

Conditions of Approval

Date: November 19, 2020 **File No.:** UPC18-0055
Site Address: 2599 Laughlin Road, Windsor **APN:** 059-190-025
Applicant/Operator: Gas Hill Cannabis Solutions Cooperative, Inc., Carolina Siemering
Applicant Address: 4218 Wayvern Drive, Santa Rosa, CA 95409
Business Owner(s): Carolina Siemering, CEO
Landowner: Medley Farms, Inc., Pamela Martinelli
Landowner Address: P.O. Box 300, Fulton, CA 95439

Project Description: Request for a five-year limited-term Use Permit for centralized processing of commercial cannabis within an existing 4,200 square-foot barn, located on a 28.20-acre parcel zoned LIA (Land Intensive Agriculture), 40-acre density, F1 (Floodplain), RC100/50 (Riparian Corridor with 100-foot setback and 50-foot setback), SR (Scenic Resources), and VOH (Valley Oak Habitat) at 2599 Laughlin Rd in Windsor. Operations are permitted seven (7) days a week, twenty-four (24) hours per day. Shipping and deliveries will be limited to Monday through Friday from 8:00 a.m. to 5:00 p.m. There will be a maximum of three (3) full-time employees associated with the use, all of whom will be 21 years of age or older. The project site would be closed to the public.

Prior to commencing the use evidence must be submitted to the file that all 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 Exemption filing fee of \$50.00 (or the latest fee in effect at the time of payment) for County Clerk processing, made **payable to Sonoma County Clerk** and submitted to the Permit Sonoma project planner, unless the applicant requests an alternate payment method 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. At the time of submitting a building permit application, the applicant/operator shall submit to Permit Sonoma an Approved Permit Condition Compliance Review fee deposit of \$2,779.00 (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. 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.
6. Traffic Mitigation Fee. The Applicant, his or her personal representatives, and project consultants are advised that prior to the use of this property associated with this land entitlement, payment of a development fee (Traffic Mitigation Fee) shall be made to Permit Sonoma (PRMD) per Chapter 26, Article 98 of the Sonoma County Code. The fee is computed 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 Land Development Section of Permit Sonoma (PRMD) prior to clearance of these conditions.

PLANNING:

"Compliance with the conditions below have been verified " BY _____ DATE _____
Contact MIG Consultants at (510) 845-7549

7. Type(s) and Limitations of Use:
 - a. This use permit allows for cannabis centralized processing, including processing and packaging of cannabis grown off-site.
 - b. This use permit allows for distributor – transport only, limited to transport of cannabis of the licensee only.
 - c. This use permit does not allow on-site cannabis cultivation.
 - d. This use permit does not allow public access to the cannabis operation.
 - e. This use permit does not allow any retail sales on-site or the delivery of cannabis to patients or the public.
 - f. The use shall be operated in accordance with the proposal statement, operational plans, and floor plan located in File No. UPC18-0055 as modified by these conditions.
 - g. This use permit renewal shall supersede all prior use permits upon implementation or when all the pre-operational conditions have been met and the Use Permit Certificate is issued for operation.



