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For Meeting of: April 24, 2018

To: Planning Commission

From: Kevin Caldwell, Community Development Director

Through: Kyle Knopp, City Manager

Date: April 16, 2018

Subject: Rio Dell Holdings Design Review Conditional Use Permit
File No. 205-111-069; Case No. DR-CUP 18-01

Recommendation:

That the Planning Commission:

1. Receive staff's report regarding the proposed Conditional Use Permit;

2. Open the public hearing, receive public input, close the public hearing and deliberate;

3. Assuming that public testimony is substantially in support of the proposal, based on the project as conditioned, find that:

Zoning Consistency

- The proposed project is consistent with the applicable Zoning regulations and complies with the applicable "Guiding Principles and Design Concepts" in Section 17.250.050(5) Rio Dell Municipal Code (RDMC); and

- The proposed architecture, site design, and landscape are suitable for the purposes of the building and the site and will enhance the character of the neighborhood and community; and

- The architecture, including the character, scale and quality of the design, relationship with the site and other buildings, building materials, screening of exterior appurtenances, exterior lighting and signing and similar elements establishes a clear design concept and is compatible with the character of existing or anticipated buildings on adjoining and nearby properties; and

- The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation; and

General Plan Consistency

- The proposed project is consistent with the General Plan

California Environmental Quality Act

- The Design Review Conditional Use Permit has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA);

4. Adopt Resolution No. PC 122-2018 approving the Design Review Conditional Use Permit subject to the recommended Conditions of Approval in Exhibit A.

Background

Rio Dell Holdings has submitted an application for a Design Review Conditional Use Permit for six (6) buildings, two 5,000 square foot greenhouses, a 10,000 square foot greenhouse and a 43,560 greenhouse nursery used to propagate, clones and seedlings for use on and off-site. Staff has prepared a separate Staff Report for the cannabis activity Conditional Use Permit (CUP). Staff is addressing the application based on the pending subdivision.

Phase I: The Conditional Use Permit is for the Design Review of six (6) buildings ranging in size from 6,600 to 36,400 square feet, their associated landscaping and for cannabis related activities, including indoor (44,000 sq. ft.) and greenhouse (10,000 sq. ft.) cultivation, processing, packaging, volatile and non-volatile manufacturing, distribution and an on-site 43,560 square foot nursery which will be used to propagate, clones and seedlings for use on and off-site. Again, staff has prepared a separate Staff Report for the cannabis activity Conditional Use Permit (CUP).

Phase II: The subdivision of a 15+/- acre parcel into four (4) parcels of 1.48, 1.50, 2.80, 2.86 and a Reminder of 6.41 acres. The parcels will be dependent on on-site septic systems and community water. Phase II will be scheduled for the Planning Commission at the meeting of May 22, 2018.

The proposed buildings are subject to the City's Design Review regulations, Section 17.25.050 *et seq* of the Rio Dell Municipal Code (RDMC). The purpose of the City's adopted Design Review Guiding Principles and Concepts are:

- To encourage high quality land/site planning, architecture and landscape design;
- To ensure physical, visual, and functional compatibility between uses: and
- To ensure proper attention is paid to site and architectural design, thereby protecting land values.

Attachment 1 includes proposed building elevations, site plan and landscaping plan.

As the Commission is aware, the subject parcel contains a brownfield site. The Department of Toxic Substances Control (DTSC) is overseeing the remediation of the site. Soil and groundwater at the site is contaminated with pentachlorophenol, a wood preservative.

DTSC has requested that the City impose the following conditions to the approval of developing the site.

1. Removal of all soil piles generated during the 2011 implementation of the Interim Removal Action;

2. Sign a Consent Order with the DTSC for the remediation of soil and groundwater originating within APN 205-111-069;

3. Monitor groundwater in accordance with the North Coast Regional Water Quality Board's (RWQCB's) Monitoring and Reporting Program No. R1-2013-0073 dated November 12, 2013, or updates to the monitoring program approved by the RWQCB and DTSC.

4. Submit a draft Removal Action Workplan addressing soil and groundwater contamination originating within APN 205-111-069.

Staff has conditioned the project accordingly. **Please refer to Exhibit A.**

Required Findings/Staff Analysis

Section 17.35.030 Rio Dell Municipal Code (RDMC) Conditional Use Permits.

1. Zoning Consistency

(a) The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this title and all other City ordinances;

Land Use: The property is zoned Industrial Commercial (IC). The purpose of the Industrial Commercial zone is to provide for industrial and commercial uses. Again, the applicant is proposing five (5) commercial buildings. The buildings will be used for cannabis activities. Section 17.30.195 the City's Commercial Cannabis Land Use Ordinance (CCLUO), allows commercial cannabis activities at the former Eel River Sawmill site, now known as the Humboldt Rio Dell Business Park with a Conditional Use Permit (CUP).

Building 1 on Parcel A (2.80 acres) will be 36,400 square feet and will accommodate 22,000 square feet of indoor cultivation and approximately 14,400 square feet of office, space, restrooms, a break room and storage. The parcel will also be developed with a 5,000 square foot greenhouse.

Building 2 on Parcel C (2.86 acres) will be 30,800 square feet and will also accommodate 22,000 square feet of indoor cultivation and approximately 8,800 square feet of office, space, restrooms, a break room and storage. The parcel will also be developed with a 5,000 square foot greenhouse.

Building 3 on Parcel B (1.48 acres) will be 20,000 square feet and will accommodate the drying/curing of cannabis plants, processing, trimming, grading and packaging.

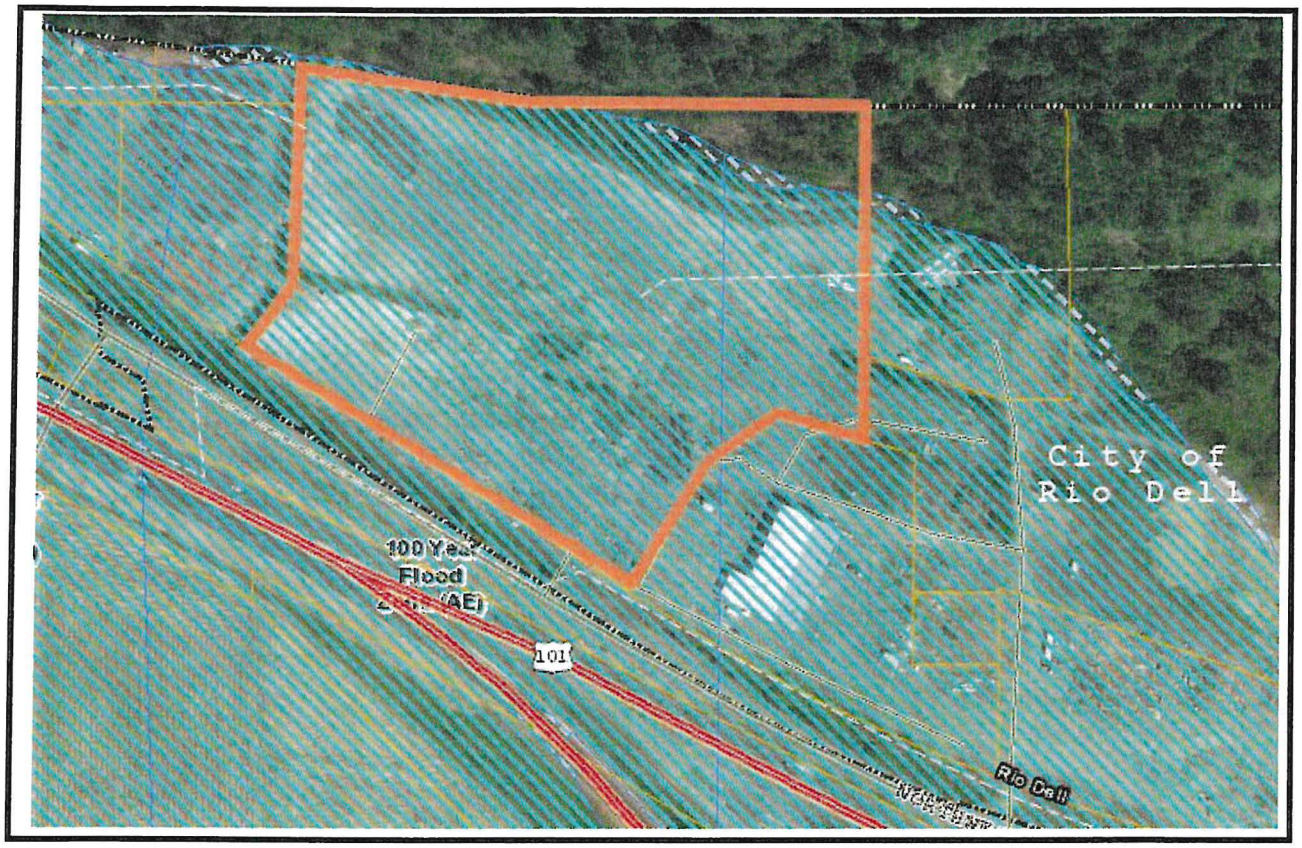
Building 4 on Parcel C (2.86 acres) will be 6,600 square feet and will be used for storage and maintenance workshop.

Building 5 on Parcel D (1.50 acres) will also be 20,000 square feet and will accommodate volatile and non-volatile manufacturing. The applicant is proposing a State Type 7 manufacturing facility license which includes extractions using volatile solvents, non-volatile solvents, and mechanical methods. Methods for nonvolatile manufacturing are to include Pressing, CO2 (Pressurized Solvent-Based Extraction), dry sifting, tumbling, and cold-water extraction. Proposed volatile manufacturing systems will be N-butane close loop extraction system (Pressurized Solvent-Based Extraction), organic ethanol rotary evaporation system, short path distillation system, and short path wiped film distillation systems (Distillate). Chemicals to be used in the manufacturing processes include N-butane, organic ethanol, isopropanol, N-hexane, pentane, ISO-butane, propane, and nitrogen. Future industry trends may lead to the use of additional chemicals. If this is the case, notification will be given to the city for approval of the new chemicals prior to use.

Building 6 on the "Remainder" Parcel E will be a 10,000 square foot processing, packaging and distribution. In addition, a 10,000 square foot greenhouse and 43,560 square foot greenhouse nursery used to propagate, clones and seedlings for use on and off-site.

Finding: The proposed uses are allowed with a Conditional Use Permit (CUP). Again, staff has prepared a separate Staff Report for the cannabis activity Conditional Use Permit (CUP).

Flood Zone: The parcel is located within the 100 year flood zone according to FEMA's Flood Insurance Rate Map (FIRM), Panel No. 1240 of 2015.



Source: Humboldt County GIS

Section 17.30.140 of the RDMC requires that if a proposed building site is located in a flood zone, any proposed new construction or substantial improvement, including manufactured and mobile homes, must:

(a) Be designed or modified and anchored to prevent flotation, collapse or lateral movement of the structures;

(b) Use construction materials and utility equipment that are resistant to flood damage; and

(c) Use construction methods and practices that will minimize flood damage.

In addition, to our local regulations, the project is also subject to FEMA's flood regulations (Title 44 Code of Federal Regulations, Section 61.7 and 61.8) which require that the first floor of the structure be located one foot above the Base Flood Elevation (BFE). As such a Flood Elevation Certificate is required, this identifies among other site features, the BFE and the elevation of

the floor of the buildings. Staff has conditioned the project accordingly. **Please refer to Exhibit A.**

Parking: Section 17.30.180 of the Rio Dell Municipal Code (RDMC) identifies Parking and Loading requirements, including the required number of spaces, landscaping, lighting, surface requirements, striping, wheel stops, number of spaces, handicap spaces, bicycle and motorcycle parking and loading spaces. Staff is addressing the parking based on the pending subdivision. It must be noted that the Planning Commission has identified the parking demand at one space for every 800 square feet for cultivation activities.

Building 1 on Parcel A (2.80 acres) will be 36,400 square feet and will accommodate 22,000 square feet of indoor cultivation and approximately 14,400 square feet of office, space, restrooms, a break room and storage. The parcel will also be developed with a 5,000 square foot greenhouse. Based on one space for every 800 square feet, the applicant is required to provide 46 spaces for the building and 6 spaces for the greenhouse, a total of 52 spaces. The applicant is proposing 49 spaces. The applicant has submitted a parking exception based on levels of anticipated use. According to the submitted Plan of Operation, four (4) full time employees are anticipated for the cultivation activities. In addition, during planting and harvesting activities, it is expected that there will be three (3) additional temporary employees.

Parcel "A" Parking Requirements – Building 1, 36,400 sq. ft.; Greenhouse 5,000 sq. ft.			
Number of Full Time Employees 4, Number of Seasonal/Temporary Employees___			
Requirement	**Size**	**Required**	**Proposed**
Regular Parking Spaces 1/800 sq. ft.	19' x 8.5'	52	52
Number of Required Accessible Spaces 1/25 spaces	19' x 14'	3	3
Number of Required Bicycle Spaces	6' x 2'	10	10
Number of Required Motorcycle Spaces	7' x 4'	3	3
Number of Required Loading Spaces	35' x 11' x 14'	1	1

Building 2 on Parcel C (2.86 acres) will be 30,800 square feet and will also accommodate 22,000 square feet of indoor cultivation and approximately 8,800 square feet of office, space, restrooms, a break room and storage. The parcel will also be developed with a 5,000 square foot greenhouse and a 6,600 square foot shop/maintenance building. Again, according to the submitted Plan of Operation, four (4) full time employees are anticipated for the cultivation activities. In addition, during planting and harvesting activities, it is expected that there will be two (2) additional temporary employees.

Parcel "C" Parking Requirements – Building 2, 30,800 sq. ft.; Greenhouse 5,000 sq. ft. & 6,600 sq. ft. Shop			
Number of Full Time Employees 4, Number of Seasonal/Temporary Employees___			
Requirement	**Size**	**Required**	**Proposed**
Regular Parking Spaces 1/800 sq. ft.	19' x 8.5'	53	47
Number of Required Accessible Spaces 1/25 spaces	19' x 14'	3	3

Number of Required Bicycle Spaces	6' x 2'	10	10
Number of Required Motorcycle Spaces	7' x 4'	3	3
Number of Required Loading Spaces	35' x 11' x 14'	1	1

Building 3 on Parcel B (1.48 acres) will be 20,000 square feet and will accommodate the drying/curing of cannabis plants, processing, trimming, grading and packaging.

Parcel "B" Parking Requirements – Building 3, 20,000 sq. ft.			
Number of Full Time Employees 30			
Requirement	**Size**	**Required**	**Proposed**
Regular Parking Spaces 1/800 sq. ft.	19' x 8.5'	25	28
Number of Required Accessible Spaces 1/25 spaces	19' x 14'	1	2
Number of Required Bicycle Spaces	6' x 2'	3	5
Number of Required Motorcycle Spaces	7' x 4'	2	2
Number of Required Loading Spaces	35' x 11' x 14'	1	1

Building 4 on Parcel D (1.50 acres) will also be 20,000 square feet and will accommodate volatile and non-volatile manufacturing.

Parcel "D" Parking Requirements – Building 4, 20,000 sq. ft.			
Number of Full Time Employees 12			
Requirement	**Size**	**Required**	**Proposed**
Regular Parking Spaces 1/800 sq. ft.	19' x 8.5'	25	21
Number of Required Accessible Spaces 1/25 spaces	19' x 14'	1	2
Number of Required Bicycle Spaces	6' x 2'	3	5
Number of Required Motorcycle Spaces	7' x 4'	2	2
Number of Required Loading Spaces	35' x 11' x 14'	1	1

Building 5 on the "Remainder" Parcel E will be a 10,000 square foot processing, packaging and distribution. In addition, a 10,000 square foot greenhouse and 43,560 square foot greenhouse nursery used to propagate, clones and seedlings for use on and off-site.

Parcel "E" Parking Requirements – Building 5, 10,000 sq. ft., 10,000 sq. ft. Greenhouse and 43,560 Nursery/Greenhouse			
Number of Full Time Employees 3 Distribution and 4 for Cultivation Activities			
Requirement	**Size**	**Required**	**Proposed**
Regular Parking Spaces 1/800 sq. ft.	19' x 8.5'	79	82
Number of Required Accessible Spaces 1/25 spaces	19' x 14'	4	4
Number of Required Bicycle Spaces	6' x 2'	15	20
Number of Required Motorcycle Spaces	7' x 4'	4	4
Number of Required Loading Spaces	35' x 11' x 14'	1	1

The Rio Dell Municipal Code (RDMC) requires one disabled or accessible space per 25 parking. The handicap space must be permanently signed and the space painted with the international symbol of accessibility. Staff has conditioned the project accordingly. **Please refer to Exhibit A.**

Section 17.30.180(6) of the RDMC identifies the minimum dimensions of parking spaces and aisles. The applicant is proposing perpendicular spaces. The proposed parking space dimensions, 19' x 8.5', and aisle dimensions, 25', complies with the City's parking regulations.

