



**LAND USE PERMIT NO.:** 19LUP-00000-00480

**Project Name:** CADWELL CANNABIS CULTIVATION  
**Project Address:** 5645 Santa Rosa RD, Buellton, CA  
**A.P.N.:** 083-150-013  
**Zone:** AG-II-100

The Board of Supervisors hereby approves this Land Use Permit for the project described below based upon compliance with the required findings for approval and subject to the attached terms and conditions.

**APPROVAL DATE:** 2/15/2022  
**DATE OF PERMIT ISSUANCE:** 2/16/2022

**PROJECT DESCRIPTION SUMMARY:** The proposed project is a Land Use Permit to allow 24.45 acres of cannabis cultivation including 20 acres of outdoor cultivation in existing 12-ft.-tall hoop structures, four acres of outdoor cultivation without hoop structures, and 19,440 square foot (sq. ft.) of indoor nursery cultivation within an existing permitted 14-ft.-tall greenhouse with blackout screening. Plants will be grown in the ground and in pots, and plant waste will be composted on site in a fenced area. The hours of operation will be 7:00 a.m. to 7:00 p.m. daily. There will be up to 10 employees full-time and up to 100 employees during harvests which will occur twice per year and last up to 3 weeks each time. There will be 60 parking spaces including one ADA compliant space and five carpool spaces. To receive additional information regarding this project and/or to view the application and/or plans, please contact Gwen Beyeler at 624 West Foster Road, Suite C, Santa Maria, by email (gvonklan@countyofsb.org) or by phone ((805) 934-6269).

**PROJECT SPECIFIC CONDITIONS:** See Attachment "A"

**ASSOCIATED CASE NUMBERS:** 21APL-00000-00010; 21APL-00000-00028

**PERMIT ISSUANCE:** This Land Use Permit will be issued following the close of the appeal period provided an appeal is not filed, or if appealed, the date of final action on the appeal which has the effect of upholding the approval of the permit. Issuance of this permit is subject to compliance with the following terms and conditions:

- 1. Notice.** Notice of this project shall be posted on the project site by the applicant utilizing the language and form of the notice provided by the Planning and Development Department. The notice shall remain posted continuously until at least 10 calendar days following action on the permit, including an action on any appeal of this permit (CLUDC Chapter 35.106 Noticing and Public Hearings). The **Proof of Posting of Notice on Project Site** shall be signed and returned to the Planning and Development Department prior to the issuance of the permit.
- 2. Compliance with conditions.** All conditions that are required to be satisfied prior to issuance of the permit have been satisfied and the permit has been signed by the applicant or owner.
- 3. Design Review.** If required, the project has been granted final approval by the appropriate Board of Architectural Review (BAR), and an appeal of that final approval has not been filed.
- 4. Appeals.** An appeal of the approval of this permit, or an appeal of the final approval by the BAR, has not been filed with the County. If an appeal has been filed then the permit shall not be issued until final action on the appeal(s) has occurred which has the effect of upholding the approval of this permit, and, if applicable, the final approval by the BAR.
- 5. Other approvals.** Any other necessary approvals required prior to issuance of this Land Use Permit have been granted.

**PERMIT EXPIRATION AND EXTENSION:** This permit shall remain valid only as long as compliance with all applicable requirements of the CLUDC and the permit continues, including the conditions of approval specific to this permit. Additionally:

1. The approval of this permit shall expire either 12 months from the effective date of the permit or other period allowed in compliance with an approved Time Extension, and shall be considered void and of no further effect unless the permit is either issued within the applicable period in compliance with the terms indicated above or a valid application for a Time Extension is submitted prior to the expiration of this 12 month period and is subsequently approved (CLUDC: Section 35.82.110).
2. This permit shall expire two years from the date of issuance and be considered void and of no further effect unless the use and/or structure for which the permit was issued has been lawfully established or commenced in compliance with the issued permit or an application for a Time Extension is submitted prior to the expiration of this two year period and is subsequently approved (CLUDC: Section 35.82.110).
3. The effective date of this permit shall be (a) the day following the close of any applicable appeal period provided an appeal is not filed, or (b) if appealed, the date of final action on the appeal which has the effect of upholding the approval, or (c) some other date as indicated in this permit (CLUDC: Section 35.82.020).

