

SUPPLEMENTAL INFORMATION #1

For Planning Commission Agenda of:
December 3, 2020

<input checked="" type="checkbox"/>	Consent Agenda Item	<u>E4</u>
<input type="checkbox"/>	Continued Hearing Item	
<input type="checkbox"/>	Public Hearing Item	
<input type="checkbox"/>	Department Report	
<input type="checkbox"/>	Old Business	

Re: The Emerald Kid, Conditional Use Permit Modification

Record Number: PLN-2020-16323
Assessors Parcel Numbers: 522-211-053 and -055
50 and 100 Stagecoach Lane, Willow Creek

Attached for the Planning Commission's record and review is the following supplementary information items:

1. Letter from adjacent landowner Vicki Carson with concerns over traffic, noise, privacy and safety.

Response: Staff spoke with Ms. Carson and heard her concerns. The private road Stagecoach Lane is shared by five parcels, all of which have approved cannabis permits. The road is paved and is 20 feet wide, and therefore has the capacity for the proposed use. The addition of a distribution license will reduce traffic because the applicant will only be using one distribution van rather than multiple distributors coming to the property. The peak number of laborers is fifteen, though this number would only be needed for short periods of time on a seasonal basis. The project site meets the standards for public visitation. Although the applicant does not intend to incorporate tourism into his business plan for several years, tour were included at this time to analyze the maximum level of traffic and to reduce the need for another public hearing in the future. Regarding noise, most of the project activities are conducted indoors. The site has had compliance inspections for the permitted cultivation and found to be in compliance with noise standards, and no complaints have been received regarding noise. Operator has agreed to instruct workers to reduce volume of music played outdoors and keep dialogue to conversational tone with no foul language. The applicant's driveway access is before the end of the cul-de-sac, such that people going into the property do not need to drive past Ms. Carson's property. The site is equipped with Advanced Security alarms, electronic metal gate to the premises, and the front of the private road has a locked gate. A security guard is onsite overnight, and has been instructed not to shine his flashlight into Ms. Carson's yard.

2. Covenants, Conditions and Restrictions (CC and Rs) and Amendment for the Stagecoach Lane neighborhood. The applicant has building permits for all structures on site, the structure of which Planning found to be in compliance with the CC and Rs. and has been found to be in compliance with the CCRs prior to release of building permits.

Dear Planning Department,

My name is Vicky Carson, I own property at 155 Stagecoach Lane Willow Creek. I am writing this letter concerning the request for modification to the cannabis permit of my next door neighbor The Emerald Kid.

I agreed to his request to grow cannabis next door. I am astounded at how far that kind act has affected my surroundings.

They have constructed two story green houses, two story processing facilities, sea land containers, trenches the road without repair, ongoing traffic, security gate, night watchman this is not a complete list of concerns. Some of these concerns are in violation of our CCR's. This property is in a small previously quiet area of Willow Creek.

My first concern is the added traffic that will come to Brannan Mt.road and certainly our cul-de-sac Stagecoach Lane. The gate and road is not wide enough for two cars to pass comfortably, is in a state of disrepair from their construction and has no provisions for pedestrians if approved.

Second is of great concern, noise. A property that has constant fans, 15 employees, a family, and daily tours, traffic from processing, distribution, clones, trimming and extraction is not acceptable!

Third concerns is the Total disappearance of privacy. I will no longer have any privacy at the property I invested in. I moved from a city in Humboldt to have peace, quiet, privacy and safety. I have been a home owner for 47 years. I hope to live peaceably and die here at my home on Stagecoach Lane in Willow Creek. The development has hindered my beautiful view and created much stress which has seriously affected my health and well-being.

Fourth is my concern for safety and security. Even though the company has a security guard the approval of the extra activities and traffic Stagecoach Lane will no longer be free from public attention. Without further expounding this change could effect my safety.

These developments and operations are suitable for a commercial business district Not a cul-de-sac as ours. I am very knowledgeable about all that is involved with the cannabis grows. This request for further development is wrong and should not be approved. I have other neighbors above me who continue to cultivate even though they are not in compliance. Yet the county turns away from this issue. I pray that you will seriously consider me and my objections.

A possible solution to this issue would be to develop access to the two parcels in question at the bottom acreage. An access could come off Brannan Mt Rd. therefore omitting traffic for the business on Stagecoach. Cul-de-sac traffic for these parcels could be used for residential. Business activities could be accessed from Brannan which would reduce traffic and people in the cul-de-sac. Any further building could be done there in the large open fields.

Sincerely,
Vicky Carson

February 28, 2018

Second Amendment to declaration of
covenants, conditions and restrictions
for the Stagecoach Subdivision Willow
Creek, Ca.

The undersigned are currently
owners of lots in the subdivision and
are declarant under this Amendment.

Declarant agrees that owner
of lot three, VICKY L. CARSON TRUSTEE
will be allowed to construct and/or
assemble Manufactured homes ^{KS} on
said lot.

- Manufactured home (single) ok
- In accordance with Federal standards (HUD code)
- Mobile home not approved.