Section 17.30.180(7)(a) of the RDMC requires all parking spaces, access drives and maneuvering areas to be improved with and permanently maintained with an all weather durable asphalt, concrete of comparable surface as required by the Director of Public Works. The submitted site plans indicates that the access drives and parking areas will be improved with asphalt. The applicant shall amend the site/landscaping plan to identify the required parking and loading areas on Parcel "E", the Remainder parcel. The project has been conditioned accordingly, please refer to **Exhibit A**. In addition, staff has included as an operational condition that the paving be permanently maintained in good condition. **Please refer to Exhibit A.**

Section 17.30.180(8) of the RDMC requires that the parking spaces be clearly delineated with white 4 inch wide lines and that the stripping be continuously maintained in a clear and visible manner. The project has been conditioned accordingly. **Please refer to Exhibit A.**

Section 17.30.180(9) of the RDMC requires concrete curbing at least 6 inches in height and 6 inches wide around the perimeter of the parking and landscaped areas. The curbing is allowed to have breaks in it to allow stormwater to pass. The applicant shall submit Improvement Plans identifying the required curbing. The project has been conditioned accordingly. **Please refer to Exhibit A.**

Section 17.30.180(10) of the RDMC identifies driveway and access requirements. The purpose of the driveway provisions is to limit the number of driveways to avoid potential conflicts with pedestrians, bicyclist and vehicles. The number of access drives per parcel shall be the minimum number required to serve the intended use of the parcel. The project as proposed does not create potential conflicts with pedestrians, bicyclist and vehicles. The project has been conditioned to provide an ADA approved (Chapter 11B of the California Building Code) path of travel from Northwestern Avenue to each of the proposed buildings and greenhouses. The project has been conditioned accordingly. **Please refer to Exhibit A.**

Section 17.30.180(10)(b) of the RDMC requires that each access driveway be located a minimum of 50 feet from the nearest intersection, as measured from the centerline of the access road driveway to the centerline of the nearest travel lane of the intersecting street, unless a lesser or greater distance is approved or required by the Director of Public Works. The proposed location of the driveways complies with this regulation.

Section 17.30.180(11)(b) of the RDMC requires that one-way driveways be a minimum of 16 feet wide and two-way driveways be a minimum of 25 feet wide. The project as proposed does comply with the 25' minimum width.

Sections 17.30.180(12), (13) and (14) of the RDMC identifies parking area landscape requirements for parking lots containing 3 spaces or more. Landscaping has to be provided throughout the parking lot as a combination of ground cover, shrubs and trees. With the exception of the "Remainder" parcel, the landscaping plan does incorporate the use of ground cover including grass, shrubs and trees. Staff is recommending that the project be conditioned to require a Landscaping Plan that incorporates the use of ground cover including grass, shrubs and trees for the "Remainder" parcel. **Please refer to Exhibit A.**

Section 17.30.180(13)(i) requires a six foot landscaping strip between the parking area and the street, curb, gutter and sidewalk. The applicant is proposing the required six foot landscaping strip along the front property line, on proposed Parcels B and D parallel to Northwestern Avenue. In addition, the applicant is proposing landscaping strips along the main entrance to the proposed parcels. Staff is recommending that the six foot landscaping strip also be included on the "Remainder" parcel along the front property line parallel to Northwestern Avenue. The project has been conditioned accordingly. **Please refer to Exhibit A.**

Section 17.30.310 et. seq. requires the construction of curb, gutter, sidewalks and street improvements as conditions of approval of an entitlement permit. This is consistent with a number of Goals and Policies of the Circulations Element, including Policies 3-1 and 3-2, requiring pedestrian and bicycle improvements. These regulations and policies are consistent with AB 1328, Complete the Streets legislation and the United States Department of Transportation Policy Statement on bicycle and pedestrian improvements. The project has been conditioned to require curb, gutter, sidewalks and bicycle lane along the frontage of the site. The required improvements shall be identified on the required Improvement Plans. The project has been conditioned accordingly. **Please refer to Exhibit A.**

Section 17.30.180(12)(a)(iii) of the RDMC encourages on-site stormwater detention/retention, pollutant cleansing and groundwater recharge. In addition, the City's Open Space and Conservation Element, Policies CO 5.2-7 and CO 5.6-2 require the incorporation of detention/retention facilities and bio swales. It is the City's policy that there is no net increase in stormwater runoff during a 25 year storm event as a result of a project. The site plan does identify two Low Impact Development (LID) areas on-site. Staff referred the Drainage/Hydraulics Analysis to the City Engineer (GHD) for their review and approval. According to the City Engineer, the applicant's are planning on reducing the overall runoff by using infiltration trenches on site and reducing the impermeable area. This is important for all the development projects in the area to take this approach because the area drainage is problematic to begin with and the area cannot tolerate any increase in runoff. Based on their analysis approach the amount of runoff is projected to decrease by about 50% for the design event. Submittal of final Improvement Plans shall be consistent with the Drainage/Hydraulics Analysis. The project has been conditioned accordingly. **Please refer to Exhibit A.**

Section 17.30.180(13)(a) of the RDMC requires that parking areas be screened from streets and adjoining properties and contains the following perimeter parking landscaping requirements:

(i) A proposed parking area adjacent to a public street shall be designed with a landscaped planting strip between the street right-of-way and parking area with a minimum depth of 6 feet.

(ii) Landscaping within the planting strip shall be designed and maintained to screen cars from view from the street to a minimum height of 18 inches, but shall not exceed any applicable height limit for landscaping within a setback.

(iv) Trees that reach a mature height of at least 20 feet shall be provided within the planting strip in addition to trees within the parking lot interior required by Subsection (a)(v). Trees types shall have root systems that will not extend beyond the planting area.

(v) Plant materials, signs, or structures within a traffic safety sight area of a driveway shall comply with Section 17.30.090(1) (Corner Lots – Sight Distance).

The project has been conditioned accordingly. **Please refer to Exhibit A.**

Section 17.30.180(13)(c) of the RDMC requires that when a parking area is located adjacent to a nonresidential structure, a landscape strip shall be provided adjacent to the structure, exclusive to any building entries or areas immediately adjacent to the wall of the structure that serve as pedestrian access ways. With the exception of the "Remainder" parcel, the project is proposing landscaping strips between the parking areas and the buildings. Staff has conditioned the project to require a landscaping strip between the parking area on the "Remainder" parcel and Building 5. The project has been conditioned accordingly. **Please refer to Exhibit A.**

Section 17.30.180(14) of the RDMC requires that 10% of the gross area of the parking lot be landscaped. The parking areas total approximately 50,000 square feet. Accordingly, about 5,000 square feet of landscaping within or adjacent to the parking area is required. The applicant is proposing approximately 15,000 square feet of landscaping. The proposed landscaping exceeds the required area to be landscaped.

In addition pursuant to Section 17.30.180(14)(a) of the RDMC, trees that reach a minimum height of twenty (20) feet are required within or adjacent to the parking lot at a minimum ration of one (1) tree for every five (5) parking spaces.

Parcel	Required # of Parking Spaces	Required # of Trees
Parcel "A"	52	11
Parcel "B"	25	5
Parcel "C"	53	11
Parcel "D"	25	5

Remainder Parcel	79	16
	Total Required Trees	48

Although the Landscaping Plan identifies a number of trees, it's difficult to tell exactly how many are proposed and what their mature height will be. As such, staff has conditioned the project to require the Landscaping Plan to clearly identify requisite trees. **Please see Exhibit A.**

Pursuant to Section 17.30.180(15) of the RDMC, outdoor lighting fixtures are limited to a maximum height of fifteen (15) feet and the fixtures must be directed downward and away from adjoining properties and public rights-of-way, so that no on-site lighting directly illuminates adjacent properties. The applicant is proposing a number parking lot lighting fixtures. The project has been conditioned so that each light fixture be LED and be directed downward and away from adjoining properties and public rights-of-way and so that no on-site light fixture directly illuminates adjacent properties. **Please see Exhibit A.**

Section 17.30.180(21) of the RDMC identifies the number of required loading spaces. Industrial and manufacturing uses are required to provide 1 loading space for 5,000 to 40,000 square feet of gross floor area. Loading spaces must be at least 11' x 35' and have at least 14 feet of vertical clearance. The project as proposed complies with the required number of loading space.

Loading areas are to be screened with a combination of dense landscaping and solid masonry walls with a minimum height of six feet. However, there is an exception to the location and screening requirements where the Community Development Director in consultation with the Director of Public Works may modify these requirements. The loading areas must be striped and identified for "loading only" and the striping and notation must be continuously maintained in a clear and visible manner. Staff has conditioned the project accordingly. **Please refer to Exhibit A.**

Section 17.30.300 includes the City's sign regulations. The project has been conditioned to require compliance with the sign regulations. **Please see Exhibit A.**

Design Review

Section 17.25.050 *et. seq.* for the RDMC contains the Design Review Regulations. The Design Review Regulations apply to new buildings and/or structures. The Planning Commission is required to review and approve, conditionally approve, or deny Design Review applications using the guiding principles and design concepts, application review process, and findings identified in Section 17.25.050(8) of the RDMC. Below are the Guiding Principles and Design Concepts:

- To encourage high quality land/site planning, architecture and landscape design;

- To ensure physical, visual, and functional compatibility between uses: and

- To ensure proper attention is paid to site and architectural design, thereby protecting land values.

As indicated above the project is also subject to the required Design Review findings found in Section 17.25.050(8) of the RDMC. The required findings are as follows:
(1) The proposed project is consistent with the objectives of the General Plan, complies with applicable Zoning regulations, Specific Plan provisions, Special Planning Area provisions, and is consistent with the applicable "Guiding Principles" and "Design Concepts" in ***Section 17.250.050(5)*** *Rio Dell Municipal Code (RDMC).*

Staff will address General Plan consistency in Section 2 of this staff report. The zoning consistency analysis was provided previously. This section of the staff report is addressing landscaping and design review.

Below are the adopted Design Concepts for Site Planning for commercial developments.

- *Design of new development with particular attention to compatibility between non-residential and adjacent residential uses/properties within the project vicinity.*

There are no residential uses or properties within the project's vicinity.

- *A unified design theme for integrated developments. All buildings within an integrated development shall be designed consistent with the approved design theme.*

The proposed building designs are consistent with one another within the project site. It should be noted that the Stakeholders did not want a uniform design theme for the Humboldt Rio Dell Business Park as long as the building designs exhibited quality, aesthetically pleasing projects.

- *Pedestrian-friendly design which incorporates pedestrian amenities and outdoor gathering places into the project design with consideration given to the climate and planned use of space.*

The project proposes an interior pedestrian walkway with separated sidewalks that incorporate a planter strip between the back of the curb and the sidewalk. Staff is also recommending that the frontage of the proposed parcels parallel to Northwestern Avenue be improved to require curb, gutter, sidewalks and bicycle lane along the frontage of the site. In addition, the project has also been conditioned to provide an ADA approved (Chapter 11B of the California Building Code) path of travel from Northwestern Avenue to each of the proposed buildings and greenhouses. The project has been conditioned accordingly. **Please refer to Exhibit A.**

- *A streetscape appearance that defines the pedestrian and vehicle corridor and presents*

an appealing and continuous theme along a sidewalk or street.

The proposed landscaping strips adjacent to the access road and the two landscaped medians near the end of the access road does provide an appealing streetscape.

- *Office and light industrial parks and integrated employment campuses that provide outdoor areas for eating and sitting, retail and service venues as appropriate, and other amenities for project employees.*

Staff is recommending that each parcel provide an outdoor area for eating and sitting. The project has been conditioned accordingly. **Please refer to Exhibit A.**

- *Design flexibility for mixed-use development that ensures compatibility of use types and promotes beneficial relationships among uses.*

The proposed project is not a mixed-use development. The proposed development is focused on the legal commercial cannabis industry.

- *Where feasible, design streets with separated sidewalks that incorporate a planter strip between the back of curb and sidewalk.*

The project proposes an interior pedestrian walkway with separated sidewalks that incorporate a planter strip between the back of the curb and the sidewalk.

(2) The proposed architecture, site design, and landscape are suitable for the purposes of the building and the site and will enhance the character of the neighborhood and community.

Attachment 2 includes proposed building elevations of the five (5) buildings. The proposed colors are gray walls with tan roofs and doors. The entrances to the buildings are covered, gable roofs with timber framing and stone veneer bases. The Design Review adopted Design Concepts encourages the following:

- *High quality building designs that consist of durable and maintainable materials and that provide visual interest and diversity to the community.*

The proposed buildings are metal buildings which of course are durable and maintainable. However, they are somewhat plain and nondescript. At a minimum staff is recommending that the front's of the buildings incorporate a three (3) foot stone veneer. This is the same condition that the Planning Commission applied to the Wendt project. As such, staff has conditioned the project to be consistent with the approval of the Wendt project. **Please refer to Exhibit A.**

- *Use of an architectural style and or/theme for new non-residential development that is consistent for building elevations of a single structure or consistent among all buildings*

within an integrated development.

The proposed five (5) buildings are consistent with one another in regards to the architectural style.

- *Design of buildings or structures that are sensitive to the neighborhood character with regard to scale, architectural style, use of materials and bulk.*

The proposed buildings are consistent to the character of the area in regards to scale, style, materials and bulk. However, other than the existing former mill building which is green in color, both the Wendt building and Glenn White's buildings and the pending Mountain Investment buildings will incorporate tan, brown and complimenting earth tones. In addition, the existing Moore Fuel building is also finished in earth tone colors.

- *Interesting and attractive architecture which includes varied relief of the facade elements and detailed articulation of the building features.*

Staff believes with the inclusion of the recommended condition that the front's of the buildings incorporate a three (3) foot stone veneer and the proposed timber framing at the covered entrances that the project could be found consistent with this adopted concept.

- *Incorporate quality site design, including landscaping, signage and other elements of site design.*

Staff has previously addressed the landscaping in the zoning consistency analysis. Based on the submitted plans and recommended conditions of approval, staff believes that the design of the building and associated landscaping certainly enhances the character of the area and community.

(3) The architecture, including the character, scale and quality of the design, relationship with the site and other buildings, building materials, screening of exterior appurtenances, exterior lighting and signing and similar elements establishes a clear design concept and is compatible with the character of existing or anticipated buildings on adjoining and nearby properties.

Just south of the project site is the large green metal building which currently houses Humboldt Rotational Molding. Southeast of the project site is the former office building for Eel River Sawmills, which is also painted green. Staff believes the proposed buildings and associated landscaping is compatible with the nearby properties.

The applicant is proposing to screen the trash/recycling bins. Staff is recommending that any other freestanding equipment, including propane tanks, back-up generators and HVAC equipment also be screened. If roof-top HVAC systems are proposed, staff is recommending that they be placed on the back side of the roofs. Staff is also recommending that utilities be

placed underground. The project has been conditioned accordingly. **Please see Exhibit A.**

Staff has previously addressed the proposed exterior lighting associated with the project. In regards to signage, Section 17.30.300 of the RDMC identifies the City's sign regulations.

4) The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation.

As previously indicated based on the project location, surrounding uses and anticipated levels of use and the recommended conditions of approval, staff believes there is no evidence that the proposed development would result in future potential conflicts with pedestrians, bicyclist and vehicles.

As the Planning Commission is aware, the City commissioned a Traffic Impact Study (TIS) for the site and the potential development. Based on current and future conditions, W-Trans concluded that access to and from the Business Park is adequate. However, the City has requested that W-Trans identify potential improvements and funding mechanisms, including the establishment of a Traffic Impact Fee.

Based on the information submitted, the proposed buildings and associated landscaping do comply with the City's Design Review Regulations.

2. General Plan Consistency

The proposed use is consistent with the General Plan and any applicable specific plan;

The General Plan designation is also Industrial Commercial. The purpose of the Industrial Commercial designation is to provide for industrial and commercial uses. AS the Commission is aware, commercial cannabis activities are allowed with a Conditional Use Permit. The Use Permit for the Cannabis related activities will be as a separate item.

The General Plan encourages landscaping to minimize visual impacts and ensure compatibility with adjacent and surrounding properties. The project has incorporated landscaping elements that will enhance the appearance of the project and the surrounding properties.

Again, the General Plan includes a number of Goals and Policies in the Circulations Element that apply to pedestrian and bicycle improvements. Goals include developing and maintaining a safe, balanced vehicular and non-vehicular (i.e. pedestrian, bicycle) transportation system and encourage bicycle and walking as an alternative to vehicular use. The project as conditioned is consistent with these goals and policies.

In addition, the proposed project is consistent with the following General Plan goal: "To promote a variety of commercial uses and allow light manufacturing in appropriate commercial areas."

There are no other goals or policies which would preclude the proposed use in the Industrial Commercial designation. Therefore, the proposed use as conditioned is consistent with the General Plan.

3. California Environmental Quality Act

Based on the nature of the project and the recommended conditions of approval, staff has determined that the project is Statutorily Exempt pursuant to Section 15061(b) (3) of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations. Pursuant to Section 15061(b) (3) of the CEQA Guidelines this exemption is covered by the general rule that CEQA applies only to projects which have the potential for causing a ***significant*** effect on the environment. Where it can be seen with certainty that there is no possibility that the project in question may have a significant effect on the environment, the project is not subject to CEQA. Based on the nature of the proposed development, staff believes there is no evidence to suggest that the site design and the design of the buildings will have a ***significant*** effect on the environment.

Attachments:

Attachment 1: Proposed Building Elevations, Site Plan and Landscaping Plan.

Attachment 2: Exhibit A, Conditions of Approval

Attachment 3: Resolution No. PC 122-2018 approving the Design Review Conditional Use Permit subject to the recommended Conditions of Approval in Exhibit A.