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8. **Hours of Operation.** Indoor processing operations are allowed to occur seven (7) days a week, twenty-four (24) hours per day. Shipping and deliveries shall be limited to the hours of 8:00 am to 5:00 pm Monday through Friday, year-round.
9. **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, including the following:
 - a. Cannabis uses shall also be subject to the permit requirements and regulations established by the Sonoma County Department of Health Services;
 - b. All scales used for commercial transactions shall be registered for commercial use and sealed by the Department of Agriculture/Weights and Measures;
 - c. Commercial cannabis operations shall be subject to inspections by appropriate local and state agencies, including but not limited to, the Departments of Health Services, Agriculture/Weights & Measures, and Permit and Resource Management. Cannabis operations shall be subject to inspection at random times to check for conformance with the County Code and permit requirements;
 - d. The applicant/operator shall submit a Waste Management Plan to Permit Sonoma for approval, demonstrating that the location, storage, handling and disposal, including frequency of pick-up and hauling schedule, of all waste by-products of any processing activities will comply with the Best Management Practices issued by the Agricultural Commissioner and County health standards;
 - e. The applicant/operator shall submit a Waste Water Management Plan to Permit Sonoma for approval, demonstrating that operations comply with the Best Management Practices issued by the Agricultural Commissioner;
 - f. The applicant/operator shall submit evidence to verify compliance with the Waste Discharge Requirements of the Regional Water Quality Control Board, or present evidence of a waiver from these requirements;
 - g. The operation shall not cause a public nuisance by creating dust, light, glare, heat, noise, noxious gasses, odor, smoke, traffic, vibration, unsafe conditions or other impacts, or cause hazardous conditions due to the use or storage of materials, processes, products, runoff or wastes.
10. **Special Events.** Tastings, promotional activities, and events are prohibited by Sonoma County Code Section 26-88-250(c) and therefore are also prohibited by this Cannabis Use Permit.
11. **Term of Permit.** This is a limited term permit and does not run with the land. 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 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 UPC18-0055 shall expire five years after issuance, unless the applicant/operator applies for and is granted a permit renewal. The Operator must apply for permit renewal at least 90 days prior to expiration of the permit to avoid interruption of service.



12. Operator(s) and Employees:

- a. The applicant/operator and all employees must be age 21 years or older. This use permit allows for a maximum of 3 employees on-site at any time.
- b. The applicant/operator shall be subject to background search and shall not be able to continue operations if there are any felony convictions, as specified in subdivision (c) of Section 667.5 of the Penal Code and subdivision (c) of Section 1192.7 of the Penal Code.
- c. An applicant/operator providing false or misleading information result in nullification or revocation of this issued use permit.

13. 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.

14. Tracking. The applicant/operator shall comply with any labeling, testing, and track and trace program established by the County and state agencies. The Operator must maintain records tracking all cannabis production and products and shall make all records related to commercial cannabis activity available to the County upon request.

15. State Licensing. The applicant/operator shall be required to obtain a state license and shall comply with any applicable state licensing requirements, such as operational standards and locational criteria.

16. Occupational Safety. The applicant/operator shall comply with all federal, state and local laws and regulations governing California Agricultural Employers, which may include, but are not limited to, federal and state wage and hour laws, CAL/OSHA, OSHA and the California Agricultural Labor Relations Act.

17. 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 professionally monitored video surveillance, of which recordings will be kept for at least 30 days, perimeter fencing, controlled access gates, locking doors, 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). 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.

18. Cannabis Materials: All cannabis products shall be stored in a secure area that is not visible to the public and locked at all times. All vendors shall be scheduled in advance and must present valid identification. Any product that fails testing shall be stored in secured storage bins and sent to be destroyed through a third-party cannabis disposal company and managed through the California Track and Trace program.



19. Odor. The applicant/operator shall install and maintain an odor control air filtration and ventilation system that includes carbon filters and a negative air pressure/exhaust system, to control humidity and mold and to ensure there will be no off-site odor generated by the cannabis operation. This includes ensuring all doors remain closed except for loading and unloading of the product. This requirement shall apply to all permanent structures used in the operation, including mixed light greenhouses. The Project Planner will review plans and construction documents and post construction conditions to ensure compliance with this condition and inspect site prior to final occupancy to ensure there will be no off-site odor and that the odor control air filtration and ventilation system effectively control humidity and mold.

A log of odor incidents, odor control equipment inspection results, 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 verified odor complaints are received, Permit Sonoma staff may bring this matter back to the Board of Zoning Adjustments for review of additional measures to reduce odor generation, including daily inspections and reporting. Such inspections could include a walking tour through the interior and around the exterior of each cannabis-containing facility to document any noticeable odor and determine the source, and completion of a checklist verifying that all filtration equipment is functioning properly, that filters have been replaced on schedule, and that routine maintenance is completed on schedule.

