



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING
Trevor Keith Director of Planning & Building

December 18, 2019

KIRK CONSULTING
8830 MORRO RD
ATASCADERO CA 93422

SUBJECT: Notice of Final County Action, Minor Use Permit DRC2018-00043

Dear Sir/Madam,

On **December 06, 2019**, the above-referenced application was approved by the **Planning Department Hearing Officer** based on the approved Findings, and subject to the approved Conditions, which are both enclosed for your records.

If you disagree with this action, pursuant to (County Real Property Ordinance Section 21.04.020 / County Land Use Ordinance Section 22.70.050 / County Coastal Zone Land Use Ordinance (CZLUO) Section 23.01.042), and in the manner described therein, you have the right to appeal this decision, or a portion of this decision, to the Board of Supervisors within 14 calendar days after the date of the action.

The appeal must be submitted to the Department of Planning and Building on the proper Department appeal form, as provided on the County website. The appeal form must be submitted with an original signature; a facsimile will not be accepted. The appeal fee is set by the current fee schedule and must accompany your appeal form for your appeal to be accepted for processing.

If you have any questions regarding your project, please contact **Eric Hughes** at (805) 781-5600.

A handwritten signature in blue ink that appears to read "Daniela Chavez".
Daniela Chavez, Secretary
County of San Luis Obispo
Department of Planning & Building

CC: SHANDON ACRES ASSOC LLC
578 WASHINGTON 836
MARINA DEL REY CA 90292

EXHIBIT A – FINDINGS
SHANDON ACRES ASSOCIATES LLC(DRC2018-00043)

ENVIRONMENTAL DETERMINATION

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been prepared and released for public comment on September 11, 2019 for this project. Mitigation measures have been identified to address potential impacts related to aesthetics, air quality, biological resources, hazards and hazardous materials including wildfire, and land use and have been included as conditions of approval.

MINOR USE PERMIT

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because cannabis indoor cultivation, cannabis outdoor cultivation, ancillary cannabis nursery, and ancillary cannabis processing are allowed uses and, as conditioned, is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project and uses satisfy all applicable provisions of Title 22 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety, or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the proposed cannabis cultivation does not generate activity that presents a potential threat to the surrounding property or buildings. Water use of the project would be minimized and actual usage shall be monitored, energy usage shall be monitored, State water quality regulations shall be met, security fencing shall be installed, pesticide use shall comply with County Department of Agriculture / Weights and Measures regulations, solid waste shall be properly disposed of, and nuisance odors shall be controlled and monitored. This project is subject to Land Use Ordinance and Building Code requirements designed to address health, safety, and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the proposed uses and development are similar in size and activities as surrounding agricultural operations, the proposed uses would be minimally visible from surrounding public roadways, and all potential nuisance odors would be adequately controlled to not be detectable from offsite.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project. The project site is accessed from Truesdale Road, a collector road owned and maintained by the County. As described in the Trip Generation Evaluation prepared for the project by Orosz Engineering Group, Inc. (OEG), the project is anticipated to generate approximately 23 vehicle trips per day, including two trips during the p.m. peak hour.

Projected trip generation from the project would be generally consistent with surrounding land uses and would not have a significant effect on existing roadway operations.

ADJUSTMENTS

- G. A modification of required parking standards detailed in LUO Section 22.18 is justified because the characteristics of the use do not necessitate provision of 26 parking spaces onsite; the provision of 10 parking spaces with additional room for other vehicles onsite will be adequate to accommodate on the site all parking needs generated by the use including the six proposed full-time employees and 10-20 seasonal employees during harvest periods. No traffic problems will result from the proposed modification of parking standards.

CANNABIS CULTIVATION

- H. The cannabis cultivation, as proposed, shall comply with all requirements of the State and County for the cultivation of cannabis, including dual licensure and participation in an authorized track-and-trace program.
- I. The cannabis cultivation will not be located within 1,000 feet of any pre-school, elementary school, junior high school, high school, library, park, playground, recreation or youth center, licensed drug or alcohol recovery facility, or licensed sober living facility.
- J. The cannabis cultivation includes adequate measures that minimize use of water for cannabis cultivation at the site, including a requirement to monitor water use and offset all water use at a 1:1 ratio.
- K. The cannabis cultivation includes adequate quality control measures to ensure cannabis cultivated at the site meets State regulatory standards.
- L. The cannabis cultivation includes measures that address enforcement priorities for cannabis activities including restricting access to minors and ensuring that cannabis and cannabis products are not supplied to unlicensed or unpermitted persons within the state and not distributed out of state.

EXHIBIT B - CONDITIONS OF APPROVAL
SHANDON ACRES ASSOCIATES LLC(DRC2018-00043)

APPROVED DEVELOPMENT

1. This approval authorizes use for the following cannabis activities:
 - a. 3 acres (130,680 square feet) of outdoor mature cannabis cultivation canopy;
 - b. 6,000 square feet of mixed-light (indoor) cannabis cultivation area;
 - c. 6,000 square feet of mixed-light (indoor) ancillary cannabis nursery cultivation area; and
 - d. 1,440 square feet of processing activities.
2. The ancillary processing of cannabis products is limited to cannabis grown onsite only, and all processing activities shall be done in accordance with applicable State regulations and licenses. Cannabis manufacturing or processing of manufactured cannabis products is not authorized with this use permit.

CONDITIONS REQUIRED TO BE COMPLETED PRIOR TO ISSUANCE OF A COUNTY BUSINESS LICENSE

3. **Prior to issuance of County Business License**, the applicant shall obtain an Operator Identification Number (OIN) if required by the County Department of Agriculture / Weights and Measures, prior to any pesticides being used in conjunction with the commercial cultivation of cannabis; "pesticide" is a broad term, which includes insecticides, herbicides, fungicides, rodenticides, etc., as well as organically approved pesticides.
4. **Prior to issuance of County Business License**, the applicant shall submit evidence that coverage has been obtained under the Cannabis Cultivation General Order from the State Water Resources Control Board (SWRCB).
5. **Prior to issuance of County Business License**, the applicant shall submit evidence that solid waste and recycling collection will be consistent with LUO Sections 22.10.150.B and 22.10.150.C.
6. **Prior to issuance of County Business License**, the applicant shall install chain link fencing with security slats as shown on the approved plans and to enclose all proposed greenhouse and processing structures as approved by the County Sheriff's Department. Consistent with the approved plans and the County Sheriff's Department's recommendations, the fencing proposed to enclose the active cannabis use areas as identified in the site plan shall be 6 feet in height with secure locking gates.
7. **Prior to issuance of County Business License**, the applicant shall obtain a Fire Safety Plan from CAL FIRE/County Fire. All plans submitted to the County Planning and Building Department shall meet the fire and life safety requirements of the California Fire Code and those outlined in the Fire Safety Plan. Requirements shall include, but not be limited to, those outlined in the referral response letter, prepared by the CAL FIRE/County Fire Department for the proposed project, dated February 5, 2019.
8. **Prior to issuance of a County Business License**, the applicant shall obtain offset clearance through the County Water Conservation Program for the net increase of project-related water use at a 1:1 ratio as required by LUO Section 22.40.060.D.5.

9. **Prior to issuance of a County Business License**, the applicant shall submit full copies of any and all leases (e.g., ground, buildings, etc.) and/or production sharing agreements associated with the project to the County Assessor's Office for review.
10. **BIO-5 Prior to issuance of a County Business License**, the applicant shall submit evidence to the County Department of Planning and Building that satisfactorily demonstrates one or a combination of the following San Joaquin kit fox mitigation measure options has been implemented to offset the project's calculated compensatory impacts:
 - a. **Habitat Set Aside**: Provide for the protection in perpetuity, through acquisition of fee or a conservation easement, of 9 acres of suitable habitat in the kit fox corridor area (e.g., within the San Luis Obispo kit fox habitat area northwest of Highway 58), either onsite or offsite, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands conserved shall be subject to review and approval by the CDFW and the County.
 - b. **In-Lieu Fee**: Deposit funds into an approved in-lie fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area located primarily within San Luis Obispo County and provide for a non-wasting endowment for management and monitoring of the property in perpetuity. Funds would be provided to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between CDFW and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with CEQA. Total fees determined by the CDFW calculated based on the current cost-per-unit is \$2,500 per acre of mitigation. This fee must be paid after CDFW provides written notification about mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.
 - c. **Conservation Bank Credit**: Purchase 9.0 credits in a CDFW-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity. Credits can be purchased through the CDFW-approved conservation bank, the Palo Prieto Conservation Bank. The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the CEQA. This fee is calculated based on the current cost-per-credit of \$2,500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. The actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to County permit issuance and initiation of any ground-disturbing activities.

**CONDITIONS REQUIRED TO BE COMPLETED AT THE TIME OF APPLICATION/PRIOR TO
ISSUANCE OF CONSTRUCTION PERMITS**

Site Development

11. **At the time of application for construction permits**, plans submitted shall show all development consistent with the approved site plan, floor plan, and architectural elevations.

12. **At the time of application for construction permits**, all project conditions shall be clearly printed on the plans and construction documents shall be consistent with the currently adopted California Codes.
13. **At the time of application for construction permits**, all plans and engineering shall be prepared by a California Licensed Architect of Record or Engineer for all design portions of the project that do not meet "conventional construction" as defined by the current building code.

Drainage

14. **At the time of application for construction permits**, to determine stormwater requirements, the applicant must account for the total area of disturbance associated with construction and indicate the limits of disturbance on the plans.

The area of disturbance for construction purposes on the submitted plans must include all of the following:

- a. Utility improvement areas (installation of water lines or water supply tanks).
- b. New roadways, driveways, or turnouts. Include road upgrades that change the grade, line, surface, or drainage capacity of existing roads.
- c. Limits of all grading for permanent structures (dry storage containers, water tanks, roads, buildings, or greenhouses). Greenhouses have associated electrical, mechanical, foundation, and plumbing details.

The area of disturbance associated with construction does not need to include the following areas:

- d. Temporary hoop structures or crop protection canopies. (Hoop structures have no associated electrical, mechanical, foundation or plumbing details.)
- e. Outdoor growing areas where cannabis will be planted if the disturbance is limited to disking, harrowing, terracing and leveling, and soil preparation for the purpose of planting.

Projects that disturb greater than 1 acre or more for construction-related activities must enroll in the General Permit for Stormwater Discharges Associated with Construction (Order 2009-0009-DWQ).

15. **At the time of application for construction permits**, the applicant shall submit complete drainage plans for review and approval in accordance with LUO Section 22.52.110 (Drainage).
16. **At the time of application for construction permits**, the applicant shall submit a complete erosion and sedimentation control plan for review and approval in accordance with LUO Section 22.52.120.
17. **At the time of application for construction permits**, the applicant shall show the limits of the 100-year flood hazard boundary on the project plan.
18. **At the time of application for construction permits**, the applicant shall submit evidence to the County Department of Public Works that all new structures comply with County flood hazard construction standards, LUO Section 22.14.060.

Energy

19. **At the time of application for construction permits**, the submitted building plan set

shall demonstrate consistency with California State Title 24 energy laws.