**WORK PROHIBITED PRIOR TO PERMIT ISSUANCE:** No work, development, or use intended to be authorized pursuant to this permit approval shall commence prior to issuance of this permit and/or any other required permit (e.g., building permit).

**OWNER/APPLICANT ACKNOWLEDGMENT:** Undersigned permittee acknowledges receipt of this approval and agrees to abide by all conditions and terms thereof. Undersigned permittee also acknowledges that issuance of this permit for this project does not allow construction or use outside of the project description, nor shall it be construed to be an approval of a violation of any provision of any County policy, ordinance or other governmental regulation.

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<b>Print name</b>	<b>Signature</b>	<b>Date</b>
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**Land Use Approval By:**

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<b>Chair, Board of Supervisors</b>	<b>Date</b>
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**PERMIT ISSUANCE:** The permit shall be issued and deemed effective on the date signed and indicated below.

**Planning and Development Department Issuance By:**

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<b>Planner</b>	<b>Date</b>
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**ATTACHMENT A: CONDITIONS OF APPROVAL**

**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 Proposed Project is a Land Use Permit to allow 24.45 acres of cannabis cultivation including 20 acres of outdoor cultivation in existing 12-ft.-tall hoop structures, four acres of outdoor cultivation without hoop structures, and 19,440 sq. ft. of indoor nursery cultivation within an existing permitted 14-ft.-tall greenhouse with blackout screening. Plants will be grown in the ground and in pots, and plant waste will be hauled off or composted on site in a fenced area.

After harvest, cannabis will be weighed and staged in a 2,500-sq.-ft. temporary shade structure that will be used only during harvest periods and taken down immediately after harvest. The harvested material will then be loaded onto trucks and transported offsite for processing. No cannabis will be stored in the 2,500-sq.-ft. shade structure. No equipment or materials storage will be allowed under hoop structures or in the Santa Ynez River buffer area. A new 400-sq.-ft security building with two restrooms will be located near the nursery area.

Landscaping includes 12,813 sq. ft. of trees, shrubs, and grasses that will be planted along Santa Rosa Road. No vegetation is proposed to be removed. The Proposed Project includes approximately 1,000 cubic yards grading for over-excavation and re-compaction as well as modifying the access road. The cannabis cultivation area is enclosed by a 6-ft.-tall no-climb wire fence. The Proposed Project includes fully-shielded, downward-facing lights at the parcel entrance gate, an entrance gate to the cultivation area, a restroom building, and on a camera pole near the temporary shade structure. The lights will be a maximum of 8-ft.-tall and will be on motion sensors to remain illuminated for five minutes after movement.

The Project site has seven existing 5,000-gallon water tanks, three of which will not be used for the cannabis operation and serve an existing 1,900-sq.-ft. single family dwelling built in 1920 that will not be used for the cannabis operation. One new 5,000-gallon tank will be installed for landscape irrigation. Three new 10,000-gallon water tank will be installed for fire suppression. Three new 5,000-gallon water tanks will be installed for irrigation.

In total, the subject parcel will have fourteen 5,000-gallon water tanks, and eleven of those tanks will be used for the cannabis operation. The Project site also has one permitted 867 sq. ft. accessory agricultural structure and one as-built 120-sq.-ft. agricultural accessory structure used as equipment storage. Five as-built storage containers not affiliated with the cannabis operation, two of which are 160 sq. ft. and three of which are 320 sq. ft., will be permitted as part of this Land Use Permit.

- 2. Continued:** The hours of operation will be 7:00 a.m. to 7:00 p.m. daily. There will be up to 10 employees full-time. Work shifts will be staggered throughout the day and employees will be provided with incentives to carpool in order to reduce peak hour trips. Additionally, one employee of the operation will live in the existing single family dwelling. The cannabis operation will involve up to 100 employees during harvests which will occur twice per year and last up to 3 weeks each time. There will

be 60 parking spaces including one ADA compliant space and five carpool spaces.

