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

July 1, 2020

Arvus Axium LLC
PO Box 581
Santa Margarita, CA 93453

Kirk Consulting
Attn: Lisa Bugrova
8830 Morro Rd
Atascadero, CA 93422

SUBJECT: Arvus Axium / DRC2018-00154

SUBJECT: Notice of Final County Action, Conditional Use Permit / Arvus Axium / DRC2018-00154

On, June 25, 2020 the County Planning Commission approved your application based on the approved Findings and subject to the approved Conditions, both attached as exhibits to the adopted official resolution, which is enclosed for your records.

If you disagree with this action, pursuant to County Land Use Ordinance Section 22.70.050, 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 +1-805- 781-1591 or ehughes@co.slo.ca.us

Ramona Hedges, Secretary

R. Hedges

County of San Luis Obispo
Department of Planning & Building

PLANNING COMMISSION
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

Thursday, June 25, 2020

PRESENT: Commissioners: Michael Multari, Don Campbell, Dawn Ortiz-Legg and Chairman Jay Brown,

ABSENT: None

PLANNING COMMISSION RESOLUTION NO. 2020-016
RESOLUTION RELATIVE TO THE GRANTING
OF A
CONDITIONAL USE PERMIT

WHEREAS, the County Planning Commission of the County of San Luis Obispo, State of California, did, on the 25th day of June 2020, grant a Conditional Use Permit to ARVUS AXIUM and adopts the Mitigated Negative Declaration. The site is in the Agriculture land use category and is located at 8015 Carrisa Highway east of the community of Santa Margarita in the North County Planning Area. Assessor Parcel Number(s) / APN(s): 072-311-014 & 072-311-018.

WHEREAS, the Planning Commission, after considering the facts relating to such application, approves this Permit based on the Findings listed in Exhibit A.

WHEREAS, the Planning Commission, after considering the facts relating to such application, approves this Permit subject to the Conditions listed in Exhibit B.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the County of San Luis Obispo, State of California, in a regular meeting assembled on the 25th day of June 2020, does hereby grant the aforesaid Permit No. DRC2018-00154.

This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance/Coastal Zone Ordinance Section 22.64.070/23.02.050 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance/Coastal Zone Ordinance Section 22.64.080/23.02.042.

If the use authorized by this Permit approval, once established, remains vacant and unused for its authorized purpose, or is abandoned or discontinued for a period greater than 12 consecutive months, such Permit approval shall become void.

On motion of Commissioner Ortiz-Legg, seconded by Commissioner Multari, and on the following roll call vote, to-wit:

AYES: Commissioners Ortiz-Legg, Multari, and Chairman Brown

NOES: Commissioner Campbell

ABSENT: None

the foregoing resolution is hereby adopted.

the foregoing resolution is hereby adopted.

_/s/ Jay Brown_____
Chairperson of the Planning Commission

ATTEST:

_/s/ Ramona Hedges_____
Secretary, Planning Commission

EXHIBIT A – FINDINGS
CONDITIONAL USE PERMIT DRC2018-00154 / Arvus Axium

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 issued on April 10, 2020 for this project. Mitigation measures proposed to address aesthetics, air quality, biological resources, energy, greenhouse gas emissions, hazards and hazardous materials, and water/hydrology are included as conditions of approval.

Conditional Use Permit

B. The proposed cannabis activities (cultivation and commercial nursery) are consistent with the San Luis Obispo County General Plan because the proposed activities are allowed uses and as conditioned, are consistent with all applicable General Plan policies.

C. As conditioned, the proposed cannabis activities satisfy all applicable provisions of Title 22 of the County Code.

D. The establishment and subsequent operation or conduct of indoor and outdoor cultivation and commercial nursery 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 cannabis activities do not generate activity that presents a potential threat to the surrounding property and buildings, water use will be minimized, security fencing will be installed, pesticide use must comply with County of Agriculture Department regulations, State water quality regulations shall be met, solid waste will be properly disposed of, and nuisance odor will be controlled and monitored. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.

E. The proposed cannabis activities will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the proposed activities do not conflict with the surrounding lands and uses (agriculture), the site is more than 1,000 feet from sensitive land uses, and the cultivation site is not visible from public viewpoints 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 is located on Carrisa Highway (CA-58). The Department of Public Works has reviewed the project for expected trip generation. The proposed project is expected to generate 12 average daily trips with one afternoon peak hour trips. As such, the small amount of additional traffic will not result in a significant change to the existing road level of service or traffic safety levels. Combined with existing conditions, the level of service for CA-58 would continue to be very good (free-flowing).

Adjustments

G. Modification of the parking provisions set forth in Land Use Ordinance Section 22.18.050.C.1 is justified because the maximum number of employees that would

commute to the project site is twenty and the project includes 22 parking spaces. As such, the use does not necessitate the 282 parking spaces as calculated using one parking space per 500 square feet of floor area for *Indoor Nursery Specialties,* one parking space per 1,000 square feet of area *Outdoor Nursery Specialties*, one parking space per 1,000 square feet of *Processing* floor area, and one parking space per 400 square feet of *Office* floor area. Reduced parking serving up to 22 cars on site would be adequate to accommodate all parking needs generated by the proposed use.

H. Modification of the setback standards set forth in Land Use Ordinance Section 22.40.050.D.3.b to reduce the setback from 300 feet to 109 feet from the eastern property line is justified because the required setback would be unnecessary due to specific site conditions regarding the nearest offsite residence to the east. The nearest offsite residence is currently occupied by a cannabis cultivation operation. In addition, the nearest offsite residence is located approximately 650 feet east of the property line.

Cannabis Cultivation

I. 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.

J. 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.

K. The cannabis cultivation includes adequate measures that minimize use of water for cannabis cultivation at the site.

L. The cannabis cultivation includes adequate quality control measures to ensure cannabis cultivated at the site meets State regulatory standards. Throughout the life of the project, the cannabis cultivation shall maintain all required State licensing to ensure ongoing compliance with State regulatory standards.

M. 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.

Cannabis Nursery

N. The cannabis nursery, as proposed, will comply with all the requirements of State and county for the propagation of cannabis, including dual licensure and participation in an authorized track and trace program.

O. The cannabis nursery 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.

P. The cannabis nursery includes adequate measures that minimize use of water for cannabis propagation at the site.

Q. The cannabis nursery includes adequate quality control measures to ensure cannabis cultivated at the site meets State regulatory standards. Throughout the life of the project, the cannabis nursery shall maintain all required state licensing to ensure ongoing compliance with state regulatory standards.

R. The cannabis nursery 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 - CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT DRC2018-00154/ Arvus Axium

Approved Development

1. This approval authorizes the multi-phased development of indoor and outdoor cannabis cultivation, commercial nursery, ancillary processing and associated supportive development and uses including the following components:

    a. A maximum of three (3) acres of outdoor and 22,000-square feet of indoor cannabis cultivation, as follows:

        i. Installation of up to 163,296-square feet of hoop houses supporting up to 3 acres of outdoor mature cannabis cultivation canopy.

        ii. Installation of up to 40,824-square feet of hoop houses for outdoor commercial nursery.

        iii. Construction of twelve (12) greenhouses totaling 24,000-square feet supporting up to 22,000-square feet of indoor mature cannabis cultivation canopy.

        iv. Construction of four (4) greenhouses totaling 12,000-square feet of indoor nursery.

        v. Construction of a 15,000-square foot metal building for processing activities ancillary to cannabis cultivation (trimming, storage, drying/curing).

        vi. Installation of a 480 square-foot modular security and field office.

        vii. Use of two existing barns for pesticide/fertilizer, tool storage (1,920-square feet of storage).

        viii. Installation of nine (9) 10,000-gallon water tanks for irrigation.

        ix. Installation of one (1) 10,000-gallon water tank for fire suppression.

        x. Improvements to an existing driveway approach.

        xi. A maximum of five (5) full-time employees and 20 seasonal employees.

        xii. Operational hours up to 10 hours per day, five days per week.

        xiii. Construction of 22 parking spaces and a turnaround area.

b. Phasing. The project shall be subject to the following phasing plan:

Project Component	Phase	Count	Size	Footprint (sf)	Canopy(sf)
Phase One					
(N/E) Hoop Houses - Cultivation	I	72	2,268 sf (126' x 18')	163,296	130,680
(N) Hoop House - Nursery	I	18	2,268 sf (126' x 18')	40,824	n/a
(E) Pesticide and Fertilizer Storage	I	2	960 sf (40'x24')	1,920	n/a
(N) Mobile Structure	I	1	480 sf (40'x12')	480	n/a
(N) Compost Area	I	1	600 sf (20'x30')	600	n/a
			Subtotal of Phase One	206,580	130,680
Phase Two					
(N) Processing Building (drying/curing, trimming, cannabis storage)	II	1	15,000 (100'x150')	15,000	n/a
			Subtotal of Phase Two	15,000	n/a
Phase Three					
(N) Greenhouse – Mature	III	8	3,000 sf (100'x30')	24,000	22,000
(N) Greenhouse - Nursery	III	4	3,000 sf (100'x30')	12,000	n/a
			Subtotal of Phase Three	36,000	22,000
			Total	**257,580**	**152,680**

c. Existing development on site includes an existing single-family residence, agricultural storage pond, accessory agricultural structures; several abandoned chicken coops; an existing outdoor cannabis cultivation, and non-cannabis related agricultural uses (storage, tilling, disking).

d. A maximum of 12 average daily trips (ADT) with 1 PM peak hour motor vehicle trip (PHT).

e. A maximum annual water demand for cannabis uses on the project site of 5.09-acre feet per year (AFY).

2. This CUP authorizes the modification of the parking requirements set forth in Section 22.18.050.C.1 of the Land Use Ordinance (LUO) to reduce the required number of spaces from 88 to 22.

3. This CUP authorizes a modification of the setback requirements for outdoor cannabis cultivation set forth in LUO Section 22.40.050.D.3 to allow the reduction of the eastern property line setback from 300 feet to 109 feet.

4. The ancillary processing of cannabis, including drying, curing, grading, trimming, storing, packaging and labeling, is limited to cannabis grown on site only, and it shall be done consistent with applicable State regulations and license(s). Cannabis manufacturing or the processing of manufactured cannabis products is not authorized with this Use Permit.

5. The ancillary transport of cannabis products is limited to cannabis grown on site only, and it shall be done consistent with applicable State regulations and license(s). Transport as a function of retail sales or as a cannabis dispensary is not authorized with this Use Permit.

6. Wholesale sale of nursery stock may occur in accordance with applicable State regulations and licenses.

Conditions required to be completed prior to commencing permitted activities

7. **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 and shall be constructed in conformance with Cal Fire standards and specifications back to the nearest public maintained roadway.

8. **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.

9. **Prior to commencing permitted activities,** the applicant shall complete all state licensing requirements for cultivation, nursery, and ancillary transport at the approved location. A copy of all pertinent State licenses shall be submitted to the County of San Luis Obispo Planning and Building Department prior to commencing permitted activities.

10. **Prior to commencing permitted activities,** the applicant shall provide evidence of coordination with Caltrans to evaluate project traffic impacts along State Route 58 corridor and make all required access improvements.

11. **Prior to commencing permitted activities,** all work in the public right-of-way must be constructed or reconstructed to the satisfaction of the Caltrans encroachment inspector in accordance with the project conditions of approval, including any related land use permit conditions. Primary access to the project site is taken from an existing driveway from Carrisa Highway (CA 58).

12. **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 CalFIRE standards and specifications back to the nearest public maintained roadway.

13. **Prior to commencing permitted activities**, all work in the public right-of-way must be constructed or reconstructed to the satisfaction of the County Public Works Inspector and in accordance with County Public Improvement Standards; the project conditions of approval, including any related land use permit conditions; and the approved improvement plans.

14. **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 to create the separation between uses.

15. **Prior to commencing permitted activities**, the applicant shall complete and submit a Hazardous Materials Declaration Flowchart to the Environmental Health Services office.

16. **Prior to commencing permitted activities,** soil evaluations should occur for domestic and production wastewater disposal. Discharge amounts shall be estimated to determine if a discharge permit is required from the Regional Water Quality Control Board. The applicant shall provide a full-size exhibit, depicting all existing facilities onsite and that the well and septic locations will meet the minimum setback requirements.

17. **BR-16 Protection of State Waters.** Prior to project initiation, all applicable agency permits with jurisdiction over the project area (e.g., California Department of Fish and Wildlife [CDFW], Regional Water Quality Control Board) shall be obtained, as necessary. Any additional measures required by these agencies shall be implemented as necessary throughout the project.

Conditions required to be completed prior to issuance of a County Business License

18. **Prior to issuance of a County Business License,** the applicant shall enter the County of San Luis Obispo Cannabis Monitoring Program. Any associated fees shall be paid to the County of San Luis Obispo Planning and Building Department.

19. **Prior to issuance of a County Business License**, the applicant shall submit evidence of compliance with all requirements of the Central Coast Regional Water Quality Control Board (CCRWQCB).

20. **Prior to issuance of a 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.

21. **Prior to issuance of a County Business License**, the applicant shall submit evidence that solid waste and recycling collection will be consistent with Sections 22.10.150.B and C of the County Land Use Ordinance.

22. **Prior to issuance of a County Business License**, the applicant shall submit evidence that the project security plan has been reviewed and approved by the County Sheriff as required by Section 22.40.040.D of the County Land Use Ordinance.

23. **Prior to issuance of a County Business License,** the applicant shall obtain an Operator Identification Number (OIN) if required by the Department of Agriculture, 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.

24. **Prior to issuance of a County Business License,** the applicant shall install proposed fencing as shown on the approved plans. Consistent with the approved plans and the applicant's project description, the fence proposed shall surround the outdoor cultivation, greenhouse and nursery areas, be six (6) feet in height and constructed of chain-link and screened with slats or similar materials and shall allow for San Joaquin Kit fox passage through or underneath (e.g. an approximate four-inch passage gap shall remain at ground level.

25. **Prior to issuance of a Business License**, the applicant shall be responsible for the timely payment of all fees associated with this approval. Failure to pay fees in a timely manner may result in revocation of the permit.

26. **Prior to issuance of a County Business License** and within 30 days of Land Use Permit approval, the applicant shall submit evidence to the Planning and Building Department that all necessary copies of any leases (ground, greenhouse or otherwise) or production sharing agreements related to "Cannabis Activities" on the subject property have been provided to the Assessor's Office.

Conditions required to be completed at the time of application for construction permits

Site Development

27. **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.

28. **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.

29. **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.

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

31. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark in color.