20. Energy Use. The applicant/operator shall submit and maintain documentation that the operation utilizes 100% renewable energy sources. Enrollment in the Sonoma Clean Power program has been submitted and shall be maintained to obtain 100% renewable energy. A request to modify energy provider must be submitted to Permit Sonoma and approved prior to making any change in energy service.
21. Signage. The project approval does not include any signage. A separate administrative design review application will be required if any exterior signage is proposed.
22. Taxes. Cannabis uses shall be current on applicable Sonoma County Cannabis Business Taxes and any additional taxes enacted by the voters or this permit may be subject to revocation or non-renewal.
23. Water Efficient Landscaping. No landscaping is proposed or required for operation in the existing building.
24. Water Conservation Plan. The project must include a rainwater catchment system on the existing barn roof with a minimum 15,000-gallon storage tank to offset additional water use from the existing on-site well, as described in the Net Zero Groundwater Assessment submitted as part of the application. This measure must be included in the Water Conservation Plan and in project building permits. The proposed rainwater catchment system and any tanks, tank pads, pumps and pipes must be located within the existing barn or, if outside the barn, then outside of

the 100-foot Riparian Corridor setback from Mark West Creek along the southern side of the existing barn and must be located on previously-disturbed ground.

25. Greenhouse Gas Reduction Plan. The applicant shall submit a Greenhouse Gas Emissions Reduction Plan that defines measures to reduce greenhouse gas emissions for long-term operations of the project. The applicant/operator must maintain documentation of the implementation of the Greenhouse Gas Reduction measures included in the Greenhouse Gas Emissions Reduction Plan. The Greenhouse Gas Emissions Reduction Plan shall, at a minimum, consist of the following:
- The purchase of 100% renewable energy
 - Low wattage / energy efficient fixtures will be installed that can be dimmed to at least 50% capacity
 - Facilitating and encouraging carpooling among employees as often as possible
26. Stormwater. The applicant/operator shall comply with storm water management requirements to avoid any impacts on on-site drainage conditions.
27. Lighting. Prior to issuance of building permits, an exterior lighting plan shall be submitted for design review by Permit Sonoma. 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. All parking lot and streetlights shall be full cut-off fixtures. Lighting shall shut off automatically after closing and security lighting shall be motion sensor activated. The Project Planner will conduct a site inspection to verify exterior lighting prior to final occupancy.
- a. Additional measures for lighting impacts include: Lighting plans shall be designed to meet the Lighting Zone (LZ1 for dark areas, LZ2 for rural, LZ3 for urban) standards from Title 24, effective October 2005.
 - b. Parking lot fixtures shall not exceed 20 feet in height. All parking lot and/or street light fixtures shall use full cut-off fixtures.
 - c. All exterior fixtures shall be limited to lamps (light bulbs not exceeding 100 watts).
28. Exterior Modification. Prior to issuance of building permits, all exterior modifications to the building façade or site, including landscaping, parking lot improvements, fencing, lighting, and signage, shall be subject to administrative design review. The existing structure's footprint must not be expanded and must not further intrude into the Riparian Corridor, including any changes required to floodproof the structure, without prior written approval from the Director of Permit Sonoma. Razor wire and similar fencing is not permitted.
29. Use Permit Certificate. A Use Permit Certificate with these conditions, approved proposal statement, and approved floor plan shall be maintained on site and made available to county officials upon request.
30. Conformance with Statutes. This use shall be constructed, maintained, and operated in conformance with applicable county and state statutes, ordinances, rules, and regulations. A

violation of any applicable statute, ordinance, rule, or regulation shall be considered a violation of this use permit, subject to revocation or modification.

31. Stream Conservation Area: Any project improvement, parking, or storage related to the processing operation is prohibited within the Stream Conservation Area. The applicant/operator will relocate the existing shipping containers located within the conservation area out of the 100-foot riparian corridor.

BUILDING:

"Compliance with the conditions below have been verified " BY _____ DATE _____
Contact Building Plan Check at 707-565-2095

32. The applicant/operator shall apply for and obtain building-related permits from Permit Sonoma for any new construction, including the rain catchment system and its associated 15,000-gallon tank, tank pad, pump, pipes, etc. 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.
33. Application materials shall be consistent with Permit Sonoma's Building/Grading Permit Application Submittal Checklist (Form # CSS-003).
34. 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.
35. In order 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, if applicable. Plans shall include an analysis of proposed occupant load, area and height limitations, emergency egress, and fire-rated construction details.
36. 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.
37. 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.
38. 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.

