



## Legislation Details (With Text)

**File #:** 2021-0276  
**Type:** Regular Calendar Item      **Status:** Agenda Ready  
**File created:** 3/17/2021      **In control:** Permit and Resource Management  
**On agenda:** 5/25/2021      **Final action:**  
**Title:** 3:30 P.M. -UPC17-0041, Indoor and Mixed-Light Cannabis Cultivation, 2000 Los Alamos Road, Santa Rosa  
**Sponsors:** Permit and Resource Management  
**Indexes:**  
**Attachments:** 1. UPC17-0041 BOS Revised Summary.pdf, 2. Att 1: UPC17-0041 BOS Resolution - Revised.pdf, 3. Att 2 UPC17-0041 Conditions of Approval and Mitigation Monitoring Program.pdf, 4. Att 3 UPC17-0041 Vicinity Map.pdf, 5. Att 4 UPC17-0041 Aerial Map.pdf, 6. Att 5 UPC17-0041 Land Use Map .pdf, 7. Att 6 UPC17-0041 Zoning Map.pdf, 8. Att 7 UPC17-0041 Site Plan.pdf, 9. Att 8 UPC17-0041 Focused Site Plan.pdf, 10. Att 9 UPC17-0041 Floor Plan.pdf, 11. Att 10 UPC17-0041 DRAFT\_FULL\_ISMND.pdf, 12. Att 11 UPC17-0041 Groundwater Report.pdf, 13. Att 12 UPC17-0041 Biological Assessment.pdf, 14. Att 13 UPC17-0041 Botanical Report.pdf, 15. Att 14 UPC17-0041 Public Comments Recieved Prior to 3.10.21.pdf, 16. Att 15 UPC17-0041 Public Comments After 3.10.21.pdf, 17. ADDED: Att 16 Request and Response from CalFire.pdf, 18. ADDED: Att 17: Public Comment from 03-11-2021 to 05-20-2021.pdf, 19. Staff Powerpoint.pdf, 20. Applicant Powerpoint.pdf

Date	Ver.	Action By	Action	Result
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**To:** Sonoma County Board of Supervisors  
**Department or Agency Name(s):** Permit Sonoma  
**Staff Name and Phone Number:** Marina Herrera, Planner III (707) 565-2397  
**Vote Requirement:** Majority  
**Supervisory District(s):** First

**Title:**  
**3:30 P.M. -UPC17-0041, Indoor and Mixed-Light Cannabis Cultivation, 2000 Los Alamos Road, Santa Rosa**

**Recommended Action:**  
Adopt a Resolution adopting a Mitigated Negative Declaration and approving a commercial cannabis operation of 6,649 square feet, comprised of 3,799 square feet of indoor cultivation and 2,850 square feet of mixed-light cultivation, associated processing of site-grown cannabis and distributor and transport only on a 15-acre parcel located at 2000 Los Alamos Rd., Santa Rosa; APN 030-050-009; Permit Sonoma File No. UPC17-0041; Supervisorial District 1.  
(First District)

**Executive Summary:**  
The project proposes 3,799 square feet of indoor and 2,850 square feet of mixed-light commercial cannabis cultivation for a total of 6,649 square feet of cultivation, onsite processing of site grown cannabis, including trimming, drying, curing, weighing and packaging and distributor and transport only. The indoor cultivation will take place in two separate structures: 1) a 2,600 square foot replacement agricultural barn (destroyed in the September 2020 Glass Fire) containing 1,563 square feet of canopy, processing activities and an ADA

compliant restroom; and 2) a new 2,236 square foot cultivation only structure. Mixed-light cultivation will occur in a new 2,850 square foot greenhouse. Due to the steep topography and forested areas of the project site, the applicant requests a reduction of the park setback requirement for mixed-light structures, from 1,000 feet to 790 feet. The project site borders Hood Mountain Regional Park along a portion of the southern property line and Sugarloaf Ridge State Park to the east. The project site is a 15-acre parcel located within the Franz Valley Area Plan, zoned Resources and Rural Development with a 200-acre density, at 2000 Los Alamos Road in Santa Rosa; APN 030-050-009. On December 17, 2019, the Board of Supervisors assumed original jurisdiction over this project.

