



AGENDA
RIO DELL PLANNING COMMISSION
REGULAR MEETING - 6:30 P.M.
TUESDAY, AUGUST 22, 2017
CITY COUNCIL CHAMBERS
675 WILDWOOD AVENUE, RIO DELL

WELCOME . . . By your presence in the City Council Chambers, you are participating in the process of representative government. Copies of this agenda, staff reports and other material available to the Commission are available at the City Clerk's office in City Hall, 675 Wildwood Avenue. Your City Government welcomes your interest and hopes you will attend and participate in Rio Dell Planning Commission meetings often.

- A. CALL TO ORDER
- B. ROLL CALL
- C. PLEDGE OF ALLEGIANCE
- D. CEREMONIAL MATTERS
- E. CONSENT CALENDAR
- F. PUBLIC PRESENTATIONS

This time is for persons who wish to address the Commission on any matter not on this agenda and over which the Commission has jurisdiction. As such, a dialogue with the Commission or staff is not intended. Items requiring Commission action not listed on this agenda may be placed on the next regular agenda for consideration if the Commission directs, unless a finding is made by at least 2/3rds of the Commission that the item came up after the agenda was posted and is of an urgency nature requiring immediate action. Please limit comments to a maximum of 3 minutes.

G. SCHEDULED MATTERS/PUBLIC HEARINGS/STUDY SESSIONS

- 1) 2017/08.22.01 - Resolution No. PC-115-2017 Approving a Conditional Use Permit (CUP) for Sean Studebaker for 9,800 square feet of Indoor Cultivation of Medicinal Cannabis within an existing 23,500 +/- square foot building located at 853 Northwestern Avenue in the Humboldt Rio Dell Business Park, subject to Conditions of Approval (APN 205-111-050)
(DISCUSSION/POSSIBLE ACTION)

H. ADJOURNMENT



In compliance with the American with Disabilities Act (ADA), if you need special assistance to participate in this meeting, please contact the Office of the City Clerk at (707) 764-3532. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.


*The next Regular Planning Commission meeting is scheduled for
Tuesday, September 26, 2017 at 6:30 p.m.*

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



For Meeting of: August 22, 2017

To: Planning Commission

From: Kevin Caldwell, Community Development Director 

Through: Kyle Knopp, City Manager

Date: August 15, 2017

Subject: Studebaker Conditional Use Permit for 9,800 square feet of indoor cultivation of medicinal cannabis within an existing 23,500+/- square foot building. Processing (drying, trimming and packaging) will occur within the building as well.

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 115-2017 approving the Conditional Use Permit, subject to the Conditions of Approval, Exhibit A.

Background

Shawn Studebaker has made application for a Conditional Use Permit for 9,800 square feet of indoor cultivation of medicinal cannabis within an existing 23, 500+/- square foot building. Processing (drying, trimming and packaging) will occur within the building as well. A portion of the building is occupied by Humboldt Rotational Molding and used for the manufacturing of water tanks. The proposed project does not trigger Design Review.



Attachment 1 includes the Plan of Operations for the proposed uses. The Plan of Operations addresses, employees, traffic, security, waste management, etc.

The security plan includes closed circuit cameras placed on the outside and inside of the building to monitor and record all activities inside and outside the building. Cameras will run 24 hours a day and 7 days a week. The building is already armed with an alarm system that is operated and monitored by a security company. In addition, the perimeter of the site is proposed to be completely fenced with chain link fencing. Processed cannabis will be stored in a secured, locked cargo container within the processing area and monitored by security cameras.

The State is in the final stages of adopting regulations for cannabis businesses. Once adopted, local businesses are required to comply with both the State and local regulations.

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.

The Commercial Medical Cannabis Land Use Ordinance (CMCLUO), Section 17.30.195 allows medical cannabis facilities, including cultivation and associated processing in the Sawmill Annexation area with a Conditional Use Permit. As such, the proposed uses are allowed.

Section 17.30.195(9)(i) requires that owners and employees who make operational or management decisions content to a back ground check. The project has been conditioned accordingly. **Please refer to Exhibit A, Attachment 3.**

Again, the building is existing and therefore is not subject to the City's Design Review Regulations.

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. Section 17.30.140 of the RDMC contains provisions regarding buildings in the flood zone. Again, the building is existing, as such the project is exempt from Section 17.30.140 of the RDMC and FEMA's flood regulations (Title 44 Code of Federal Regulations). However, all wiring and associated controllers must be in waterproof conduits or located above the base flood elevation (BFE). The project has been conditioned 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.

The applicant is proposing a 9,800 square feet of cultivation in an area of about 13,225 square feet. In addition the processing area is about 1660 square feet. The total area for the cannabis related activity is about 14,885 square feet. The total area of the building is 23,514 square feet. Section 17.30.180(17)(a) of the RDMC requires one parking space for every 500 square feet for warehouse and manufacturing uses. Based on the parking requirements, the applicant is required to provide 47 parking spaces. The site plan identifies 47 parking spaces, 45 regular spaces and 2 handicap spaces.