39. 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 considered to be an alteration.
40. 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.
41. 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 systems and construction and capable of describing and controlling equipment.
42. Any structures to be constructed as part of use permit conditions, such as security or sound walls, shall require separate building applications and permits.
43. Any construction existing prior to permit issuance requires submittal and approval of a Concealed Construction Verification Plan, consistent with requirements set forth in Policy # 1-4-2 Concealed Construction Verification Guidelines. The review process shall be included with the review of the building permit application materials. Plan check approval of the Concealed Construction Verification Plan is required for permit issuance. Any work performed without permits will be considered "new work" and will be required to be legalized. Plans shall clearly delineate existing legal construction, construction performed without permits, and new work that is proposed.

GRADING & STORM WATER:

"Compliance with the conditions below have been verified " BY _____ DATE _____

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

44. Grading and/or building permits require review and approval by the Grading & Storm Water Section of Permit Sonoma 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.
45. Portions of the proposed project are located within a Special Flood Hazard Area (SFHA) and are affected by flooding from Mark West Creek and tributaries thereto. No fill may be placed within the SFHA, unless an engineering analysis demonstrates that no reduction in the flood storage capacity within the SFHA will result from the fill placement and related improvements and



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approved by the Director of Permit Sonoma. Any land subject to inundation by a SFHA shall be delineated and shown on the grading/building plans as "SUBJECT TO INUNDATION" in one-inch lettering. The base flood elevation is estimated to be at 117 feet above mean sea level. The lowest floor elevation of any habitable structure must be at 118 feet or higher above mean sea level. The base flood elevation (BFE) varies throughout the site but the lowest floor elevation of any habitable structure must be at least one (1) foot higher than the nearest adjacent BFE. The grading plans shall show all elevations based upon the North American Vertical Datum of 1988 (NVGD 88). No grading is approved as part of this proposed project. If grading is to occur, the applicant shall obtain pre-approval from the Planning Division to ensure there are no adverse impacts to the Mark West Creek.

46. The proposed project is also affected by the Mark West Creek floodway. For any proposed construction, a complete hydraulic study shall be prepared by a civil engineer, registered in the State of California, to determine the extent and location of the floodway. The hydraulic study shall include, at a minimum, a project narrative, on- and off-site hydrology maps, hydrologic calculations, hydraulic calculations, creek cross-sections, and a pre- and post-development analysis for Mark West Creek. All elevations shall be based upon the North American Vertical Datum of 1988 (NAVD 88). The hydraulic study shall be submitted to the Grading & Storm Water Section of Permit Sonoma and to the Federal Emergency Management Agency (FEMA) for review and approval. Documentation of FEMA's approval and acceptance shall be submitted to the Grading & Storm Water Section of Permit Sonoma prior to the issuance of any grading or building permits. The limits of the determined floodway(s) shall be delineated and noted on the grading plans. No structures (except bridges) shall be allowed within the floodway(s).
47. Residue or polluted runoff from the cannabis production areas/activities shall not be allowed to drain directly to the storm drain system, waterway(s) or adjacent lands. Cannabis production areas shall be covered or drain directly to a proper waste disposal system. No diversion valves shall be allowed.
48. 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.
49. Grading and land disturbance shall be setback from Mark West Creek a minimum of 100 feet from the top of stream bank.
50. Any waterway setbacks, including but not limited to, building setbacks, grading setbacks, or riparian corridor setbacks, shall be clearly shown and noted on the grading/site plans.
51. A waterway setback analysis shall be prepared to determine the most stringent composite waterway setback and be submitted with the grading and/or building permit application for the review and approval by the Grading & Storm Water Section of Permit Sonoma. The waterway setback analysis shall include several cross-sections of Mark West Creek. At a minimum, building, grading, riparian corridor, and floodway limits setbacks shall be included in the waterway setback analysis. The most stringent composite waterway setback shall be clearly



shown and noted on the grading/site plans if determined necessary by the Permit Sonoma Engineering Division.