Staff finds the commercial cannabis project is consistent with General Plan and Franz Valley Area Plan policies, and that the project as conditioned, and with the park setback reduction, complies with all development criteria and operating standards of the Sonoma County Cannabis Ordinance. The design, location, size and operating characteristics of the project are compatible with the rural agricultural character of the area and surrounding land uses. The cannabis operation and associated odors will be contained within structures located on the northern portion of the parcel a secure area that is adequately setback from neighboring parcels and screened by existing mature vegetation and intervening topography.

**Discussion:**

**BACKGROUND**

Regulations

In October 2015, the Governor signed three bills into law collectively known as the Medical Cannabis Regulations and Safety Act establishing the State's first licensing system for commercial medical cannabis activity.

In November 2016, California voters approved Proposition 64, legalizing the adult use and possession of cannabis.

On December 20, 2016, the Sonoma County Board of Supervisors adopted the Cannabis Ordinance (No. 6189) to establish a comprehensive local program to permit and regulate medical cannabis to align with State Regulations. The ordinance was intended to preserve environmental resources, protect the health and safety of communities, and ensure the industry contributes positively to the economic vitality of the County.

In June 2017, the Governor signed a bill creating a single regulatory scheme for both medical and adult use cannabis businesses.

On October 16, 2018, the Sonoma County Board of Supervisors adopted an amendment to the Cannabis Ordinance (No. 6245), extending the maximum term of cannabis use permit from one year to five years, authorizing adult use in addition to medical with a use permit, increasing minimum parcel size to 10 acres in agricultural and resource zones, allowing non-flowering propagation up to 25% of the permitted cultivation area with a use permit, and clarifying a number of additional items, such as setbacks and definitions. This ordinance amendment also included a pipeline provision to allow applications which were deemed complete prior to the effective date of the ordinance to continue to be processed under the development criteria and minimum lot size in effect at the time their applications were deemed complete.

On December 17, 2019, the Board approved the Cannabis Ad Hoc Committee's request for the Board of Supervisors to exercise original jurisdiction over nineteen permit applications, including the proposed project.

### Application Processing

On August 30, 2017, an application was submitted for 1,500 square feet of indoor, 3,850 square feet of mixed-light of cannabis cultivation and associated onsite processing. The application enrolled in the penalty relief program; as commercial cannabis was grown on site prior to the 2020 Glass Fire.

On March 3, 2018, the application was deemed complete for processing under the penalty relief program.

In October of 2018, the application was revised to increase the amount of indoor cultivation from 1,500 square feet to 3,799 square feet of indoor cultivation and to decrease the amount of mixed light cultivation from 3,850 square feet to 2,850 square feet of mixed-light cultivation. On March 10, 2021, Permit Sonoma sent notification of the tentative May 25, 2021 hearing date and availability of the Mitigated Negative Declaration to neighboring properties within 1,000 feet of the parcel boundaries, and to all members of the public who had previously requested notice as an "interested party."

On March, 10 2021, a draft Initial Study/Mitigated Negative Declaration was published for public review and submitted to the State Clearinghouse for State Agency review (SCH# 2021030269). The public review period is 30 days from publication.

On May 5, 2021, Permit Sonoma sent notification of the May 25, 2021 hearing date to neighboring properties within 1,000 feet of the parcel boundaries, and to all members of the public who had previously requested notice as an "interested party." Notification included information on how to connect to the meeting virtually.

## **PROJECT DESCRIPTION**

### Site Characteristics

The 15-acre project parcel is located in the northeastern portion of the County, approximately 3.5 miles northeast of Santa Rosa (Attachment 3 Vicinity Map; Attachment 4 Aerial Map). Access to the project site is from McCormick Road, a privately maintained gravel road, via Los Alamos Road- a county maintained road (Attachment. 7 Site Plan).

