



County of Sonoma
Permit & Resource Management Department

Conditions of Approval

Date: January 28, 2020 **File No.:** UPC18-0036
Site Address: 369 Todd Road, Santa Rosa **APN:** 134-102-023
Applicant/Operator: Eco Farm Holdings PBC; Devin Calloway
Business Owner(s): Devin Calloway
Property Owner: Robert and Myrna Kolodge

Project Description: Request for a limited five-year term Use Permit for an indoor cannabis manufacturing, distribution, and transportation operation located within three existing industrial buildings on a 2.50-acre parcel zoned M2 (Heavy Industrial) and Valley Oak Habitat Combining District (VOH). Construction at the site will consist of interior tenant modifications to the three existing buildings, including interior walls, mechanical and electrical upgrades, and fire sprinklers, as well as a covered walkway between Buildings 2 and 3, and restriping of parking areas to increase the overall number of spaces. The operation will have no more than four employees. Deliveries and shipping shall be limited to the hours of 8:00 AM to 5:00 PM, Monday through Friday. The site is operating under the Penalty Relief Program. The project site would be closed to the public.

Within 90 days of approval, evidence must be submitted to the file that all of the following conditions have been met.

CONDITIONS ON PLAN SETS:

1. Project conditions must be printed on or included in all plan sets submitted for permitting. Building permit plans shall have plan sheets that include all conditions as part of the submittal package.

FEES:

2. Permit Processing and Development Fees. This "At Cost" entitlement is not vested until all permit processing costs and development fees are paid in full. Additionally, no grading or building permits shall be issued until all permit processing costs and development fees are paid in full.
3. Notice of Exemption Fee. Within five working days after project approval, the applicant shall pay a mandatory Notice of Exemption filing fee of \$50.00 (or the latest fee in effect at the time of payment) for County Clerk processing, made **payable to Sonoma County Clerk** and submitted to Permit Sonoma, unless the applicant requests an alternate



payment method in advance of the fee due date. NOTE: If the fee is not paid within five days after approval of the project, it will result in the extension of the time frames for CEQA legal challenges.

4. Workforce Housing Fee: Construction of new or expanded non-residential development shall be subject to Workforce Housing Requirements pursuant to Section 26-89-045 of the Sonoma County Code. No grading or building permits shall be issued until Workforce Housing Requirements have been met. Internal tenant improvements are not subject to Workforce Housing Requirements.
5. Condition Compliance Fee: At the time of submitting a building permit application, the applicant/operator shall submit to Permit Sonoma an Approved Permit Condition Compliance Review fee deposit of \$2,675.00 (or other amount consistent with the adopted fee schedule in effect at the time). In addition, the applicant/operator shall be responsible for payment of any additional compliance review fees that exceed the initial deposit (based upon hours of staff time worked) prior to final occupancy being granted.
6. Traffic Mitigation Fee: Prior to building permit final or granting of occupancy for the use, the applicant/operator shall submit a Traffic Mitigation Fee to Permit Sonoma per Chapter 26, Article 98 of the Sonoma County Code. The fee is computed by multiplying project Average Daily Traffic (ADT) by the commercial fee in effect at the time of permit issuance. Evidence of payment shall be submitted to the Permit Sonoma Project Review Planner.

PLANNING:

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

7. Type(s) and Limitation of Use:
 - a. This use permit allows for Level 1 non-volatile manufacturing. Manufacturing operations would consist of the extraction of cannabis oils using a chilled, non-pressurized ethanol soak. Manufacturing would also consist of the processing of the extracted oils for further refinement and the distillation of the oil using a lab scale fractional distillation device. The cannabis product would then be packaged and labeled before distribution.
 - b. This use permit allows for cannabis distribution. Distribution includes the procurement of medical cannabis from licensed cultivators or manufacturers for sale to licensed dispensaries and the inspection, quality assurance, batch testing by a Type 8 licensee, storage, labeling, packaging, and other processes prior to



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transport to licensed dispensaries and the procurement, sale, and transport of cannabis and cannabis products between licensees.

- c. This use permit allows for transportation. Transportation operations will occur within the existing buildings, accessed via a roll-up door.
 - d. This use permit does not allow for cannabis cultivation. No cultivation of cannabis will occur on the project site.
 - e. This use permit does not allow public access to the cannabis operation.
 - f. This use permit does not allow retail sales on-site or the delivery of cannabis to patients or the public.
 - g. If phased construction will occur, a Phasing Plan shall be submitted for review and approval by Permit Sonoma staff. At a minimum, the Phasing Plan shall include a floor plan and corresponding table disclosing the following for each room:
 - i. Room identifier/label.
 - ii. Square footage per room.
 - iii. Canopy area per room.
 - iv. Use (e.g., flower, vegetative propagation, processing, distribution).
 - v. Proposed phase and timeline for each phase.
 - h. The use shall be operated in accordance with the proposal statement, operational plan, site and floor plans located in File No. UPC18-0036, as modified by these conditions.
 - i. This use permit renewal shall supersede all prior use permits upon implementation or when all the pre-operational conditions have been met and the Use Permit Certificate is issued for operation.
8. Propagation Area. This use permit allows for 0.00 square feet of indoor propagation, 0.00 square feet of mixed light propagation, and 0.00 square feet of outdoor propagation, for a total cannabis propagation canopy area of 0.00 square feet. The applicant/operator shall not increase propagation area beyond 0.00 square feet at this location without prior approval from Permit Sonoma staff.
9. Cultivation Area. This use permit allows for 0.00 square feet of indoor cultivation, 0.00 square feet of mixed light cultivation, 0.00 square feet of outdoor cultivation, and 0.00 square feet of wholesale nursery cultivation, for a total cannabis cultivation canopy area of 0.00 square feet. The applicant/operator shall not increase cultivation area beyond 0.00 square feet at this location without prior approval from Permit Sonoma staff.



