



## Staff Report to the Zoning Administrator

Application Number: 191038

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**Applicant:** Swift Consulting Services, c/o  
John Swift

**Owner:** George and Pamela Gleitsman

**APN:** 106-131-05

**Site Address:** 199 Buzzard Lagoon Road

**Agenda Date:** 10/4/2019

**Agenda Item #:** 2

**Time:** After 9:00 a.m.

**Project Description:** Proposal to operate a 10,000 square foot, Class SU, outdoor cannabis cultivation facility in the SU (Special Use) zone district. Requires a Commercial Development Permit and a determination that the project is exempt from further environmental review under the California Environmental Quality Act (CEQA).

**Location:** The property is located on the west side of Buzzard Lagoon Road, approximately 1.2 miles north of Rider Road, which is approximately 1/3 of a mile east of Eureka Canyon Road.

**Permits Required:** Commercial Development Permit

**Supervisory District:** 2<sup>nd</sup> District (District Supervisor: Zack Friend)

### Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 191038, based on the attached findings and conditions.

### Setting

The subject property is located within the Eureka Canyon Planning Area. The property itself is accessed by Buzzard Lagoon Road, a County maintained roadway. The property contains an existing single-family dwelling, caretaker's unit, an accessory dwelling unit, and a barn. The residence is located immediately adjacent to Buzzard Lagoon Road and provided access by a 16-foot driveway. There is also a 16 to 20-foot wide driveway that extends immediately southeast from the entry driveway adjacent to Buzzard Lagoon Road approximately one-half mile along a ridge line to the south end of the property. This driveway currently provides access to a flat area of the site formerly containing a horse stable, orchard and shed. Water is currently available from a hose bib provided by an underground water line from an existing water tank served by a private well nearby the dwelling.

A pre-existing cultivation site was located on the slope to the south of the ridge and is no longer in operation.

The subject cultivation site is fully screened from view of adjacent properties by topographic differences between parcels and mature vegetation along property lines and throughout the site.

### **Project Description/Program Statement**

The program statement (Exhibit G) clarifies the full scope of the project. Attached plans include the proposed improvements and best management practices associated with the use.

The proposed 10,000 square foot commercial cultivation area, approximately 162 feet by 62 feet in dimension, is proposed where the orchard and horse stable were once located. A single harvest is proposed annually. Access is proposed from the existing unimproved driveway. Six-foot security fencing/gate is proposed across the driveway and open field access to preclude entry into the cultivation area. Six-foot-tall deer fencing is proposed around the cultivation site. No facility improvements are proposed in the cultivation area with exception of the grow area and security fencing. Furthermore, an existing dilapidated shed in the cultivation area is proposed to be removed. The pre-existing cultivation area is proposed to be repurposed to a garden.

Only minor cultivation facility improvements are proposed adjacent to the residence. This includes a 120 square foot non habitable accessory structure for pesticide storage and State cannabis track and trace functions required prior to removal of harvested cannabis. No electricity is proposed to the non-habitable structure. The weigh scale is proposed to be battery operated. A temporary porta-potty is proposed during harvest only. Harvested product is proposed to be immediately removed from the site by a State Licensed distribution service vehicle.

Hours of operation are proposed between 7 a.m. to 7 p.m. daily for full time and seasonal harvest employees. The project proposes 1-2 full time employees and 3 to 4 harvest employees. Restroom use is proposed within the dwelling for full time employees. Employee parking is proposed within the existing residential parking area. A temporary porta-potty is proposed during harvest activities only.

Plans include Best Management and Operational Practices with applicable reference sheets that implement applicable best management practices.

Security improvements include gated access at the site entry and chain line fencing on driveway access to the cultivation area.

### **Permit Requirements**

Pursuant to County Code Section 13.10.312, cannabis cultivation facilities located within the Special Use (SU) zoned district are subject to a Commercial Development Permit and a public hearing with approval by the Zoning Administrator.

### **Zoning & General Plan Consistency**

The subject property is a 63-acre lot, located in the SU (Special Use) zone district, a designation which allow residential and small-scale agricultural uses. The proposed cannabis cultivation use is an allowed use within the Special Use zone district and the project is consistent with the site's R-M (Mountain Residential) General Plan designation.

As required by County Code, 13.10.650, the plans include Best Management and Operational Practices (BMOP), which, among other topics, address irrigation and water conservation practices, operational practices, worker safety, pesticide use, etc.

The below table provides relevant information regarding the allowed and proposed cultivation activity. The proposed cultivation meets the code limits as shown.