Prior to the September 2020 Glass Fire, the project site was developed with a 2,800 square foot agricultural barn. There are two existing onsite water wells. The project site is not developed with a single family residence or an onsite septic system. There is an existing access easement to the parcel through Jerit Maddox Ranch (APN: 030-060-004). The project parcel is not under a Land Conservation Contract (Williamson Act).

The project parcel contains a combination of annual grassland, montane hardwood forest, and ruderal/disturbed vegetation. The western ridgeline of the property is comprised mostly of annual grassland and ruderal vegetation while the eastern sloping hillside of the property is comprised of montane hardwood vegetative community including pronounced hardwood and conifer tree canopies and herbaceous ground plant species. The subject property slopes severely from west to east but the project area is otherwise level. The western edge of the property is a hillcrest that runs through the property north to south. Cultivation structures are sited on slopes less than 10%. The project parcel has a western to eastern downhill slope with elevations ranging from 1,490 feet MSL along its northwestern boundary to 1,280 feet MSL along the eastern boundary.

The site is located in a Groundwater Availability Class 4 - Areas with low or highly variable water yield and is not located within a Medium or High Priority basin defined under the Sustainable Groundwater Management Act (SGMA). The nearest SGMA basin is Santa Rosa Valley, approximately 3.5 miles southwest.

According to the Wildland Fire Hazard Area map in the Sonoma County General Plan, the project site is located in the State Responsibility Area, and is designated as a High Fire Hazard Severity Zone. The site is designated as Tier 3 - Extreme on the California Public Utilities Commission Fire Threat Map. In November of 2020, a Cannabis Use Permit Road Evaluation was conducted by Permit Sonoma's Fire Prevention Division. Based on this evaluation, the project would be subject to conditions of approval to address fuel reduction and maintaining of the private access road and turnouts.

#### General Plan Land Use and Zoning

The General Plan Land Use and Zoning Designations on the parcel is Resources and Rural Development 200-acre density (Attachment 5 Land Use Map). The site is also designated Resources and Rural Development by the Franz Valley Area Plan (Attachment 6 Zoning Map).

#### Surrounding Land Use and Zoning

Surrounding parcels to the north and west are generally large agricultural properties zoned Resources and Rural Development, split between 200 and 40 acre densities. The surrounding area primarily consists of undeveloped agricultural lands. To the east and southeast is Hood Mountain Regional Park and Open Space Preserve.

#### Proposed Commercial Cannabis Operation

All Cali Farms LLC proposes a limited term commercial cannabis cultivation operation with a total cultivation area of 6,649 square feet and on-site processing and ancillary functions as follows:

- Total Cultivation: 6,649 square feet
  - Indoor (Type 1A State License)
    - 2,600 square foot replacement Barn
      - 784 square feet of Processing
      - ADA Compliant Restroom
    - 2,236 square foot new Barn
  - Mixed Light (Type 1B State License)
    - 2,850 square foot new Greenhouse
  - Distributor Transport Only (Type 13 State License)

#### Previously Existing Commercial Cannabis Operation - Penalty Relief Program (PRP)

Prior to the 2020 Glass Fire the applicant/operation was participating in the Sonoma County Cannabis Penalty Relief Program and cultivating 539 square feet of indoor within an agricultural barn. The 2,600 square foot, two-story agricultural barn was lost in the Glass Fire. This structure and will be re-built in like kind through Permit Sonoma's Resiliency Center and will be utilized in the proposed project. This structure will expand the cultivation area to encompass 1,500 square feet and contain processing activities. The structure will also contain a restroom, which will be rebuilt to be ADA compliant.

#### Site Improvements

Development will be contained and clustered within the northern portion of the property, within the previously developed area of the parcel. The 2,600 square foot agricultural barn as discussed above will be utilized to cultivate 1,500 square feet of canopy and will support processing activities, storage space and an ADA compliant restroom. The additional indoor cultivation will be conducted in a new 2,236 square foot structure. The mixed light cultivation will be conducted in a new 2,850 square foot greenhouse.