20. **At the time of application for construction permits**, the applicant shall provide a letter to the County Building Division from PG&E stating they are willing and able to service the property.

Lighting

21. **At the time of application for construction permits**, the applicant shall provide a lighting plan consistent with LUO Section 22.10.060 showing all exterior lighting with shielding that confines light sources to the project site and shields neighboring properties.

22. **AES-1 Prior to issuance of construction permits or establishment of the use**, the applicant shall submit a light pollution prevention plan to the County Planning and Building Department for approval. This plan shall include, at a minimum, the following measure to reduce potential impact to night lighting:

- a. All facilities employing artificial lighting techniques shall include shielding and/or blackout tarps that are engaged between the period of 1 hour before dusk and 1 hour after dawn and prevent any and all light from escaping.

Air Quality/Odor

23. **AQ-1 Prior to issuance of a construction permit**, the standard mitigation measures for reducing nitrogen oxides, reactive organic gases, and diesel particulate matter emissions from construction equipment are listed below and shall be printed on construction plans and shall be adhered to during project construction:

- a. Maintain all construction equipment in proper tune according to manufacturer's specifications;
- b. Fuel all off-road and portable diesel-powered equipment with California Air Resources Board-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
- c. Use diesel construction equipment meeting the California Air Resources Board's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation;
- d. Use on-road heavy-duty trucks that meet the California Air Resources Board's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;
- e. Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g., captive or nitrogen oxides exempt area fleets) may be eligible by proving alternative compliance;
- f. All on- and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and/or job sites to remind drivers and operators of the 5-minute idling limit;
- g. Diesel idling shall be avoided to the greatest extent feasible throughout the duration of construction activities. No idling in excess of 5 minutes shall be permitted as described above;
- h. Staging and queuing areas shall not be located within 1,000 feet of sensitive

receptors whenever possible;

- i. Electrify equipment when feasible;
- j. Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and,
- k. Use alternatively fueled construction equipment onsite where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel.

24. AQ-2 Prior to issuance of a construction permit, the following measures would apply to the project if the proposed farmworker's housing project located south of the project site (DRC2018-00001) is completed prior to the completion of the proposed project's site disturbance activities. These measures shall be printed on construction plans prior to issuance of a construction permit and shall be adhered to during project construction.

- a. Reduce the amount of disturbed area where possible;
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 miles per hour. Reclaimed (non-potable) water shall be used whenever possible;
- c. All dirt stockpile areas shall be sprayed daily as needed;
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of any soil-disturbing activities;
- e. Exposed ground areas that are planned to be reworked at dates greater than 1 month after initial grading shall be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
- f. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemicals soil binders, jute netting, or other methods approved in advance by the San Luis Obispo County Air Pollution Control District;
- g. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;
- h. Vehicle speed for all construction vehicles shall not exceed 15 miles per hour on any unpaved surface at the construction site;
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or shall maintain at least 2 feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114;
- j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where feasible;
- l. All of these fugitive dust mitigation measures shall be shown on grading and building plans; and
- m. The contractor or builder shall designate a person or persons to monitor the fugitive

dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the San Luis Obispo County Air Pollution Control District Compliance Division prior to the start of any grading, earthwork or demolition.

25. **At the time of application for construction permits**, the applicant shall provide specifications related to all odor mitigation technologies proposed. Any odor mitigating technologies shall be identified on all applicable site and floor plans.

Water

26. **Prior to issuance of grading or construction permits**, the applicant shall have a well meter installed on any new or existing well proposed to be used for cannabis activities. Installation of the meter must be performed to the satisfaction of the County Public Works Inspector and shall be in conformance with the Water Well Metering Standards and Installation Guidelines set forth by the Department of Public Works and incorporated into the County Public Improvement Standards.

Biological Resources

27. **BIO-1 Prior to issuance of grading or construction permits**, or prior to site disturbance activities, the applicant shall provide evidence that they have retained a County-qualified biologist.
28. **BIO-6 Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction**, all personnel associated with the project shall attend a worker education training program, conducted by a County-approved qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e., San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox's life history, all mitigation measures specified by the County, and any related biological report(s) prepared for the project. The applicant shall notify the County within 5 days prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employees, and other personnel involved with the construction of the project. The County-approved qualified biologist shall prepare a summary report of the training and provide a copy of the report to the County within 14 days of training completion.

Fees

29. **Prior to issuance of a construction permit**, the applicant shall pay all applicable road and public facilities fees.
30. **Prior to issuance of a construction permit**, the applicant shall pay the housing impact fee as required by LUO Section 22.12.080.F.1, or may defer fee payment pursuant to LUO Section 22.12.080.J.4. As an alternative the applicant may provide housing units or a land donation, pursuant to LUO Section 22.12.080.F.3.

CONDITIONS REQUIRED TO BE IMPLEMENTED PRIOR TO SITE DISTURBANCE/DURING CONSTRUCTION ACTIVITIES

31. **During the project construction activities**, Cannabis cultivation grading activities shall be consistent with the conservation practices and standards contained in the USDA Natural Resources Conservation Service (NRCS) Field Office Technical Guide (FOTG). Practices shall not adversely affect slope stability or groundwater recharge and shall prevent offsite drainage and erosion and sedimentation impacts. Erosion and sedimentation control activities shall adhere to the standards in LUO Section 22.52.150C.
32. **BIO-2** Site preparation, ground disturbance, and construction activities including any tree trimming and/or vegetation removal shall be conducted outside of the typical bat maternity roosting and pupping season (from February 1 to August 31), if feasible.

If site disturbance activities are to occur within this season, the applicant shall retain a County-qualified biologist to conduct a preconstruction survey within 14 days prior to commencement of proposed site disturbance activities. If any roosting bats are found during preconstruction surveys, no work activities shall occur within 100 feet of active roosts until bats have left the roosts. The County-qualified biologist shall prepare a report after each survey and a copy of the report shall be provided to the County within 14 days of completion of each survey. If no bat roosting activities are detected within the proposed work area, site disturbance and noise-producing construction activities may proceed, and no further mitigation is required.

33. **BIO-3 Site preparation, ground disturbance, and construction activities including any tree trimming and vegetation removal shall be conducted outside of the migratory bird nesting season (February 1 through August 31). If such activities cannot be avoided during this period, a County-approved qualified biologist shall conduct a preconstruction nestingbird survey no sooner than 1–4 weeks prior to tree removal activities and shall verify whether migratory birds are nesting in the site. If nesting activity is detected, the following measures shall be implemented:**

- a. The project shall be modified via the use of protective buffers, delaying construction activities, or other methods designated by the qualified biologist to avoid direct take of identified nests, eggs, and/or young protected under the Migratory Bird Treaty Act and/or California Fish and Game Code.
- b. The qualified biologist shall monitor the nests within the vicinity of project-related disturbances and determine if construction activities are causing behavioral changes or affecting nesting activities. Monitoring results shall then be utilized to develop an appropriate buffer around the next site to minimize disturbance. Construction activities within the buffer zone shall be prohibited until the young have fledged the nest and achieved independence.
- c. The qualified biologist shall document all active nests and submit a letter report to the County documenting project compliance with the Migratory Bird Treaty Act, California Fish and Game Code, and applicable project mitigation measures within 14 days of survey completion.

34. **BIO-4 At least 2 weeks prior to initiation of construction or site disturbance activities,** a County-qualified biologist shall conduct a survey for American badger dens within the impact footprint and surrounding accessible areas of the property. The biologist shall evaluate all dens found to determine whether or not they are active. In order to avoid potential impacts to adults and nursing young, no grading shall occur within 50 feet of an active badger den as determined by the County-approved biologist. Construction activities occurring between July 1 and February 28 shall comply with the following measures to avoid direct take of adult and weaned juvenile badgers through the forced abandonment of dens:

- a. A County-approved biologist shall conduct a biological survey at least 2 weeks prior to the start of construction to identify any potential badger dens. The survey shall cover the entire area proposed for development, including roadways.
- b. If dens are too long to see the end, a fiber optic scope (or other acceptable method such as using tracking medium for a consecutive 3-night period) shall be used to assess the presence of badgers.

- c. Inactive dens shall be excavated by hand with a shovel to prevent badgers from re-using them during construction.
 - d. Currently active den entrances shall be partially blocked with sticks, debris, and soil for 3–5 days to discourage badgers from continuing to use them. Access to the den shall be incrementally blocked to a greater degree over this period. After badgers have stopped using previously active den(s) within the project disturbance site, the den(s) shall be excavated by hand with a shovel to prevent re-entry.
 - e. The County-approved biologist shall be present during the initial clearing and grading activity. If additional badger dens are found at this time, all work shall cease until the biologist completes the measures described above for inactive and active dens. Once all badger dens have been excavated, work may resume.
35. **BIO-7 Between 14 and 30 days prior to the onset of grading, construction, or other site disturbance activities**, a County-approved qualified biologist shall conduct presence/absence surveys of San Joaquin kit fox and/or their dens within 200 feet of the project disturbance site following the U.S. Fish and Wildlife Service's standardized recommendations for protection of the San Joaquin kit fox prior to or during ground disturbance. A copy of the survey methods and results shall be provided to California Department of Fish and Wildlife and to the County within 14 days of completion of the surveys.
36. **BIO-8 Throughout the construction phase and ground disturbing activities**, the County-approved qualified biologist shall conduct weekly site visits during the site disturbance activities that proceed longer than 14 days, for the purpose of monitoring compliance with required mitigation measure BIO-9 below. When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the County.
37. **BIO-9 Prior to or during project activities**, if dens are found, no-disturbance buffers shall be established by the County-approved biologist in accordance with U.S. Fish and Wildlife Service 2011 recommendations.
- a. If kit fox is found occupying atypical (i.e., manmade structure) den sites, a 50-foot no-disturbance buffer shall be established around the occupied den site. If potential dens are found during surveys (per mitigation measure BIO-6), a 50-foot no-disturbance buffer shall be established.
 - b. If dens found are occupied or have been known to be occupied in the past, consultation with California Department of Fish and Wildlife shall occur and a 100-foot no-disturbance buffer shall be established.
 - c. If a natal kit fox pupping den is found during surveys, a 150-foot no-disturbance buffer shall be established and consultation with California Department of Fish and Wildlife shall occur.
- All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed. If kit foxes or potential dens are found onsite, daily monitoring during ground- disturbing activities shall be conducted by a County-qualified biologist and the biologist shall submit weekly monitoring reports to the County.
38. **BIO-10 Prior to or during project activities**, if San Joaquin kit fox are detected during

surveys or project construction/ground disturbing activities, consultation between the applicant, County, and California Department of Fish and Wildlife shall occur immediately to discuss how to implement the project and avoid take, or if avoidance is not feasible, an Incidental Take Permit shall be acquired pursuant to California Fish and Game Code Section 2081(b). If a potential den is encountered during construction, work shall stop until such time the California Department of Fish and Wildlife or the County determines it is appropriate to resume work.