<b>Cultivation Canopy Allowance</b>						
<b>Zone District - License Type</b>	<b>Number of Licenses</b>	<b>Site Acreage</b>	<b>Maximum Outdoor Cultivation Canopy Allowance</b>	<b>Outdoor Cultivation Canopy Proposed</b>	<b>Indoor Cultivation Canopy Proposed</b>	<b>Total Canopy Proposed</b>
SU - Class SU	Single License	63 acres	10,000 square feet	10,000 square feet	N/A	10,000 Square feet

### **Key Issues**

Given the location of the property in a remote, rural area of the County, mapped critical fire hazard and high State Responsibility Fire hazard area, the primary consideration is public health and safety. As recommended by the Fire Marshall, the applicant proposes to implement fire safety measures to ensure public health and safety is not jeopardized as a result of the cannabis operation.

### **Siting**

Cannabis cultivation is akin to a Christmas tree farm, vineyard or similar agricultural activity. The proposed cultivation area is appropriate given that it is located on a flat portion of the site where horse stables and orchard were located in the past, and water is currently available. No grading is proposed. The previous cultivation area, located on steeper slopes and within 300 feet of public road, is proposed to be restored to a vegetable garden. The proposed cultivation meets the required 300-foot setback to a public right-of-way, as required by the cannabis

regulations. The cultivation site is not visible to public roadways or surrounding residential property. The site area is not mapped for sensitive habitat or environmental resources or constraints where proposed.

Driveway access to the cultivation plot is conditioned to be limited to the cultivation operations manager vehicle/all-terrain vehicle only. The project is conditioned to require that the harvest employees (four maximum) are driven to the cultivation area and that harvested material is hauled to the facility improvement area. Furthermore, the project is also conditioned to prohibit camping, electricity, campfires, etc. These measures will ensure public health and safety.

The project was designed to cluster the minor site improvements (120 square foot shed and porta potty) associated with harvest operations adjacent to the residence, in keeping with best management practices. The applicant proposes removal of an existing shed located at the proposed cultivation area. This project design ensures that operational activities involving limited employee activity and active vehicle use are in proximity with the residence; therefore, the project does not pose public health and safety hazards.

Furthermore, the owner/operator proposes to live in the residence during the cultivation season, providing increased security. A restroom for the business owner/operator and one additional employee is proposed to be located within the existing dwelling. A Porta-potty is proposed only during the single harvest annually when a few agricultural laborers are at the site, for approximately 2-3 days in duration.

Driveway access to the proposed project improvements is currently provided to the residence. The employee parking, harvest shed, and porta potty are proposed adjacent to the residence to ensure public health and safety. No change to the driveway access width is proposed. However, given critical fire hazard mapping and high State Responsibility Area fire hazard mapping, a fire management plan/clearing plan is recommended to reduce the potential fire hazard to ensure that the facility operation, as limited as it is, does not pose a public health and safety issue for the larger community. The scope of vegetation management plan is required to be reviewed and approved by the fire agency prior to building permit issuance.

Conditions of approval are recommended to prohibit electricity to the single non-habitable shed, as well as a prohibition on camping, generators, and campfires in the cultivation area. Any power required for the weigh scale are required to be provided by battery scale only. Lighting is not proposed and is also prohibited.

### ***Security***

The BMOP security section was reviewed by the County Sheriff assigned to the Cannabis Licensing Office for review of project applications. To ensure that the security plan is not compromised by making its details public, the Sheriff will retain the final accepted and detailed security plan. However, in general, the site is inherently secure. The site is physically isolated from other properties due to the remote rural location. It consists of a large parcel size (63 acres), is topographically isolated from other parcels in the vicinity, and has limited road access. The formal security plan includes the business owner/operator living in the residence and managing the operation, proposed gates and fencing at roadway access points to prohibit unauthorized access to the site, no cannabis harvest storage on site, and deliveries and pickup of

## **Environmental Review**

Environmental review has not been required for the proposed project per the requirements of the California Environmental Quality Act (CEQA). A CEQA exemption form is attached as Exhibit A. The project qualifies for a number of exemptions, principally Class 1 and Class 3, in that the proposed use is essentially a continuation of a preexisting agricultural use with negligible or no expansion of use and only minimal construction of security measures and roadway improvements associated with the use.

## **Conclusion**

As proposed and conditioned, the project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

## **Staff Recommendation**

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number 191038, based on the attached findings and conditions.

**Supplementary reports and information referred to in this report are on file and available for viewing at the Santa Cruz County Planning Department, and are hereby made a part of the administrative record for the proposed project.**

**The County Code and General Plan, as well as hearing agendas and additional information are available online at: [www.co.santa-cruz.ca.us](http://www.co.santa-cruz.ca.us)**

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## **Exhibits**

- A. Categorical Exemption (CEQA determination)
- B. Findings
- C. Conditions
- D. Project plans
- E. Assessor's, Location, Zoning and General Plan Maps
- F. Parcel information
- G. Program Statement

# CALIFORNIA ENVIRONMENTAL QUALITY ACT

## NOTICE OF EXEMPTION

The Santa Cruz County Planning Department has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15332 of CEQA for the reason(s) which have been specified in this document.