32. **AES-1 Nighttime Lighting.** At the time of application for construction permits, the applicant shall submit a light pollution prevention plan (LPPP) to the County Planning Department for approval that incorporates the following measures to reduce impacts related to night lighting:

    a. Prevent all interior lighting from being detected outside the facilities between the period of 1 hour before dusk and 1 hour after dawn;

    b. 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;

    c. Any exterior path lighting shall conform to LUO Section 22.10.060, be located and designed to be motion activated, and be directed downward and to the interior of the site to avoid the light source from being visible off-site. Exterior path lighting shall be "warm-white" or filtered (correlated color temperature of < 3,000 Kelvin; scotopic/photopic ratio of < 1.2) to minimize blue emissions; and

d. Any exterior lighting used for security purposes shall be motion activated, be located and designed to be motion activated, and be directed downward and to the interior of the site to avoid the light source from being visible off-site, and shall be of the lowest-lumen necessary to address security issues.

Fire Safety

33. **At the time of application for construction permits,** the applicant shall obtain a Fire Safety Plan from Cal Fire. All plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code and those outlined in the Fire Safety Plan.

Grading

34. At the time of application for construction permits, the grading plans shall show a balance of cut and fill on site.

Drainage

35. **At the time of application for construction permits,** the applicant shall submit complete drainage plans for review and approval as determined by the Department of Public Works and in accordance with Section 22.52.110 (Drainage) of the County Land Use Ordinance.

36. **At the time of application for construction permits,** the applicant shall submit complete erosion and sedimentation control plan for review and approval in accordance with Section 22.52.120 of the County Land Use Ordinance.

37. **At the time of application for construction permits**, the applicant shall demonstrate that the project construction plans are in conformance with their Stormwater Control Plan.

Storm Water Pollution Prevention Plan (SWPPP)

38. **At the time of application for construction permits**, if the project site disturbs 1.0 acre or more the applicant must enroll for coverage under California's Construction General Permit, which may include preparation of a project Storm Water Control Plan even if the project is located outside a Stormwater Management Area.

Services

39. **At the time of application for construction permits**, the applicant shall submit evidence to Building and Safety staff that there is adequate water to serve the proposal, on the site.

40. **At the time of application for construction permits**, the applicant shall submit evidence to Building and Safety staff that the existing septic system is adequate to serve the proposal.

<u>Conditions to be completed prior to issuance of a construction permit and/or conducting ground disturbance</u>

41. **MM BR-1 Environmental Awareness Training. Prior to major construction activities** (e.g., site mobilization, clearing, grubbing, preparation for installing new facilities, etc.), an environmental awareness training shall be presented to all project personnel by a qualified biologist prior to the start of any project activities. The training shall include color photographs and a description of the ecology of all special-status

species known or determined to have potential to occur, as well as other sensitive resources requiring avoidance near project impact areas. The training shall also include a description of protection measures required by the project's discretionary permits, an overview of the federal Endangered Species Act, the California Endangered Species Act, and implications of noncompliance with these regulations, as well as an overview of the required avoidance and minimization measures. A sign-in sheet with the name and signature of the qualified biologist who presented the training and the names and signatures of the trainees will be kept and provided to the County of San Luis Obispo (County). If new project personnel join the project after the initial training period, they will receive the environmental awareness training from a designated crew member on site before beginning work. A qualified biologist will provide refresher trainings during site visits or other monitoring events.

42. **MM BR-3 San Joaquin Kit Fox Protection Measures.**

    1. **SJKF Protection Measures on Plans.** All SJKF protection measures required before construction (prior to any project activities) and during construction shall be included as a note on all project plans.

        a. Prior to issuance of grading and/or construction permits, the applicant shall clearly delineate the following as a note on the project plans: "Speed signs of 15 mph (or lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox". Speed limit signs shall be installed on the project site within 30 days prior to initiation of site disturbance and/or construction. During construction, the speed limit shall be posted at the site entrance and the mid-way point of the access road.

43. **MM BR-9 Nesting Birds Protection Measures**

    1. **Pre-construction Survey for Sensitive and Nesting Birds. Prior to issuance of grading and/or construction permits and prior to initiation of site disturbance and/or construction,** if work is planned to occur between February 1 and September 15, a qualified biologist shall survey the area for nesting birds within one week prior to initial project activity beginning, including ground disturbance and/or vegetation removal/trimming. This includes nests of all common bird species (under the MBTA), as well as special status birds and raptor nests. If nesting birds are located on or near the proposed project site, they shall be avoided until they have successfully fledged, or the nest is no longer deemed active.

        a. A 250-foot exclusion zone shall be placed around non-listed, passerine species, and a 500-foot exclusion zone will be implemented for raptor species. Each exclusion zone shall encircle the nest and have a radius of 250 feet (non-listed passerine species) or 500 feet (raptor species). All project activities, including foot and vehicle traffic and storage of supplies and equipment, are prohibited inside exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, or it has been determined by a qualified biologist that the young have fledged or that proposed project activities would not cause adverse impacts to the nest, adults, eggs, or young.

b. If special-status avian species (aside from the burrowing owl or tricolored blackbird) are identified and nesting within the work area, no work will begin until an appropriate exclusion zone is determined in consultation with the County and any relevant resource agencies.

c. The results of the survey shall be provided to the County prior to initial project activities. The results shall detail appropriate fencing or flagging of exclusion zones and include recommendations for additional monitoring requirements. A map of the project site and nest locations shall be included with the results. The qualified biologist conducting the nesting survey shall have the authority to reduce or increase the recommended exclusion zone depending on site conditions and species (if non-listed).

d. If two weeks lapse between different phases of project activities (e.g., vegetation trimming and the start of grading), during which no or minimal work activity occurs, the nesting bird survey shall be repeated.

44. **MM BR-10 Burrowing Owl (Athene cunicularia; BUOW) Protection Measures**

1. **Pre-construction Survey for BUOW. Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction,** if work is planned to occur within 150 meters (approximately 492 feet) of BUOW habitat, a qualified biologist shall conduct a pre-construction survey for the species within 14 days prior to initial project activities. This applies year-round [i.e., within the breeding (February 1 to August 31) or non-breeding (September 1 to January 31) seasons]. Habitat for BUOW includes areas with generally short, sparse vegetation and few shrubs, level to gentle topography and well-drained soils including grasslands, shrub steppe, desert, some agricultural areas, ruderal grassy fields, vacant lots, and pastures. A second survey shall be completed immediately prior to initial project activities (i.e., within the preceding 24 hours). The surveys shall be consistent with the methods outlined in Appendix D of the CDFW 2012 Staff Report on BUOW Mitigation, which specifies that 7- to 20-meter transects shall be walked, such that the entire project area is visible. These surveys may be completed concurrently with SJKF, American badger, or other special-status species surveys. If occupied BUOW burrows are identified the following exclusion zones shall be observed during project activities, unless otherwise authorized by CDFW:

Location	Time of Year	Level of Disturbance		
		Low	Medium	High
Nesting Sites	April 1 – Aug 15	656 feet	1,640 feet	1,640 feet
Nesting Sites	Aug 16 – Oct 15	656 feet	656 feet	1,640 feet
Any Occupied Burrow	Oct 16 – Mar 31	164 feet	328 feet	1,640 feet

Each exclusion zone shall encircle the burrow and have a radius as specified in the table above. All foot and vehicle traffic, as well as all project 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, or it has been determined by a qualified biologist that the burrow is no longer in use.
If two weeks lapse between construction phases (e.g., vegetation trimming and the start of grading), during which no or minimal work activity occurs, the BUOW survey shall be repeated.

45. **MM BR-11 Tricolored Blackbird (Agelaius tricolor) Protection Measures**

1. **Pre-construction Survey for Tricolored Blackbird** If work is planned to occur during the typical nesting bird season (i.e., February 1 through September 15), a qualified wildlife biologist shall conduct pre-construction surveys for nesting tricolored blackbirds within 10 days prior to the start of initial project activities.

   a. If an active tricolored blackbird nesting colony is found, a minimum 300-foot exclusion zone shall be observed in accordance with "Staff Guidance Regarding Avoidance of Impacts to Tricolored Blackbird Breeding Colonies on Agricultural Fields in 2015" (CDFW 2015). The exclusion zone shall encircle the nesting colony and have a radius of 300 feet from the outside border of the colony. All foot and vehicle traffic, as well as all project activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained for the duration of the breeding season or until a qualified biologist has determined that nesting has ceased, the birds have fledged, and are no longer reliant upon the colony or parental care for survival.

If 10 days lapse between project phases (e.g., vegetation trimming and the start of grading), during which no or minimal work activity occurs, the tricolored blackbird survey shall be repeated.

46. **MM BR-2 San Joaquin Kit Fox (Vulpes macrotis multica; SJKF) Habitat Mitigation Alternatives.** Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the County that states that one or a combination of the following three San Joaquin kit fox mitigation measures has been implemented:

   a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of 40.8 acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area), either on site or off site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the CDFW and the County.

      This mitigation alternative (a.) requires that all aspects if this program must be in place before City permit issuance or initiation of any ground disturbing activities.

   b. 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 within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (b.) can be completed by providing funds 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 SJKF 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-unit of $2,500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; the actual cost may increase depending on the timing of payment. 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. The fee, payable to "The Nature Conservancy" (see contact information below), would total $102,000, based on $2,500 per acre (10.2 acres impacted * 4 *$2,500 per acre).

c. Purchase 41 (10.2 acres * 4) credits in a CDFW-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (c.) can be completed by purchasing credits from the Palo Prieto Conservation Bank. The Palo Prieto Conservation Bank was established to preserve SJKF habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with CEQA. The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank and would total $102,000 (10.2 acres * 4* $2,500). This fee is calculated based on the current cost-per-credit of $2500 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.

47. **BR-3 Pre-Construction Survey for SJKF.** Prior to issuance of grading and/or construction permits and prior to initiation of site disturbance and/or construction, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the County. The retained biologist shall perform the following monitoring activities:

a. A qualified biologist shall complete a pre-construction survey for SJKF no less than 14 days and no more than 30 days prior to the start of initial project activities to ensure SJKF is not present within all proposed work areas and at least a 250-foot buffer around work areas per USFWS Standard Recommendations (2011). The biologist will survey for signs of SJKF and known or potential SJKF dens. The result of the survey shall be submitted to the County within 5 days of the survey and prior to start of initial project activities. The submittal shall include the date the survey was conducted, survey method, and survey results, including a map of the location of any SJKF signs, and/or known or potential SJKF dens, if present. If no SJKF signs, potential or known SJKF dens are identified, then the SJKF Standard Protection Avoidance and Protection Measure shall be applied.

1. If the qualified biologist identifies potential SJKF den(s), the den(s) will be monitored for 3 consecutive nights with an infra-red camera, prior to any

project activities, to determine if the den is being used by SJKF. If no SJKF activity is observed during the 3 consecutive nights of camera placement then project work can begin with the Standard SJKF Avoidance and Protection Measures and the SJKF Protection Measures if SJKF are observed.

2. If a known den is identified within 250-feet of any proposed project work areas, no work may start in that area.

3. If 30 days lapse between different phases of project activities (e.g., vegetation trimming and the start of grading), where no or minimal work activity occurs, the SJKF survey shall be updated.

48. **BR-8 American Badger (Taxidea taxus)Protection Measures**

1. **Pre-construction survey for American Badgers. Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction,** a qualified biologist shall complete a pre-construction survey for badgers no less than 14 days and no more than 30 days prior to the start of initial project activities to determine if badgers are present within proposed work areas, in addition to a 200-foot buffer around work areas. The results of the survey shall be provided to the County prior to initial project activities.

   a. If a potential den is discovered, they shall be inspected to determine whether they are occupied. The survey shall cover the entire property and shall examine both old and new dens. The den will be monitored for 3 consecutive nights with an infra-red, motion-triggered camera, prior to any project activities, to determine if the den is being used by an American badger. If potential badger dens are too long to completely inspect from the entrance, a fiber optic scope shall be used to examine the den to the end. Inactive dens may be excavated by hand with a shovel to prevent re-use of dens during construction.

   b. If an active badger den is found, an exclusion zone shall be established around the den. A minimum of a 50-foot exclusion zone shall be established during the non-reproductive season (July 1 to January 31) and a minimum 100-foot exclusion zone during the reproductive season (February 1 to June 30). Each exclusion zone shall encircle the den and have a radius of 50 feet (non-reproductive season) or 100 feet (reproductive season, nursing young may be present), measured outward from the burrow entrance. To avoid disturbance and the possibility of direct take of adults and nursing young, and to prevent badgers from becoming trapped in burrows during construction activity, no grading shall occur within 100 feet of active badger dens between February and July. All project activities, including foot and vehicle traffic and storage of supplies and equipment, are prohibited inside exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, or it has been determined by a qualified biologist that the den is no longer in use. If avoidance is not possible during project construction or continued operation, the County shall be contacted. The County will coordinate with appropriate resource agencies for guidance.

c. If more than 30 days pass between construction phases (e.g., vegetation trimming and the start of grading), during which no or minimal work activity occurs, the badger survey shall be repeated.

49. **BR-12 Special-status Small Mammals Protection Measures.**

Preconstruction Survey for Special-status Small Mammals (Giant kangaroo rat and Tulare grasshopper mouse). Prior to issuance of grading and/or construction permits and within 14 days prior to initiation of site disturbance and/or construction, a qualified biologist shall complete a preconstruction survey for special-status small mammal species (e.g. giant kangaroo rat and Tulare grasshopper mouse) no more than 14 days prior to the start of initial project activities to ensure special-status small mammal species are not present within proposed works areas. The survey will include mapping of all potentially active special-status mammal burrows within the proposed work areas, access routes, and staging areas plus a 50-foot buffer. All potentially active burrows will be mapped and flagged. If avoidance of the burrows is not feasible, the appropriate resource agency shall be contacted for further guidance.

50. **BR-13 Special-status Reptiles and Amphibians Protection Measures.**

Pre-construction Survey for Special-status Reptiles and Amphibians. Prior to issuance of grading and/or construction permits and immediately prior to initiation of site disturbance and/or construction, a qualified biologist shall conduct a pre-construction survey immediately before any initial ground disturbances (i.e. the morning of the commencement of disturbance) within 50 feet of suitable habitat. Construction monitoring shall also be conducted by a qualified biologist during all initial ground-disturbing and vegetation removal activities (e.g., grading, grubbing, vegetation trimming, vegetation removal, etc.) within suitable habitat. If any special status reptiles and/or amphibians are found in the area of disturbance, they will be allowed to leave the areas on their own or will be hand-captured by a qualified biologist and relocated to suitable habitat outside the area of impact. The candidate site(s) for relocation shall be identified before construction and shall be selected based on the size and type of habitat present, the potential for negative interactions with resident species, and the species' range.

If any additional ground- or vegetation-disturbing activities occur on the project site, the above surveys and monitoring will be repeated.

51. **ENG-1 Energy Conservation Plan.** Prior to issuance of building permits, the applicant shall provide to the Department of Planning and Building for review and approval, an Energy Conservation Plan with a package of measures that, when implemented, would reduce or offset the project's energy demand to no more than 20% above the energy demand of a generic commercial building of the same size. The Energy Conservation Plan shall include the following:

1. A detailed inventory of energy demand prepared by a Certified Energy Analyst. The inventory shall include an estimate of total energy demand from all sources associated with all proposed cannabis cultivation activities including, but not limited to, lighting, odor management, processing, manufacturing and climate control equipment. The quantification of demand associated with electricity shall be expressed in total kilowatt hours (kWh) per year; demand associated with natural gas shall be converted to kWh per year.

