



**DRAFT - CONDITIONS OF APPROVAL**

<b>Date:</b>	January 28, 2025	<b>File No.:</b>	UPC19-0012
<b>Site Address:</b>	4707 Bloomfield Road, Petaluma	<b>APN:</b>	027-050-022
<b>Applicant/Operator:</b>	Bloomfield Flowers LLC., Michael Agins		
<b>Applicant Address:</b>	4707 Bloomfield Rd, Petaluma		
<b>Landowner:</b>	Michael Agins		
<b>Landowner Address:</b>	74 New Montgomery Street, Suite 602, San Francisco		

**Project Description:** Request for a five year limited term Use Permit for a commercial cannabis operation consisting of 10,000 square feet mixed light cultivation, 5,000 square feet indoor cultivation, and centralized processing, in addition to accessory propagation in all new structures on a 113 acre parcel zoned Land Extensive Agriculture (LEA) located at 4707 Bloomfield Rd, Petaluma. Proposed hours of operation are 24 hours per day, seven days per week, as needed. All deliveries and shipping are limited to 8:00 am to 5:00 pm Monday through Friday. The cannabis operation employs a maximum of 19 employees including full and part time staff. No public access or retail sales are permitted.

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**Prior to commencing the use, evidence must be submitted to the file that all of the following conditions have been met.**

**CONDITIONS ON PLAN SETS:**

1. Project conditions and mitigation measures (if applicable) must be printed or included in all plan sets submitted for permitting. Building permit plans shall have plan sheets that include all conditions as part of the submittal package.

**FEES:**

2. Permit Processing and Development Fees. This “At Cost” entitlement is not vested until all permit processing costs and development fees are paid in full. No grading or building permits shall be issued until all permit processing costs and development fees are paid in full.
3. CEQA Filing Fee. Within five working days after project approval, the applicant/operator shall pay a mandatory Notice of Determination filing fee of \$2,764.00 (or the latest fee in effect at the time of payment) for County Clerk processing. The fee will be charged against the project At-Cost deposit account and billed to the applicant, unless the applicant requests an alternate payment method, such as a check made out to the Sonoma County Clerk and submitted to Permit Sonoma in advance of the fee due date. NOTE: If the fee is not paid within five days after approval of the project, it will extend time frames for CEQA legal challenges.



4. Condition Compliance Fee. Prior to staff review of Condition Compliance and/or prior to submitting a building permit application the applicant/operator shall submit to Permit Sonoma an Approved Permit Condition Compliance Review fee deposit of \$3,029.00 (or other amount consistent with the adopted fee schedule in effect at the time). In addition, the applicant/operator shall be responsible for payment of any additional compliance review fees that exceed the initial deposit (based upon hours of staff time worked) prior to final occupancy being granted.
5. Department of Agriculture Annual Site Monitoring Fee. The applicant/operator shall be responsible for payment of all site monitoring fees conducted to verify compliance with the ordinance, cultivation BMPs, and project conditions of approval. Inspections shall be conducted and fees shall be paid for each year over the effective term of the permit.
6. Well Monitoring Fee. Prior to building permit final or issuance of a Use Permit Certificate to operate the use, the applicant/operator shall submit to Permit Sonoma an Annual Well Monitoring fee of \$224.00 (or other amount consistent with the adopted fee schedule in effect at the time). The applicant/operator shall be responsible for payment of additional annual well monitoring fees for each year over the effective term of the permit. **The annual well monitoring fee shall be paid by January 31 of each year the permitted operation is active.**
7. Traffic Mitigation Fee. Prior to building permit final or issuance of a Use Permit Certificate to operate the use, the applicant/operator shall submit to Permit Sonoma a Traffic Mitigation Fee per Chapter 26, Article 98 of the Sonoma County Code. The fee is computed by multiplying project Average Daily Traffic (ADT) by the commercial fee in effect at the time of permit issuance. Evidence of payment shall be submitted to the Permit Sonoma Project Review Planner.
8. Workforce Housing. Construction of new or expanded non-residential development shall be subject to Workforce Housing Requirements pursuant to Section 26-89-045 of the Sonoma County Code. No grading or building permits shall be issued until Workforce Housing Requirements have been met. Internal tenant improvements are not subject to Workforce Housing Requirements.

**PERMIT SONOMA PLANNING:**

"Compliance with the conditions below have been verified " BY \_\_\_\_\_ DATE \_\_\_\_\_  
 Contact Haleigh Frye, Project Planner at (707) 565-2477

9. Term of Permit. This is a limited term permit. No property interest, vested right, or entitlement to receive a future permit to operate a cannabis use shall ever inure to the benefit of the permit holder as such permits are revocable and shall expire (Section 26-88-250 (e)). This permit for cannabis uses shall be issued to the applicant/operator for a period not to exceed five years from the date of issuance of the Use Permit Certificate and shall be subject to permit renewals. The Use Permit Certificate for UPC19-0012 shall expire five years after issuance, unless the applicant/operator applies for and is granted a permit renewal. **The applicant/operator must apply for permit renewal at least 90 days prior to expiration of the permit to avoid interruption of service.**



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 2550 Ventura Avenue Santa Rosa CA 95403-2859 (707) 565-1900  
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10. Type(s) and Limitations of Use:

- a. This use permit allows 15,000 square feet of cannabis cultivation:
    - i. 5,000 square feet of Indoor
    - ii. 10,000 square feet of Mixed Light
  - b. This use permit allows centralized processing and packaging of cannabis.
  - c. This use permit does not allow Wholesale Nursery.
  - d. This use permit does not allow public access to any portion of the cannabis operation.
  - e. This use permit does not include or authorize special events.
  - f. This use permit does not allow any retail sales on-site or the delivery of cannabis to patients or the public.
  - g. **If phased construction will occur rather than full buildout of permitted uses, a Phasing Plan shall be submitted for review and approval by Permit Sonoma staff within 90 days of Use Permit approval.** At a minimum, the Phasing Plan shall include a floor plan and corresponding table disclosing the following for each room:
    - i. Room identifier/label.
    - ii. Square footage per room.
    - iii. Canopy area per room.
    - iv. Use (e.g., flower, vegetative propagation, processing, distribution).
    - v. Proposed phase and timeline for each phase
  - h. The use shall be operated in accordance with the proposal statement, operational plans, and site plans located in File No. UPC19-0012 as modified by these conditions.
11. Cultivation Area. The applicant/operator shall not increase cultivation area beyond 15,000 square feet (as described in Condition 10 above) at this location without prior written approval from Permit Sonoma Staff. This permit does not include wholesale nursery cultivation.
12. Propagation Area. This use permit allows for additional indoor and mixed light propagation (growing clones or other non-flowering materials to support the onsite use) and vegetative production area not to exceed to 25% of the permitted cultivation area (3,750 square feet), provided this plant material is kept in a separate, unique area away from flowering plants. Propagation must occur within the licensed premises. Propagation area is separate from and does not include wholesale nursery cultivation.
13. Canopy Plan. The applicant/operator shall be responsible for submission of a current canopy plan including all cultivation areas for each year over the effective term of the permit. This plan shall graphically depict all cannabis cultivation areas that contain mature plants and shall calculate the canopy area in square feet, measured in clearly identifiable boundaries. The



canopy may be noncontiguous, but each unique area included in the total canopy calculation shall be separated by an identifiable boundary that may include, but is not limited to, greenhouse walls, shelves, garden benches, hedgerows, fencing, etc. **The canopy plan shall be submitted by June 1 of each year the permitted operation is active.**

14. Hours of Operation. Indoor and mixed light cultivation and Processing activities are allowed to occur 24 hours per day, seven days a week as needed, although general use will occur during daylight hours. All deliveries and shipping activities shall be limited from 8:00 am to 5:00 pm Monday through Friday, year-round.
15. Employees. This use permit allows for a maximum of nineteen (19) employees onsite per day.
16. Ownership changes. Written notification shall be provided to Permit Sonoma prior to any of the following changes: 1) a new person meeting the definition of cannabis business owner of the permit holder, 2) change in business entity type of the permit holder, 3) change in legal business name of the permit holder, 4) a new person serving as operator of the permit holder, or 5) a new property owner. Supporting documentation shall be submitted to Permit Sonoma within 30 days of any of the aforementioned changes.
17. 24 Hour Contact. Prior to operation the Applicant shall provide 24-hour contact information to County staff and all neighbors within 1,000 feet. Applicant must log and investigate all complaints and take prompt action to correct any problem. If unresolved complaints are received related to the operating standards and/or the conditions of the project, Permit Sonoma staff may bring this matter back to the Board of Zoning Adjustments for review and amendment.
18. Security Plan. The operation shall maintain all aspects of the approved site security plan (held confidentially at Permit Sonoma). This shall, at a minimum, include video surveillance, of which recordings will be kept for at least 30 days, perimeter fencing, controlled access gates, locking doors, security lighting, and alarms. Weapons and firearms are prohibited. Cash shall be limited at the location to a minimum needed for the daily operations only and shall be placed in a secure location (e.g., locked drawer, safe, or similar storage cabinet with a locking mechanism).
19. Security Log. **A log of security incidents shall be maintained, and an annual report shall be submitted to Permit Sonoma by January 31 of each year the permit is active.** The reporting shall be provided in a format agreed to by Permit Sonoma staff.
20. Odor Control System. The applicant/operator shall install and maintain an odor control air filtration and ventilation system in each structure containing cannabis products such as carbon filters and carbon scrubbers or other equipment of equal efficacy to control off-site odor generated by the cannabis operation. This requirement shall apply to all permanent structures used in the operation, including mixed light greenhouses, processing, and product storage structures. Verification of compliance shall be required prior to issuance of the Use Permit



Certificate or operation of the use, either by photographic documentation or site inspection by the Project Planner, at the discretion of Permit Sonoma staff.

21. Odor Monitoring Log. **A log of odor incidents, complaints received, and actions taken to resolve any odor issue shall be kept and an annual report shall be submitted to Permit Sonoma by January 31 of each year the permit is active.** The reporting shall be provided in a format agreed to by Permit Sonoma staff. Odor complaints received shall be documented, along with the complaint resolution and the timeframe required to address the odor issue and shall be included in the annual report. If it is determined by staff that complaints are warranted, Permit Sonoma may require the permit holder to implement additional odor control measures.
22. Inspection. The operation shall be subject to inspections by appropriate local and state agencies, including but not limited to Agriculture/Weights & Measures and Permit Sonoma. Inspections may occur at random times for conformance with the County Code and permit requirements. If interference in the performance of the duty of the agency having jurisdiction occurs, the agency may temporarily suspend the permit and order the operator to immediately cease operations.
23. Energy Use. The applicant/operator shall submit and maintain documentation that the operation utilizes 100% renewable energy sources. A request to modify energy provider must be submitted to Permit Sonoma and approved prior to making any change in energy service.
24. Water Conservation Plan. Prior to issuance of a Use Permit Certificate to operate, the Water Conservation Plan submitted shall be implemented by the applicant/operator and verified by staff. The Plan includes all reasonably feasible measures to reduce water demand and enhance water resource recovery to the maximum extent feasible, including but not limited to: high efficiency drip irrigation system for watering plants, using a rainwater catchment system to minimize groundwater use for irrigation, installing ultra-low flow fixtures, and utilizing dehumidification units for water recovery.
25. Greenhouse Gas Reduction Plan. Prior to issuance of a Use Permit Certificate to operate, the Greenhouse Gas Reduction Plan submitted to reduce greenhouse gas emissions in the design, construction, and long-term operations of the project shall be implemented by the applicant/operator and verified by staff. The Greenhouse Gas Reduction Plan includes all reasonably feasible measures to reduce greenhouse gas emissions to the maximum extent feasible, including but not limited to: implementing a local hiring plan, encouraging carpooling, hiring local contractors, reducing the use of fertilizers, and installing HVAC units to use zero HFC's and halons.
26. Design Review. Prior to issuance of building, grading, or other development permits, all exterior modifications to the site, including landscaping, parking lot improvements, fencing, lighting, driveway improvements, and installation of water tanks for irrigation or fire suppression, shall be subject to administrative design review. Razor wire and similar fencing is not permitted.



Greenhouse walls and roofing shall be constructed of opaque material that limits glare, such as frosted glass.

27. Signage. The project approval does not include any signage. A separate administrative design review application will be required if any exterior signage is proposed.
28. Lighting. Prior to issuance of a Use Permit Certificate to operate, an exterior lighting plan, including security lighting, shall be submitted for review by Permit Sonoma staff. Exterior lighting shall be low mounted, downward casting and fully shielded to prevent glare. Lighting shall not wash out structures or any portions of the site. Light fixtures shall not be located at the periphery of the property and shall not spill over onto adjacent properties or into the night sky. Flood lights are not permitted. Lighting shall shut off automatically after closing and security lighting shall be motion sensor activated. Verification of lighting installation in compliance with standards shall be required, either by photographic documentation or site inspection by the Project Planner, at the discretion of Permit Sonoma staff.
29. Maintenance of On-Site Agricultural Use. The applicant/operator shall execute a primary agricultural use onsite prior to issuance of subsequent development permits. The applicant/operator shall maintain a primary agricultural use on the parcel. As proposed, the primary agricultural uses on the parcel include a horse training facility, an organic vegetable farming operation, bee keeping, and sheep grazing. Failure to maintain a primary agricultural use shall be considered a violation of this use permit, subject to revocation or modification
30. The two ingress/egress access points approved as part of this Use Permit and shown on project plans are the only driveways authorized for non-emergency use by the project.
31. Use Permit Certificate. A Use Permit Certificate with these conditions, approved proposal statement, and approved plans shall be maintained on site and made available to county officials upon request.
32. Operational Requirements. The operation shall conform to the standards established by County Code Sections 26-88-250 through 26-88-256, and all other applicable requirements for the specific type of use and those of the underlying base zone.
33. Conformance with Statutes. This use shall be constructed, maintained, and operated in conformance with applicable county and state statutes, ordinances, rules, and regulations, including but not limited to state and/or county track and trace programs, state licensing, occupational safety requirements, health permits and regulations, and cannabis business taxes. A violation of any applicable statute, ordinance, rule, or regulation shall be considered a violation of this use permit, subject to revocation or modification.
34. Code Violations. All code violations shall be abated, and all applicable penalty fees paid prior to issuance of a Use Permit Certificate to operate.



35. Permanently installed generators. Permanently installed emergency generators shall not be used to power the indoor or mixed light growing of cannabis plants. The prohibition includes indoor and mixed light propagation and vegetative plant production. Permanent emergency generators can be used only during power shut offs and other emergencies when on-grid power is not available. During those specified times, a permanently installed generator can be used to power supporting and accessory activities, such as employee uses, processing, and product storage, and to power public safety functions, such as security lighting, cameras, alarms, and fire sprinklers. Permanently installed emergency generators can be used during emergency and non-emergency conditions to power well pumps for irrigation and/or fire suppression for all cultivation uses.

A Building permit is required. The installation shall be subject to all applicable Building Code, Fire Prevention, and air quality requirements and standards, including, but not limited to:

- a. Location away from overhanging vegetation, and 30-foot non-combustible space around the generator site.
  - b. Generator noise emissions shall be less than 70 decibels as measured at any point 25 feet from the generator when operating at full power (this typically can be obtained with a Level II acoustic enclosure from the generator manufacturer). A generator sound level specification sheet must be submitted with the building permit application to verify compliance with this standard. If a separate structure is required or proposed to meet this standard, the structure may be subject to additional permits.
  - c. Self-test cycles shall be programmed to run on a weekday between the hours of 10:00 am and 2:00 pm.
  - d. A completed and signed Declaration of Use (Form BPC-061) shall be submitted along with the Building Permit describing the proposed use of the generator. The form requires a Site Plan specific to the Declaration that clearly identifies the building(s)/use(s) the emergency generator will support, and clearly identifies where cannabis operations will occur. This information can be hand-drawn on an existing site plan or on an aerial.
36. Accidental Discovery of Cultural Resources. In the event that archaeological resources such as pottery, arrowheads, midden or culturally modified soil deposits are discovered at any time during grading, scraping or excavation within the property, all work shall be halted in the vicinity of the find and Permit Sonoma Project Review staff shall be notified and a qualified archaeologist shall be contacted immediately to make an evaluation of the find and report to Permit Sonoma. Permit Sonoma staff will notify and consult with the culturally affiliated tribal representative from tribes known to have interests in the area. Artifacts associated with prehistoric sites include humanly modified stone, shell, bone or other cultural materials such as



charcoal, ash and burned rock indicative of food procurement or processing activities. Prehistoric domestic resources include hearths, firepits, or house floor depressions whereas typical mortuary resources are represented by human skeletal remains. Historic artifacts potentially include all by-products of human land use greater than fifty (50) years of age including trash pits older than fifty (50) years of age. When contacted, a Permit Sonoma Project Review staff person, tribal representatives, and the archaeologist shall visit the site to determine the extent of the resources and to develop and coordinate proper protection/mitigation measures required for the discovery. Permit Sonoma will consult with the tribe(s) on the mitigation/protection plan and provide appropriate time for review and comment. No work shall commence until a protection/mitigation plan is reviewed and approved by Permit Sonoma and agreed to by Tribe(s). Measures may include avoidance, removal, preservation and/or recordation in accordance with California law. Archeological evaluation and mitigation shall be at the applicant's sole expense.

If human remains are encountered, all work must stop in the immediate vicinity of the discovered remains and PRMD staff, County Coroner and a qualified archaeologist must be notified immediately so that an evaluation can be performed. If the remains are deemed to be Native American, the Native American Heritage Commission must be contacted by the Coroner so that a "Most Likely Descendant" can be designated and the appropriate provisions of the California Government Code and California Public Resources Code will be followed.

### **Mitigation Measures from MND:**

#### **37. Mitigation Measure AIR-1 Construction Dust and Air Quality Control:**

- a. Construction Coordinator shall be designated by the project applicant, and a sign shall be posted on the site including the Coordinator's 24-hour phone number for public contact regarding dust, trackout, and air quality complaints. The Coordinator shall respond and take corrective action within 48 hours. The Coordinator shall report all complaints and their resolutions to Permit Sonoma staff.
- b. Water or alternative dust control method shall be sprayed to control dust on construction areas, soil stockpiles, and staging areas during construction as directed by the County.
- c. Trucks hauling soil, sand, and other loose materials over public roads shall cover the loads, or shall keep the loads at least two feet below the level of the sides of the container, or shall wet the load sufficiently to prevent dust emissions.
- d. Vehicle speeds on unpaved areas shall be limited to 15 miles per hour.
- e. Final surfacing (i.e., pavement or concrete, gravel, landscaping) shall be completed as soon as possible after earthwork is finished, unless seeding or soil binders are used.
- f. Idling time of diesel-powered construction equipment shall be limited to five minutes. Signs shall be posted reminding workers of this idling restriction at all access points and equipment staging areas during construction of the proposed project.



- g. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications and shall have a CARB certified visible emissions evaluator check equipment prior to use at the site.
- h. Trackout shall not be allowed at any active exit from the project site onto an adjacent paved public roadway or shoulder of a paved public roadway that exceeds cumulative 25 linear feet and creates fugitive dust visible emissions without cleaning up such trackout within 4 hours of when the Construction Coordinator identifies such excessive trackout, and shall not allow more than 1 quart of trackout to remain on the adjacent paved public roadway or the paved shoulder of the paved public roadway at the end of any workday.
- i. Visible emissions of fugitive dust shall not be allowed during cleanup of any trackout that exceeds 20 percent opacity as determined by the Environmental Protection Agency in Method 203B - Opacity Determination for Time Exception Regulations (August 2017).

Trackout is defined by BAAQMD in Regulation 6, Rule 6: Prohibition of Trackout (August 2018) as any sand, soil, dirt, bulk materials or other solid particles from a site that adhere to or agglomerate on the exterior surfaces of vehicles (including tires), and subsequently fall or are dislodged onto a paved public roadway or the paved shoulder of a paved public roadway on the path that vehicles follow at any exit and extending 50 feet out onto the paved public roadway beyond the boundary of the site. Material that has collected on the roadway from erosion is not trackout.

**Mitigation Monitoring AIR-1 Construction Dust and Air Quality Control:**

Permit Sonoma staff shall verify that the AIR-1 measures are included on all site alteration, grading, building or improvement plans prior to issuance of grading or building permits. The applicant shall submit documentation to Permit Sonoma staff that a Construction Coordinator has been designated and that appropriate signage has been posted including the coordinator's phone number. Documentation may include photographic evidence or a site inspection, at the discretion of Permit Sonoma staff.

**38. Mitigation Measure BIO-1: Prohibition on Plastic Erosion Control Netting:**

Plastic monofilament or loosely woven erosion control netting, or any similar materials that may entangle special-status wildlife, shall not be installed. Suitable erosion control measures include natural materials that are 100% biodegradable, such as natural fiber netting and straw.

**Mitigation Monitoring BIO-1: Prohibition on Plastic Erosion Control Netting:**

Prior to issuance of grading or building permits, Permit Sonoma staff shall ensure that mitigation measures are listed on all site alteration, grading, building or improvement plans. Prior to final of grading or building permits, Permit Sonoma staff shall confirm installation of wildlife friendly erosion control measures by site visit or photographic documentation.

**39. Mitigation Measure BIO-2: Prevent Disturbance to Nesting Birds:**



The following measures shall be taken to avoid potential inadvertent destruction or disturbance of nesting birds on and near the project site as a result of construction-related vegetation removal and site disturbance:

- a. To avoid impacts to nesting birds, all construction-related activities (including but not limited to mobilization and staging, clearing, grubbing, vegetation removal, fence installation, demolition, and grading) should occur outside the avian nesting season (generally prior to February 1 or after August 31). Active nesting is present if a bird is sitting in a nest, a nest has eggs or chicks in it, or adults are observed carrying food to the nest.
- b. If construction-related activities are scheduled to occur during the nesting season (generally February 1 through August 31), a qualified biologist shall conduct a habitat assessment for nesting birds, including ground nesting species such as burrowing owl. Habitat assessments related to burrowing owl shall be performed following Appendix C of the CDFW Staff Report on Burrowing Owl Mitigation (2012 CDFW Staff Report) and shall extend at least 150 meters (492 feet) from the Project site boundary and include burrows and burrow surrogates. If suitable habitat exists then a qualified biologist shall conduct pre-construction surveys for nesting birds, including ground nesting species such as burrowing owl, no more than fourteen (14) days prior to initiation of work. Specifically, if suitable burrowing owl habitat is determined to be present, then surveys shall be conducted following the methodology described in Appendix D (Breeding and Non-breeding Season Surveys) of the 2012 CDFW Staff Report. The qualified biologist conducting the surveys shall be familiar with local nesting bird and ground-nesting species including burrowing owl. Surveys shall be conducted at the appropriate times of day during periods of peak activity (i.e., early morning or dusk) and shall be of sufficient duration to observe movement patterns. Surveys shall be conducted within the project area and 250 feet of the construction limits for nesting non-raptors and 500 feet for nesting raptors and burrowing owls as feasible as disturbance distances vary dependent on species, time of year, and geographical location. If the survey area is found to be absent of nesting birds, no further mitigation is required. However, if project activities are delayed by more than seven days, an additional nesting bird survey shall be performed.
- c. If pre-construction nesting bird surveys identify active nests and or burrows, no site disturbance (including but not limited to equipment staging, fence installation, clearing, grubbing, vegetation removal, demolition, and grading) shall occur until a qualified biologist has established a temporary protective buffer around the nest(s). For any raptor species, a Qualified Biologist, experienced in raptor behavior should be assigned to monitor the behavior of any raptors nesting within disturbance distance of Project activities. The buffer shall be of sufficient size to protect the nesting site from construction-related disturbance and shall be established by a qualified biologist. The Qualified Biologist shall have authority to order the cessation of all Project activities within disturbance distance of any raptor nest if the birds exhibit abnormal nesting behavior which may cause reproductive failure (nest abandonment and loss of eggs and/or young). No-work buffers are species- and site-specific, as determined by a qualified biologist. Typically, the no-work radius is 100-250 feet for songbirds and up to 1,000 feet for special-status raptors and owls. The nest buffer, where it



intersects the project site, shall be staked with orange construction fencing or orange lath staking. Any active nests and burrows shall be monitored by a qualified biologist to ensure compliance with the relevant Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (CFGF) requirements. The biologist shall document monitoring efforts and provide documentation to the applicant and County. No-work nest protection buffers may be removed and/or reduced if the qualified biologist determines the young have fledged the nest, the nest has otherwise become inactive due to natural cause (i.e., storm events or predation), or if the qualified biologist determines in coordination with CDFW that construction activities are not likely to adversely affect the nest. The qualified biologist and CDFW may agree upon an alternative monitoring schedule depending on the construction activity, season, and species potentially subject to impact.

- d. A report of the findings shall be prepared by a qualified biologist and submitted to the County prior to the initiation of construction-related activities that have the potential to disturb any active nests. The report shall include recommendations required for establishment of protective buffers as necessary to protect nesting birds and ground nesting species. A copy of the report shall be submitted to the County and applicable regulatory agencies prior to the issuance of a grading permit.

#### 40. **Mitigation Measure BIO-3 Roosting Bat Pre-Construction Survey(s):**

If initial ground disturbance or building demolition occurs during the bat maternity roosting season (April 1 through July 31), a qualified biologist shall conduct a bat roost assessment of trees and structures within 300 feet of the construction site to determine if they contain suitable bat habitat (e.g., cavities, crevices, deep bark fissures). If any trees contain such habit, bat presence shall be presumed. Surveys shall be conducted immediately prior to construction (within 1 to 2 days). If the biologist determines there is potential for maternity roosting bats to be present within 300 feet of the project site, nighttime emergence surveys shall be performed to determine if maternity roosting bats are present. If bat maternity roosts are present, the biologist shall establish an appropriate exclusion zone around the maternity roost. Once the biologist has determined that all young have become independent of the roost, construction may take place in the former exclusion zone.

**Mitigation Monitoring: BIO-2 and BIO-3 Pre- Construction Surveys:** Prior to construction and through completion of initial site disturbance, Permit Sonoma staff shall verify that all surveys have been conducted according to applicable protocols and shall review the results of all pre-construction surveys and any measures recommended by the biologist to avoid sensitive habitat or species and ensure compliance. If the survey determines protective buffers are necessary, ground disturbing activities shall not be initiated until the applicant provides evidence that nest protection buffers are flagged and fenced off and active nest monitoring has been initiated.

A final monitoring report shall be submitted to the County within 30 days of the completion of ground disturbing activities.



**41. Mitigation Measure NOISE-1 HVAC and Emergency Generator Sound Enclosures:** All HVAC noise emissions shall comply with the noise standards in Table NE-2 of the Sonoma County General Plan. Specifically noise levels shall not exceed 50 dBA L50 during the daytime (7 a.m. to 10 p.m.) and 45 dBA L50 during nighttime (10 p.m. to 7 a.m.) as measured at the exterior property line of any adjacent properties (this typically can be obtained with a Level II acoustic enclosure from the equipment manufacturer). Compliance with additional noise metrics in Table NE-2, including L25, L08, and L02, shall also be required as applicable.

For emergency backup generator noise emissions shall be less than 70 decibels as measured at any point 25 feet from the unit(s) when operating (this typically can be obtained with a Level II acoustic enclosure from the equipment manufacturer).

The applicant shall submit sound level specification sheet(s) for HVAC and generator equipment and for any accompanying acoustic enclosures, if applicable, to demonstrate compliance with this noise limit. A separate structure (e.g., a sound wall) may also be constructed to meet this standard; if construction of a separate structure is proposed, the applicant shall also submit documentation prepared by a qualified noise consultant that the structure will attenuate the noise level in compliance with this noise limit.

**Mitigation Monitoring NOISE-1 HVAC and Emergency Generator Sound Enclosures:** Permit Sonoma staff shall verify that all required acoustic enclosures or sound walls are in place prior to issuance of a Use Permit Certificate to Operate the use. Verification shall include photographic documentation and/or a site visit, at the discretion of Permit Sonoma staff.

**PERMIT SONOMA NATURAL RESOURCES:**

Compliance with the conditions below have been verified BY \_\_\_\_\_ DATE \_\_\_\_  
Contact the Permit Sonoma Natural Resources Geologist at 707-565-1352

**PRIOR TO BUILDING PERMIT:**

42. An Easement is required to be recorded for this project to provide Sonoma County personnel access to any on-site water well or other water source serving this project and any required monitoring well or water meter to collect groundwater level measurements and water meter readings. Access shall be granted Monday through Friday from 8:00 a.m. to 5:00 p.m. All Easement language is subject to review and approval by Permit Sonoma Project Review staff and County Counsel prior to recordation.

**PRIOR TO OPERATION:**



**Sonoma County Permit and Resource Management Department**  
2550 Ventura Avenue Santa Rosa CA 95403-2859 (707) 565-1900  
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43. Water well(s) serving this project shall be equipped to enable regular groundwater level monitoring, subject to approval by Permit Sonoma Professional Geologist or Environmental Health Specialist.
44. Totalizing water meter(s) to measure all groundwater extracted for the use shall be installed, subject to approval by Permit Sonoma Professional Geologist or Environmental Health Specialist.
45. A Site Plan showing the location of the well(s) with the groundwater level measuring device(s), water storage ponds, tanks, and reservoirs, and the location of all water meter(s) shall be submitted to PRMD. The monitoring well(s) shall be marked with a measuring reference point. The well's Global Positioning System (GPS) coordinates (in NAD83 California State Plane II or WGS 84lat./long.) shall be noted. The height of the water level measuring reference point above the ground surface shall be specified. Attached to the Site Plan should be the monitoring well(s) well completion reports (with owner information redacted, as is publicly available through California DWR).
46. The applicant shall provide a Water Conservation Plan prepared by a qualified professional that estimates monthly and annual water use, subject to review and approval by Permit Sonoma. The water conservation plan should consider practical methods to conserve water use including recycling leachate into an irrigation supply tank, and installation of an air conditioner and dehumidifier condensate water collection system.
47. Prior to obtaining a Use Permit Certificate to operate, a rainwater capture system which collects water from all feasible roof areas and has a minimum storage tank capacity of 250,000 gallons shall be installed, subject to approval by Permit Sonoma.
48. Prior to obtaining a Use Permit Certificate to operate, a condensate capture system which collects water from all air conditioners and dehumidifiers, and routes collected water into irrigation supply storage tanks, shall be installed, subject to approval by Permit Sonoma.
49. Prior to operation, all water conservation measures and equipment described in the approved Water Conservation Plan shall be installed, subject to approval by Permit Sonoma.

**OPERATIONAL REQUIREMENTS:**

50. Groundwater Monitoring and Meter Calibration
  - e. Groundwater levels and quantities of groundwater extracted for the use shall be measured quarterly. Data shall be reported to Permit Sonoma in January of the following year pursuant to Section WR-2d of the Sonoma County General Plan and County policies. Data should be provided on template monitoring forms provided by Permit Sonoma.
  - f. Water meters shall be calibrated, and copies of receipts and correction factors shall be submitted to Permit Sonoma at least once every five years.
  - g. If the County determines that groundwater levels are declining in the local groundwater basin, then the applicant shall submit and implement a Water Conservation Plan, subject to review and approval by PRMD.



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51. All water conservation measures described in the most recent Water Conservation Plan shall be implemented. Alternative methods or technology of equal or better water efficiency may be used or installed with update and approval of the Water Conservation Plan. Equipment and fixtures shall be maintained in good working order. If replaced, equipment and fixtures of equivalent or better water use efficiency shall be installed.
52. Total well water use for the project, inclusive of employee uses and irrigation of cannabis shall not exceed 1.0 acre feet per year. In the event that average water use over 3 years exceeds 1.0 acre feet per year, the applicant shall update the Water Conservation Plan to utilize the best available technologies to reduce water use, subject to review and approval by Permit Sonoma. In the event that average water use over 3 years exceeds the estimated water use of the approved Water Conservation Plan by Sonoma County Permit and Resource Management Department 2550 Ventura Avenue Santa Rosa CA 95403-2859 (707) 565-1900 w [www.PermitsSonoma.org](http://www.PermitsSonoma.org) Page 5 of 5 more than 10%, Permit Sonoma shall bring this matter back to the BZA for review of additional measures to reduce net groundwater use.
53. The project shall comply with all applicable regulations, monitoring, and fees associated with the Groundwater Sustainability Agency as applicable to the project site.

**PERMIT SONOMA GRADING AND STORMWATER:**

**Compliance with the conditions below have been verified BY \_\_\_\_\_ DATE \_\_\_\_\_**

**Contact Permit Sonoma Engineering and Water Resources Section at 707-565-1691**

54. Grading and/or building permits require review and approval by the Grading & Storm Water Section of the Permit and Resource Management Department (PRMD) prior to issuance. Grading permit applications shall abide by all applicable standards and provisions of the Sonoma County Code and all other relevant laws and regulations.
55. A drainage report for the proposed project shall be prepared by a civil engineer, currently registered in the State of California, be submitted with the grading and/or building permit application and be subject to review and approval by the Grading & Storm Water Section of the Permit and Resource Management Department (PRMD). The drainage report shall include, at a minimum, a project narrative, on- and off-site hydrology maps, hydrologic calculations, hydraulic calculations, pre- and post-development analysis for all relevant existing and proposed drainage facilities. The drainage report shall abide by and contain all applicable items in the *Drainage Report Required Contents* (DRN-006) handout.
56. Drainage improvements shall be designed by a civil engineer, currently registered in the State of California, and in accordance with the Sonoma County Water Agency Flood Control Design Criteria. Drainage improvements shall be shown on the grading/site plans and be submitted to the Grading & Storm Water Section of the Permit and Resource Management Department (PRMD) for review and approval. Drainage improvements shall maintain off-site natural drainage patterns, limit post-development storm water quantities and pollutant discharges in



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compliance with PRMD's best management practices guide, and shall abide by all applicable standards and provisions of the Sonoma County Code and all other relevant laws and regulations. Existing drainage patterns shall be maintained, to the maximum extent practicable, to not adversely impact adjacent properties or drainage systems. Proposed drainage improvements shall not adversely impact adjacent properties or drainage systems.

57. The applicant shall provide grading plans, prepared by a civil engineer currently registered in the State of California, which clearly indicate the nature and extent of the work proposed and include all existing and proposed land features, elevations, roads, driveways, buildings, limits of grading, limits of disturbed area/total work, adequate grading cross sections and drainage facilities such as swales, channels, closed conduits, or drainage structures. The grading plans shall abide by and contain all applicable items from the *Grading Permit Required Application Contents* (GRD-004) handout.
58. As part of the grading plans, the applicant shall include an erosion prevention/sediment control plan which clearly shows best management practices to be implemented, limits of disturbed areas/total work, vegetated areas to be preserved, pertinent details, notes, and specifications to prevent damages or minimize adverse impacts to the surrounding properties and the environment. Tracking of soil or construction debris into the public right-of-way shall be prohibited. Runoff containing concrete waste or by-products shall not be allowed to drain to the storm drain system, waterway(s), or adjacent lands. The erosion prevention/sediment control plan shall abide by and contain all applicable items in the *Grading Permit Required Application Contents* (GRD-004) handout.
59. Residue or polluted runoff from the cannabis production/processing areas/activities shall not be allowed to drain directly to the storm drain system, waterway(s) or adjacent lands. Production & processing areas shall be covered or drain directly to a proper waste disposal system. No diversion valves shall be allowed.
60. Runoff from waste receptacles or outside washing areas shall not be allowed to drain directly to the storm drain system, waterway(s) or adjacent lands. Areas used for waste receptacles and outside washing areas shall be covered or separated from the rest of the project site by grade breaks that prevent storm water run-on. Any surface water flow from a waste receptacle or outside washing area shall not be permitted to enter the storm drain system without receiving appropriate treatment.
61. Drainage easements are required to convey storm water runoff through any neighboring properties. Drainage easements shall be clearly shown and noted on the grading/site plans. The applicant shall be responsible for obtaining or creating drainage easements necessary for the proposed project prior to grading or building permit issuance. Any proposed drainage easements shall be private easements unless otherwise approved by the Department of Transportation and Public Works.



62. If the cumulative land disturbance of the project is equal to or greater than one (1) acre, then the project is subject to National Pollutant Discharge Elimination System (NPDES) requirements and must obtain coverage under the State Water Resource Control Board's General Construction Permit (General Permit). Documentation of coverage under the General Permit must be submitted to the Grading & Storm Water Section of the Permit and Resource Management Department prior to issuance of any grading permit for the proposed project.

**BUILDING:**

**"Compliance with the conditions below have been verified " BY \_\_\_\_\_ DATE \_\_\_\_\_**

**Contact Building Plan Check at 707-565-2095**

63. The applicant/operator shall apply for and obtain building-related permits from Permit Sonoma for any new construction. The necessary applications appear to include, but may not be limited to, an accessibility report and building permit(s). Construction inspections shall have occurred, and the building permit(s) finalized prior to occupancy of new or remodeled structure(s). A signed Declaration of Use that complies with the associated Use Permit application shall be submitted with the building permit application package.

64. Due to the scope of this commercial project, the California Business and Professions Code requires plans and calculations to be prepared by California licensed design professionals (e.g., architects, engineers, etc.). The cover sheet of plans shall identify the full scope of work and shall include an architectural analysis of the proposed project, including occupancies of all spaces, areas, area and height limitations, occupant load factors, occupant loads, exit system requirements, emergency egress, fire-rated construction details, fire separation requirements, and fixture requirements. All buildings shall comply with the prescriptive requirements of all applicable codes, including Energy and CALGreen.

65. Application materials shall be consistent with Permit Sonoma's Building/Grading Permit Application Submittal Checklist (Form # CSS-003).

66. If any changes to plans, drawings, documents, or specifications are required pursuant to any conditions specified herein, these changes shall be brought to the appropriate department for review and approval prior to any construction or improvements. These changes shall be reviewed by all departments involved in the initial approval of the subject plans, drawings, documents, or specifications that are proposed for the change.

67. To determine proper fire separations, the intended occupancies and uses of the facility, and spaces therein shall be clearly stated on the plans; similarly, the approved use and occupancy of the adjacent spaces in the building shall be shown. A detail of the wall assembly separating



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those spaces shall be shown on the plans. Plans shall include an analysis of proposed occupant load, area and height limitations, emergency egress, and fire-rated construction details.

68. All fertilizers, pesticides, corrosives, flammables, explosives and/or toxic materials that may be stored or used at the facility shall be defined, scoped, and quantified. A control area analysis shall be prepared by the applicant/operator and provided to the project planner for any of the above materials which exceed code-prescribed thresholds.
69. Mechanical, electrical, and plumbing plans shall be fully detailed. Plumbing system materials used to convey concentrated byproducts of water reuse process equipment shall be identified and detailed from point-of-inlet to point-of-discharge. The path of reclaimed condensate systems and associated storage and conveyance equipment shall be identified and detailed.
70. All permanently installed equipment shall be identified in the appropriate section of the mechanical, electrical, and plumbing plan sheets. Product information shall be included to verify that installation and use of equipment is consistent with the manufacturer's listing and/or recommendations.
71. The applicant/operator shall comply with California Building Code Section 11B-202.3, which requires that alterations to existing elements or spaces comply with the accessibility requirements of CBC 11B Division 2. For this purpose, a change of use is an alteration.
72. All buildings, structures, sidewalks, curbs, and related facilities, intended for use by the public or employees, shall be accessible to and usable by persons with disabilities. Accessible parking shall be provided for both assigned and unassigned and/or visitor spaces per California Building Code requirements. Plans shall include details of the path of travel from accessible parking to the area of alteration. All facilities serving the area of alteration shall be made accessible. Prior to initiation of the approved use, the project shall comply with the accessibility requirements set forth in the most recent California Building Code, as determined by the Permit Sonoma Building Division. Such accessibility requirements shall apply to all new construction and remodeling and, where required by the California Building Code, to retrofitting of the existing structure.
73. Prior to any site review or field inspections, any materials or systems that could present a danger to inspectors shall be isolated and secured. All field inspection staff shall be accompanied by project personnel familiar with the systems and construction at the project site and capable of describing and controlling equipment.
74. Any structures to be constructed as part of use permit conditions, such as security or sound walls, shall require separate building applications and permits.



75. Dust Control: The applicant/operator shall always comply with dust control measures, including weekends and holidays. Measures to be incorporated may include, but are not limited to, the following: keeping dust on the site, use of water trucks or sprinkler systems to prevent dust from leaving the site and to create a crust after the completion of each day's activities, use of water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site, wetting down the construction area after work is completed for the day and whenever winds exceed 15 mph, having site watered at least once each day including weekends and/or holidays when winds exceed 15 mph, and covering soil stockpiled for more than two days or treating with soil binders to prevent dust generation

**FIRE PREVENTION:**

**Contact Fire and Emergency Services at 707-565-2191**

**OCCUPANCY AND OPERATION:**

76. Prior to operation, written approval that the required improvements and comments have been addressed and/or corrected shall be provided to PRMD from the County Fire Marshal/Local Fire Protection District.
77. The subject property (or properties) shall be in full compliance with Building Code regulations, Fire Code Regulations and Hazardous Materials regulations
- a. A fire inspection shall be conducted by the Sonoma County Fire Prevention Division to determine if the subject property (or properties) is currently in full compliance with applicable Building Code regulations, Fire Code Regulations and Hazardous Materials regulations.
  - b. The Building (s) shall be fire sprinklered and contain a fire alarm system consistence with the occupancy type. Existing sprinklered or non-sprinklered buildings shall be verified based on design to be in compliance with specific occupancy type.

**OPERATIONAL PERMITS:**

78. An annual fire safety inspection may be required by the fire code official for any facility requiring a Fire Code Operational Permit. The county or fire district which inspects the facility may charge and collect a fee for the inspection from the owner of the facility in an amount, as determined by the county or fire district, sufficient to pay its costs of that inspection.

**EMERGENCY PLANNING AND RESPONSE:**

79. Fire Protection plan shall be provided prior to operation and shall provide information about the property including but not limited to the following. See Chapter 4 of the California Fire Code and <http://sonomacounty.ca.gov/FES/Fire-Prevention/Cannabis/>
- c. Emergency Contacts
  - d. Address



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- e. Property owner
- f. Site map with property lines
- g. Fire access roads including gates
- h. Water supplies and hydrants
- i. Location of hazardous materials
- j. Utilities
- k. Buildings and intended use
- l. Employee training for use of regulated materials in the fire code
  - i. When required by the local fire jurisdiction special processing of cannabis may require the facility to have identified trained staff including a main point of contact to oversee and train employees in the special process.
  - ii. This process shall have onsite training records for review and a manual in address emergencies associated with the special process. (Example is extraction equipment)

**ACCESS:**

80. California Department of Forestry and Fire Protection Fire Safe Regulations, 14 California Code of Regulations, §1273.00, require developments in the State Responsibility Area to provide for safe access for emergency wildfire equipment and civilian evacuation concurrently. Prior to operation the applicant and or operator shall at a minimum facilitate locating an emergency, avoid delays in response and provide for safe access for emergency fire apparatus and civilian evacuation concurrently, and shall provide and unobstructed traffic circulation during an emergency, and shall be constructed and maintained as required by State Minimum Fire Safe Regulations, Sonoma County Fire Safe Standards, and the California Fire Code. The following shall be approved by the fire code official prior to operation.
- a. All existing roads providing access to new commercial cannabis operations with structures shall be provided with an access road not less than 20 feet in width.
  - b. This requirement may be waived with written approval by the Fire Code Official. Applicants seeking an exception under 14 CCR §1270.06 due to environmental or site limitations must submit a map and plans prepared by a licensed professional demonstrating the same practical effect. Plans must ensure safe access for emergency wildfire equipment, civilian evacuation, and unobstructed traffic circulation during a wildfire emergency, including turnouts, turnarounds, and secondary access roads. All roadways and building shall be identified by approved road signs clearly visible and legible from the roadway and at interchanges, as required by the California Fire Code as adopted and amended by Sonoma County Code, and as required by State Minimum Fire Safe Regulations and Sonoma County Fire Safe Standards.

**WATER SUPPLY:**



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81. Emergency water supply for fire protection shall be available and accessible in locations, quantities and delivery rates as specified in the California Fire Code as adopted and amended by Sonoma County Code.

**VEGETATION MANAGEMENT:**

82. To reduce the intensity of a conflagration by the proposed project shall be in accordance with the California Fire Code as adopted and amended by Sonoma County Code and State Minimum Fire Safe Regulations.

**HEALTH (Permit Sonoma):**

**Contact Permit Sonoma Health at (707) 565-1924**

**PRIOR TO BUILDING PERMIT:**

**Water**

83. Water Supply System Testing:

- a. Prior to building permit issuance and project operation, provide the Project Review Health Specialist with the bacteriological (E. Coli and total coliform) arsenic and nitrate analysis results of a sample of your water tested by a State-certified lab.

**Applicant shall submit:** A copy of the State Certified Lab report to the Well and Septic Health Specialist.

If the analysis shows contamination, the applicant will be required to treat the well per County requirements and re-test the well. If the contamination cannot be cleared from the well, destruction under permit of this Department may be required. As an alternative to the well destruction, the applicant may initiate a permanent water treatment program subject to the following requirements prior to issuance of a building permit and/or commencement of project operation:

- i. A deed restriction running with the land and acceptable to PRMD and County Counsel notifying subsequent property owners that treatment of the water supply is required as a condition of this Use Permit in order to meet State and Federal MCL's and provide potable water to all plumbing fixtures.
  - ii. Proof of a contract with a qualified service provider shall be submitted for routine/diagnostic water testing, monitoring, maintenance, and record keeping of the water supply system. Initial water test results before and after the water treatment device shall be submitted to PRMD Project Review Health Specialist.
- b. Prior to project operation, the applicant shall have the proposed water supply system evaluated for potential contamination or pollution via backflow by an American Water Works Association Certified Cross Connection Control Specialist. The recommendations



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for cross connection control shall, at a minimum, meet the requirements of the 2016 California Plumbing Code and subsequent editions adopted by Sonoma County. Backflow prevention devices shall be installed on the water supply system as recommended, after concurrence with the hazard evaluation and recommendations for cross connection control report by PRMD.

Applicant shall submit: A copy of the Cross Connection Control Specialist's initial report and a letter from the Cross Connection Control Specialist to the Well and Septic Health Specialist stating that backflow prevention has been installed as recommended.

- c. Prior to building permit issuance and project operation, proof of water availability must be submitted in accordance with Section 7-12 of the Sonoma County Code, Chapter 7. Provide an 8 to 12 hour yield test that indicates a minimum of one gallon per minute for each project activity such as each commercial facility, and for each residence, or second unit, conducted during the dry season (July 15 through October 1). (Testing procedures for 1-2 project activities = 8-12 hour test, 3-4 activities = 18-24 hour test, and 72 hour test for 5 or more activities).

Applicant shall submit: A final clearance from the Well and Septic Section that approved well and/or spring yield tests (during the dry weather test period if applicable) have been accepted and the results approved.

#### **Septic:**

84. Prior to building permit issuance and project operation, the applicant shall obtain a separate permit for the process waste water with the State and/or sewage disposal system with the County. The system may require design by a Registered Civil Engineer or Registered Environmental Health Specialist. The septic system must meet the current Sonoma County OWTS Manual.

The sewage system shall meet peak flow discharge of the wastewater from all sources granted in the Use Permit and any additional sources from the parcel plumbed to the disposal system, and shall include the required reserve area.

If a permit for a standard, innovative or experimental sewage disposal system sized to meet all peak flows cannot be issued, then the applicant shall revise the project (fees apply and a hearing may be required) to amend the Use Permit to a reduced size, not to exceed the on-site disposal capabilities of the project site and attendant easements.

**Applicant shall submit: Final clearance from the Well and Septic Section that all required septic system testing and design elements have been met to the Well and Septic Health Specialist.**

85. Application for wastewater discharge requirements shall be filed by the applicant with the North Coast Regional Water Quality Control Board. Documentation of acceptance of a complete application with no initial objections or concerns by the Regional Water Quality Control Board shall be submitted to the Project Review Health Specialist prior to building, grading for ponds or septic permit issuance (if the Regional Water Board Water Resource Engineer or Environmental



Specialist have objections or concerns then the applicant shall obtain Waste Discharge Requirements prior to building permit issuance).

**Applicant shall submit:** A copy of the Waste Discharge Permit to the Well and Septic Health Specialist prior to issuance of a Certificate of Occupancy or project operation and vesting the Use Permit.

86. Prior to building permit issuance and project operation, the applicant shall have a capacity/wastewater flow analysis and proper functioning of the wastewater system inspection completed by a Registered Civil Engineer or Registered Environmental Health Specialist regarding the existing septic system's ability to accommodate the peak flows from all sources granted in the Revised Use Permit.

Any necessary system expansion or modifications, and demonstration of reserve areas, shall be done under permit and the current standards from the PRMD Well and Septic Section and may require both soils analysis, groundwater and percolation testing. If a permit for a standard, innovative or experimental sewage disposal system sized to meet all peak flows cannot be issued, then the applicant shall revise the project (fees apply and a hearing may be required) to amend the Use Permit to a reduced size, not to exceed the on-site disposal capabilities of the project site and attendant easements.

**Applicant shall submit:** A final clearance from the Well and Septic Section that all required septic system testing and design elements have been met to the Well and Septic Health Specialist.

87. Toilet facilities shall be provided for employees prior to issuance of building permits.

**Applicant shall submit:** A copy of the Floor Plan showing the location of the restrooms, prior to issuance of building permits, to the Project Review Health Specialist.

#### **Solid waste:**

88. Prior to building permit issuance and project operation, the applicant shall submit a design for trash enclosures, recycling areas, and a secured cannabis green waste area with prohibited public access, for review and approval by Project Review-Health. No visually recognizable cannabis, nor materials that smell like cannabis shall be disposed of as ordinary refuse. All cannabis waste shall be ground, chipped or shredded as necessary and mixed with suitable materials and composted until it is no longer recognizable as cannabis by sight or smell.

**Applicant shall submit:** A design for trash enclosures, recycling areas, composting and cannabis green waste area for review and approval by the PRMD Building Plan Check Section. If refuse collection is "curbside", include a detail of the area turnaround.

89. Prior to building permit issuance and project operation the applicant shall submit:

- a. **A solid waste management plan** calculating the total cubic yards of solid waste



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generated each week by the projected people at maximum occupancy. Trash collection frequency shall be included in the Solid Waste Management Plan.

- b. **A cannabis solid waste management plan** with compost and trash enclosure designs shall be fully developed and submitted. No visually recognizable cannabis, nor materials that smell like cannabis shall be disposed of as ordinary refuse. All cannabis waste shall be ground, chipped or shredded as necessary and mixed with suitable materials and composted until it is no longer recognizable as cannabis by sight or smell. Final disposal method shall be clearly stated

### **OPERATIONAL REQUIREMENTS:**

#### **Water**

90. The property owner or lease holder shall have the backflow prevention assembly tested by an American Water Works Association certified Backflow Prevention Assembly Tester at the time of installation, repair, or relocation and at least on an annual schedule thereafter.
91. A safe, potable water supply shall be provided and maintained.

#### **Septic:**

92. Maintain the Annual Operating Permit for any package treatment plant, alternative (mound or pressure distribution) or experimental sewage disposal system installed per Sonoma County Code 24-32, and all applicable Waste Discharge Requirements set by the Regional Water Quality Control Board.
93. Use of the on-site wastewater disposal system shall be in accordance with the design and approval of the system.
94. All future sewage disposal system repairs shall be completed in the Designated Reserve areas and shall meet Code Compliant Standard. Alternate reserve areas may be designated if soil evaluation and testing demonstrate that the alternative reserve area meets or exceeds all of the requirements that would have been met by the original reserve area. If wastewater ponds or a package treatment plant are needed, then a modification of the Use Permit may be required, as determined by PRMD.

#### **Odor Control:**

95. All indoor, and mixed light cultivation operations and any drying, aging, trimming and packing facilities shall be equipped with odor control filtration and ventilation system(s) to control odors humidity, and mold. All cultivation sites shall utilize dust control measures on access roads and all ground disturbing activities.

#### **Noise**



96. Noise shall be controlled in accordance with Table NE-2 (or an adjusted Table NE-2 with respect to ambient noise, as described in General Plan 2020, Policy NE-1c), as measured at the exterior property line of any affected residential or sensitive land use:

TABLE NE-2: Maximum Allowable Exterior Noise Exposures

Hourly Noise Metric <sup>1</sup> , dBA	Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)
L50 (30 minutes in any hour)	50	45
L25 (15 minutes in any hour)	55	50
L08 (4 minutes 48 seconds in any hour)	60	55
L02 (72 seconds in any hour)	65	60
<sup>1</sup> The sound level exceeded n% of the time in any hour. For example, the L50 is the value exceeded 50% of the time or 30 minutes in any hour; this is the median noise level.		

97. If noise complaints are received from nearby residents, and they appear to be valid complaints, then the applicant/operator shall conduct a Noise Study to determine if the current operations meet noise standards and to identify any additional noise Mitigation Measures that may be necessary. A copy of the Noise Study shall be submitted to the Project Planner within 60 days of notification from Permit Sonoma that a noise complaint has been received. The applicant/operator shall implement any additional Mitigation Measures needed to meet noise standards.

**Solid Waste**

98. All garbage and refuse on this site shall be stored in non-absorbent, water-tight, vector resistant, durable, easily cleanable, galvanized metal or heavy plastic containers with tight fitting lids. No refuse container shall be filled beyond the capacity to completely close the lid. Garbage and refuse on this site shall not be accumulated or stored for more than seven calendar days and shall be properly disposed of at a County transfer Station or County Landfill before the end of the seventh day.

**Smoking:**



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99. Smoking is prohibited at any public event, in any dining area, service area (including entry lines or ticket purchase lines) and in any enclosed area that is a place of employment (Sonoma County Code 32-6). "No Smoking" signs shall be conspicuously posted at the point of entry into every building where smoking is prohibited by Chapter 32 of the Sonoma County Code. The California Health and Safety Code (section 113978) also requires the posting of "No Smoking" signs in all food preparation areas, all retail food storage areas, and all food utensil washing areas. Note that Health and Safety Code section 113781 definition of food includes any beverage intended for human consumption.

100. A "Designated Smoking Area" may be established in unenclosed areas consistent with Sonoma County Code section 32-3. Designated Smoking Areas must be at least 25 feet away from any building or area where smoking is prohibited, must be conspicuously identified by signs as a smoking area, and shall be equipped with ash trays or ash cans.

**SONOMA COUNTY PUBLIC INFRASTRUCTURE:**

**Compliance with the conditions below have been satisfied BY \_\_\_\_\_ DATE \_\_\_\_\_**  
**Contact Sonoma County Public Infrastructure at (707) 565-3711**

**RIGHT OF WAY REQUIREMENTS:**

101. The Applicant shall offer right-of-way to the County of Sonoma, free of encumbrances, and of sufficient width:

- c. As necessary to create public right-of-way a total of thirty feet wide on the Applicant's side of the road, as measured from the existing pavement centerline, for the full length of the property's frontage on Bloomfield Road. This condition shall be void if the existing right-of-way meets or exceeds the minimum requirement(s) described above.
- d. To contain all Public drainage facilities.

**INTERSECTIONS OF ROADS AND DRIVEWAYS**

102. The Applicant shall construct each project driveway entrance such that it conforms to Board of Forestry Fire Safety Regulations §1270 et seq. and County standards and meets the following criteria to allow for concurrent emergency ingress and egress as well as the smooth and safe movement of passenger vehicles entering and exiting the public road (Bloomfield Road) that provides access to the property. This condition shall be void if the existing entrance meets these requirements. A signed and stamped statement from a Registered Civil Engineer, licensed in the State of California, will be required to prove the driveways (project's entries to Bloomfield Road) meet these requirements.

- a. A minimum paved throat width of twenty (20) feet.



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- b. Entrance curves having a minimum pavement radius of 25 feet; the entrance curves shall begin on a line that is a minimum of 12 feet distant from, and parallel with, the physical centerline of Bloomfield Road. A 1:10 pavement taper shall be constructed on both sides of the entrance if required per County of Sonoma Department of Transportation and Public Works (Sonoma Public Infrastructure) Construction Standard Drawing 815. Entrance curve radii may be reduced with the approval of the Fire Prevention of Permit Sonoma.
  - c. The minimum sight distance for vehicles entering and exiting the driveways shall be in accordance with current AASHTO requirements for the speed traveled on Bloomfield Road. Any monuments and/or signs that result from this proposal shall be located outside of the necessary sight distance triangles to achieve the minimum AASHTO required sight distance at each driveway. Refer to County of Sonoma Department of Transportation and Public Works (Sonoma Public Infrastructure) Construction Standard Drawing 812, latest revision, for rural County road driveway and private road intersections.
  - d. The entries shall be surfaced with asphalt concrete a minimum distance of 25 feet from the existing edge of pavement.
  - e. The entries shall intersect the public road as close to perpendicular as possible, but in no case shall the entry intersect the public road at more than 20 degrees from perpendicular.
  - f. Refer to County of Sonoma Department of Transportation and Public Works Construction Standard Drawing 815, latest revision, for private road and driveway intersection details.
  - g. The Applicant shall maintain all existing and proposed vegetation fronting the site as well as within the public right-of-way to preserve the sight distance triangles necessary to achieve the minimum AASHTO required sight distance at any project driveway where it intersects a public roadway per County Standard 812.
103. Driveway cross-drains within the County right-of-way shall be upgraded to a minimum 18 inch culvert under the driveways.
104. The Applicant shall not construct, install or place any monuments and/or signs resulting from this proposal within the necessary sight distance triangles required to achieve the minimum AASHTO required sight distance at any project driveway where it intersects a public roadway.
105. The Applicant shall ensure adequate on-site parking availability for employees.



**Processing:**

106. The applicant shall obtain an Encroachment Permit issued by Permit Sonoma prior to working within County road right-of-way.

**GENERAL:**

**The Use Permit and operation of the use are subject to the following general provisions:**

107. Any proposed modification, alteration, and/or expansion of the use authorized by this use permit shall require the prior review and approval of Permit Sonoma or the Board of Zoning Adjustments, as appropriate. Such changes may require a new or modified use permit and additional environmental review, if warranted.
108. The Director of Permit Sonoma is hereby authorized to modify these conditions for minor adjustments to respond to unforeseen field constraints provided that the goals of these conditions can be safely achieved in some other manner. The applicant must submit a written request to Permit Sonoma demonstrating that the condition(s) is infeasible due to specific constraints (e.g., lack of property rights) and shall include a proposed alternative measure or option to meet the goal or purpose of the condition. Permit Sonoma shall consult with affected departments and agencies and may require an application for modification of the approved permit. Changes to conditions that may be authorized by Permit Sonoma are limited to those items that are not adopted standards or were not adopted as mitigation measures or that were not at issue during the public hearing process. Any modification of the permit conditions shall be documented with an approval letter from Permit Sonoma and shall not affect the original permit approval date or the term for expiration of the permit.
109. This permit may be subject to revocation or modification by the Board of Zoning Adjustments if: (a) the Board finds that there has been noncompliance with any of the conditions or (b) the Board finds that the use for which this permit is hereby granted constitutes a nuisance. Any such revocation shall be preceded by a public hearing noticed and heard pursuant to Section 26-92-120 and 26-92-140 of the Sonoma County Code.
110. In any case where a use permit has not been used within two (2) years after the date of the granting thereof, such permit shall become automatically void and of no further effect, provided however, that upon written request by the applicant prior to the expiration of the two year period the permit approval may be extended for not more than one (1) year by the authority which granted the original permit pursuant to Section 26-92-130 of the Sonoma County Code.