Application Number: 191038  
Assessor Parcel Number: 106-131-05  
Project Location: 200 Buzzard Lagoon Road

**Project Description: Proposal to establish a 10,000 square foot outdoor cannabis cultivation in the SU zone district. Requires a Commercial Development Permit.**

**Person or Agency Proposing Project: Swift Consulting Services, c/o John Swift**

**Contact Phone Number: (831) 459-9992 x 103**

- A. ☐ The proposed activity is not a project under CEQA Guidelines Section 15378.  
B. ☐ The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).  
C. ☐ **Ministerial Project** involving only the use of fixed standards or objective measurements without personal judgment.  
D. ☐ **Statutory Exemption** other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).  
E. ☒ **Categorical Exemption**

Specify type: Class 4 - Minor Alterations to land

**F. Reasons why the project is exempt:**

Cultivation of agricultural crops

In addition, none of the conditions described in Section 15300.2 apply to this project.

\_\_\_\_\_  
Sheila McDaniel, Project Planner

Date: \_\_\_\_\_

**EXHIBIT A**

## **Commercial Development Permit Findings**

1. That the proposed location of the project and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity.

This finding can be made, in that the cannabis cultivation would be in an area designated for cultivation. The parcel is approximately 63 acres in size and complies with the minimum 10-acre lot size required of the SU zone district for cultivation.

The Cannabis Licensing Manager reviewed the proposed project and recommends approval of the proposed security plan and Best Management and Operations Practices. The proposed cultivation is located a sufficient distance from adjacent sites and meets the required setbacks to sensitive receptors, limiting odor from the proposed cultivation; the facility has a security plan that has been reviewed and accepted by the County Sheriff's office. In addition, the project is limited in scope, facility improvements, and number of employees. Furthermore, the project, as designed and conditioned, and the conditions under which it would be operated, will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public. In addition, the use will not be materially injurious to properties or improvements in the vicinity. The project will not result in inefficient or wasteful use of energy.

All facility structures and improvements will be located in close proximity to the existing residence to ensure health and safety. As conditioned, including prohibiting camping, electricity, and campfires, as well as a vegetation management plan around the facility operation, the project will ensure health and safety. All improvements will comply with prevailing building technology, the California Building Code, and the County Building ordinance to ensure the optimum in safety and the conservation of energy and resources.

2. That the proposed location of the project and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the zone district in which the site is located.

This finding can be made, in that the proposed location of the cannabis cultivation use and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the SU (Special Use) zone district and the proposed cannabis use meets all current site standards for the zone district and cannabis regulations. Furthermore, the project proposes a single structure located in the existing developed portion of the site, adjacent to the residence, and utilizes existing access and site infrastructure on site.

3. That the proposed use is consistent with all elements of the County General Plan and with any specific plan which has been adopted for the area.

This finding can be made, in that the proposed cannabis cultivation use is consistent with the use and density requirements specified for the RM (Mountain Residential) land use designation in the County General Plan. The proposed use is located in an area historically used for horse stables and an orchard. The proposed use is essentially a change in the agricultural crop

cultivated on site. With security measures, as approved by the County Sheriff, and conditions of approval, the proposed cultivation will be consistent with the General Plan policies to ensure public health and safety.

A specific plan has not been adopted for this portion of the County.

4. That the proposed use will not overload utilities, and will not generate more than the acceptable level of traffic on the streets in the vicinity.

This portion of the site has been used for an orchard and horse stables in the past. One to two full time employees (owner/operator living on site) and 3-4 three seasonal employees are proposed. The applicant is proposing to vanpool labor for proposed harvest operations. The expected level of traffic generated by the proposed project is anticipated to be only one peak hour vehicle trip per day and a maximum of 4 to 5 during harvest operations, and such an increase will not adversely impact existing roads or intersections in the surrounding area.

The proposed cultivation area does not include lighting and proposed facility structures do not include proposed lighting or power. As a result, traffic is not anticipated to increase significantly.

Thus, the proposed use will not overload utilities and will not generate more than the acceptable level of traffic on the streets in the vicinity.

5. That the proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.

This finding can be made, in that security fencing around cultivation areas will be provided to ensure public safety, as conditioned to meet the County Sheriff requirements. The use is fully screened from adjacent properties and is not visible to adjacent residential uses. The proposed cannabis cultivation use is an allowed use within the zone district. The scope of the operation is limited to one harvest seasonally, limits employees and hours of operations, and will complement the rural area. The use provides a single small structure, located within the existing development area of the site for facility harvest operations and otherwise does not propose any additional development disturbance. As a result, the proposed use is consistent with the land use intensity and density of the neighborhood.

