

County of Santa Barbara Planning and Development



Lisa Plowman, Director
Jeff Wilson, Assistant Director
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July 19, 2021

Law Office of Courtney Taylor
Courtney Taylor, Attorney
6465 Nursery Way
San Luis Obispo, CA, 93405

BOARD OF SUPERVISORS
HEARING OF June 22, 2021

RECEIVED
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COUNTY OF SANTA BARBARA
BOARD OF SUPERVISORS

**RE: Melville et. al. Appeal of SFS Farms OpCo 1, LLC. – Cannabis Cultivation Project, Case Nos. 21APL-00000-00012
4874 Hapgood Road, APN 099-150-065**

REVISIONS TO PROJECT DESCRIPTION

At the June 22, 2021, Board of Supervisors hearing, the Board of Supervisors considered the SFS Farms OpCo 1, LLC. Cannabis Cultivation Project (Project). The Project proposed approximately 86.8 acres of outdoor cannabis cultivation and nursery, as well as one proposed 320 square foot shipping container, the validation of two, as-built 320 square foot shipping containers, and the use of an existing 4,800 square foot building for a 200 square foot office and employee restroom. The Project is located on 965.59-acre parcel zoned AG-II-100 and shown as Assessor's Parcel Number 099-150-065, located at 4874 Hapgood Road in the Lompoc area, 4th Supervisorial District.

The Board of Supervisors approved a Project Description revised by the Applicant to relocate the 4.18 acre cannabis nursery area along the eastern edge of the cultivation area. Additionally, landscaping, consisting of coast live oaks and casuarina, was added to the eastern edge of the cultivation area, within the 50-foot setback from the property line. The aforementioned changes to the Project Description are underlined below:

The project is a request for outdoor cannabis cultivation of approximately 82.62 acres and 4.18 acres of cannabis nursery operations for a total of 86.80 acres. The 4.18-acres of nursery will be located along the eastern edge of the proposed cultivation area, from north to south in an approximately 100-foot swath. All flowering canopy will be located at least 150-feet from the eastern property line. The Applicant will revise the project plans dated January 26, 2021 as presented to the Board on June 22, 2021 to reflect the relocation of the proposed nursery area prior to Land Use Permit issuance. Nursery and cannabis cultivation will occur outdoors and not under hoop structures. No on-site processing will occur. There will be up to two harvests per year, each lasting a maximum of 3 weeks. An existing 4,800 SF building will be used for a 200 SF office and employee bathrooms. The remaining 4,560 SF of the building will remain unused and is not a part of the cannabis operation. An existing 5,000 gallon water tank will be used for domestic purposes. An existing as-built 320 SF shipping container is to be used for irrigation equipment storage related to the cannabis operation and will be permitted under this Land Use

Permit. An existing as-built 320 SF shipping container is to be used for chemical and fertilizer storage related to the cannabis operation and will be permitted under this Land Use Permit. One 320 SF shipping container is proposed for additional storage.

Existing permitted structures on-site which are not a part of the cannabis operation include an 800 SF carport, a 1,878 SF residence, an additional 1,450 SF residence, a 1,540 SF shop, a 4,030 SF barn, and a 4,800 SF storage building.

A 6-foot high deer fence will enclose the cultivation and nursery area. There is an existing 18-foot wide secured gate located north of the premises. Two 7-foot high, 20-foot wide secured gates are proposed. Security cameras will be mounted to the office and bathroom building and to security poles at a height of eight feet. Security lighting will be pointed downward, fully-shielded, and motion sensor activated. Lighting will be mounted to the office and bathroom building at a height of eight feet and to light poles at a height of ten feet near the gated entrance to the property and in the parking area. Landscaping is proposed adjacent to the cannabis cultivation areas, including the nursery plantings, along the eastern property line. The proposed landscaping along the eastern property line shall match the anticipated plantings along the eastern portion of the property on the west (APN 099-150-069). The landscaping will be located within the 50-foot setback between the cannabis cultivation area and eastern property line. The plantings shall include coast live oaks and casuarina. The landscaping will be installed prior to cultivation activities and maintained in good condition for the duration of cannabis activities.

Hours of operation during non-harvest season will be 6:00 A.M. to 3:00 P.M., 7 days a week. Hours of operation during harvest season will be from 5:00 A.M. to 7:00 P.M., 7 days a week in the field, with 24-hour a day on-site security. There will be nine (9) full-time employees year-round, an additional five (5) to fifteen (15) workers during growing season, and up to one hundred (100) additional, seasonal workers. Sanitary facilities for employees will be provided by portable chemical toilets with hand-washing stations. Existing parking includes 47 parking spaces and will include eleven rideshare spaces, four shuttle spaces, and one handicapped space. No grading is proposed.

The parcel will be served by a private on-site well, proposed single parcel water system, and proposed septic system. The project will be served by the Santa Barbara County Fire District. Access will continue to be provided via a private 20-foot access driveway off of Hapgood Road. The property is a 965.59-acre parcel zoned AG-II-100 and shown as Assessor's Parcel Number 099-150-065, located at 4874 Hapgood Road in the Lompoc area, 4th Supervisorial District.

Dear Ms. Taylor:

At the Board of Supervisors Hearing of June 22, 2021, Supervisor Lavagnino moved, seconded by Supervisor Williams and carried by a vote of 4 to 1 to:

1. Deny the appeal, Case No. 21APL-00000-00012
2. Make the required findings for approval of the Proposed Project as specified in Attachment 1 of the Board Agenda Letter, including California Environmental Quality Act (CEQA) findings
3. Determine that the previously certified Programmatic Environmental Impact Report (PEIR) (17EIR-00000-00003) is adequate and no subsequent environmental review is required pursuant to CEQA Guidelines 15162 and 15168(c) (Attachment 3 and Attachment 4 to the Board Agenda Letter)
4. Grant *de novo* approval of the Proposed Project, Case No. 19LUP-00000-00312 subject to the revised Project Description and conditions included as Attachment 2 in the Board Agenda Letter and as revised in slides 4, 5, 6 and 7 during the Board hearing in the afternoon on June 22, 2021.

REVISIONS TO CONDITIONS OF APPROVAL

At the June 22, 2021, Board of Supervisors hearing, the Board of Supervisors revised Condition No. 1 and added Condition No. 23 of the Land Use Permit as follows:

1. Proj Des-01 Project Description. This Land Use Permit is based upon and limited to compliance with the project description and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:

The project is a request for outdoor cannabis cultivation of approximately 82.62 acres and 4.18 acres of cannabis nursery operations. The 4.18-acres of nursery will be located along the eastern edge of the proposed cultivation area, from north to south in an approximately 100-foot swath. All flowering canopy will be located at least 150-feet from the eastern property line. The Applicant will revise the project plans dated January 26, 2021 as presented to the Board on June 22, 2021 to reflect the relocation of the proposed nursery area prior to Land Use Permit issuance. Nursery and cannabis cultivation will occur outdoors and not under hoop structures. No on-site processing will occur. An existing 4,800 SF building will be used for a 200 SF office and employee bathrooms. The remaining 4,560 SF of the building will remain unused and not a part of the cannabis operation. An existing 5,000 gallon water tank will be used for domestic purposes. An existing 320 SF shipping container is to be used for irrigation equipment storage related to the cannabis operation and will be permitted under this Land Use Permit. An existing 320 SF shipping container is to be used for chemical and fertilizer storage related to the cannabis operation and will be permitted under this Land Use Permit. One 320 SF shipping container is proposed for additional storage.

Existing permitted structures on-site which are not a part of the cannabis operation include an 800 SF carport, a 1,878 SF residence, an additional 1,450 SF residence, a 1,540 SF shop, a 4,030 SF barn and a 4,800 SF storage building.

6-foot high deer fencing will enclose the cultivation and nursery area. There is an existing 18-foot wide secured gate located north of the premises. Two 7-foot high, 20 foot wide secured gates are proposed. Security cameras will be mounted to the office and bathroom building and to security poles at a height of eight feet. Security lighting will be pointed downward, fully-shielded, and motion sensor activated. Lighting will be mounted to the office and bathroom building and to light poles at a height of sixteen feet near the gated entrance to the property and in the parking area. Landscaping is proposed adjacent to the cannabis cultivation areas, including the nursery plantings, along the eastern property line. The proposed landscaping along the eastern property line shall match the anticipated plantings along the eastern portion of the property on the west (APN 099-150-069). The landscaping will be located within the 50-foot setback between the cannabis cultivation area and eastern property line. The plantings shall include coast live oaks and casuarina. The landscaping will be installed prior to cultivation activities and maintained in good condition for the duration of cannabis activities.

Hours of operation during non-harvest season will be 6:00 A.M. to 3:00 P.M., 7 days a week. Hours of operation during harvest season will be from 5:00 A.M. to 7:00 P.M., 7 days a week in the field, with 24-hour a day on-site security and processing. There will be nine (9) full-time employees year-round with up to one hundred (100) additional, seasonal workers. Existing parking includes 47 parking spaces and will include eleven rideshare spaces, four shuttle spaces, and one handicapped space. No grading is proposed.

The parcel will be served by a private on-site well and the Santa Barbara County Fire District. Access will continue to be provided via a private 20-foot access driveway off of Highway 246. The property is a 965.59-acre parcel zoned AG-II-100 and shown as Assessor's Parcel Number 099-150-065, located at 4874 Hapgood Road in the Lompoc area, 4th Supervisorial District.

Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

23. Landscape and Screening Plan. The applicant shall implement the Landscape and Screening Plan stamped "Zoning Approved".

PLAN REQUIREMENTS: The proposed landscaping along the eastern property line shall match the plantings along the eastern portion, including Coast live oaks and Casuarina, of the property on the west (APN 099-150-069).

TIMING: The applicant shall submit one copy of the Landscaping and Screening Plan to P&D staff prior to issuance of this permit. The applicant shall install all components of the Landscape and Screening Plan prior to the commencement of the cannabis activities that are the subject of

this permit. The Applicant shall maintain the landscaping and screening in good condition in compliance with the Landscape and Screening Plan throughout the life of the project.

MONITORING: P&D compliance staff inspects the project site to confirm that all components of the Landscape and Screening Plan are installed and maintained pursuant to the requirements of this condition.

The attached findings and conditions reflect the Board of Supervisors actions of June 22, 2021.

Sincerely,



LISA PLOWMAN
DIRECTOR

cc:

Case File: Dara Elkurdi, Planner
Clerk of the Board
Owner: Campbell Family Trust 3/7/00, 2350 Highway 246, Lompoc, CA, 93436
Applicant: SFS Farms OpCo 1, LLC. 606 Alamo Pintado Road, #223, Solvang, 93463
Courtney Taylor, Agent for Appellant, 6465 Nursery Way, San Luis Obispo, CA, 93405
Kurt Amman, Appellant, 5185 E. Highway 246, Lompoc, CA, 93436
Chad Melville, Appellant, 5185 E. Highway 246, Lompoc, CA, 93436
County Chief Appraiser
Fire Department
Environmental Health Services
Deputy County Counsel
Bob Nelson, Fourth District Supervisor

**Attachments: Attachment A – Findings
Attachment B – Conditions of Approval**

ATTACHMENT A: FINDINGS

1.0 CEQA FINDINGS

SUBSEQUENT ACTIVITIES WITHIN THE SCOPE OF THE PROGRAM ENVIRONMENTAL IMPACT REPORT (PEIR)

FINDINGS PURSUANT TO PUBLIC RESOURCES CODE SECTION 21081 AND THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES SECTIONS 15162 AND 15168:

1.1 CONSIDERATION OF THE SUBSEQUENT ACTIVITIES IN THE PROGRAM

The Board of Supervisors considered the previously certified PEIR for the Cannabis Land Use Ordinance and Licensing Program, 17EIR-00000-00003 (Attachment 4 to the Board Agenda Letter, dated June 9, 2021, and incorporated herein by reference), along with the Proposed Project, which is an activity within the scope of the PEIR. Staff prepared a written checklist in compliance with State CEQA Guidelines § 15168(c)(4) to document the evaluation of the site and the activity to determine that the environmental effects of the operation are covered in the PEIR (Attachment 3 to the Board Agenda Letter, dated June 9, 2021, and incorporated herein by reference). As shown in the written checklist, the Proposed Project is within the scope of the PEIR and the effects of the Proposed Project were examined in the PEIR. Therefore, on the basis of the whole record, including the written checklist, the previously certified PEIR, and any public comments received, the Board of Supervisors finds that the Proposed Project will not create any new significant effects or a substantial increase in the severity of previously identified significant effects on the environment, and there is no new information of substantial importance under State CEQA Guidelines Section 15162 warranting the preparation of a new environmental document for the Proposed Project.

1.2 LOCATION OF DOCUMENTS

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Planning and Development Department located at 123 East Anapamu Street, Santa Barbara, CA 93101.

2.0 ADMINISTRATIVE FINDINGS

2.1 LAND USE PERMIT FINDINGS

2.1.1 *Finding required for all Land Use Permits. In compliance with Section 35.30.100.A of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Land Use Permit the review authority shall first find, based on information provided by environmental documents, staff analysis, and the*

applicant, that adequate public or private services and resources (e.g., water, sewer, roads) are available to serve the proposed development.

The Board of Supervisors finds that the Proposed Project is adequately served by public or private services and resources. As discussed in the Planning Commission staff report (Attachment 8 to the Board Agenda Letter, dated June 9, 2021), the CEQA Checklist (Attachment 3 to the Board Agenda Letter, dated June 9, 2021), and the Supplemental Comprehensive Plan Policy Consistency Analysis (Attachment 10 to the Board Agenda Letter, dated June 9, 2021) and incorporated herein by reference, adequate public and private services are in place to serve the Proposed Project. The subject property is served by an existing agricultural well that has historically been used for crop irrigation. The applicant proposes to use the existing well to serve both agricultural and domestic water. EHS determined acceptable feasibility for a proposed Single Parcel Water System and On-Site Water Treatment System. Condition No. 11 of Attachment B requires the applicant to submit the required materials and information for EHS' review and final approval of the Single Parcel Water System prior to final building occupancy clearance. Sanitary facilities for employees will be provided by portable chemical toilets with hand-washing stations as well as a permanent restroom located within the office. The applicant must submit the required materials and information for EHS' review and approval of the On-Site Water Treatment System prior to final building occupancy clearance, as stated in Condition 10 of Attachment B. The subject parcel will continue to be served by the Santa Barbara County Fire Department for fire protection services and by the Santa Barbara County Sheriff for public safety. Ingress and egress to the parcel will continue to be provided off of West Highway 246.

2.1.2 Findings required for all Land Use Permits. In compliance with Subsection 35.82.110.E.1 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Land Use Permit the review authority shall first make all of the following findings:

- 1. The proposed development conforms:**
 - a. To the applicable provisions of the Comprehensive Plan, including any applicable community or area plan.**
 - b. With the applicable provisions of this Development Code or falls within the limited exception allowed in compliance with Chapter 35.101 (Nonconforming Uses, Structures, and Lots).**

The Board of Supervisors finds that the proposed development conforms to the applicable provisions of the Comprehensive Plan and the Land Use and Development Code (LUDC) as discussed in the Board Agenda Letter dated June 9, 2021, the Planning Commission staff report (Attachment 8 to the Board Agenda Letter dated June 9, 2021), and the Comprehensive Plan and LUDC Consistency Analysis (Attachment 10 to the

Board Agenda Letter dated June 9, 2021) and incorporated herein by reference. In addition, the project will permit two as-built 320-square-foot shipping containers as well as a proposed 320-square-foot shipping container. The proposed development, including the as-built structures, is consistent with the LUDC requirements for the AG-II-100 zone district as they relate to permitted uses, building heights, setbacks and parking as described in Section 6.4 of the staff report dated January 27, 2021 and included as Attachment 8 to the Board Agenda Letter dated June 9, 2021.

2. *The proposed development is located on a legally created lot.*

The Board of Supervisors finds that the proposed development is located on a legally created lot. The subject property is a legal lot granted a Certificate of Compliance on June 19, 2006. The lot is shown on the Assessor's Map Book 099, Pg 15.

3. *The subject property is in compliance with all laws, regulations, and rules pertaining to uses, subdivisions, setbacks and any other applicable provisions of this Development Code, and any applicable zoning violation enforcement fees and processing fees have been paid. This Subsection shall not be interpreted to impose new requirements on legal nonconforming uses and structures in compliance with Chapter 35.101 (Nonconforming Uses, Structures, and Lots).*

The Board of Supervisors finds that with approval of the LUP, as conditioned, the subject property and the Proposed Project will be, in full compliance with all laws, rules and regulations pertaining to zoning uses, subdivisions, setbacks and all other applicable provisions of the Land Use and Development Code. Additionally, all processing fees have been paid to date and no zoning enforcement fees are due.

ATTACHMENT B: CONDITIONS OF APPROVAL FOR 19LUP-00000-00312

**SFS FARMS OPCO 1, LLC, CANNABIS CULTIVATION
LAND USE PERMIT
CASE NO. 19LUP-00000-00312
APN: 099-150-065**

Project Description

1. Proj Des-01 Project Description. This Land Use Permit is based upon and limited to compliance with the project description, and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:

The project is a request for outdoor cannabis cultivation of approximately 82.62 acres and 4.18 acres of cannabis nursery operations. The 4.18-acres of nursery will be located along the eastern edge of the proposed cultivation area, from north to south in an approximately 100-foot swath. All flowering canopy will be located at least 150-feet from the eastern property line. The Applicant will revise the project plans dated January 26, 2021 as presented to the Board on June 22, 2021 to reflect the relocation of the proposed nursery area prior to Land Use Permit issuance. Nursery and cannabis cultivation will occur outdoors and not under hoop structures. No on-site processing will occur. An existing 4,800 SF building will be used for a 200 SF office and employee bathrooms. The remaining 4,560 SF of the building will remain unused and not a part of the cannabis operation. An existing 5,000 gallon water tank will be used for domestic purposes. An existing 320 SF shipping container is to be used for irrigation equipment storage related to the cannabis operation and will be permitted under this Land Use Permit. An existing 320 SF shipping container is to be used for chemical and fertilizer storage related to the cannabis operation and will be permitted under this Land Use Permit. One 320 SF shipping container is proposed for additional storage.

Existing permitted structures on-site which are not a part of the cannabis operation include an 800 SF carport, a 1,878 SF residence, an additional 1,450 SF residence, a 1,540 SF shop, a 4,030 SF barn and a 4,800 SF storage building.

6-foot high deer fencing will enclose the cultivation and nursery area. There is an existing 18-foot wide secured gate located north of the premises. Two 7-foot high, 20 foot wide secured gates are proposed. Security cameras will be mounted to the office and bathroom building and to security poles at a height of eight feet. Security lighting will be pointed downward, fully-shielded, and motion sensor activated. Lighting will be mounted to the office and bathroom building and to light poles at a height of sixteen feet near the gated entrance to the property and in the parking area. Landscaping is proposed adjacent to the cannabis cultivation areas, including the nursery plantings, along the eastern property line. The proposed landscaping along the eastern property line shall match the anticipated plantings along the eastern portion of the property on the west (APN 099-150-069). The landscaping will be located within the 50-foot setback between the cannabis cultivation area and

eastern property line. The plantings shall include coast live oaks and casuarina. The landscaping will be installed prior to cultivation activities and maintained in good condition for the duration of cannabis activities.

Hours of operation during non-harvest season will be 6:00 A.M. to 3:00 P.M., 7 days a week. Hours of operation during harvest season will be from 5:00 A.M. to 7:00 P.M., 7 days a week in the field, with 24-hour a day on-site security and processing. There will be nine (9) full-time employees year-round with up to one hundred (100) additional, seasonal workers. Existing parking includes 47 parking spaces and will include eleven rideshare spaces, four shuttle spaces, and one handicapped space. No grading is proposed.

The parcel will be served by a private on-site well and the Santa Barbara County Fire District. Access will continue to be provided via a private 20-foot access driveway off of Highway 246. The property is a 965.59-acre parcel zoned AG-II-100 and shown as Assessor's Parcel Number 099-150-065, located at 4874 Hapgood Road in the Lompoc area, 4th Supervisorial District.

Project Specific Conditions

- 2. Cannabis Waste Discharge Requirements.** The applicant shall demonstrate compliance with the State Water Resources Control Board's comprehensive Cannabis Cultivation Policy which includes principles and guidelines for cannabis cultivation, including regulations on the use of pesticides, rodenticides, herbicides, insecticides, fungicides, disinfectants and fertilizers.
- 3. Fencing and Security Plan.** The applicant shall implement the Fencing and Security Plan stamped 'Zoning Approved'.

PLAN REQUIREMENTS: The Fencing and Security Plan must comply with the requirements of the Land Use and Development Code § 35.32.075.C.2 as that section reads as of the date of project approval.

TIMING: The applicant shall implement the Fencing and Security Plan prior to final building inspection and/or commencement of the cannabis activities that are the subject of this permit, whichever occurs first. The applicant shall maintain the project site in compliance with the Fencing and Security Plan throughout the life of the project.

MONITORING: P&D compliance staff inspects the project site to confirm that all components of the Fencing and Security Plan are installed and maintained pursuant to the requirements of this condition.

- 4. Licenses Required.** The applicant shall obtain and maintain in good status: 1) a valid County business license as required by the County Code Chapter 50, and 2) a valid State cannabis

license as required by the California Business and Professions Code for the cannabis activities that are the subject of this permit.

5. Lighting Plan. The applicant shall implement the Lighting Plan stamped ‘Zoning Approved’

PLAN REQUIREMENTS: The Lighting Plan must comply with the requirements of the Land Use and Development Code § 35.42.075.C.4 as that section reads as of the date of project approval.

TIMING: All components of the Lighting Plan shall be implemented prior to final building inspection. The applicant shall maintain the project site in compliance with the Lighting Plan throughout the life of the project.

MONITORING: P&D compliance staff inspects the site to confirm that all components of the Lighting Plan are installed, maintained and operated pursuant to the requirements of this condition.

6. Noise Plan. The applicant shall implement the Noise Plan stamped “Zoning Approved”.

PLAN REQUIREMENTS: The Noise Plan must comply with the requirements of the Land Use and Development Code § 35.42.075.C.5 as that section reads as of the date of project approval.

TIMING: The applicant shall implement the Noise Plan prior to issuance of final building inspection. The applicant shall maintain the project site in compliance with the Noise Plan throughout the life of the project.

MONITORING: P&D compliance staff inspects the project site to confirm that all components of the Noise Plan are installed, operated and maintained pursuant to the requirements of this condition.

7. Permit Compliance. The Owner/Applicant/Operator shall ensure that the project complies with all approved plans and project conditions, including those which must be monitored after the project is built and/or operations commence. To accomplish this the Owner/Applicant/Operator shall:

1. Complete and submit a Permit Compliance Application to Planning and Development and identify a name and number of the contact person for the project compliance activities.
2. Sign a separate Agreement to Pay for compliance monitoring costs and remit a security deposit prior to approval of LAND USE PERMIT as authorized by ordinance and fee schedules. Compliance monitoring costs will be invoiced monthly and may include costs for P&D to hire and manage outside consultants when deemed necessary by P&D

staff to assess damage and/or ensure compliance. In such cases, the Owner/Applicant shall comply with P&D recommendations to bring the project into compliance. The decision of the Director of P&D shall be final in the event of a dispute.

3. Participate in Initial Compliance Inspections that may occur:
 - a. Prior to commencement of use and/or issuance of Business License,
 - b. Within the first year (during the active growing season), and
 - c. Other instances as deemed necessary by Planning & Development
4. Participate in Regular Compliance Inspections that may occur:
 - a. Upon renewal of the County Business License,
 - b. For the life of the project, or as specific in permit conditions, and
 - c. Other instances as deemed necessary by Planning & Development

Plan Requirements: The Owner/Applicant/Operator shall include a note and a copy of this condition on all project plans including Building and Grading Plans.

Timing: Prior to issuance of the Land Use Permit an associated Permit Compliance Application and deposit shall be submitted to Planning & Development.

Monitoring: Planning & Development Compliance Staff or designee shall conduct initial and regular compliance inspections as identified above in accordance with this condition, and as determined to be necessary.

8. **Records.** The applicant shall maintain clear and adequate records and documentation, in accordance with State law, the California Cannabis Track-and-Trace System, and as required by County Code Chapter 35, demonstrating that all cannabis or cannabis products have been obtained from, and are provided to, other permitted and licensed cannabis operations.

TIMING: The Applicant shall maintain the documentation for a minimum of five years following the preparation and/or approval of the documentation.

MONITORING: The applicant shall provide the documentation for review, inspection, examination and audit by the Department.

9. **Site Transportation Demand Management (STDM) Plan.** The applicant shall implement the Site Transportation Demand Management Plan stamped 'Zoning Approved'.

PLAN REQUIREMENTS: The Site Transportation Demand Management Plan must comply with the requirements of the Land Use and Development Code § 35.42.075.D.1.j as that section reads as of the date of project approval.

TIMING: The applicant shall implement the Site Transportation Demand Management Plan prior to the issuance of final building and/or grading inspection. The applicant shall maintain

the project site in compliance with the Site Transportation Demand Management Plan throughout the life of the project.

MONITORING: The applicant shall demonstrate to P&D compliance staff (e.g., by providing a copy of an executed contract with a rideshare service or site inspections to verify that trip reduction features are installed onsite) that all components of the approved Site Transportation Demand Management Plan are implemented.

10. Water efficiency for commercial cannabis activities. Water-conserving features shall be included in the design of cannabis cultivation. Water-conserving features include the following:

- a. Timed drip irrigation.

DOCUMENTATION: The applicant shall document water-conserving features on the Site Plan stamped “Zoning Approved”.

TIMING: The applicant shall implement the water conserving features prior to final building inspection and/or commencement of the cannabis activities that are the subject of this permit, whichever occurs first. The applicant shall maintain the project site in compliance with the Water Efficiency Plan throughout the life of the project.

11. Septic System. The applicant shall obtain approval from EHS for the proposed new septic system to serve the employee restroom in the office building.

DOCUMENTATION: The applicant shall submit any and all materials and information that EHS requires in order to review the proposed septic system for compliance with EHS standards.

TIMING: Prior to final building occupancy clearance the applicant shall submit the required materials and information for EHS’ review and final approval.

MONITORING: EHS reviews the material and information regarding the septic system, and may conduct field inspections to verify that the system complies with any and all applicable EHS requirements.

12. Single Parcel Water System. The applicant shall obtain approval from EHS for the use of an existing agricultural water system, as part of a Single Parcel Water System to provide domestic (potable) water for employees of the cannabis activities.

DOCUMENTATION: The applicant shall submit any and all materials and information that EHS requires in order to review the proposed Single Parcel Water System for compliance with any requirements enforced by EHS for the Single Parcel Water System.

TIMING: Prior to final building occupancy clearance, the applicant shall submit the required materials and information for EHS' review and final approval.

MONITORING: EHS reviews the material and information regarding the proposed Single Parcel Water System, and may conduct field inspections to verify that the Single Parcel Water System complies with any and all applicable EHS requirements.

13. Transfer of Ownership. In the event that the applicant transfers interest in the commercial cannabis operation, the successor(s) in interest shall assume all responsibilities concerning the project including, but not limited to, maintaining compliance with the conditions of this permit and paying for P&D condition compliance activities throughout the life of the project.