The cannabis operation will utilize two full-time year-round employees and four seasonal employees. The four seasonal employees will work at the project site for a three-day period, every three months, 12 days annually at a projected four harvests a year. The project includes 24-hour operation for cultivation as needed, although typically during cultivation maintenance employees would not work over night. The operation's proposal does not include regular overnight duties, but occasionally employees may need to be present overnight for specific tasks. General operational hours, deliveries and shipping will be limited to general operational hours from 8 a.m. to 5 p.m. Monday through Friday. The operation would not be open to the public.

## **DISCUSSION**

### **General Plan Consistency**

The subject property has a General Plan Land Use designation of Resources and Rural Development, which is intended to manage and conserve natural resource areas and existing areas of rural character. The primary allowed uses of the Resources and Rural Development Land Use Designation are protection of natural resources, low-density residential development, and limited agricultural production activities in areas of timberland. Additional policies applied to this land use designation include protecting lands for aggregate resource production, protecting against intensive development of land constrained by steep slopes or other constraints, and protecting against proliferation of growth in areas with inadequate public services and infrastructure.

#### Staff Analysis

Development on the project site would be limited to the northern corner of the parcel and the new indoor structure will be built with a similar barn-like architectural style as the previously existing agricultural barn, which was lost in the 2020 Glass Fire. The site and surrounding area is characterized by intervening topography and landscaping that would screen operations from public right-of-way and Hood Mountain Regional Park. For this reason, the project would preserve the natural, agriculture, rural and visual resources of the greater area, and result in a use of the property consistent with General Plan Objectives.

### **Franz Valley Area Plan Consistency**

The Franz Valley Area Plan is implemented pursuant to General Plan Policy LU-1a which states that the County should carry out policies and standards both in the Specific Area Plan and General Plan. The Area Plan notes that the majority of the area is categorized as Resources and Rural Development (RRD). The primary goal for this land use is to keep options open for resource development and conservation by not permitting residential uses or other types of development that would preclude potential future land uses involving agriculture, timber resources, and geothermal development. The Area Plan includes several policies in its Open Space Plan regarding scenic routes, vista points, bicycle routes, parks, recreation, public land, historical sites, riparian corridors, and biotic habitat areas.

Staff Analysis:

The Proposed Project is consistent with the Franz Valley Area Plan because, the project is not located along a scenic route as designated by the County, the project is not located in the vicinity of a vista point, there are no riparian corridor or biotic habitat combing zones located on the project site, the project would not prohibit the expansion of Hood Mountain Regional Park, and the project is adequately setback from the park due to the intervening topography and vegetation of the project site and general area, which would restrict, limit and/or eliminate access from the property to the neighboring Hood Mountain Regional Park. Furthermore, the proposed project would not preclude future land uses on the property such as agriculture, timber resources or geothermal development because the development is limited in size and scale to occupy an approximate 0.16% of the overall 15-acre parcel.

**Zoning Consistency**

Resources and Rural Development (RRD)

Commercial Cannabis cultivation is an allowed use with a use permit in the Resources and Rural Development zoning district pursuant to compliance with development standards from Sonoma County Code Sections 26-88-250 through 26-88-254.

Staff Analysis:

The project site is a 15-acre parcel, which meets the 10-acre minimum parcel size requirement for commercial cannabis operations. The total cannabis cultivation area for the project would be 6,649 square feet, which is below the maximum allowed 43,560 square feet. The proposed onsite processing will be limited to cannabis-cultivated onsite. Indoor cultivation is subject to the standard building setback of the base zone with no residential setback, and mixed light structures are subject to a 100 foot property line setback and 300 foot setback from residences. The indoor and mixed light structures will be located over 100 feet from all property lines and over 300 feet from any offsite residences. Prior to the 2020 Glass Fire, there was a residence located on the neighboring parcel to the east, which was located over 500 feet from the mixed light structure. The indoor and mixed light cultivation area thus meets all required setbacks, with exception of the 1,000-foot park setback (discussed below under "Sensitive Use Setback"). The cultivation site would be located approximately 4 miles northeast of Austin Creek Elementary, the nearest school.