39. **BIO-11 During the site disturbance and/or construction phase**, grading and construction activities after dusk shall be prohibited.
40. **BIO-12 Prior to the commencement of site grading or other site disturbance activities**, the applicant shall coordinate with the project contractors to facilitate the avoidance of development within oak tree critical root zones to the maximum extent feasible. For development encroachment into an oak tree's critical root zone, trimming over 25% of the canopy, or for road improvements under a tree's canopy, a 2:1 mitigation ratio shall be implemented (two trees planted for each tree impacted).
41. **BIO-13** In the event oak trees are impacted and mitigation plantings are implemented, a County-qualified botanist or biologist shall conduct an annual monitoring report for the following 7 years to document the success of the establishment of the mitigation plantings and determine compliance with all conditions of approval. These annual reports shall be submitted to the County Planning and Building Department for review.
42. **HAZ-1 During all construction activities**, all project-related spills of hazardous materials shall be cleaned up immediately. Appropriate spill prevention and cleanup materials shall be onsite at all times during construction.
43. **HAZ-2 During all construction activities**, the cleaning, refueling, and maintenance of equipment and vehicles shall occur only within designated staging areas. The staging areas shall conform to all Best Management Practices applicable to attaining zero discharge of stormwater runoff. At a minimum, all equipment and vehicles shall be checked and maintained on a daily basis to ensure proper operation and to avoid potential leaks or spills.

CONDITIONS REQUIRED TO BE COMPLETED PRIOR TO COMMENCEMENT OF PERMITTED ACTIVITIES/OCCUPANCY/FINAL INSPECTION

44. **Prior to commencing permitted activities**, the applicant shall obtain a business license through the County of San Luis Obispo Tax Collector's Office. Business license renewals shall be obtained by the applicant annually as required by Title 6 of the County Code.
45. **Prior to commencing permitted activities**, the applicant shall complete all State licensing requirements for cultivation at the approved location. A copy of all pertinent State licenses shall be submitted to the County Planning and Building Department prior to commencing permitted activities.
46. **Prior to commencing permitted activities**, the applicant shall demonstrate to the Planning and Building Department how cannabis activities will be physically and adequately separated from vacant areas or other non-cannabis uses onsite. The applicant shall obtain any necessary building permits related to any structures used for cannabis operations.
47. **Prior to commencing permitted activities**, the applicant shall submit to the County

Department of Public Works an encroachment permit application, plans, fees, and post a cash damage bond to install improvements within the public right-of-way in accordance with County Public Improvement Standards.

The plans are to include, as applicable:

- a. Reconstruct the existing Truesdale Road project site access driveway approach to current B-1a and A-5 standards.
48. **Prior to commencing permitted activities**, all work in the public right-of-way must be constructed or reconstructed to the satisfaction of the Public Works Inspector and in accordance with the County Public Improvement Standards; the project conditions of approval, including any related land use permit conditions; and the approved improvement plans.
49. **Prior to commencing permitted activities**, the applicant shall provide evidence to the Department of Planning and Building that onsite circulation and pavement structural sections have been designed and shall be constructed in conformance with CAL FIRE/County Fire standards and specifications back to the nearest public maintained roadway.
50. **Prior to occupancy or final inspection**, whichever occurs first, the applicant shall obtain final inspection and approval from CAL FIRE/County Fire of all required fire/life safety measures.
51. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

ONGOING CONDITIONS OF APPROVAL (VALID FOR THE LIFE OF THE PROJECT)

52. **Ongoing condition of approval (valid for the life of the project)**, to minimize project related traffic impacts in accordance with the project description, the project permit is restricted as follows:
 - a. Maximum 3-acre outdoor cannabis cultivation;
 - b. Maximum 6,000-square feet greenhouse cannabis cultivation;
 - c. Maximum 6,000-square feet of ancillary greenhouse cannabis nursery; and
 - d. Maximum 1,440-square feet indoor ancillary cannabis processing.
53. **Ongoing condition of approval (valid for the life of the project)**, and in accordance with County Code Section 13.08, no activities associated with this permit shall be allowed to occur within the public right-of-way including, but not limited to, project signage; landscaping; agricultural operations; etc. without a valid Encroachment Permit issued by the County Department of Public Works.
54. **Throughout the life of the project**, best management water conservation practices shall be maintained.
55. **HAZ-3 For the life of the project**, in the event accidental release and/or spill of Ecosorb CNB 100 occurs, the applicant shall ensure all onsite employees take the following measures immediately:
 - a. Stop leak if safe to do so, use of gloves and safety glasses is recommended;
 - b. Ventilate the spillage area;

- c. Avoid release into the environment by preventing liquid from entering sewers, watercourses, underground, or low areas;
 - d. Take up liquid spill into absorbent material; and
 - e. Dispose of materials or solid residues at an authorized site.
56. **Throughout the life of the project**, if at any point in time the onsite well serves 25 or more of the same individuals at least 6 months of the year, including all full time employees, a public water system permit is required to be obtained from the California State Water Resources Control Board (Water Board).
57. **Throughout the life of the project**, no outdoor lighting for the purposes of photosynthesis, or plant manipulation is allowed with this land use permit. Indoor lights shall be screened to not be seen from off-site and consistent with dark-sky standards.
58. **Throughout the life of the project**, the applicant shall maintain all components of the project security plan approved by the County Sheriff's Department.
59. **Throughout the life of the project**, the applicant shall post onsite all required land use permit approvals, all required State and County permits, and licenses required to operate. Such posting shall be in a central location, visible to the visitors, at the operating site, and in all vehicles that deliver or transport cannabis.
60. **Throughout the life of the project**, the applicant shall maintain clear and adequate records and documentation demonstrating that all cannabis or cannabis products have been obtained from, and are provided to, other permitted and licensed cannabis operations. The County shall have the right to examine, monitor, and audit such records and documentation, which shall be made available to the County upon request.
61. **Throughout the life of the project**, the applicant shall conduct all cannabis activities in compliance with all required County permits, State licenses, County ordinance, and State law and regulation. The applicant shall be responsible for the payment of all required fees and taxes.
62. **Throughout the life of the project**, at the time the County Cannabis Monitoring Program goes into effect, the applicant shall enter the program within 90 days. Any associated fees shall be paid to the County.
63. **Throughout the life of the project**, the cannabis cultivation shall be sited and/or operated in a manner that prevents cannabis nuisance odors from being detected offsite so as not to invoke any verified nuisance complaints.
64. **Throughout the life of the project**, pesticides and fertilizers shall be properly labeled, stored, and applied to avoid and prevent contamination through erosion, leakage, or inadvertent damage from rodents, pests, or wildlife.
65. **Throughout the life of the project**, throughout the life of the project, best management water conservation practices shall be maintained to reduce water use below the water analysis projections as described in the applicant's Water Management Plan.
66. **Throughout the life of the project**, no minors or unauthorized personnel shall be permitted inside any restricted access areas, including the cultivation areas, under any circumstance.

67. **Throughout the life of the project**, the property owner, applicant, or responsible party designated by the property owner must read the water meter used for cannabis and record the water usage on or near the first day of the month. These records must be maintained by the property owner, applicant, or responsible party designated by the property owner and may be subject to inspection only by code enforcement pursuant to a violation investigation.
68. **Throughout the life of the project**, the applicant shall meter water used for cannabis activities and provide the County Planning and Building Department with quarterly water usage monitoring reports based on meter readings.
69. **Throughout the life of the project**, the applicant shall meter electricity used for cannabis activities and provide the County Planning and Building Department with quarterly energy usage monitoring reports based on meter readings.
70. **Throughout the life of the project**, the property owner(s) shall grant access to the County of San Luis Obispo, its officers, agents, employees, and any other governmental entities and their respective officers, agents, and employees to enter onto the subject property to conduct site inspections. Inspections may occur any day of the week, without prior notice, between the hours of 8 a.m. – 6 p.m.

LAND USE PERMIT EXPIRATION

71. This Minor Use Permit for cannabis cultivation shall expire in 5 years from the approval date. Within a 12-month period prior to expiration, the applicant may request the Minor Use Permit be renewed for an additional 5-year period. Any such request for renewal shall be in writing to the County Planning and Building Department and shall be submitted in conjunction with the appropriate land use permit application. The request for renewal shall be processed with the same type of permit for the original entitlement. If a request for renewal is not requested or not granted, the Minor Use Permit shall be deemed expired.
72. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the County Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to LUO Section 22.74.160.



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING
TREVOR KEITH, DIRECTOR**

July 15, 2020

Jamie Jones Kirk Consulting
8830 Morro Road
Atascadero, CA 93422
Via email: jamie@kirk-consulting.net

Subject: DRC2020-00048 - Modification to Land Use Permit Application (Substantial Conformance) for Minor Use Permit DRC2018-00043 (Shandon Acres Associates LLC)

The County Planning and Building Department has reviewed the substantial conformance request for Minor Use Permit DRC2018-00043 (Shandon Acres Associates LLC). Based on the information provided and the County's review of the approved project, the County has determined that the proposed changes are in substantial conformance with the approved development and County's Land Use Ordinance. A review of the proposed changes and reason for the determination are provided below:

Description of Proposed Changes:

Modify the approved development and include a phasing plan, modifying the timing of development, and utilize an existing unused detached garage onsite for security monitoring and control.

1. Phase 1 – Outdoor cultivation totaling 3 acres of canopy within an existing fenced area that would be expanded from 2.5 acres to 3.4 acres (to allow for walkways), and utilization of the existing 760 sq. ft. detached garage for security monitoring and control.
2. Phase 2 – Construction of the greenhouses for up to 6,000 square feet of mixed-light (indoor) cannabis cultivation and 6,000 square feet of mixed-light (indoor) ancillary cannabis nursery, and construction of a building for up to 1,440 square feet of ancillary processing activities. The detached garage will continue to be utilized for security control.

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Substantial Conformance:

Subject to all conditions of approval from Minor Use Permit DRC2018-00043 and the special requirements outlined below. The proposed modifications are deemed in conformance with Minor Use Permit DRC2018-00043. This determination is made pursuant to Land Use Ordinance Section 22.64.050 (Changes to an Approved Project) on the basis that the proposed modifications will not result in an increased impact to the project or require modification to the conditions of approval associated with DRC2018-00043.

Special Requirements:

The proposed modifications shall comply with all original conditions from Minor Use Permit DRC2018-00043, as well as the following requirements:

1. Prior to commencing activities, the applicant shall meet the conditions of approval associated with each phase of Minor Use Permit DRC2018-00043 as shown in Attachment A.
2. At the time of application for a construction permit, this letter and all conditions of approval from Minor Use Permit DRC2018-00043 shall be printed on the projects plans.
3. Throughout the life of the project, the existing onsite residence shall remain unoccupied while the detached garage is being used for security monitoring.

Please note, this determination to approve the substantial conformance request does not grant any right to continue cultivation under Shandon Acres Associates' previous CCM Registration (CCM2016-00149). No cannabis activities may occur on the site until applicable conditions have been satisfied and verified by the Department.

Please be advised, the approval of this substantial conformance request does not exempt the applicant from compliance with the conditions of approval, County Building Codes, or California Building Codes that are applicable to each phase of the project.

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If you have any questions concerning these requirements, please contact me at ehughes@co.slo.ca.us or (805) 781-1591.