LANDSCAPE SCHEDULE

ID	SCIENTIFIC	COMMON	POT	Native
DECIDUOUS TREES				
EM	*Acer macrophyllum*	Big Leaf Maple	5 gal	Native
AP	*Proven Variety - TBD*	Apple, Varieties TBD	5 gal	Fruit
PL	*Proven Variety - TBD*	Plum, Varieties TBD	5 gal	Fruit
CONIFEROUS & EVERGREEN TREES				
SS	*Picea sitchensis*	Sitka Spruce	1 gal	Native
BF	*Pinus contorta ssp contorta*	Shore Pine	5 gal	Native
RD	*Sequoia sempervirens*	Coast Redwood	1 gal	Native
WX	*Myrica californica*	Wax Myrtle	5 gal	Native
DECIDUOUS SHRUBS				
RC	*Ribes sanguineum*	Red Flowering Currant	5 gal	Native
SW	*Salix lucida ssp. lasiandra*	Shining Willow	1 gal	Native
EE	*Vaccium Blueberry*	Blueberry	1 gal	Fruit
EVERGREEN SHRUBS				
CB	*Braccharis pilularis*	Coyote Brush	1 gal	Native
BK	*Archostaphylos uva-ursi*	Bear Berry Kinnickinick	1 gal	Native
HK	*Vaccium ovatum*	California Huckleberry	1 gal	Native
ST	*Garrya elliptica*	Silk Tassel	5 gal	Native
SL	*Gaultheria shallon*	Salal	1 gal	Native
RM	*Rusmarinus officinalis*	Rosemary, 'Tuscan Blue'	1 gal	Edible
HERBACEOUS / RUSH / SEDGE				
SR	*Juncus effusus var. brunnei*	Soft Rush	1 gal	Native
SL	*Juncus falcatus var. falcatus*	Sickleleaf Rush	1 gal	Native
SF	*Polystichum munitum*	Sword Fern	1 gal	Native
ER	*Sciipus acutus*	Hard-stemmed Bulrush	5 gal	Native
GRASSES / VINES / GROUNDCOVERS				
CY	*Achillea millefolium*	Common Yarrow	4"	Native
HS	*Lonicera hispidula*	Honeysuckle	1 gal	Native
CP	*Eschscholzia ca.'maritima'*	California Poppy	4"	Native
CL	*Trifolium microdon*	Clover	seed	Native
RF	*Festuca rubra*	Red Fescue (Humboldt)	plug	Native
PR	*Calamagrostis nutkaensis*	Pacific Reed-Grass	plug	Native
CS	*Fragaria chiloensis*	Coastal Strawberry	4"	Native
MULCH / GRAVEL				
-	Redwood Wood Mulch	Mulch 4" thick	Cover	N/A
-	Woodchips (ASTM 1295)	12" thick	Cover	N/A
-	3/4 River Rock	3" thick	Cover	N/A
-	Washed Pea Gravel	3" thick	Cover	N/A

LANDSCAPE NOTES:

1. THE LANDSCAPE PLANTING SCHEDULE ABOVE SHALL BE UTILIZED FOR THE FINAL LANDSCAPE PLANTING PLAN TO BE SUBMITTED AS PART OF BUILDING PERMIT APPLICATION.

2. THE LANDSCAPE SHALL BE IN COMPLIANCE WITH "STMP (WETLANDS/ESHA) POLICY 14," AS FOLLOWS:
A). EXOTIC PLANTS SHALL BE LIMITED TO OUTDOOR LANDSCAPED AREAS IMMEDIATELY ADJACENT TO THE PROPOSED DEVELOPMENT.
B). ALL NEW LANDSCAPING FOLLOWS THE CA NATIVE PLANT SOCIETY "GUIDELINES FOR LANDSCAPING TO PROTECT NATIVE VEGETATION FROM GENETIC DEGRADATION."
C). REMOVE ALL EXISTING INVASIVE NON-NATIVE SPECIES PRIOR TO PLANTING. THE PLANTING OF ANY NEW INVASIVE NON-NATIVE PLANTS IS PROHIBITED.
D). NO PLANT SPECIES LISTED AS PROBLEMATIC AND/OR INVASIVE AND/OR AS A "NOXIOUS WEED" BY THE CNPS, THE CALIFORNIA INVASIVE PLANT COUNCIL, THE STATE OF CALIFORNIA, OR THE U.S. FEDERAL GOVERNMENT SHALL BE USED IN ANY PROPOSED LANDSCAPING.
E). ALL NEW LANDSCAPING SHALL CONSIST PRIMARILY OF NATIVE, REGIONALLY APPROPRIATE, DROUGHT-TOLERANT PLANTS
F). INCLUDE APPROPRIATE WATER CONSERVATION MEASURES . THERE WILL BE NO PERMANENT IRRIGATION SYSTEM AT ALL.

3. VERIFY SUBSURFACE UTILITIES. LOCATIONS OF PLANTS MAY NEED TO BE ADJUSTED BY CONTRACTOR IN ORDER TO AVOID CONFLICT. VERIFY PRIOR TO DIGGING AND SUBMIT RFI FOR APPROVAL OF ADJUSTMENTS.

4. HOLD SITE CONFERENCE DURING ROUGH GRADING. VERIFY FINISH GRADES PRIOR TO START OF PLANTING.

5. SECURE ALL TREES WITH (2) 6 FOOT LONG 2" Ø TREE STAKES w/ (2) RUBBER TIES.

6. MULCH PLANTING BEDS WITH 4 INCHES THICK LAYER OF SHREDDED REDWD BARK PLACED OVER (3) LAYERS OF CARDBOARD WITH LAPPED EDGES. IN SWALES, DO NOT USE BOUYANT MULCH, COVER GROUND SURFACE IN 3 INCH THICK LAYER OF <1/2" Ø WASHED RIVER ROCK OR PEA GRAVEL. IN PLAYSCAPE AREAS USE ASTM F1292, F2075, & F1951 TESTED ENGINEERED WOOD CHIPS.

7. PROVIDE TEMPORARY IRRIGATION SYSTEM, NO PERMANENT IRRIGATION TO BE INSTALLED. PROVIDE HOSE BIBS AND RAIN BARRELS PER PLAN FOR WATERING OF FRUIT TREES AND VEGETABLE GARDENS.

8. SUBMIT WRITTEN RFI FOR ANY PROPOSED SUBSTITUTIONS OR DEVIATIONS FROM THE LANDSCAPE PLAN.



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APN: 205-111-069

PROPOSED SITE PLAN

Drawing Status:
DESIGN REVIEW
NOT FOR CONSTRUCTION

Issue Date:
04 SEPT 2017

Revisions:
1. 09 APR 2018 BLDG ELEVATIONS
2. 16 APR 2018 UPDATED RENDERINGS
3. 19 APR 2018 PARCEL "E" IMPROVEMENTS

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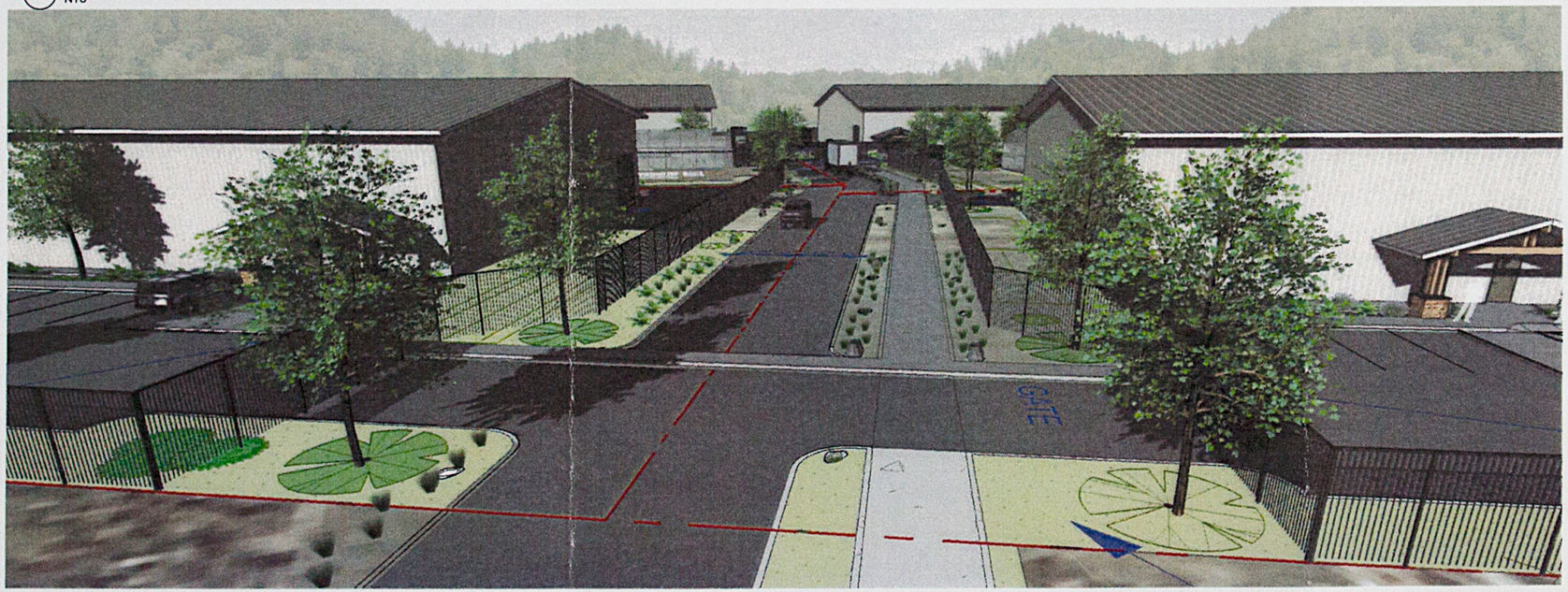
A1



2 CENTRAL DRIVEWAY
NTS



1 ENTRANCE DRIVEWAY
NTS

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PERSPECTIVES

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Sheet No.
A3



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RIO DELL HOLDINGS, LLC

NEW INDUSTRIAL PARK
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APN: 205-111-069

OVERALL 3D VIEW

Drawing Status:
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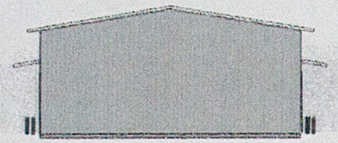
Sheet No.
A2



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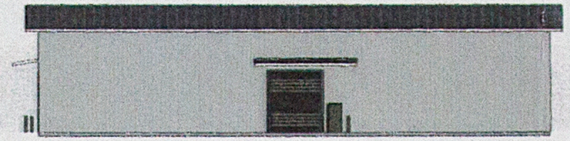

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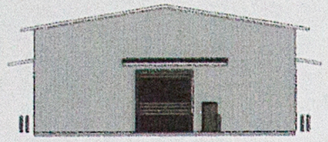

3 ELEVATION - NORTH - BLDG 4
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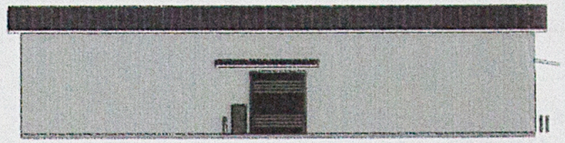

4 ELEVATION - EAST - BLDG 4
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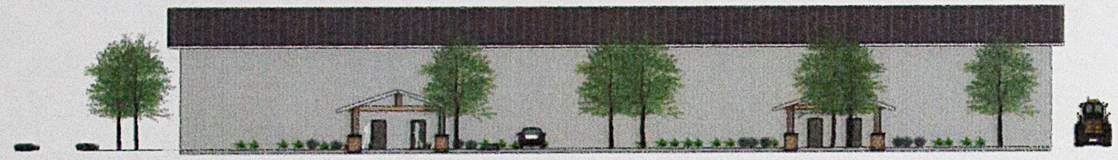

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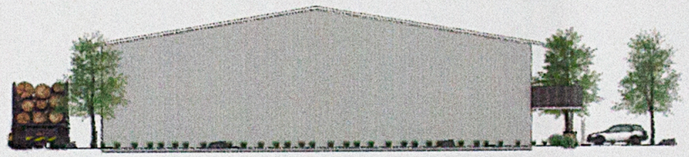

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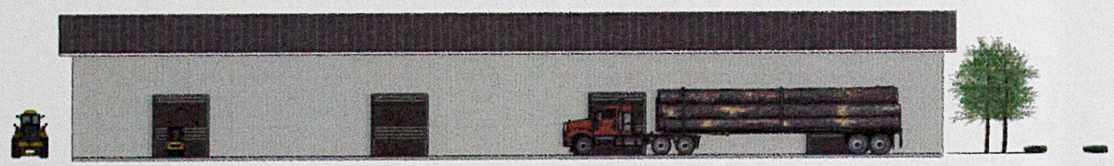

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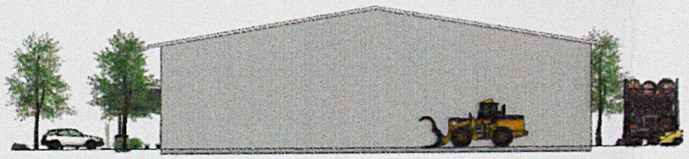

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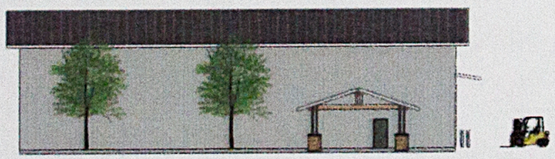

9 ELEVATION - SOUTH - BLDG 6
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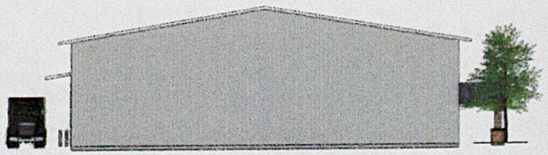

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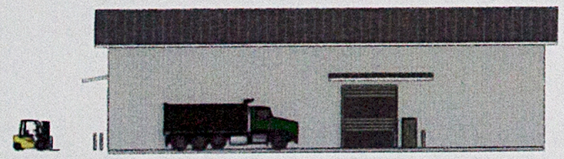

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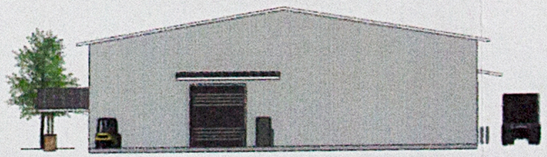

12 ELEVATION - EAST - BLDG 6
Scale: 1/16" = 1'-0"

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APN: 205-111-069

ELEVATIONS C

Drawing Status:
DESIGN REVIEW
NOT FOR CONSTRUCTION

Issue Date:
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1 09 APR 2018 BLDG ELEVATIONS
2 16 APR 2018 UPDATED RENDERINGS
3 19 APR 2018 PARCEL 'E' IMPROVEMENTS

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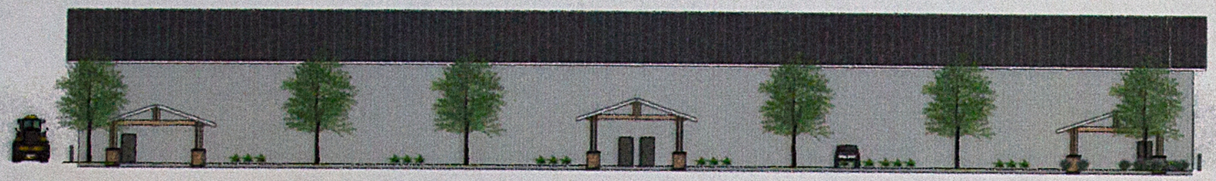


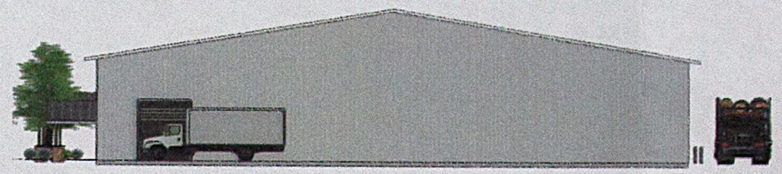
1 ELEVATION - SOUTH - BLDG 1
Scale: 1/16" = 1'-0"



2 ELEVATION - WEST - BLDG 1
Scale: 1/16" = 1'-0"



3 ELEVATION - NORTH - BLDG 1
Scale: 1/16" = 1'-0"



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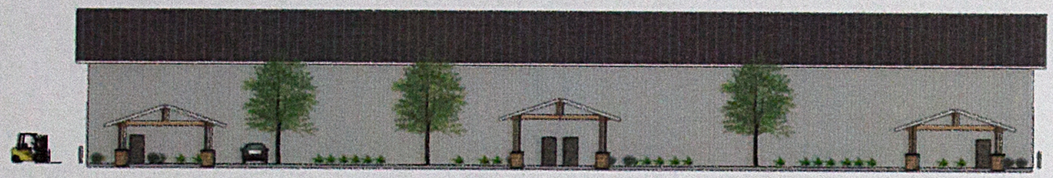

5 ELEVATION - SOUTH - BLDG 2
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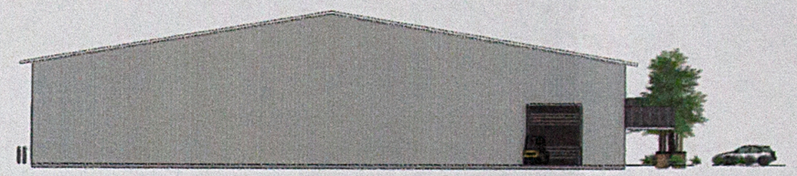

6 ELEVATION - WEST - BLDG 2
Scale: 1/16" = 1'-0"



7 ELEVATION - NORTH - BLDG 2
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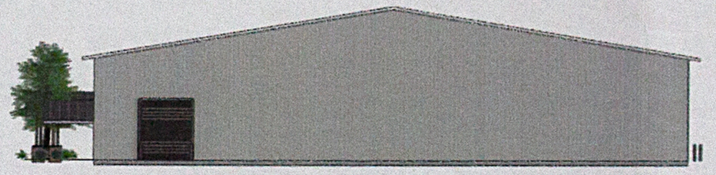