52. Before construction may begin near a waterway, a protective construction fence shall be placed in such a manner as to allow the proposed development while preventing land disturbance adjacent to the waterway. The protective construction fence shall be shown and noted on the grading/site plans.
53. 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/operator 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.
54. Construction within Sonoma County Water Agency (SCWA) property, right-of-way, or easement area requires a revocable license from SCWA. The following note shall be placed prominently on the grading plans: "The contractor shall obtain a revocable license from the Sonoma County Water Agency (SCWA) prior to the start of any construction activities within SCWA property, right-of-way or easement." A letter of approval from SCWA shall be provided to the Grading & Storm Water Section of Permit Sonoma prior to issuance of any permit allowing work to occur near or within SCWA property, right-of-way, or easement.
55. 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 Permit Sonoma prior to issuance of any grading permit for the proposed project.
56. The applicant/operator is responsible for contacting the North Coast Regional Water Quality Control Board and obtaining any necessary permits or waivers for proposed work in or near a waterway. The applicant/operator shall provide said documentation to the Grading & Storm Water Section of Permit Sonoma prior to issuance of any permit for work within 25 feet of a waterway.
57. The applicant/operator is responsible for contacting the California Department of Fish & Wildlife and obtaining any necessary permits or waivers for proposed work in or near a waterway. The applicant shall provide said documentation to the Grading & Storm Water Section of Permit Sonoma prior to issuance of any permit work within 25 feet of a waterway.
58. The applicant/operator is responsible for contacting the U.S. Army Corps of Engineers and obtaining any necessary permits or waivers for proposed work in or near a wetland or navigable waters. The applicant/operator shall provide said documentation to the Grading & Storm Water Section of Permit Sonoma prior to issuance of any permit for work within 25 feet of a wetland or navigable waters.

NATURAL RESOURCES GEOLOGIST:



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



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

PRIOR TO OPERATION AND VESTING THE USE PERMIT:

59. Prior to operation and issuance of any building permit, an Easement is required to be recorded for this project to provide Sonoma County personnel access to any on-site water well serving this project and any required monitoring well to collect water meter readings and groundwater level measurements. 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.
60. Prior to operation and vesting of the use, the water wells serving this project shall be fitted with groundwater level measuring tubes and ports, or electronic groundwater level measuring devices. Water meter(s) to measure all groundwater extracted for the permitted use shall be installed on the water system. An updated Site Plan showing the location of the well(s), with the groundwater level measuring device and the location of the water meter(s) and storage tanks shall be submitted. The well completion report for the project well shall be submitted.
61. Prior to operation and vesting of the use, a rainwater capture system that captures all runoff from the roof of the cannabis processing structure shall be designed and installed. A minimum roof area of 10,000 square feet shall be plumbed to fill the rainwater storage tanks. Rainwater storage tanks with a minimum storage capacity of 15,000 gallons shall be installed.

OPERATIONAL REQUIREMENTS:

62. Groundwater Monitoring and Meter Calibration
 - a. Groundwater levels and quantities of groundwater extracted for this 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.
 - b. Water meters shall be calibrated, and copies of receipts and correction factors shall be submitted to Permit Sonoma Project Review staff at least once every five years.
 - c. In the event that groundwater extraction for the project use exceeds 20,000 gallons per year, this permit may be brought back to the Board of Zoning Adjustments for review of additional measures to reduce groundwater use.

FIRE AND EMERGENCY SERVICES:

"Compliance with the conditions below have been verified " BY _____ DATE _____
Contact Fire and Emergency Services at 707-565-2191

63. Permitting or development approval is subject to the Sonoma County Fire Safety Ordinance (Sonoma County Code). All applications for development approvals must be approved by the Sonoma County Fire Marshal, and shall be accompanied by plans, engineering calculations, and other data necessary to determine compliance with the provisions of the codes, and shall be in



compliance with the following requirements: *(Ref. California Code of Regulations Title-14, Division 1.5, Chapter 7, Subchapter 2, Articles 1 – 5, & Sonoma County Code Chapter 13, Article IV, Section 13-17 & Sonoma County Code Chapter 13, Article V, Division A, Section 13-24)*