Sincerely,



Eric Hughes, Project Manager

Cc: Steve McMasters, Supervising Planner

Attachment A – Conditions of Approval Applicable to Project Phases

<u>Requirement</u>	<u>Phase</u>
APPROVED DEVELOPMENT	
1. This approval authorizes use for the following cannabis activities: a. 3 acres (130,680 square feet) of outdoor mature cannabis cultivation canopy; b. 6,000 square feet of mixed-light (indoor) cannabis cultivation area; c. 6,000 square feet of mixed-light (indoor) ancillary cannabis nursery cultivation area; and d. 1,440 square feet of processing activities.	Approved Development
2. The ancillary processing of Cannabis products is limited to Cannabis grown onsite only, and all processing activities shall be done in accordance with applicable State regulations and licenses. Cannabis manufacturing or processing of manufactured cannabis products is not authorized with this use permit.	
3. Prior to issuance of County Business License, the applicant shall obtain an Operator Identification Number(OIN) if required by the County Department of Agriculture / Weights and Measures, prior to any pesticides being used in conjunction with the commercial cultivation of cannabis; "pesticide" is a broad term, which includes insecticides, herbicides, fungicides, rodenticides, etc., as well as organically approved pesticides.	1
4. Prior to issuance of County Business License, the applicant shall submit evidence that coverage has been obtained under the Cannabis Cultivation General Order from the State Water Resources Control Board (SWRCB).	1 & 2
5. Prior to issuance of County Business License, the applicant shall submit evidence that solid waste and recycling collection will be consistent with LUO Sections 22.10.150.B and 22.10.150.C.	1
6. Prior to issuance of County Business License, the applicant shall install chain link fencing with security slats as shown on the approved plans and to enclose all proposed greenhouse and processing structures as approved by the County Sheriff's Department. Consistent with the approved plans and the County Sheriff's Department's recommendations, the fencing proposed to enclose the active cannabis use areas as identified in the site plan shall be 6 feet in height with secure locking gates.	1 & 2
7. Prior to issuance of County Business License, the applicant shall obtain a Fire Safety Plan from CAL FIRE/County Fire. All plans submitted to the County Planning and Building Department shall meet the fire and life safety requirements of the California Fire Code and those outlined in the Fire Safety Plan. Requirements shall include, but not be limited to, those outlined in the referral response letter, prepared by the CAL FIRE/County Fire Department for the proposed project, dated February 5, 2019.	1 & 2

<p>8.Prior to issuance of a County Business License, the applicant shall obtain offset clearance through the County Water Conservation Program for the net increase of project- related water use at a 1 :1 ratio as required by LUO Section 22.40.060.D.5.</p>	1
<p>9.Prior to issuance of a County Business License, the applicant shall submit full copies of any and all leases (e.g., ground, buildings, etc.) and/or production sharing agreements associated with the project to the County Assessor's Office for review.</p>	1 & 2
<p>10.BIO-5 Prior to issuance of a County Business License, the applicant shall submit evidence to the County Department of Planning and Building that satisfactorily demonstrates one or a combination of the following San Joaquin kitfox mitigation measure options has been implemented to offset the project's calculated compensatory impacts:</p> <p>a. Habitat Set Aside: Provide for the protection in perpetuity, through acquisition of fee or a conservation easement, of 9 acres of suitable habitat in the kitfox corridor area (e.g., within the San Luis Obispo kit fox habitat area northwest of Highway 58), either onsite or offsite, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands conserved shall be subject to review and approval by the CDFW and the County.</p> <p>b. In-Lieu Fee: Deposit funds into an approved in-lie fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area located primarily within San Luis Obispo County and provide for a non-wasting endowment for management and monitoring of the property in perpetuity. Funds would be provided to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between CDFW and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with CEQA. Total fees determined by the CDFW calculated based on the current cost-per-unit is \$2,500 per acre of mitigation. This fee must be paid after CDFW provides written notification about mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.</p> <p>C. Conservation Bank Credit: Purchase</p>	1
<p>9.0 credits in a CDFW-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity. Credits can be purchased through the CDFW-approved conservation bank, the Palo Prieto Conservation Bank. The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the CEQA. This fee is calculated based on the current Cost-per- credit of \$2,500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. The actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to County permit issuance and initiation of any ground-disturbing activities.</p>	

11. At the time of application for construction permits, plans submitted shall show all development consistent with the approved site plan, floor plan, and architectural elevations.	1 & 2
12. At the time of application for construction permits, all project conditions shall be clearly printed on the plans and construction documents shall be consistent with the currently adopted California Codes.	1 & 2
13. At the time of application for construction permits, all plans and engineering shall be prepared by a California Licensed Architect of Record or Engineer for all design portions of the project that do not meet "conventional construction" as defined by the current building code.	1 & 2
14. At the time of application for construction permits, to determine stormwater requirements, the applicant must account for the total area of disturbance associated with construction and indicate the limits of disturbance on the plans. The area of disturbance for construction purposes on the submitted plans must include all of the following: a. Utility improvement areas (installation of water lines or water supply tanks). b. New roadways, driveways, or turnouts. Include road upgrades that change the grade, line, surface, or drainage capacity of existing roads. c. Limits of all grading for permanent structures (dry storage containers, water tanks, roads, buildings, or greenhouses). Greenhouses have associated electrical, mechanical, foundation, and plumbing details. The area of disturbance associated with construction does not need to include the following areas: d. Temporary hoop structures or crop protection canopies. (Hoop structures have no associated electrical, mechanical, foundation or plumbing details.) e. Outdoor growing areas where cannabis will be planted if the disturbance is limited to disking, harrowing, terracing and leveling, and soil preparation for the purpose of planting. Projects that disturb greater than 1 acre or more for construction-related activities must enroll in the General Permit for Stormwater Discharges Associated with Construction (Order 2009-0009-DWQ).	1 & 2
15. At the time of application for construction permits, the applicant shall submit complete drainage plans for review and approval in accordance with LUO Section 22.52.J 10 (Drainage).	1 & 2
16. At the time of application for construction permits, the applicant shall submit a complete erosion and sedimentation control plan for review and approval in accordance with LUO Section 22.52.120.	1 & 2
17. At the time of application for construction permits, the applicant shall show the limits of the 100-year flood hazard boundary on the project plan.	1 & 2

18. At the time of application for construction permits, the applicant shall submit evidence to the County Department of Public Works that all new structures comply with County flood hazard construction standards, LUO Section 22.14.060.	2
19. At the time of application for construction permits, the submitted building plan set shall demonstrate consistency with California State Title 24 energy laws.	2
20. At the time of application for construction permits, the applicant shall provide a letter to the County Building Division from PG&E stating they are willing and able to service the property.	2
21. At the time of application for construction permits, the applicant shall provide a lighting plan consistent with LUO Section 22.10.060 showing all exterior lighting with shielding that confines light sources to the project site and shields neighboring properties.	1 & 2
22. AES-1 Prior to issuance of construction permits or establishment of the use, the applicant shall submit a light pollution prevention plan to the County Planning and Building Department for approval. This plan shall include, at a minimum, the following measure to reduce potential impact to night lighting: a. All facilities employing artificial lighting techniques shall include shielding and/or blackout tarps that are engaged between the period of 1 hour before dusk and 1 hour after dawn and prevent any and all light from escaping.	1 & 2

- 23. AQ-1** Prior to issuance of a construction permit, the standard mitigation measures for reducing nitrogen oxides, reactive organic gases, and diesel particulate matter emissions from construction equipment are listed below and shall be printed on construction plans and shall be adhered to during project construction:
- a. Maintain all construction equipment in proper tune according to manufacturer's specifications;
 - b. Fuel all off-road and portable diesel-powered equipment with California Air Resources Board-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
 - C. Use diesel construction equipment meeting the California Air Resources Board's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation;
 - d. Use on-road heavy-duty trucks that meet the California Air Resources Board's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;
 - e. Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g., captive or nitrogen oxides exempt area fleets) may be eligible by proving alternative compliance;
 - f. All on- and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and/or job sites to remind drivers and operators of the 5-minute idling limit;
 - g. Diesel idling shall be avoided to the greatest extent feasible throughout the duration of construction activities. No idling in excess of 5 minutes shall be permitted as described above;
 - h. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors whenever possible; Electrify equipment when feasible;
 - j. Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and,
 - k. Use alternatively fueled construction equipment onsite where feasible, such as compressed natural gas(CNG), liquefied natural gas (LNG), propane, or biodiesel.

1 & 2

<p>24. AQ-2 Prior to issuance of a construction permit, the following measures would apply to the project if the proposed farmworker's housing project located south of the project site (DRC2018-00001) is completed prior to the completion of the proposed project's site disturbance activities. These measures shall be printed on construction plans prior to issuance of a construction permit and shall be adhered to during project construction.</p> <ul style="list-style-type: none"> a. Reduce the amount of disturbed area where possible; b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 miles per hour. Reclaimed (non-potable) water shall be used whenever possible; C. All disk stockpile areas shall be sprayed daily as needed; d. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of any soil-disturbing activities; e. Exposed ground areas that are planned to be reworked at dates greater than 1 month after initial grading shall be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established; f. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemicals soil binders, jute netting, or other methods approved in advance by the San Luis Obispo County Air Pollution Control District; g. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used; h. Vehicle speed for all construction vehicles shall not exceed 15 miles per hour on any unpaved surface at the construction site; i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or shall maintain at least 2 feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 231 14; j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site; k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where feasible; 	1 & 2
<p>25. At the time of application for construction permits, the applicant shall provide specifications related to all odor mitigation technologies proposed. Any odor mitigating technologies shall be identified on all applicable site and floor plans.</p>	2

<p>26.Prior to issuance of grading or construction permits, the applicant shall have a well meter installed on any new or existing well proposed to be used for cannabis activities. Installation of the meter must be performed to the satisfaction of the County Public Works Inspector and shall be in conformance with the Water Well Metering Standards and Installation Guidelines set forth by the Department of Public Works and incorporated into the County Public Improvement Standards.</p>	1
<p>27.BIO-1 Prior to issuance of grading or construction permits, or prior to site disturbance activities, the applicant shall provide evidence that they have retained a County-qualified biologist.</p>	1 & 2
<p>28.BIO-6 Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction, all personnel associated with the project shall attend a worker education training program, conducted by a County- approved qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e., San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox's life history, all mitigation measures specified by the County, and any related biological report(s) prepared for the project. The applicant shall notify the County within 5 days prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employees, and other personnel involved with the construction of the project. The County- approved qualified biologist shall prepare a summary report of the training and provide a copy of the report to the County within 14 days of training completion.</p>	1 & 2
<p>29.Prior to issuance of a construction permit, the applicant shall pay all applicable road and public facilities fees.</p>	1
<p>30.Prior to issuance of a construction permit, the applicant shall pay the housing impact fee as required by LUO Section 22.1 2.080.F.1, or may defer fee payment pursuant to LUO Section 22.12.080.F.4. As an alternative the applicant may provide housing units or a land donation, pursuant to LUO Section 22.12.080.F.3.</p>	2
<p>31.During the project construction activities, Cannabis cultivation grading activities shall be consistent with the conservation practices and standards contained in the USDA Natural Resources Conservation Service (NRCS) Field Office Technical Guide (FOTG). Practices shall not adversely affect slope stability or groundwater recharge and shall prevent offsite drainage and erosion and sedimentation impacts. Erosion and sedimentation control activities shall adhere to the standards in LUO Section 22.52.150C.</p>	1 & 2

<p>32.BIO-2 Site preparation, ground disturbance, and construction activities including any tree trimming and/or vegetation removal shall be conducted outside of the typical bat maternity roosting and pupping season (from February 1 to August 31), if feasible. If site disturbance activities are to occur within this season, the applicant shall retain a County-qualified biologist to conduct a preconstruction survey within 14 days prior to commencement of proposed site disturbance activities. If any roosting bats are found during preconstruction surveys, no work activities shall occur within 100 feet of active roosts until bats have left the roosts. The County-qualified biologist shall prepare a report after each survey and a copy of the report shall be provided to the County within 14 days of completion of each survey. If no bat roosting activities are detected within the proposed work area, site disturbance and noise-producing construction activities may proceed, and no further mitigation is required.</p>	1 & 2
<p>33. BIO-3 Site preparation, ground disturbance, and construction activities including any tree trimming and vegetation removal shall be conducted outside of the migratory bird nesting season (February 1 through August 31). If such activities cannot be avoided during this period, a County-approved qualified biologist shall conduct a preconstruction nesting bird survey no sooner than 1—4 weeks prior to tree removal activities and shall verify whether migratory birds are nesting in the site. If nesting activity is detected, the following measures shall be implemented:</p> <p>a. The project shall be modified via the use of protective buffers, delaying construction activities, or other methods designated by the qualified biologist to avoid direct take of identified nests, eggs, and/or young protected under the Migratory Bird Treaty Act and/or California Fish and Game Code.</p> <p>b. The qualified biologist shall monitor the nests within the vicinity of project-related disturbances and determine if construction activities are causing behavioral changes or affecting nesting activities. Monitoring results shall then be utilized to develop an appropriate buffer around the next site to minimize disturbance. Construction activities within the buffer zone shall be prohibited until the young have fledged the nest and achieved independence.</p> <p>C. The qualified biologist shall document all active nests and submit a letter report to the County documenting project compliance with the Migratory Bird Treaty Act, California Fish and Game Code, and applicable project mitigation measures within 14 days of survey completion.</p>	1 & 2

<p>34. BIO-4 At least 2 weeks prior to initiation of construction or site disturbance activities, a County- qualified biologist shall conduct a survey for American badger dens within the impact footprint and surrounding accessible areas of the property. The biologist shall evaluate all dens found to determine whether or not they are active. In order to avoid potential impacts to adults and nursing young, no grading shall occur within 50 feet of an active badger den as determined by the County-approved biologist. Construction activities occurring between July 1 and February 28 shall comply with the following measures to avoid direct take of adult and weaned juvenile badgers through the forced abandonment of dens:</p> <ul style="list-style-type: none"> a. A County-approved biologist shall conduct a biological survey at least 2 weeks prior to the start of construction to identify any potential badger dens. The survey shall cover the entire area proposed for development, including roadways. b. If dens are too long to see the end, a fiber optic scope (or other acceptable method such as using tracking medium for a consecutive 3-night period) shall be used to assess the presence of badgers. c. Inactive dens shall be excavated by hand with a shovel to prevent badgers from re-using them during construction. d. Currently active den entrances shall be partially blocked with sticks, debris, and soil for 3—5 days to discourage badgers from continuing to use them. Access to the den shall be incrementally blocked to a greater degree over this period. After badgers have stopped using previously active den(s) within the project disturbance site, the den(s) shall be excavated by hand with a shovel to prevent re-entry. e. The County-approved biologist shall be present during the initial clearing and grading activity. If additional badger dens are found at this time, all work shall cease until the biologist completes the measures described above for inactive and active dens. Once all badger dens have been excavated, work may resume. 	1 & 2
<p>35. BIO-7 Between 14 and 30 days prior to the onset of grading, construction, or other site disturbance activities, a County-approved qualified biologist shall conduct presence/absence surveys of San Joaquin kit fox and/or their dens within 200 feet of the project disturbance site following the U.S. Fish and Wildlife Service's standardized recommendations for protection of the San Joaquin kit fox prior to or during ground disturbance. A copy of the survey methods and results shall be provided to California Department of Fish and Wildlife and to the County within 14 days of completion of the surveys.</p>	1 & 2

<p>36.BIO-8 Throughout the construction phase and ground disturbing activities, the County-approved qualified biologist shall conduct weekly site visits during the site disturbance activities that proceed longer than 14 days, for the purpose of monitoring compliance with required mitigation measure BIO-9 below. When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the County.</p>	<p>1 & 2</p>
<p>37.BIO-9 Prior to or during project activities, if dens are found, no-disturbance buffers shall be established by the County-approved biologist in accordance with U.S. Fish and Wildlife Service 2011 recommendations.</p> <ul style="list-style-type: none"> a. If kit fox is found occupying atypical (i.e., manmade structure) den sites, a 50- foot no-disturbance buffer shall be established around the occupied den site. If potential dens are found during surveys (per mitigation measure BIO-6), a 50-foot no-disturbance buffer shall be established. b. If dens found are occupied or have been known to be occupied in the past, consultation with California Department of Fish and Wildlife shall occur and a 100- foot no-disturbance buffer shall be established. c. If a natal kit fox pupping den is found during surveys, a 150-foot no-disturbance buffer shall be established and consultation with California Department of Fish and Wildlife shall occur. <p>All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed. If kit foxes or potential dens are found onsite, daily monitoring during ground-disturbing activities shall be conducted by a County-qualified biologist and the biologist shall submit weekly monitoring reports to the County.</p>	<p>1 & 2</p>
<p>38.BIO-10 Prior to or during project activities, if San Joaquin kit fox are detected during surveys or project construction/ground disturbing activities, consultation between the applicant, County, and California Department of Fish and Wildlife shall occur immediately to discuss how to implement the project and avoid take, or if avoidance is not feasible, an Incidental Take Permit shall be acquired pursuant to California Fish and Game Code Section 2081(b). If a potential den is encountered during construction, work shall stop until such time the California Department of Fish and Wildlife or the County determines it is appropriate to resume work.</p>	<p>1 & 2</p>
<p>39.BIO-11 During the site disturbance and/or construction phase, grading and construction activities after dusk shall be prohibited.</p>	<p>1 & 2</p>

40. BIO-12 Prior to the commencement of site grading or other site disturbance activities, the applicant shall coordinate with the project contractors to facilitate the avoidance of development within oak tree critical root zones to the maximum extent feasible. For development encroachment into an oak tree's critical root zone, trimming over 250% of the canopy, or for road improvements under a tree's canopy, a 2:1 mitigation ratio shall be implemented (two trees planted for each tree impacted).	1 & 2
41. BIO-13 In the event oak trees are impacted and mitigation plantings are implemented, a County-qualified botanist or biologist shall conduct an annual monitoring report for the following 7 years to document the success of the establishment of the mitigation plantings and determine compliance with all conditions of approval. These annual reports shall be submitted to the County Planning and Building Department for review.	1 & 2
42. HAZ-1 During all construction activities, all project-related spills of hazardous materials shall be cleaned up immediately. Appropriate spill prevention and cleanup materials shall be onsite at all times during construction.	1 & 2
43. HAZ-2 During all construction activities, the cleaning, refueling, and maintenance of equipment and vehicles shall occur only within designated staging areas. The staging areas shall conform to all Best Management Practices applicable to attaining zero discharge of stormwater runoff. At a minimum, all equipment and vehicles shall be checked and maintained on a daily basis to ensure proper operation and to avoid potential leaks or spills.	1 & 2
44. Prior to commencing permitted activities, the applicant shall obtain a business license through the County of San Luis Obispo Tax Collector's Office. Business license renewals shall be obtained by the applicant annually as required by Title 6 of the County Code.	1
45. Prior to commencing permitted activities, the applicant shall complete all State licensing requirements for cultivation at the approved location. A copy of all pertinent State licenses shall be submitted to the County Planning and Building Department prior to commencing permitted activities.	1 & 2
46. Prior to commencing permitted activities, the applicant shall demonstrate to the Planning and Building Department how cannabis activities will be physically and adequately separated from vacant areas or other non-cannabis uses onsite. The applicant shall obtain any necessary building permits related to any structures used for cannabis operations.	1 & 2
47. Prior to commencing permitted activities, the applicant shall submit to the County Department of Public Works an encroachment permit application, plans, fees, and post a cash damage bond to install improvements within the public right-of-way in accordance with County Public Improvement Standards. The plans are to include, as applicable: a. Reconstruct the existing Truesdale Road project site access driveway approach to current B-1 a and A-5 standards.	1
48. Prior to commencing permitted activities, all work in the public right-of-way must be constructed or reconstructed to the satisfaction of the Public Works Inspector and in accordance with the County Public Improvement Standards; the project conditions of approval, including any related land use permit conditions; and	1 & 2

the approved improvement plans.	
49. Prior to commencing permitted activities, the applicant shall provide evidence to the Department of Planning and Building that onsite circulation and pavement structural sections have been designed and shall be constructed in conformance with CAL FIRE/County Fire standards and specifications back to the nearest public maintained roadway.	1 & 2
50. Prior to occupancy or final inspection, whichever occurs first, the applicant shall obtain final inspection and approval from CAL FIRE/County Fire of all required fire/life safety measures.	1 & 2
51. Prior to occupancy of any structure associated with this approval, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.	1 & 2
52. Ongoing condition of approval (valid for the life of the project), to minimize project related traffic impacts in accordance with the project description, the project permit is restricted as follows: a. Maximum 3-acre outdoor cannabis cultivation; b. Maximum 6,000-square feet greenhouse cannabis cultivation; c. Maximum 6,000-square feet of ancillary greenhouse cannabis nursery; and d. Maximum 1,440-square feet indoor ancillary cannabis processing.	On-going Condition
53. Ongoing condition of approval (valid for the life of the project), and in accordance with County Code Section 13.08, no activities associated with this permit shall be allowed to occur within the public right-of-way including, but not limited to, project signage; landscaping; agricultural operations; etc. without a valid Encroachment Permit issued by the County Department of Public Works.	On-going Condition
54. Throughout the life of the project, best management water conservation practices shall be maintained.	On-going Condition
55. HAZ-3 For the life of the project, in the event accidental release and/or spill of Ecosorb CNB 100 occurs, the applicant shall ensure all onsite employees take the following measures immediately: a. Stop leak if safe to do so, use of gloves and safety glasses is recommended; b. Ventilate the spillage area; c. Avoid release into the environment by preventing liquid from entering sewers, watercourses, underground, or low areas; d. Take up liquid spill into absorbent material; and e. Dispose of materials or solid residues at an authorized site.	On-going Condition
56. Throughout the life of the project, if at any point in time the onsite well serves 25 or more of the same individuals at least 6 months of the year, including all full time employees, a public water system permit is required to be obtained from the California State Water Resources Control Board (Water Board).	On-going Condition