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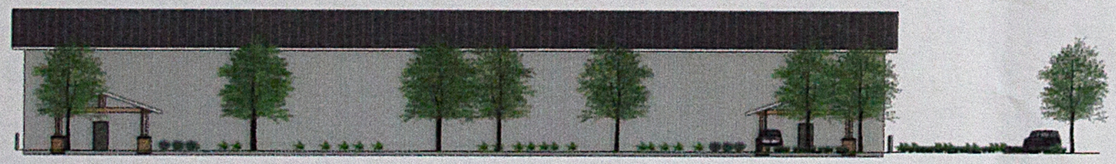

9 ELEVATION - SOUTH - BLDG 3
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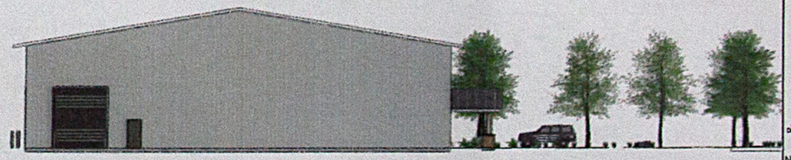

10 ELEVATION - WEST - BLDG 3
Scale: 1/16" = 1'-0"



11 ELEVATION - NORTH - BLDG 3
Scale: 1/16" = 1'-0"



12 ELEVATION - EAST - BLDG 3
Scale: 1/16" = 1'-0"

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RIO DELL, CA
APN: 205-111-069

ELEVATIONS B

Drawing Status:
DESIGN REVIEW
NOT FOR CONSTRUCTION

Issue Date:
04 SEPT 2017

1	09 APR 2018 BLDG ELEVATIONS
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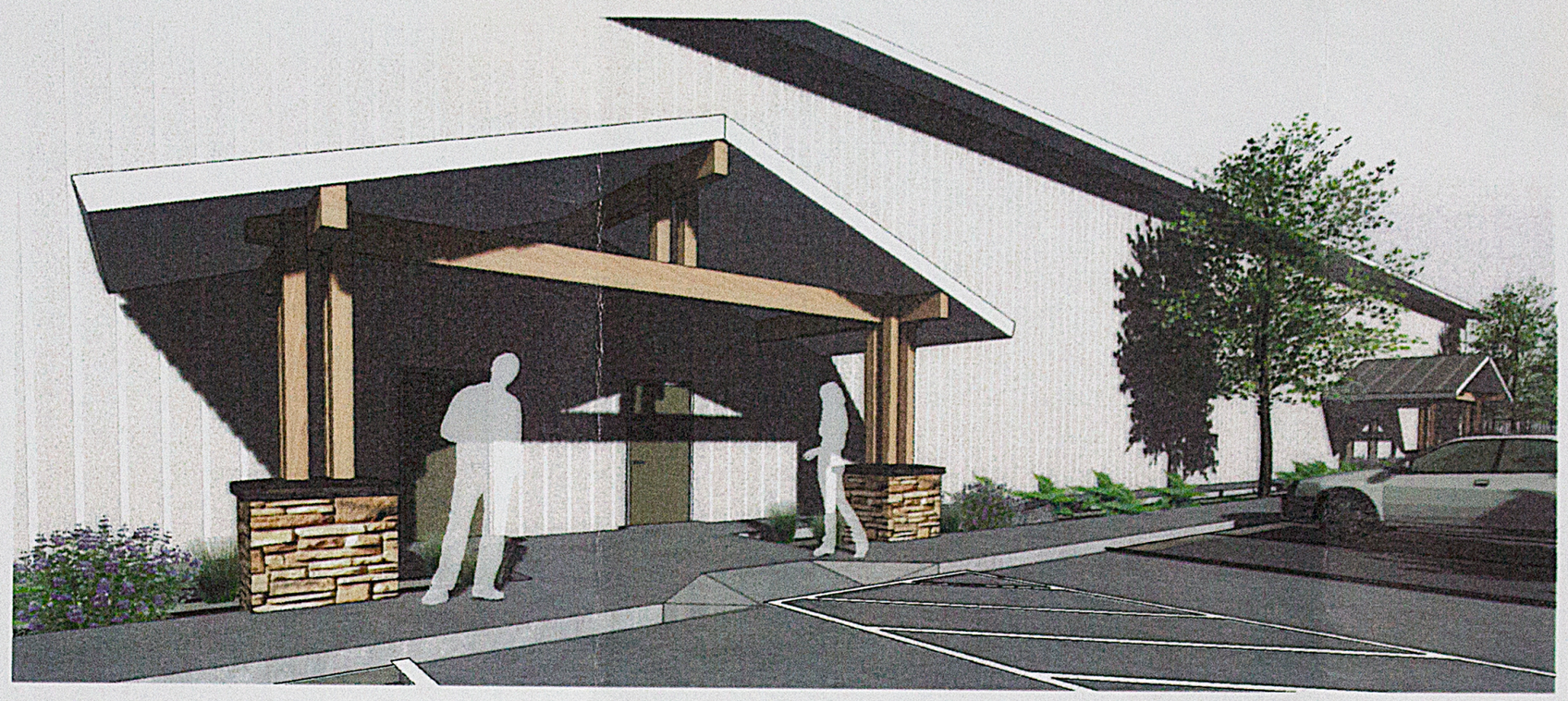
A5



1 ENTRY PORCH PERSPECTIVE
NTS



2 SOUTH ELEVATION - BLDGS 3 & 5 - FACING HWY 101
Scale: 1" = 20 ft



3 WEST ELEVATION - BLDGS 1 & 3
Scale: 1" = 20 ft

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RIO DELL HOLDINGS, LLC
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ELEVATIONS A

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Sheet No.
A4

EXHIBIT A

Conditions of Approval

Rio Dell Holdings Design Review Conditional Use Permit

Case No. DR-CUP 18-01

APN 205-111-069

Conditions of Approval

1. The applicant shall comply with the Department of Toxic Substances Control's following conditions. Written verification from the Department of Toxic Substances Control is required prior to the occupancy of the buildings.

   - Removal of all soil piles generated during the 2011 implementation of the Interim Removal Action;

   - Sign a Consent Order with the DTSC for the remediation of soil and groundwater originating within APN 205-111-069;

   - Monitor groundwater in accordance with the North Coast Regional Water Quality Board's (RWQCB's) Monitoring and Reporting Program No. R1-2013-0073 dated November 12, 2013, or updates to the monitoring program approved by the RWQCB and DTSC.

   - Submit a draft Removal Action Workplan addressing soil and groundwater contamination originating within APN 205-111-069.

2. Flood Elevation Certificates shall be submitted verifying that the finished floor of all buildings is one (1) foot above the Base Flood Elevation (BFE). The proposed greenhouses shall be designed to allow flood waters pass through the building consistent with FEMA regulations.

3. All utilities shall be placed underground.

4. The handicap spaces must be permanently striped, signed and the space painted with the international symbol of accessibility consistent with Chapter 11B of the California Building Code (CBC).

5. The parking spaces shall be 8.5' wide and 19' deep and must be clearly delineated with white 4 inch wide lines and that the stripping be continuously maintained in a clear and visible manner.

6. Each parcel shall be provided with screened loading areas 11' wide, 35' deep with 14' of vertical clearance as required by Section 17.30.220(21) of the RDMC. Each loading space must be striped and identified for "loading only" and the striping and notation must be continuously maintained in a clear and visible manner.

7. The applicant shall provide the required 6' x 2' bicycle parking spaces for each parcel as identified in Section 17.30.220(19) of the RDMC.

8. The applicant shall provide the required 7' x 4' motorcycle parking spaces for each parcel as identified in Section 17.30.220(20) of the RDMC.

9. Pursuant to Section 17.30.180(9) of the RDMC the applicant shall provide concrete curbing at least 6 inches in height and 6 inches wide around the perimeter of the parking and landscaped areas. The curbing is allowed to have breaks in it to allow stormwater to pass. The applicant shall submit Improvement Plans identifying the required curbing.

10. The applicant shall provide an ADA approved (Chapter 11B of the California Building Code) path of travel from Northwestern Avenue to each of the proposed buildings and greenhouses.

11. The applicant shall submit Improvement Plans identifying the following. The plans shall be reviewed approved by the City Engineer. The applicant shall be responsible for the costs of the review and approval.

    - All utilities, driveway approaches, travel lanes, curbs, gutters, sidewalks, drainage improvements consistent with the submitted Drainage/Hydraulics Analysis, including existing facilities and proposed facilities, fire hydrant locations, no parking areas and any other items deemed necessary by the City Engineer.

12. Curbs and gutters shall be provided on both sides of the access road as shown on the Site Plan. A PCC Caltrans Type A1-6 curb shall be provided. Sawcuts will be required to ensure a uniform joint between the existing asphalt and the gutter. A five (5) foot separated sidewalk shall be provided on the east side of the access road as shown on the Site Plan. The planting strip shall be a minimum of six (6) feet.

13. Curbs, gutters and a five (5) foot sidewalk shall be provided parallel to the southerly property line along Northwestern Avenue. A PCC Caltrans Type A1-6 curb shall be provided. The applicant shall pave any area between the new gutter and the existing asphalt. When widening hot mix (asphalt roads) the widened road shall be paved with hot mix. A sawcut is required to ensure a uniform joint between the existing and new pavement. The location of the sawcut shall be approved by the Department of Public Works. The structural section of all new asphalt include a minimum of 0.2 foot of Caltrans Type B hot mix (asphalt) over 0.67 foot of Caltrans Class 2 aggregate base. If

required by the City Engineer, the structural section of all new roads shall be determined by Caltrans R-Value method using a Traffic Index (T.I.) approved by the City Engineer. Based on soil conditions, the City Engineer may also require a geotextile fabric to be placed on top of the sub grade.

14. All improvements in or on City roads or easements shall require an Encroachment Permit.

15. The applicant cleanout and/or repair all existing on-site culverts and drainage ditches to allow the unimpeded flow of stormwater.

16. The applicant shall cleanout and/or repair the existing culverts on the NWPR parcel south of the existing on-site drainage ditch.

17. The applicant shall cleanout and/or repair any existing culvert(s) under the proposed driveway/access road from Northwestern Avenue.

18. The applicant shall grade the existing drainage ditch parallel to Northwestern Avenue to direct stormwater flows to the northwest.

19. The applicant shall revise the Landscaping Plan to incorporate the use of ground cover including grass, shrubs and trees for the "Remainder" parcel. The Landscaping Plan shall include irrigation details.

20. A six (6) foot landscaping strip shall be provided on the "Remainder" parcel along the front property line parallel to Northwestern Avenue. This requirement shall be identified on the required Improvement Plans.

21. The applicant shall provide a six (6) foot landscaping strip between the parking area on the "Remainder" parcel and Building 5. The required landscaping strip shall be identified on the required Improvement Plans.

22. The applicant shall provide trees that reach a minimum height of twenty (20) feet within or adjacent to the parking lot at a minimum ration of one (1) tree for every five (5) parking spaces. See below. The Landscaping Plan shall be revised accordingly.

Parcel	Required # of Parking Spaces	Required # of Trees
Parcel "A"	52	11
Parcel "B"	25	5
Parcel "C"	39	8
Parcel "D"	25	5
Remainder Parcel	79	16
	Total Required Trees	45

23. LED light fixtures not exceed fifteen (15) feet in height shall be used and be directed downward and away from adjoining properties and public rights-of-way and so that no on-site light fixture directly illuminates adjacent properties.

24. The applicant shall screen (fencing or landscaping) all freestanding equipment, including propane tanks, back-up generators and HVAC equipment. If roof-top HVAC systems are proposed, they be shall placed on the back side of the roofs.

25. The applicant provide an outdoor area for eating and sitting, including benches and/or picnic table on each parcel.

26. The front of the buildings shall incorporate a three (3) foot stone veneer along the bottom walls of the buildings. The submitted Construction Plans shall reflect this condition of approval.

27. Any proposed signage shall comply with the City Sign Regulations in effect at the time.

28. The applicant shall install fire hydrants in a location acceptable to the Fortuna Fire Protection District.

29. Future construction of the building will be required to comply with local, state and federal flood regulations.

Operational Conditions

1. All outdoor storage materials and equipment shall be screened from public view.

2. The building, parking lot, stripping and landscaping shall be maintained in good condition. The stripping shall be permanently maintained in a clear and visible manner.

3. The storm drain system, including the detention/retention basin shall be maintained to ensure it works properly.

4. Each light fixture shall be directed downward and away from adjoining properties and public rights-of-way and so that no on-site light fixture directly illuminates adjacent properties.

Informational Notes

1. If potential archaeological resources, paleontological resources or human remains are unearthed during grading activities, all work ground disturbing activities shall be stopped and a qualified archaeologist funded by the applicant and approved by the City of Rio Dell and the

Bear River Band of the Wiyot Nation, shall be contracted to evaluate the find, determine its significance, and identify any required mitigation (e.g., data recovery, resource recovery, in-situ preservation/capping, etc.). Any such mitigation shall be implemented by the developer prior to resumption of any ground disturbing activities.

2. In accordance with California Health and Safety Code §7050.5 and California Public Resources Code §5097.94 and 5097.98, if human remains are uncovered during project subsurface construction activities, all work shall be suspended immediately and the City of Rio Dell, Humboldt County Coroner and the Bear River Band of the Wiyot Nation shall be immediately notified. If the remains are determined by the Coroner to be Native American in origin, the Native American Heritage Commission (NAHC) shall be notified within 24 hours of the determination, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains.

RESOLUTION NO. PC 122-2018

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIO DELL APPROVING THE RIO DELL HOLDINGS DESIGN REVIEW CONDITIONAL USE PERMIT.

WHEREAS Rio Dell Holdings has submitted an application for a Design Review Conditional Use Permit for six buildings located at the Humboldt Rio Dell Business Park; and

WHEREAS The Conditional Use Permit is for the Design Review of six buildings ranging in size from 6,600 to 36,400 square feet, their associated landscaping and for cannabis related activities, including indoor (44,000 sq. ft.) and greenhouse (10,000 sq. ft.) cultivation, processing, packaging, volatile and non-volatile manufacturing, distribution and an on-site 43,560 square foot nursery which will be used to propagate, clones and seedlings for use on and off-site.; and

WHEREAS the property is zoned Industrial Commercial (IC); and

WHEREAS the purpose of the Industrial Commercial zone is to provide for industrial and commercial uses; and

WHEREAS although no specific use has been proposed at this time, it's anticipated that the building will be used for medical cannabis related manufacturing; and

WHEREAS the building is subject to the City's Design Review regulations, Section 17.25.050 *et seq* of the Rio Dell Municipal Code; and

WHEREAS the City processed the application pursuant to Section 17.25.050 of the Rio Dell Municipal Code; and

WHEREAS the project as proposed is consistent with the City's adopted Design Review Guiding Principles and Concepts, which are:

- To encourage high quality land/site planning, architecture and landscape design;
- To ensure physical, visual, and functional compatibility between uses: and

- To ensure proper attention is paid to site and architectural design, thereby protecting land values.

WHEREAS the proposed project has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA); and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Rio Dell finds that ***as conditioned***:

- The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of Rio Dell Municipal Code; and

- The proposed use is consistent with the General Plan and any applicable specific plan; and

- The proposed use is consistent with the City's Design Review regulations; and

- The proposed architecture, site design, and landscape are suitable for the purposes of the building and the site and will enhance the character of the neighborhood and community; and

- The architecture, including the character, scale and quality of the design, relationship with the site and other buildings, building materials, screening of exterior appurtenances, exterior lighting and signing and similar elements establishes a clear design concept and is compatible with the character of existing or anticipated buildings on adjoining and nearby properties; and

- The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation; and

- Based on the nature of the project and the recommended conditions of approval, staff has determined that the project is Statutorily Exempt pursuant to Section 15061(b) (3) of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations. Pursuant to Section 15061(b) (3) of the CEQA Guidelines this exemption is covered by the general rule that CEQA applies only to projects which have the potential for causing a ***significant*** effect on the environment. Where it can be seen with certainty that there is no possibility that the project in question may have a significant effect on the environment, the project is not subject to CEQA. Based on the nature of the proposed development, staff believes there is no evidence to suggest that the site design and the design of the buildings will have a ***significant*** effect on the environment.

I HEREBY CERTIFY that the forgoing Resolution was PASSED and ADOPTED at a regular meeting of the Planning Commission of the City of Rio Dell on April 24, 2018 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____

Nick Angeloff, Chairperson

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Resolution No. PC 122-2018 adopted by the Planning Commission of the City of Rio Dell on April 24, 2018.

_____

Karen Dunham, City Clerk, City of Rio Dell

675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532

For Meeting of: April 24, 2017

To: Planning Commission

From: Kevin Caldwell, Community Development Director

Through: Kyle Knopp, City Manager

Date: April 18, 2018

Subject: Rio Dell Holdings Cannabis Activities Conditional Use Permit
File No. 205-111-069; Case No. CUP-CCLUO-18-02

Recommendation:

That the Planning Commission:

1. Receive staff's report regarding the proposed Conditional Use Permit;

2. Open the public hearing, receive public input, close the public hearing and deliberate;

3. Assuming that public testimony is substantially in support of the proposal, find that:

   (a) The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this title and all other City ordinances;

   (b) The proposed use is consistent with the general plan and any applicable specific plan;

   (c) The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity;

(d) The site is physically suitable for the type, density and intensity of use being proposed, including access, utilities, and the absence of physical constraints;

(e) Granting the permit would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located; and

(f)The Conditional Use Permit has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA);

4. Adopt Resolution No. PC 123-2018 approving the Conditional Use Permit, subject to the Conditions of Approval, Exhibit A.

Background

The Conditional Use Permit is for the cannabis related activities. Attachment 1 includes the Plan of Operations for the proposed uses. The Plan of Operations addresses, employees, traffic, security, waste management, etc. The Planning Commission is scheduled to consider the Design Review CUP prior to the Cannabis CUP.

