

ATTACHMENT 5

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

The project was referred to the following referral agencies for review and comment. Those agencies that provided written comments are checked off.

Referral Agency	Response	Recommendation	Location
Ag Commissioner		No Response	
Building Inspection Division		No Response	
County Counsel		No Response	
District Attorney		No Response	
Division Environmental Health	✓	Conditional Approval	Attached
Sheriff		No Response	
Public Works, Land Use Division	✓	Conditional Approval	Attached
Fire Protection District		No response	
North Coast Unified Air Quality Management District		No Response	
School District		No Response	
CA Division of Water Rights		No Response	
California Department of Fish & Wildlife		No Response	
CalFire	✓	Comment	Attached
North Coast Regional Water Quality Control Board		No Response	
Bear River Band	✓	Conditional Approval	On file and confidential
Northwest Information Center	✓	Further Study	On file and confidential

12355 DEH Referral Response 04.25.2023

PLN-12355-CUP **STATUS** **LOCATION** **CONTACT** **WORKFLOW**
 Peach Tree, LLC - CUP ... > In Referrals > 526 Oak Rd > Elyashkevich Grego... > 17 total Task
 A conditional use per... 04/08/2022 by Joh... Dinsmore, CA ● 5 completed ○...

Workflow History (33)
Cancel Help

<ul style="list-style-type: none"> Comments (12) Documents (46) Conditions of Approval (0) Locks Holds (0) Address (1) Owner (1) Parcel (1) Contacts (21) Communications (31) Consolidated Record Activities (110) Fee History (13) Inspections (1) 	<table border="0" style="width: 100%;"> <tr> <td>Task</td> <td>Due Date</td> <td>Assigned Date</td> </tr> <tr> <td>Environmental Health</td> <td>05/05/2022</td> <td>04/13/2022</td> </tr> <tr> <td>Assigned to Department</td> <td>Assigned to</td> <td>Status</td> </tr> <tr> <td>Environmental Health Senior LU</td> <td>Joey Whittlesey</td> <td>Approved with Conditions</td> </tr> <tr> <td>Action by Department</td> <td>Action By</td> <td>Status Date</td> </tr> <tr> <td>Environmental Health Senior LU</td> <td>Joey Whittlesey</td> <td>04/25/2022</td> </tr> <tr> <td>Start Time</td> <td>End Time</td> <td>Hours Spent</td> </tr> <tr> <td></td> <td></td> <td>0.0</td> </tr> <tr> <td>Billable</td> <td>Overtime</td> <td>Comments</td> </tr> <tr> <td>No</td> <td>No</td> <td>Seasonal cultivation without processing may use portable toilets to serve the operation. Permittee shall provide portable toilet(s) to cultivation areas, meeting appropriate setbacks per Humboldt County Code, or install a permitted onsite wastewater treatment system associated with a permitted structure.</td> </tr> <tr> <td>Time Tracking Start Date</td> <td>Est. Completion Date</td> <td>In Possession Time (hrs)</td> </tr> <tr> <td>Display E-mail Address in ACA</td> <td><input checked="" type="checkbox"/> Display Comment in ACA</td> <td>Comment Display in ACA</td> </tr> <tr> <td>No</td> <td></td> <td><input checked="" type="checkbox"/> All ACA Users</td> </tr> <tr> <td></td> <td></td> <td><input checked="" type="checkbox"/> Record Creator</td> </tr> <tr> <td></td> <td></td> <td><input checked="" type="checkbox"/> Licensed Professional</td> </tr> <tr> <td></td> <td></td> <td><input checked="" type="checkbox"/> Contact</td> </tr> <tr> <td></td> <td></td> <td><input checked="" type="checkbox"/> Owner</td> </tr> <tr> <td>Estimated Hours</td> <td>Action</td> <td>Workflow Calendar</td> </tr> <tr> <td>0.0</td> <td>Updated</td> <td>Workflow Blockout</td> </tr> </table>	Task	Due Date	Assigned Date	Environmental Health	05/05/2022	04/13/2022	Assigned to Department	Assigned to	Status	Environmental Health Senior LU	Joey Whittlesey	Approved with Conditions	Action by Department	Action By	Status Date	Environmental Health Senior LU	Joey Whittlesey	04/25/2022	Start Time	End Time	Hours Spent			0.0	Billable	Overtime	Comments	No	No	Seasonal cultivation without processing may use portable toilets to serve the operation. Permittee shall provide portable toilet(s) to cultivation areas, meeting appropriate setbacks per Humboldt County Code, or install a permitted onsite wastewater treatment system associated with a permitted structure.	Time Tracking Start Date	Est. Completion Date	In Possession Time (hrs)	Display E-mail Address in ACA	<input checked="" type="checkbox"/> Display Comment in ACA	Comment Display in ACA	No		<input checked="" type="checkbox"/> All ACA Users			<input checked="" type="checkbox"/> Record Creator			<input checked="" type="checkbox"/> Licensed Professional			<input checked="" type="checkbox"/> Contact			<input checked="" type="checkbox"/> Owner	Estimated Hours	Action	Workflow Calendar	0.0	Updated	Workflow Blockout
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DEPARTMENT OF PUBLIC WORKS
C O U N T Y O F H U M B O L D T
 MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
 AREA CODE 707

