



**EXHIBIT A OF THE RESOLUTION DRAFT CONDITIONS OF APPROVAL**

<b>Date:</b>	April 28, 2026	<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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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 with a visible light reflectance of 10% or less.

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. Project Driveways. 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.

### **Applicable Mitigation Measures from the Cannabis Program Update EIR :**

#### **Aesthetics**

#### **37. Mitigation Measure 3.1-4b: (ZPC, UPC, DRH): Implement New Light and Glare Requirements**

The following mitigation measures would be imposed through the zoning permit, use permit, and design review with hearing process:

- A lighting plan must be submitted for new cannabis uses that are subject to a use permit or design review with hearing. The lighting plan must demonstrate compliance with the following standards.
- Lighting Standards
  - All exterior lighting shall be "Dark-sky" compliant and fully shielded to avoid nighttime light pollution per guidance provided by the International Dark Sky Association ([www.darksky.org](http://www.darksky.org)).
  - Lighting shall be fully shielded to prevent nighttime light pollution.



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- Lighting shall be downward facing, located at the lowest possible point to the ground to prevent spill over onto adjacent properties, glare, nighttime light pollution and unnecessary glow in the night sky.
- Light fixtures shall not be located at the periphery of the property and shall not reflect off structures. Security lighting shall be put on motion sensors.
- Uplights are not permitted; flood lights are permitted only for temporary use in fields during harvest.
- Signs that emit light are prohibited and lights used to illuminate signs shall be shielded to prevent light spill beyond the sign and not exceed a total light output of 1000 lumens.
- Light fixtures emitting over 1000 lumens are prohibited except where needed for agriculture, commercial fishing, and first responders.
- Total illuminance created by artificial lighting, shall not exceed 1.0 lux at the property line. Color temperature of exterior light sources shall be 3000 Kelvin or lower.
- Glare Standards.
  - All glass used on building exteriors must have a visible light reflectance of no more than 15%.
  - Glass with a visible light reflectance greater than 10% must incorporate glare mitigation strategies, including but not limited to exterior shading devices or non-reflective coatings.
  - Certification from the glass manufacturer verifying compliance with reflectance limits must be provided with the building permit application.
  - Reflectance data and specifications for all exterior glass must be included in the permit documentation.

## Air Quality

### 38. Mitigation Measure 3.3-2 (DRH and UPC): Implement the Bay Area Air Quality Management District's Basic Construction Mitigation Measures

The following mitigation measures would be implemented through the design review with hearing (DRH) or use permit for cannabis (UPC) process for individual projects.

Prior to the issuance of grading or building permits, Sonoma County shall ensure that BAAQMD's basic construction mitigation measures from Table 5-2 of the BAAQMD 2022 CEQA Guidelines (or subsequent updates) are noted on the construction documents. These basic construction mitigation measures include the following:



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1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
4. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
6. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
7. All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
8. Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a 6- to 12-inch layer of compacted layer of wood chips, mulch, or gravel.
9. 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 County staff.

**39. Mitigation Measure 3.3-4a: Implement Additional Measures to Minimize Odors from Cultivation and Handling of Harvested Cannabis**

Proposed Sections 26-18-115(C), 26-20-080, 26-20-025(C) shall be amended to include the following provision:

- A structure containing cannabis must be equipped with a filtration and ventilation system to control odors, humidity, and mold, except for structures containing only prepackaged cannabis products. The air filtration system shall be sufficient to prevent internal odors from being emitted externally and must rely on activated carbon filtration, negative ion generation, ozone generation, or other odor control mechanisms demonstrated to achieve the same odor reductions so that odors are not detectable outside the structure.

Biological Resources



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**40. Mitigation Measure 3.4-1a (DRH or UPC): Conduct Biotic Resource Assessment Consisting of Pre-Application Biological Surveys and Project-Level Analysis**

Sonoma County shall require the following mitigation measures for cannabis project applications subject to a use permit or design review hearing.

- A biotic resource assessment must be prepared to determine the presence of biological resources within a project site. The biotic resource assessment will include a biological survey and project-level analysis, which shall be conducted by a qualified biologist. The survey area shall include the proposed disturbance area for the proposed cannabis premises and supporting improvements outside of the premises, including areas of anticipated construction, grading, other ground disturbance, or vegetation removal as well as staging areas, areas of anticipated light or noise impacts, ingress and egress routes, and utility routes. The survey area shall be large enough to encompass areas subject to both direct and indirect impacts. The qualified biologist shall assess the habitat suitability of the proposed disturbance area for all special-status plants, special-status wildlife, and sensitive habitats identified as having potential to occur in the County. This shall include an analysis of the late successional forest habitat present within the Program Area, if applicable (see “Late Successional Forest” under Section 3.4.2 above) to determine if there is old-growth habitat present within the proposed disturbance area (see Mature and Old-Growth Forests: Definition, Identification, and Initial Inventory on Lands Managed by the Forest Service and Bureau of Land Management, Appendix 1, Pacific Southwest Region [Region 5] [USFS 2023] to determine what qualifies as old-growth). The qualified biologist shall also assess the habitat suitability of the proposed disturbance area for all invasive species, as well as record locations of invasive species if they are observed during the survey. The biotic resource assessment must include sufficient evidence to support a conclusion as to whether special-status species and sensitive habitats are present or are likely to occur in the proposed disturbance area. At a minimum, the biotic resource assessment report shall include:
  - date, time, and weather conditions during the survey;
  - a description and explanation of whether the site conditions are considered typical or atypical;
  - a map depicting the proposed disturbance area and the unique, rare, and special-status species, sensitive habitats, or sensitive natural communities found;
  - a vegetation map of the proposed disturbance area using the National Vegetation Classification System (e.g., *A Manual of California Vegetation*) and an associated table, including acreage of vegetation types that could be adversely affected by project implementation by also checking the Vital Lands Initiative priority areas for vegetation communities (Sonoma County Ag + Open Space 2024);