Rio Dell Holdings is proposing six (6) buildings ranging in size from 6,600 to 36,400 square feet, their associated landscaping and for cannabis related activities, including indoor (44,000 sq. ft.) and greenhouse (20,000 sq. ft.) cultivation, processing, packaging, volatile and non-volatile manufacturing, distribution and an on-site 43,560 square foot nursery which will be used to propagate, clones and seedlings for use on and off-site.

Required Findings/Staff Analysis

Section 17.35.030 Rio Dell Municipal Code (RDMC) Conditional Use Permits.

1. Zoning Consistency

(a) The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this title and all other City ordinances;

Land Use: The property is zoned Industrial Commercial (IC). The purpose of the Industrial Commercial zone is to provide for industrial and commercial uses. Again, the applicant is proposing five (5) commercial buildings. The buildings will be used for cannabis activities. Section 17.30.195 the City's Commercial Cannabis Land Use Ordinance (CCLUO), allows commercial cannabis activities at the former Eel River Sawmill site, now known as the Humboldt Rio Dell Business Park with a Conditional Use Permit (CUP).

Building 1 on Parcel A (2.80 acres) will be 36,400 square feet and will accommodate 22,000 square feet of indoor cultivation and approximately 14,400 square feet of office, space, restrooms, a break room and storage. The parcel will also be developed with a 5,000 square foot greenhouse.

Building 2 on Parcel C (2.86 acres) will be 30,800 square feet and will also accommodate 22,000 square feet of indoor cultivation and approximately 8,800 square feet of office, space, restrooms, a break room and storage. The parcel will also be developed with a 5,000 square foot greenhouse.

Building 3 on Parcel B (1.48 acres) will be 20,000 square feet and will accommodate the drying/curing of cannabis plants, processing, trimming, grading and packaging.

Building 4 on Parcel C (2.86 acres) will be 6,600 square feet and will be used for storage and maintenance workshop.

Building five (5) on Parcel D (1.50 acres) will also be 20,000 square feet and will accommodate volatile and non-volatile manufacturing. The applicant is proposing a State Type 7 manufacturing facility license which includes extractions using volatile solvents, non-volatile solvents, and mechanical methods. Methods for nonvolatile manufacturing are to include Pressing, CO2 (Pressurized Solvent-Based Extraction), dry sifting, tumbling, and cold-water extraction. Proposed volatile manufacturing systems will be N-butane close loop extraction system (Pressurized Solvent-Based Extraction), organic ethanol rotary evaporation system, short path distillation system, and short path wiped film distillation systems (Distillate). Chemicals to be used in the manufacturing processes include N-butane, organic ethanol, isopropanol, N-hexane, pentane, ISO-butane, propane, and nitrogen. Future industry trends may lead to the use of additional chemicals. If this is the case, notification will be given to the city for approval of the new chemicals prior to use.

Building six (6) on the "Remainder" Parcel E will be a 10,000 square foot processing, packaging and distribution. In addition, a 10,000 square foot greenhouse and 43,560 square foot greenhouse nursery used to propagate, clones and seedlings for use on and off-site.

The buildings were evaluated for compliance with the development standards of the Industrial Commercial (IC) zone, including setbacks, lot coverage, building height, parking, design review, landscaping etc. as part of the Design Review approval.

All cannabis applications for the required Conditional Use Permit requires the submittal of a completed application form, evidence of ownership, a Site Plan, a Plan of Operations which is required to include the following:

- A complete project description including the proposed use(s), hours and days of operation, number of employees, and the duration (temporary, seasonal or

permanent) of the operation.

- The number of daily and/or weekly incoming and outgoing deliveries
- A Security Plan that addresses the cultivation, storage, processing, manufacturing and testing of any cannabis, including but not limited to video monitoring and commercial alarm systems.
- A Waste Management/Disposal Plan shall be submitted describing any produced wastes, including by-products, recycling, reusing, recovery, storage, diversion and handling and disposal.
- A description of the storage or use of any solvents, fertilizers, pesticides, fungicides, rodenticide, or herbicides.
- A description of any discharge or emissions the operation will generate.
- A description of any noise level increase as a result of the operation.
- A description of the operation's use of public facilities such as roads, water or sewer systems.
- A description of any proposed water source, storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection.

Below is a copy of the Plan of Operations *Cultivation* information. The entire Plan of Operations is included as **Attachment 1**.

Cultivation Process

Cultivation operations are to be conducted on Parcels A, C and E. Parcel A will contain proposed Building 1, a 36,400 square feet indoor cultivation metal building structure. A total of 22,000 square feet of indoor cultivation canopy will be utilized. Remaining area of Building 1 will be used for nutrient storage, material storage, etc. Access will be provided to each area of the building from the exterior by a 12' x 14' roll up door and 3' x 6'-8" man door. A 5,000 square feet greenhouse is proposed south of Building 1, which will be used for future expansion of outdoor cultivation when the Type 5 licenses become available. An estimated four employees per day will be working on cultivation activities for Parcel A. A total of 49 parking spaces are to be provided on the parcel, with two handicap spaces provided near the front middle entrance of Building 1. Building 1 will contain one multi-sex ADA bathroom served by a leachfield located west of the proposed

greenhouse. No shower facilities will be provided for employees. Public water and PG&E electricity will be provided to Building 1. The facility will utilize carbon filtration fans to eliminate any potential odors associated with the cultivation process.

Parcel C is to have a similar layout as Parcel A and will contain Building 2, a 30,800 square feet indoor cultivation metal building structure, and one 5,000 square feet greenhouse for outdoor cultivation. A total of 22,000 square feet of indoor cultivation canopy will be utilized for Building 2, with remaining area of Building 2 used for nutrient storage, material storage, etc. Public water and PG&E electricity will be supplied to Building 2. The facility will utilize carbon filtration fans to eliminate any potential odors associated with the cultivation process. Four employees will be present during normal work days. Building 2 will contain one multi-sex ADA bathroom for employees served by a leachfield located west of the proposed greenhouse. Parking spaces provided on the parcel will be a total of 42 spaces with two handicap spaces provided near the front middle entrance.

A 43,560 square feet nursery is proposed on Parcel E, which will be used to propagate clones and seedlings for use on and off site. The nursery will be an industrial greenhouse type structure to provide a controlled environment for the plants in the vegetative state. Public water and PG&E electricity is to be provided to the nursery. A 10,000 square feet greenhouse is proposed in the eastern portion of the parcel and will be used for outdoor cultivation.

When utilizing or applying fertilizers and pesticides the applicant will wear personal protective equipment, including, but not limited to gloves and face masks which allow for proper ventilation. All plants will be visually inspected daily for signs and symptoms of pest infestation, molds, mildews, or disease. In the event that a plant demonstrates signs of problems immediate action will be taken to correct the problem. The following shall serve as a list of minimum requirements for the use of products associated with cultivation activities.

- *Evaluate irrigation water, soils, growth media, and plant tissue to optimize plant growth and avoid over-fertilization.*

- *Products shall be labeled properly and applied per the instructions on the label.*

- *Use integrated pest management strategies that apply pesticides only to the area of need.*

- *Periodically calibrate pesticide application equipment.*

- *Use anti-backflow devices on water supply hoses, and other mixing/loading practices designed to reduce the risk of runoff and spills.*

- *While working with pesticides the applicant must read the label on the bottle and follow application rates and directions as printed on the label.*

- *While working with pesticides the applicant shall use personal protective equipment required for application, as well as wash their hands prior and subsequent to working with any pesticide.*

- *All spent bottles shall be taken to recycling when possible or disposed of properly in garbage containers to be taken to appropriate refuse disposal sites.*

Staff is recommending that for the indoor cultivation activities in-floor drains be provided for accidental over-watering or spills. The floor drainage system shall not be tied to the on-site wastewater treatment system, but tied to a holding tank to be both pumped and transported to an off-site municipal treatment facility or to be used for on-site irrigation purposed for the landscaped areas. The project has been conditioned accordingly. **Please see Exhibit A.**

Security Provisions

The Plan of Operations also includes the required Security Plan that includes, describes and addresses the following required elements:

- Security cameras shall be installed and maintained in good condition, and used in an on-going manner with at least 720 concurrent hours of digitally recorded documentation in a format approved by the Planning Commission. The cameras shall be in use 24 hours per day, 7 days per week. The areas to be covered by the security cameras shall include, but are not limited to, the public areas, processing areas, storage areas, employee areas, all doors and windows, and any other areas as determined to be necessary by the Planning Commission.

- The facility shall be alarmed with an audible interior and/or exterior silent alarm system that is operated and monitored by a recognized security company, deemed acceptable by the Planning Commission. Any change in the security company shall be subject to the approval of the City Manager or his designee. All current contact information regarding the cannabis facility's security company shall be provided to the City Manager or designee.

The above required provisions have been included as conditions of approval. **Please refer to Exhibit A.** Below is a copy of the Security portion of the Plan of Operations. Again, the entire Plan of Operations is included as Attachment 1.

Security Plan

The site is protected by a locked gate at the entrance and will be completely enclosed by fencing. Fencing will be provided along both sides of the access road with locked gates at the entrance to each facility on the premises. All access points to each building will be equipped with commercial grade locks including doors, windows, roofs, and ventilation systems. Windows and roof hatches of each building shall be secured from the inside with effective means so as to prevent unauthorized entry, and shall be equipped with latches or a similar mechanism that may be released quickly from the inside to allow exit in the event of emergency in compliance with all applicable building code provisions. Lighting is to be mounted to the exterior of the buildings as well as the perimeter fencing sufficient to illuminate the entire parking lot, access gate and entry doors. Select areas will be on timers with all remaining lights on motion sensors. All perimeter lighting will be able to be activated by manual switches inside the buildings. Placement of the lights will be directed towards the center of the property so that they do not cause a nuisance to neighboring properties.

A security alarm system is to be installed to notify and record any breach of physical barriers. Safety protocols and procedures will be established in the event alarms are triggered or suspicious activities are reported. An armed security officer will be on-site 24/7 to monitor gate access, cameras, motion sensors and to respond as needed. The security officer will be available during business hours to monitor and patrol as needed and will make random unscheduled foot patrols of the property during non-business hours. Security personnel will monitor all transportation vehicles moving on or off the property.

Video surveillance is to be installed throughout the property. HD digital video cameras at the main gate and spaced at intervals around the parking area sufficient to cover the entire property. Internal cameras will be installed to cover all access doors, sensitive work areas and areas used for shipping and receiving. Final numbers of lights, cameras, and motion sensors will be determined by the final build. Once a security service has been obtained, the applicant plans to get their input on quantity and location of surveillance equipment.

Only authorized personnel will be able to access perimeter gates and associated facility gates to protect the physical safety of employees. Authorized personnel will be identified and will utilize a sign-in/sign-out procedure, this includes all employees, suppliers, and/or visitors. Electronic key card access/ID will be issued to all designated persons allowed on-site. The system will be programmed to only allow access to areas the employee is authorized to be in as well as tracking all entry by date, time and employee ID. Employees will only be able to access specific work areas as needed. The perimeter fencing would contain one controlled, key card operated, access gate located adjacent to Northwestern Avenue. This gate will be monitored by security staff located on site. All

keyed entry would also be recorded on digital video as well as being computer recorded and time stamped.

A track and trace inventory system will be performed by designated personnel to trace all cannabis material from the time it is produced and/or delivered to the site, throughout the processing and manufacturing stages, until it is released for distribution. All owners and employees making operational or management decisions will consent to a background check. Any information which the Department of Justice establishes is necessary shall be provided, including fingerprint images.

It must be noted that the City Council recently amended the Commercial Cannabis Land Use Ordinance to eliminate the local background check requirement and deferring the task to the State. Again, staff is conditioning the project to require 720 hours of video storage and that the facility be alarmed with an audible interior and/or exterior silent alarm system that is operated and monitored by a recognized security company. **Please see Exhibit A.**

The State will also require a security plan as well. Below are the State's required security plan regulations. The project is conditioned to comply with the State's requirements as well.

§40200. Security Plan. Every applicant and licensee shall develop and implement a security plan. At minimum, the security plan shall include a description of the security measures to be taken to:

(a) Prevent access to the manufacturing premises by unauthorized personnel and protect the physical safety of employees. This includes, but is not limited to:

(1) Establishing physical barriers to secure perimeter access and all points of entry into a manufacturing premises (such as locking primary entrances with commercial-grade, non-residential door locks, or providing fencing around the grounds, driveway, and any secondary entrances including windows, roofs, or ventilation systems);

(2) Installing a security alarm system to notify and record incident(s) where physical barriers have been breached;

(3) Establishing an identification and sign-in/sign-out procedure for authorized personnel, suppliers, and/or visitors;

(4) Maintaining the premises such that visibility and security monitoring of the premises is possible; and

(5) Establishing procedures for the investigation of suspicious activities.

(b) Prevent against theft or loss of cannabis and cannabis products. This includes but is not limited to:

(1) Establishing an inventory system to track cannabis material and the personnel responsible for processing it throughout the manufacturing process;

(2) Limiting access of personnel within the premises to those areas necessary to complete job duties, and to those time-frames specifically scheduled for completion of job duties;

(3) Supervising tasks or processes with high potential for diversion (including the loading and unloading of cannabis transportation vehicles); and

(4) Providing designated areas in which personnel may store and access personal items.

(c) Secure and back up electronic records in a manner that prevents unauthorized access and that the integrity of the records is maintained.

Waste Management

The Plan of Operations also includes the required Waste Management Plan for the proposed operations. Below is a copy.

Waste Management Plan

All cultivation related solid wastes are to be stored in outdoor covered garbage bins on site. Solid wastes will include used soil bags, spent pots, and any other non-hazardous or non-contaminated materials. Items that can be recycled will be stored separately. All garbage and recycling bins are to be hauled off to a disposal site once weekly at a minimum. No cannabis by-product will be allowed to enter the on-site septic systems and waste water treatment system, this includes by-product from indoor cultivation, processing, and manufacturing. All by-products from manufacturing will be stored in secured waste receptacles which will be located in a secure area. The waste will then be picked up by a certified waste hauler and hauled to an approved facility as necessary.

It should be noted that ***Recology*** has indicated that they do haul and dispose of non-hazardous cannabis waste. All disposal of cannabis waste is subject to Section 40290 of the California Code of Regulations (CCR). Section 40290(e) of the CR's requires that the cannabis waste be rendered to make it unusable and unrecognizable before removing the waste from the premises. This requires that the cannabis waste be grinded and incorporated with other ground material so that the resulting mixture is at least 50% non-cannabis material by volume. All hazardous waste as defined in Section 40141 of the Public Resources Code (PRC) must be managed with all applicable hazardous waste statutes and regulations. The project has been conditioned accordingly. **Please see Exhibit A.**

The proposed cannabis activities are allowed in the Industrial Commercial (IC) zone with a Conditional Use Permit provided the activities comply with the pertinent Performance Standards in Chapter 17.30.195 of the Rio Dell Municipal Code (RDMC).

Performance Standards

Cultivation

Again, the applicant is proposing 20,000 square feet of greenhouse cultivation, 44,000 square feet of indoor cultivation and a 43,560 square foot nursery operation used to propagate, clones and seedlings for use on and off-site.

Section 17.30.195(7)(a)

(a) Greenhouse and Mixed-Light commercial cultivation of cannabis shall be conducted entirely within a fully enclosed, secure and lockable greenhouse and shall be conditionally permitted in the Industrial Commercial (IC) and Natural Resources (NR) designations located in the Sawmill Annexation area, pursuant to the "Greenhouse" and "Mixed-Light" parcel size and cultivation area provisions described in Table 8.1 and subject to the conditions and limitations set forth in this Section and as deemed appropriate by the Planning Commission and/or the City Council.

The referenced Table 8.1 allows greenhouse cultivation in the IC zone based on parcel sizes. It must be noted that the applicant has also submitted a subdivision application to create four (4) parcels and a "Remainder". The applicant is proposing greenhouse cultivation on parcels "A", 5,000 square feet, 2.80 acres, "C", 5,000 square feet, 2.86 acres and the "Remainder" parcel, 10,000 square feet, 6.41 acres. Provided the subdivision is approved, improvements completed and the Parcel Map is recorded, the proposed cultivation sizes are allowed. Below is a copy of that portion of Table 8.1.

Greenhouse & Mixed-Light Cultivation

Industrial Commercial (IC) and Natural Resources (NR) Designations

State License Type	Cultivation Type	Parcel Size	Allowable Canopy
Specialty	Greenhouse & Mixed Light	< 1 acre	1,000 sq. ft.
		1-2.49 acres	2,000 sq. ft.
		2.5-4.99 acres	5,000 sq. ft.
Small	Greenhouse & Mixed Light	5.0- 19.99 acres	10,000 sq. ft.
Medium	Greenhouse & Mixed Light	≥ 20 acres	22,000 sq. ft.

As indicated above the greenhouses must be fully enclosed, secure and lockable. The project has been conditioned accordingly. **Please refer to Exhibit A.** It should be noted that the applicants are proposing a seven (7) foot black wrought iron or steel security fence around the proposed parcels.

The applicant is proposing 22,000 square feet of indoor cultivation on proposed parcels "A" and "C" for a total of 44,000 square feet. Indoor cultivation limits are not based on parcel sizes.

Indoor Cultivation
Industrial Commercial (IC) Designations

State License Type	Allowable Canopy
"Specialty Indoor"	5,000 sq. ft.
"Small Indoor"	10,000 sq. ft.
"Medium Indoor"	22,000 sq. ft.

Performance Standards for all Cultivation Operations:

(a) No surface water withdrawals shall be allowed as part of any cultivation operations.