The proposed cannabis operation, as conditioned by the project Conditions of Approval, would be constructed, maintained, and operated in conformance with all applicable county and state statutes, ordinances, rules, and regulations, including the above development standards and all operating standards from Sonoma County Code Sections 26-88-250 through 26-88-254.

Operating standards include, but are not limited to: fully contained exterior and greenhouse lighting; implementation of a Site Security Plan; installation and operation of odor control filtration systems; utilization of renewable energy sources; and groundwater monitoring.

Sensitive Use Setback

The minimum setback for mixed light cultivation structures (property line to property line) from sensitive uses,

such as schools, parks, and treatment facilities is 1,000 feet. Indoor cultivation is not required to be setback from parks. The project parcel shares a common boundary with the nearest sensitive use- Hood Mountain Regional Park and Open Space Preserve, while the mixed light structure is setback 790 feet from that shared property line.

Staff Analysis:

The Cannabis Ordinance allows flexibility in park setbacks under certain conditions; Per Section 26-88-254(f) (6) *“This park setback may be reduced with a use permit when it is determined that an actual physical equivalent separation exists due to topography, vegetation or slope, that no offsite impacts will occur, and that the cannabis operation is not accessible or visible from the park.”*

- **Separation due to topography, vegetation, or slope:** The cultivation area is located approximately 450 feet in elevation above the entrance and parking area of Hood Mountain Regional Park. The perimeter of the subject property is heavily vegetated. Pedestrian access from the park lands to the cultivation area is steeply sloped, heavily vegetated, fenced (barbed-wire) and therefore not conducive to pedestrian access.
- **Offsite Impact:** The cultivation structures would include an odor control filtration system, in compliance with operating standards. When properly functioning within a sealed structure, the proposed odor control system would contain all cannabis odors inside the structure and ensure that no odor is detectible at any property boundary. Project Condition of Approval No. 21 requires ongoing monitoring and maintenance of the system and annual reporting of monitoring results. With implementation of maintenance and monitoring conditions, the indoor and mixed light operation is not likely to generate odors to surrounding properties, including Hood Mountain Regional Park. Odor is also known to dissipate with distance and be blocked by dense vegetation such as the type found onsite between the park trailheads, parking lots and the cultivation area.
- **No Public Access:** The primary road leading to the subject property is adjacent to the park entrance but it is restricted by a series of gates. A fire department key switch will be installed at the private gate to ensure fire department access. Access to/from the subject property along McCormick Road on the south-east shared property boundary is available only for park maintenance vehicles. This access is fenced, gated and subject to similar topographic and vegetative impediments as discussed in this section. There is no nexus or accessibility to the park from McCormick Road for the general public as it is predominately a private road. The project site and cultivation area would be inaccessible to visitors of the park due to the accessibility of McCormick Road.
- **Visibility:** The vegetation of the area and intervening topography of the project site provide for adequate screening of the cultivation area from visitors of Hood Mountain Regional Park. No part of the cultivation area is visible from either the parking area or the two nearest trail heads which are an approximate 0.30 miles away from the project site. Post fire conditions of the vegetation on site and surrounding area still provide for adequate screening as the intervening topography is unchanged.

Staff has determined that an actual physical equivalent separation exists due to topography, vegetation, slope, such that no offsite impact would occur, and that the cannabis operation would not be accessible nor visible from the park.

**Staff Analysis**

Public comments were received in response to the filed application, in addition to more recent comments from interested parties. The comments were considered during evaluation of the project and have been used to determine areas of potential neighborhood incompatibility. Items raised as areas of potential environmental concern were groundwater-related, odor, wildfire risk, traffic, and proximity to Hood Mountain Regional Park. Each of these topics is discussed below.