- a special-status species table generated from review of the CNDDDB, the California Native Plant Society Inventory of Rare and Endangered Plants, lists maintained by USFWS, and the most recent, best-available range information for special-status species;
  - a list of wildlife movement corridors present in the project area as well as footprint (i.e., area) of corridors, checking at least the following sources: Sonoma County General Plan (Habitat Connectivity Corridors), Sonoma County Ag + Open Space Vital Lands Initiative, and the Conservation Lands Network;
  - a description of survey methods and any protocols utilized during the survey;
  - a list of common and special-status species and habitats observed in the proposed disturbance area; and
  - a list of critical times of the year (e.g., migration season, nesting bird season) where nighttime lighting mitigation measure would apply.
- Following completion of the biotic resource assessment report, the qualified biologist shall submit the report to Sonoma County Planning Department for review. If no special status species, sensitive habitat, wetlands, or other waters are identified on an individual project site, no further mitigation is required.
  - If special-status species, sensitive habitats, or wetlands or other waters are present or have the potential to be present, the qualified biologist developing the biotic resource assessment report shall include a discussion of potential direct and indirect impacts (temporary and permanent) on these resources, including identifying the project activities that would lead to impacts, and the appropriate biological resource protection measures identified in Mitigation Measures 3.4-1b, 3.4-1c, 3.4-2a through 3.4-2q, 3.4-4, 3.4-5, 3.4-6a through 3.4-6d, 3.4-6c, 3.4-8 shall be implemented.

**41. Mitigation Measure 3.4-2d (DRH or UPC): Conduct Pre-Disturbance Nesting Raptor Surveys and Establish Protective Buffers**

If the biotic resources assessment (see Mitigation Measure 3.4-1a) determines that nesting raptors (excluding burrowing owl and northern spotted owl) are present or potentially present on or adjacent to the proposed cannabis site (including cannabis premises and supporting improvements outside of the premises), Sonoma County shall require the following standards through the design review approval process for new construction in industrial and commercial zones and for new cannabis uses requiring a use permit in agricultural and resources zones:

- To minimize the potential for loss of nesting raptors, disturbance activities shall occur only during the nonbreeding season (September 1 through January 31) and outside the soil disturbance avoidance timeframe outlined in the *Best Management Practices Cannabis Cultivation* (Sonoma County Department of Agriculture n.d.-a), which all cannabis cultivation operations are required to follow. As such, all disturbance activities related to cannabis cultivation shall only occur from September 1 through October 31. In addition, disturbance activities for non-cultivation uses, as well as tree removal for



cultivation uses that does not involve soil disturbance shall only occur during the nonbreeding season (September 1 through January 31).

- If removal of trees (without soil disturbance) cannot occur during the nonbreeding season (September 1 through January 31) or if ground-disturbing activities including removal of trees involving soil disturbance cannot occur between September 1 through October 31, the following will apply:
  - Before removal of any trees or ground-disturbing activities between February 1 and August 31, a qualified biologist shall conduct pre-disturbance surveys for nesting raptors and shall identify active nests within a certain distance of the disturbance area, depending on the species that are known or have potential to be present. For northern harrier and short-eared owl, surveys shall occur at a minimum of 500 feet of the proposed disturbance area. For Swainson's hawk and white-tailed kite, surveys shall occur at a minimum of 0.25 miles of the proposed disturbance area. Additionally, for American peregrine falcon, bald eagle, and golden eagle, surveys shall occur at a minimum of 0.5 miles of the proposed disturbance area. The surveys shall be conducted between February 1 and August 31. Inaccessible areas (e.g., private property) within the 0.25-mile or 0.5-mile survey buffers shall be surveyed using binoculars or a spotting scope.
- If no active nests are found, the qualified biologist shall submit a report documenting the survey methods and results to the applicant and CDFW, and no further mitigation shall be required.
- If active nests are found, impacts on nesting raptors, including direct removal and disturbance (e.g., noise, presence of construction crews) shall be avoided by establishing appropriate buffers around active nest sites identified during pre-disturbance raptor surveys.
  - For northern harrier and short-eared owl, avoidance buffers will be established a minimum of 500 feet from the proposed disturbance area, including tree removal. For Swainson's hawk and white-tailed kite, avoidance buffers will be established a minimum of 0.25 miles of the proposed disturbance area, including tree removal. For American peregrine falcon, bald eagle, and golden eagle, avoidance buffers will be established a minimum of 0.5 miles from the proposed disturbance area, including tree removal.
  - Buffer size may be adjusted if the qualified biologist and the applicant, in consultation with CDFW, determine that such an adjustment would not be likely to adversely affect the nest. Factors to be considered for determining buffer size shall include the presence of natural buffers provided by vegetation or topography, nest height, locations of foraging territory, and baseline levels of noise and human activity.
  - The buffer areas shall be protected with construction fencing, and no activity shall occur within the buffer areas until the qualified biologist has determined,



in coordination with CDFW, that the young have fledged, the nest is no longer active, or reducing the buffer would not likely result in nest abandonment.

- Monitoring of the nest by a qualified biologist during disturbance (e.g., ground disturbance, vegetation removal [including tree removal], installation of cannabis cultivation sites, installation of temporary event facilities, cannabis events) shall be required if the activity has potential to adversely affect the nest.
- Removal of bald and golden eagle nests is prohibited regardless of the occupancy status under the federal Bald and Golden Eagle Protection Act. If bald or golden eagle nests are found during pre-disturbance surveys, then the nest tree shall not be removed.
- Polyethylene plastic used for agricultural shade or crop structures shall be properly fastened, maintained in good condition, and regularly inspected for degradation from weather to prevent introduction of plastic into the natural environment, including waterways.
- Polyethylene plastic sheeting shall not be placed directly on the ground.