PRIOR TO OCCUPANCY AND OPERATIONS:

64. Prior to operation, written approval that the required improvements and comments have been addressed and/or corrected shall be provided to Permit Sonoma from the County Fire Marshal/Local Fire Protection District.
65. The subject property (or properties) must be in full compliance with Building Code regulations, Fire Code Regulations and Hazardous Materials regulations prior to occupancy of the building and use of the property, unless there is written approval by the fire code official.
 - a. A fire inspection shall be conducted by the Sonoma County Fire and Emergency Services Department 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 Sonoma County Fire and Emergency Services Department may charge and collect a fee for the inspection in an amount, as determined by the county, sufficient to pay the costs of the inspection.
 - c. The Building (s) shall be fire sprinklered and contain a fire alarm system consistent with the occupancy type. Existing sprinklered or non-sprinklered buildings shall be verified based on design to be in compliance with specific occupancy type.
 - d. The applicant and/or operator may be required to provide a technical opinion and report prepared by a qualified engineer, specialist, laboratory or fire safety specialty organization acceptable to the fire code official. The report and opinion shall analyze the fire safety properties of the design, operation or use of the building or premises, and the facilities and appurtenances situated thereon. This shall be provided prior to operation. This process is required when there will be extraction processes conducted on the property and can be waived by the fire code official.

Operational Permits

66. An annual fire safety inspection is required 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 the costs of the inspection.

Emergency Planning and Response

67. A Fire Protection plan shall be provided and shall include 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/>)
 - a. Emergency Contacts
 - b. Address
 - c. Property owner



- d. Site map with property lines
- e. Fire access roads including gates
- f. Water supplies and hydrants
- g. Location of hazardous materials
- h. Utilities
- i. Floor plans showing intended use of each room/area
- j. Employee training for use of regulated materials in the fire code:
 - 1) 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.
 - 2) This process shall have on-site training records for review and a manual to address emergencies associated with the special process. (Example is extraction equipment)

Access

68. Prior to operation, the applicant and/or operator shall, at a minimum, facilitate locating an emergency, avoid delays in response, provide for safe concurrent access for emergency fire apparatus and civilian evacuation, provide and unobstructed traffic circulation during an emergency, and shall cause the facility to be constructed and maintained, as required by Sonoma County Fire Safe Standards and the California Fire Code, as adopted and amended by the Sonoma County Code. The following items shall be approved by the fire code official prior to operation:
- a. All roadway structures, such as bridges and crossings, that are part of an emergency access route shall have their allowable weight limit (as determined by an engineer qualified to evaluate roadway structures) posted, as required by the California Fire Code, as adopted and amended by the Sonoma County Code.
 - b. 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. Access roads may be allowed to be reduced to 12 feet in width with turnouts as approved by the fire code official.
 - 1) This requirement shall apply from the property line of the application to the public right-of-way.
 - 2) This requirement may be waived with written approval by Sonoma County Fire or the Fire Code Official.
 - c. All roadways and building shall be identified by approved road signs that are 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 Sonoma County Fire Safe Standards.

Water Supply

69. 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 the Sonoma County Code.

Vegetation Management



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70. To reduce the intensity of any conflagration caused by the proposed project, vegetation management shall be in accordance with the California Fire Code, as adopted and amended by Sonoma County Code and Sonoma County Fire Safe Standards.
71. The project site is in the Local Responsibility Area (LRA). The project shall comply with the general defensible space clearances per the California Code of Regulations (CCR) Title 19 Division 1, Chapter 1, Subchapter 1 §3.07.

HEALTH (Permit Sonoma):

"Compliance with the conditions below have been verified " BY _____ DATE _____
Contact Permit Sonoma Health at (707) 565-1924

PRIOR TO BUILDING PERMIT AND VESTING THE USE PERMIT:

NOTE: Prior to building permit issuance, please submit all of the following condition compliance requirements as one completed submittal package to the Project Review Health Specialist.