10. Hours of Operation. Indoor processing and/or manufacturing operations are allowed to occur 24 hours per day, 7 days a week. Deliveries and shipping shall be limited to the hours of 8:00 AM to 5:00 PM, Monday through Friday.
11. Operational Requirements. The operation shall conform to the standards established by County Code Sections 26-88-250 through 26-88-256, and all other applicable requirements for the specific type of use and those of the underlying base zone, including the following:
 - a. Cannabis uses shall also be subject to the permit requirements and regulations established by the Sonoma County Department of Health Services;
 - b. All scales used for commercial transactions shall be registered for commercial use and sealed by the Department of Agriculture/Weights and Measures;
 - c. Commercial cannabis operations shall be subject to inspections by appropriate local and state agencies, including but not limited to, the Departments of Health Services, Agriculture/Weights & Measures, and Permit and Resource Management. Cannabis operations shall be subject to inspection at random times to check for conformance with the County Code and permit requirements;
 - d. The applicant/operator shall submit a Waste Management Plan to Permit Sonoma for approval, demonstrating that the storage, handling and disposal of all waste by-products of any processing activities will comply with the Best Management Practices issued by the Agricultural Commissioner;
 - e. The applicant/operator shall submit a Waste Water Management Plan to Permit Sonoma for approval, demonstrating that operations comply with the Best Management Practices issued by the Agricultural Commissioner;
 - f. The applicant/operator shall submit evidence to verify compliance with the Waste Discharge Requirements of the Regional Water Quality Control Board, or present evidence of a waiver from these requirements;
 - g. The operation shall not cause a public nuisance by creating dust, light, glare, heat, noise, noxious gasses, odor, smoke, traffic, vibration, unsafe conditions or other impacts, or cause hazardous conditions due to the use or storage of materials, processes, products, runoff or wastes.
12. Special Events. Tastings, promotional activities, and events are prohibited by Sonoma County Code Section 26-88-250(c) and therefore are also prohibited by this Cannabis Use Permit.
13. Term of Permit. This is a limited term permit and does not run with the land. No property interest, vested right, or entitlement to receive a future permit to operate a



cannabis use shall ever inure to the benefit of the permit holder as such permits are revocable and shall expire (Section 26-88-250 (e)). This permit for cannabis uses shall be issued to the applicant/operator for a period not to exceed five years from the date of issuance of the Use Permit Certificate and shall be subject to permit renewals. The Use Permit Certificate for UPC18-0036 shall expire five years after issuance, unless the applicant/operator applies for and is granted a permit renewal. The applicant/operator must apply for permit renewal at least 90 days prior to expiration of the permit to avoid interruption of service.

14. Operator(s) and Employees:

- a. The applicant/operator/business owner(s) and all employees must be age 21 years or older. This use permit allows for a total of 4 employees on-site at any one time.
- b. The applicant/operator/business owner(s) shall be subject to background search by the California Department of Justice and may not have a felony conviction, as specified in subdivision (c) of Section 667.5 of the Penal Code and subdivision (c) of Section 1192.7 of the Penal Code.
- c. An applicant/operator providing false or misleading information may result in nullification or revocation of this issued use permit.

15. Ownership Changes. Written notification shall be provided to Permit Sonoma prior to any of the following changes: 1) a new person meeting the definition of cannabis business owner of the permit holder, 2) change in business entity type of the permit holder, 3) change in legal business name of the permit holder, 4) a new person serving as operator of the permit holder, or 5) a new property owner. Supporting documentation shall be submitted to Permit Sonoma within 30 days of any of the aforementioned changes.

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

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

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



19. Security Plan. The operation shall maintain all aspects of the approved site security plan (held confidentially at Permit Sonoma). This shall, at a minimum, include professionally monitored video surveillance, of which recordings will be kept for at least 30 days, perimeter fencing, controlled access gates, locking doors, security lighting, and alarms. Weapons and firearms are prohibited. Cash shall be limited at the location to a minimum needed for the daily operations only and shall be placed in a secure location (e.g., locked drawer, safe, or similar storage cabinet with a locking mechanism). A log of security incidents shall be maintained and an annual report shall be submitted to Permit Sonoma by January 31 of each year the permit is active. The reporting shall be provided in a format agreed to by Permit Sonoma staff.
20. Cannabis Materials. All cannabis products shall be stored in a secure area that is not visible to the public and locked at all times. All vendors shall be scheduled in advance and must present valid identification. Any product that fails testing shall be stored in secured storage bins and sent to be destroyed through a third-party cannabis disposal company and managed through the California Track and Trace program.
21. Cultivation Size Limitation. The applicant, operator, or business owners shall not hold interest or ownership of more than one acre of cannabis cultivation within Sonoma County. The applicant/operator shall not increase flowering cultivation area beyond 0.00 square feet at this location without prior approval from Permit Sonoma staff.
22. Odor. The applicant/operator shall install and maintain an odor control air filtration and ventilation system to control humidity and mold and to ensure there will be no off-site odor generated by the cannabis operation. This requirement shall apply to all permanent structures used in the operation, including mixed light greenhouses. The Project Planner will review plans and construction documents and post construction conditions to ensure compliance with this condition and inspect site prior to final occupancy to ensure there will be no off-site odor and that the odor control air filtration and ventilation system effectively control humidity and mold.