2. A program for providing a reduction or offset of all energy demand to no more than 20% above the energy demand of a generic commercial building of the same size. Such a program (or programs) may include, but is not limited to, the following:

   i. Evidence that the project will permanently source project energy demands from renewable energy sources (i.e. solar, wind, hydro). This can include purchasing the project's energy demand from a clean energy source by enrolling PG&E's Solar Choice program or Regional Renewable Choice program or other comparable public or private program.

   ii. Evidence documenting the permanent retrofit or elimination of equipment, buildings, facilities, processes, or other energy saving strategies to provide a net reduction in electricity demand and/or GHG emissions. Such measures may include, but are not limited to, the following:

      1. Participating in an annual energy audit.

      2. Upgrading and maintaining efficient heating/ cooling/ dehumidification systems.

      3. Implement energy efficient lighting, specifically light-emitting diode (LED) over high-intensity discharge (HID) or high-pressure sodium (HPS) lighting.

      4. Implementing automated lighting systems.

      5. Utilizing natural light when possible.

      6. Utilizing an efficient circulation system.

      7. Ensuring that energy use is below or in-line with industry benchmarks.

      8. Implementing phase-out plans for the replacement of inefficient equipment.

      9. Adopting all or some elements of CalGreen Tier 1 and 2 measures to increase energy efficiency in greenhouses.

   iii. Construction of a qualified renewable energy source such as wind, solar photovoltaics, biomass, etc., as part of the project. [Note: Inclusion of a renewable energy source shall also be included in the project description and may be subject to additional environmental review.]

   iv. Any combination of the above or other qualifying strategies or programs that would achieve a reduction or offset of the project energy demand to a level that is no more than 20% or more above the energy demand of a generic commercial building of the same size.

52. **GHG-1 Greenhouse Gas Emissions Reduction or Offset Program.** Prior to issuance of building permits, the applicant shall provide to the Department of Planning and Building for review and approval, a program for reducing or offsetting project-related GHG

emissions below the 1,150 MTCO2e Bright Line threshold. Such a program (or programs) may include, but is not limited to, the following:

1) Implementation of mitigation measures ENG-1 and ENG-2.
2) Purchase of GHG offset credits from any of the following recognized and reputable voluntary carbon registries:
    i) American Carbon Registry;
    ii) Climate Action Reserve;
    iii) Verified Carbon Standard.
    iv) Offsets purchased from any other source are subject to verification and approval by the Department of Planning and Building.
3) Installation of battery storage to offset nighttime energy use. Batteries may only be charged during daylight hours with a renewable energy source and shall be used as the sole energy supply during non-daylight hours.
    i.) Any combination of the above or other qualifying strategies or programs that would achieve a reduction or offset of project GHG emissions below the 1,150 Bright Line Threshold.

Fees

53. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

54. **Prior to issuance of a construction permit**, the applicant shall pay the housing impact fee as required by County Code Section 22.12.080.F.1, or may defer fee payment pursuant to County Code Section 22.12.080.J.4. As an alternative the applicant may provide housing units or a land donation, pursuant to County Code Section 22.12.080.F.3.

55. **Prior to issuance of a construction permit**, the applicant shall post a performance agreement and financial instrument with the County in a form approved by County Counsel and in an amount commensurate with the cost of cannabis operation removal and site restoration. The performance bond shall be released by the County at the time the cannabis operation is removed, and the site is restored.

56. **Prior to issuance of a construction permit or any site disturbance**, the applicant shall consult with the California Department of Fish and Wildlife to determine whether an incidental take permit or other regulatory permits under the jurisdiction of the California Department of Fish and Wildlife are required.

<u>Conditions to be completed during project construction</u>

57. **AQ-1 Fugitive Dust Control Measures.** The following measures shall be implemented to minimize construction-generated emissions. These measures are based on APCD standard mitigation measures and would help to ensure compliance with the APCD's 20% opacity limit (APCD Rule 401) and nuisance rule (APCD Rule 402). The measures shall be shown on grading and building plans.

a. Construction of the proposed project shall use low-VOC content paints not exceeding 50 grams per liter;

b. To the extent locally available, prefinished building materials or materials that do not require the application of architectural coatings shall be used;
c. Reduce the amount of the disturbed area where possible;
d. Use water trucks, APCD approved dust suppressants (see Section 4.3 in the CEQA Air Quality Handbook), jute netting, or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the District's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. Please note that since water use is a concern due to drought conditions, the contractor or builder shall consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control. For a list of suppressants, see Section 4.3 of the CEQA Air Quality Handbook;
e. All dirt stock pile areas shall be sprayed daily as needed;
f. 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;
g. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
h. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
i. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible after grading unless seeding or soil binders are used;
j. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
k. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or shall maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114;
l. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
m. 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;
n. The burning of vegetative material shall be prohibited. Effective February 25, 2000, the APCD prohibited developmental burning of vegetative material within San Luis Obispo County. If there are any questions regarding these requirements, contact the APCD Engineering and Compliance Division at (805) 781-5912.
o. 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 APCD Compliance Division prior to the start of any grading, earthwork or demolition.
p. When applicable, portable equipment, 50 horsepower (hp) or greater, used during construction activities shall be registered with the California statewide portable equipment registration program (issued by the California Air Resources Board) or

be permitted by the APCD. Such equipment may include: power screens, conveyors, internal combustion engines, crushers, portable generators, tub grinders, trammel screens, and portable plants (e.g., aggregate plant, asphalt plant, concrete plant). For more information, contact the APCD Engineering and Compliance Division at (805) 781-5912.

58. **AQ-2 ROG, NOx, DPM Emissions Reductions.** The following measures based on the APCD standard mitigation measures for construction equipment for reducing nitrogen oxides (NOx), reactive organic gases (ROG), and diesel particulate matter (DPM) emissions from construction equipment shall be implemented to reduce exposure of sensitive receptors to substantial pollutant concentrations. These measures shall be shown on grading and building plans:

a. Implement Mitigation Measure AQ-1, as identified above.
b. On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:
    i. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and,
    ii. Shall not operate a diesel-fueled auxiliary power system to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.
c. Maintain all construction equipment in proper tune according to manufacturer's specifications;
d. Fuel all off-road and portable diesel-powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
e. Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation;
f. Use on-road heavy-duty trucks that meet the ARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;
g. 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 NOX exempt area fleets) may be eligible by proving alternative compliance;
h. 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;
i. Diesel idling within 1,000 feet of sensitive receptors is not permitted;
j. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
k. Electrify equipment when feasible;
l. Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and
m. Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas, liquefied natural gas, propane or biodiesel.

59. **BR-5 Weekly Site Visits.** During the site disturbance and/or construction phase and for the life of the project, a qualified biologist shall conduct weekly site visits during site-disturbance activities (e.g., clearing, grading, disking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, to check the site for special-status species. Site-disturbance activities lasting up to 14 days do not require weekly monitoring by a biologist unless a potential SJKF den or special status small mammal burrow was identified on-site or the qualified biologist recommends monitoring for other sensitive species protection. When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the County.

60. **BR-14 Site Maintenance and General Operations.** The following measures are required to minimize impacts during active construction and ongoing operations. All measures applicable during construction shall be included on plans. All measures applicable to operation shall be clearly posted on-site in a location(s) visible to workers and anyone visiting the site:

    1. The use of heavy equipment and vehicles shall be limited to the proposed project limits and defined staging areas/access points. The boundaries of each work area shall be clearly defined and marked with high visibility fencing (e.g., t-posts and yellow rope) and/or flagging. No work or travel shall occur outside these limits.

    2. Project plans, drawings, and specifications shall show the boundaries of all work areas on site and the location of erosion and sediment controls, limit delineation, and other pertinent measures to ensure the protection of sensitive habitat areas and associated resources.

    3. Staging of equipment and materials shall occur in designated areas at least 100 feet from aquatic habitat (e.g., swales, drainages, ponds, vernal pools, if identified on site).

    4. Secondary containment such as drip pans shall be used to prevent leaks and spills of potential contaminants.

    5. Washing of concrete, paint, equipment, and refueling and maintenance of equipment shall occur only in designated areas. Sandbags and/or absorbent pads shall be available to prevent water and/or spilled fuel from leaving the site.

    6. Equipment shall be inspected by the operator daily to ensure that equipment is in good working order and no fuel or lubricant leaks are present.

61. **BR-17 Protection of State Waters.** During construction, project activity occurring within 50 feet of aquatic habitat (e.g., swales, drainages, ponds, vernal pool, etc., identified in biological report) shall occur during the dry season (between June 1 and September 31). For short-term, temporary stabilization, an erosion and sedimentation control plan shall be developed outlining controls, which shall be implemented to prevent erosion and sedimentation into drainages and wetlands. Acceptable stabilization methods include the use of weed-free, natural fiber (i.e., non-monofilament) fiber rolls, jute or coir netting, and/or other industry standard materials. These controls shall be installed and maintained for the duration of the project.

62. In the event that buried or otherwise unknown cultural resources are discovered during construction activities in the area of the find, work shall be suspended, and the County of San Luis Obispo should be contacted immediately. Prior to resuming construction activities, appropriate mitigation measures shall be developed by a qualified archeologist or historian if necessary, at the developer's expense. In the event that human remains are discovered, the County Coroner shall be contacted immediately. If the Coroner determines the remains are Native American, the Native American Heritage Commission (NAHC) would be contacted and the remains would be left in situ and protected until a decision is made on their final disposition.

Conditions to be completed prior to occupancy or final building inspection /establishment of the use

63. **Prior to occupancy or final inspection**, whichever occurs first, the applicant shall obtain final inspection and approval from Cal Fire for all required fire/life safety measures.

64. **Prior to occupancy and final inspection,** Where fire sprinklers are required, a Registered Fire Protection Engineer (F.P.E.) is required to design and approve of the required commercial fire sprinkler system(s), water storage system, underground piping, proposed fire hydrants and fire pump. A comprehensive written technical analysis of all fire suppression system related components is required and must be provided to CAL FIRE/County Fire prior to permit application.

65. **Prior to occupancy and final inspection**, the proposed 15,000 square foot commercial type structure, will require a properly designed and installed commercial fire sprinkler system. The installation of a code compliant commercial fire sprinkler system will assist in mitigating fire/life safety concerns relating to large scale commercial development in remote areas with limited emergency services.

66. **Prior to occupancy and final inspection**, All proposed greenhouse structures must be approved by the San Luis Obispo County Dept, of Planning & Building and CAL FIRE/County Fire. Occupancy of these greenhouses shall meet all relative minimum requirements within the CA. Building Code/Fire Code and local ordinances. If these provisions are met, fire sprinklers will not be required within the greenhouses. Commercial operations such as drying and trimming are not allowed within greenhouses.

67. **Prior to occupancy and final inspection**, the proposed 20-foot wide "all-weather road" does not provide sufficient width for a primary access road. This primary access road must provide a minimum width of 24-feet-(2) 10-foot travel lanes and (2) 2-foot shoulders. The entire primary access road (including turnaround) must provide an all-weather surface. All portions exceeding a 12% grade must be paved.

68. **Prior to occupancy and final inspection**,, "Poly" and or plastic style water storage tanks shall not be allowed. Multiple or "daisy chained" tanks are not allowed to be utilized to provide water held in storage dedicated to fire suppression purposes unless designed by a Registered Fire Protection Engineer and prior approval is granted by CAL FIRE/County Fire. A manifold and flexible couplings will be required for this type of approach. The Registered Fire Protection Engineer shall determine the amount of water required to be held in storage dedicated to fire suppression purposes.

69. **Prior to occupancy and final inspection**, The Registered Fire Protection Engineer (F.P.E.) shall determine the appropriate size of fire pump and location of fire hydrants. Given the size/scope of the proposed project, numerous pressurized fire hydrants will be required to satisfy relative codes. All fire hydrants shall provide a minimum of (1) 4-inch and (2) 2-1/2 inch male connections. National standard thread is required.

70. **Prior to occupancy and final inspection**, Where commercial fire sprinklers are required, the fire sprinkler system(s) shall be monitored in accordance with all relative standards set forth within N.F.P.A. 72 and 13. A properly designed, installed and monitored heat/smoke detection system will be required within the proposed 480-square foot office structure. All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels, and temperatures, critical air pressures and water-flow switches on all sprinkler systems shall be electrically monitored for integrity and to ensure valves are locked in the open position. Monitoring shall be provided by a central station licensed for receiving fire alarms.

71. **Prior to occupancy and final inspection**, an occupancy classification change to any/all existing structures located onsite shall require the installation of an appropriately designed and installed commercial fire sprinkler system.

72. **Prior to occupancy and final inspection**, a Knox Corporation key switch shall be installed on all electric vehicular gates and rapid entry Knox boxes shall be attached to commercial structures (where required and agreed upon). The Knox boxes shall be located where approved by County Fire.

73. **Prior to occupancy and final inspection**, address numbers and placement shall meet current commercial standards. The minimum address numbering size of 8-inch tall numbers with a 1/2 inch stroke shall be placed at the entrance to the proposed project and upon the 15,000-square foot commercial structure. Numbering shall contrast to their background. Building/site identification may be required due to the size of the proposed project. Proper signage shall be required onsite in order to properly identify access and egress routes.

74. **Prior to occupancy or final inspection (if applicable)**, the Stormwater Operations and Maintenance plan and General Notice must be updated to reflect as-built changes, approved by the County, and re-recorded with the County Clerk-Recorder as amendments to the original document.

75. **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.

<u>On-going Conditions for the Life of the Project</u>

76. The setback modification approved under this Conditional Use Permit shall remain valid so long as the parcels described as APNs 072-311-014 and 072-311-018 remain in common cannabis cultivation operations. In the event the cannabis land use permit application on APN 072-311-014 is withdrawn or denied, or after approval is surrendered, revoked, expire or cease to operate for any reason, or the cultivation operations cease being under common operation, the applicant shall either 1) cease all outdoor cannabis cultivation activities, or 2) reconfigure the outdoor cultivation area within the existing

outdoor cultivation footprint to comply with the 300-foot setback required by Land Use Ordinance Section 22.40.050.D.3.b.

77. **BR-6 Monthly Biological Monitoring.**
   a. Before, during, and after cannabis activities, the Applicant or project proponent must hire a qualified biologist to conduct monthly biological monitoring inspections during, before, and after cannabis activities. No monthly monitoring will be required during the fallow times of non-cannabis activities. The qualified biologist will inspect the site to ensure compliance with the above-measures and to determine if any new activities have occurred. The biologist will provide a refresher survey and/or environmental training, as needed, during the monthly inspection. The biologist will be required to submit a report to the County within a week of the inspection. If major issues are identified during the inspection (e.g., encroachment into buffer zones, new activity outside previously surveyed area, etc.), then the biologist will notify the County immediately (via phone and/or in writing). If the results of monthly inspections show repeated noncompliance with the above measures, the frequency of the inspections may be increased by the County. If the results of the monthly inspections consistently show compliance with the above measures, the frequency of the inspections may be reduced by the County.
   b. Alternatively, if the County implements a biological monitoring program, then the Applicant or project proponent will participate in that program in lieu of hiring the biologist directly.