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 applicant is proposing a curb around the proposed six (6) foot landscaped strips adjacent to the parking areas, with the exception of the two (2) handicap spaces adjacent to the building. The project has been conditioned to include the curbing around the landscape strips. **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. No new driveway access points are proposed.

Section 17.30.310 et. seq. requires the construction of curb, gutter, sidewalks and street improvements as conditions of approval for new buildings. Again, the building is existing, therefore, the construction of curb, gutter and sidewalks is not required at this time.

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).

Again, the applicant is proposing six (6) foot landscaped strips adjacent to the parking areas, with the exception of the two (2) handicap spaces adjacent to the building. The project has been conditioned to comply with the landscaping requirements with the exception of trees in the parking areas.

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. The applicant is proposing to provide a pedestrian access way (sidewalk) adjacent to the wall of the structure in front of the proposed accessible parking spaces.

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 ratio of one (1) tree for every five (5) parking spaces. The applicant is proposing twelve (12) Sargent Cherry trees that grow to a mature height of about 25 feet.

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 two (2) wall mount fixtures attached to the building. 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(19) of the RDMC identifies bicycle parking requirements. The number of required bicycle spaces required is based on the number of required parking spaces. Below is a copy of the bicycle parking demands.

Vehicle Parking Spaces Required	Number of Bicycle Spaces Required
3 - 25	3
26 - 50	5
51 - 75	10
76 - 100	15
100+	20

Section 17.30.180(19)(b)RDMC

Based on Section 17.30.180(19) of the RDMC, the applicant is required to provide five (5) bicycle spaces. Although the site plan identifies bicycle parking, staff has conditioned the project accordingly. **Please see Exhibit A.**

Section 17.30.180(20) of the RDMC identifies motorcycle parking requirements. Parking lots with 20 or more spaces are required to provide motorcycle parking facilities. Based on the required parking spaces at this time, the applicant is required to provide two motorcycle parking spaces. Each motorcycle space shall have a minimum dimension of four (4) feet by seven (7) feet long. Staff has conditioned the project accordingly. **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. One 11' x 35' loading space with at least 14 feet of vertical clearance is required. The site plan identifies the required loading space.

The regulations (§ 17.30.180(21)(c)(3)& (d)) do require that all vehicular maneuvers occur on-site and that vehicles enter from and exit in a forward motion only and that the loading area 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 area must be striped and identified for "loading only" and the striping and notation must be continuously maintained in a clear and visible manner. Based on the location of the potential loading area and the surrounding development, staff does not believe there is a need to screen the loading area. Staff has conditioned the project to require the striping and notation. **Please refer to Exhibit A.**

Cultivation Performance Standards

Again, the applicant is proposing, 9,800+/- square feet of indoor cultivation and a 1,664 square foot processing/trimming room. The CMCLUO allows up to 22,000 square feet of indoor cultivation, which requires a Type 3 license from the State.

The project is subject to the City's Performance Standards identified in Section 17.30.195(10) of the RDMC and the State regulations when adopted. The project has been conditioned accordingly, **Please refer to Exhibit A, Attachment 3.** At this time the State is proposing that 48% of the required electricity for indoor cultivation must come from a renewable resource. If that is not possible, cultivators will be able to purchase carbon credits.

The Plan of Operations addresses and complies with the required submittal and operational requirements of the CMCLUO, including a security plan, a waste management and disposal plan. The project is recommended to be conditioned to ensure compliance.

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.

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.

Based on the information submitted and recommended conditions of approval, 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 of the Rio Dell Municipal Code.

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. The proposed cultivation, processing and packaging of any other product (i.e. vegetables, fruits, mushrooms, hops, etc.) would be principally permitted.

The General Plan includes policies to encourage Low Impact Development (LID) techniques to minimize stormwater runoff and encourage groundwater recharge. New projects are conditioned to design stormwater facilities to accommodate a 25 year storm event, including the use of bio-swales and detention/retention facilities. Again, no new buildings or impervious areas are proposed, so there will be no net increase of stormwater runoff. However, staff is recommending that the landscape strips be design/constructed to act as retention/detention facilities. Please refer to Exhibit A.

The proposed use 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 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;

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;

Access to the project site is from Highway 101. As the Planning Commission is aware, 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. Staff has included the Executive Summary of the TIS as Attachment 2.

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, including the Traffic Impact Study 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 project was referred to the Fortuna Volunteer Fire Department and the Rio Dell Volunteer Fire Department. There is an existing fire hydrant onsite.

The California Building Code requires four (4) lighted exits within the cultivation area and a one-hour fire wall between the cultivation area and the water tank manufacturing area. The project has been conditioned accordingly. **Please refer to Exhibit A.**

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 proposed use, including the fact that unpermitted cultivation has occurred in the building, 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, site plan and floor plan.

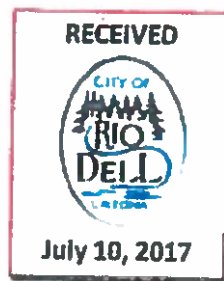
Attachment 2: W-Trans Traffic Impact Study Summary.

Attachment 3: Exhibit A, Conditions of Approval.

Attachment 4: Resolution No. PC 115-2017.

Cultivation and Operations Plan

Shawn Studebaker



APN 205-11-050
853 Northwestern Ave
Rio Dell, CA 95562
May 25, 2017

Contents

Project Description3
Deliveries4
Security Plan4
Water Management.....5
Storage of Nutrients and Cultivation Products5
Emissions.....5
Noise Levels5
Public Facilities5
Water Source and Use5
Watershed and Habitat Protection6
Safety6

Project Description

Shawn Studebaker is seeking a SpecialUse Permit for a 20,000 Sq Ft Indoor Medical Cannabis Operation. This project will utilize a portion of the existing building of the former Eel River Sawmill.

Cultivation will take place in beds of soil at ground level. These beds are approximately 10'x100'. The beds will be lined to eliminate possible leaching or draining of soil or nutrients.

Special care will be given to the elimination of odor. A large ducting system with carbon filters on the out flow will be installed both in the cultivation area as well as the processing area.

Noise of the operation will be minimal.

Access to the cultivation area will be through double entry door. This will eliminate high wattage light from escaping the building.

The mature cannabis will be harvested and dried on the on-site processing facility. The processing area is to be equipped with electrical dehumidifiers and electric heaters. Drying will take approximately 5 days where it will then be processed on-site. The processing will include removing stems and leaf to create a marketable product. We will utilize two types of processing, which will include the latest in technology for trimming machines and then possibly hand trimming for quality control. The product will then be packaged and stored. All rooms will be well ventilated and exhaust ventilation will be through carbon filters to eliminate odor. We plan on using up to 10 employees during peak operations.

Energy Usage

This project is served by existing PGE with electrical service calculations are being processed by engineer.

Beds

Access to the grow rooms will be through double entry door. This will eliminate high wattage light from escaping the building. Cannabis will be grown in sealed soil beds which will eliminate nutrient runoff. Beds will be filled with 10" of organic bulk soil. These beds will be approximately 10' wide to facilitate plant management as well as equipment access for the management of the soil. A special drip irrigation pipe will run the length of the beds and will deliver proper water volume to each plant. Water soluble fertilizer will be used once each week or as needed for plant health.

Crop Rotation

Month	Propagation	Cultivation	Processing	Water Usage
January	N/A	Cultivate/ harvest	Curing / trimming	21,000
February	N/A	Cultivating	packaging	21,000
March	N/A	Cultivating/ Harvesting	Curing	21,000
April	N/A	Replant	Trimming /packaging	21,000
May	N/A	Cultivate	None	21,000
June	N/A	Cultivate	None	21,000
July	N/A	Harvest / replant	Curing / trimming	21,000
August	N/A	Cultivate	Trimming /Packaging	21,000
September	N/A	Cultivate	None	21,000
October	N/A	Harvest / replant	Curing/ trimming	21,000
November	N/A	Cultivate	Trimming/ packaging	21,000
December		Cultivate	None	21,000
			Total Water Use	252,000 gallons

Deliveries

Shawn Studebaker will have a traffic plan for the proposed project. Vendors and delivery trucks will be instructed by clear signage to loading and unloading locations. We expect a garbage and recycle truck twice per week, van or courier delivery twice per week. We have our own company medium duty flatbed truck which will deliver and pickup supplies 3-5 times per week. See site plan.

Security Plan

The facility will be completely fenced with chain link fencing. Key pad automatic gates will be installed in two locations. Combinations will be changed frequently. Operations will be discrete. A locked storage room will be installed for products of value. No cash will be left at the facility overnight. All buildings will be equipped with locked doors

Security cameras are in place and functioning. Security cameras are constantly recording activity and these recordings are saved for potential future review, if/when needed. The cameras are in use 24 hours per day, 7 days per week. The areas to be covered by the security cameras include, but are not limited to, the public areas, including parking, the processing areas, storage areas, employee areas, all doors and windows, and any other areas as determined to be necessary by the owners.

The facility is alarmed with an audible interior and exterior silent alarm system that is operated and monitored by a recognized security company.

Water Management

Solid waste which will include plastic bags, plastic containers, cardboard and other waste products will be recycled in appropriate bins provided by Eel River Resource Recovery in Fortuna, CA. We will have scheduled pick up each week. These bins or dumpsters will be located on paved area shown on site plan.