Water Use. The estimated annual water use for the cannabis operation is approximately 0.69 acre-feet of water per year, consisting of:

- Indoor Cultivation Water Use (0.24 acre-feet): Irrigation rates for 3,799 square feet of indoor cultivation, supporting an approximate 1,816 plants would require approximately 1,520 gallons of water per week, which is an estimated 0.12 gallon per plant per day. The water use for indoor cultivation is equivalent to 0.24 acre-feet per year.
- Mixed-Light Cultivation Water Use (0.43 acre-feet): Irrigation rates for 2,850 square feet of mixed light cultivation, supporting an approximate 2,144 plants would require approximately 2,680 gallons of water per week, which is an estimated 0.18 gallon per plant per day. The water use for the mixed light greenhouse is equivalent to 0.43 acre-feet per year.
- On-Site Water Use (0.02 acre-feet): The annual on-site employee water use is estimated to include 15 gallons of water utilized per day per cultivation employee on-site. Therefore, the annual on-site worker water use is calculated using 2 (average number of daily employees) employees using 15 gallons per day working 260 days a year. This water use is equivalent to 0.02 acre-feet per year.

To offset the projected groundwater use, Project Condition of Approval No. 59 requires the applicant to implement a rainwater catchment system with a minimum storage capacity of 10,000 gallons. A 10,000-gallon rainwater catchment system would offset an approximate 0.03 acre-feet.

A hydrogeological assessment evaluated potential cumulative impacts based on the known geologic, hydrologic and groundwater characteristics in the area, and determined that the relevant aquifer for the project is not in a state of overdraft, and the ground water pumping for the project is unlikely to result in significant declines to groundwater resources over time. Specifically, the Hydrogeological Assessment for the project determined that groundwater storage (8.3 acre-feet per year) and recharge (10.0 acre-feet per year) are substantially greater than the projects proposed water demands of 0.69 acre feet per year of the 12.6 acre project aquifer recharge area or cumulative impact area. Project Condition of Approval No. 62 restricts the project from exceeding 0.7 acre-feet per year, if exceeded measures will be required to be implemented to reduce groundwater use, subject to review and approval by Permit Sonoma.

For more details on the groundwater analysis, please see Attachment 10 Mitigated Negative Declaration, Section 10 Hydrology and Water Quality and the Hydrogeological Assessment Report (Attachment 11).

Odor. The project does not include outdoor cultivation; all cannabis will be contained within the proposed structures and greenhouse. In compliance with operating standards, these structures will be equipped with an odor control filtration system. When properly functioning within a sealed structure, the proposed odor control system would contain all cannabis odors inside the greenhouse and ensure that no odor is detectible at any property boundary. Project Condition of Approval No. 21 requires ongoing monitoring and maintenance of the system and requires annual reporting of monitoring results. With implementation of maintenance and monitoring conditions, neither the indoor or greenhouse operation is not likely to generate odors to

surrounding properties.

Fire Risk & Access. The project site is within the fire perimeter of the 2020 Glass Fire. Per the Sonoma County General Plan, the project site is located within a High Fire Hazard Severity Zone within a State Responsibility Area. Access to the project site is provided by a private gravel road, McCormick Road accessed via Los Alamos Road.

In November of 2020, a Cannabis Use Permit Road Evaluation was conducted by Permit Sonoma's Fire Prevention Division. Based on this evaluation, the project is conditioned to address fuel reduction and maintaining of the private access road and turnouts. Project Conditions of Approval require all new structures to be built in compliance with applicable County Fire Code and the California Department of Forestry and Fire Protection Fire Safe Regulations (14 CCR § 1270.00 et seq.).

The California Department of Forestry and Fire Protection Fire Safe Regulations (14 CCR § 1270.00 et seq.) require developments within the State Responsibility Area to provide for safe access for emergency wildfire equipment and civilian evacuation concurrently. In general, this includes requiring that two-lane roads have two 10-foot traffic lanes and that one-lane roads have one 12-foot traffic lane. The Board of Forestry is in the process of working with stakeholders statewide to consider the appropriate road width standards to apply to existing roads. Currently, the State regulations allow for exceptions to these standards due to environmental conditions and physical site limitations when the alternative provides the same practical effect towards defensible space (14 CCR § 1270.06(a) and § 1271).