78. **BR-4 Standard SJKF Avoidance and Protection Measures.** Throughout the life of the project,
   c. If a SJKF is discovered at any time to be occupying an area within the project boundaries, all work must stop. The County will be notified, and they will consult with other agencies as needed.
   d. A maximum of 15 mph speed limit shall be required at the project site during project activities. Speed limit signs shall be installed on the project site prior to start of all work.
   e. All project activities shall cease at dusk and not start before dawn. This includes driving on the site for security purposes.
   f. To prevent entrapment of SJKF and other special-status wildlife, all excavations, steep-walled holes or trenches greater than two feet deep shall be completely covered at the end of each work day by plywood or similar materials, or one or more escape ramps constructed of earth fill or wooden planks shall be installed a minimum of every 200 feet. All escape ramps shall be angled such that wildlife can feasibly use it to climb out of an area. All excavations, holes, and trenches shall be inspected daily for SJKF or other special-status species and immediately prior to being covered or filled. If a SJKF is entrapped, CDFW, USFWS, and the County will be contacted immediately to document the incident and advise on removal of the entrapped SJKF.
   g. All pipes, culverts, or similar structures with a diameter of 4 inches or greater, stored overnight at the project site shall be thoroughly inspected for sheltering SJKF before burying, capping, or moving. All exposed openings of pipes, culverts, or similar structures shall be capped or temporarily sealed prior to the end of each working day. No pipes, culverts, similar structures, or materials stored on site shall be moved if there is a SJKF present within or under the material. A 50-foot

exclusion buffer will be established around the location of the SJKF until it leaves. The SJKF shall be allowed to leave on its own before the material is moved.

h. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in animal-proof closed containers only and regularly removed from the site.
i. No deliberate feeding of wildlife shall be allowed.
j. Water sources shall be managed to ensure no leaks occur or are fixed immediately upon discovery in order to prevent SJKF from being drawn to the project area to drink water.
k. Trash will be disposed of into containers rather than stockpiling on site prior to removal.
l. Materials or other stockpiles will be managed in a manner that will prevent SJKF from inhabiting them. Any materials or stockpiles that may have had SJKF take up residence shall be surveyed (consistent with pre-construction survey requirements) by a qualified biologist before they are moved.
m. The use of pesticides or herbicides shall be in compliance with all local, state, and federal regulations so as to avoid primary or secondary poisoning of endangered species and the depletion of prey upon which SJKF depend.
n. Permanent fences shall allow for SJFK passage through or underneath by providing frequent openings (8-inch x 12-inch) or an approximately 4-inch or greater passage gap between the ground and the bottom of the fence. Any fencing constructed after issuance of a final permit shall follow the above guidelines. Upon fence installation, the applicant shall notify the County to verify proper installation.
o. During project activities and/or the operation phase, any contractor or employee that inadvertently kills or injures a SJKF or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and County. In the event that any observations are made of injured or dead SJKF, the applicant shall immediately notify the USFWS, CDFW, and the County by telephone. In addition, formal notification shall be provided in writing within 3 working days of the finding of any such animal(s). Notification shall include the date, time, location, and circumstances of the incident.
p. If potential SJKF dens are identified on site during the pre-construction survey, a qualified biologist shall be on site immediately prior to the initiation of project activities to inspect the site and dens for SJKF activity. If a potential den appears to be active or there is sign of SJKF activity on site and within the above-recommended buffers, no work can begin.

79. **BR-7 Annual Biological Resource Surveys.** Throughout the life of the project, annual Pre-activity Survey for SJKF, Special-status Small Mammals, and Burrow Mapping. Applicant or project proponent must hire a qualified biologist to complete an annual pre-activity survey for SJKF and special-status small mammal species (e.g., giant kangaroo rat) no more than 14 days prior to the start of initial ground disturbance or initiating outdoor cannabis activities (including removal of stockpiled materials) to ensure SJKF and special-status small mammal species have not colonized the area and are not present within the grow site areas. The survey will include mapping of all potentially active SJKF and special-status mammal burrows within the grow site areas plus a 50-foot buffer for small mammals and 250-foot buffer for SJKF. All potentially active burrows will be mapped and flagged for avoidance. If avoidance of the burrows is not feasible, the County shall be contacted for further guidance. The County will contact the appropriate resource agencies. If a SJKF den is found within 250 feet of the disturbance area, then the County must be contacted for further guidance. The County will contact the appropriate resource agencies.

80. **Throughout the life of the project, ENG-2 Quarterly Monitoring Inspection.** At time of quarterly monitoring inspection, the applicant shall provide to the Department of Planning and Building for review, a current energy use statement from the service provider (e.g. PG&E) that documents energy use to date for the year. The applicant shall also demonstrate continued compliance with ENG-1 and ENG-2 (e.g. providing a current PG&E statement or contract showing continuous enrollment in the Solar Choice program or Regional Renewable Choice program).

81. **Throughout 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 Department of Public Works.

82. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to County Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed, or pursuant to Land Use Ordinance Section 22.64.090.B, the Director verifies that the use or activity not involving a building or grading permit is occurring on the subject site in compliance with all applicable provisions of the Land Use Ordinance and these conditions of approval. Substantial site work is defined by County Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.

83. **Throughout the life of the project** 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 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 Sections 22.74.160 and 22.40.110 and 120 of the County Land Use Ordinance. Revocation may require restoration to pre-existing conditions of areas of disturbance for cannabis-related activities authorized by this permit.

84. **Throughout the life of the project** and in accordance with the request for a modification from the parking standards set forth in Section 22.18.050.H, the applicant shall maintain no less than 22 parking spaces on site for the life of the project.

85. **Throughout the life of the project**, the applicant shall post on site all required land use permit approvals and all required County and State 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.

86. **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.

87. **Throughout the life of the project,** the applicant shall conduct all cannabis activities in compliance with the approved Operations Plan, as well as 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.

88. Upon adoption of the County of San Luis Obispo Cannabis Monitoring Program, the applicant shall enter the program within (90) days of adoption. Any associated fees shall be paid to the County of San Luis Obispo.

89. **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 to not invoke any verified nuisance complaints. All structures utilized for indoor cannabis cultivation shall be equipped and/or maintained with sufficient ventilation controls (e.g. carbon scrubbers) to eliminate nuisance odor emissions from being detected offsite. In the event of a verified nuisance complaint, the County may pursue remedial action that may include the reduction or cessation of operations until a revised operations plan is reviewed and approved by the Department of Planning and Building, abatement of the violation pursuant to Land Use Ordinance Section 22.40.130 and permit revocation pursuant to Land Use Ordinance Sections 22.40.110 and 120.

90. **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.

91. **Throughout the life of the project**, the operator shall ensure that all site operating personnel know, understand, and comply with the requirements contained in the Policy, General Order, Notice of Applicability, and the Monitoring and Reporting Program (MRP, Attachment B of the General Order)

92. **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.

93. **Throughout the life of the project**, solid waste and recycling shall be conducted in accordance with LUO Sections 22.10.150 B. and C.

94. **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.

95. **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.

96. **Throughout the life of the project**, the applicant shall meter water used for cannabis activities and provide the Department of Planning and Building with quarterly water usage monitoring reports based on meter readings.

97. **Throughout the life of the project**, the applicant shall meter electricity used for cannabis activities and provide the Department of Planning and Building with quarterly energy usage monitoring reports based on meter readings.

98. **Throughout the life of the project** 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 off-site drainage and erosion and sedimentation impacts. Erosion and sedimentation control activities shall adhere to the standards in Section 22.52.150C of the Land Use Ordinance.

99. **Throughout the life of the project,** structural development and parking areas should be minimized to protect farmland for agriculture production and the use of pervious and semi-pervious surfaces should be maximized to promote groundwater recharge and minimize erosion and sedimentation.

100. The project would utilize an existing onsite well. If at any point in time this 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).

101. **Throughout the life of the project,** Immature plants and seeds grown on site may be transported to certain license types,as specified by State law. Cannabis nursery plants (immature and/or seeds) not grown on site shall not be transported under this provision. The transport operation shall be conducted from a non-residential structure.

102. **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 for the purposes of compliance with this Use Permit. Inspections may occur any day of the week, without prior notice, between the hours of 8 a.m. – 6 p.m.

103. **Throughout the life of the project**, the applicant shall submit to the Department of Planning and Building any proposed changes to the approved Site Plans, Operations Plan, Security Plan, or other plan approved through this Use Permit prior to the proposed change. Changes shall be submitted in writing and must be approved by the Department of Planning and Building prior to the implementation of the proposed changes. Any changes to the approved project, including features identified in the Conditions of Approval stated herein, may require additional environmental analysis and/or revisions to the approved Use Permit that requires review and approval by the appropriate Review Authority.

104. **Throughout the life of the project**, the applicant shall submit to the Department of Planning and Building any changes to the applicant name, business name, business owners, State license status, landowner, or changes in ownership requiring approval from the County Tax Collector's Office or County Sheriff's Department prior to the proposed change. Changes shall be submitted in writing and must be approved by the Department of Planning and Building prior to the implementation of the proposed changes.

<u>Land use permit expiration.</u>

105. **BR-15 Site Restoration Following End of Operations.** Upon revocation of a use permit or abandonment of a licensed cultivation or nursery site, the permittee and/or property owner shall remove all materials, equipment, and improvements on the site that were

devoted to cannabis use, including but not limited to concrete foundation and slabs; bags, pots, or other containers; tools; fertilizers; pesticides; fuels; hoop house frames and coverings; irrigation pipes; water bladders or tanks; pond liners; electrical lighting fixtures; wiring and related equipment; fencing; cannabis or cannabis waste products; imported soils or soils amendments not incorporated into native soil; generators; pumps; or structures not adaptable to non-cannabis permitted use of the site. If any of the above described or related material or equipment is to remain, the permittee and/or property owner shall prepare a plan and description of the non-cannabis continued use of such material or equipment on the site. The property owner shall be responsible for execution of the restoration plan that will re-establish the previous natural conditions of the site, subject to monitoring and periodic inspection by the County. Failure to adequately execute the plan shall be subject to the enforcement provisions by the County.

106. This CUP for cannabis cultivation shall expire in five years from the approval date. Within a twelve (12) month period prior to expiration, the applicant may request the Conditional Use Permit be renewed for an additional five-year period. Any such request for renewal shall be in writing to the Department of Planning and Building 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 Conditional Use Permit shall be deemed expired.

107. 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 OF PLANNING & BUILDING***

August 9, 2022

Mr. Ian McCarville
Kirk Consulting
8830 Morro Rd
Atascadero, CA 93422

SUBJECT: Substantial Conformity for DR2018-00154 (Kingston Farms)

The request for modification to the hours/days of operation for the above-referenced project has been received and reviewed and staff has determined that the proposed changes substantially conforms to the Findings and Conditions and will not pose additional environmental impacts.

Project modification:

- Hours of operation: limited to the hours between dawn and dusk, seven days a week.

Eric Tolle, Senior Planner
Department of Planning & Building

Kirk Consulting

A California Corporation

Letter of Transmittal

Date: July 15, 2022
To: Eric Tolle, Project Manager
From: Ian McCarville, Kirk Consulting
RE: **Kingston Farms, LLC / DRC2018-00154** Modification to Land Use Permit Application (Substantial Conformance)

Please accept the following request to modify the previously approved Conditional Use Permit, DRC2018-00154.

Background

DRC2018-00154 was approved on June 25th, 2020. A modification to the Land Use Permit Application (DRC2020-00166) was approved on December 9th, 2020.

- The approved project (DRC2018-00154) included operational hours up to 10 hours per day, five days per week.

Approved Project

On June 25th, 2020, the Planning Department Hearing Officer at a regular Planning Department Hearing approved a request by Kingston Farms, LLC. for a Conditional Use Permit to allow for the establishment of up to three (3) acres of outdoor cannabis cultivation within hoop structures or three (3) acres of outdoor cannabis canopy within the areas shown on the approved plans, the construction of twelve (12) greenhouses totaling 24,000 sq. f.t supporting up to 22,000 sq. ft. of indoor mature cannabis cultivation canopy, the construction of four (4) greenhouses totaling 12,000 sq. ft. of indoor nursery, the construction of a 15,000 sq. ft. metal building for processing activities ancillary to cannabis cultivation (trimming, storage, drying/curing), and (22) parking spaces. The Planning department also approved the installation of a 480 sq. ft. modular security field office, nine (9) 10,000-gallon water tanks for irrigation, one (1) 10,000-gallon water tank for fire suppression, the use of two (2) existing barns for pesticide/fertilizer, and a tool storage (1,920 sq. ft. of storage) was approved by the Planning Department.

On December 9th, 2020, the County of Planning and Building approved a modification to the Land Use Permit Application (Substantial Conformance) to allow the following:

- Installation of a security box on the exterior of the existing pesticide/fertilizer barn, the inclusion of the use of a new drainage crossing, and the inclusion of an existing 12’ – 18’ wide access road in Phase I.
- The replacement of a 480 sq. ft. modular security and field office with a 120 sq. ft. security shed in Phase II.
- Establish a revised phasing plan that included a phased payment plan for kit fox fees.

Request for Modification

Hours of Operation

The approved project included operational hours of up to ten (10) hours per day, five (5) days per week. The applicant is requesting to modify the approved project to allow the hours of operation to be from dawn to dusk, seven days a week, to better align with operational needs.

Modifying the hours and days of operation is in conformance with the approved IS/MND. See below the sections within the IS/MND that involve hours of operation and how the proposed modification is in conformance with the environmental analysis:

- Nighttime Light Pollution: The IS/MND identified potentially significant impacts associated with nighttime light pollution from the greenhouse operation, and noted that, "light has the potential to escape through the greenhouse's opaque siding such that it could be visible from neighboring properties and Highway 58 This impact is potentially significant, and mitigation is required," (pg. 13). To mitigate impacts associated with nighttime light pollution, the project was conditioned to prevent all interior lighting from being detected outside the facilities between the period of 1 hour before dusk and 1 hour after dawn. Changing the hours of operation from dawn to dusk, seven days a week, would not result in a change of light pollution control nor would it result in a new source of light. No new nighttime light pollution impacts shall occur as a result of this modification.
- Traffic: The IS/MND utilized trip generation rates for cannabis cultivation from traffic reports and through the trip generation rates published by the Institute of Traffic Engineers (pg. 109). Updating the hours of operation from 10 hours per day to dawn to dusk will not result in additional daily trips. Additionally, updating the days of operation from five to seven would not result in a change of average daily trips, therefore, no new traffic impacts shall occur as a result of this modification.