Water

72. 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 the on-site water tested by a State-certified lab. The applicant/operator shall submit a copy of the State Certified Lab report to the Project Review Health Specialist for review. If the analysis shows contamination, the applicant/operator will be required to treat the well per County requirements and then to 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/operator 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:
 - a. A deed restriction running with the land and acceptable to Permit Sonoma 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 Maximum Contaminant Levels and provide potable water to all plumbing fixtures.
 - b. 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 the Permit Sonoma Project Review Health Specialist.

Septic

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



Any necessary system expansion or modifications, and demonstration of reserve areas, shall be done under permit and the current standards from the Permit Sonoma Well and Septic Section and may require both soils analysis, and 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/operator 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.

74. The applicant/operator shall submit a final clearance from the Well and Septic Section that all required septic system evaluation, testing and design elements have been met to the Project Review Health Specialist.
75. Prior to issuance of building permits, code-compliant toilet facilities shall be provided for employees. The applicant/operator shall submit a copy of the Floor Plan to the Project Review Health Specialist showing the location of the code compliant restrooms, prior to issuance of building permits.

Solid Waste

76. Prior to the issuance of building permits and the start of any on-site construction, plans and specifications for any facility that prepares wholesale cannabis ingredient(s), food, or beverage for human consumption must be submitted to, and approved by the California State Department of Public Health, Manufactured Cannabis Safety Branch. Early consultation with the California State Department of Public Health, Manufactured Cannabis Safety Branch is recommended. All ingredient, food, and/or beverage manufacturing on this site shall be limited to the scale and scope specified under the Planning conditions in this Use Permit. Contact the California Department of Public Health (855-421-7887) for information and instructions. The applicant/operator shall submit an approval letter or e-mail from the California State Department of Public Health, Manufactured Cannabis Safety Branch to the Permit Sonoma Project Review Health Specialist to verify compliance with the requirements of the California Health and Safety Code.
77. Prior to building permit issuance and project operation, 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. The final disposal method proposed shall be clearly stated.
78. Prior to building permit issuance and project operation, the applicant shall submit a design for trash enclosures, recycling areas, and secured cannabis green waste areas for review and approval by the Permit Sonoma Building Plan Check Section (fees may apply.) Note that trash trucks must have at least a 34-foot turning radius at the trash enclosure and the dumpster must have 14 feet of overhead clearance with an additional 5 feet of clearance (for a total of 19 feet of clearance) at the location where the bins are tipped. The applicant/operator shall provide the building plan page and detail number for the trash enclosures to the Project Review Health Specialist.



PRIOR TO PROJECT OPERATION:

Water:

79. Prior to project operation, the applicant/operator 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. The applicant/operator shall submit a copy of the Cross-Connection Control Specialist's initial report to the Project Review Health Specialist for review. Note: If the applicant has been required to do a cross-connection control survey by the California State Water Resources Control Board, Division of Drinking Water, then a copy of that survey may be submitted to meet this condition within 120 days after occupancy.
80. Prior to project operation, 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 Permit Sonoma. The applicant/operator shall submit a letter from the Cross-Connection Control Specialist to the Project Review Health Specialist stating that backflow prevention has been installed as recommended.

Septic:

81. Prior to project operation, all wastewater plumbing shall be connected to a sewage disposal system that has been constructed under permit for the proposed use by the Permit Sonoma Well and Septic Section. The applicant/operator shall submit a final clearance from the Well & Septic Specialist to the Project Review Health Specialist, indicating that all required septic system testing, design elements, construction inspections and any required operating permits have been met.
82. Prior to project operation, the applicant/operator shall submit a cannabis solid waste management plan, including the proposed compost and trash enclosure design, to the Sonoma County Environmental Health, Solid Waste/Cannabis programs and the Permit Sonoma Project Review Health Specialist for review and approval. 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. The applicant/operator shall submit a copy of an approval letter or email from the Cannabis/Solid Waste Section of the Division of Environmental Health to the Project Review Health Specialist.

OPERATIONAL REQUIREMENTS:

Water

83. 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.
84. A safe, potable water supply shall be provided and maintained.