ON-LINE
 WEB: CO.HUMBOLDT.CA.US

ADMINISTRATION 445-7491 BUSINESS 445-7652 ENGINEERING 445-7377 FACILITY MANAGEMENT 445-7493	PUBLIC WORKS BUILDING SECOND & L ST., EUREKA FAX 445-7409	NATURAL RESOURCES 445-7741 NATURAL RESOURCES PLANNING 267-9540 PARKS 445-7651 ROADS 445-7421
		CLARK COMPLEX HARRIS & H ST., EUREKA FAX 445-7388 LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Steven Santos, Senior Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer

DATE: 01/00/2022

RE:	Applicant Name	PEACH TREE LLC
	APN	208-251-008
	APPS#	PLN-12355-CUP

The Department has reviewed the above project and has the following comments:

- The Department's recommended conditions of approval are attached as **Exhibit "A"**.
- Additional information identified on **Exhibit "B"** is required before the Department can review the project. **Please re-refer the project to the Department when all of the requested information has been provided.**
- Additional review is required by Planning & Building staff for the items on **Exhibit "C"**. **No re-refer is required.**
- Road Evaluation Reports(s)* are required; See **Exhibit "D"**.

Note: Prior to requesting an applicant to submit a road evaluation report, verify if the project is exempt from meeting road system performance standards under CCLUO v2.0 sections 313-55.4.6.5.1 and 314-55.4.6.5.1, even if this box is checked.

No re-refer is required.

*Note: Exhibits are attached as necessary.

Additional comments/notes:

Review Items #1, #2, and #7 on Exhibit C

Applicant has submitted a road evaluation report, stamped received 02/20/2020 by the Humboldt County Planning Division, with Part A –Box 3 and Part B #3 checked, certifying that the roadway can accommodate the cumulative increased traffic from this project and all known cannabis projects identified above, if the recommendations on the submitted report are completed.

The Department requires all recommendations by engineer to be completed.

The subject parcel takes access from a State Highway then to two non-County maintained roads. No access to County maintained roadways.

// END //

Additional Review is Required by Planning & Building Staff

APPS # 12355

All of the following questions are to be answered by Planning and Building Department staff.

No further involvement with the Department of Public Works is required for these items; however Public Works staff is available to answer any questions that may arise.

- 1. **ROADS – PART 1.** Does the project take access from a series of non-county maintained roads that connect directly to a State Highway (36, 96, 101, 255, 299, etc...)?

YES NO

If YES, the project does not need to be referred to the Department. Include the following requirement:

All recommendations in the Road Evaluation Report(s) for non-county maintained road(s) shall be constructed/implemented to the satisfaction of the Planning & Building Department prior to commencing operations, final sign-off for a building permit, or approval for a business license. A grading permit may be required; check with the Building Division of the Planning and Building Department for any permit requirements.