57. Throughout the life of the project, no outdoor lighting for the purposes of photosynthesis, or plant manipulation is allowed with this land use permit. Indoor lights shall be screened to not be seen from off-site and consistent with dark-sky standards.	On-going Condition
58. Throughout the life of the project, the applicant shall maintain all components of the project security plan approved by the County Sheriff's Department.	On-going Condition
59. Throughout the life of the project, the applicant shall post onsite all required land use permit approvals, all required State and County permits, and licenses required to operate. Such posting shall be in a central location, visible to the visitors, at the operating site, and in all vehicles that deliver or transport cannabis.	On-going Condition
60. Throughout the life of the project, the applicant shall maintain clear and adequate records and documentation demonstrating that all cannabis or cannabis products have been obtained from, and are provided to, other permitted and licensed cannabis operations. The County shall have the right to examine, monitor, and audit such records and documentation, which shall be made available to the County upon request.	On-going Condition
61. Throughout the life of the project, the applicant shall conduct all cannabis activities in compliance with all required County permits, State licenses, County ordinance, and state law and regulation. The applicant shall be responsible for the payment of all required fees and taxes.	On-going Condition
62. Throughout the life of the project, at the time the County Cannabis Monitoring Program goes into effect, the applicant shall enter the program within 90 days. Any associated fees shall be paid to the County.	On-going Condition
63. Throughout the life of the project, the cannabis cultivation shall be sited and/or operated in a manner that prevents cannabis nuisance odors from being detected offsite so as not to invoke any verified nuisance complaints.	On-going Condition
64 Throughout the life of the project, pesticides and fertilizers shall be properly labeled, stored, and applied to avoid and prevent contamination through erosion, leakage, or inadvertent damage from rodents, pests, or Wildlife.	On-going Condition
65. Throughout the life of the project, throughout the life of the project, best management water conservation practices shall be maintained to reduce water use below the water analysis projections as described in the applicant's Water Management Plan.	On-going Condition
66. Throughout the life of the project, no minors or unauthorized personnel shall be permitted inside any restricted access areas, including the cultivation areas, under any circumstance.	On-going Condition
67. Throughout the life of the project, the property owner, applicant, or responsible party designated by the property owner must read the water meter used for cannabis and record the water usage on or near the first day of the month. These records must be maintained by the property owner, applicant, or responsible party designated by the property owner and may be subject to inspection only by code enforcement pursuant to a violation investigation.	On-going Condition

68. Throughout the life of the project, the applicant shall meter water used for cannabis activities and provide the County Planning and Building Department with quarterly water usage monitoring reports based on meter readings.	On-going Condition
69. Throughout the life of the project, the applicant shall meter electricity used for cannabis activities and provide the County Planning and Building Department with quarterly energy usage monitoring reports based on meter readings.	On-going Condition
70. Throughout the life of the project, the property owner(s) shall grant access to the County of San Luis Obispo, its officers, agents, employees, and any other governmental entities and their respective officers, agents, and employees to enter onto the subject property to conduct site inspections. Inspections may occur any day of the week, without prior notice, between the hours of 8 a.m. — 6 p.m.	On-going Condition
71. This Minor Use Permit for cannabis cultivation shall expire in 5 years from the approval date. Within a 12-month period prior to expiration, the applicant may request the Minor Use Permit be renewed for an additional 5-year period. Any such request for renewal shall be in writing to the County Planning and Building Department and shall be submitted in conjunction with the appropriate land use permit application. The request for renewal shall be processed with the same type of permit for the original entitlement. If a request for renewal is not requested or not granted, the Minor Use Permit shall be deemed expired.	On-going Condition
72. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the County Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to LUO Section 22.74.160.	On-going Condition



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING
Trevor Keith Director of Planning & Building

December 6, 2024

TIMOTHY WENDORFF
PO BOX 581
SANTA MARGARITA, CA 93435

SUBJECT: Notice of Final County Action, PDH Cannabis, Non-Coastal Appealable, AMEND2023-00009

Dear Sir/Madam,

This letter is to notify you that application **AMEND2023-00009** was **Approved** by the **Planning Department Hearing Officer** on **December 6, 2024**, based on the adopted findings and subject to the conditions of approval, both of which are attached for your records.

If the use authorized by this approval has not been established or if substantial work on the property towards the establishment of the use is not in progress after a period of 24 months from the date of this approval or such other time period as may be designated through approved conditions, this approval shall expire and become void unless an extension of time has been granted pursuant to the provisions of Section 22.64.070 or Section 23.02.050 of the County Land Use Ordinance. If the use authorized by this approval, once established, is or has been unused, abandoned, discontinued, or has ceased for a period of six (6) months or conditions have not been complied with, such approval shall become void.

Pursuant to County Land Use Ordinance Section 22.70.050 or County Real Property Division Ordinance Section 21.04.020 or Coastal Zone Land Use Ordinance Section 23.01.042, any aggrieved person may appeal this decision to the Board of Supervisors within 14 calendar days of the decision. Appeals must be filed, in writing and on the appropriate form, with the Department of Planning & Building. An appeal fee, set by ordinance, applies to all inland appeals and coastal appeals where no legitimate coastal resource issues related to the County's Local Coastal Plan are raised in the appeal. If the appeal fee is applicable, it must be paid at the time the appeal is filed. An original signature is required on the appeal form, facsimiles (digital or hard copy) will not be accepted.

Please note that no construction permits may be issued until the appeal period(s) described above have expired without any appeals being filed.

If you have any questions regarding your project, please contact **Nicholas Burgnon** at 805-781-5600.

Sincerely,

Ysabel Eighmy

Ysabel Eighmy, Secretary
County of San Luis Obispo
Department of Planning & Building

EXHIBIT A – FINDINGS
AMEND2023-00009 / T-DUB FARMS, LLC

ENVIRONMENTAL DETERMINATION

- A. The Environmental Coordinator found that the previously adopted Mitigated Negative Declaration (ED19-106) is adequate for the purposes of compliance with California Environmental Quality Act (CEQA). Per State CEQA Guidelines (Sec. 15164(a), Sec. 15162) an Addendum to the adopted Mitigated Negative Declaration was prepared as the following conditions apply: 1) only minor technical changes or additions are necessary; 2) no substantial changes have been made or occurred that would require major revisions to the Mitigated Negative Declaration due to either new significant effects or substantial increases in the severity of previously identified significant effects; 3) substantial changes have not occurred with respect to the circumstances under which the project is undertaken; and 4) no new information of substantial importance which was not known or could not have been known at the time of the adopted Mitigated Negative Declaration has been identified.

MINOR USE PERMIT

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because cannabis cultivation and ancillary activities are allowed land uses and as conditioned, are consistent with all applicable General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 22 of the County Code.
- D. The continued operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because cannabis cultivation does not generate activity that presents a potential threat to the surrounding property and buildings, water use will be minimized and actual usage is monitored, required security measures are installed and will be maintained, pesticide use shall comply with County of San Luis Obispo Department of Agriculture regulations, State water quality regulations shall be met, solid waste will be properly disposed of, and nuisance odor shall be adequately controlled to not be detectable off-site. This project is subject to Land Use Ordinance and Building Code requirements designed to address health, safety, and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the proposed cannabis activities do not conflict with the surrounding land uses, would not be open to the public, would not be visible from public viewpoints off-site, and nuisance odors would be adequately controlled to prevent off-site detection.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved because the project is located on Truesdale Road, constructed to a level able to handle any additional traffic associated with the project. Projected trip generation from the project would be

generally consistent with surrounding land uses and would not have a significant effect on existing roadway operations.

CANNABIS CULTIVATION

- G. The cannabis cultivation, as proposed, will comply with all the requirements of State and County for the cultivation of cannabis, including dual licensure and participation in an authorized track-and-trace program.
- H. The cannabis cultivation will not be located within one thousand (1,000) feet from any pre-school, elementary school, junior high school, high school, library, park, playground, recreation or youth center, licensed drug or alcohol recovery facility, or licensed sober living facility.
- I. The cannabis cultivation includes adequate measures that minimize use of water for cannabis cultivation at the site.
- J. The cannabis cultivation includes adequate quality control measures to ensure cannabis cultivated at the site meets State regulatory standards.
- K. The cannabis cultivation includes adequate measures that address enforcement priorities for cannabis activities including restricting access to minors and ensuring that cannabis and cannabis products are not supplied to unlicensed or unpermitted persons within the State and not distributed out of State.

EXHIBIT B (CLEAN) - CONDITIONS OF APPROVAL
AMEND2023-00009 / T-DUB FARMS, LLC

APPROVED DEVELOPMENT

1. An increase of the project's water demand from 3.04 acre-feet per year (AFY) to 6.67 AFY.
2. This approval authorizes use for the following cannabis activities:
 - a. 3 acres (130,680 square feet) of outdoor mature cannabis cultivation canopy;
 - b. 6,000 square feet of mixed-light (indoor) cannabis cultivation area;
 - c. 6,000 square feet of mixed-light (indoor) ancillary cannabis nursery cultivation area; and
 - d. 1,440 square feet of processing activities.
3. The ancillary processing of cannabis products is limited to cannabis grown onsite only, and all processing activities shall be done in accordance with applicable State regulations and licenses. Cannabis manufacturing or processing of manufactured cannabis products is not authorized with this use permit.

CONDITIONS REQUIRED TO BE COMPLETED PRIOR TO ISSUANCE OF A COUNTY BUSINESS LICENSE

4. **Prior to issuance of County Business License**, the applicant shall obtain an Operator Identification Number (OIN) if required by the County Department of Agriculture / Weights and Measures, prior to any pesticides being used in conjunction with the commercial cultivation of cannabis; "pesticide" is a broad term, which includes insecticides, herbicides, fungicides, rodenticides, etc., as well as organically approved pesticides.
5. **Prior to issuance of County Business License**, the applicant shall submit evidence that coverage has been obtained under the Cannabis Cultivation General Order from the State Water Resources Control Board (SWRCB).
6. **Prior to issuance of County Business License**, the applicant shall submit evidence that solid waste and recycling collection will be consistent with LUO Sections 22.10.150.B and 22.10.150.C.
7. **Prior to issuance of County Business License**, the applicant shall install chain link fencing with security slats as shown on the approved plans and to enclose all proposed greenhouse and processing structures as approved by the County Sheriff's Department. Consistent with the approved plans and the County Sheriff's Department's recommendations, the fencing proposed to enclose the active cannabis use areas as identified in the site plan shall be 6 feet in height with secure locking gates.
8. **Prior to issuance of County Business License**, the applicant shall obtain a Fire Safety Plan from CAL FIRE/County Fire. All plans submitted to the County Planning and Building Department shall meet the fire and life safety requirements of the California Fire Code and those outlined in the Fire Safety Plan. Requirements shall include, but not be limited to, those outlined in the referral response letter, prepared by the CAL FIRE/County Fire Department for the proposed project, dated February 5, 2019.
9. **Prior to issuance of a County Business License**, the applicant shall obtain offset clearance through the County Water Conservation Program for the net increase of project-related water use at a 1:1 ratio as required by LUO Section 22.40.060.D.5.
10. **Prior to issuance of a County Business License**, the applicant shall submit full copies of any and all leases (e.g., ground, buildings, etc.) and/or production sharing agreements associated with the project to the County Assessor's Office for review.