**42. Mitigation Measure 3.4-2e (DRH or UPC): Conduct Take-Avoidance Survey for Burrowing Owl, Implement Avoidance Measures, and Compensate for Loss of Occupied Burrows or Nests**

If the biotic resources assessment (see Mitigation Measure 3.4-1a) determines that burrowing owl is present or potentially present on or adjacent to the proposed cannabis site (including cannabis premises and supporting improvements outside of the premises), Sonoma County shall require the following standards through the design review approval process for new construction in industrial and commercial zones and for new cannabis uses requiring a use permit in agricultural and resources zones:

- A A qualified biologist shall conduct a pre-disturbance survey for burrowing owls in areas of habitat suitable for the species (e.g., grasslands, agricultural areas; as determined during the biotic resources assessment [Mitigation Measure 3.4-1a]) on and within a minimum of 1,640 feet of the cannabis site using survey methods described in Appendix D of the *Staff Report on Burrowing Owl Mitigation* (hereinafter, *Staff Report*; CDFG 2012), or any subsequent updated guidance. A minimum of four surveys shall be conducted to determine whether burrowing owls occupy the site. If feasible, at least one survey should be conducted between February 15 and April 15 and the remaining surveys should be conducted between April 15 and July 15, at least three weeks apart. Because burrowing owls may recolonize a site after only a few days, one of the surveys, or an additional survey, shall be conducted no less than 14 days before initiating ground disturbance activities to verify that take of burrowing owl would not occur. Inaccessible areas (e.g., private property) within the 1,640-foot survey buffer shall be surveyed using binoculars or a spotting scope.
- If no burrowing owls, including occupied burrowing owl burrows, are found, the qualified biologist shall submit a burrowing owl report documenting the survey methods



and results to the applicant, Sonoma County, and CDFW, and no further mitigation shall be required.

- If an active burrow is found during the surveys, the project applicant shall establish and maintain a buffer around the occupied burrow and any identified satellite burrows (i.e., non-nesting burrows that burrowing owls use to escape predators or move young into after hatching) to prevent take of the burrowing owls.
  - During the non-breeding season (September 1 through January 31), the minimum buffer distance shall be 164 feet (50 m). During the breeding season (February 1 through August 31), the minimum buffer distance shall be increased to 1,640 feet (500 meters).
  - The buffer may be adjusted if, in consultation with CDFW, a qualified biologist determines that an alternative buffer will not result in take of burrowing owl adults, young, or eggs because of particular site features (e.g., topography, natural line-of-sight barriers), level of project disturbance, or other considerations. If the buffer is reduced, a qualified biologist shall monitor the behavior of the burrowing owls during all project activities within 1,640 feet of the burrow. If the owls are disturbed or agitated (e.g., vocalizations, bill snaps, fluffing feathers to increase body size appearance, drooping wings and rotating them forward, crouching and weaving back and forth) by the project activities, the biologist shall have the authority to halt the activities and re-establish a buffer consistent with the first bullet until the agitated behavior ceases and normal behavior resumes.
  - The buffer shall remain in place around the occupied burrow and associated satellite burrows until a qualified biologist has determined through noninvasive methods that the burrows are no longer occupied by burrowing owl. A previously occupied burrow will be considered unoccupied if surveys demonstrate that no owls have used the burrow for seven consecutive days.
  - Locations of burrowing owls detected during surveys shall be reported to the CNDDDB.
- If implementation of a buffer to prevent take of burrowing owl is not feasible, the project applicant shall consult with CDFW and obtain an Incidental Take Permit (ITP) prior to commencing project related ground-disturbing activities. The impacts of taking burrowing owl shall be minimized and fully mitigated. Alternatively, ground disturbance can be delayed until a qualified biologist has determined through noninvasive methods that the burrows are no longer occupied by burrowing owl. A previously occupied burrow will be considered unoccupied if surveys demonstrate that no owls have used the burrow for seven consecutive days.
- If take of burrowing owl is likely to occur, the project applicant shall compensate for the loss of burrowing owl by establishing permanent protection and perpetual management on land that provides burrowing owl habitat. Habitat management lands for burrowing



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owl may be established by conservation easement or fee title or credits may be purchased from a CDFW-approved conservation or mitigation bank. The compensatory mitigation shall satisfy permit conditions and all other permit conditions shall be implemented.

- Polyethylene plastic used for agricultural shade or crop structures shall be properly fastened, maintained in good condition, and regularly inspected for degradation from weather to prevent introduction of plastic into the natural environment, including waterways.
- Polyethylene plastic sheeting may not be placed directly on the ground.

**43. Mitigation Measure 3.4-2g (DRH or UPC): Conduct Pre-Disturbance Special-Status Nesting Bird Surveys and Establish Protective Buffers**

If the biotic resources assessment (see Mitigation Measure 3.4-1a) determines that bank swallow, black swift, California black rail, California Ridgway's rail, grasshopper sparrow, purple martin, saltmarsh common yellowthroat, San Pablo song sparrow, tricolored blackbird, western snowy plover, western yellow-billed cuckoo, yellow rail, yellow warbler, and yellow-headed blackbird, or other bird nests are present or potentially present on or adjacent to the proposed cannabis site (including cannabis premises and supporting improvements outside of the premises), Sonoma County shall require the following standards through the design review approval process for new construction in industrial and commercial zones and for new cannabis uses requiring a use permit in agricultural and resources zones:

- To minimize the potential for disturbance to or loss of bank swallow, black swift, California black rail, California Ridgway's rail, grasshopper sparrow, purple martin, saltmarsh common yellowthroat, San Pablo song sparrow, tricolored blackbird, western snowy plover, western yellow-billed cuckoo, yellow rail, yellow warbler, and yellow-headed blackbird, and other bird nests, vegetation removal activities shall occur only during the nonbreeding (September 1 through January 31) season and outside soil disturbance avoidance timeframe outlined in the Best Management Practices Cannabis Cultivation (Sonoma County Department of Agriculture n.d.-a). As such, disturbance activities related to cannabis cultivation shall only occur from September 1 through October 31. In addition, disturbance activities for non-cultivation uses, as well as tree removal for cultivation uses that does not involve soil disturbance, disturbance activities shall occur only during the nonbreeding season (September 1 through January 31).
- If seasonal avoidance is not possible (see bullet directly above), a pre-disturbance survey shall be conducted by a qualified biologist familiar with these species and survey protocols (where protocols are available) before removal of any vegetation or any ground disturbance. The surveys shall be conducted no more than 7 days before disturbance commences or as required by established protocols. The survey radius within which the qualified biologist will search for nests will include the proposed disturbance area and a 0.5-mile area surrounding the disturbance area (to account for the largest required no-disturbance buffer of 0.5 miles for western yellow-billed



cuckoo). Inaccessible areas (e.g., adjacent private property) will not be surveyed directly, but the biologist may use binoculars or a spotting scope to survey these areas. Pre-disturbance surveys shall follow survey methods outlined in survey protocols where such protocols have been established, including General Survey Methods for Covered Species (for California black rail), USFWS California Clapper Rail Survey Protocol (for California Ridgway's rail), Yellow-Billed Cuckoo Survey Protocols (SWRCB n.d.; USFWS 2015; Halterman et al. 2016), and any other appropriate, current protocol published by CDFW or USFWS.

- If no active nests are found during pre-disturbance surveys, no further action under this measure (i.e., Mitigation Measure 3.4-2g) shall be required.
- If active nests associated with species listed under ESA (i.e., California Ridgway's rail, western snowy plover, western yellow-billed cuckoo) are found during pre-disturbance surveys, the applicant must avoid impacts by implementing no-disturbance buffers or redesigning the project until such time as federal permits, authorizations, and procedures/protocols can be applied. No-disturbance buffers for these species shall be at least 1,000 feet for western snowy plover and California Ridgway's rail, and at least 0.5 miles for western snowy plover.
- If active nests of species not listed under ESA are located during the pre-disturbance surveys, a no-disturbance buffer shall be established around active nests. The no-disturbance buffer shall be a minimum of 100 feet from the nest to avoid disturbance, depending on the species identified, until the nest is no longer active. No-disturbance buffers surrounding bank swallow and tricolored blackbird colonies or California black rail nests shall be a minimum of 500 feet. For species listed under CESA (i.e., bank swallow, California black rail, tricolored blackbird), occupied habitat shall be retained regardless of the activity status of the nest or colony. If avoidance of this habitat after the colony or nest is no longer active, is determined to be infeasible (e.g., most project objectives cannot be met) the applicant shall consult with CDFW to determine whether incidental take permitting and/or compensatory mitigation would be required to reduce impacts on these species.
- Polyethylene plastic used for agricultural shade or crop structures shall be properly fastened, maintained in good condition, and regularly inspected for degradation from weather to prevent introduction of plastic into the natural environment, including waterways.
- Polyethylene plastic sheeting shall not be placed directly on the ground.

**44. Mitigation Measure 3.4-2n (DRH or UPC): Conduct Pre-Disturbance Special-Status Bat Surveys and Establish Protective Buffers**

If the biotic resources assessment (see Mitigation Measure 3.4-1a) determines that pallid bat, Townsend's big-eared bat, or western red bat are present or potentially present on the



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proposed cannabis site (including cannabis premises and supporting improvements outside of the premises), Sonoma County shall require the following standards through the design review approval process for new construction in industrial and commercial zones and for new cannabis uses requiring a use permit in agricultural and resources zones:

- Within 30 days of commencing any disturbance related to cannabis activities, a qualified biologist shall conduct surveys for roosting bats. If evidence of bat use is observed, the species and number of bats using the roost shall be determined. Bat detectors may be used to supplement survey efforts. If no evidence of bat roosts is found, then no further mitigation is required.
- If pallid bats, Townsend's big-eared bats, or western red bats are detected during the surveys, a program addressing mitigation for the specific occurrence (including at a minimum, compensation, exclusion methods, and roost removal procedures) shall be submitted to CDFW by the qualified biologist subject to the review and approval of CDFW. Implementation of the mitigation plan shall be a condition of project approval. The mitigation plan shall establish a buffer area around the roost during hibernation or while females in maternity colonies are nursing young that is large enough to prevent disturbance to the colonies (typically at least 250 feet).
- Polyethylene plastic used for agricultural shade or crop structures shall be properly fastened, maintained in good condition, and regularly inspected for degradation from weather to prevent introduction of plastic into the natural environment, including waterways.
- Polyethylene plastic sheeting shall not be placed directly on the ground

**45. Mitigation Measure 3.4-2p (ZPC, UPC, DHR): Implement Mitigation Measure 3.1-4b**

- Mitigation Measure 3.1-4b: (ZPC, UPC, DRH): Implement New Light and Glare Requirements

**46. Mitigation Measure 3.4-6c (DRH or UPC): Utilize Wildlife-Friendly Building and Fencing Designs**

If the biotic resources assessment (see Mitigation Measure 3.4-1a) determines that wildlife habitat and movement occurs or potentially occurs on the proposed cannabis site (including cannabis premises and supporting improvements outside of the premises), Sonoma County shall require the following standards through the design review approval process for new construction in industrial and commercial zones and for new cannabis uses requiring a use permit in agricultural and resources zones:

- To avoid impacts on wildlife, monofilament plastic netting, which is commonly used as trellising on cannabis plants, shall be taken down immediately after plants are harvested and disposed of properly.
- Buildings and other permanent structures in the Program Area that would be constructed under the Program update, including for processing and ancillary activities



shall be designed to minimize impacts on wildlife, including disruption to wildlife movement, bird strikes, and wildlife entanglement.