- 2. **ROADS – PART 2.** Does the project take access from a series of non-county maintained roads that connect directly to a Caltrans State Highway, US Forest Service Road, BLM Road, or a City road?

YES NO

If YES, the Department recommends that prior to the project presented to the Planning Commission or Zoning Administrator, that the project should be referred to the affected road agency(ies).

- 3. **ROADS – PART 3.** Does the project take access or use a county maintained road that does not have a centerline stripe or is not on the "approved list" of known category 4 roads?

YES NO

If YES, a Road Evaluation Report must be done for the County road(s) that do not have a centerline stripe or are not on the "approved" list. The project along with the road evaluation report(s) for the County maintained road(s) must be referred to Public Works for review to ensure that the Department supports the findings in the report. If the road is on the "not approved" list, then Part B of the Road Evaluation Report form must be completed.

- 4. **Deferred Subdivision Improvements.** Does the project have deferred subdivision improvements? YES NO

How to check: Method 1: Planning and Building Department staff review the legal description for the subject property in the deed. If the deed reads similar to “Parcel ___ of Parcel Map No. ___” then there may be deferred subdivision improvements; further research will be needed. Method 2: Planning and Building Department staff need to review the title report(s) for the subject property(ies) to see if a “Notice of Construction Requirements” document is listed. If the document is listed, then there are deferred subdivision improvements.

If YES then the subject property has deferred subdivision improvements. The project cannot be presented to the Zoning Administrator or the Planning Commission until the deferred subdivision improvements are completed. The applicant should be directed to the Department of Public Works regarding the deferred subdivision improvements.

- 5. **MS4/ASBS Areas.** Is the project located within MS4 Permit Area as shown on the GIS layer? YES NO

If YES, include the following requirement:

The applicant shall demonstrate to the satisfaction of the Planning & Building Department that the project is in compliance with MS4/ASBS requirements.

- 6. **COUNTY ROADS- PROXIMITY OF FARMS:**

Applicant is advised that County maintained roads may generate dust and other impacts to farm(s). Applicant shall locate their farm(s) in areas not subject to these impacts. Applicant shall be responsible for protecting their farm(s) against these impacts. Applicant shall hold the County harmless from these impacts. Applicant is advised that a paved road may not always remain paved and Applicant shall locate their farms appropriately. Applicant is advised that the amount of traffic on a road will vary over time which may increase or decrease the impacts.

Additional Review is Required by Planning & Building Staff

7. ROAD GRADES:

~~Whether specifically addressed or not within the road evaluation report, per County Code Section 3112-5, "No roadway grade in excess of 16 percent shall be permitted unless it has been demonstrated to be in conformance with the County Roadway Design Manual." Where portions of the road have grades that exceed 16%, those portions must be paved and must have an exception request approved. [reference: County Code sections 3111-9 and 3112-5]~~

~~Whether specifically addressed or not within the road evaluation report, per Section 1273.03 of State Fire Safe Regulations, California Code of Regulations (CCR), Title 14 Natural Resources, Division 1.5 Department of Forestry, Chapter 7 - Fire Protection, Subchapter 2 SRA Fire Safe Regulations, which have been established pursuant to California Public Resource Code Section 4290 et seq. (a) At no point shall the grade for all roads and driveways exceed 16 percent; (b) The grade may exceed 16%, not to exceed 20%, with approval from the County of Humboldt Planning & Building Department with mitigations, such as paving, to provide for the same practical effect. Mitigation measures other than paving require an exception to be approved per Section 1270.06. [Note: Fire Safe Regulations set forth in County Code Section 3111-1, et seq. have been superseded by the 01/01/2020 CCR since County Code has not been recertified by the Department of Forestry pursuant to Section 1270.04.]~~

// END //

Application Number

Key APN

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

The Department has no comment at this time.

Suggested conditions attached.

Applicant needs to submit additional information. List of Items attached.

Recommend denial.

Other comments.

Date:

Name:

Forester Comments:

Date:

Name:

Battalion Chief Comments:

Summary: