Conditional Use Permit for 2,457 square feet (SF) of new indoor cultivation, Record Number: PLN-12249-CUP in the McKinleyville Area, Assessor Parcel Number 510-211-057. The proposed project will occur in a 3,400 SF building. The applicant projects 5-6 cultivation cycles per year. Water for irrigation would be sourced from the McKinleyville Community Services District. Water would be stored in eight tanks totaling 2,900 gallons. The annual water usage is about 120,000 gallons. Drying and curing would occur on-site, with all other processing occurring in a licensed off-site processing facility. The subject property is served by P.G.&E. power and the applicant will enroll in the P.G.&E. Solar and Renewable Energy Program.

PROJECT LOCATION

The project is located in Humboldt County, in the ? area, on the ? side of ?, approximately ? feet ? from the intersection of ? and ?, on the property known to be in Section ? of Township ?, Range ?, Humboldt Base & Meridian.

PRESENT PLAN DESIGNATIONS Commercial Services (CS); McKinleyville Community Plan; 2017 General Plan; Density: NA; Slope Stability: Relatively Stable (0)

PRESENT ZONING Community Commercial (C2)

KEY PARCEL NUMBER 510-211-057-000

ADDITIONAL PARCEL #S

APPLICANT INFORMATION

Name Yeti Enterprises
 Address 1 Kevin Bourque
 Address 2 PO Box 610
 City Fortuna State CA Zip 95540
 Phone E-Mail

OWNER INFORMATION

Name The Humboldt Group Llc Co
 Address 1
 Address 2 Po Box 121
 City Trinidad State CA Zip 95570
 Phone E-Mail

AGENT INFORMATION

Name Kaylie Saxon
 Address 1 1850 Central Ave, Suite C
 Address 2
 City McKinleyville State CA Zip 95519
 Phone (707)830-5041 E-Mail
 kaylie@greenroadconsulting.com

ADDITIONAL PROJECT INFORMATION

ADDITIONAL OWNERS

DECISION MAKER Planning Commission

ENVIRONMENTAL REVIEW REQUIRED?

MAJOR ISSUES

STATE APPEAL STATUS

PRELIMINARY CEQA FINDINGS

CEQA EXEMPTION SECTION

EXEMPTION DESCRIPTION