(b) No Timberland Conversion Permits or Exemptions as approved by the California Department of Forestry and Fire Protection (CAL-FIRE) shall be used to facilitate the cultivation of cannabis.

(c) The area of cannabis cultivation shall be located as shown on the application site plan, set back at least 50 feet from any property line in the Natural resource (NR) zone and 1000 feet from any School. Cannabis cultivation is declared to be development, subject to compliance with Section 17.30.110, Environmentally Sensitive Habitat Area's (ESHA's). For purposes of this section, where enhanced, reduced, or modified watercourse or wetland setbacks have been agreed to by the operator and the RWQCB under enrollment pursuant to NCRWQB Order No. 2015-0023 and/or preparation of a Water Resources Protection Plan, these may control and supersede any setback applied pursuant to Section 17.30.110.

(d) Maintain enrollment in Tier 1, 2 or 3, certification with the North Coast Regional Water Quality Control Board Order No. 2015-0023, if applicable, or any substantially equivalent rule that may be subsequently adopted by the City of Rio Dell or other responsible agency.

(e) For cultivation areas for which no enrollment pursuant to NCRWQB Order No. 2015-0023, is required by that Order, compliance with the standard conditions applicable to all Tier 1 dischargers.

(f) The storage or use of any fertilizer, pesticide, fungicide, rodenticide, or herbicide shall be in compliance with the manufacture's recommendations and regulations administered by the State Department of Pesticide Regulation. Hazardous materials and wastes from agricultural businesses are regulated by the Humboldt County Environmental Health Division, which administers the Hazardous Materials program as one of the Certified Unified Program Agencies (CUPA). This includes the application, inspection, enforcement, and reporting under the program requirements and standards set by the California Environmental Protection Agency (CalEPA).

(g) Trucked water shall not be allowed as the primary water source. Water is to be sourced locally (on-site), except for emergencies. For purposes of this provision, "emergency" is defined as: "a sudden, unexpected occurrence demanding immediate action."

(h) Carbon filter fans or equivalent superior filters/scrubbers shall be required to eliminate odor discharges to neighboring properties from cultivation and processing facilities.

(i) A Waste Management/Disposal Plan shall be submitted describing any produced wastes, including by-products, recycling, reusing, recovery, storage, diversion and handling and disposal.

(j) Those cultivators using artificial lighting for mixed-light cultivation shall shield greenhouses so that little to no light escapes. Light shall not escape at a level that is visible from neighboring properties between sunset and sunrise. Should the City receive complaints that the lighting is out of alignment or not complying with these standards, within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment has been repaired, inspected and corrected as necessary.

(k) Generators are only allowed as an emergency back-up power source. The noise produced by a generator used for cannabis cultivation shall not be audible from neighboring residences. The decibel level for generators at the property line shall be no more than 60 decibels.

(l) Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, and in such a way that no spillage occurs.

(m) Electricity for Indoor and Mixed Light cultivation activities shall be provided by any combination of the following:

(i) On-grid power with 42 percent renewable source.

(ii) Onsite zero net energy renewable source providing 42 percent of power.

(iii) Purchase of carbon offsets for any portion of power above 58 percent not from renewable sources.

(iv) Demonstration that the equipment to be used would be 42 percent more energy efficient than standard equipment, using 2014 as the baseline year for such standard equipment.

Purchase of carbon offset credits (for grid power procured from non-renewable producers) 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.

(n) Comply with all federal, state, and local laws and regulations applicable to California Agricultural Employers, including those governing cultivation and processing activities.

(o) Comply with any special conditions applicable to that permit or parcel which may be imposed as a condition of the required Conditional Use Permit.

Processing and Distribution

Building three (3) will include processing, packaging and building five (5) will include distribution activities for products produced on-site and off-site. Below are the Plan of Operation's protocol for processing and distribution.

Processing/Production Process

Production is to be conducted in Building 3 located on Parcel B. Building 3 is to be a 20,000 square feet metal building structure. Production activities are to include drying, trimming, weighing, and packaging of product produced on and off site. An estimated 30 employees are to be present during normal work days at the production building. A total of 28 parking spaces are to be provided on the parcel. Public water and PG&E electricity will be supplied to Building 3. Building 3 will contain one multi-sex ADA bathroom served by a leachfield located east of the building.

In order to provide a safe and efficient workplace, the applicant shall ensure that the following measures are adhered to.

- *The floors, walls, and ceilings are constructed in such a manner that they may be adequately cleaned and each area is kept clean and in good condition.*

- *That litter and waste are properly removed and the operating systems for waste disposal are maintained in an adequate manner so that they do not contribute to any kind of contamination in areas where medical cannabis is stored.*

- *That there is adequate lighting in all areas where cannabis is processed.*

- *That any equipment that requires to be sanitized after use is properly sanitized and packaged in a sealed container.*

- *That fixtures and equipment throughout the facility are maintained in a sanitary condition.*

- *That any cleaning compounds, sanitizing agents, and other chemicals will be identified held, stored, and disposed of in a manner that protects against contamination of the cannabis and disposed of in a manner that is required by applicable local, state or federal law, rule, regulation or ordinance.*

- *That there is adequate screening and protection against the entry of pests. Waste will be disposed of so as to minimize the development of odor and minimize the potential for the waste becoming an attractant, harborage, or breeding places for pests.*

- *That the cannabis that is susceptible to mold or disease is held/stored in a manner that prevents contamination and growth of these microorganisms.*

- *That all operations in the receiving, inspecting, transporting, segregating, preparing, packaging, and storing of the cannabis will be conducted in accordance with adequate sanitation procedures.*

- *Toilet and handwashing facilities shall be accessibly located and in close proximity to each other.*

- *Potable drinking water facilities, toilet facilities, and handwashing facilities shall be serviced and maintained by the applicant at all times in accordance with appropriate public health sanitation practices.*

- *Toilet facilities shall be, at all times, operational, maintained in a clean and sanitary condition, and kept in good repair.*

• Visibly post and maintain an emergency contact list which includes operation manager contacts, emergency responder contacts, and poison control contacts.

While working in direct contact with cannabis, the applicant will conform to the following hygienic practices, including, but not limited to:

• Maintaining adequate personal cleanliness.

• Washing hands thoroughly in an adequate hand washing area before starting work and at any other time when hands may have become soiled or contaminated.

• Refraining from having direct contact with the cannabis if he has or may have any kind of illness, open lesion, sores, infected wounds, or any other abnormal source of microbial contamination until such condition is corrected.

Processing operations must implement safety protocols which shall include the following.

• Handling cannabis in processing operations must have personal protective equipment such as facemasks and gloves in good operable condition as applicable to their job function.

• Fire prevention and emergency action response planning.

• Materials handling policies.

The State also has packaging and labeling requirements for cannabis products and nonmanufactured cannabis products. "Nonmanufactured cannabis product" means dried flower, shake, leaf, and pre-rolls intended to be sold for use by medical cannabis patients. Below is a copy of the State's packaging and labeling requirements. The labeling and packing requirements for cannabis products, which includes everything except nonmanufactured cannabis products, are virtually the same.

Packaging Cannabis Products for Distribution.

A package used to contain a cannabis product shall adhere to the following requirements:

(a) The package shall protect the product from contamination and shall not expose the product to any toxic or harmful substance;

(b) The package shall be tamper-evident, which means that the product is packaged in a container within which a product is sealed so that the contents cannot be opened without obvious destruction of the seal; and

(c) The package shall not imitate any package used for products typically marketed to children.

Labeling Cannabis Products for Distribution.

The following labeling requirements shall be implemented within 180 days of licensure, or by December 31, 2018, whichever is sooner:

(a) Any information required to be listed on a label shall be written in English;

(b) Label and all required label information shall be unobstructed and conspicuous;

(c) The label shall be in a text size no less than 6 point font and be in relation to the size of the container; and

(d) The label shall include the following information:

(1) The applicable requirements of Section 19347 of Business and Professions Code;

(2) The net weight of the contents in the package; and

(3) The unique identifier assigned by the track-and-trace system as required by Section 8402 of this Chapter.

Manufacturing

The applicants are proposing a State Type 7 manufacturing facility in Building five (5). A Type 7 license allows for extractions using volatile solvents, nonvolatile solvents or mechanical methods. "Volatile solvent" means any solvent that is or produces a flammable gas or vapor that, when present in the air in sufficient quantities, will create explosive or ignitable mixtures. Examples of volatile solvents include but are not limited to, butane, hexane, propane, and ethanol. "Nonvolatile solvent" means any solvent used in the extraction process that is not a volatile solvent. The State considers carbon dioxide a nonvolatile solvent.

All volatile extractions are required to occur in a spark-proof, explosion-proof room that will be equipped with evacuation fans and lower explosive limit detectors. Staff has conditioned the project accordingly. Blast resistant rooms used for volatile manufacturing are classified as a Class 1, Division 1 (C1D1)

A Type 7 licensee may also conduct infusion operations. "Infusion" means a process by which cannabis, cannabinoids, cannabis concentrates, or manufactured cannabis are directly incorporated into a product formulation to produce a cannabis product. The applicants will be

infusing creams, lotions and other similar products. The applicants are not are not proposing manufacturing edibles at this time.

Below is a copy of the Manufacturing information provided in the Plan of Operation.

Manufacturing Process

Manufacturing of cannabis is to be conducted in Building 5, a 20,000 square feet metal building structure, located on Parcel D. The building is to have four man door sized entrances at the front of the building and four 12' x 14' roll up door entrances along the back of the building. Entrance to the extraction area and all storage areas will be securely locked at all times, with only designated facility employees able to access. An estimated 12 employees will be necessary for manufacturing processes in the building. Building 5 will contain one multi-sex ADA bathroom served by a leachfield located west of the building. A total of 21 parking spaces have been provided on Parcel D, two of which are handicap spaces provided near the front entrance of the building.

The applicant is proposing a State Type 7 manufacturing facility license which includes extractions using volatile solvents, non-volatile solvents, and mechanical methods. Methods for nonvolatile manufacturing are to include Pressing, CO2 (Pressurized Solvent-Based Extraction), dry sifting, tumbling, and cold-water extraction. Proposed volatile manufacturing systems will be N-butane close loop extraction system (Pressurized Solvent-Based Extraction), organic ethanol rotary evaporation system, short path distillation system, and short path wiped film distillation systems (Distillate). Chemicals to be used in the manufacturing processes include N-butane, organic ethanol, isopropanol, N-hexane, pentane, ISO-butane, propane, and nitrogen. Future industry trends may lead to the use of additional chemicals. If this is the case, notification will be given to the city for approval of the new chemicals prior to use. The amount of chemicals to be stored on site are yet to be determined as they will be based demand. The applicants are not proposing manufacturing edibles or infusion at this time.

All final products will be sent to a third party licensed testing lab to ensure the product is free of all hazardous chemicals prior to distribution.

In addition, to the operating protocols in the Plan of Operation, the applicant is required to comply with the following manufacturing performance standards found in Section 17.30.195(12) of the Rio Dell Municipal Code (RDMC).

Performance Standards for Manufacturing Activities:

(a) Compliance with CAL/OSHA, OSHA regulations.

(b) Compliance with State and local building regulations, including the California Building Code (CBC) and the California Fire Code (CFC).

(c) A Security Plan that addresses how the following measures shall be implemented or complied with:

(i) Entrance to the extraction areas and any cannabis storage areas shall be locked at all times, and under the control of facility staff.

(ii) Cannabis shall be stored in buildings that are completely enclosed, and in a locked vault or safe, or other secured storage structure which is bolted to the floor or structure of the premises.

(iii) Windows and roof hatches of the premises shall be secured from the inside with effective means so as to prevent unauthorized entry, and shall be equipped with latches or a similar mechanism that may be released quickly from the inside to allow exit in the event of emergency in compliance with all applicable building provisions in the Code.

(d) If using CO_2 in processing, a professional grade closed-loop CO_2 gas extraction system rated to a minimum of fifteen thousand (15,000) pounds per square inch (PSI) is required for every vessel in the system.

(e) Extraction processes shall use a commercially manufactured professional grade closed-loop extraction system designed to recover the solvents and built to codes of recognized and generally accepted sound engineering practices, such as (i) The American Society of Mechanical Engineers (ASME); (ii) American National Standards Institute (ANSI); (iii) Underwriters Laboratories (UL); or (iv) The American Society for Testing and Materials (ASTM).

(f) Volatile extraction operations shall occur in a spark-proof, explosion-proof room equipped with evacuation fans and lower explosive limit (LEL) detectors.

(g) Carbon filter fans or equivalent superior filters/scrubbers shall be required to eliminate odor discharges to neighboring properties.

(h) A Waste Management/Disposal Plan shall be submitted describing any produced wastes, including by-products, recycling, reusing, recovery, storage, diversion and handling and disposal.

(i) Manufacturers of edibles shall comply with the regulations in the California Health and Safety Code, which includes the California Retail Food Code administered by the California Department of Health Services - Food and Drug Branch, California Department of Food and Agriculture and the County Department of Environmental Health.

(j) Comply with any special conditions applicable to that permit or parcel which may be imposed as a condition of the required Conditional Use Permit.

The applicants Plan of Operation demonstrates compliance with the adopted performance standards. The project is recommended to be conditioned accordingly to ensure compliance. **Please refer to Exhibit A.**

Nursery

The applicants are proposing a 43,560 square foot nursery which will be used to propagate, clones and seedlings for use on and off-site. Nurseries are identified as a Type 4 State license. The State has limited the size of nurseries to 43,000 square feet. Below are the State cultivation requirements for nurseries.

State Cultivation Requirements for Nurseries.

(a) Nurseries producing immature plants for distribution may maintain a research and development area for the cultivation of mature plants. All mature plants shall be tagged with a unique identifier as required by Section 8402 of the California Code of Regulations (CCR). Nonmanufactured cannabis products derived from these plants are prohibited from entering the commercial distribution chain without the appropriate cultivation license.

(b) Licensees shall only conduct research and development on the premises in designated areas identified in their Cultivation Plan approved by the Department.

(c) Nurseries producing seed for distribution shall tag all mature plants as required by Section 8402 of the California Code of Regulations (CCR). Nonmanufactured cannabis products derived from these plants are prohibited from entering the commercial distribution chain without the appropriate cultivation license.

Based on the submitted information, including the Plan of Operation, and the recommended conditions of approval, staff believes the proposed uses are consistent with the City Zoning Regulations.

2. General Plan Consistency

(b) The proposed use is consistent with the general plan and any applicable specific plan;

The General Plan designation is also Industrial Commercial. The purpose of the Industrial Commercial designation is to provide for industrial and commercial uses. All the uses would be considered principally permitted uses if the activities did not involve cannabis. chemotherapy.

The proposed uses are consistent with the following General Plan goal: "To promote a variety of commercial uses and allow light manufacturing in appropriate commercial areas."

There are no goals or policies which would preclude the proposed use in the Industrial Commercial designation. Therefore, the proposed use as conditioned is consistent with the General Plan.

3. Land Use Compatibility

(c) The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity;

Again, this required finding was made in regards to the design, location and size of the buildings as part of the Design Review approval. Based on the recommended conditions of approval, including the City's Performance Standards and the State regulations, staff believes the project can be found to be consistent with the existing and future land uses in the vicinity.

4. Site Suitability

(d) The site is physically suitable for the type, density and intensity of use being proposed, including access, utilities, and the absence of physical constraints;

The project site is subject to minimal flooding. Section 17.30.140 of the RDMC requires that if a proposed building site is located in a flood zone, any proposed new construction or substantial improvement, must:

(a) Be designed or modified and anchored to prevent flotation, collapse or lateral movement of the structures;

(b) Use construction materials and utility equipment that are resistant to flood damage; and

(c) Use construction methods and practices that will minimize flood damage.

In addition, to our local regulations, the project is also subject to FEMA's flood regulations (Title 44 Code of Federal Regulations, Section 61.7 and 61.8) which require that the first floor of the structure be located one foot above the Base Flood Elevation (BFE). As such a Flood Elevation Certificate is required, this identifies among other site features, the BFE and the elevation of the floor of the building. Staff conditioned the Design Review project accordingly.

Of course access to the project site is from Highway 101. In regards to access, the City commissioned a Traffic Impact Study (TIS) with W-Trans out of Santa Rosa. Based on current and future conditions, W-Trans concluded that the access to and from the Business Park is adequate.

However Caltrans has suggested some improvements, including the expansion of the left turn pockets (queuing), acceleration and deceleration northbound lanes and southbound staging/merging areas for vehicles exiting the business park. Staff and the stakeholders met

with Caltrans representatives at a recent meeting and discussed the recommended improvements and the possibility of extending the cable median/barrier through the intersections to eliminate traffic crossings. Staff has asked that Caltrans identify their preferred improvements, either the changes to the turn pockets, etc. or the installation of a cable median barrier through the intersections. Staff also requested that Caltrans identify a threshold (i.e. number of trips in and out of the Business Park) that would trigger additional improvements.

Any improvement costs will be shared among the developers based on the number of daily trips generated by their uses. The project has been conditioned accordingly. **Please refer to Exhibit A.**

Based on information on file and the recommended conditions of approval, staff believes the site is physically suitable for the intended uses.

5. Public Interest, Health, Safety and Welfare

(e) Granting the permit would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located;

The new construction is subject to the California Building Codes, including the California Fire Code, which includes standards to ensure that the buildings are constructed to minimum safety standards. Again, based on information on file and the recommended conditions of approval, staff believes there is no evidence to suggest that the proposed project will be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located.