A log of odor incidents, odor control equipment inspection results, and actions taken to resolve any odor issue shall be kept and an annual report shall be submitted to Permit Sonoma by January 31 of each year the permit is active. The reporting shall be provided in a format agreed to by Permit Sonoma staff. Odor complaints received shall be documented, along with the complaint resolution and the timeframe required to address the odor issue and shall be included in the annual report.

If verified odor complaints are received, Permit Sonoma staff may bring this matter back to the Board of Zoning Adjustments for review of additional measures to reduce odor generation, including daily inspections and reporting. Such inspections could include a walking tour through the interior and around the exterior of each cannabis-containing facility to document any noticeable odor and determine the source, and completion of a



checklist verifying that all filtration equipment is functioning properly, that filters have been replaced on schedule, and that routine maintenance is completed on schedule.

23. Energy Use. The applicant/operator shall submit and maintain documentation that the operation utilizes 100% renewable energy sources for all electrical use. Enrollment in a Sonoma Clean Power 100% renewable energy program shall be submitted and maintained. A request to modify energy provider must be submitted to Permit Sonoma and approved prior to making any change in energy service.
24. Signage. The project approval does not include any signage. A separate administrative design review application will be required if any exterior signage is proposed.
25. Taxes. Cannabis uses shall be current on applicable Sonoma County Cannabis Business Taxes and any additional taxes enacted by the voters or this permit may be subject to revocation or non-renewal.
26. Water Efficient Landscaping. Landscaping plans must comply with the County Water Efficient Landscape Ordinance as required by the Water Efficient Landscape Regulations (Chapter 7D3 of the Sonoma County Building Code). No landscaping is proposed or required for operation in the existing buildings.
27. Water Conservation Plan. A Water Conservation Plan for the building(s) shall be submitted for review and approval by Permit Sonoma. The Plan shall include all reasonably feasible measures to reduce water demand and enhance water resource recovery to the maximum extent feasible. Measures that must be evaluated include installation of ultra-low-flow fixtures, best available conservation technologies for all water uses, rainwater and stormwater collection systems, and graywater reuse. The approved Water Conservation Plan shall be implemented by the applicant/operator and verified by staff prior to issuance of the Use Permit Certificate or operation of the use.
28. Greenhouse Gas Reduction Plan. A Greenhouse Gas Reduction Plan to reduce greenhouse gas emissions in the design, construction, and long-term operations of the project shall be submitted for review and approval by Permit Sonoma. The Greenhouse Gas Reduction Plan shall include all reasonably feasible measures to reduce greenhouse gas emissions to the maximum extent feasible. Measures that must be evaluated include but are not limited to: best available conservation technologies for all energy and water uses; installation of renewable energy facilities to meet demand on-site; provisions of electric vehicle charging stations; bicycle facilities including secure bike parking and lockers and showers for employees; employing best management practices for carbon sequestration, such as no till soils, reduced use of fertilizers, etc. The approved Greenhouse Gas Reduction Plan shall be implemented by the applicant/



operator and verified by staff prior to issuance of the Use Permit Certificate or operation of the use.

29. Stormwater. The applicant/operator shall comply with storm water management requirements to avoid any impacts on on-site drainage conditions.
30. Lighting. Prior to issuance of building permits, an exterior lighting plan shall be submitted for design review (by Permit Sonoma or Design Review Committee). Exterior lighting shall be low mounted, downward casting and fully shielded to prevent glare. Lighting shall not wash out structures or any portions of the site. Light fixtures shall not be located at the periphery of the property and shall not spill over onto adjacent properties or into the night sky. Flood lights are not permitted. All parking lot and street lights shall be full cut-off fixtures. Lighting shall shut off automatically after closing and security lighting shall be motion sensor activated. The Project Planner will conduct a site inspection to verify exterior lighting prior to final occupancy. Additional measures for lighting impacts include:
 - a. Lighting plans shall be designed to meet the Lighting Zone (LZ1 for dark areas, LZ2 for rural, LZ3 for urban) standards from Title 24, effective October 2005.
 - b. Parking lot fixtures shall not exceed 20 feet in height. All parking lot and/or street light fixtures shall use full cut-off fixtures.
 - c. All exterior fixtures shall be limited to lamps (light bulbs not exceeding 100 watts).
31. Exterior Modification. Prior to issuance of building permits, all exterior modifications to the building façade or site, including landscaping, parking lot improvements, fencing, lighting, and signage, shall be subject to administrative design review. Razor wire and similar fencing is not permitted.
32. Design Review. Prior to issuance of building permits, all new structures, lighting, fencing, landscaping, and signage shall require final design review (Permit Sonoma staff or Design Review Committee). All exterior finishes shall be of non-reflective materials and colors and shall be compatible with the surrounding area. Razor wire and similar fencing is not permitted. Verification of compliance with approved materials and colors, and implementation of landscaping shall be required prior to issuance of the Use Permit Certificate or operation of the use, either by photographic documentation or site inspection by the Project Planner, at the discretion of Permit Sonoma staff.
33. Use Permit Certificate. A use permit certificate with these conditions, approved proposal statement and approved floor plan shall be maintained on site and made available to county officials upon request.



