



LAND USE PERMIT NO: 22LUP-00000-00465

Project Name: SIERRA BOTANICALS, LLC - CANNABIS PROCESSING
Project Address: 1999 HWY 101, BUELLTON, CA 93427
A.P.N.: 083-430-015
Zone: AG-II-40

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: 10/15/2024

DATE OF PERMIT ISSUANCE: 10/16/2024

PROJECT DESCRIPTION SUMMARY: The Project is a Land Use Permit to allow cannabis processing and small structures on a site with an existing, permitted cannabis operation. Additionally, an existing windscreen along the northern property line will be validated under the Project, additional fencing will be located around the manager's residence, and a new 7' x 7' shade structure will be located over existing chemical storage.

To receive additional information regarding this project and/or to view the application and/or plans, please contact Willow Brown at wbrown@countyofsb.org, or at (805)568-2040.

PROJECT SPECIFIC CONDITIONS: See Attachment "A"

ASSOCIATED CASE NUMBER: 18LUP-00000-00525
24APL-00020

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 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 term 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).

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 Project is a request for a Land Use Permit to allow cannabis processing on a site with an existing, permitted cannabis operation. Cannabis processing will occur in an existing, permitted 3,149-square-foot barn and two existing, permitted 320-square-foot shipping containers. All processing areas will be equipped with carbon filters for the purpose of odor abatement. Processing will consist of drying, trimming, curing, storing, and packaging. Up to 60% of cannabis processed will be grown off-site. Up to ten permanent employees will be employed for processing. The barn and shipping containers were previously approved for agricultural support uses, storage, and cannabis nursery cultivation in the barn under Permit Number 18LUP-00525. Two of the 320-square-foot shipping containers approved under Permit Number 18LUP-00525 will be relocated on the Project site.

An existing windscreen along the northern property line will be validated under the Proposed Project. The windscreen is made of shade cloth attached to 4-inch oil pipe of approximately 10 feet in height. The windscreen is not attached to the security fencing. A new 7' x 7' shade structure will be located over an existing chemical storage tank. The Proposed Project will also reconfigure the parking area and fire truck turnaround. Additional six-foot-high chain link fencing will be added around the manager's residence. Four new parking spaces will be added, for a total of 15 spaces. Five parking spaces will be dedicated carpool spaces. Cannabis processing will occur from March to December. The hours of operation for processing activities will be 6:00 am to 6:30 pm.

Access to the Project site will continue to be taken via a private driveway off Highway 101. Water service will continue to be provided by a private well. A new private wastewater treatment system will be constructed to serve the barn. The Proposed Project includes less than 50 cubic yards of grading and does not include removal of trees or vegetation. The Project site is a 4.71-acre parcel zoned AG-II-40, shown as APN 083-430-015, and addressed as 1999 Hwy 101, Buellton, Third 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.

2. **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 landscape 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 (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

Conditions By Issue Area

3. **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.

4. **Parking-02 Onsite Construction Parking:** All construction-related vehicles, equipment staging and storage areas shall be located onsite and outside of the road and highway right of way. The Owner/Applicant shall provide all construction personnel with a written notice of this requirement and a description of approved parking, staging and storage areas. The notice shall also include the name and phone number of the Owner/Applicant's designee responsible for enforcement of this restriction.

PLAN REQUIREMENTS: Designated construction personnel parking, equipment staging and storage areas shall be depicted on project plans submitted for Land Use Permit.

TIMING: A copy of the written notice shall be submitted to P&D permit processing staff prior to issuance of Land Use Permit. This restriction shall be maintained throughout construction.

MONITORING: P&D permit compliance and Building and Safety shall confirm the availability of designated onsite areas during construction, and as required, shall require re-distribution of updated notices and/or refer complaints regarding offsite parking to appropriate agencies.

Project Specific Conditions

5. **Cannabis-01 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.

6. **Cannabis-02 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.

7. **Cannabis-03 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.

8. **Cannabis-04 Permit Compliance:** The Owner/Applicant/Operator shall ensure that the project complies with the County cannabis regulations, 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 issuance of Land Use Permit as authorized by ordinance and fee schedules. Compliance monitoring costs will be invoiced monthly and may include costs for Business License annual review and 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:

- i. Prior to commencement of use and/or issuance of Business License,
- ii. Within the first year (during the active growing season), and
- iii. Other instances as deemed necessary by Planning & Development

4) Participate in Regular Compliance Inspections that may occur:

- i. Upon renewal of the County Business License,
- ii. For the life of the project, or as specific in permit conditions, and
- iii. 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.

9. **Cannabis-05 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.

10. **Cannabis-07 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 commencement of the cannabis activities that are the subject of this permit. 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.

11. **Cannabis-08 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 commencement of the cannabis activities that are the subject of this permit. 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.

- 12. Cannabis-09 Minimization of Cannabis Odors:** In compliance with the requirements of the Land Use and Development Code (§35.42.075.D.1.I), as that section reads as of the date of project approval, in order to minimize cannabis odors, the drying, curing, and/or trimming of harvested cannabis shall either (1) be located within an enclosed structure which utilizes best available control technology, or (2) include techniques/or equipment (e.g., the use of freeze drying techniques/equipment and immediate packaging of harvested cannabis in the field) that shall achieve an equivalent or greater level of odor control as could be achieved using an enclosed structure which utilizes best available control technology. The Owner/Applicant shall comply with the proposed method to minimize cannabis odors as depicted on the plans stamped 'Zoning Approved.' The Owner/Applicant shall inform P&D compliance monitoring staff prior to making any changes to the odor control technology/technique.