Kimberly Sanders 3/6/18
KIMBERLY SANDERS TRUSTEE
OWNER LOT #2

RECORDING REQUESTED BY

Tyler J. Frazier

AND WHEN RECORDED MAIL TO

Name Tyler J. Frazier
Street P.O. Box 1374
Address
City, State Willow Creek, CA 95573
Zip

(SPACE ABOVE THIS LINE FOR RECORDER'S USE)

**FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR THE STAGECOACH SUBDIVISION PHASE 1
WILLOW CREEK, CALIFORNIA**

THIS FIRST AMENDMENT TO ALTER THE DECLARATION OF COVENANTS, CONDITIONS & RESTRICTIONS FOR THE STAGECOACH SUBDIVISION ("Amendment") is made as of this 7th day of September, 2017.

Recitals:

A. The undersigned are currently all the owners of all of the lots in the subdivision and are the Declarants under this Amendment to the certain Declaration of Covenants, Conditions & Restrictions for the Stagecoach Subdivision dated January 16, 2009 and recorded January 16, 2009 as Instrument No. 2009-770-6; and re-recorded on April 30, 2010 as Instrument No. 2010-9005-6.

B. The legal description of said land is attached hereto as Description.

AMENDED DECLARATION:

1. DECLARANT HEREBY DECLARES that the following Sections of the Declaration shall be amended to the extent inconsistent with that Section, by changing the following provisions. Strikethrough shall indicate that certain language be deleted from the Declaration. Italics shall indicate an addition or replacement to the language in the Declaration:

(a) 2.2.2 Fences. ~~The existing decorative cedar rail fence, installed by developer, bordering Stagecoach Lane shall be maintained as built. Security and/or deer fencing using hog wire, barbed wire, etc. shall be set back a minimum of 10 feet from the property line along Stagecoach Lane on Lots 1, 2 and 3. This 10 foot "buffer" area fronting Stagecoach Lane between the decorative cedar rail fence and Stagecoach Lane is intended as a planting area for landscaping, shrubs, and trees. On Lots 5 and 6 the fence can be on the property line. Decorative or privacy fences shall be limited to within 100 feet of any residence or any outbuilding. Any type of fencing is allowed.~~

(b) 2.3.3 Residence Size Requirements. No residence shall be erected on any of the Lots unless the total floor area of the main structure, exclusive of open porches, garages, patios, exterior stairways and landings, is more than ~~one thousand six hundred (1600)~~ *one thousand two hundred (1200)* square feet, nor shall any residence on any Lot have more than two and one half stories. Roofing materials shall be tile, composite tile, metal or minimum 30 year structural laminated composition shingle roof.

(c) 2.3.4 New Materials and New Structures Only. No secondhand materials shall be used in construction of any improvements, and all improvements shall be painted or stained with the exception of improvements constructed of brick or masonry. The exterior of all dwellings shall be constructed of brick, wood, simulated wood (such as cement fiber board) or masonry materials. *Metal siding is allowed for garages and accessory buildings.*

(d) 2.3.5 Garages. ~~Each Dwelling shall have at least a two (2) car garage of not less than 480 square feet.~~

(e) 3.1 Use of Lots. Lots shall not be used for any purpose other than one (1) single-family residence unless approval is obtained from the County of Humboldt for one (1) secondary dwelling unit per County of Humboldt standard, *and any commercial use approved by the County of Humboldt.*

(f) 3.4 Limitations of Commercial Activities. ~~No business of any kind whatsoever shall be established or conducted on the Lots, except for the business of Declarant or any licensed contractor, in completing the construction of residences on the Property and of disposing of the same by sale, lease or otherwise. No person shall rent any room or portion of any residence, but the foregoing shall not prohibit rental of an entire residence or a secondary dwelling unit approved by the County of Humboldt.~~

(g) 3.8 Signs. ~~No sign of any kind shall be displayed to the public view on or from any Lot, except (1) such signs as may be used by Declarant in connection with the development of the Project and sale of Lots; (2) name and street address signs not larger than twenty four (24) inches by twelve (12) inches; and (3) one sign per Lot of customary and reasonable dimensions including that a Dwelling is for sale or lease.~~

(h) 3.10 ~~Other Structures. Any barn or outbuilding shall be constructed to be of similar design, style and color of the primary residence of the property. Barns and outbuildings shall be leased as far from property lines and roads as practical and no closer than 50 feet to Stagecoach Lane.~~

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DESCRIPTION

That real property situated in the County of Humboldt, State of California, described as follows:

Lots 1-6 of Tract No. 615, as per Map recorded in Book 24 of Maps, Pages 95 – 97, Humboldt County Records.

The Kimberly Ann Sanders Revocable Trust

Kimberly Ann Sanders
Kimberly Ann Sanders, as Trustee

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Marin

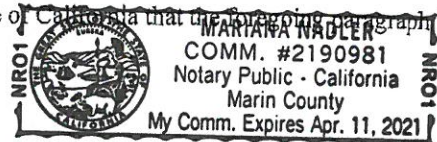
On Sep 15, 2017 before me, Mariana Nadler, a Notary Public,
personally appeared Kimberly Ann Sanders
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized
capacity(ies) and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which
the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is
true and correct.

WITNESS my hand and official seal.

Signature: M. Nadler

My commission expires: Apr 11, 2021



(This area for official notarial seal)