- Building design shall utilize guidelines regarding building height, materials, external lighting, and landscaping provided in the American Bird Conservancy's Bird-Friendly Building Design (American Bird Conservancy 2015). The County shall require review of the conceptual design plans by a qualified biologist to determine whether the plans are sufficient to reduce the likelihood of bird strikes or recommend additional measures.
- Fencing associated with the Program update, including for cultivation sites or around buildings for processing and ancillary activities will utilize wildlife-friendly fencing designed to minimize the risk of entanglement, entrapment, or impalement of wildlife. The County shall require the review of fencing design by a qualified biologist prior to installation. The fencing design shall meet, but not be limited, to the following standards:
  - Minimize the chance of wildlife entanglement by not using barbed wire, loose or broken wires, or any material that could impale, snag, or entrap a leaping animal (e.g., wrought iron fencing with spikes).
  - Allow wildlife to jump over easily without injury. Typically, fences should be no more than 40 inches high on flat ground to allow adult deer to jump over. The determination of appropriate fence height will consider slope because steep slopes are more difficult for wildlife to pass. If fencing is required to be greater than 40 inches high for security or logistical purposes, then the fencing shall be high enough to deter wildlife from attempting to jump over (i.e., greater than 8 feet tall).
  - Hollow posts and pipes shall be capped, and metal fence stakes used in the project shall be plugged with bolts or other plugging materials.
  - Allow smaller wildlife to pass under easily without injury or entrapment by ensuring that fencing material is not installed directly touching the earth.

## Cultural Resources

### 47. Mitigation Measure 3.5-2a – (UPC and DRH) Cultural Resource Pre-Approval Evaluation

Sonoma County shall require the following mitigation measures for cannabis project applications subject to a use permit or design review hearing.

- The applicant must retain an archaeologist who meets the Secretary of the Interior's professional standards in archaeology to conduct a site-specific survey of the area and prepare a cultural resource survey report. The survey methodology (e.g., pedestrian survey, subsurface investigation) depends on whether the area has a low, moderate, or high sensitivity for resources, which is based on whether the records search and/or Native American consultation identifies archaeological resources near or within the treatment area. The cultural resource survey report must also include a search of the



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Sacred Lands Inventory that is maintained by the Native American Heritage Commission. The cultural resource survey report must comply with the applicable state or local agency procedures and include recommendations that must be implemented prior to and/or during construction to avoid or reduce impacts on archaeological resources, to the extent that the resource's physical constituents are preserved or their destruction is offset by the recovery of scientifically consequential information. The report must include whether archeological monitoring is required to ensure impacts to resources are avoided.

- The County shall send a referral to the Northwest Information Center to perform a records search of potential archeological or cultural resources contained in the California Historical Resources Information System (CHRIS).

**48. Mitigation Measure 3.5-2b – (UPC and DRH) Archeological Site Avoidance**

Cannabis project applications shall be designed to avoid impacts to archaeological sites identified by Mitigation Measure 3.5-2a. A barrier (temporary fencing) and flagging shall be placed between the work location and any resources within 60 feet of a work location to minimize the potential for inadvertent impacts. The applicant must retain a qualified archeological monitor if the cultural resources survey report indicates that one is required to avoid impacts to archeological sites.

**49. Mitigation Measure 3.5-2c (ZPC): Implement Mitigation Measure 3.15-1a**

- Mitigation Measure 3.15-1a (ZPC): Protection of Tribal Cultural Resources for Permitted Uses

**50. Mitigation Measure 3.5-2a (UPC and DRH): Cultural Resource Pre-Approval Evaluation**

**51. Measure 3.5-3a (UPC and DRH): Implement Mitigation Measure 3.15-1c**

- Measure 3.15-1c (UPC and DRH): Tribal Cultural Resources Pre-Approval Consultation

**52. Mitigation Measure 3.5-3b (UPC and DRH): Implement Mitigation Measure 3.15-1e**

- Measure 3.15-1e. (UPC and DRH) Avoidance of Human Remains

**Energy**

**53. Mitigation Measure 3.6-2 (DRH and UPC): Implement Energy Conservation and Renewable Energy Measures**

The following mitigation measures would be implemented through the design review with hearing or use permit for cannabis process for individual projects.

- Implement Tier 2 requirements of the most current CALGreen Code's EV-charging standards.
- On-site natural gas or propane use shall be avoided, with the exception of an emergency generator during emergencies.



- If natural gas or propane use cannot be feasibly avoided by a new cannabis cultivation or supply chain use's project design due to infrastructure limitations for rural project sites, other relevant project design characteristics may be implemented. A combination of the following measures shall be applied to individual cannabis cultivation and supply chain use sites to the degree that the additional British thermal units from natural gas combustion are completely offset as demonstrated in an energy or greenhouse gas report to be submitted to the County for review:
  - a requirement to exceed the mandatory requirements of the most recent version of Part 6 of the Title 24 California Building Code (California Energy Code),
  - a requirement to use low-flow appliances,
  - a requirement to use Energy Star appliances,
  - a requirement to procure all electricity from the Sonoma Clean Power Authority Evergreen Program, and
  - a requirement to implement zero net energy buildings through the incorporation of on-site renewable energy features (i.e., solar photovoltaic or wind systems).

## Geology, Soils, and Mineral Resources

### 54. Mitigation Measure 3.7-1 (DRH and UPC): Protection of paleontological resources.

The following mitigation measures would be implemented through the design review with hearing or use permit for cannabis process for individual projects.

Where paleontological resources are discovered during grading and drainage, all work shall be halted in the vicinity of the find, the director shall be notified, and the following shall occur and be approved by the County before work may resume. The permittee shall retain a Qualified Professional Paleontologist to prepare a project-specific Paleontological Resource Mitigation and Monitoring Program (PRMMP). A qualified professional paleontologist is an individual with an M.S. or Ph.D. in paleontology or geology who is experienced with paleontological procedures and techniques, who is knowledgeable in the geology of California, and who has worked as a paleontological mitigation project supervisor for a least two years. Monitoring shall be conducted by a qualified paleontological monitor with experience in collection and salvage of paleontological resources. The PRMMP procedures and protocols shall include:

1. Location and type of ground disturbance requiring paleontological monitoring based on the location and depth of ground disturbing activity in the context of the paleontological potential and potential impacts outlined in this section.
2. Timing and duration of paleontological monitoring.
3. Procedures for work stoppage and collection of scientifically significant fossils; including identifiable specimens of vertebrate fossils, uncommon invertebrate, plant, and trace



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fossils. This must include the authority to temporarily direct, divert or halt construction activity to ensure that larger fossils can be removed in a safe and timely manner.