34. Conformance with Statutes. This use shall be constructed, maintained, and operated in conformance with applicable county and state statutes, ordinances, rules, and regulations. A violation of any applicable statute, ordinance, rule, or regulation shall be considered a violation of this use permit, subject to revocation or modification.

BUILDING:

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

35. Within 90 days of approval, the applicant/operator shall apply for and obtain building-related permits from Permit Sonoma for any new construction. The necessary applications appear to include, but may not be limited to, an accessibility report and building permit(s). Construction inspections shall have occurred and the building permit(s) finalized prior to occupancy of new or remodeled structure(s). A signed Declaration of Use that complies with the associated Use Permit application shall be submitted with the building permit application package.
36. Due to the scope of this commercial project, the California Business and Professions Code requires plans and calculations to be prepared by California licensed design professionals (e.g., architects, engineers, etc.). The cover sheet of plans shall identify the full scope of work and shall include an architectural analysis of the proposed project, including occupancies of all spaces, areas, area and height limitations, occupant load factors, occupant loads, exit system requirements, emergency egress, fire-rated construction details, fire separation requirements, and fixture requirements. All buildings shall comply with the prescriptive requirements of all applicable codes, including Energy and CALGreen.
37. Application materials shall be consistent with Permit Sonoma's Building/Grading Permit Application Submittal Checklist (Form # CSS-003).
38. If any changes to plans, drawings, documents or specifications are required pursuant to any conditions specified herein, these changes shall be brought to the appropriate department for review and approval prior to any construction or improvements. These changes shall be reviewed by all departments involved in the initial approval of the subject plans, drawings, documents or specifications that are proposed for the change.
39. In order to determine proper fire separations, the intended occupancies and uses of the facility, and spaces therein shall be clearly stated on the plans; similarly, the approved use and occupancy of the adjacent spaces in the buildings shall be shown. A detail of the wall assembly separating those spaces shall be shown on the plans. Plans shall include an analysis of proposed occupant load, area and height limitations, emergency egress, and fire-rated construction details.



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40. Mechanical, electrical, and plumbing plans shall be fully detailed. Plumbing system materials used to convey concentrated byproducts of water reuse process equipment shall be identified and detailed from point-of-inlet to point-of-discharge. The path of reclaimed condensate systems and associated storage and conveyance equipment shall be identified and detailed.
41. All permanently installed equipment shall be identified in the appropriate section of the mechanical, electrical, and plumbing plan sheets. Product information shall be included to verify that installation and use of equipment is consistent with the manufacturer's listing and/or recommendations.
42. The applicant/operator shall comply with California Building Code Section 11B-202.3, which requires that alterations to existing elements or spaces comply with the accessibility requirements of CBC 11B Division 2. For this purpose, a change of use is considered to be an alteration.
43. All buildings, structures, sidewalks, curbs, and related facilities, intended for use by the public or employees, shall be accessible to and usable by persons with disabilities and shall comply with State and Federal accessibility guidelines. Accessible parking shall be provided for both assigned and unassigned and/or visitor spaces per California Building Code requirements. Plans shall include details of the path of travel from accessible parking to the area of alteration. All facilities serving the area of alteration shall be made accessible. Prior to initiation of the approved use, the project shall comply with the accessibility requirements set forth in the most recent California Building Code, as determined by the Permit Sonoma Building Division. Such accessibility requirements shall apply to all new construction and remodeling and, where required by the California Building Code, to retrofitting of the existing structure.
44. Building permit application package will not be "Plan Check Approved" prior to Use Permit conditions specific for this project being approved.
45. Any construction existing prior to permit issuance requires submittal and approval of a Concealed Construction Verification Plan, consistent with requirements set forth in Policy # 1-4-2 Concealed Construction Verification Guidelines. The review process shall be included with the review of the building permit application materials. Plan check approval of the Concealed Construction Verification Plan is required for permit issuance. Any work performed without permits will be considered "new work" and will be required to be legalized. Plans shall clearly delineate existing legal construction, construction performed without permits, and new work that is proposed.
46. All manufacturing uses shall be defined and scoped. All fertilizers, pesticides, corrosives, flammables, explosives and/or toxic materials that may be stored or used at the facility

shall be defined, scoped and quantified. A control area analysis shall be provided for any of the above materials exceeding code-prescribed thresholds.