Septic

85. Use of the on-site wastewater disposal system shall be in accordance with the design and approval of the system.
86. All future sewage disposal system repairs shall be completed in the Designated Reserve areas and shall meet Class I Standards. 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 Permit Sonoma.

Noise

87. 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 ¹ , 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
¹ 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.		

88. The grinding, chipping, and/or shredding of botanical (green) waste shall be done within or behind the project processing barn as a noise shield to adjacent residences.
89. If noise complaints are received from nearby residents, and are verified complaints, then the applicant/operator shall conduct a Noise Study to identify additional noise control measures. A copy of the Noise Study shall be submitted to the Project Review Health Specialist 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

90. All non-cannabis waste and recycling shall be stored in a secure area and collected by Recology, the County's waste hauler.
91. Waste containing cannabis must be made unusable and unrecognizable prior to leaving the licensed premises by grinding and incorporating the cannabis waste with non-consumable, solid wastes listed below, such that the resulting mixture is at least 50 percent non-marijuana waste:



a. Paper waste; b. Cardboard waste; c. Food waste; or other compostable oil waste; and other wastes approved by the County that will render the cannabis waste unusable and unrecognizable.

92. All garbage and refuse on this site shall accumulate or 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 accumulate or be stored for no 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.

Odor Control

93. All drying, aging, trimming and packing facilities shall be equipped with odor control filtration and ventilation system(s) to control odors humidity, and mold.

Smoking

94. Smoking is prohibited in any public area, 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 the Health and Safety Code Section 113781 definition of food includes any beverage intended for human consumption.

95. 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 can.

96. Smoking or consumption of Cannabis or materials containing Cannabis is prohibited on the site.

SONOMA COUNTY TRANSPORTATION AND PUBLIC WORKS:

"Compliance with the conditions below have been verified" BY _____ DATE _____

Contact Transportation & Public Works at 707-565-2231

Intersections of Roads and Driveways

97. The Applicant shall improve the existing driveway entrance to conform to AASHTO standards and meet the following criteria to allow for the smooth and safe movement of passenger vehicles entering and exiting the public road (Laughlin 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 driveway (project's entry to Laughlin Road) meets these requirements.

a. A minimum throat width of twenty-four (24) feet.



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- b. Entrance curves having a minimum pavement radius of 25 feet; the entrance curves shall begin on a line that is a minimum of 12 feet distant from, and parallel with, the physical centerline of Laughlin Road. A 1:10 pavement taper shall be constructed on both sides of the entrance if required per County Code Section 13-32 (b). Entrance curve radii may be reduced with the approval of Sonoma County Fire Prevention.
 - c. The minimum sight distance for vehicles entering and exiting the driveway shall be in accordance with current AASHTO requirements for the speed traveled on Laughlin 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.
 - d. The entry shall be surfaced with asphalt concrete a minimum distance of 25 feet from the existing edge of pavement.
 - e. The entry 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 814, latest revision, for private road and driveway intersection details.
98. 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.
99. Driveway cross-drains within the County right-of-way shall be upgraded to a minimum 18 inch culvert under the driveway.

Emergency Vehicle Access

100. The applicant/operator shall locate driveway gates (if utilized) a minimum distance of 30 feet from the edge of the public road traveled way, in accordance with Sonoma County Mandatory Fire Safe Standards, Section 13-38.

Processing:

101. The Applicant shall obtain an Encroachment Permit issued by Permit Sonoma (PRMD) prior to constructing any improvements within County road right-of-way.

Completion of Required Improvements:

102. The Applicant shall complete construction of all the required public improvements prior to use of the property associated with the land entitlement resulting from this application.

GENERAL OPERATIONAL CONDITIONS:

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



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103. 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.
104. 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.
105. 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.
106. In any case where a use permit has not been used (as evidenced by issuance of a Use Permit Certificate to operate) within two (2) years after the date of the granting thereof, or for such additional period as may be specified in the permit, such permit shall become automatically void and of no further effect, provided however, that upon written request by the applicant prior to the expiration of the two year period the permit approval may be extended for not more than one (1) year by the authority which granted the original permit pursuant to Section 26-92-130 of the Sonoma County Code.