PLAN REQUIREMENTS: The odor control technology/technique or system shall be graphically depicted on project plans and must comply with the requirements of Section 35.42.075.D.1o, as that section reads as of the date of project approval.

TIMING: The odor control technology/technique or system shall be implemented prior to the Final Building Clearance and/or commencement of cultivation activities, whichever occurs first. The Owner/Applicant shall maintain the technology/technique or system in good, working condition throughout duration of cannabis processing activities. The Owner/Applicant shall inform P&D compliance monitoring staff of their intent to change the odor control technology/technique or system prior to its use. The Owner/Applicant shall submitted updated materials for P&D review and approval prior to installation or use of new odor control technology/technique or system. If required, the Owner/Applicant shall obtain additional permits for the use of the new odor control technology/technique or system. Compliance with the requirements of this condition is necessary for the life of the project.

MONITORING: P&D compliance staff shall monitor implementation of odor control technology/technique or system prior to Final Building Clearance and/or commencement of use, whichever occurs first. Permit Compliance staff has the authority to request additional measures necessary for corrective actions, provided at the cost of the Owner/Applicant, to verify compliance with this condition. Upon implementation/installation of the odor control technology/technique or system and quarterly thereafter for one year, Permit Compliance staff shall conduct an inspection of the odor control technology/technique to assess its compliance with the requirements of this condition. Permit Compliance staff may conduct additional inspections, as needed, throughout the life of the project.

- 13. Cannabis-11 Odor Control Notification:** The Owner/Applicant shall inform P&D compliance monitoring staff prior to making any changes to the product/substance used within the approved carbon filter odor control system. The Owner/Applicant shall submit detailed product information, including but not limited to materials safety data sheets, to P&D compliance staff for review and approval. P&D staff shall coordinate their review of the proposed product/substance with the Santa Barbara Air Pollution Control District (SBCAPCD). The SBCAPCD shall assess whether this product, or its contents, are listed on the State's Toxic Air Contaminant List or other similar hazardous air contaminants list.

TIMING: The Owner/Applicant shall inform P&D compliance monitoring staff of their intent to change the product used within the carbon filter odor control system prior to its use. The Owner/Applicant shall receive P&D approval prior to use of new product/substance.

MONITORING: P&D compliance monitoring staff shall review the proposed product/substance changes and associated information materials in coordinate with the SBCAPCD. P&D compliance monitoring staff shall ensure that the carbon filters are implemented and operated in compliance with the approved Odor Abatement Plan and any associated or subsequent addendums.

- 14. Cannabis-12 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.i) 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.

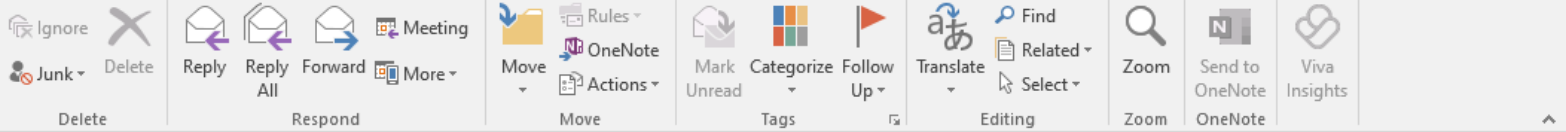
Permit Specific Conditions

- 15. RVP Cond Comp-1 Original Conditions Apply:** The permit that has been changed by this Land Use Permit (LUP) is attached and all original conditions of approval still apply unless explicitly modified by this LUP.

County Rules and Regulations

- 16. 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].
- 17. 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.
- 18. 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.
- 19. 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 CLUDC.
- 20. Rules-20 Revisions to Related Plans:** The Owner/Applicant shall request a revision for any proposed changes to approved plans. Substantial conformity shall be determined by the Director of P&D.
- 21. Rules-22 Leased Facilities:** The Operator and Owner are responsible for complying with all 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.
- 22. Rules-23 Processing Fees Required:** Prior to issuance of Land Use Permit, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
- 23. Rules-29 Other Dept Conditions:** Compliance with Departmental/Division letters required as follows:
1. Caltrans dated March 13, 2024.

24. **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.
25. **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.
26. **Rules-35 Limits-Except DPs:** This approval does not confer legal status on any existing structures(s) or use(s) on the property unless specifically authorized by this approval.
27. **Rules-37 Time Extensions-All Projects:** The Owner / 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, 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.



Wed 3/13/2024 9:06 AM

Fredrick, Shelby@DOT <Shelby.Fredrick@dot.ca.gov>

RE: Sierra Botanicals - 1999 Highway 101

To: Brown, Willow

Cc: Schudson, Jenna@DOT

You forwarded this message on 3/13/2024 9:14 AM.

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

Good morning Willow,

Per our conversation on 3/6/24, Caltrans does not need any more information on this project regarding the addition of employees and processing on site. The only comment we do have is that the owner of the property must obtain an encroachment permit for the existing driveway.

Any work within the State's right-of-way (driveways, landscaping, paving, drainage, utilities, etc.) will require an encroachment permit from Caltrans and must be done to our engineering and environmental standards, and at no cost to the State. Driveways should follow the standards detailed in Sections 205 and 405.1 of the Highway Design Manual (HDM) and Standard Plan A87A. Plans need to clearly show the Caltrans ROW line and be stamped and signed by a civil engineer registered in CA. For more information regarding the encroachment permit process, please visit our Encroachment Permit Website at: <https://dot.ca.gov/programs/traffic-operations/ep>.

Thank you,

Shelby Fredrick (she/her)
Transportation Planner
Local Development Review Coordinator – Santa Barbara County
Caltrans, District 5
Cell: 805-903-3395