47. Any structures to be constructed as part of the use permit conditions, such as security or sound walls, shall require separate building applications and permits.
48. Prior to any site review or field inspections, any materials or systems that could present a danger to inspectors shall be isolated and secured. All field inspection staff shall be accompanied by project personnel familiar with the systems and construction at the project site and capable of describing and controlling equipment.

FIRE AND EMERGENCY SERVICES:

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

49. Permitting or development approval is subject to the Sonoma County Fire Safety Ordinance (Sonoma County Code). All applications for development approvals must be approved by the Sonoma County Fire Marshal, and shall be accompanied by plans, engineering calculations, and other data necessary to determine compliance with the provisions of the codes, and shall address the following regulations: (*Ref. California Code of Regulations Title-14, Division 1.5, Chapter 7, Subchapter 2, Articles 1 – 5, & Sonoma County Code Chapter 13, Article IV, Section 13-17 & Sonoma County Code Chapter 13, Article V, Division A, Section 13-24*):

PRIOR TO PROJECT OCCUPANCY AND OPERATION:

50. Prior to operation, written approval that the required improvements and comments have been addressed and/or corrected shall be provided to Permit Sonoma from the County Fire Marshal/Local Fire Protection District.
51. The subject property (or properties) shall be in full compliance with Building Code regulations, Fire Code Regulations and Hazardous Materials regulations prior to occupancy of the building and use of the property, unless there is written approval by the fire code official.
 - a. A fire inspection shall be conducted by the Sonoma County Fire and Emergency Services Department to determine if the subject property (or properties) is currently in full compliance with applicable Building Code regulations, Fire Code Regulations and Hazardous Materials regulations.
 - b. The Building(s) shall be fire sprinklered and contain a fire alarm system consistence with the occupancy type. Existing sprinklered or non-sprinklered buildings shall be verified based on design to be in compliance with specific occupancy type.



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52. The applicant and/or operator may be required to provide a technical opinion and report prepared by a qualified engineer, specialist, laboratory, or fire safety specialty organization acceptable to the fire code official. The report and opinion shall analyze the fire safety properties of the design, operation, or use of the building or premises and the facilities and appurtenances situated thereon. This shall be provided prior to operation.
- a. This process is required when there will be extraction processes conducted on the property.
 - b. This requirement can be waived by the fire code official.

Access:

53. Prior to operation, the applicant and/or operator shall, at a minimum, facilitate locating an emergency, avoid delays in response, provide for safe concurrent access for emergency fire apparatus and civilian evacuation, provide for unobstructed traffic circulation during an emergency, and shall cause the facility to be constructed and maintained as required by Sonoma County Fire Safe Standards and the California Fire Code. The following shall be approved by the fire code official prior to operation:
- a. All existing roads providing access to new commercial cannabis operations with structures shall be provided with an access road not less than 20 feet in width. Access roads may be allowed to be reduced to 12 feet in width with turnouts as approved by the fire code official.
 - i. This requirement shall apply from the property line of the application to the public right-of-way.
 - ii. This requirement may be waived with written approval by Sonoma County Fire or the Fire Code Official.

Emergency Planning and Response:

54. A Fire Protection Plan shall be provided prior to operation and shall provide information about the property including, but not limited to, the following. (See Chapter 4 of the California Fire Code and <http://sonomacounty.ca.gov/FES/Fire-Prevention/Cannabis/>)
- a. Emergency Contacts
 - b. Address
 - c. Property Owner
 - d. Site map with property lines
 - e. Fire access roads including gates
 - f. Water supplies and hydrants
 - g. Location of hazardous materials
 - h. Utilities
 - i. Buildings and intended uses



- j. Employee training for use of regulated materials in the fire code
 - i. When required by the local fire jurisdiction, special processing of cannabis may require the facility to have identified trained staff, including a main point of contact to oversee and train employees in the special process.
 - ii. This process shall have on-site training records for review and a manual to address emergencies associated with the special process (Example is extraction equipment).

Water Supply:

55. Emergency water supply for fire protection shall be available and accessible in locations, quantities and delivery rates as specified in the California Fire Code, as adopted and amended by Sonoma County Code.

Vegetation Management:

56. The project is located in a Local Responsibility Area (LRA). The applicant/operator shall demonstrate compliance with the general defensible space clearances per CCR Title 19 Div. 1, Chapter 1, Subchapter 1 §3.07.

OPERATIONAL REQUIREMENTS:

57. An annual fire safety inspection may be required by the fire code official for any facility requiring a Fire Code Operational Permit. The county or fire district which inspects the facility may charge and collect a fee for the inspection from the owner of the facility in an amount, as determined by the county or fire district, sufficient to pay the costs of that inspection.

SANITATION AND WATER CONDITIONS (Permit Sonoma):

"Compliance with the conditions below have been verified " BY _____ DATE _____
Contact Sanitation at (707) 565-3628

PRIOR TO BUILDING PERMITS

58. Prior to building permit issuance, the applicant/operator shall obtain a City of Santa Rosa Utility Certificate, providing evidence that the applicant/operator and the City of Santa Rosa have entered into an agreement for water service to this project (will-serve letter). The applicant shall submit a copy of the Utility Certificate to the Permit Sonoma Sanitation Section prior to issuance of building permits.