Access will continue to be provided via an existing 20-ft.-wide driveway off of Santa Rosa Road, portions of which will be re-surfaced and widened as part of the Proposed Project. An existing agricultural well located in the northeastern portion of the parcel will provide water for the cannabis activities. A new well located in the northeastern portion of the parcel will serve the new restroom building, and single family dwelling. An existing well located in the northeastern portion of the parcel that currently serves the dwellings will be transitioned to be used for irrigating a small orchard. An existing well located in the southwestern portion of the parcel will provide back-up water for the cannabis operation. Wastewater treatment for the existing single family dwelling and new restroom building will be provided by two proposed septic systems. Portable chemical toilets will be provided for employees during harvest periods. Power will be provided by PG&E and one mobile generator for use only in emergencies. Fire protection will be provided by the County Fire Department and law enforcement will be provided by the County Sheriff's Department. The Proposed Project is located on a 100.92-acre parcel zoned AG-II-100 located at 5645 Santa Rosa Road, shown as Assessor's Parcel Number 083-150-013 in the Lompoc area, Fourth 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.

3. **Proj Des-02 Project Conformity:** The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the structures, parking areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval thereto. All plans must be submitted for review and approval and shall be implemented as approved by the County.

### **Conditions By Issue Area**

4. **Air-01 Dust Control:** The Owner/Applicant shall comply with the following dust control components at all times including weekends and holidays:
  - a. Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site.
  - b. During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, use water trucks or sprinkler systems to prevent dust from leaving the site and to create a crust after each day's activities cease.
  - c. During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site.
  - d. Wet down the construction area after work is completed for the day and whenever wind exceeds 15 mph.
  - e. When wind exceeds 15 mph, have site watered at least once each day including weekends and/or holidays.
  - f. Order increased watering as necessary to prevent transport of dust off-site.

- g. Cover soil stockpiled for more than two days or treat with soil binders to prevent dust generation. Reapply as needed.
- h. If the site is graded and left undeveloped for over four weeks, the Owner/Applicant shall immediately:
  - i. Seed and water to re-vegetate graded areas; and/or
  - ii. Spread soil binders; and/or
  - iii. Employ any other method(s) deemed appropriate by P&D or APCD.

PLAN REQUIREMENTS: These dust control requirements shall be noted on all grading and building plans.

PRE-CONSTRUCTION REQUIREMENTS: The contractor or builder shall provide P&D monitoring staff and APCD with the name and contact information for an assigned onsite dust control monitor(s) who has the responsibility to:

- a. Assure all dust control requirements are complied with including those covering weekends and holidays.
- b. Order increased watering as necessary to prevent transport of dust offsite.
- c. Attend the pre-construction meeting.

TIMING: The dust monitor shall be designated prior to approval of the 1ST GRADING PERMIT. The dust control components apply from the beginning of any grading or construction throughout all development activities until Final Building Inspection Clearance is issued and landscaping is successfully installed.

MONITORING: P&D processing planner shall ensure measures are on plans. P&D grading and building inspectors shall spot check; Grading and Building shall ensure compliance onsite. APCD inspectors shall respond to nuisance complaints.

5. **CulRes-09 Stop Work at Encounter:** The Owner/Applicant and/or their agents, representatives or contractors shall stop or redirect work immediately in the event archaeological remains are encountered during grading, construction, landscaping or other construction-related activity. The Owner/Applicant shall immediately contact P&D staff, and retain a P&D approved archaeologist and Native American representative to evaluate the significance of the find in compliance with the provisions of the County Archaeological Guidelines and conduct appropriate mitigation funded by the Owner/Applicant.

PLAN REQUIREMENTS: This condition shall be printed on all building and grading plans.

MONITORING: P&D permit processing planner shall check plans prior to issuance of Land Use Permit, and P&D compliance monitoring staff shall spot check in the field throughout grading and construction.

6. **Noise-02 Construction Hours:** The Owner /Applicant, including all contractors and subcontractors shall limit construction activity, including equipment maintenance and site preparation, to the hours between 7:00 a.m. and 4:00 p.m. Monday through Friday.

No construction shall occur on weekends or State holidays. Non-noise generating interior construction activities such as plumbing, electrical, drywall and painting (which does not include the

use of compressors, tile saws, or other noise-generating equipment) are not subject to these restrictions.

Any subsequent amendment to the Comprehensive General Plan, applicable Community or Specific Plan, or Zoning Code noise standard upon which these construction hours are based shall supersede the hours stated herein.

**PLAN REQUIREMENTS:** The Owner/Applicant shall provide and post a sign stating these restrictions at all construction site entries.