The proposed modification will not result in any increase impacts above those that were evaluated under the approved environmental document and DRC2018-00154 Conditional Use Permit.

Regulatory Setting

Deviation of project design or construction from approved plans are subject to Section 22.64.050. where proposed changes may occur when it relates to a feature of the use, provided the changes are requested in writing with appropriate supporting materials and explanation of the reasons for the request.

Explanation of the Reasons for the Request

Hours of Operation

The applicant is seeking authorization to modify the hours of operation to be dawn to dusk, seven days a week, in order to better align with operational needs. The applicant completed his first year of operations in 2021 and identified multiple challenges with working a five-day work week. Expanding the work week from five to seven days allows employees to complete critical tasks,

including but not limited to, watering during extreme heat events, fixing broken hoop houses, site maintenance, and spraying during pest storms.

Additionally, similar to other agriculturally based businesses, there are many farm operations that must be completed on an as-needed basis and are difficult to plan for. Since cannabis is a seasonal plant, these site operations also change with the seasons, so the exact time typical tasks occur, such as watering, leafing, etc. can vary depending on the season. By modifying the hours of operation to dawn to dusk, seven days a week, the applicant will have more flexibility with completing critical tasks to keep the farm running in an efficient manner.

Conclusion – Findings for Changes to an Approved Project

Per Section 22.64.050 of the Land Use Ordinance, an approved land use shall be developed or established only as shown on the project plans approved as part of the permit application, except where otherwise provided by this Section. Deviation of project design or construction from the approved plans, and changes to the project after completion of construction may occur only as follows:

A. Except as provided by following Subsection B., a feature of the use or project subject to the standards of Articles 3, 4, and 5 may be modified, provided that the change requested is in with the standards of this Title. The change shall be requested in writing with appropriate supporting materials and explanation of the reasons for the request. The Director may approve a requested change upon verification of its conformity with this Title, provided that the approval shall not modify the effective date of the land use permit.
B. Where the Director determines that the change results in an increased impact to an aspect of the project, that was specifically addressed in a Negative Declaration or Environmental Impact Report for the project, or the change relates to a project feature that was specifically addressed in conditions of approval of a Minor Use Permit or Conditional Use Permit, or that was a specific consideration by the Review Authority in the approval of a Minor Use Permit or Conditional Use Permit, a new Minor Use Permit or Conditional Use Permit approval shall be obtained.

Will it create a new or increase any impact that was addressed in the CEQA document?

The proposed modification will not create a new or increase any existing impact that was addressed in the CEQA document. As described in the narrative above, the proposed modification will not result in any new nighttime light pollution or traffic impacts and is in conformance with the approved CEQA document.

Will it change a condition of approval?

The proposed modification will not result in a change of any conditions of approval. The proposed modification would result in a change in the Approved Development (1.xii).

Will it affect an issue that was specifically addressed by the review authority?

The proposed modification will not affect an issue that was specifically addressed by the review authority.

Should you have any questions to the nature of the request or require additional information to support your review and your decision, please do not hesitate to contact me.

Thank you,

Ian McCarville
Associate Planner III
KIRK CONSULTING | 8830 MORRO RD | Atascadero, CA 93422 | 805.461.5765

Attachments

1. Modification to Land Use Permit Application
2. June 25, 2020 NOFA (DRC2018-00154)
3. December 9, 2020 Substantial Conformance (DRC2020-00166)
4. IS/MND (ED20-012)

RE: [EXT]FW: County of SLO Receipt - Kingston Farms SC

Eric Tolle <etolle@co.slo.ca.us>

Tue 8/16/2022 12:15 PM

To: Ian McCarville <ian@kirk-consulting.net>

Cc: Sarah E. Anderson <seanderson@co.slo.ca.us>;Michael L. Pennon <mpennon@co.slo.ca.us>;Anthony J. Hernandez <ajhernandez@co.slo.ca.us>;Michael DeRose <mderose@co.slo.ca.us>

Ian, attached is the substantial conformance letter approving a modification to the hours of operation for Kingston Farms.

If you have any questions, let me know.

Eric Tolle
Senior Planner
County of San Luis Obispo
Tel: (805) 788-2148

From: Ian McCarville <Ian@kirk-consulting.net>
Sent: Friday, August 5, 2022 5:05 PM
To: Eric Tolle <etolle@co.slo.ca.us>
Subject: RE: [EXT]FW: County of SLO Receipt - Kingston Farms SC

Here you go! See “Request for Modification” on page 2.

Thank you,

Ian McCarville
Associate Planner III
KIRK CONSULTING | 8830 MORRO RD | Atascadero, CA 93422 | Office 805.461.5765 | Cell 707.479.3711 | Fax 805.462.9466

From: Eric Tolle <etolle@co.slo.ca.us>
Sent: Friday, August 05, 2022 5:04 PM
To: Ian McCarville <Ian@kirk-consulting.net>
Subject: Re: [EXT]FW: County of SLO Receipt - Kingston Farms SC

Ok. Why don’t you resend the transmittal letter. Thanks.

From: Ian McCarville <Ian@kirk-consulting.net>
Sent: Friday, August 5, 2022 5:02:21 PM
To: Eric Tolle <etolle@co.slo.ca.us>
Subject: RE: [EXT]FW: County of SLO Receipt - Kingston Farms SC

Hi Eric,

The SC Transmittal Letter clearly states the updated operating hours. This has been acceptable on previous SCs, would that work? I am also OK with updating the Operations Plan if that is your preference.

Thanks!

Ian McCarville
Associate Planner III
KIRK CONSULTING | 8830 MORRO RD | Atascadero, CA 93422 | Office 805.461.5765 | Cell 707.479.3711 | Fax 805.462.9466

From: Eric Tolle <etolle@co.slo.ca.us>
Sent: Friday, August 05, 2022 4:55 PM
To: Ian McCarville <Ian@kirk-consulting.net>
Subject: Re: [EXT]FW: County of SLO Receipt - Kingston Farms SC

Yes please. Or a document formally stating the updated operating hours. Whichever is easier.

From: Ian McCarville <Ian@kirk-consulting.net>
Sent: Friday, August 5, 2022 4:48:41 PM
To: Eric Tolle <etolle@co.slo.ca.us>
Subject: RE: [EXT]FW: County of SLO Receipt - Kingston Farms SC

Hi Eric,

We typically do not submit a revised operations plan with a Substantial Conformance as the SC is a modification of the current Operations Plan. Would you like me to submit an updated Operations Plan regardless?

Thank you,

Ian McCarville
Associate Planner III
KIRK CONSULTING | 8830 MORRO RD | Atascadero, CA 93422 | Office 805.461.5765 | Cell 707.479.3711 | Fax 805.462.9466

From: Eric Tolle <etolle@co.slo.ca.us>
Sent: Friday, August 05, 2022 4:47 PM
To: Ian McCarville <Ian@kirk-consulting.net>
Subject: RE: [EXT]FW: County of SLO Receipt - Kingston Farms SC

Ian, did you already submit a revised operations plan for this?

From: Ian McCarville <Ian@kirk-consulting.net>
Sent: Tuesday, August 2, 2022 1:48 PM
To: Eric Tolle <etolle@co.slo.ca.us>
Subject: [EXT]FW: County of SLO Receipt - Kingston Farms SC

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

Hi Eric,

The Substantial Conformance invoice for Kingston Farms (DRC2018-00154) has been paid.

Thank you,

Ian McCarville
Associate Planner III
KIRK CONSULTING | 8830 MORRO RD | Atascadero, CA 93422 | Office 805.461.5765 | Cell 707.479.3711 | Fax 805.462.9466

From: Jamie Jones <Jamie@kirk-consulting.net>
Sent: Tuesday, August 02, 2022 1:27 PM
To: Ian McCarville <Ian@kirk-consulting.net>; Jacob Bulotti <B.Jacob@kirk-consulting.net>
Subject: FW: County of SLO Receipt

For you 😊

Jamie L. Jones
President and CEO
KIRK CONSULTING
8830 MORRO RD | Atascadero, CA 93422 | 805.461.5765

NOTE: I will be out of the office:
August 8 – August 12

From: planning-support@co.slo.ca.us <planning-support@co.slo.ca.us>
Sent: Tuesday, August 2, 2022 12:06 PM
To: Jamie Jones <Jamie@kirk-consulting.net>
Subject: County of SLO Receipt

Attached is a copy of REC2022-19160 for your records.

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

December 9, 2020

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

Subject: DRC2020-00166 - Modification to Land Use Permit Application (Substantial Conformance) for Conditional Use Permit DRC2018-00154 (Kingston Farms, LLC).

The County Planning and Building Department has reviewed the substantial conformance request for Conditional Use Permit DRC2018-00154 (Kingston Farms, 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 basis for the determination are provided below:

Description of Proposed Changes:

1. Replacement of a 480-square-foot modular security and field office with a 120-square-foot security shed in Phase II;
2. Installation of a security box on the exterior of the existing pesticide and fertilizer barn in Phase I of the project;
3. Inclusion of the use of new drainage crossing and existing 12' – 18' wide access road in Phase I of the project;
4. Establish a revised phasing plan including phased payment of Kitfox fees (Attachment 1)
5. Revised phasing per Attachment 2.

Substantial Conformance:

Subject to all conditions of approval from Conditional Use Permit DRC2018-00154 and the special requirements outlined below. The proposed modifications are deemed in conformance with Conditional Use Permit DRC2018-00154. 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 DRC2018-00154.

Special Requirements:

The proposed modifications shall comply with all original conditions from Conditional Use Permit DRC2018-00154, as well as the following requirements:

1. **At the time of application for a construction permit,** this letter and all conditions of approval from Minor Use Permit DRC2018-00154 shall be printed on the projects plans.

2. **At the time of application for a construction permit,** for the proposed processing building, the security equipment stored in the security shed will need to be relocated into that building to comply with California Building Standards Codes.

OUTDOOR GROWING/NURSERY

3. All construction plans and use of the facility shall comply with all applicable standards, regulations, codes and ordinances at time of Building Permit issuance (2019 CA Fire Code, CA State Title 14, San Luis Obispo County Title 16).

4. Access Roads: Roads designated to service non-habitable infrastructure to include specific group U occupancies including communication towers and water tanks. Road shall be designed to have a minimum 12-foot travel lane and 13 foot 6-inch vertical clearance. Special purpose roads exceeding 150 feet in length but less than 800 feet shall have a standard turnout near the midpoint of the driveway. Turnouts shall be provided at the terminus of the roadway within 50 feet of infrastructure. County Code Title 16 section 503.2.9.5 (this will include outdoor operations small sheds/containers for pesticides or drying curing only).

5. Access Road surfacing must be of an all-weather surfacing for year round operations. Seasonal road surfacing will only be supported and must be passable by fire apparatus anytime during active operations.

6. Gates: Knox Key entry system will be required for gates across access roads, C.F.C 503.6

7. No water storage for fire protection will be required for outdoor operations.

8. Hoop house and covered canopy. Hoop house will be considered outdoors by County Fire can't be classified as greenhouses. Covered canopies for growing areas will also be considered outdoor if approved by County Building Department. Tents used for work or storage will need to meet applicable sections of the C.F.C chapter 31 Tents and membranes and will not be considered outdoor operations.

STRUCTURE USE (new or converted)

9. All construction plans and use of the facility shall comply with all applicable standards, regulations, code and ordinances at time of Building Permit issuance (2019 CA Fire Code, CA State Title 14, San Luis Obispo County Title 16).

10. Occupancy will not be granted until all fire department fire and life safety items have been installed, tested and finaled.

11. A registered Fire Protection Engineer is required to provide a written technical analysis of the fire protection requirements.

12. Projects shall have a approved water supply for fire protection available as soon as combustible material arrives on the site. All underground fire lines, pump and tank plans are required to be a separate submittal from the building or civil plans.

13. Submittals are required for Underground fire lines, Fire Pump, Automatic Fire Sprinklers, Fire Alarm Systems, Kitchen Hood Extinguishing Systems and High Piled Storage (any combustible stored over 12 feet in height).

14. All buildings, facilities, and developments shall be accessible to fire department apparatus by way of approved access roadways and/or driveways. The fire access road shall comply with the requirements of California Code of Regulations Title 14 and San Luis Obispo County Title 16.

15. Access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced to provide all-weather driving capabilities. Provide and engineered analysis of the proposed roadway noting its ability to support apparatus weighing 75,000 lbs. (commercial) must be provided.

16. Provide fire department access roads to within 150 feet of any exterior portion of the buildings as measured by an approved route around the exterior of the building or facility.

17. Roadways shall be a minimum of 20 feet in width with 2-foot shoulders and 13-foot 6-inch vertical clearance.

18. Turnarounds are required on driveways and dead end roadways.

19. Maximum dead end road lengths shall comply with requirements established in California Code of Regulations Title 14. Distances are determined by the lot size.

20. Grades for all roadways and driveways shall not exceed 16 percent. Over 16 percent up to 20 percent require approval. No grades over 20 percent will be approved.

21. Roadway radius shall not have a radius of less than 50 feet. Additional surface width of 4 feet shall be added to curves of 50-100 feet radius and 2 feet to curves of 100-200 feet radius.

22. Gates for driveways and/or roadways shall comply with the CA Fire Safe Regulations.

23. Commercial – Water storage (for buildings not served by a public water system) and fire flow calculations shall be provided by a Certified State Licensed Civil Engineer, C-16 licensed contractor, or registered engineer indicating compliance with CFC Appendix B or NFPA 1142. Fire pumps may be required based on calculated water flow.

24. Commercial-Approved hydrants shall be installed based in accordance with requirements in CFC appendix B. Private fire services mains shall be installed, tested and maintained per NFPA 244 2016 editions.

25. Commercial-Fire Department Connections (FDC) for automatic sprinkler systems shall be located fully visible and recognizable from the street or fire apparatus access roads. FDC shall be located within 50 feet of an approved fire hydrant.

26. Commercial – The minimum main size of all fire hydrants shall be 6 inches in diameter. Piping shall be installed with C-900 class 200 piping or ductile iron or equivalent per NFPA 24, 2016 edition for the installation of Underground Fire Protection Mains.

27. An automatic fire sprinkler system shall be installed in accordance with provisions set forth in the California Fire Code as amended by the San Luis Obispo County amendments and the applicable National Fire Protection Association Standard. Automatic fire sprinkler systems shall be designed by a fire protection engineer or C-16 licensed contractor.

28. All building shall comply with California fire Code, Chapter 10-Means of Egress requirement, including but not limited to; exit signs, exit doors, exit hardware and exit illumination.

29. Provide 100 feet of defensible space around all structures.

30. Provide 10 feet of defensible space fire hazard reduction on both sides of all roadways of the facility.

GREENHOUSES

31. Commercial greenhouses must meet the definition of the California Building Code to meet the U Occupancy. This will be determined by the County Building Dept. Fire sprinklers will not be required if County Code Title 16, Table 903.1 items are met.