The applicant's request for an Exception to Standards providing the Same Practical Effect (14 CCR § 1270.06) was evaluated and accepted by Sonoma County Fire Marshal in November of 2020 and submitted to CalFire. The Fire Marshal has required the applicant to install a 24 foot wide entrance to the private road, at turnout at the midpoint of the private road, and a hammerhead turnaround at the end of the private road at the building location to ensure safe access for emergency fire apparatus and civilian evacuation concurrently. Additionally, as required by, Section 26-88-254(f)(16) the Cannabis Ordinance No. 6245, further enforced by Project Condition of Approval 70, the applicant is to submit additional detail to their Fire Protection Plan that further documents fire access road, including gates, emergency water supplies, location of hazardous materials, employee training in the use of regulated materials to meet Fire Code requirements, and vegetation management. These conditions have been determined to provide for the Same Practical Effect (14 CCR § 1270.06). In addition, the Fire Marshal has requested the applicant to continue to coordinate with neighboring property owners to use best efforts to secure emergency fire access rights to the private Pacific Gas & Electric maintenance road that already exists and can allow for a secondary means of egress.

Traffic. The project proposes two full time employees and four seasonal employees. Seasonal employees would work 12 days annually at a projected four harvests per year. The project would conservatively generate approximately 4 average daily vehicle trips during cultivation maintenance and approximately 20 daily vehicle trips during harvest (12 days, annually). This minimal number of peak hour and total daily trips does not have a significant effect on local traffic conditions. A more detailed traffic analysis is available in Attachment 10. Mitigated Negative Declaration, Section 17 Transportation.

Park Proximity. Staff has determined that an actual physical equivalent separation exists due to topography, vegetation and slope, such that no offsite impact would occur as discussed previously in item 3. Zoning Consistency.

## **ENVIRONMENTAL DETERMINATION**

The proposed project has been analyzed under the California Environmental Quality Act (CEQA) and the CEQA Guidelines, California Code of Regulations. Based on application materials provided by the applicant and technical specialists, an Initial Study was completed, which determined that project impacts could be mitigated to a less than significant level. Therefore, a Mitigated Negative Declaration was drafted for the project.

The Mitigated Negative Declaration identifies mitigation measures and a monitoring program for the proposed project which have been incorporated into the conditions of approval. Mitigation measures were included to address: Air Quality (construction emissions, odor control and monitoring); Biological Resources (pre-construction surveys, construction worker training, construction exclusion fencing, biological monitor); and Noise (construction operation limitations). The draft Mitigated Negative Declaration was circulated through the State Clearinghouse for public and agency review and comments from March 10, 2021 through April 9, 2021.

### **Prior Board Actions:**

December 17, 2019, Board of Supervisors action approving request for original jurisdiction over multiple applications, including UPC17-0041.

## **FISCAL SUMMARY**

### **Narrative Explanation of Fiscal Impacts:**

N/A

### **Narrative Explanation of Staffing Impacts (If Required):**

N/A

### **Attachments:**

- Attachment 1: Board of Supervisors Resolution
- Attachment 2: Conditions of Approval and Mitigation Monitoring Program
- Attachment 3: Vicinity Map
- Attachment 4: Aerial Map
- Attachment 5: Land Use Map
- Attachment 6: Zoning Map
- Attachment 7: Site Plan
- Attachment 8: Focused Site Plan
- Attachment 9: Floor Plan
- Attachment 10: Mitigated Negative Declaration
- Attachment 11: Groundwater Report
- Attachment 12: Biological Resources Report
- Attachment 13: Botanical Survey Assessment
- Attachment 14: Public Comments received prior to March 10, 2021
- Attachment 15: Public Comments received after March 10, 2021
- Attachment 16: Request and Response from CalFire
- Attachment 17: Public Comments received from March 11, 2021 to May 20, 2021

Staff PowerPoint  
Applicant PowerPoint

**Related Items “On File” with the Clerk of the Board:**

N/A