6. The proposed development project is consistent with the Design Standards and Guidelines (sections 13.11.070 through 13.11.076), and any other applicable requirements of this chapter.

This finding can be made, in that the proposed use will be of an appropriate scale and type of design that will not affect the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area.



## Conditions of Approval

Exhibit D: Project plans, prepared by Ron Ragsdale, July 15, 2019  
Exhibit E: Program Statement

- I. This permit authorizes operation of a 10,000 square foot, Class SU, outdoor cannabis cultivation facility in the SU (Special Use) zone district with one cultivator, as indicated on the approved Exhibit "D" for this permit. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising all rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
  - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
  - B. Obtain a Class SU Cultivation License from the Cannabis Licensing Office.
  - C. Obtain a Building Permit(s) from the Santa Cruz County Building Official.
    1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
  - D. Obtain a Demolition Permit from the Santa Cruz County Building Official.
  - E. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way, as required.
- II. Prior to issuance of a Cannabis License by the Licensing Official, the applicant shall obtain and final a Building Permit. Prior to issuance of the building permit, the applicant/owner shall:
  - A. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "D" on file with the Planning Department. Any changes from the approved Exhibit "D" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
    1. A copy of the text of these conditions of approval incorporated into the full-size sheets of the architectural plan set.
    2. One elevation shall indicate materials and colors as they were approved by

this Discretionary Application. If specific materials and colors have not been approved with this Discretionary Application, in addition to showing the materials and colors on the elevation, the applicant shall supply a color and material sheet in 8 1/2" x 11" format for Planning Department review and approval.

3. Water Efficient Landscape Plan (including a signed Water Efficient Landscape Checklist and Certificate) prepared in accordance with the requirements of the Water Efficient Landscape Ordinance (County Code Chapter 13.13) by a certified/licensed landscape architect, landscape contractor, civil engineer, landscape irrigation designer, landscape irrigation auditor, or water manager.
- B. Meet all requirements of the Cannabis Licensing Office, including
1. Please prepare and submit a Security Plan narrative with the license application that includes a discussion of security measures required for the license type "Outdoor Cultivation operations outside USL". Reference materials re. security requirements and narrative content can be found on the CLO web site at the link below:  
<http://www.co.santa-cruz.ca.us/CannabisLicensingOffice/ApplicationResources.aspx>
- C. Meet all requirements of and pay Zone 7 drainage fees to the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area.
- D. Obtain a Final Environmental Health Clearance for this project from the County Department of Environmental Health Services. Meet all requirements, including
1. Complete the County Agricultural Water Conservation Questionnaire if more than 2 Acre-Feet per year of water is used.
  2. The water well shall meet the fire safety standards with yield testing while meeting environmental concerns. Plans shall include installation of a backflow prevention device and meter. Plans shall include a monthly monitoring program.
  3. The project shall obtain a Small Water Systems Permit, as applicable.
  4. Any illegal buildings shall be assessed. The plot plan shall include all structures, water well and storage tanks and wastewater systems (include septic tanks and size, leach fields and size, and future expansion area for all systems). Applicant shall apply for a sewage disposal upgrade permit, with fees, and plot plans.
- E. Meet all requirements of the Environmental Planning section of the Planning Department, if applicable.

- F. Submittal of a vegetation management/clearing plan for review and approval by the Fire Agency.
- G. Plans shall provide required off-street parking for 8 cars (3 for residence and 5 for cultivation use). Parking spaces shall be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.
- H. Meet all requirements of the Agricultural Commissioner, including:
  - 1. Obtain an Operator Identification Number (OIN) for pesticide application.
  - 2. Pesticide storage shall be within a designated area.
  - 3. Any detention ponds shall be designed to allow ready access for maintenance to prevent mosquito breeding habitat and to allow monitoring by mosquito abatement staff.
- I. Plans shall meet all accessibility requirements, including:
  - 1. Projects providing at least two employees on site, either permanent or temporary require the following accessibility requirements. Employee workstations and common use circulation paths within employee work areas shall be accessible, except where common use circulation paths are located within exterior employee work areas that are fully exposed to the weather. The project is required to provide:
    - A. Exterior route details shall be provided to include slopes, widths, surface materials, and detectable warnings.
    - B. Accessible parking details to include slopes, striping and signage shall be provided.
    - C. Any required ramps shall be detailed to include slopes, landings, curbs or guiderail, handrail and handrail extensions.
    - D. Doors, doorways and gates shall be detailed. Include maneuvering clearances, threshold detail and hardware.
    - E. Complete and dimensioned details for restrooms serving employee areas shall be provided. Include fixture mounting heights, grab bars, maneuvering clearances, and door signage.
    - F. Signs shall be detailed to include character size, sign location, and Type II Braille, as required.
    - G. Employee breakroom kitchen or kitchenette shall be detailed to comply with clearances.