4. The type and extent of data that should be collected with recovered fossils, such as field notes, photos, data, and maps.
5. Procedures for preparation and curation of fossils. Significant fossils shall be identified to the lowest possible taxonomic level, prepared to a curation-ready condition, and curated in a scientific institution with a permanent paleontological.
6. Minimum qualifications for qualified paleontologists and paleontological monitors.
7. Conditions under which modifications to the monitoring schedule could be implemented, such as when sediments are likely too young, or conditions are such that fossil preservation would have been unlikely, or that fossils present have little potential scientific value.

Upon completion of grading and drainage work (and curation of fossils if necessary) the Qualified Professional Paleontologist shall prepare a final report outlining the results of the PRMMP. The report shall include discussion of the location, duration, and methods of the monitoring, stratigraphic sections, any recovered fossils, and the scientific significance of those fossils, and where fossils were curated. The report shall be submitted to the County prior to occupancy permits. If the monitoring efforts produced fossils, then a copy of the report shall also be submitted to the designated museum repository.

#### Greenhouse Gas Emissions and Climate Change

##### **55. Mitigation Measures 3.8-2: Require Renewable Electrical Energy for Cultivation.**

Sonoma County shall require the following mitigation measure for all cannabis cultivation projects.

The following requirement shall be included as a new performance standard for cannabis cultivation in Section 26-18-115(C)(1):

- Electrical power used for a cultivation site must be provided by on-grid power with 100% renewable source or on-site renewable energy generation, or a combination of the two.

#### Hydrology and Water Quality

##### **56. Mitigation Measure 3.10-2a (DRH and UPC): Implement Additional Measures to Protect Groundwater Resources**

Sonoma County shall require the following mitigation measures for cannabis project applications subject to a use permit or design review with hearing.

- For projects that demonstrate no increase in groundwater production at a site, no further documentation of water supply is required. Monitoring measures listed below would continue to apply



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- If the project well is within 500 feet of a stream where water use, streamflow records, and other available information indicate streamflow is reduced below natural unimpaired levels, and reduced flows impact aquatic habitat, as determined by the County professional engineer or geologist. Zero net increase in groundwater use shall be established both annually and during the dry season from May 1 – October 31.
- For water supply wells located within Class 3 or 4 groundwater availability areas, no cannabis permit shall be granted without meeting the following standards.
  - Proof of sufficient yield demonstrated through an 8-hour dry season well yield test with sustained yield of 5 gallons per minute per 1 AFY of irrigation demand, plus sufficient yield for other existing uses.
  - A hydrogeologic report that meets the requirements set forth under Policy and Procedure 8-1-14 shall be prepared that contains supporting data and analysis to demonstrate that the onsite groundwater supply is adequate to meet the proposed uses and cumulative projected land uses in the area on a sustained basis, and that the operation will not: (1) result in or exacerbate an overdraft condition in basin or aquifer; (2) result in reduction of critical flow in nearby streams; or (3) result in well interference at offsite wells.
- For water supply wells located within medium- and high-priority groundwater basins, a groundwater report must be prepared in compliance with requirements set forth under Policy and Procedure 8-1-14. The report must demonstrate the following standards for issuance of a cannabis permit:
  - consistency with applicable sustainable groundwater management programs, and
  - that the project does not decrease the likelihood of achieving sustainability in the underlying basin.
- For water supply wells located within upper portions of critical habitat watersheds identified in the 2015 SWRCB’s Emergency Information Order, and within the “Groundwater Sustainability Priority Areas” adopted by the Sonoma Valley GSA, or as further updated, a cannabis permit may only be granted if the report demonstrates that the cannabis use meets net zero groundwater standards consistent with Policy and Procedure 8-2-2. For critical habitat watersheds, zero net increase in groundwater use shall be established both annually and seasonally during the dry season from May 1 – October 31.
- For all discretionary projects reliant on water supply wells for irrigation that are increasing net groundwater use, a hydrogeologic report will be prepared in accordance with Policy and Procedure 8-1-14 if :
  - The project well is within 500 feet of a stream where water use, streamflow records, and other available information indicate streamflow is reduced below



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natural unimpaired levels, and reduced flows impact aquatic habitat, as determined by the County professional engineer or geologist. The hydrogeologic report must establish no reduction of critical flow in nearby streams.

- The project well is within 500 feet of a production well on a nearby parcel and available information indicates that pumping of the project well could impact production of the nearby wells due to drawdown of water levels due to pumping and/or contribution to a condition of overdraft in the local aquifer, as determined by the County professional engineer or geologist. The hydrogeologic report must establish no well interference at offsite wells.
- A maximum level of groundwater use shall be established for each cannabis permit. Groundwater level and total quantity of water pumped shall be recorded monthly, or more frequently as specified in conditions of approval, and reported annually. Groundwater metering, groundwater level monitoring, reporting, maintenance, and meter calibration shall be conducted in accordance with Policy and Procedure 8-1-3. If monitoring data collected in compliance with Policy and Procedure 8-1-3 indicates groundwater use in excess of the maximum allowed for a permit, the facility operators, in conjunction with the County, shall develop and implement adaptive management measures to reduce groundwater extraction to comply with permitted levels. Adaptive management measures may include forbearance (i.e., prohibition of groundwater extraction from the months of April 1 to October 31, consistent with SWRCB Cannabis Policy under Order WQ 2023-0102-DWQ for surface water diversions), water conservation measures, reductions in on-site cannabis cultivation, alteration of the groundwater pumping schedule, or other measures determined appropriate. Adaptive management measures will remain in place as needed to maintain groundwater extraction within permitted levels.