11. **BIO-5 Prior to issuance of a County Business License**, the applicant shall submit evidence to the County Department of Planning and Building that satisfactorily demonstrates one or a combination of the following San Joaquin kit fox mitigation measure options has been implemented to offset the project's calculated compensatory impacts:
- a. Habitat Set Aside: Provide for the protection in perpetuity, through acquisition of fee or a conservation easement, of 9 acres of suitable habitat in the kit fox corridor area (e.g., within the San Luis Obispo kit fox habitat area northwest of Highway 58), either onsite or offsite, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands conserved shall be subject to review and approval by the CDFW and the County.
 - b. In-Lieu Fee: Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area located primarily within San Luis Obispo County and provide for a non-wasting endowment for management and monitoring of the property in perpetuity. Funds would be provided to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between CDFW and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with CEQA. Total fees determined by the CDFW calculated based on the current cost-per-unit is \$2,500 per acre of mitigation. This fee must be paid after CDFW provides written notification about mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.
 - c. Conservation Bank Credit: Purchase 9.0 credits in a CDFW-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity. Credits can be purchased through the CDFW-approved conservation bank, the Palo Prieto Conservation Bank. The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the CEQA. This fee is calculated based on the current cost-per-credit of \$2,500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. The actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to County permit issuance and initiation of any ground-disturbing activities.

CONDITIONS REQUIRED TO BE COMPLETED AT THE TIME OF APPLICATION/PRIOR TO ISSUANCE OF CONSTRUCTION PERMITS

Site Development

12. **At the time of application for construction permits**, plans submitted shall show all development consistent with the approved site plan, floor plan, and architectural elevations.
13. **At the time of application for construction permits**, all project conditions shall be clearly printed on the plans and construction documents shall be consistent with the currently adopted California Codes.
14. **At the time of application for construction permits**, all plans and engineering shall be prepared by a California Licensed Architect of Record or Engineer for all design portions of the project that do not meet "conventional construction" as defined by the current building code.

Drainage

15. **At the time of application for construction permits**, to determine stormwater requirements, the applicant must account for the total area of disturbance associated with construction and indicate the limits of disturbance on the plans.

The area of disturbance for construction purposes on the submitted plans must include all of the following:

- a. Utility improvement areas (installation of water lines or water supply tanks).
- b. New roadways, driveways, or turnouts. Include road upgrades that change the grade, line, surface, or drainage capacity of existing roads.
- c. Limits of all grading for permanent structures (dry storage containers, water tanks, roads, buildings, or greenhouses). Greenhouses have associated electrical, mechanical, foundation, and plumbing details.

The area of disturbance associated with construction does not need to include the following areas:

- d. Temporary hoop structures or crop protection canopies. (Hoop structures have no associated electrical, mechanical, foundation or plumbing details.)
- e. Outdoor growing areas where cannabis will be planted if the disturbance is limited to disking, harrowing, terracing and leveling, and soil preparation for the purpose of planting.

Projects that disturb greater than 1 acre or more for construction-related activities must enroll in the General Permit for Stormwater Discharges Associated with Construction (Order 2009-0009-DWQ).

16. **At the time of application for construction permits**, the applicant shall submit complete drainage plans for review and approval in accordance with LUO Section 22.52.110 (Drainage).

17. **At the time of application for construction permits**, the applicant shall submit a complete erosion and sedimentation control plan for review and approval in accordance with LUO Section 22.52.120.

18. **At the time of application for construction permits**, the applicant shall show the limits of the 100-year flood hazard boundary on the project plan.

19. **At the time of application for construction permits**, the applicant shall submit evidence to the County Department of Public Works that all new structures comply with County flood hazard construction standards, LUO Section 22.14.060.

Energy

20. **At the time of application for construction permits**, the submitted building plan set shall demonstrate consistency with California State Title 24 energy laws.

21. **At the time of application for construction permits**, the applicant shall provide a letter to the County Building Division from PG&E stating they are willing and able to service the property.

Lighting

22. **At the time of application for construction permits**, the applicant shall provide a lighting plan consistent with LUO Section 22.10.060 showing all exterior lighting with shielding that confines light sources to the project site and shields neighboring properties.

23. AES-1 Prior to issuance of construction permits or establishment of the use, the applicant shall submit a light pollution prevention plan to the County Planning and Building Department for approval. This plan shall include, at a minimum, the following measure to reduce potential impact to night lighting:

- a. All facilities employing artificial lighting techniques shall include shielding and/or blackout tarps that are engaged between the period of 1 hour before dusk and 1 hour after dawn and prevent any and all light from escaping.

Air Quality/Odor

24. AQ-1 Prior to issuance of a construction permit, the standard mitigation measures for reducing nitrogen oxides, reactive organic gases, and diesel particulate matter emissions from construction equipment are listed below and shall be printed on construction plans and shall be adhered to during project construction:

- a. Maintain all construction equipment in proper tune according to manufacturer's specifications;
- b. Fuel all off-road and portable diesel-powered equipment with California Air Resources Board-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
- c. Use diesel construction equipment meeting the California Air Resources Board's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation;
- d. Use on-road heavy-duty trucks that meet the California Air Resources Board's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;
- e. Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g., captive or nitrogen oxides exempt area fleets) may be eligible by proving alternative compliance;
- f. All on- and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and/or job sites to remind drivers and operators of the 5-minute idling limit;
- g. Diesel idling shall be avoided to the greatest extent feasible throughout the duration of construction activities. No idling in excess of 5 minutes shall be permitted as described above;
- h. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors whenever possible;
- i. Electrify equipment when feasible;
- j. Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and,
- k. Use alternatively fueled construction equipment onsite where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel.

25. AQ-2 Prior to issuance of a construction permit, the following measures would apply to the project if the proposed farmworker's housing project located south of the project site (DRC2018-00001) is completed prior to the completion of the proposed project's site disturbance activities. These measures shall be printed on construction plans prior to issuance of a construction permit, and shall be adhered to during project construction.

- a. Reduce the amount of disturbed area where possible;

- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 miles per hour. Reclaimed (non-potable) water shall be used whenever possible;
 - c. All dirt stockpile areas shall be sprayed daily as needed;
 - d. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of any soil-disturbing activities;
 - e. Exposed ground areas that are planned to be reworked at dates greater than 1 month after initial grading shall be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
 - f. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemicals soil binders, jute netting, or other methods approved in advance by the San Luis Obispo County Air Pollution Control District;
 - g. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;
 - h. Vehicle speed for all construction vehicles shall not exceed 15 miles per hour on any unpaved surface at the construction site;
 - i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or shall maintain at least 2 feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114;
 - j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
 - k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where feasible;
 - l. All of these fugitive dust mitigation measures shall be shown on grading and building plans; and
 - m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the San Luis Obispo County Air Pollution Control District Compliance Division prior to the start of any grading, earthwork or demolition.
26. **At the time of application for construction permits**, the applicant shall provide specifications related to all odor mitigation technologies proposed. Any odor mitigating technologies shall be identified on all applicable site and floor plans.

Water

27. **Prior to issuance of grading or construction permits**, the applicant shall have a well meter installed on any new or existing well proposed to be used for cannabis activities. Installation of the meter must be performed to the satisfaction of the County Public Works Inspector and shall be in conformance with the Water Well Metering Standards and Installation Guidelines set forth by the Department of Public Works and incorporated into the County Public Improvement Standards.

Biological Resources

28. **BIO-1 Prior to issuance of grading or construction permits**, or prior to site disturbance activities, the applicant shall provide evidence that they have retained a County-qualified biologist.
29. **BIO-6 Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction**, all personnel associated with the project shall attend a worker education training program, conducted by a County-approved qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e., San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox's life history, all mitigation measures specified by the County, and any related biological report(s) prepared for the project. The applicant shall notify the County within 5 days prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employees, and other personnel involved with the construction of the project. The County-approved qualified biologist shall prepare a summary report of the training and provide a copy of the report to the County within 14 days of training completion.

Fees

30. **Prior to issuance of a construction permit**, the applicant shall pay all applicable road and public facilities fees.
31. **Prior to issuance of a construction permit**, the applicant shall pay the housing impact fee as required by LUO Section 22.12.080.F.1, or may defer fee payment pursuant to LUO Section 22.12.080.J.4. As an alternative the applicant may provide housing units or a land donation, pursuant to LUO Section 22.12.080.F.3.

CONDITIONS REQUIRED TO BE IMPLEMENTED PRIOR TO SITE DISTURBANCE/DURING CONSTRUCTION ACTIVITIES

32. **During the project construction activities**, Cannabis cultivation grading activities shall be consistent with the conservation practices and standards contained in the USDA Natural Resources Conservation Service (NRCS) Field Office Technical Guide (FOTG). Practices shall not adversely affect slope stability or groundwater recharge and shall prevent offsite drainage and erosion and sedimentation impacts. Erosion and sedimentation control activities shall adhere to the standards in LUO Section 22.52.150C.
33. **BIO-2** Site preparation, ground disturbance, and construction activities including any tree trimming and/or vegetation removal shall be conducted outside of the typical bat maternity roosting and pupping season (from February 1 to August 31), if feasible.
If site disturbance activities are to occur within this season, the applicant shall retain a County-qualified biologist to conduct a preconstruction survey within 14 days prior to commencement of proposed site disturbance activities. If any roosting bats are found during preconstruction surveys, no work activities shall occur within 100 feet of active roosts until bats have left the roosts. The County-qualified biologist shall prepare a report after each survey and a copy of the report shall be provided to the County within 14 days of completion of each survey. If no bat roosting activities are detected within the proposed work area, site disturbance and noise-producing construction activities may proceed and no further mitigation is required.

34. **BIO-3** Site preparation, ground disturbance, and construction activities including any tree trimming and vegetation removal shall be conducted outside of the migratory bird nesting season (February 1 through August 31). If such activities cannot be avoided during this period, a County-approved qualified biologist shall conduct a preconstruction nesting bird survey no sooner than 1–4 weeks prior to tree removal activities and shall verify whether migratory birds are nesting in the site. If nesting activity is detected, the following measures shall be implemented:

- a. The project shall be modified via the use of protective buffers, delaying construction activities, or other methods designated by the qualified biologist to avoid direct take of identified nests, eggs, and/or young protected under the Migratory Bird Treaty Act and/or California Fish and Game Code.
- b. The qualified biologist shall monitor the nests within the vicinity of project-related disturbances, and determine if construction activities are causing behavioral changes or affecting nesting activities. Monitoring results shall then be utilized to develop an appropriate buffer around the next site to minimize disturbance. Construction activities within the buffer zone shall be prohibited until the young have fledged the nest and achieved independence.
- c. The qualified biologist shall document all active nests and submit a letter report to the County documenting project compliance with the Migratory Bird Treaty Act, California Fish and Game Code, and applicable project mitigation measures within 14 days of survey completion.