32. Meet applicable items required for STRUCTURES listed above.

EXTRACTION FACILITIES

33. Processing and extraction of oils will meet C.F.C. chapter 39 requirement.

SAN JOAQUIN KIT FOX PROTECTION MEASURES

34. SJKF Protection Measures on Plans. All SJKF protection measures required before construction (prior to any project activities) and during construction San Joaquin Kit Fox (Vulpes macrotis multica; SJKF) Habitat Mitigation Alternatives. Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the County that states that one or a combination of the following three San Joaquin kit fox mitigation measures has been implemented:

    a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of 40.8 acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area), either on site or off site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the CDFW and the County.

    This mitigation alternative (a.) requires that all aspects if this program must be in place before City permit issuance or initiation of any ground disturbing activities.

    b. 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 within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

    Mitigation alternative (b.) can be completed by providing funds 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 SJKF 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-unit of $2,500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; the actual cost may increase depending on the timing of payment. 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. The fee, payable to "The Nature Conservancy" (see contact information below), would total $102,000, based on $2,500 per acre (10.2 acres impacted * 4 *$2,500 per acre).

    c. Purchase 41 (10.2 acres * 4) credits in a CDFW-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox

corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (c.) can be completed by purchasing credits from the Palo Prieto Conservation Bank. The Palo Prieto Conservation Bank was established to preserve SJKF habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with CEQA. The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank and would total $102,000 (10.2 acres * 4* $2,500). This fee is calculated based on the current cost-per-credit of $2500 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.

Fees are to be paid upon the commencement of each project phase upon building permit submittal and are to be as follows: Phase I would total $84,400 (8.44 acres * 4 * $2,500). Phase II would total $13,600 (1.36 acres * 4 * $2,500). Phase III would total $4,000 (0.4 acres * 4 * $2,500).

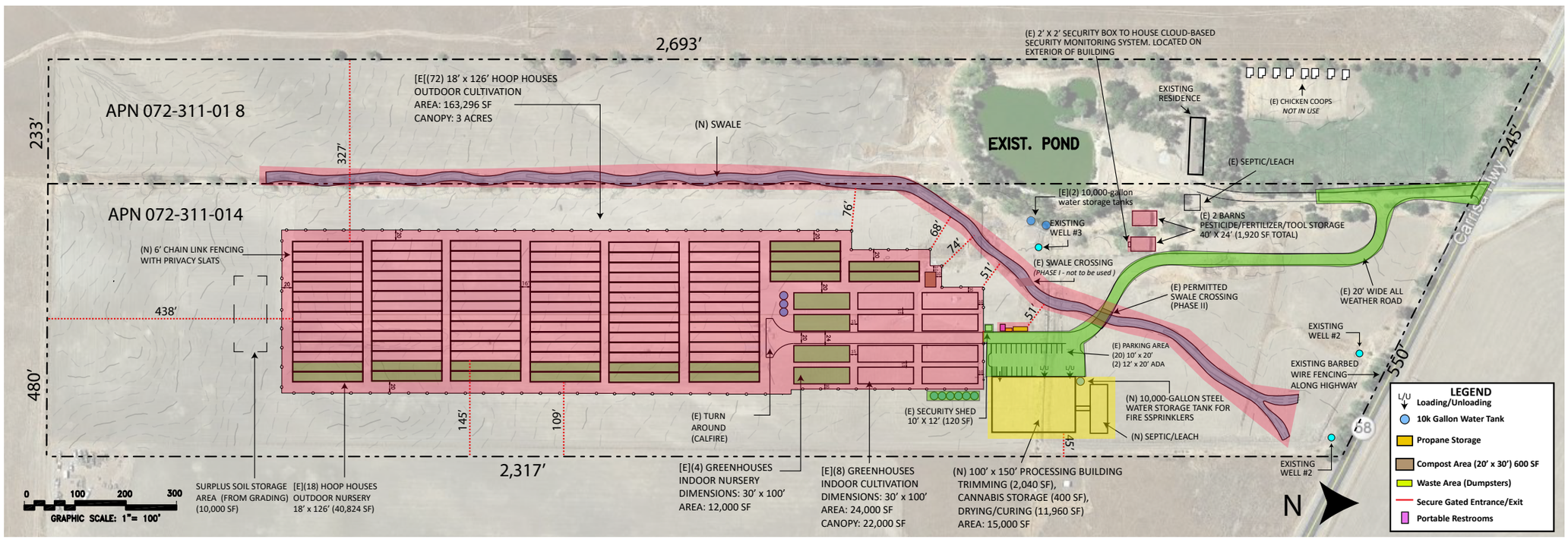
If you have any questions concerning these requirements, please contact me at ehughes@co.slo.ca.us or (805) 781-1598.

Sincerely,

Eric Hughes, Project Manager

ATTACHMENT 1

PHASED SITE PLAN - KIT FOX MITIGATION FEE
DRC2018-00154 - KINGSTON FARMS, LLC
8015 CARRISA HWY, SANTA MARGARITA, CA 93453
APN 072-311-014, 072-311-018



PHASING LEGEND

PHASE I: 367,506 SF (8.44 ACRES)

PHASE II: 59,246 SF (1.36 ACRES)

PHASE III: 17,560 (.4 ACRES)

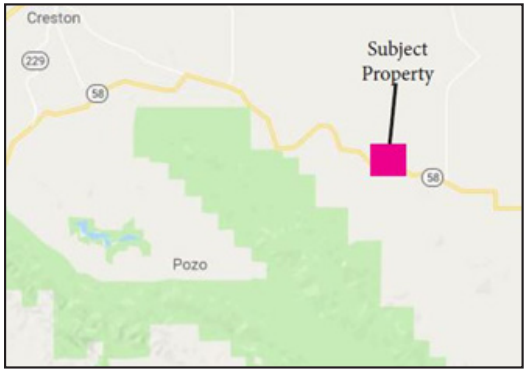
TITLE PAGE - KINGSTON FARMS, LLC - DRC2018-00154

SHEET INDEX

1	TITLE SHEET
2	PHASE I SITE PLAN & DETAILS
3	PHASE II SITE PLAN & DETAILS
4	PHASE III SITE PLAN & DETAILS
5	HOOP HOUSE SECURITY SHED DETAILS
6	SECURITY SHED ELEVATIONS
7 (A2.1)	PROCESSING BUILDING FLOOR PLAN
8 (A2.2)	PROCESSING BUILDING ELEVATIONS
9 (A2.3)	PROCESSING BUILDING RENDERINGS

Project Component	Phase	Count	Size	Footprint (sf)	Canopy (sf)
(N/E) Hoop Houses - Outdoor Cultivation	I	72	18' x 126'	163,296	130,680
(N/E) Hoop Houses - Nursery		18	18' x 126'	40,824	n/a
(E) Pesticide/Fertilizer/Tool Storage		2	24' x 40'	1,920	n/a
(N) Security Shed		1	10' x 12'	120	n/a
(N) Compost Area		1	20' x 30'	600	n/a
(N) Portable Restroom		1	4' x 4'	16	n/a
(N) Trash & Recycling Dumpsters		2	4' x 6	48	n/a
(N) Dirt Parking Area		n/a	n/a	Approx. 1,000	n/a
(E) Use of Existing 12' -18' Access Road		n/a	n/a	n/a	n/a
(N) Cal Fire Turn Around		n/a	n/a	<50 CY	n/a
(N) 6' Chain Link Fencing w/ Privacy Slats		n/a	n/a	3,120 Linear Feet	n/a
(E) 10,000-Gallon Water Storage Tanks		2	140" Diameter	213	n/a
(N) 5,000-10,000-Gallon Water Storage Tanks		3	102"-140" Diameter	170 - 319	n/a
(N) Drainage Swale		n/a	n/a	39,053	n/a
(N) 5,000-10,000-Gallon Water Storage Tanks	II	6	102"-140" Diameter	340 - 638	n/a
(N) Greenhouses - Indoor Cultivation		8	30' x 100'	24,000	22,000
(N) Greenhouses - Indoor Nursery		4	30' x 100'	12,000	n/a
(N) 20-Foot-Wide All-Weather Road		n/a	n/a	68,040	n/a
(N) All-Weather Parking Area w/ (2) ADA Parking Spaces		22	10'-12' x 20'	4,480	n/a
(N) Cal Trans Encroachment Permit		n/a	n/a	4,353	n/a
(N) Propane Storage		1	n/a	n/a	n/a
(N) Processing Building	III	1	100' x 150'	15,000	n/a
(N) 10,000-Gallon Steel Water Storage Tanks (Fire Sprinklers)		1	140" Diameter	107	n/a

VICINITY MAP



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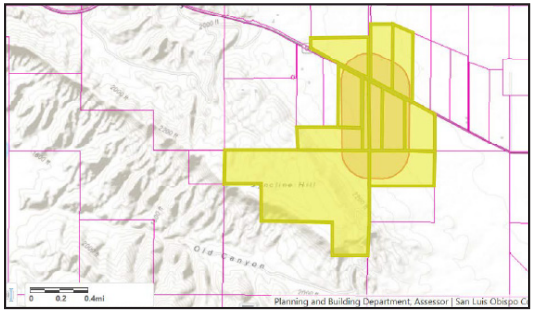

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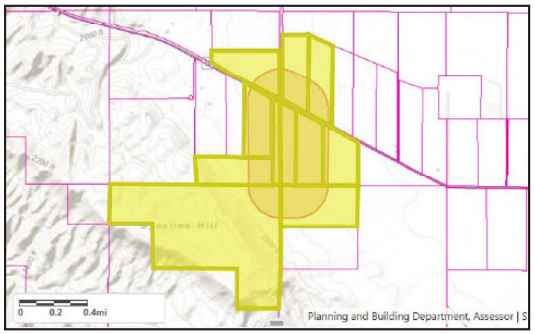


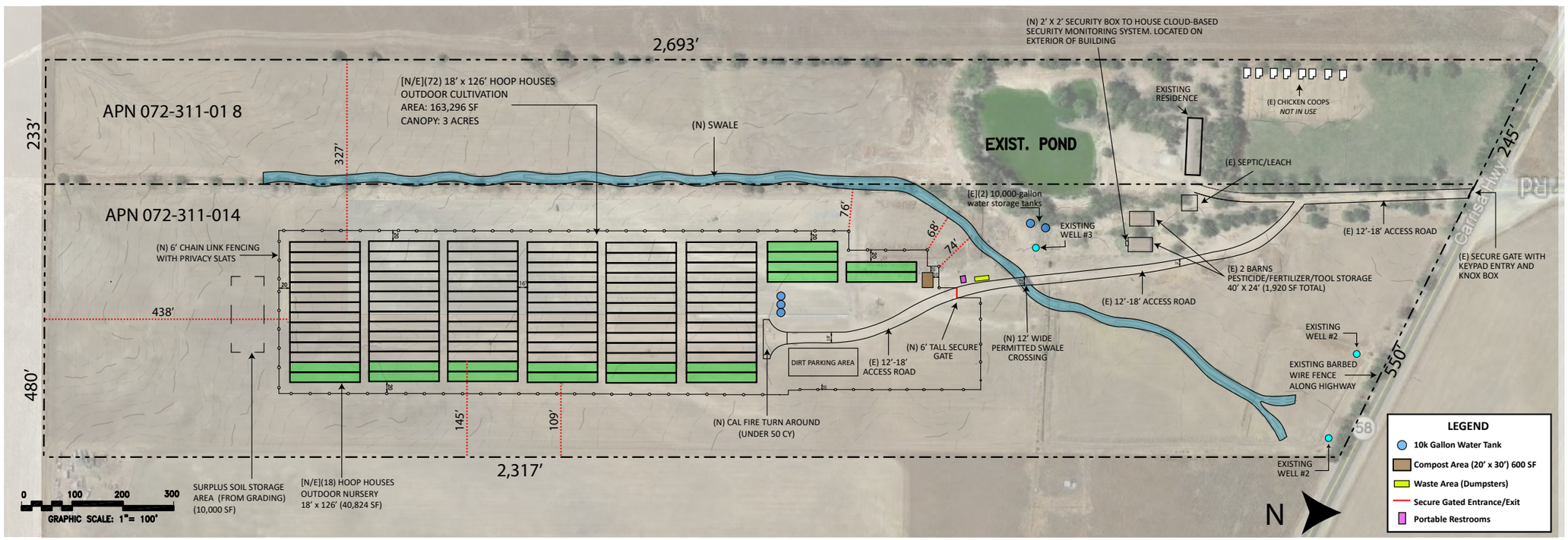
Kirk Consulting

Sheet 1: Title Page
Kingston Farms, LLC
8015 Carrisa Highway
Santa Margarita, CA
APN: 072-311-014 & 072-311-018

Not to Scale	
September 2020	
Kingston Farms, LLC	
Sheet 1 of 9	

Attachment 2

PHASE I SITE PLAN
DRC2018-00154 - KINGSTON FARMS, LLC
8015 CARRISA HWY, SANTA MARGARITA, CA 93453
APN 072-311-014, 072-311-018