**TIMING:** Signs shall be posted prior to commencement of construction and maintained throughout construction.

**MONITORING:** The Owner/Applicant shall demonstrate that required signs are posted prior to grading/building permit issuance and pre-construction meeting. Building inspectors and permit compliance staff shall spot check and respond to complaints.

7. **WatConv-03 Erosion and Sediment Control Revegetation:** Where required by the latest edition of the California Green Code and/or Chapter 14 of the Santa Barbara County Code, a Storm Water Pollution Prevention Plan (SWPPP), Storm Water Management Plan (SWMP) and/or an Erosion and Sediment Control Plan (ESCP) shall be implemented as part of the project. Grading and erosion and sediment control plans shall be designed to minimize erosion during construction and shall be implemented for the duration of the grading period and until re-graded areas have been stabilized by structures, long-term erosion control measures or permanent landscaping. The Owner/Applicant shall submit the SWPPP, SWMP or ESCP) using Best Management Practices (BMP) designed to stabilize the site, protect natural watercourses/creeks, prevent erosion, convey storm water runoff to existing drainage systems keeping contaminants and sediments onsite. The SWPPP or ESCP shall be a part of the Grading Plan submittal and will be reviewed for its technical merits by P&D. Information on Erosion Control requirements can be found on the County web site re: Grading Ordinance Chapter 14 (<http://sbcountyplanning.org/building/grading.cfm>) refer to Erosion and Sediment Control Plan Requirements; and in the California Green Code for SWPPP (projects < 1 acre) and/or SWMP requirements.

**PLAN REQUIREMENTS:** The grading and SWPPP, SWMP and/or ESCP shall be submitted for review and approved by P&D prior to approval of land use clearances. The plan shall be designed to address erosion, sediment and pollution control during all phases of development of the site until all disturbed areas are permanently stabilized.

**TIMING:** The SWPPP requirements shall be implemented prior to the commencement of grading and throughout the year. The ESCP/SWMP requirements shall be implemented between November 1st and April 15th of each year, except pollution control measures shall be implemented year round.

**MONITORING:** P&D staff shall perform site inspections throughout the construction phase.

8. **WatConv-04 Equipment Storage-Construction:** The Owner/Applicant shall designate a construction equipment filling and storage area(s) to contain spills, facilitate clean-up and proper disposal and prevent contamination from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. The areas shall be no larger than 50 x 50 foot unless otherwise approved by P&D

and shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources.

**PLAN REQUIREMENTS:** The Owner/Applicant shall designate the P&D approved location on all building permit plans..

**TIMING:** The Owner/Applicant shall install the area prior to commencement of construction.

**MONITORING:** P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

- 9. WatConv-05 Equipment Washout-Construction:** The Owner/Applicant shall designate a washout area(s) for the washing of concrete trucks, paint, equipment, or similar activities to prevent wash water from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. Note that polluted water and materials shall be contained in this area and removed from the site. The area shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources.

**PLAN REQUIREMENTS:** The Owner/Applicant shall designate the P&D approved location on all Land Use Permit plans.

**TIMING:** The Owner/Applicant shall install the area prior to commencement of construction.

**MONITORING:** P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

### **Project Specific Conditions**

- 10. Cannabis Waste Discharge Requirements:** Prior to issuance of the Land Use Permit, the Applicant shall demonstrate compliance with the State Water Resources Control Board's comprehensive Cannabis Cultivation Policy that includes principles and guidelines for cannabis cultivation, including regulations on the use of pesticides, rodenticides, herbicides, insecticides, fungicides, disinfectants, and fertilizers.

**TIMING:** The Owner/Applicant shall provide the P&D processing planner with evidence of compliance with the SWRCB Requirements prior to Zoning Clearance issuance.

**MONITORING:** P&D compliance staff shall ensure compliance through Business License application review and site inspections as needed in compliance with the Cannabis Policy and Cannabis General Order.

- 11. EM-01 Emergency Generator:** In the event of a power failure, a generator may be used on the site to provide backup power. A generator is allowed for emergency backup electrical purposes only and shall only be continuously operated during an event of interruption of standard electrical service as provided by the local electrical utility company to the subject parcel. For diesel generators, engines shall be certified to meet EPA Tier 4 Final emissions standards. Pursuant to the manufacturer's routine maintenance recommendations, the generator may be exercised on a monthly basis for a period not to exceed 30 minutes. **Timing:** The exercise period shall be limited to the hours between 7:30 a.m. and

4:30 p.m., Monday–Friday only & shall not occur on State holidays (e.g., Thanksgiving, Labor Day, etc.). Non-emergency operation beyond 30 minutes per month shall be prohibited. Additionally, Air Pollution Control District (APCD) permits are required for emergency standby generator engines rated at 50 BHP (brake-horsepower) or greater unless the equipment qualifies for an exemption based on low usage.