## Noise and Vibration

### 57. Mitigation Measure 3.12-1a (DRH or UPC): Incorporate Noise Reduction Measures into Construction Specifications

Sonoma County shall require the following mitigation measures for cannabis project applications subject to issuance of a use permit or design review with hearing.

- To minimize noise levels during construction activities, the development of cannabis uses shall comply with the following measures during construction work.
- Noise-generating construction activities should be restricted to between the hours of 7:00 a.m. to 7:00 p.m. Monday through Saturday. No construction activities should occur on weekends or holidays. If work is necessary outside of these hours, the County should require the contractor to implement a construction noise monitoring program and, if feasible, provide additional mitigation as necessary (in the form of noise control blankets or other temporary noise barriers, etc.) for affected receptors. A sign(s) shall be posted on the site regarding allowable hours of construction.



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- All construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturer recommendations. Equipment shrouds shall be closed during equipment operation.
- Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment. Equipment shall be properly maintained and turned off when not in use.
- Unnecessary idling of internal combustion engines should be strictly prohibited.
- Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors as feasible. If they must be located near receptors, adequate muffling (with enclosures where feasible and appropriate) shall be used. Any enclosure openings or venting shall face away from sensitive receptors.
- Utilize "quiet" air compressors and other stationary noise sources where technology exists.
- Construction maintenance, storage and staging areas for construction equipment shall avoid proximity to residential areas to the maximum extent practicable. Stationary construction equipment, such as compressors, mixers, etc., shall be placed away from residential areas and/or provided with acoustical shielding. Quiet construction equipment shall be used when possible.
- Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
- Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.

## **Tribal and Cultural Resources**

### **58. Mitigation Measure 3.15-1a (ZPC): Protection of Tribal Cultural Resources for Permitted Uses**

The following measures would be included as standards in Section 26-18-115(C)(4)(h):

- The applicant must attest that they do not know of or have reason to believe that an archaeological tribal cultural resource is present within the cannabis premises.
- The applicant must provide search results from the Sacred Lands Inventory maintained by the Native American Heritage Commission. The application cannot be approved if the search returns a positive result demonstrating that the project will impact a known archeological or tribal cultural resource.



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- A referral must be sent to the Northwest Information Center. The application cannot be approved if the project will impact a known archaeological resource identified by the Northwest Information Center.
- A referral must be sent to the local tribes. The application cannot be approved if the project will affect a known tribal cultural resource as identified by a local tribe. Documentation must be provided by a local tribe to support a finding that a tribal cultural resource is present. The County must maintain the confidentiality of supporting documentation in accordance with California Government Code Sections 7927.000 and 7927.005.
- If requested by a local tribe, the applicant must retain a tribal cultural monitor, at the applicant's own cost, during crop removal and initial ground disturbing replanting activities. The retention of a tribal cultural monitor must be demonstrated through the submittal of an executed monitoring agreement prior to permit approval.

**59. Mitigation Measure 3.15-1b (UPC and DRH): Implement Mitigation Measure 3.5-2a**

- Mitigation Measure 3.5-2a – (UPC and DRH) Cultural Resource Pre-Approval Evaluation

**60. Mitigation Measure 3.15-1c. (UPC and DRH) Tribal Cultural Resources Pre-Approval Consultation**

- The County shall send a project referral to all tribes that are traditionally and culturally affiliated with the area. A cultural resources survey report generated under Mitigation Measure 3.5-2a may be released only to those tribes who have requested consultation. If requested by a tribe, the County shall engage in consultation to identify potential impacts to tribal cultural resources. The information provided by tribes through consultation with the applicant shall be maintained as confidential in accordance with California Government Code Sections 7927.000 and 7927.005 and all other applicable laws.

**61. Mitigation Measure 3.15-1e. (UPC and DRH) Avoidance of Human Remains**

Impacts to human remains must be avoided. For a site where human remains are expected to be present based on the results of studies or consultation conducted under Mitigation Measure 3.5-2a or Mitigation Measure 3.15-1c, the County shall consult with the local tribe(s) on whether to employ a canine forensics team. If appropriate, the County shall require the use of a canine forensics team to attempt to identify the location of human remains in a noninvasive way for purpose of avoidance. Any requirements for the use of a canine forensics team shall be documented in a tribal cultural resources treatment plan prepared under Mitigation Measure 3.15-1d. The tribal cultural resources treatment plan may require revision or an addendum to reflect additional recommendations or requirements if human remains are present.

**Wildfire**



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**62. Mitigation Measure 3.17-1b (ZPC, UPC and DRH): Require All Structures to Meet Defensible Space**

The following requirements shall be included as conditions of approval for issuance of a use permit or approval under the design review with hearing processes.

All structures irrespective of occupancy type shall meet the defensible space standards outlined below:

- 0 to 5 feet from a structure:
  - Only hardscape materials (e.g., gravel, pavers, concrete)
  - No dead or dying plants, weeds, or debris on roof, gutter, deck, porch stairways, or under structure
  - Remove all branches within 10 feet of any chimney or stovepipe outlet.
  - No combustible outdoor furniture or planters within decks or attached patios
  - No stockpiling of firewood or lumber
  - No attached fencing, gates, or arbors constructed with combustible materials
- 5-30 feet from a structure:
  - Remove all dead plants, grass, and weeds
  - Remove all dead or dry leaves
  - Trim trees regularly to keep branches a minimum of 10 feet from other trees
- 30-100 feet from a structure:
  - Cut or mow annual grass down to a maximum height of four inches.
  - Create horizontal space between shrubs and trees.
  - Create vertical space between grass, shrubs and trees.
  - Remove fallen leaves, needles, twigs, bark, cones, and small branches greater than a depth of three inches.
  - Keep 10 feet of clearance around exposed wood piles, down to bare mineral soil, in all directions.
  - Clear areas around outbuildings and propane tanks. Keep 10 feet of clearance to bare mineral soil and no flammable vegetation for an additional 10 feet around their exterior.