6. California Environmental Quality Act

The primary purpose of the California Environmental Quality Act (CEQA) is to inform the decision makers and the public of potential environmental effects of a proposed project. Based on the Environmental Impact Report (EIR) prepared as part of the annexation of the area into the City which analyzed potential industrial uses and the nature of the project, including the proposed operating protocols and recommended conditions of approval, staff has determined that the project is Statutorily Exempt pursuant to Section 15061(b) (3) of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations. Pursuant to Section 15061(b) (3) of the CEQA Guidelines this exemption is covered by the general rule that CEQA applies only to projects which have the potential for causing a ***significant*** effect on the environment. Based on the nature of the proposed projects, staff believes there is no evidence to suggest that the projects will have a ***significant*** effect on the environment.

Attachments:

Attachment 1: Plan of Operations and Site Plan.

Attachment 2: Exhibit A, Conditions of Approval

Attachment 3: Resolution No. PC 123-2018.

PLAN OF OPERATIONS

FORMER EEL RIVER SAWMILL DEVELOPMENT

NORTHWESTERN AVENUE

RIO DELL, CA 95562

PREPARED BY:

PACIFIC AFFILIATES, INC.
A CONSULTING ENGINEERING GROUP
990 WEST WATERFRONT DRIVE
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APRIL 16, 2018

REGISTERED PROFESSIONAL ENGINEER
TRAVIS L. SCHNEIDER
67393
EXP. 12-31-2016
CIVIL
STATE OF CALIFORNIA

TRAVIS L. SCHNEIDER, R.C.E. #67393

RECEIVED
CITY OF RIO DELL
April 16, 2018

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APPENDIX I – SITE PLAN

1. Project Description

The following Plan of Operations is provided in regard to specific conditions at the subject site, AP No. 205-111-069, located at an unpublished address along Northwestern Avenue, Rio Dell, CA 95562 in Humboldt County.

The proposed project is to include a minor subdivision of APN 205-111-069 into four one to two-and-a-half acre parcels over the west half and a six-and-a-half acre remainder on the east half, to facilitate the construction of a new industrial cannabis business park. Currently the subject property is zoned Industrial Commercial (IC). A new access road will be constructed to access the four west parcels (Parcels A-D). The existing driveway will provide access to the remainder parcel (Parcel E). A new warehouse type building will be constructed on each parcel. Commercial sized greenhouses will be installed on some parcels as well. Each building will be served by its own private on-site sewage disposal system. Preliminary sizes and locations of the proposed septic tanks and leach fields have been approved by Humboldt County Division of Environmental Health (DEH). Due to limited space on the proposed parcels and to allow the septic system to be on the same parcel as the building they are serving, pressure distribution systems will be utilized to minimize the absorption area required. Buildings will gravity flow to septic tank, drain to pump chamber, and pump to a pressure distribution system. No bywater from cannabis cultivation, production, distribution, etc will be disposed of in the sewage disposal system. It will be for domestic wastes only. A site plan is attached which illustrates the locations and sizes of the proposed structures. Each building is to have a specific use, which will include cultivation, manufacturing, production, and distribution.

This project is being proposed in phases. Phase 1 is to include design review for the proposed buildings and conditional use permits for the associated cannabis activities. Phase 2 will be for the proposed subdivision as described above.

No schools, school bus stops, places of worship, public parks, or tribal cultural resources are known to be located within 600 feet of the site. An aerial view of the subject site is provided in Figure 1 below.



Figure 1 - Aerial view of subject property (photo courtesy of Humboldt County Web GIS)

2. Cultivation Process

Cultivation operations are to be conducted on Parcels A, C and E. Parcel A will contain proposed Building 1, a 36,400 square feet indoor cultivation metal building structure. A total of 22,000 square feet of indoor cultivation canopy will be utilized. Remaining area of Building 1 will be used for nutrient storage, material storage, etc. Access will be provided to each area of the building from the exterior by a 12' x 14' roll up door and 3' x 6'-8" man door. A 5,000 square feet greenhouse is proposed south of Building 1, which will be used for future expansion of outdoor cultivation when the Type 5 licenses become available. An estimated four employees per day will be working on cultivation activities for Parcel A. A total of 49 parking spaces are to be provided on the parcel, with two handicap spaces provided near the front middle entrance of Building 1. Building 1 will contain one multi-sex ADA bathroom served by a leachfield located west of the proposed greenhouse. No shower facilities will be provided for employees. Public water and PG&E electricity will be provided to Building 1. The facility will utilize carbon filtration fans to eliminate any potential odors associated with the cultivation process.

Parcel C is to have a similar layout as Parcel A and will contain Building 2, a 30,800 square feet indoor cultivation metal building structure, and one 5,000 square feet greenhouse for outdoor cultivation. A total of 22,000 square feet of indoor cultivation canopy will be utilized for Building 2, with remaining area of Building 2 used for nutrient storage, material storage, etc. Public water and PG&E electricity will be supplied to

Building 2. The facility will utilize carbon filtration fans to eliminate any potential odors associated with the cultivation process. Four employees will be present during normal work days. Building 2 will contain one multi-sex ADA bathroom for employees served by a leachfield located west of the proposed greenhouse. Parking spaces provided on the parcel will be a total of 42 spaces with two handicap spaces provided near the front middle entrance.

A 43,560 square feet nursery is proposed on Parcel E, which will be used to propagate clones and seedlings for use on and off site. The nursery will be an industrial greenhouse type structure to provide a controlled environment for the plants in the vegetative state. Public water and PG&E electricity is to be provided to the nursery. A 10,000 square feet greenhouse is proposed in the eastern portion of the parcel and will be used for outdoor cultivation.

When utilizing or applying fertilizers and pesticides the applicant will wear personal protective equipment, including, but not limited to gloves and face masks which allow for proper ventilation. All plants will be visually inspected daily for signs and symptoms of pest infestation, molds, mildews, or disease. In the event that a plant demonstrates signs of problems immediate action will be taken to correct the problem. The following shall serve as a list of minimum requirements for the use of products associated with cultivation activities.

- Evaluate irrigation water, soils, growth media, and plant tissue to optimize plant growth and avoid over-fertilization.
- Products shall be labeled properly and applied per the instructions on the label.
- Use integrated pest management strategies that apply pesticides only to the area of need.
- Periodically calibrate pesticide application equipment.
- Use anti-backflow devices on water supply hoses, and other mixing/loading practices designed to reduce the risk of runoff and spills.
- While working with pesticides the applicant must read the label on the bottle and follow application rates and directions as printed on the label.
- While working with pesticides the applicant shall use personal protective equipment required for application, as well as wash their hands prior and subsequent to working with any pesticide.
- All spent bottles shall be taken to recycling when possible or disposed of properly in garbage containers to be taken to appropriate refuse disposal sites.

3. Processing/Production Process

Production is to be conducted in Building 3 located on Parcel B. Building 3 is to be a 20,000 square feet metal building structure. Production activities are to include drying, trimming, weighing, and packaging of product produced on and off site. An estimated 30 employees are to be present during normal work days at the production building. A total of 28 parking spaces are to be provided on the parcel. Public water and PG&E electricity will be supplied to Building 3. Building 3 will contain one multi-sex ADA bathroom served by a leachfield located east of the building.

In order to provide a safe and efficient workplace, the applicant shall ensure that the following measures are adhered to.

- The floors, walls, and ceilings are constructed in such a manner that they may be adequately cleaned and each area is kept clean and in good condition.
- That litter and waste are properly removed and the operating systems for waste disposal are maintained in an adequate manner so that they do not contribute to any kind of contamination in areas where medical cannabis is stored.
- That there is adequate lighting in all areas where medical cannabis is processed.
- That any equipment that requires to be sanitized after use is properly sanitized and packaged in a sealed container.
- That fixtures and equipment throughout the facility are maintained in a sanitary condition.
- That any cleaning compounds, sanitizing agents, and other chemicals will be identified held, stored, and disposed of in a manner that protects against contamination of the medical cannabis and disposed of in a manner that is required by applicable local, state or federal law, rule, regulation or ordinance.
- That there is adequate screening and protection against the entry of pests. Waste will be disposed of so as to minimize the development of odor and minimize the potential for the waste becoming an attractant, harborage, or breeding places for pests.
- That the medical cannabis that is susceptible to mold or disease is held/stored in a manner that prevents contamination and growth of these microorganisms.
- That all operations in the receiving, inspecting, transporting, segregating, preparing, packaging, and storing of the medical cannabis will be conducted in accordance with adequate sanitation procedures.
- Toilet and handwashing facilities shall be accessibly located and in close proximity to each other.

- Potable drinking water facilities, toilet facilities, and handwashing facilities shall be serviced and maintained by the applicant at all times in accordance with appropriate public health sanitation practices.
- Toilet facilities shall be, at all times, operational, maintained in a clean and sanitary condition, and kept in good repair.
- Visibly post and maintain an emergency contact list which includes operation manager contacts, emergency responder contacts, and poison control contacts.

While working in direct contact with medical cannabis, the applicant will conform to the following hygienic practices, including, but not limited to:

- Maintaining adequate personal cleanliness.
- Washing hands thoroughly in an adequate hand washing area before starting work and at any other time when hands may have become soiled or contaminated.
- Refraining from having direct contact with the medical cannabis if he has or may have any kind of illness, open lesion, sores, infected wounds, or any other abnormal source of microbial contamination until such condition is corrected.

Processing operations must implement safety protocols which shall include the following.

- Handling cannabis in processing operations must have personal protective equipment such as facemasks and gloves in good operable condition as applicable to their job function.
- Fire prevention and emergency action response planning.
- Materials handling policies.

4. Manufacturing Process

Manufacturing of cannabis is to be conducted in Building 4, a 20,000 square feet metal building structure, located on Parcel D. The building is to have four man door sized entrances at the front of the building and four 12' x 14' roll up door entrances along the back of the building. Entrance to the extraction area and all storage areas will be securely locked at all times, with only designated facility employees able to access.

An estimated 12 employees will be necessary for manufacturing processes in the building. Building 4 will contain one multi-sex ADA bathroom served by a leachfield located west of the building. A total of 21 parking spaces have been provided on Parcel D, two of which are handicap spaces provided near the front entrance of the building.

The applicant is proposing a State Type 7 manufacturing facility license which includes extractions using volatile solvents, non-volatile solvents, and mechanical methods. Methods for nonvolatile manufacturing are to include Pressing, CO2 (Pressurized Solvent-Based Extraction), dry sifting, tumbling, and cold-water extraction. Proposed volatile manufacturing systems will be N-butane close loop extraction system (Pressurized Solvent-Based Extraction), organic ethanol rotary evaporation system, short path distillation system, and short path wiped film distillation systems (Distillate). Chemicals to be used in the manufacturing processes include N-butane, organic ethanol, isopropanol, N-hexane, pentane, ISO-butane, propane, and nitrogen. Future industry trends may lead to the use of additional chemicals. If this is the case, notification will be given to the city for approval of the new chemicals prior to use. The amount of chemicals to be stored on site are yet to be determined as they will be based demand. The applicants are not proposing manufacturing edibles or infusion at this time.

All final product will be sent to a third party licensed testing lab to ensure the product is free of all hazardous chemicals prior to distribution.

5. Product Storage

Various natural fertilizers and pesticide products will be used throughout the cultivation cycles. The applicant is committed to organic farming and will utilize organic soil nutrients and organic sprays for controlling infestation of mold and mildew. All chemicals shall be stored in a manner, method, and location that ensures that there is no threat of discharge to waters of the state. A designated room within the proposed cultivation buildings will serve as the primary storage facility for all fertilizers, pesticides, and other regulated products used.

The applicant does not currently intend to handle any hazardous materials in amounts requiring a Hazardous Materials Business Plan (HMBP); however, if the applicant handles any non-exempt hazardous materials, it will register its hazardous materials with the local agency using the Hazardous Materials/Waste Registration form so that the local agency can evaluate the storage and/or use and give notice of any permits or storage/use fees that may apply. Material Safety Data Sheets (MSDS) will be on site and available for inspection at any point.

The following shall serve as a list of minimum requirements for storage of materials.

- Bagged and boxed materials shall be stored on pallets.
- Proper storage instructions shall be posted in an open and conspicuous location.
- Materials shall be stored in their original containers and the original product labels shall be maintained. Damaged or otherwise illegible labels shall be replaced immediately.
- Petroleum products shall be stored with a secondary containment system.
- Keep ample supply of appropriate spill clean-up materials near storage areas.

Cannabis product will be stored in various locations on the site, applicable to the current stage said product is at. All harvested cannabis from the cultivation site is to be stored in Building 3, until it is processed. All processed cannabis will then be stored in either Building 4 or 5 depending on if the product is to be distributed or used for manufacturing. Each of buildings 3, 4, and 5 will contain a locked vault bolted to the floor within a locked room, where cannabis product is to be stored. Chemicals will be stored in an engineered chemical storage box located within Building 4 in accordance with state and local regulations and employees will be properly trained in the safe storage and handling.

6. DISTRIBUTION PROCESS

Distribution of product will take place on Parcel E, within the proposed 10,000 square feet Building 5. Public water and PG&E electricity will be supplied to the building. Building 5 will contain one multi-sex ADA bathroom served by a leachfield located east of the building. Distribution activities will require an estimated 3 employees to be present during a normal work day. Within the distribution building a secure fire rated vault will be used to store all product. Activities within the building are to include labeling and packaging of all manufactured and non-manufactured cannabis products for distribution.

All packaging shall adhere to the State's packaging and labeling requirements. Each package will be vacuum sealed to protect the product from contamination and cannot be opened without obvious destruction of the seal. All labels will be printed in large, legible font, proportionate to the package or container, and adhered in a conspicuous location. All labels shall contain the following, written in English:

- Applicable requirements of Section 19347 of Business and Professions Code.
- Net weight of the contents in the package/container.
- Unique identifier assigned by the track and trace system.

7. Waste Management Plan

All cultivation related solid wastes are to be stored in outdoor covered garbage bins on site. Solid wastes will include used soil bags, spent pots, and any other non-hazardous or non-contaminated materials. Items that can be recycled will be stored separately. All garbage and recycling bins are to be hauled off to a disposal site once weekly at a minimum. No cannabis by-product will be allowed to enter the on-site septic systems and waste water treatment system, this includes by-product from indoor cultivation, processing, and manufacturing. All by-products from manufacturing will be stored in secured waste receptacles which will be located in an secure area. The waste will then be picked up by a certified waster hauler and hauled to an approved facility as necessary.

8. Odor Control Plan

The applicant is committed to keeping a clean and safe workplace for not only its employees but for the surrounding businesses and general public. The following odor mitigation practices, all based on industry-specific best control technologies and best management practices, will be implemented at the site to ensure the activities performed within the facility do not cause odor pollution outside of the premises.

The best control technology for cannabis facilities is carbon filtration. To mitigate the odors emitting from activities performed at the facility a carbon filter fan system is to be installed in each building on the site. During all operating hours of the facility, all doors and windows will be closed and exhaust fan running to actively scrub odors from the air before it is discharged outside of the facility. The filtration system shall be inspected daily by trained staff to ensure it is functioning properly with no blockages. Records of purchases of replacement carbon filters should be kept on site and filters shall be replaced per the manufacturer's recommendations.

Administrative controls implemented at the site include procedural activities, such as building management responsibilities, and staff training procedures. To minimize smell and contamination in the manufacturing facility (Building 4), all material will be immediately stored in sealed containers. The sealed containers will then be stored in freezers to provide a secondary containment for odors, as well as help preserve its current state. The entrance door to the facility shall remain closed and locked at all times and only opened as needed to provide access. All interior doors shall also be closed at all times in order to isolate specific odor emitting activities to their designated areas in the building.

Discarded plant material generated in the extraction room shall have a designated sealed disposal container, located in close proximity to the extraction process, where it can be stored until it is ready to be discarded at an appropriate refusal site, to be determined. All final product oils are stored in sealed containers, and the containers stored in a cool, dark and locked safety cabinet.

All staff will be trained in the odor control procedures described above. Signage shall be strategically placed to instruct persons in the facility to keep doors closed at all times. Designated trash receptacles and storage containers shall be properly labeled as to their use. All new staff members shall be properly trained in all odor control procedures and documentation of training shall be kept on site. The production manager shall implement an equipment maintenance schedule and designate trained staff members to keep up to date on all equipment maintenance.

Records shall be maintained and kept on site of all performed maintenance tracking, documentation and notification of malfunctions, scheduled and performed training sessions, and monitoring of administrative and engineering controls

9. Security Plan

The site is protected by a locked gate at the entrance and will be completely enclosed by fencing. Fencing will be provided along both sides of the access road with locked gates at the entrance to each facility on the premises. All access points to each building will be equipped with commercial grade locks including doors, windows, roofs, and ventilation systems. Windows and roof hatches of each building shall be secured from the inside with effective means so as to prevent unauthorized entry, and shall be equipped with latches or a similar mechanism that may be released quickly from the inside to allow exit in the event of emergency in compliance with all applicable building code provisions. Lighting is to be mounted to the exterior of the buildings as well as the perimeter fencing sufficient to illuminate the entire parking lot, access gate and entry doors. Select areas will be on timers with all remaining lights on motion sensors. All perimeter lighting will be able to be activated by manual switches inside the buildings. Placement of the lights will be directed towards the center of the property so that they do not cause a nuisance to neighboring properties.

A security alarm system is to be installed to notify and record any breach of physical barriers. Safety protocols and procedures will be established in the event alarms are triggered or suspicious activities are reported. An armed security officer will be on-site 24/7 to monitor gate access, cameras, motion sensors and to respond as needed. The security officer will be available during business hours to monitor and patrol as needed and will make random unscheduled foot patrols of the property during non-business hours. Security personnel will monitor all transportation vehicles moving on or off the property.