Storage of Nutrients and Cultivation Products

Storage of nutrients and fertilizer will be in a lockable shipping container inside the cultivation area. All nutrients and fertilizers will be organic. Employees will be trained on the proper use and safety considerations for each product. Employees will also be provided with proper PPE which will include eye protection, hearing protection, gloves, dust masks, and any other safety equipment needed for a safe work environment. Pesticides and fungicides if needed, will also be natural or organic. They will be stored in the same shipping container, in a separate cabinet with clear labeling. All liquids will be stored in secondary containment to ensue no leakage will occur. MSDS binder will be available on site for each product.

Emissions

This project is not expected to create any emissions.

Noise Levels

Expected noise levels will be minimal. Exhaust fans with carbon filters will be built into duct work creating a muffled system. Exhaust from drying will circulate through carbon filters to eliminate odor. This will allow for zero light pollution as well. All heavy equipment, such as a propane powered forklift, have approved and compliant exhaust systems.

Public Facilities

Roads

Access to and from the site will utilize highway 101 and northwestern Avenue. This project is a wholesale business and we expect possibly 25 vehicles per day to enter the site. This includes employees, vendors, and owners.

Water

Water for this project is provided by the City of Rio Dell water system, utilizing an existing service to the property. Water conservation techniques such as drip irrigation and soil moisture management will help keep water usage to an industry standard.

Sewer

There is a proposed permitted septic system on the site.

Water Source and Use

Rio Dell City water will deliver water with an existing system. All conservation of water use will be implemented including employee training as well as drip irrigation and timers. Close monitoring of the water use will be implemented. 2 – 2500 rigid plastic water tanks will be

located inside the cultivation area. These tanks will be used to mix and store the water containing nutrients. A small electric pump will pressurize the water system for application to the plants.

Watershed and Habitat Protection

As stated in application, we will be working under California Regional Water Quality Control Board Tier 1 framework. This tier is for operations with a low risk to water quality which is based on physical characteristics of the operation. The operation is confined to existing building. There are no water courses within 200 ft. of the cultivation or waste structures. Sam Poly is working closely with property owners in establishing and maintaining a watershed and habitat protection plan. He is also filing a notice of intent with CRWQCB.

Extra precautions will be in place for protection of any nearby wetland or habitat. This will include but not be limited to the use of straw bales, waddles, or natural soil barriers. Site runoff is engineered and designed for minimal impact to wetlands or habitat.

Cultivation spoils will be managed by loading them in bins and shipping them to an offsite soil company. There they will be composted and added to the soil for recycling. This will include all plant waste, soil waste and any other cultivation waste product. Control measures will be in place to mitigate any potential for waste or nutrients to enter any water course. This will include the use of straw, waddles, or any other appropriate material to help contain potential runoff. Odors will be minimal as this waste will be removed from site weekly.

Safety

A safe work environment will be provided by the company.

Employees will be trained in the use of fire extinguishers, evacuation plan, emergency communication, and first aid. Fire extinguishers will be placed according to industry standard and Cal-OSHA.

The fire extinguishers will be serviced regularly by a reputable and local company, and be listed as ABC for fires of all types. Employees will also be trained in the use of appropriate PPE and this PPE will be provided by the company. Emergency contact numbers will be posted as well as provided to the city planning department. There will be a designated emergency protocol and an evacuation plan.

Executive Summary

The Rio Dell Cannabis Business Park Project would redevelop the former Eel River Sawmill site located on the east side of US 101 just north of the Eel River to provide cannabis production and distribution facilities as well as other cannabis related uses. As proposed, the project would redevelop nine of the existing 16 parcels and would have approximately 160 employees. The redevelopment has the potential to generate an average of 626 new trips per day, including 74 trips during the a.m. peak hour and 82 trips during the p.m. peak hour.

The study area includes the intersections of US 101 with Metropolitan Heights Road and Northwestern Avenue, both of which provide access to the site. Analysis indicates that the study intersections are operating acceptably under Existing conditions and are expected to continue operating at an acceptable level of service upon the addition of project-generated trips. Under anticipated Future volumes, which were calculated using Caltrans growth factors, the two study intersections are expected to continue operating acceptably with and without project-generated trips.

Northwestern Avenue, which provides primary access throughout the site, is in poor condition due to past use by logging trucks and other heavy vehicles. In order to provide adequate access to the new facilities, the City may wish to develop an impact fee for the potential developments that would cover the cost of paving the roadway and providing other improvements such as street lighting as deemed necessary by the City. The fee could be based on the proportional share of trips anticipated to be generated by each parcel, which was calculated as part of the analysis.

Northwestern Avenue is predominantly straight and flat throughout the project site so sight, so while specific locations for driveways have not been determined, sight distance is not expected to be an issue. As site plans for individual parcels become available, sight distance should be field checked at proposed driveway locations to maintain sight lines of at least 150 feet along the roadway.

Queuing was analyzed to determine the adequacy of the existing southbound left-turn lanes on US 101 at the study intersections to accommodate project generated traffic. It was determined that a maximum of two vehicles would be expected to queue at Metropolitan Heights Road and one vehicle at Northwestern Avenue under Future plus Project conditions. Both left-turn lanes have space to accommodate three vehicles so the turn lanes are adequate to accommodate the projected two-vehicle queues.