OPERATIONAL REQUIREMENTS – PUBLIC SANITARY SEWER

59. The parcel is not currently connected to public sewer at this time. The Permit Sonoma Sanitation Section reserves the right to review this project again if the project



description changes and to impose requirements for public sanitary sewer and water service if such requirements are found to be necessary. Any proposed connection to sanitary sewer shall require the applicant and/or operator to obtain a City of Santa Rosa Utility Certificate, providing evidence that the applicant/operator and the City of Santa Rosa have entered into an agreement for sewer service to this project. The applicant/operator shall submit a copy of the Utility Certificate to the Sanitation Section of Permit Sonoma prior to issuance of building permits. Sewer permits issued by Permit Sonoma shall be required if a connection to sanitary sewer is proposed.

GRADING, DRAINAGE, AND STORMWATER (Permit Sonoma)

“Compliance with the conditions below have been verified” BY _____ DATE _____

Contact Grading, Drainage, & Stormwater at (707) 565-2268

60. Grading and/or building permits require review and approval by the Grading & Storm Water Section of Permit Sonoma prior to issuance. Grading permit applications shall abide by all applicable standards and provisions of the Sonoma County Code and all other relevant laws and regulations.
61. Any proposed drainage improvements shall be designed by a civil engineer, currently registered in the State of California, and in accordance with the Sonoma County Water Agency Flood Control Design Criteria. Drainage improvements shall be shown on the grading/site plans and be submitted to the Grading & Storm Water Section of Permit Sonoma for review and approval. Drainage improvements shall maintain off-site natural drainage patterns, limit post-development storm water quantities and pollutant discharges in compliance with Permit Sonoma’s best management practices guide, and shall abide by all applicable standards and provisions of the Sonoma County Code and all other relevant laws and regulations. Existing drainage patterns shall be maintained, to the maximum extent practicable, to not adversely impact adjacent properties or drainage systems. Proposed drainage improvements shall not adversely impact adjacent properties or drainage systems.
62. The proposed project is located within the Flood Prone Urban Area (FPUA). No fill shall be placed within the FPUA, unless an engineering analysis demonstrates no adverse impact to drainage within the FPUA will result from the fill placement and related improvements.
63. As part of the building/grading plans for any external site work, the applicant/operator shall include an erosion prevention/sediment control plan which clearly shows best management practices to be implemented, limits of disturbed areas/total work, vegetated areas to be preserved, pertinent details, notes, and specifications to prevent damages or minimize adverse impacts to the surrounding properties and the



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environment. Tracking of soil or construction debris into the public right-of-way shall be prohibited. Runoff containing concrete waste or by-products shall not be allowed to drain to the storm drain system, waterway(s), or adjacent lands. The erosion prevention/sediment control plan shall abide by and contain all applicable items in the *Grading Permit Required Application Contents* (GRD-004) handout.

64. Residue or polluted runoff from the cannabis production areas/activities shall not be allowed to drain directly to the storm drain system, waterway(s) or adjacent lands. Cannabis production areas shall be covered or drain directly to a proper waste disposal system. No diversion valves shall be allowed.
65. Runoff from waste receptacles or outside washing areas shall not be allowed to drain directly to the storm drain system, waterway(s) or adjacent lands. Areas used for waste receptacles and outside washing areas shall be covered or separated from the rest of the project site by grade breaks that prevent storm water run-on. Any surface water flow from a waste receptacle or outside washing area shall not be permitted to enter the storm drain system without receiving appropriate treatment.
66. Drainage easements are required when conveying storm water runoff through any neighboring properties. Drainage easements shall be clearly shown and noted on the grading/site plans. The applicant shall be responsible for obtaining or creating drainage easements necessary for the proposed project prior to grading or building permit issuance. Any proposed drainage easements shall be private easements unless otherwise approved by the Department of Transportation and Public Works.
67. If the cumulative land disturbance of the project is equal to or greater than one (1) acre, then the project is subject to National Pollutant Discharge Elimination System (NPDES) requirements and must obtain coverage under the State Water Resource Control Board's General Construction Permit (General Permit). Documentation of coverage under the General Permit must be submitted to the Grading & Storm Water Section of the Permit and Resource Management Department prior to issuance of any grading permit for the proposed project.

HEALTH (Permit Sonoma):

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

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

PRIOR TO BUILDING PERMIT:

Septic



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

Any necessary system expansion or modifications, and demonstration of reserve areas, shall be done under permit and the current standards from the Permit Sonoma Well and Septic Section and may require both soils analysis and groundwater and percolation testing. If a permit for a standard, innovative or experimental sewage disposal system sized to meet all peak flows cannot be issued, then the applicant/operator shall revise the project (fees apply and a hearing may be required) to amend the Use Permit to a reduced size, not to exceed the on-site disposal capabilities of the project site and attendant easements. The applicant/operator shall submit a final clearance from the Well and Septic Section to the Project Review Health Specialist stating that all required septic system testing and design elements have been met.