**63. Mitigation Measure 3.17-1c (UPC and DRH): Require All Structures to Be Constructed with Noncombustible Materials**



The following requirements shall be included as conditions of approval for issuance of a use permit or approval under the design review with hearing processes for all cannabis uses within the unincorporated County, including both the SRA and LRA.

- The facility would be subject to an annual inspection by either the local fire district or the County Fire Division.
- Building materials, including siding, decks, doors, and trim, shall consist of noncombustible material, as listed on the State Fire Marshal's Building Materials Listing Program.
- Roofs shall be constructed with noncombustible or ignition resistant materials, and must meet Class A fire rating.
- Vents must prevent intrusion of embers and flame (i.e., ember-resistant vents).
- Windows shall be dual paned tempered glass and constructed with fire-resistant materials.
- Parking areas shall be designated and consist of noncombustible materials (e.g., poured concrete or gravel).
- Vegetation shall not be permitted within 10 feet of power poles.
- Gutters and downspouts shall be noncombustible, and cleared of debris on a monthly basis.
- No solid wood fencing shall be constructed.
- A minimum of 30 feet between structures shall be maintained.

**64. Mitigation Measure 3.17-1d (UPC and DRH): Develop and Implement Site-Specific Fire Protection and Prevention Plan**

Applicant must prepare a Fire Protection and Prevention Plan that includes site-specific and detailed plans to address increased wildfire risk at the cannabis site. The Fire Protection and Prevention Plan will be subject to review and approval by the County Fire Marshal and the fire district with jurisdiction over the cannabis site before issuance of a permit by the County. The County Fire Marshal shall use the Fire Protection and Prevention Plan to establish conditions of approval for the site that will be incorporated into requirements for issuance of a use permit or design review approval.

The site-specific Fire Protection and Prevention Plan shall include the following minimum components. Additional requirements and inspections may be included in the plan at the discretion of the County Fire Marshal or local fire district.

- Verification that Mitigation Measures 3.17-1a, 3.17-1b, and 3.17-1c are feasible and incorporated into project plans.
- Verification that the cannabis site is located within a fire district with adequate capacity to serve the site in the event of unintended fire ignition.



- Identification of emergency response and evacuation routes. Unless the site is located along a State or federal Highway, a street identified by the County as an arterial or collector, or as otherwise directed by the County Fire Marshal, the adequacy of emergency response shall be determined based on modeling prepared by a traffic engineer that takes into account expected numbers of workers and total estimated amount of operational traffic, the capacity of roadways near the facility, reasonably foreseeable wildfire scenarios, evacuation time, and emergency response time. Minimum response objectives shall be evaluated and approved by the local fire district or the County. Unless otherwise established by the County or the local fire district, emergency response standards established by the National Fire Protection Association shall be used to determine if emergency response time of the associated fire district is adequate.
- Defined staff roles and responsibilities, including staff responsible for communicating with emergency service providers. Communication protocols must also be included to ensure that staff, customers, and vendors are informed of potential emergencies and needed actions due to an emergency, up to and including evacuation of the site.
- Verification that roadway conditions are consistent with all applicable requirements.
- Verification that all roads leading up to the individual site and buildings on the site are designated by names or numbers posted on signs clearly visible and legible from the roadway and at interchanges.
- Identification of emergency water supply that is available, accessible, and maintained in quantities and locations specified consistent with all applicable requirements.
- Verification that areawide fuel breaks are sufficient and in compliance all applicable requirements.
- Confirmation that roadways are in compliance with the State and local roadway standards.
- Identification of operational requirements, including the following:
  - Mowing shall occur before 10 a.m. and never on a hot or windy day, or a red flag warning or a particularly dangerous situation event issued by the National Weather Service.
  - String trimmers shall be used rather than lawnmowers for clearing vegetation wherever feasible.
  - All dead or dying vegetation shall be removed during drought conditions when water use restrictions are in place.

**PERMIT SONOMA NATURAL RESOURCES:**

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



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**Contact the Permit Sonoma Natural Resources Geologist at 707-565-1352**

**PRIOR TO BUILDING PERMIT:**

65. 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:**

66. 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.
67. 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.
68. 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).
69. 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.
70. 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.
71. 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.
72. 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:**

73. Groundwater Monitoring and Meter Calibration



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- 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.
74. 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.
75. 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 ww.PermiSonoma.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.
76. 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**

77. 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.
78. 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



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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.

79. 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 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.
80. 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.
81. 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.
82. 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.
83. 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.

84. 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.
85. 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**

86. 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.
87. 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.
88. Application materials shall be consistent with Permit Sonoma's Building/Grading Permit Application Submittal Checklist (Form # CSS-003).



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89. 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.
90. 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 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.
91. 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.
92. 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.
93. 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.
94. 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.
95. 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.

96. 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.
97. Any structures to be constructed as part of use permit conditions, such as security or sound walls, shall require separate building applications and permits.
98. 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:**

99. 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.
100. 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:**



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101. 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:**

102. 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
- 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:**

103. 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:**

104. 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:**

105. 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**

106. 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:



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- 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 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:**

107. 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.

108. 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.

109. 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.

110. 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:**



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111. 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.

112. 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 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**

113. 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.
114. A safe, potable water supply shall be provided and maintained.

#### **Septic:**

115. 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.
116. Use of the on-site wastewater disposal system shall be in accordance with the design and approval of the system.
117. 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:**

118. 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**

119. 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.		

120. 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**

121. 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:**

122. 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.

123. 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:**

- 124. 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**



**Sonoma County Permit and Resource Management Department**  
2550 Ventura Avenue Santa Rosa CA 95403-2859 (707) 565-1900  
www.PermitSonoma.org



125. 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.
- 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.

126. Driveway cross-drains within the County right-of-way shall be upgraded to a minimum 18 inch culvert under the driveways.

127. 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.

128. The Applicant shall ensure adequate on-site parking availability for employees.

**Processing:**

129. 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:**

130. 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.

131. 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.

132. 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.





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