Video surveillance is to be installed throughout the property. HD digital video cameras at the main gate and spaced at intervals around the parking area sufficient to cover the entire property. Internal cameras will be installed to cover all access doors, sensitive work areas and areas used for shipping and receiving. Final numbers of lights, cameras, and motion sensors will be determined by the final build. Once a security service has been obtained, the applicant plans to get their input on quantity and location of surveillance equipment.

Only authorized personnel will be able to access perimeter gates and associated facility gates to protect the physical safety of employees. Authorized personnel will be identified and will utilize a sign-in/sign-out procedure, this includes all employees, suppliers, and/or visitors. Electronic key card access/ID will be issued to all designated persons allowed on-site. The system will be programed to only allow access to areas the employee is authorized to be in as well as tracking all entry by date, time and employee ID. Employees will only be able to access specific work areas as needed. The perimeter fencing would contain one controlled, key card operated, access gate located adjacent to Northwestern Avenue. This gate will be monitored by security staff located on site. All

keyed entry would also be recorded on digital video as well as being computer recorded and time stamped.

A track and trace inventory system will be performed by designated personnel to trace all cannabis material from the time it is produced and/or delivered to the site, throughout the processing and manufacturing stages, until it is released for distribution.

All owners and employees making operational or management decisions will consent to a background check. Any information which the Department of Justice establishes is necessary shall be provided, including fingerprint images.

EXHIBIT A

Conditions of Approval
Rio Dell Holdings Conditional Use Permit
File No. 205-111-069; Case No. CUP-CCLUO-18-02

Conditions of Approval

1. Indoor cultivation activities shall utilize in-floor drains for accidental over-watering or spills. The floor drainage system shall not be tied to the on-site wastewater treatment system, but tied to a holding tank to be either pumped and transported to an off-site municipal treatment facility or to be used for on-site irrigation purposed for the landscaped areas.

2. All disposal of cannabis waste is subject to Section 40290 of the California Code of Regulations (CCR). Section 40290(e) of the CR's requires that the cannabis waste be rendered to make it unusable and unrecognizable before removing the waste from the premises. This requires that the cannabis waste be grinded and incorporated with other ground material so that the resulting mixture is at least 50% non-cannabis material by volume. All hazardous waste as defined in Section 40141 of the Public Resources Code (PRC) must be managed with all applicable hazardous waste statutes and regulations.

3. The Plan of Operations shall be amended to included the following local and state regulations regarding security.

- Security cameras shall be installed and maintained in good condition, and used in an on-going manner with at least 720 concurrent hours of digitally recorded documentation in a format approved by the Planning Commission. The cameras shall be in use 24 hours per day, 7 days per week. The areas to be covered by the security cameras shall include, but are not limited to, the public areas, processing areas, storage areas, employee areas, all doors and windows, and any other areas as determined to be necessary by the Planning Commission.

- The facility shall be alarmed with an audible interior and/or exterior silent alarm system that is operated and monitored by a recognized security company, deemed acceptable by the Planning Commission. Any change in the security company shall be subject to the approval of the City Manager or his designee. All current contact information regarding the cannabis facility's security company shall be provided to the City Manager or designee.

The permittee shall modify the security plan to include the information required by Section 40200 et. seq of the California Code of Regulations. At minimum, the security plan shall include a description of the security measures to be taken to:

(a) Prevent access to the premises by unauthorized personnel and protect the physical safety of employees. This includes, but is not limited to:

(1) Establishing physical barriers to secure perimeter access and all points of entry into a manufacturing premises (such as locking primary entrances with commercial-grade, non-residential door locks, or providing fencing around the grounds, driveway, and any secondary entrances including windows, roofs, or ventilation systems);

(2) Installing a security alarm system to notify and record incident(s) where physical barriers have been breached;

(3) Establishing an identification and sign-in/sign-out procedure for authorized personnel, suppliers, and/or visitors;

(4) Maintaining the premises such that visibility and security monitoring of the premises is possible; and

(5) Establishing procedures for the investigation of suspicious activities.

(b) Prevent against theft or loss of cannabis and cannabis products. This includes but is not limited to:

(1) Establishing an inventory system to track cannabis material and the personnel responsible for processing it throughout the manufacturing process;

(2) Limiting access of personnel within the premises to those areas necessary to complete job duties, and to those time-frames specifically scheduled for completion of job duties;

(3) Supervising tasks or processes with high potential for diversion (including the loading and unloading of cannabis transportation vehicles); and

(4) Providing designated areas in which personnel may store and access personal items.

(c) Secure and back up electronic records in a manner that prevents unauthorized access and that the integrity of the records is maintained.

4. A seven (7) foot black wrought iron or steel security fence shall be placed around the perimeter of the proposed parcels.

5. All cultivation activities are subject to the Performance Standards in Section 17.30.195(10) of the Rio Dell Municipal Code as follows.

Performance Standards for all CCLUO Cultivation Operations:

(a) No surface water withdrawals shall be allowed as part of any cultivation operations.

(b) No Timberland Conversion Permits or Exemptions as approved by the California Department of Forestry and Fire Protection (CAL-FIRE) shall be used to facilitate the cultivation of cannabis.

(c) The area of cannabis cultivation shall be located as shown on the application site plan, set back at least 50 feet from any property line in the Natural resource (NR) zone and 1000 feet from any School. Cannabis cultivation is declared to be development, subject to compliance with Section 17.30.110, Environmentally Sensitive Habitat Area's (ESHA's). For purposes of this section, where enhanced, reduced, or modified watercourse or wetland setbacks have been agreed to by the operator and the RWQCB under enrollment pursuant to NCRWQB Order No. 2015-0023 and/or preparation of a Water Resources Protection Plan, these may control and supersede any setback applied pursuant to Section 17.30.110.

(d) Maintain enrollment in Tier 1, 2 or 3, certification with the North Coast Regional Water Quality Control Board Order No. 2015-0023, if applicable, or any substantially equivalent rule that may be subsequently adopted by the City of Rio Dell or other responsible agency.

(e) For cultivation areas for which no enrollment pursuant to NCRWQB Order No. 2015-0023, is required by that Order, compliance with the standard conditions applicable to all Tier 1 dischargers.

(f) The storage or use of any fertilizer, pesticide, fungicide, rodenticide, or herbicide shall be in compliance with the manufacture's recommendations and regulations administered by the State Department of Pesticide Regulation. Hazardous materials and wastes from agricultural businesses are regulated by the Humboldt County Environmental Health Division, which administers the Hazardous Materials program as one of the Certified Unified Program Agencies (CUPA). This includes the application, inspection, enforcement, and reporting under the program requirements and standards set by the California Environmental Protection Agency (CalEPA).

(g) Trucked water shall not be allowed as the primary water source. Water is to be sourced locally (on-site), except for emergencies. For purposes of this provision, "emergency" is defined as: "a sudden, unexpected occurrence demanding immediate action."

(h) Carbon filter fans or equivalent superior filters/scrubbers shall be required to eliminate odor discharges to neighboring properties from cultivation and processing facilities.

(i) A Waste Management/Disposal Plan shall be submitted describing any produced wastes, including by-products, recycling, reusing, recovery, storage, diversion and handling and disposal.

(j) Those cultivators using artificial lighting for mixed-light cultivation shall shield greenhouses so that little to no light escapes. Light shall not escape at a level that is visible from neighboring properties between sunset and sunrise. Should the City receive complaints that the lighting is out of alignment or not complying with these standards, within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment has been repaired, inspected and corrected as necessary.

(k) Generators are only allowed as an emergency back-up power source. The noise produced by a generator used for cannabis cultivation shall not be audible from neighboring residences. The decibel level for generators at the property line shall be no more than 60 decibels.

(l) Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, and in such a way that no spillage occurs.

(m) Electricity for Indoor and Mixed Light cultivation activities shall be provided by any combination of the following:

(i) On-grid power with 42 percent renewable source.

(ii) Onsite zero net energy renewable source providing 42 percent of power.

(iii) Purchase of carbon offsets for any portion of power above 58 percent not from renewable sources.

(iv) Demonstration that the equipment to be used would be 42 percent more energy efficient than standard equipment, using 2014 as the baseline year for such standard equipment.

Purchase of carbon offset credits (for grid power procured from non-renewable producers) 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.

(n) Comply with all federal, state, and local laws and regulations applicable to California Agricultural Employers, including those governing cultivation and processing activities.

(o) Comply with any special conditions applicable to that permit or parcel which may be imposed as a condition of the required Conditional Use Permit.

6. All manufacturing activities shall comply with the Performance Standards in Section 17.30.195(11) of the Rio Dell Municipal Code as follows.

Performance Standards for Manufacturing Activities:

(a) Compliance with CAL/OSHA, OSHA regulations.

(b) Compliance with State and local building regulations, including the California Building Code (CBC) and the California Fire Code (CFC).

(c) A Security Plan that addresses how the following measures shall be implemented or complied with:

(i) Entrance to the extraction areas and any cannabis storage areas shall be locked at all times, and under the control of facility staff.

(ii) Cannabis shall be stored in buildings that are completely enclosed, and in a locked vault or safe, or other secured storage structure which is bolted to the floor or structure of the premises.

(iii) Windows and roof hatches of the premises shall be secured from the inside with effective means so as to prevent unauthorized entry, and shall be equipped with latches or a similar mechanism that may be released quickly from the inside to allow exit in the event of emergency in compliance with all applicable building provisions in the Code.

(d) If using CO_2 in processing, a professional grade closed-loop CO_2 gas extraction system rated to a minimum of fifteen thousand (15,000) pounds per square inch (PSI) is required for every vessel in the system.

(e) Extraction processes shall use a commercially manufactured professional grade closed-loop extraction system designed to recover the solvents and built to codes of recognized and generally accepted sound engineering practices, such as (i) The American Society of Mechanical Engineers (ASME); (ii) American National Standards Institute (ANSI); (iii) Underwriters Laboratories (UL); or (iv) The American Society for Testing and Materials (ASTM).

(f) Volatile extraction operations shall occur in a spark-proof, explosion-proof room equipped with evacuation fans and lower explosive limit (LEL) detectors.

(g) Carbon filter fans or equivalent superior filters/scrubbers shall be required to eliminate odor discharges to neighboring properties.

(h) A Waste Management/Disposal Plan shall be submitted describing any produced wastes, including by-products, recycling, reusing, recovery, storage, diversion and handling and disposal.

(i) Manufacturers of edibles shall comply with the regulations in the California Health and Safety Code, which includes the California Retail Food Code administered by the California Department of Health Services - Food and Drug Branch, California Department of Food and Agriculture and the County Department of Environmental Health.

7. Record Retention. The term record includes: all records, applications, reports or other supporting documents required by the City and the State.

(a) Each permittee shall keep and maintain the records listed in subsection (e) for at least 7 years from the date the document was created.

(b) Records shall be kept in a manner that allows the records to be immediately produced for the City at the permitted premises.

(c) All records related to commercial cannabis activity are subject to inspection by the City.

(d) A permittee may contract with a third party to provide custodial or management services of the records. Such a contract shall not relieve the licensee of its responsibilities under this condition.

(e) Each permittee shall maintain all of the following records on the licensed premises or at a different location identified by the licensee and approved by the City, including but not limited to:

(1) City and State issued permits and license(s);

(2) Plan of Operations;

(3) All records evidencing compliance with the environmental protection measures required in Sections 8313, 8314, and 8315 of the California Code of Regulations;

(4) Any supporting documentation for data or information input into the track-and-trace system;

(5) Financial records, including but not limited to, bank statements, tax records, invoices, and sales receipts;

(6) Personnel records, including each employee's full name, social security, or individual tax payer identification number, date of beginning employment, and date of termination of employment if applicable;

(7) Training records, including but not limited to the content of the training provided and the names of the employees that received the training;

(8) Contracts with other state licensed medical cannabis businesses;

(9) Permits, licenses, and other local authorizations to conduct the licensee's commercial cannabis activity;

(10) Security records; and

(11) Records associated with the composting or disposal of waste.

(f) All required records shall be prepared and retained in accordance with the following conditions:

(1) Records shall be legible; and

(2) Records shall be stored in a secured area where the records are protected from debris, moisture, contamination, hazardous waste, fire and theft.

8. Community Relations: Each medical cannabis facility shall provide the City Manager or designee with the name, phone number, facsimile number, and email address of an on-site community relations or staff person or other representative to whom the City can provide notice if there are operating problems associated with the medical cannabis facility or refer members of the public who may have any concerns or complaints regarding the operation of the medical cannabis facility. Each medical cannabis facility shall also provide the above information to its business neighbors located within 300 feet of the medical cannabis facility.

9. Inspections: Consent to a minimum of at least one quarterly on-site compliance inspection, to be conducted by appropriate City officials during regular business hours (Monday – Friday, 9:00 am – 5:00 pm, excluding holidays). The applicant shall be required to pay the Inspection Fee in effect at that time.

10. Highway 101, Metropolitan Heights and Northwestern Intersection Improvements: Any required improvement costs to the Highway 101 and Metropolitan Heights and Northwestern Intersections will be shared among the developers based on the number of daily trips generated by their uses.

11. The applicant shall execute the Release of Liability and Hold Harmless Agreement required by Section 17.30.195(4) of the Rio Dell Municipal Code (RDMC).

12. An emergency power source (generator) shall be provided to supply power to the manufacturing area at a minimum.

13. The applicant shall enroll in the County Hazardous Waste program. Hazardous materials and wastes from agricultural businesses are regulated by the Humboldt County Environmental Health Division, which administers the Hazardous Materials program as one of the Certified Unified Program Agencies (CUPA). This includes the application, inspection, enforcement, and reporting under the program requirements and standards set by the California Environmental Protection Agency (CalEPA). The applicant shall provide evidence of enrollment.

14. The operations shall comply with all local and State regulations at all times.

RESOLUTION NO. PC 123-2018

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIO DELL APPROVING THE RIO DELL HOLDINGS CANNABIS ACTIVITY CONDITIONAL USE PERMIT.

WHEREAS Rio Dell Holdings is proposing six (6) buildings ranging in size from 6,600 to 36,400 square feet, their associated landscaping and for cannabis related activities, including indoor (44,000 sq. ft.) and greenhouse (20,000 sq. ft.) cultivation, processing, packaging, volatile and non-volatile manufacturing, distribution and an on-site 43,560 square foot nursery which will be used to propagate, clones and seedlings for use on and off-site; and

WHEREAS Section 17.30.195 the City's Commercial Cannabis Land Use Ordinance (CCLUO), allows commercial cannabis activities at the former Eel River Sawmill site, now known as the Humboldt Rio Dell Business Park with a Conditional Use Permit (CUP); and

WHEREAS Building 1 on Parcel A (2.80 acres) will be 36,400 square feet and will accommodate 22,000 square feet of indoor cultivation and approximately 14,400 square feet of office, space, restrooms, a break room and storage. The parcel will also be developed with a 5,000 square foot greenhouse; and

WHEREAS Building 2 on Parcel C (2.86 acres) will be 30,800 square feet and will also accommodate 22,000 square feet of indoor cultivation and approximately 8,800 square feet of office, space, restrooms, a break room and storage. The parcel will also be developed with a 5,000 square foot greenhouse; and

WHEREAS Building 3 on Parcel B (1.48 acres) will be 20,000 square feet and will accommodate the drying/curing of cannabis plants, processing, trimming, grading and packaging; and

WHEREAS Building 4 on Parcel C (2.86 acres) will be 6,600 square feet and will be used for storage and maintenance workshop; and

WHEREAS Building five (5) on Parcel D (1.50 acres) will also be 20,000 square feet and will accommodate volatile and non-volatile manufacturing. The applicant is proposing a State Type 7 manufacturing facility license which includes extractions using volatile solvents, non-volatile solvents, and mechanical methods. Methods for nonvolatile manufacturing are to include

Pressing, CO2 (Pressurized Solvent-Based Extraction), dry sifting, tumbling, and cold-water extraction. Proposed volatile manufacturing systems will be N-butane close loop extraction system (Pressurized Solvent-Based Extraction), organic ethanol rotary evaporation system, short path distillation system, and short path wiped film distillation systems (Distillate). Chemicals to be used in the manufacturing processes include N-butane, organic ethanol, isopropanol, N-hexane, pentane, ISO-butane, propane, and nitrogen; and

WHEREAS Building six (6) on the "Remainder" Parcel E will be a 10,000 square foot processing, packaging and distribution. In addition, a 10,000 square foot greenhouse and 43,560 square foot greenhouse nursery used to propagate, clones and seedlings for use on and off-site; and

WHEREAS The buildings were evaluated for compliance with the development standards of the Industrial Commercial (IC) zone, including setbacks, lot coverage, building height, parking, design review, landscaping etc. as part of the Design Review approval; and

WHEREAS the purpose of the Industrial Commercial zone is to provide for industrial and commercial uses; and

WHEREAS based on the information submitted, staff recommends that the proposed uses be found to be consistent with the development standards of the Industrial Commercial (IC) zone and the Commercial Medical Cannabis Land Use Ordinance, Section 17.30.195 and the Use Permit requirements of Section 17.35.030 of the Rio Dell Municipal Code; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Rio Dell finds that ***as conditioned***:

WHEREAS The proposed use is consistent with the general plan and any applicable specific plan; and

WHEREAS The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity; and

WHEREAS the site is physically suitable for the type, density and intensity of use being proposed, including access, utilities, and the absence of physical constraints

WHEREAS granting the permit would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located; and

WHEREAS the proposed project has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA);.

I HEREBY CERTIFY that the forgoing Resolution was PASSED and ADOPTED at a regular meeting of the Planning Commission of the City of Rio Dell on April 24, 2018 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Nick Angeloff, Chairperson

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Resolution No. PC 123-2018 adopted by the Planning Commission of the City of Rio Dell on April 24, 2018.

_____
Karen Dunham, City Clerk, City of Rio Dell