EXHIBIT A

**Conditions of Approval
Studebaker. Conditional Use Permit
File No. 205-111-068; Case No's. CUP 17-03**

Conditions of Approval

1. **Security Plan:** 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.

2. Records and Reporting

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.

3. Background Checks

Owner(s) or employee(s) who makes or will make operational or management decisions that directly impact the business shall consent to a background check pursuant to Section 19322(a)(1)(A) of the Business and Professions Code, including submitting to the Department of Justice fingerprint images and related information required by the Department of Justice for the purpose of obtaining information as to the existence and content of a record of State or Federal convictions and arrests, and information as to the existence and content of a record of State and Federal convictions and arrests for which the Department of Justice establishes that the person is free on bail or on his or her own recognizance, pending trial or appeal. The applicant shall be responsible for the costs associated with the required background check.

(i) No Owner or employee who makes or will make operational or management decisions that directly impact the business shall have been convicted of an offense, or is currently free on bail or on his or her own recognizance pending trial or appeal for an offense, that is substantially related to the qualifications, functions,

or duties of the business or profession for which the application is made, including but not be limited to, the following:

- (A) A felony conviction for the illegal possession for sale, manufacture, transportation, or cultivation of a controlled substance;
- (B) A violent felony conviction, as specified in subdivision (c) of Section 667.5 of the Penal Code.
- (C) A serious felony conviction, as specified in subdivision (c) of Section 1192.7 of the Penal Code.
- (D) A felony conviction involving fraud, deceit, or embezzlement.

4. Processing and Distribution: The applicant shall comply with all State regulations regarding processing, packaging and distribution, including packaging and labeling.

5. All wiring and associated controllers shall be in waterproof conduits or located above the base flood elevation (BFE).

6. Parking spaces shall be clearly delineated with white 4 inch wide lines and that the striping be continuously maintained in a clear and visible manner.

7. Concrete curbing at least 6 inches in height and 6 inches wide shall be installed around the perimeter of the parking landscaped areas.

8. Any exterior light fixtures must 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.

9. The applicant shall provide five (5) bicycle spaces and two (2) motorcycle parking spaces. Each motorcycle space shall have a minimum dimension of four (4) feet by seven (7) feet long.

10. The applicant shall provide one 11' x 35' loading space with at least 14 feet of vertical clearance. The loading area must be striped and identified for "loading only" and the striping and notation must be continuously maintained in a clear and visible manner.

11. The landscape strips shall be design/constructed to act as retention/detention facilities.

12. The applicant shall provide four (4) lighted exits within the cultivation area and a one-hour fire wall between the cultivation area and the water tank manufacturing area.

13. **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.

14. **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.

15. **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.

16. 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).

17. Security perimeter fencing shall be installed. The type of fencing shall be identified by the Planning Commission.

18. The garbage/recycling area shall be located at the rear of the building so as not to be visible from Highway 101. The garbage/recycling area shall be screened utilizing either a cyclone fence with privacy slats, a 6 foot board on board fence or a concrete masonry unit wall.

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.

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 115-2017



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

WHEREAS Shawn Studebaker has made application for a Conditional Use Permit for 9,800 square feet of indoor cultivation of medicinal cannabis within an existing 23, 500+/- square foot building; and

WHEREAS attachment 1 includes the Plan of Operations for the proposed uses. The Plan of Operations addresses, employees, traffic, security, waste management, etc.; and

WHEREAS the security plan includes closed circuit cameras strategically placed on the outside and inside of the building to monitor and record all activities inside and outside the building; and

WHEREAS the building is already armed with an alarm system that is operated and monitored by a security company. In addition, the perimeter of the site is proposed to be completely fenced with chain link fencing. Processed cannabis will be stored in a secured, locked cargo container within the processing area and monitored by security cameras; and

WHEREAS the State is in the final stages of adopting regulations for cannabis businesses. Once adopted, local businesses are required to comply with both the State and local regulations; and

WHEREAS the Commercial Medical Cannabis Land Use Ordinance (CMCLUO), Section 17.30.195 allows medical cannabis facilities in the Sawmill Annexation area with a Conditional Use Permit. As such, the proposed uses are allowed; 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 July 25, 2017 by the following vote:

AYES:

NOES:

ABSENT:

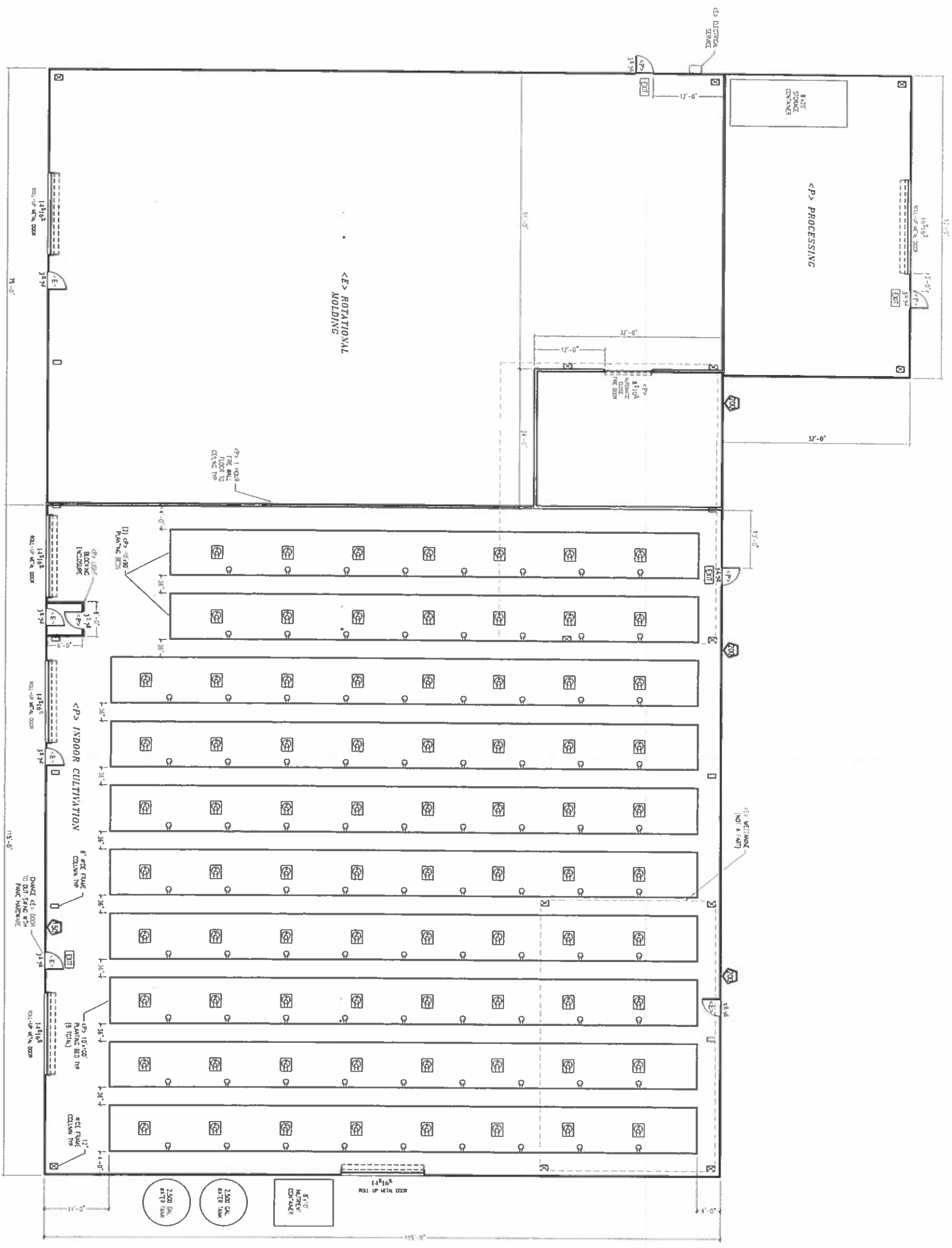
ABSTAIN:

Julie Woodall, Chairperson Pro Tem

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 115-2017 adopted by the Planning Commission of the City of Rio Dell on July 25, 2017.

Karen Dunham, City Clerk, City of Rio Dell



<P> FLOOR PLAN
SCALE: 1/8" = 1'-0"

ELECTRICAL LEGEND

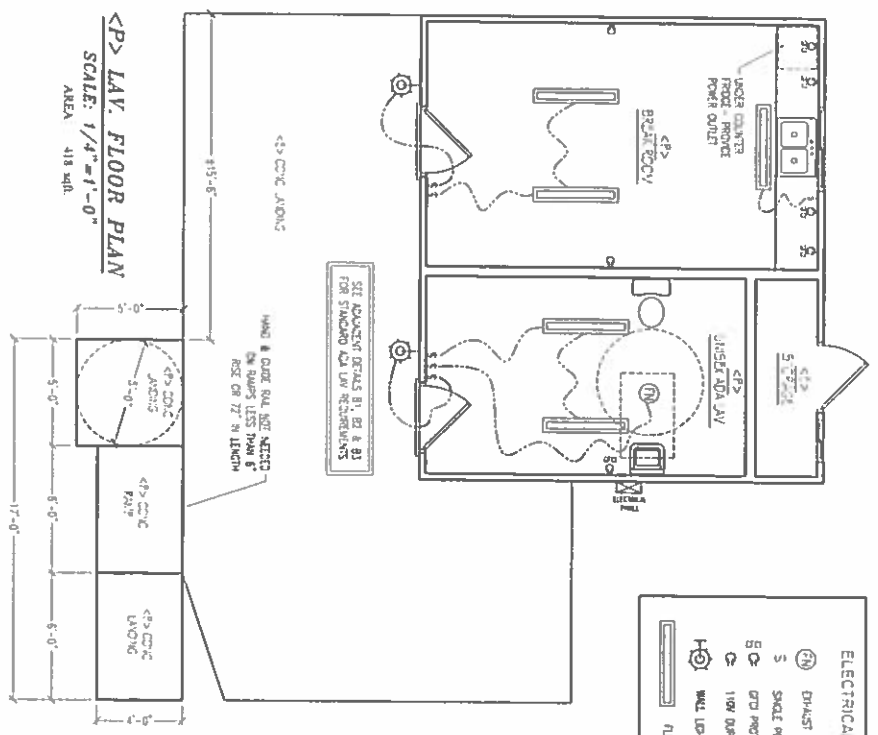
- 110 V DUPLEX OUTLET
- 20A V. OUTLET FOR LIGHTING IN OVERHEAD CROSS BAR FRAME
- 150 AMP ELECTRICAL SERVICE PANEL
- 200 AMP ELECTRICAL SERVICE PANEL
- ILLUMINATED EXIT SIGN DIRECTLY ABOVE DOOR W/PANIC HARDWARE