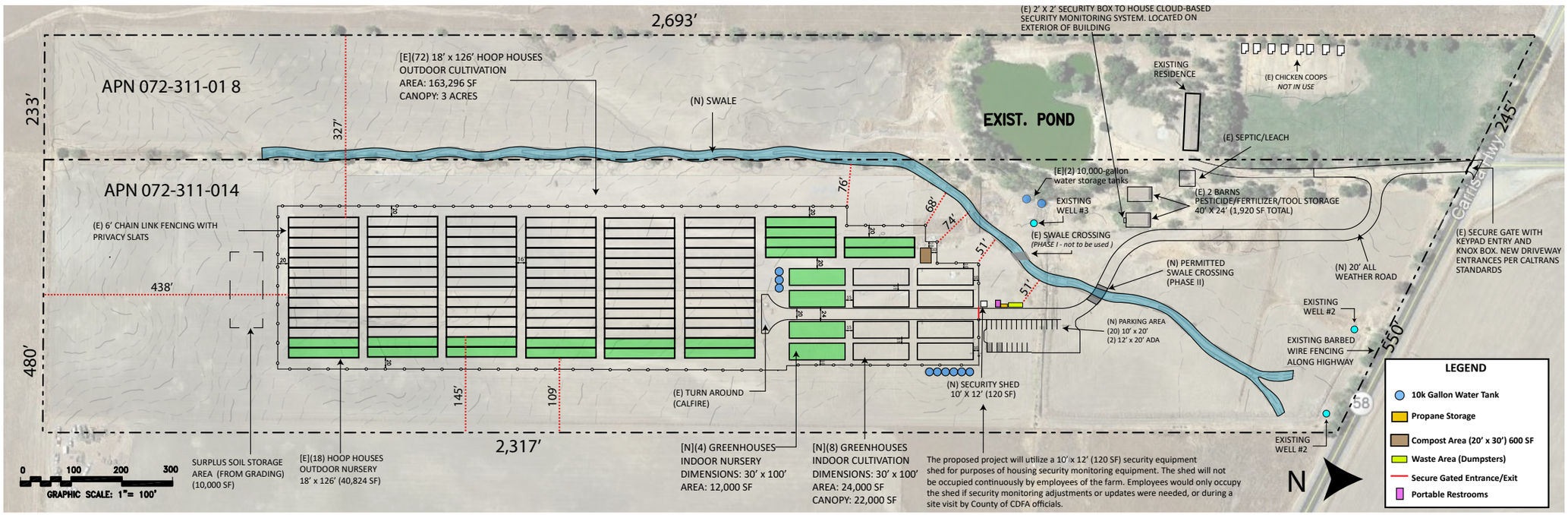


Project Component	Phase	Count	Size	Footprint (sf)	Canopy (sf)
(N/E) Hoop Houses - Outdoor Cultivation	I	72	18' x 126'	163,296	130,680
(N/E) Hoop Houses - Nursery		18	18' x 126'	40,824	n/a
(E) Pesticide/Fertilizer/Tool Storage		2	24' x 40'	1,920	n/a
(N) Security Box on Exterior of Existing Barn		1	2' x 2'	n/a - on barn wall	n/a
(N) Compost Area		1	20' x 30'	600	n/a
(N) Portable Restroom		1	4' x 4'	16	n/a
(N) Trash & Recycling Dumpsters		2	4' x 6	48	n/a
(N) Dirt Parking Area		n/a	n/a	Approx. 1,000	n/a
(E) Use of Existing 12' -18' Access Road		n/a	n/a	n/a	n/a
(N) Cal Fire Turn Around		n/a	n/a	<50 CY	n/a
(N) 6' Chain Link Fencing w/ Privacy Slats		n/a	n/a	3,120 Linear Feet	n/a
(E) 10,000-Gallon Water Storage Tanks		2	140" Diameter	213	n/a
(N) 5,000-10,000-Gallon Water Storage Tanks		3	102"-140" Diameter	170 - 319	n/a
(N) Drainage Swale		n/a	n/a	39,053	n/a

Not to Scale
September 2020
Kingston Farms, LLC
Sheet
2 of 9

Attachment 2

PHASE II SITE PLAN
DRC2018-00154 - KINGSTON FARMS, LLC
8015 CARRISA HWY, SANTA MARGARITA, CA 93453
APN 072-311-014, 072-311-018

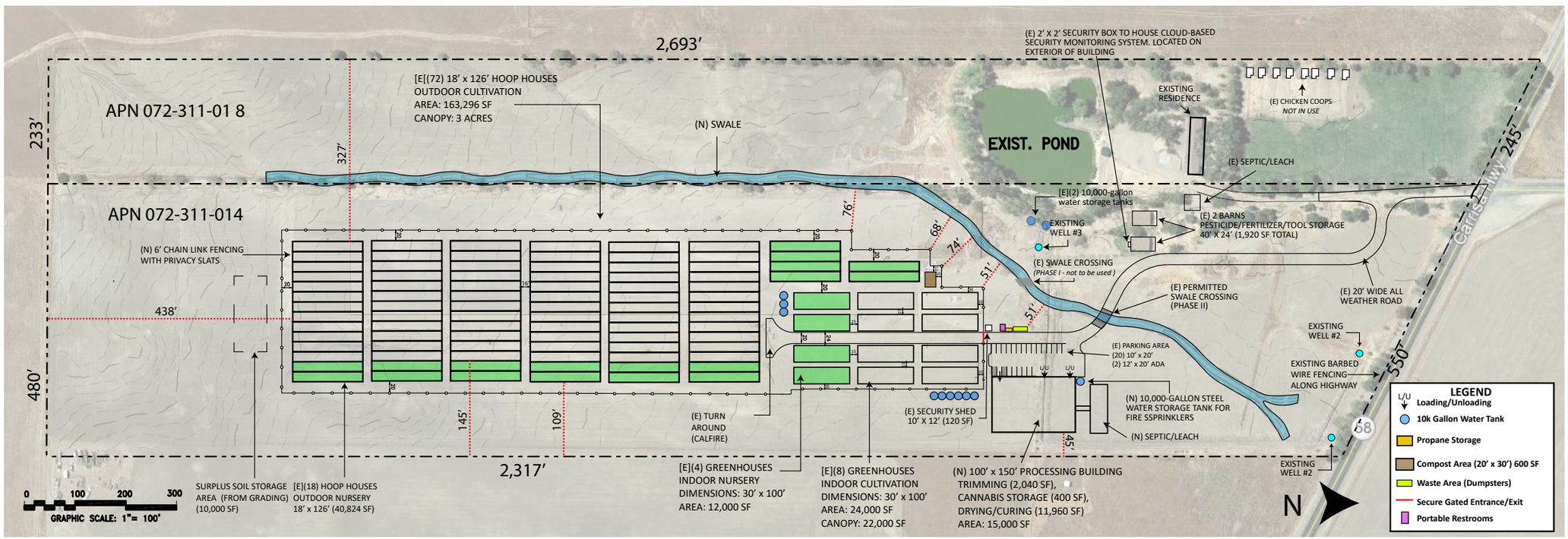


Project Component	Phase	Count	Size	Footprint (sf)	Canopy (sf)
(N) Security Shed	II	1	10' x 12'	120	n/a
(N) 5,000-10,000-Gallon Water Storage Tanks		6	102"-140" Diameter	340 - 638	n/a
(N) Greenhouses - Indoor Cultivation		8	30' x 100'	24,000	22,000
(N) Greenhouses - Indoor Nursery		4	30' x 100'	12,000	n/a
(N) 20-Foot-Wide All-Weather Road		n/a	n/a	68,040	n/a
(N) All-Weather Parking Area w/ (2) ADA Parking Spaces		22	10'-12' x 20'	4,480	n/a
(N) Cal Trans Encroachment Permit		n/a	n/a	4,353	n/a
(N) Propane Storage		1	n/a	n/a	n/a

Not to Scale
September 2020
Kingston Farms, LLC
Sheet
3 of 9

Attachment 2

PHASE III SITE PLAN
DRC2018-00154 - KINGSTON FARMS, LLC
8015 CARRISA HWY, SANTA MARGARITA, CA 93453
APN 072-311-014, 072-311-018

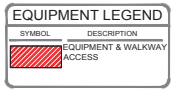


Project Component	Phase	Count	Size	Footprint (sf)	Canopy (sf)
(N) Processing Building	III	1	100' x 150'	15,000	n/a
(N) 10,000-Gallon Steel Water Storage Tanks (Fire Sprinklers)		1	140" Diameter	107	n/a

Not to Scale
September 2020
Kingston Farms, LLC
Sheet 4 of 9

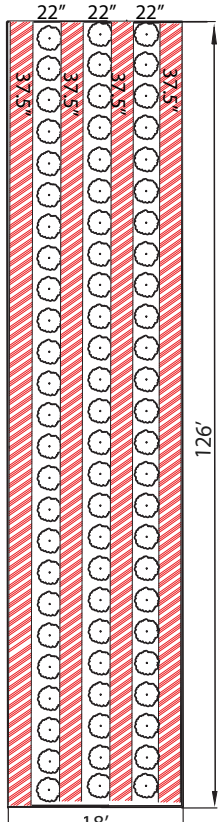
Attachment 2

HOOP HOUSE & SECURITY SHED DETAILS



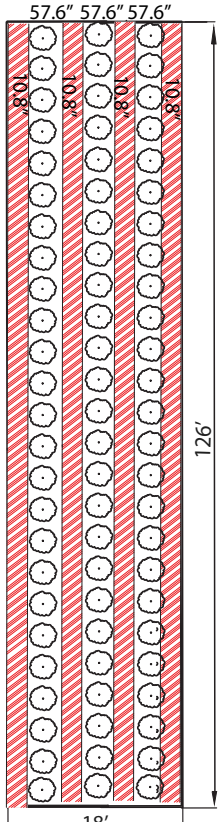
Outdoor Hoop House Beginning of Season

Flowering SF
Hoop House Size 126'X18' = 2,268 SF
Walking & Equipment = 1,575 SF
Net Square Feet = 693 SF Grow Area

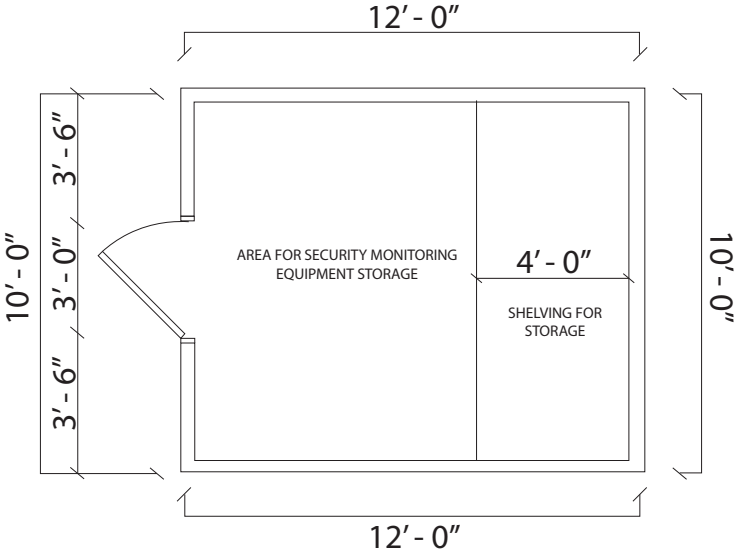


Outdoor Hoop House End of Season

Flowering SF
Hoop House Size 126'X18' = 2,268 SF
Walking & Equipment = 453.6 SF
Net Square Feet = 1,814.4 SF Grow Area



10' X 12' SECURITY SHED

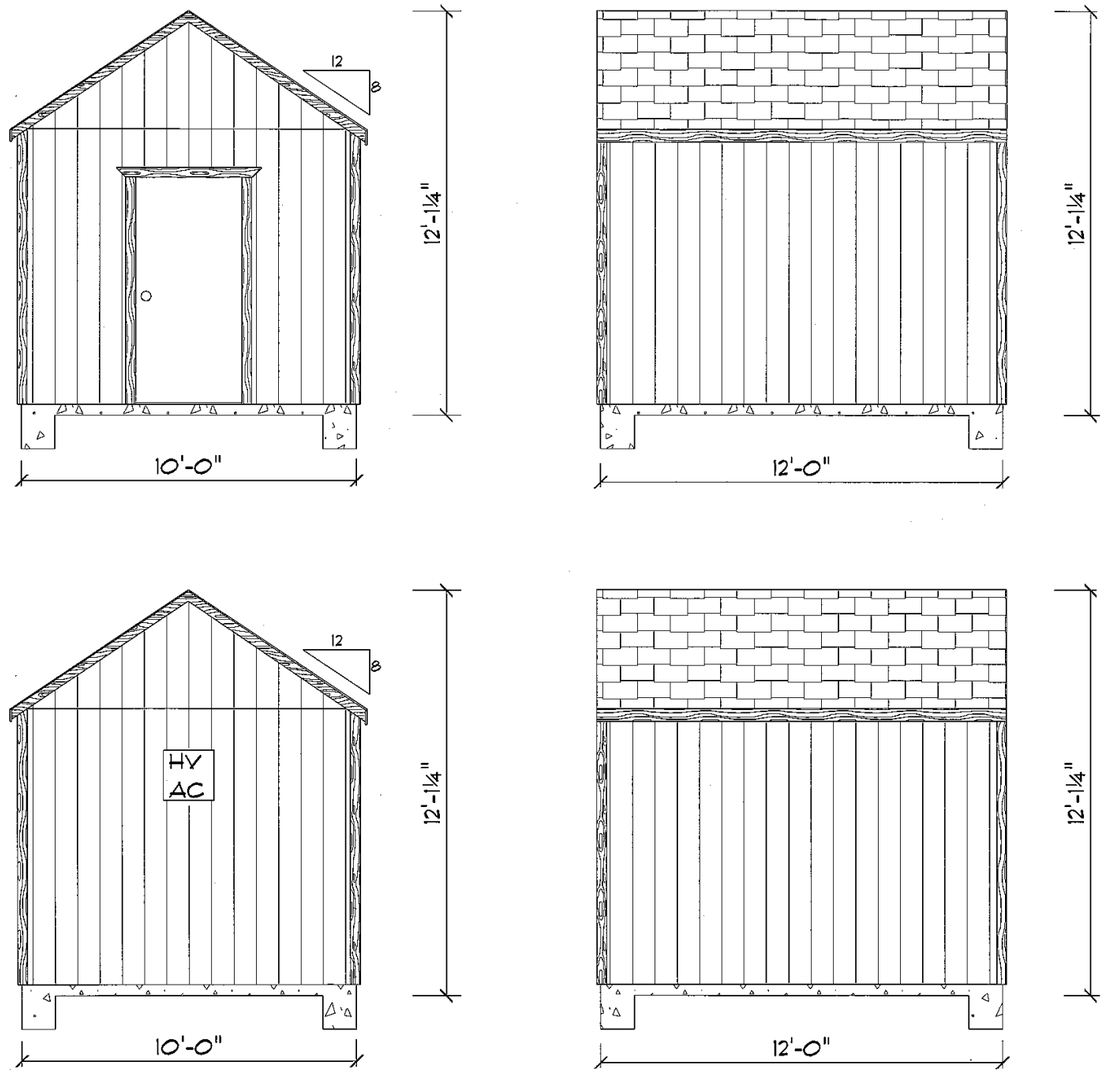


Note: The proposed project will utilize a 10' x 12' equipment utility shed for the purpose of housing security monitoring equipment and temperature sensitive agricultural equipment and supplies. The shed will not be occupied continuously by employees of the farm. At most, an employee would occupy this space for no more than 2 hours per day.