Consumer Protection

69. Prior to the issuance of building permits and the start of any on-site construction and/or occupancy and operation, plans and specifications for any facility that prepares wholesale cannabis ingredient(s), food, or beverage for human consumption must be submitted to, and approved by the California State Department of Public Health, Manufactured Cannabis Safety Branch. Early consultation with the California State Department of Public Health, Manufactured Cannabis Safety Branch is recommended. All ingredient, food, and/or beverage manufacturing on this site shall be limited to the scale and scope specified under the Planning conditions in this Use Permit. An approval letter or e-mail from the California State Department of Public Health, Manufactured Cannabis Safety Branch shall be submitted to the Project Review Health Specialist to verify compliance with requirements of the California Health and Safety Code. .

Contact the California Department of Public Health (855-421-7887) for information and instructions.

Noise

70. Prior to the issuance of building permits and project operation, a Noise Study by a qualified Acoustic Consultant shall be submitted to the Project Review Health Specialist addressing driveway and parking lot noise generated from employees; delivery/transport vehicles; operation noise from commercial extractors, HVAC systems, and dehumidifiers; green waste grinder; and security and equipment alarms and their impact on nearby residences. The Noise Study shall be drafted in accordance with Permit Sonoma "2019 Guidelines for the Preparation of Noise Analysis".



71. Prior to the issuance of building permits and project operation, any noise mitigations from the Noise Study shall be photocopied and attached to the building plans submitted for plan check.

Solid Waste

72. All non-cannabis waste and recycling shall be stored in a secure area and collected by Recology, the County's waste hauler.
73. A cannabis solid waste management plan shall be fully developed and submitted to the Project Review Health Specialist. No visually recognizable cannabis, or materials that smell like cannabis shall be disposed of as ordinary refuse. All cannabis waste shall be ground, chipped or shredded as necessary and mixed with suitable materials and composted until it is no longer recognizable as cannabis by sight or smell. Other final disposal methods shall be clearly identified and contracted for disposal by appropriately licensed refuse haulers. The applicant/operator shall submit a complete cannabis solid waste management plan to the Project Review Health Specialist.
74. Prior to building permit issuance and project operation, the applicant/operator shall submit a design for trash enclosures, recycling areas, and a secured cannabis green waste area with prohibited public access, for review and approval by Project Review-Health. No visually recognizable cannabis, nor materials that smell like cannabis shall be disposed of as ordinary refuse. All cannabis waste shall be ground, chipped or shredded as necessary and mixed with suitable materials and composted until it is no longer recognizable as cannabis by sight or smell.

Onsite composted and/or mulched cannabis green waste shall be managed in compliance with Title 14 of the California Code of Regulations, Division 7, Chapter 3.1, starting with section 17850.

The applicant shall submit a design for trash enclosures, recycling areas, composting and cannabis green waste area for review and approval by the Permit Sonoma Building Plan Check Section. If refuse collection is "curbside", include a detail of the area turnaround.

PRIOR TO PROJECT OPERATION:

Water

75. Prior to project operation, connection shall be made to public water. The applicant/operator shall submit proof of public water service to the Project Review Health Specialist to verify compliance.
76. Prior to project operation, backflow prevention devices shall be installed on the water supply system as recommended, after concurrence with the hazard evaluation and recommendations for cross-connection control report to Permit Sonoma. The



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applicant/operator shall submit a letter from the Cross-Connection Control Specialist to the Project Review Health Specialist stating that backflow prevention has been installed as recommended.

Septic

77. Prior to project operation, all wastewater plumbing shall be connected to a sewage disposal system that has been constructed under permit for the proposed use by the Permit Sonoma Well and Septic Section. The applicant/operator shall submit a final clearance from the Well & Septic Specialist to the Project Review Health Specialist, indicating that all required septic system testing, design elements, construction inspections and any required operating permits have been met.

Noise

78. Prior to project operation, any noise mitigation measures shall be installed in accordance with the Noise Study. The design and final construction of the noise mitigation measures must be approved in writing by the Acoustic Consultant and submitted to the Project Review Health Specialist. The applicant/operator shall submit a letter of clearance from the Acoustic Consultant confirming conformance with the design and final construction of the sound mitigations to the Noise Study requirements to the Project Review Health Specialist.

OPERATIONAL REQUIREMENTS

Water

79. The property owner or lease holder shall have the backflow prevention assembly tested by an American Water Works Association Certified Backflow Prevention Assembly Tester at the time of installation, repair, or relocation and at least on an annual schedule thereafter.
80. A safe, potable water supply shall be provided and maintained.

Septic

81. Use of the on-site wastewater disposal system shall be in accordance with the design and approval of the system.
82. All future sewage disposal system repairs shall be completed in the Designated Reserve areas and shall meet Class I Standards.
83. Alternative reserve areas may be designated if soil evaluation and testing demonstrate that the alternative reserve area meets or exceeds all of the requirements that would have been met by the original reserve area. If wastewater ponds or a package treatment plant are needed, then a modification of the Use Permit may be required, as determined by Permit Sonoma.



Consumer Protection

84. Obtain and maintain all required Food Industry Permits from the State Department of Food and Agriculture prior to manufacturing any food for off-site shipment.

Noise

85. Noise shall be controlled in accordance with Table NE-2 below (or an adjusted Table NE-2 with respect to ambient noise as described in General Plan 2020, Policy NE-1c), as measured at the exterior property line of any affected residential or noise sensitive land use.