DOCUMENTATION: The successor(s) in interest shall notify P&D compliance staff, in writing, of the transfer in interest, and provide the contact and billing information of the successor(s) in interest.

TIMING: The successor(s) in interest shall provide the written notification within 30 days following the transfer in interest.

14. Wildlife Movement Plan. The Owner/Applicant shall comply with the Wildlife Movement Plan (WMP) included in the Biological Resources Assessment prepared by David N. Lee, dated January 25, 2021 and the avoidance and minimization measures contained within it as well as those noted in the approved plan set. The WMP measures include:

- 1) Fallow buffer zones surrounding the cultivation area
- 2) Internal wildlife movement corridors
- 3) Wildlife friendly fencing with 2-inch by 4-inch wire mesh openings

TIMING: The Owner/Applicant shall install these measures as outlined in the WMP and prior to the commencement of any cannabis cultivation activities, which include but are not limited to installation of fencing, lighting, landscaping, etc. as authorized by this permit. Permit compliance shall conduct site inspections as needed to confirm compliance.

MONITORING: The Owner/Applicant shall demonstrate compliance with the measures outlined above and listed in the plan set and as detailed in the WMP prepared by David N. Lee dated July 29, 2020 throughout the life of the project to permit compliance staff.

County Rules and Regulations

15. Rules-03 Additional Permits Required. The use and/or construction of any structures or improvements authorized by this approval shall not commence until the all necessary

planning and building permits are obtained. Before any Permit will be issued by Planning and Development, the Owner/Applicant must obtain written clearance from all departments having conditions; such clearance shall indicate that the Owner/Applicant has satisfied all pre-construction conditions. A form for such clearance is available from Planning and Development.

16. **Rules-05 Acceptance of Conditions.** The Owner/Applicant's acceptance of this permit and/or commencement of use, construction and/or operations under this permit shall be deemed acceptance of all conditions of this permit by the Owner/Applicant.
17. **Rules-20 Revisions to Related Plans.** The Owner/Applicant shall request a revision for any proposed changes to the approved permit plans. Substantial conformity shall be determined by the Director of P&D.
18. **Rules-22 Leased Facilities.** The Operator and Owner are responsible for complying with all conditions of approval contained in this Conditional Use Permit. Any zoning violations concerning the installation, operation, and/or abandonment of the facility are the responsibility of the Owner and the Operator.
19. **Rules-23 Processing Fees Required.** Prior to issuance of this Land Use Permit, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
20. **Rules-25 Signed Agreement to Comply.** Prior to Land Use Permit issuance, the Owner/Applicant shall provide evidence that they have recorded a signed Agreement to Comply with Conditions that specifies that the Owner of the property agrees to comply with the project description, approved exhibits and all conditions of approval. Form may be obtained from the P&D office.
21. **Rules-33 Indemnity and Separation.** The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void or annul, in whole or in part, the County's approval of this project.
22. **Rules-37 Time Extensions – All Projects.** The Owner/Applicant may request a time extension prior to the expiration of this permit for development. The review authority with jurisdiction over the project may, upon good cause shown, grant a time extension in compliance with County rules and regulations, which include reflecting changed circumstances and ensuring compliance with CEQA. If the Owner/Applicant requests a time extension for this permit, the permit may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified project impacts.

23. Landscape and Screening Plan. The applicant shall implement the Landscape and Screening Plan stamped “Zoning Approved”.

PLAN REQUIREMENTS: The proposed landscaping along the eastern property line shall match the plantings along the eastern portion, including Coast live oaks and Casuarina, of the property on the west (APN 099-150-069).

TIMING: The applicant shall submit one copy of the Landscaping and Screening Plan to P&D staff prior to issuance of this permit. The applicant shall install all components of the Landscape and Screening Plan prior to the commencement of the cannabis activities that are the subject of this permit. The Applicant shall maintain the landscaping and screening in good condition in compliance with the Landscape and Screening Plan throughout the life of the project.

MONITORING: P&D compliance staff inspects the project site to confirm that all components of the Landscape and Screening Plan are installed and maintained pursuant to the requirements of this condition.