**PLAN REQUIREMENTS:** The Permittee shall restate the provisions for compliance on all building plans.

**TIMING:** If required, Permittee shall obtain an APCD Authority to Construct (ATC) permit prior to engine installation, and an APCD Permit to Operate (PTO) prior to engine operation. All necessary APCD permits, if required, shall be obtained prior to Final Building Inspection Clearance.

- 12. EM-02 Elapsed Time Meter:** The Owner shall install, operate and properly maintain a dedicated, non-resettable elapsed-time meter on the emergency generator engine. A written record detailing the hours of operation, corresponding meter readings from the hours meter, and reason for each operation, shall be maintained and submitted to the APCD upon request.

**TIMING:** The time meter and particulate filter shall be installed prior to Final Building Inspection Clearance.

- 13. 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 (§ 35.42.075.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 commencement of the cannabis activities that are the subject of this permit. 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.

- 14. Landscape and Screening Plan:** The Owner/Applicant shall implement the Landscape and Screening Plan stamped “Zoning Approved”.

**PLAN REQUIREMENTS:** The Final Landscape and Screening Plan shall replace the proposed trees along the southern boundary with native, drought-tolerant plants or hedges that will reach sufficient height to screen the cannabis operation while preserving views of the surrounding mountains. The Landscape and Screening Plan must comply with the requirements of the Land Use and Development Code (§ 35.42.075.C.3) as that section reads as of the date of project approval. The Applicant shall file a performance security in an amount sufficient to ensure the installation and maintenance of the landscaping for two years, as determined by a landscape architect and approved by P&D compliance staff.

**TIMING:** The Applicant shall submit one copy of the approved Landscaping and Screening Plan to P&D staff and deposit the performance security, prior to issuance of this permit. The Applicant shall install all components of the Landscape and Screening Plan prior to commencement of the cannabis activities that are the subject of this permit. The Applicant shall maintain the landscaping and screening in compliance with the Landscape and Screening Plan throughout the life of the Project.

**MONITORING:** P&D compliance staff shall inspect 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. P&D compliance staff shall release said performance security upon a written statement from the Department that the landscaping, in accordance with approved Landscape Plan and Screening Plan has been installed and maintained for two years.

**15. 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.

**16. 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 and –D.1.g) 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 project site to confirm that all components of the Lighting Plan are installed, maintained and operated pursuant to the requirements of this condition.

**17. 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.

**18. 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 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.

- 19. 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.

- 20. Site Transportation Demand Management 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.

- 21. 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.

**MONITORING:** P&D compliance staff reviews the written notification to confirm that all requisite information has been included pursuant to the requirements of this condition.

- 22. Water efficiency for commercial cannabis activities:** Water-conserving features shall be included in the design of cannabis cultivation. Water-conserving features include the following: evaporative barriers on exposed soils and pots as well as timed drip irrigation.

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

- 23. Wildlife Movement Plan:** The Owner/Applicant shall implement the avoidance and minimization measures and all associated components included in the Wildlife Movement Plan (WMP) included in the Biological Resources Assessment prepared by Rincon Consultants dated December 2020 and stamped "Zoning Approved". The WMP measures include:

- 1) Workers Environmental Awareness Program,
- 2) Consultation with USFWS,
- 3) Aquatic and Semi-Aquatic Species Avoidance,
- 4) Avian Nesting Avoidance,
- 5) Buffer Avoidance, and
- 6) Cannabis General Order.

**PLAN REQUIREMENTS:** This condition shall be printed on building and grading plans.

**TIMING:** The requirements of this condition shall be implemented prior to the commencement of cultivation activities or construction of new buildings, whichever occurs first. The requirements of this condition shall also be implemented throughout the life of the Proposed Project, as applicable. Permit compliance staff shall conduct site inspections as needed to confirm compliance.