H. Exterior route details shall be provided to include slopes, widths, surface materials, and detectable warnings.

III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:

- A. All site improvements shown on the final approved Building Permit plans shall be installed.
- B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
- C. Pursuant to Sections 16.40.040 and 16.42.080 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.080, shall be observed.

IV. Operational Conditions

- A. All operational conditions of approval of this use approval shall become conditions of the Cannabis License and remain in effect. Operational conditions shall be enforced by the Cannabis Licensing Official.
- B. All conditions of approval required by the Cannabis Licensing Official shall remain in effect.
- C. All measures of the security plan as adopted by the Cannabis Licensing Office, per the Sheriff's Office, shall remain in effect.
- D. The following security measures shall be maintained:
  - 1. All required cannabis cultivation area security fencing shall be maintained.
  - 2. No cash shall be kept on the premises.
  - 3. No advertising or signage is allowed that displays either in words or symbols the presence of cannabis on-site.
  - 4. Each employee shall receive training regarding the site's security plan.
- E. Hours of operation shall be limited to 7:00 a.m. and 7:00 p.m. seven days a week. Deliveries shall be limited to 7:00 a.m. and 7:00 p.m. seven days a week.

- F. The cannabis cultivation operation shall adhere to the best management operational practices per the approved plans.
- G. In the event that odor complaints are substantiated by the Monterey Bay Air Quality Control Board, the Licensing Official may reduce the canopy allowance associated with this use permit to minimize odor, as appropriate.
- H. There will be no on-site retail sales of cannabis products and the premises shall not be open to the public.
- I. To ensure public health and safety, camping, campfires, generators and electrical power shall be prohibited. Lighting is also prohibited in the cultivation area. Electrical service is prohibited to the non-habitable accessory structure.
- J. This permit authorizes a maximum of one cultivation licensee.
- K. Cultivation licensee shall maintain a valid state license, posted in a conspicuous location.
- L. All employee vehicle parking, including full time, seasonal employees, harvest employee parking, and delivery and distribution parking, shall be provided in the existing parking area adjacent to the residence. No parking is permitted adjacent to the cultivation area with exception of a single cultivation owner/operator/licensee vehicle.
- M. Employees shall be carpooled to the cultivation site by the licensee. Harvested material shall be hauled from the cultivation site to the facility improvement area adjacent to the residence.
- N. All seasonal employees shall be encouraged to carpool to the site.
- O. Prior to conducting business during the harvest season when additional employees are required, portable toilets with hand washing stations shall be required and only allowed for up to 10 calendar days and shall be removed after each harvest. Service for portable toilets must be contracted and meet the needs of the number of employees. Prior to placement of seasonal portable toilets, an Environmental Health Agency Clearance shall be obtained. Any porta-potties shall be removed following harvest.
- P. Pursuant to Sections 16.40.040 and 16.42.080 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.080, shall be observed.

- Q. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including cannabis license revocation and permit revocation.
- V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
1. COUNTY bears its own attorney's fees and costs; and
  2. COUNTY defends the action in good faith.
- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.

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Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

**Please note: This permit expires three years from the effective date listed below unless a building permit (or permits) is obtained for the primary structure described in the**

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Owner: Geoge and Pamela Gleitsman

**development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.**

Approval Date: \_\_\_\_\_

Effective Date: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

\_\_\_\_\_  
Jocelyn Drake  
Deputy Zoning Administrator

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Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance with chapter 18.10 of the Santa Cruz County Code.

## Parcel Information

### Services Information

Urban/Rural Services Line:     \_\_\_ Inside     x Outside  
Water Supply:                   Well  
Sewage Disposal:               Septic  
Fire District:                  Cal Fire  
Drainage District:              7

### Parcel Information

Parcel Size:                   63 acres  
Existing Land Use - Parcel:     Single Family Residential  
Existing Land Use - Surrounding: Residential  
Project Access:                Buzzard Lagoon Road (County Maintained Roadway)  
Planning Area:                 Eureka Canyon Road  
Land Use Designation:         R-M (Mountain Residential)  
Zone District:                 SU (Special Use)  
Coastal Zone:                 \_\_\_ Inside     x Outside  
Appealable to Calif. Coastal   \_\_\_ Yes     x No  
Comm.