35. **BIO-4 At least 2 weeks prior to initiation of construction or site disturbance activities**, a County-qualified biologist shall conduct a survey for American badger dens within the impact footprint and surrounding accessible areas of the property. The biologist shall evaluate all dens found to determine whether or not they are active. In order to avoid potential impacts to adults and nursing young, no grading shall occur within 50 feet of an active badger den as determined by the County-approved biologist. Construction activities occurring between July 1 and February 28 shall comply with the following measures to avoid direct take of adult and weaned juvenile badgers through the forced abandonment of dens:

- a. A County-approved biologist shall conduct a biological survey at least 2 weeks prior to the start of construction to identify any potential badger dens. The survey shall cover the entire area proposed for development, including roadways.
- b. If dens are too long to see the end, a fiber optic scope (or other acceptable method such as using tracking medium for a consecutive 3-night period) shall be used to assess the presence of badgers.
- c. Inactive dens shall be excavated by hand with a shovel to prevent badgers from re-using them during construction.
- d. Currently active den entrances shall be partially blocked with sticks, debris, and soil for 3–5 days to discourage badgers from continuing to use them. Access to the den shall be incrementally blocked to a greater degree over this period. After badgers have stopped using previously active den(s) within the project disturbance site, the den(s) shall be excavated by hand with a shovel to prevent re-entry.
- e. The County-approved biologist shall be present during the initial clearing and grading activity. If additional badger dens are found at this time, all work shall cease until the biologist completes the measures described above for inactive and active dens. Once all badger dens have been excavated, work may resume.

36. **BIO-7 Between 14 and 30 days prior to the onset of grading, construction, or other site disturbance activities**, a County-approved qualified biologist shall conduct presence/absence surveys of San Joaquin kit fox and/or their dens within 200 feet of the project disturbance site following the U.S. Fish and Wildlife Service's standardized recommendations for protection of the San Joaquin kit fox prior to or during ground disturbance. A copy of the survey methods and results shall be provided to California Department of Fish and Wildlife and to the County within 14 days of completion of the surveys.
37. **BIO-8 Throughout the construction phase and ground disturbing activities**, the County-approved qualified biologist shall conduct weekly site visits during the site disturbance activities that proceed longer than 14 days, for the purpose of monitoring compliance with required mitigation measure BIO-9 below. When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the County.
38. **BIO-9 Prior to or during project activities**, if dens are found, no-disturbance buffers shall be established by the County-approved biologist in accordance with U.S. Fish and Wildlife Service 2011 recommendations.
 - a. If kit fox are found occupying atypical (i.e., manmade structure) den sites, a 50-foot no-disturbance buffer shall be established around the occupied den site. If potential dens are found during surveys (per mitigation measure BIO-6), a 50-foot no-disturbance buffer shall be established.
 - b. If dens found are occupied or have been known to be occupied in the past, consultation with California Department of Fish and Wildlife shall occur and a 100-foot no-disturbance buffer shall be established.
 - c. If a natal kit fox pupping den is found during surveys, a 150-foot no-disturbance buffer shall be established and consultation with California Department of Fish and Wildlife shall occur.
- All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed. If kit foxes or potential dens are found onsite, daily monitoring during ground-disturbing activities shall be conducted by a County-qualified biologist and the biologist shall submit weekly monitoring reports to the County.
39. **BIO-10 Prior to or during project activities**, if San Joaquin kit fox are detected during surveys or project construction/ground disturbing activities, consultation between the applicant, County, and California Department of Fish and Wildlife shall occur immediately to discuss how to implement the project and avoid take, or if avoidance is not feasible, an Incidental Take Permit shall be acquired pursuant to California Fish and Game Code Section 2081(b). If a potential den is encountered during construction, work shall stop until such time the California Department of Fish and Wildlife or the County determines it is appropriate to resume work.
40. **BIO-11 During the site disturbance and/or construction phase**, grading and construction activities after dusk shall be prohibited.
41. **BIO-12 Prior to the commencement of site grading or other site disturbance activities**, the applicant shall coordinate with the project contractors to facilitate the avoidance of development within oak tree critical root zones to the maximum extent feasible. For development encroachment into an oak tree's critical root zone, trimming over 25% of the canopy, or for road improvements under a tree's canopy, a 2:1 mitigation ratio shall be implemented (two trees planted for each tree impacted).

42. **BIO-13** In the event oak trees are impacted and mitigation plantings are implemented, a County-qualified botanist or biologist shall conduct an annual monitoring report for the following 7 years to document the success of the establishment of the mitigation plantings and determine compliance with all conditions of approval. These annual reports shall be submitted to the County Planning and Building Department for review.
43. **HAZ-1 During all construction activities**, all project-related spills of hazardous materials shall be cleaned up immediately. Appropriate spill prevention and cleanup materials shall be onsite at all times during construction.
44. **HAZ-2 During all construction activities**, the cleaning, refueling, and maintenance of equipment and vehicles shall occur only within designated staging areas. The staging areas shall conform to all Best Management Practices applicable to attaining zero discharge of stormwater runoff. At a minimum, all equipment and vehicles shall be checked and maintained on a daily basis to ensure proper operation and to avoid potential leaks or spills.

CONDITIONS REQUIRED TO BE COMPLETED PRIOR TO COMMENCEMENT OF PERMITTED ACTIVITIES/OCCUPANCY/FINAL INSPECTION

45. **Prior to commencing permitted activities**, the applicant shall obtain a business license through the County of San Luis Obispo Tax Collector's Office. Business license renewals shall be obtained by the applicant annually as required by Title 6 of the County Code.
46. **Prior to commencing permitted activities**, the applicant shall complete all State licensing requirements for cultivation at the approved location. A copy of all pertinent State licenses shall be submitted to the County Planning and Building Department prior to commencing permitted activities.
47. **Prior to commencing permitted activities**, the applicant shall demonstrate to the Planning and Building Department how cannabis activities will be physically and adequately separated from vacant areas or other non-cannabis uses onsite. The applicant shall obtain any necessary building permits related to any structures used for cannabis operations.
48. **Prior to commencing permitted activities**, the applicant shall submit to the County Department of Public Works an encroachment permit application, plans, fees, and post a cash damage bond to install improvements within the public right-of-way in accordance with County Public Improvement Standards.

The plans are to include, as applicable:

- a. Reconstruct the existing Truesdale Road project site access driveway approach to current B-1a and A-5 standards.
49. **Prior to commencing permitted activities**, all work in the public right-of-way must be constructed or reconstructed to the satisfaction of the Public Works Inspector and in accordance with the County Public Improvement Standards; the project conditions of approval, including any related land use permit conditions; and the approved improvement plans.
50. **Prior to commencing permitted activities**, the applicant shall provide evidence to the Department of Planning and Building that onsite circulation and pavement structural sections have been designed and shall be constructed in conformance with CAL FIRE/County Fire standards and specifications back to the nearest public maintained roadway.
51. **Prior to occupancy or final inspection**, whichever occurs first, the applicant shall obtain final inspection and approval from CAL FIRE/County Fire of all required fire/life safety measures.

52. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

ONGOING CONDITIONS OF APPROVAL (VALID FOR THE LIFE OF THE PROJECT)

53. **Ongoing condition of approval (valid for the life of the project)**, to minimize project related traffic impacts in accordance with the project description, the project permit is restricted as follows:

- a. Maximum 3-acre outdoor cannabis cultivation;
- b. Maximum 6,000-square feet greenhouse cannabis cultivation;
- c. Maximum 6,000-square feet of ancillary greenhouse cannabis nursery; and
- d. Maximum 1,440-square feet indoor ancillary cannabis processing.

54. **Ongoing condition of approval (valid for the life of the project)**, and in accordance with County Code Section 13.08, no activities associated with this permit shall be allowed to occur within the public right-of-way including, but not limited to, project signage; landscaping; agricultural operations; etc. without a valid Encroachment Permit issued by the County Department of Public Works.

55. **Throughout the life of the project**, best management water conservation practices shall be maintained.

56. **HAZ-3 For the life of the project**, in the event accidental release and/or spill of Ecosorb CNB 100 occurs, the applicant shall ensure all onsite employees take the following measures immediately:

- a. Stop leak if safe to do so, use of gloves and safety glasses is recommended;
- b. Ventilate the spillage area;
- c. Avoid release into the environment by preventing liquid from entering sewers, watercourses, underground, or low areas;
- d. Take up liquid spill into absorbent material; and
- e. Dispose of materials or solid residues at an authorized site.

57. **Throughout the life of the project**, if at any point in time the onsite well serves 25 or more of the same individuals at least 6 months of the year, including all full time employees, a public water system permit is required to be obtained from the California State Water Resources Control Board (Water Board).

58. **Throughout the life of the project**, no outdoor lighting for the purposes of photosynthesis, or plant manipulation is allowed with this land use permit. Indoor lights shall be screened to not be seen from off-site and consistent with dark-sky standards.

59. **Throughout the life of the project**, the applicant shall maintain all components of the project security plan approved by the County Sheriff's Department.

60. **Throughout the life of the project**, the applicant shall post onsite all required land use permit approvals, all required State and County permits, and licenses required to operate. Such posting shall be in a central location, visible to the visitors, at the operating site, and in all vehicles that deliver or transport cannabis.

61. **Throughout the life of the project**, the applicant shall maintain clear and adequate records and documentation demonstrating that all cannabis or cannabis products have been obtained from, and are provided to, other permitted and licensed cannabis operations. The County shall have the right to examine, monitor, and audit such records and documentation, which shall be made available to the County upon request.

62. **Throughout the life of the project**, the applicant shall conduct all cannabis activities in compliance with all required County permits, State licenses, County ordinance, and State law and regulation. The applicant shall be responsible for the payment of all required fees and taxes.
63. **Throughout the life of the project**, at the time the County Cannabis Monitoring Program goes into effect, the applicant shall enter the program within 90 days. Any associated fees shall be paid to the County.
64. **Throughout the life of the project**, the cannabis cultivation shall be sited and/or operated in a manner that prevents cannabis nuisance odors from being detected offsite so as not to invoke any verified nuisance complaints.
65. **Throughout the life of the project**, pesticides and fertilizers shall be properly labeled, stored, and applied to avoid and prevent contamination through erosion, leakage, or inadvertent damage from rodents, pests, or wildlife.
66. **Throughout the life of the project**, throughout the life of the project, best management water conservation practices shall be maintained to reduce water use below the water analysis projections as described in the applicant's Water Management Plan and Revised Project Description.
67. **Throughout the life of the project**, no minors or unauthorized personnel shall be permitted inside any restricted access areas, including the cultivation areas, under any circumstance.
68. **Throughout the life of the project**, the property owner, applicant, or responsible party designated by the property owner must read the water meter used for cannabis and record the water usage on or near the first day of the month. These records must be maintained by the property owner, applicant, or responsible party designated by the property owner and may be subject to inspection only by code enforcement pursuant to a violation investigation.
69. **Throughout the life of the project**, the applicant shall meter water used for cannabis activities and provide the County Planning and Building Department with quarterly water usage monitoring reports based on meter readings.
70. **Throughout the life of the project**, the applicant shall meter electricity used for cannabis activities and provide the County Planning and Building Department with quarterly energy usage monitoring reports based on meter readings.

LAND USE PERMIT REVOCATION

71. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the County Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to LUO Section 22.74.160.