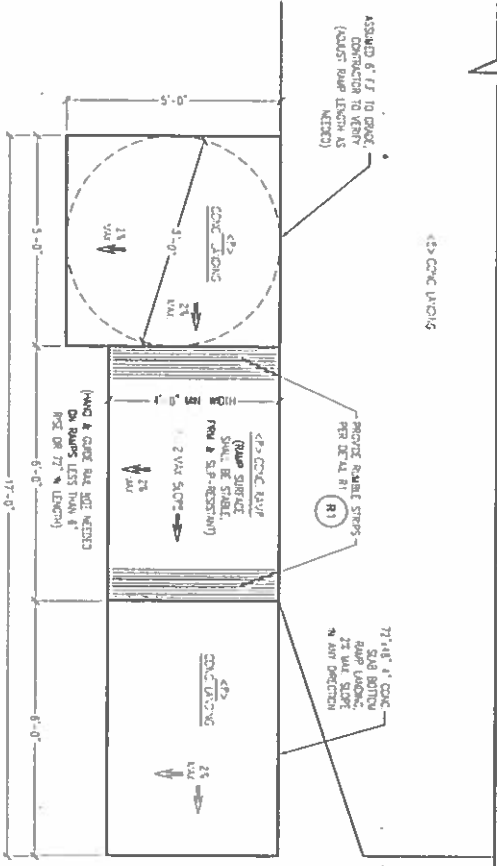
SHAWN STUDEBAKER 853 NORTHWEST AVE. FORTUNA, CA. AP# 205-111-050 Parcel G			A.M. Baird Engineering & Surveying 1257 Main St., P.O. Box 396, Fortuna, CA 95540 (707)725-5182		5 4 3 2 1	7/17/17 DATE	REVISED PER CONSULTANT REVIEW DESCRIPTION:	AEO
<P> TENANT IMPROVEMENTS <P> CULTIVATION BUILDING FLOOR PLAN			SCALE: AS SHOWN DRAWN BY: A.E.O. CHKD: A.M.B. DATE: 7/5/17			REVISIONS		BY

ELECTRICAL LEGEND

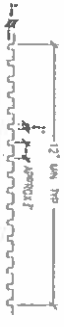
(E)	EXHAUST FAN
S	SHOULDER POLE SWITCH
5	5'0" PROTECTED OUTLET
100	100' OUTLET
(H)	WALL LIGHT
(L)	FLUORESCENT LIGHT



<P> LAV. FLOOR PLAN
SCALE: 1/4"=1'-0"
AREA 418 sqft



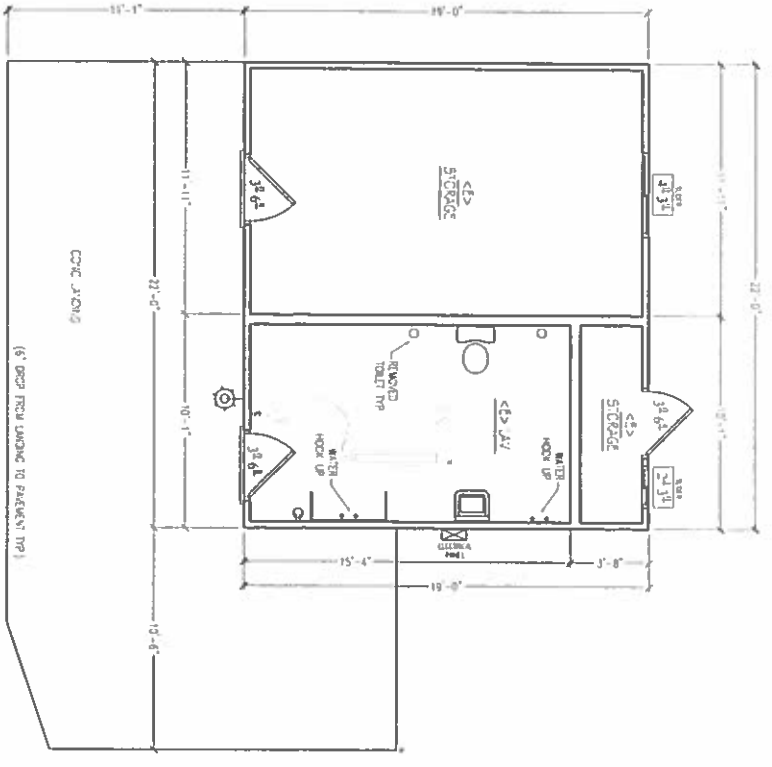
AA STANDARD ADA RAMP REQUIREMENTS
SCALE: 1/2"=1'-0"