Technical Reviews: None

### Environmental Information

Geologic Hazards:           Mapped landslide beyond area of proposed development; however, no habitable structures proposed, thus no geologic analysis required  
Fire Hazard:                Critical Fire Hazard- State Responsibility Area  
Slopes:                     Cultivation site and facility site at residence are flat  
Env. Sen. Habitat:          Mapped for biotic resources; however, no additional site disturbance proposed, thus no additional biotic information required  
Grading:                    No grading proposed  
Tree Removal:              No trees proposed to be removed  
Scenic:                     Not a mapped resource  
Archeology:                 Mapped archaeology; however, no additional site disturbance proposed, thus an archaeology report is not required



**TRANSMITTAL - LEVEL 5, 6 & 7**

DATE: \_\_\_\_\_  
TO: Support Staff  
FROM: Sheila McDaniel  
RE: Application # 191038

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**PLEASE COMPLETE THE ITEMS CHECKED BELOW:**

Return all original documents to the planner, unless checked ⇒ ☐ Use original documents for distribution

☐ Make \_\_\_\_\_ copies of the attached documents; distribute as follows:

☐ Mail copies to: ☐ Applicant ☐ Owner ☐ Applicant/Owner (if same)

☐ Send a copy to District Supervisor \_\_\_\_\_ (via Inter-office mail)

☐ Send copies to: ☐ DPW Surveyor (Plans & Conditions – all land divisions)

☐ Housing (Conditions – projects with affordable housing reqts.)

☐ \_\_\_\_\_

☐ Extra copy to planner

☐ Mail a copy to the California Coastal Commission: ☐ Certified Mail ☐ Send attached plans

☐ Mail copy of Coastal Exclusion to Coastal Commission with any attached documents/exhibits.

☐ Mail copy of permit conditions to: \_\_\_\_\_ (Local Fire District)

☐ Place copy of final staff report/conditions in the Project Listing by APN folder on the shared drive

☐ Send copy of CEQA notice to the Clerk of the Board:

☐ Notice of Exemption (include copy of application form indicating COB fee payment)

☐ Notice of Determination/Negative Declaration

☐ Certificate of Fee Exemption

☐ Special instructions:

☐ Send attached exhibit(s) to:

☐ Applicant

☐ Owner

☐ Applicant/Owner (if same)

☐ Send attached recordable documents to:

☐ Applicant

☐ Owner

☐ Applicant/Owner (if same)

☐ \_\_\_\_\_

☐ \_\_\_\_\_

Completed by: \_\_\_\_\_

(support staff)

(date)

# COMMERCIAL CANNABIS CULTIVATION CLASS SU BUSINESS APPLICATION 905 BUZZARD LAGOON ROAD WATSONVILLE, CALIFORNIA APN 106 131 05

LOT SIZE—63.7 ACRE / 2659277 SQUARE FEET

ZONING—SU—SPECIAL USE  
BP—MOUNTAIN RESIDENTIAL

THESE PLANS ARE MADE OF INK OR INK APPROVED  
PLANS, ATTACHMENTS, RECORDS AND SKETCHES PROVIDED  
BY THE OWNER.

SH. NO.	CONTENTS
A-1	SITE PLAN AND NOTES
A-2	FLOOR PLANS
A-3	MAIN HOUSE PLAN
A-4	PLAN VIEWS AND PHOTOS
A-5-6	BEST MANAGEMENT OF OPERATIONAL PRACTICES

## NOTES:

1. NO GRASSING IS PROPOSED. ONLY AGRICULTURAL TILLING OF SOIL WILL BE CONDUCTED.
2. CULTIVATED AREA TO BE FENCED CONSISTENT WITH THE "MONTANA FISH AND WILDLIFE GUIDE". THE FENCE SHALL INCLUDE A LOCKED GATE.
3. NO TREES ARE PROPOSED TO BE REMOVED AS PART OF THE CULTIVATION.
4. DIRT DRAINAGE SHALL BE USED TO MINIMIZE WATER USAGE.
5. NO LIGHTING IS IN THE CULTIVATION AREA.
6. THERE ARE NO EXISTING ROADS IN THE AREA OF CULTIVATION.
7. NO GREENHOUSES ARE PROPOSED.
8. A LICENSED DISTRIBUTOR WILL BE CONTRACTED TO RETRIEVE AND DELIVER THIS PRODUCT.
9. PROVIDE 2 100 GALLON MAIN WATER COLLECTION BARRELS AT THE MAIN HOUSE AND ONE EACH AT THE GARDEN AND STORAGE SHEDS.

## LANDSCAPE NOTES

1. EXISTING VEGETATION TO BE MAINTAINED EXCEPT IN AREA OF CULTIVATION.
2. PLANTS THAT ARE COMPANIONARY AND WELL ADAPTED TO THE MANAGEMENT WILL BE PLANTED AROUND THE PERIMETER OF THE CULTIVATION AREA.
3. AN EROSION CONTROL NATIVE SEED MIX WILL BE APPLIED TO ANY DISTURBED SOIL THAT IS UNCULTIVATED AND REMAINING AFTER CULTIVATION AREA IS ESTABLISHED.