TABLE NE-2: Maximum Allowable Exterior Noise Exposures

Hourly Noise Metric ¹ , dBA	Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)
L50 (30 minutes in any hour)	50	45
L25 (15 minutes in any hour)	55	50
L08 (4 minutes 48 seconds in any hour)	60	55
L02 (72 seconds in any hour)	65	60
¹ The sound level exceeded n% of the time in any hour. For example, the L50 is the value exceeded 50% of the time or 30 minutes in any hour; this is the median noise level.		

86. If noise complaints are received from nearby residents, and they appear to be valid complaints, then the applicant/operator shall conduct a Noise Study to determine if the current operations meet noise standards and to identify any additional noise Mitigation Measures, if necessary. A copy of the Noise Study shall be submitted to the Project Review Health Specialist within 60 days of notification from Permit Sonoma that a noise complaint has been received. The applicant/operator shall implement any additional Mitigation Measures needed to meet noise standards.

Solid Waste

87. All garbage and refuse on this site shall accumulate or be stored in non-absorbent, water-tight, vector resistant, durable, easily cleanable, galvanized metal or heavy plastic containers with tight fitting lids. No refuse container shall be filled beyond the capacity to completely close the lid. Garbage and refuse on this site shall accumulate or be stored for no more than seven calendar days and shall be properly disposed of at a County Transfer Station or County Landfill before the end of the seventh day.



88. No visually recognizable Cannabis, nor materials that smell like Cannabis shall be disposed of as ordinary refuse. All Cannabis waste shall be ground, chipped, or shredded as necessary and mixed with suitable materials and composted until it is no longer recognizable as Cannabis by sight or smell.

Odor Control

89. All indoor and mixed light cultivation operations and any drying, aging, trimming, and packing facilities shall be equipped with odor control filtration and ventilation system(s) to control odors humidity, and mold.

Smoking

90. Smoking is prohibited at any public event, in any dining area, service area (including entry lines or ticket purchase lines), and in any enclosed area that is a place of employment (Sonoma County Code 32-6). "No Smoking" signs shall be conspicuously posted at the point of entry into every building where smoking is prohibited by Chapter 32 of the Sonoma County Code. The California Health and Safety Code (Section 113978) also requires the posting of "No Smoking" signs in all food preparation areas, all retail food storage areas, and all food utensil washing areas. Note that the Health and Safety Code Section 113781 definition of food includes any beverage intended for human consumption.
91. A "Designated Smoking Area" may be established in unenclosed areas consistent with Sonoma County Code Section 32-3. Designated Smoking Areas must be at least 25 feet away from any building or area where smoking is prohibited, must be conspicuously identified by signs as a smoking area, and shall be equipped with ash trays or ash cans.

TRANSPORTATION & PUBLIC WORKS:

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

Contact Sonoma County Transportation & Public Works at (707) 565-2231

Intersections of Roads and Driveways:

92. The applicant/operator shall not construct, install, or place any monuments and/or signs resulting from this proposal within the necessary sight distance triangles required to achieve minimum American Association of State Highway and Transportation Officials (AASHTO) required sight distance at any project entry where it intersects a public roadway.
93. The applicant/operator shall maintain all existing and proposed vegetation fronting the site as well as within the public right-of-way to preserve the sight distance triangles necessary to achieve the minimum AASHTO required sight distance at any project driveway where it intersects a public roadway.



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94. The applicant/operator shall obtain an Encroachment Permit issued by Permit Sonoma prior to working within County road right-of-way.

DEPARTMENT OF HEALTH SERVICES, ENVIRONMENTAL HEALTH & SAFETY (EHS):

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

Contact Sonoma County EHS at (707) 565-6534.

95. If composting on-site is proposed, a review of the proposal is required by the Local Enforcement Agency to determine if a Solid Waste Permit is required prior to commencing operations.

GENERAL OPERATIONAL CONDITIONS

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

96. Any proposed modification, alteration, and/or expansion of the use authorized by this use permit shall require the prior review and approval of Permit Sonoma or the Board of Zoning Adjustments, as appropriate. Such changes may require a new or modified use permit and additional environmental review, if warranted.
97. The Director of Permit Sonoma is hereby authorized to modify these conditions for minor adjustments to respond to unforeseen field constraints provided that the goals of these conditions can be safely achieved in some other manner. The applicant must submit a written request to Permit Sonoma demonstrating that the condition(s) is infeasible due to specific constraints (e.g., lack of property rights) and shall include a proposed alternative measure or option to meet the goal or purpose of the condition. Permit Sonoma shall consult with affected departments and agencies and may require an application for modification of the approved permit. Changes to conditions that may be authorized by Permit Sonoma are limited to those items that are not adopted standards or were not adopted as mitigation measures or that were not at issue during the public hearing process. Any modification of the permit conditions shall be documented with an approval letter from Permit Sonoma and shall not affect the original permit approval date or the term for expiration of the permit.
98. This permit may be subject to revocation or modification by the Board of Zoning Adjustments if: (a) the Board finds that there has been noncompliance with any of the conditions or (b) the Board finds that the use for which this permit is hereby granted constitutes a nuisance. Any such revocation shall be preceded by a public hearing noticed and heard pursuant to Section 26-92-120 and 26-92-140 of the Sonoma County Code.



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