Kirk Consulting

Sheet 5: Hoop House & Security Shed Details
Kingston Farms, LLC
8015 Carrisa Highway
Santa Margarita, CA
APN: 072-311-014 & 072-311-018

Not to Scale	
September 2020	
Kingston Farms, LLC	
Sheet 5 of 9	



PROJECT DESCRIPTION :

STORAGE SHED

FOOTPRINT DIMENSIONS:

10'-0" X 12'-0"

120 SQ. FT.

PROPOSED FOR:
ARVUS AXIUM & TIM WENDROFF
8015 CARRISA HIGHWAY
SANTA MARGARITA, CA. 93453

ULRICH
DREAM • RELAX • ENJOY

ULRICH BARN BUILDERS OF CALIFORNIA INC.
14346 SUNSET BLVD. ARVIN, CA 93203
PHONE: (661) 854-0382 FAX: (661) 854-0383
GENERAL CONTRACTOR #B 1051789 DRAWN BY: G. CHAVEZ
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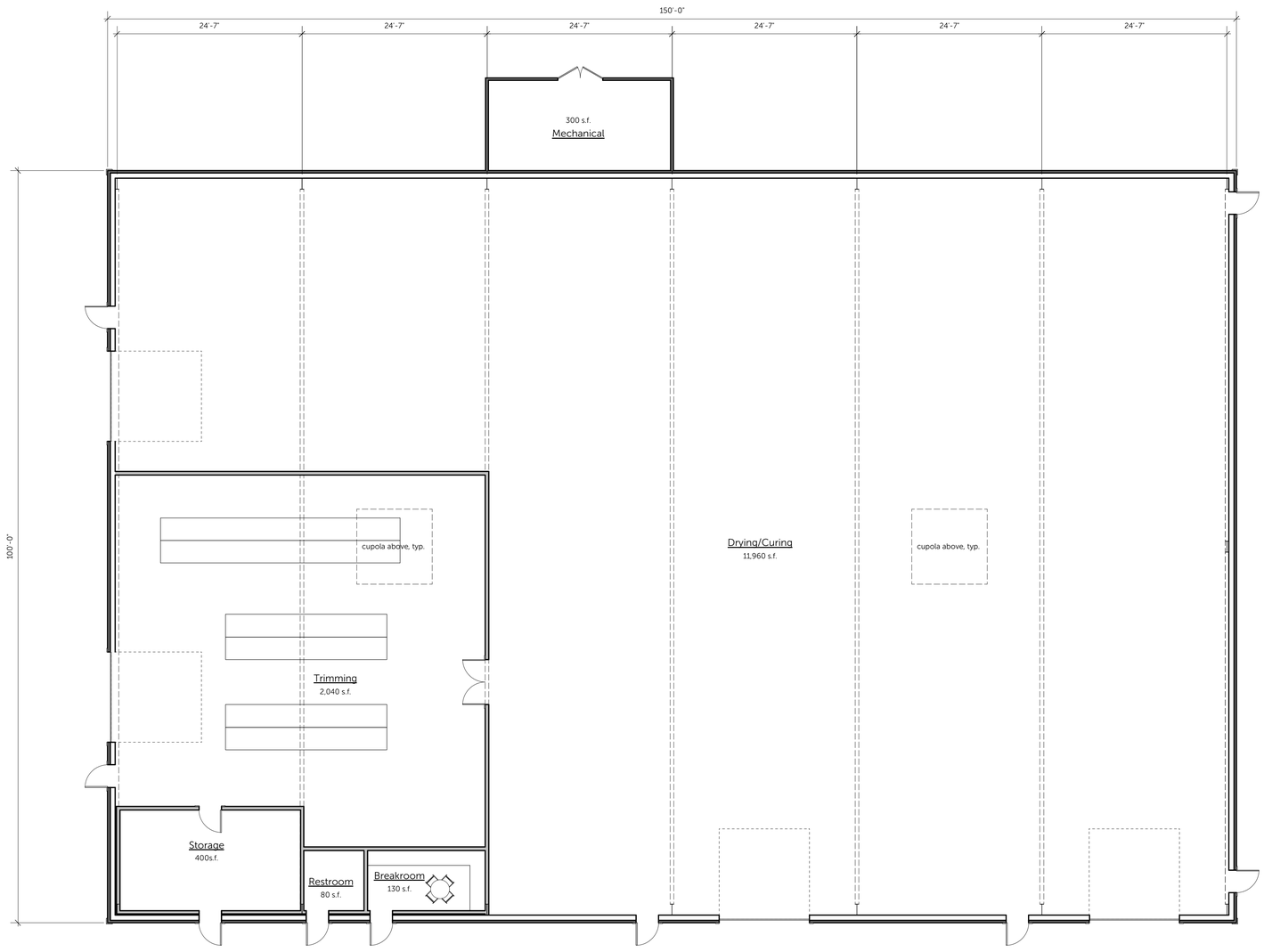
ALL RIGHTS RESERVED.

ELEVATION PLAN

SCALE: 1/4" = 1'

PRINT DATE: 9/9/2020



1 **(N) 15,000 S.F. BUILDING - FLOOR PLAN**

N

Scale: 1/8" = 1'-0"

REISS DESIGN STUDIO
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P.O. Box 1636, Paso Robles, CA 93447 • (805) 706-0645 • www.reissdesignstudio.com

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PROJECT:

WENDORFF CANNABIS

8015 Carrisa Highway
Santa Margarita, Ca 93453

CLIENT:

Tim Wendorff
Atascadero, CA 93422

SHEET CONTENTS:
(N) 15,000 S.F. BUILDING - FLOOR PLAN

CONSULTANT:

STAMP:
LICENSED ARCHITECT C-32912 REN. 09-30- STATE OF CALIFORNIA
NOT FOR CONSTRUCTION

DATE:
September 20, 2019

REVISIONS:

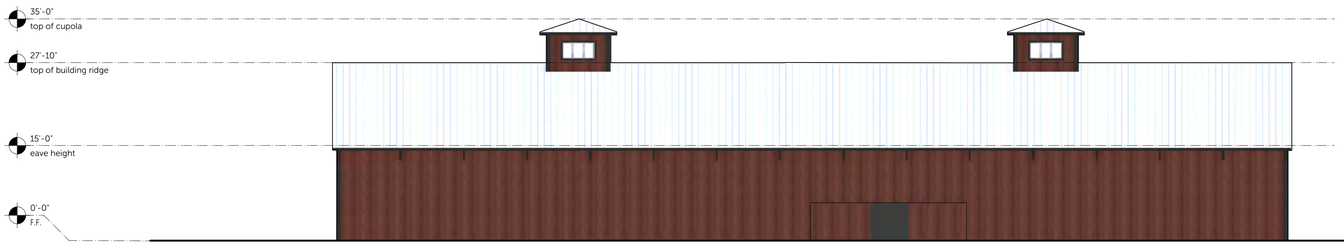
JOB NUMBER:
1934

SHEET:
A2.1

Date: September 20, 2019 3:10:13 PM Filename: Wendorff-A2.vwx

1 **(N) 15,000 S.F. BUILDING - SOUTH ELEVATION**

Scale: 3/32" = 1'-0"



2 **(N) 15,000 S.F. BUILDING - NORTH ELEVATION**

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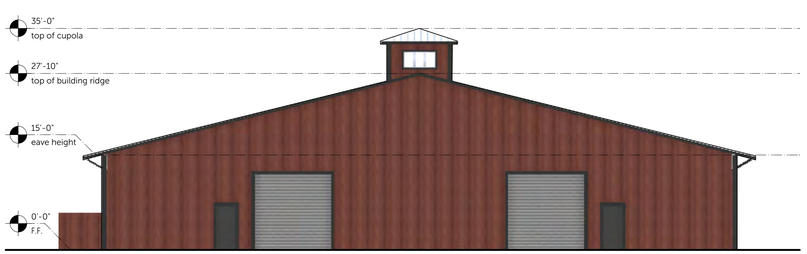

4 **(N) 15,000 S.F. BUILDING - WEST ELEVATION**

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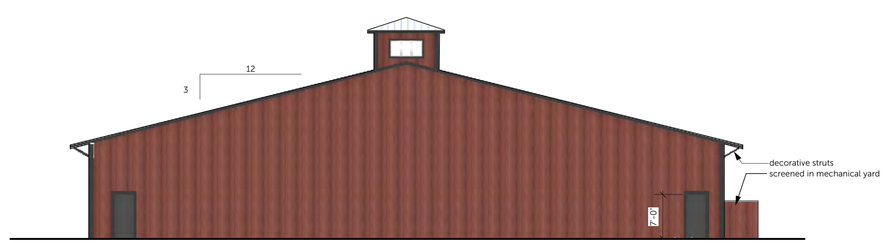

3 **(N) 15,000 S.F. BUILDING - EAST ELEVATION**

Scale: 3/32" = 1'-0"

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PROJECT:

WENDORFF CANNABIS

8015 Carrisa Highway
Santa Margarita, Ca 93453

CLIENT:

Tim Wendorff
Atascadero, CA 93422

SHEET CONTENTS:

(N) 15,000 S.F. BUILDING - EXTERIOR ELEVATIONS

CONSULTANT:

STAMP:

LICENSED ARCHITECT C-32912 REN. 09-30-20 STATE OF CALIFORNIA
NOT FOR CONSTRUCTION

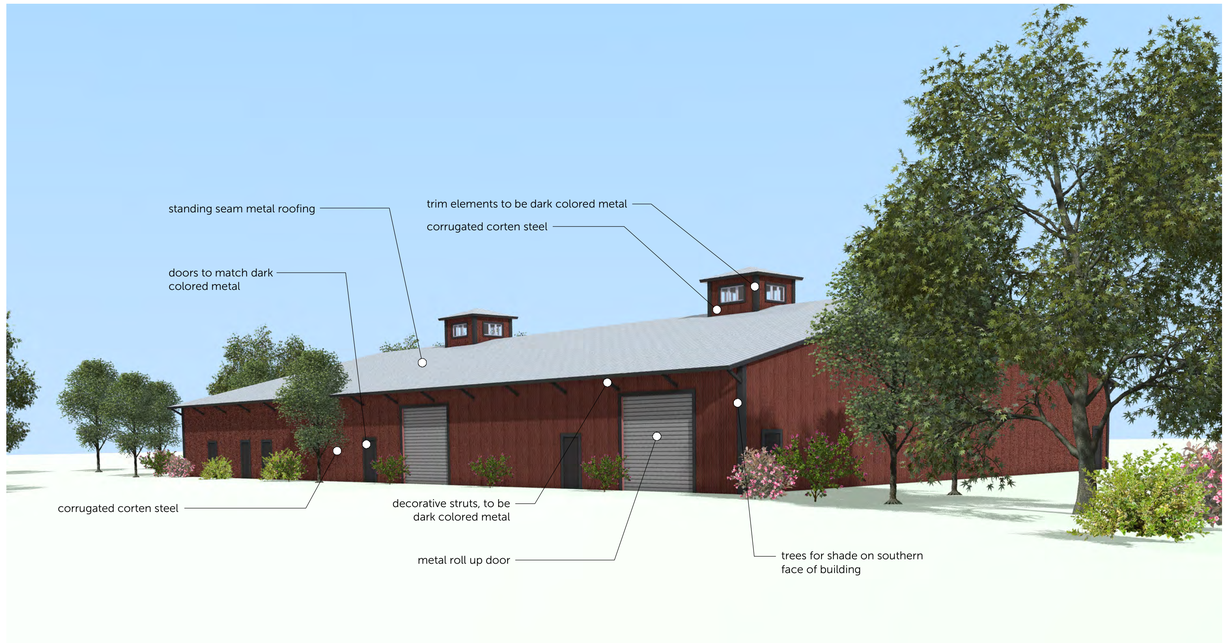
DATE:
September 20, 2019

REVISIONS:

JOB NUMBER:
1934

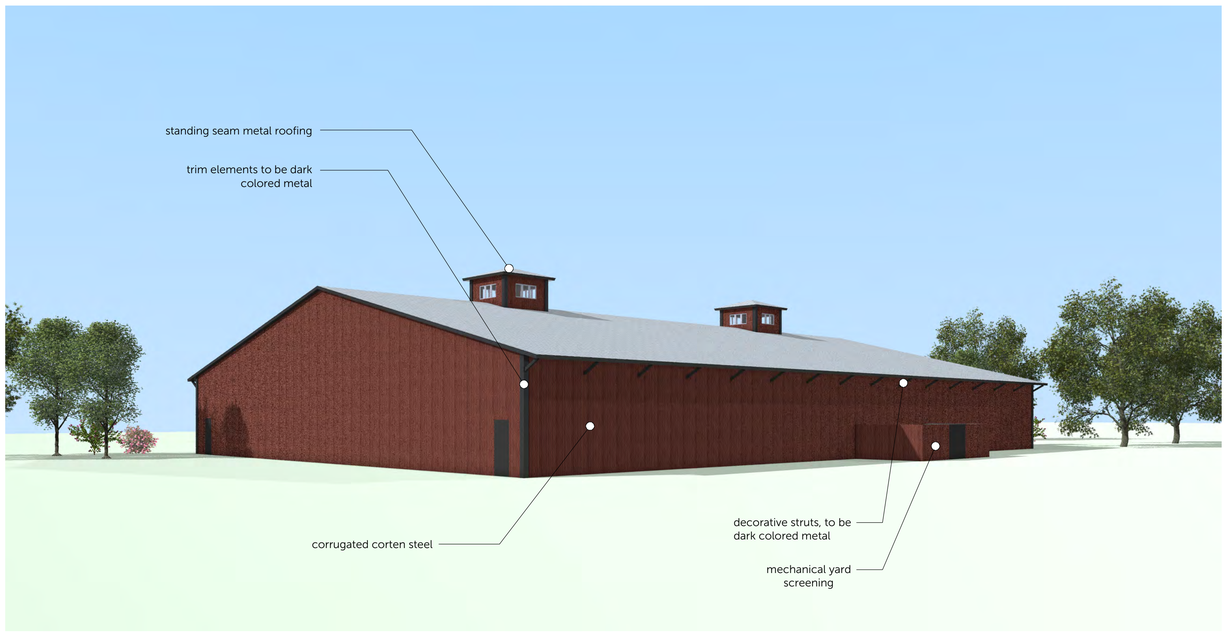
SHEET:
A2.2

Date: September 20, 2019 time: 3:10:14 PM file name: Wendorff-3D.rvt



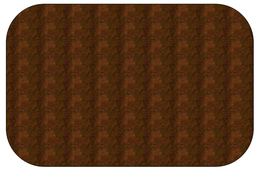
1 (N) 15,000 S.F. BUILDING (SOUTHERN FACE) - 3D VIEWS/MATERIAL BOARD

NTS

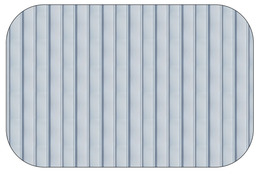


2 (N) 15,000 S.F. BUILDING (NORTHERN FACE) - 3D VIEWS/MATERIAL BOARD

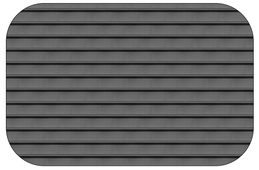
NTS



Material: corrugated corten steel
Color: rust



Material: standing seam metal roofing
Color: light gray



Material: metal roll up door
Color: dark gray

Material: metal
Color: dark color

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PROJECT:

WENDORFF CANNABIS

8015 Carrisa Highway
Santa Margarita, Ca 93453

CLIENT:

Tim Wendorff
Atascadero, CA 93422

SHEET CONTENTS:

(N) 15,000 S.F. BUILDING - 3D VIEWS/MATERIAL BOARD

CONSULTANT:

STAMP:

LICENSED ARCHITECT C-32912 REN. 09-30-19 STATE OF CALIFORNIA
NOT FOR CONSTRUCTION

DATE:
September 20, 2019

REVISIONS:

JOB NUMBER:
1934

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