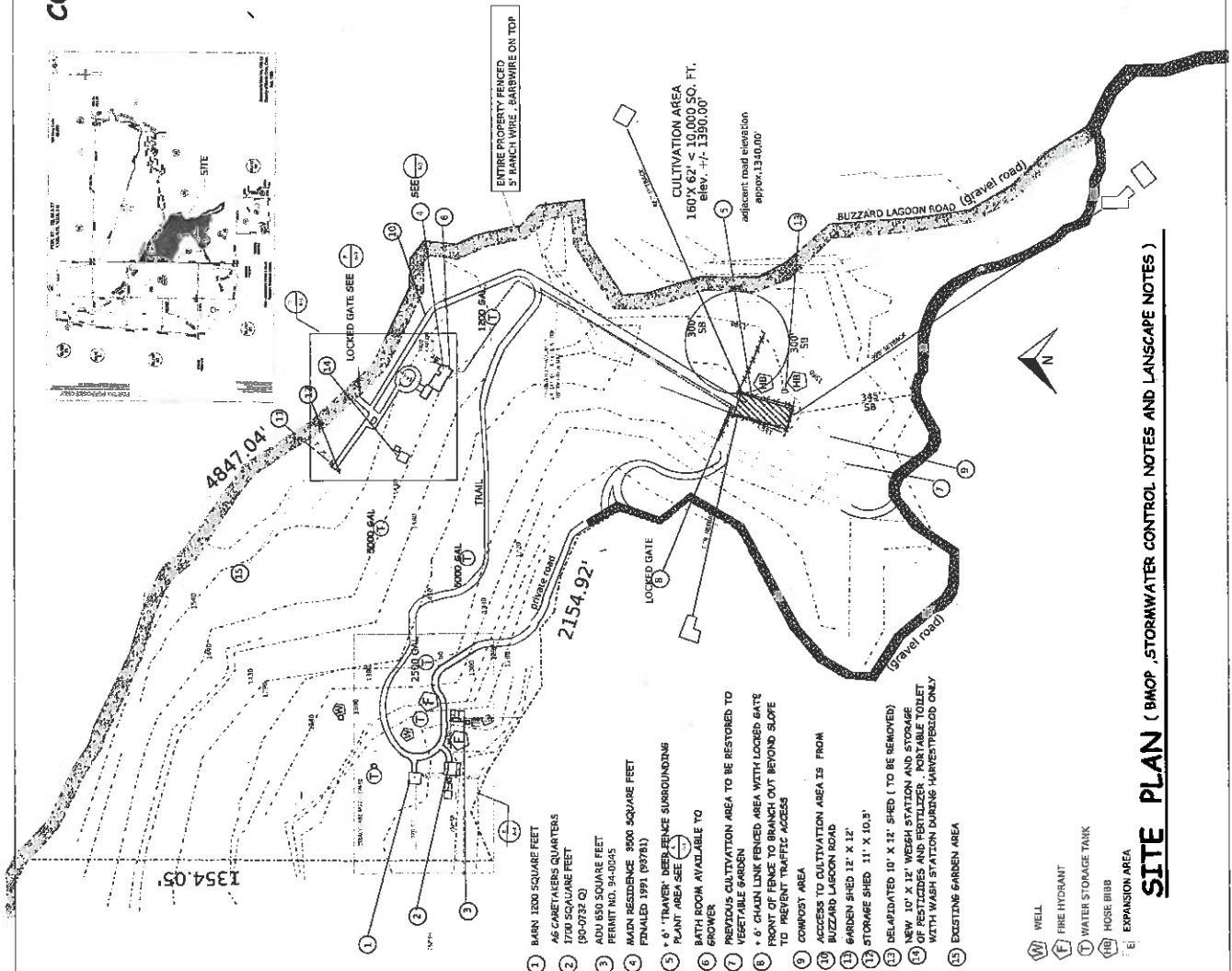
## STORM WATER / EROSION CONTROL NOTES

THE SOIL IS BEN LOMOND SANDY LOAM AND IS HIGHLY PERMEABLE. STORM RUNOFF IS EXPECTED TO BE MINIMAL AND INFILTRATE INTO SOIL AT 7. HIGH RATE.

EROSION CONTROL BLANKETS AND OR STRAW WAFFLES WILL BE PLACED AT THE PERIMETER OF THE CULTIVATION AREA TO CONTROL ANY EXCESSIVE STORM RUNOFF THAT MAY OCCUR.