MONITORING: P&D permit processing planner shall check plans prior to issuance. P&D compliance monitoring staff, as well as USFWS staff and/or CDFW staff as needed, shall monitor compliance with this condition prior to the commencement of project activities, which may include installation of fencing and lighting, or at the pre-construction meeting, or during grading and construction, and throughout the life of the project, as applicable. The Owner/Applicant shall demonstrate compliance with the measures outline above, listed in the planset and as detailed in the WMP included in the Biological Resources Assessment prepared by Rincon dated December 2020 throughout the life of the project to permit compliance staff.

### **County Rules and Regulations**

- 24. Rules-01 Effective Date-Not Appealable to CCC:** This Land Use Permit shall become effective upon the date of the expiration of the applicable appeal period provided an appeal has not been filed. If an appeal has been filed, the planning permit shall not be deemed effective until final action by the final review authority on the appeal. No entitlement for the use or development shall be granted before the effective date of the planning permit. [LUDC §35.82.020].
- 25. 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.
- 26. Rules-05 Acceptance of Conditions:** The 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 Applicant.
- 27. Rules-08 Sale of Site:** The project site and any portions thereof shall be sold, leased or financed in compliance with the exhibit(s), project description and the conditions of approval including all related covenants and agreements.
- 28. Rules-09 Signs:** Signs. No signs of any type are approved with this action unless otherwise specified. All signs shall be permitted in compliance with the CLUDC.
- 29. Rules-20 Revisions to Related Plans:** The Owner/Applicant shall request a revision for any proposed changes to approved project plans. Substantial conformity shall be determined by the Director of P&D.
- 30. Rules-22 Leased Facilities:** The Operator and Owner are responsible for complying with all of the conditions of approval contained in this Land Use Permit. Any zoning violations concerning the installation, operation, and/or abandonment of the facility are the responsibility of the Owner and the Operator
- 31. Rules-23 Processing Fees Required:** Prior to issuance of Land Use Permit, the Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
- 32. Rules-26 Performance Security Required:** The Owner/Applicant shall post separate performance securities, the amounts and form of which shall be approved by P&D, to cover the full

cost of installation and maintenance of landscape & irrigation. Installation securities shall be equal to the value of a) all materials listed or noted on the approved referenced plan, and b) labor to successfully install the materials. Maintenance securities shall be equal to the value of maintenance and/or replacement of the items listed or noted on the approved referenced plan(s) for two years of maintenance of the items. The installation security shall be released when P&D determines that the Owner/Applicant has satisfactorily installed of all approved landscape & irrigation, plans per those condition requirements. Maintenance securities shall be released after the specified maintenance time period and when all approved landscape & irrigation have been satisfactorily maintained. If they have not been maintained, P&D may retain the maintenance security until satisfied. If at any time the Owner fails to install or maintain the approved landscape and irrigation, P&D may use the security to complete the work.

**33. Rules-30 Plans Requirements:** The Owner/Applicant shall ensure all applicable final conditions of approval are printed in their entirety on applicable pages of grading/construction or building plans submitted to P&D or Building and Safety Division. These shall be graphically illustrated where feasible.

**34. Rules-32 Contractor and Subcontractor Notification:** The Owner/Applicant shall ensure that potential contractors are aware of County requirements. Owner / Applicant shall notify all contractors and subcontractors in writing of the site rules, restrictions, and Conditions of Approval and submit a copy of the notice to P&D compliance monitoring staff.

**35. Rules-33 Indemnity and Separation:** The 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.

**36. Rules-37 Time Extensions-All Projects:** The Applicant may request a time extension prior to the expiration of the permit or entitlement for development. The review authority with jurisdiction over the project may grant a time extension in compliance with County rules and regulations, for good cause, which include evidence of changed circumstances and ensuring compliance with CEQA. If the Applicant requests a time extension, the permit may be revised to include updated or additional conditions of approval and/or revised or additional mitigation measures, reflecting changed circumstances and/or additional project impacts.

### **Other**

**37. ADU Conversion:** The Owner/Applicant shall convert the as-built ADU back to a permitted 867-sq.-ft. agricultural accessory structure or obtain necessary building permits to legalize the ADU.

**TIMING:** The Owner/Applicant shall convert the ADU back to a permitted agricultural accessory structure or obtain issued building permits to legalize the ADU within 90 days of issuance of this Land Use Permit.

**MONITORING:** P&D compliance staff shall confirm that the applications have been submitted.