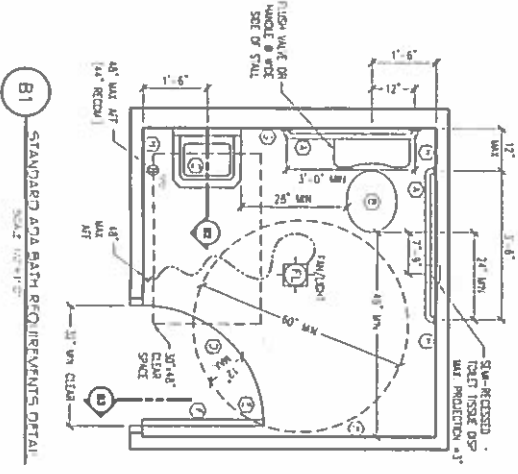
R1 GROOVING DETAIL
3"=1'-0"

KEY: H.C. ACCESSIBLE LAV

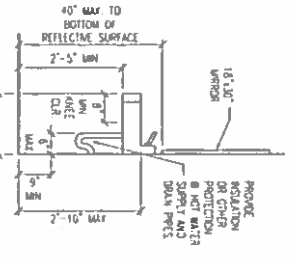
- 1) SEAT SHALL BE 33" ABOVE AND PARALLEL TO FLOOR (32" IF DESIGNATED BY TAPE). 42" LONG & POSITIONED 24" IN FRONT OF SEAT. AT THE 52" SEAT END FOR NEAR SEAT, CENTER / 2" - 1/2" WITH SURFACE DESIGN BARS AND ADAPTER.
- 2) SEAT HT: 17"-19"
- 3) WALL FILING SWL SEE DETAIL B2
- 4) DOOR MAY APPEAR IN 60" DIA. CIRCLE / 2" W/AY
- 5) LEVER ACTION DOOR LATCH
- 6) UNSEAT H.C. ACCESSIBLE SIGN 6" x 6" SIGN WITH 'X' LETTERING. BRASS LETTERING & GRAPHIC AREA. NOT FOR FLOOR TO CENTER OF SIGN. APPROX. 48" TO 50" HIGHEST OPERABLE PART.
- 7) H.P. TO CORNER 48" DIA. SIGN. H.C. AT 2" TYP. REAR WALL
- 8) SIGN-GLOSS PAINTED WALL



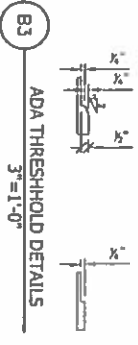
<E> LAV. FLOOR PLAN
SCALE: 1/4"=1'-0"
AREA 418 sqft



B1 STANDARD ADA BATH REQUIREMENTS DETAIL
SCALE: 1/2"=1'-0"



B2 DETAIL B2
SCALE: 1/2"=1'-0"



B3 ADA THRESHOLD DETAILS
3"=1'-0"



<p>SHAWN STUDEBAKER 853 NORTHWESTERN AVE. FORTUNA, CA. AP# 205-111-050 Parcel G</p> <p><P> ADA RESTROOM RETROFIT PLAN</p> <p><E> AND <P> ADA LAV./BREAK ROOM FLOOR PLANS & DETAILS</p>		<p>A.M. Baird Engineering & Surveying</p> <p>1257 Main St., P.O. Box 396, Fortuna, CA 95540 (707)725-5182</p>	<table border="1" style="width:100%; border-collapse: collapse;"> <tr><th>NO.</th><th>DATE</th><th>DESCRIPTION</th><th>BY</th></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </table>	NO.	DATE	DESCRIPTION	BY																				
NO.	DATE	DESCRIPTION	BY																								
<p>SCALE: 1/4"=1'-0" DRAWN BY: AEB DATE: 7/7/17</p>	<p>SCALE: 1/2"=1'-0" DATE: 7/7/17</p>	<p>SCALE: 3"=1'-0"</p>	<p>SHEET NO. 3 OF 3</p>																								