IF NECESSARY, SMALL DETENTION PONDS WILL BE CREATED TO ACCOMMODATE EXCESS STORM WATER WHERE NECESSARY UPON INSTALLATION OF STRAW WAFFLES.

DURING CULTIVATION, NO TURBID WATER SHALL BE PERMITTED TO LEAVE THE CULTIVATION AREA. FILTER BERMES OR SILT FENCES SHALL BE USED TO PREVENT SUCH DISCHARGE.



SITE PLAN (BMAP, STORMWATER CONTROL NOTES AND LANDSCAPE NOTES)

COMMERCIAL CANNABIS CULTIVATION  
CLASS SU BUSINESS APPLICATION  
905 BUZZARD LAGOON ROAD  
WATSONVILLE, CALIFORNIA  
APN 106 131 05

NO.	REVISION/ISSUE	DATE
1		06/17/2019

ORIENTATION	STAMP

IRON RAGSDALE 1405 45TH AVENUE UNIT 2 CAPITOLA, CALIFORNIA 95010 ARC 3-110-00794 833-410-6197
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DRAWING:	SITE PLAN
SCALE:	AS NOTED
DATE:	JULY 2, 2019

DRAWN BY:	BAR
CHECKED BY:	
APPROVED BY:	

A-1

COMMERCIAL CANNABIS CULTIVATION  
CLASS SU BUSINESS APPLICATION  
905 BUZZARD LAGOON ROAD  
WATSONVILLE, CALIFORNIA  
APN 106 131 05

NO.	REVISION/DATE	DATE

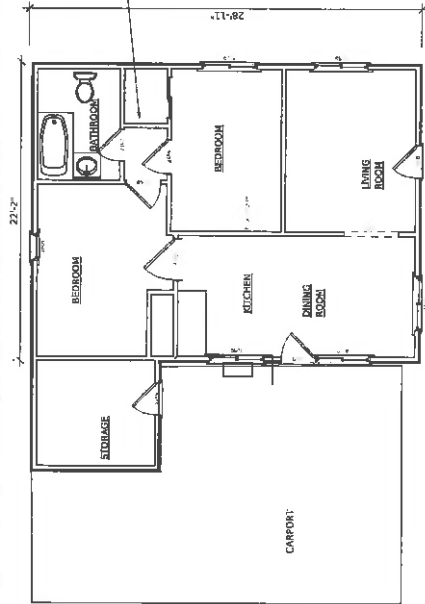
CONTRACTOR: \_\_\_\_\_  
OWNER: \_\_\_\_\_

NON RESIDENTIAL  
1895 ESTHAR UNIT 2  
CARPENTER CALIF 09510  
ARCHITECT: \_\_\_\_\_  
331.439.4197

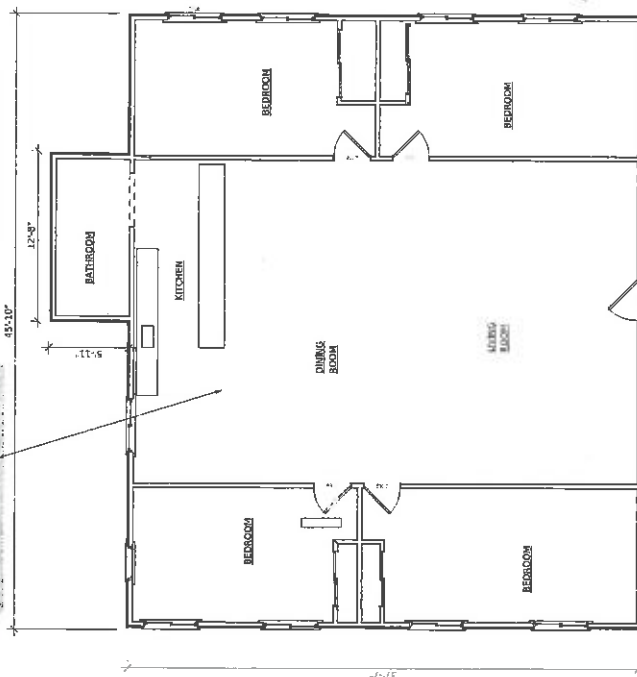
DATE: \_\_\_\_\_  
SCALE: AS NOTED  
DATE: JULY 15, 2018

DESIGNED: \_\_\_\_\_  
DRAWN: \_\_\_\_\_  
CHECKED: \_\_\_\_\_  
APPROVED: \_\_\_\_\_

A-2

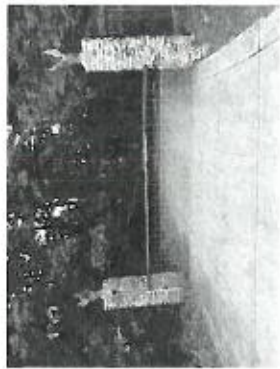


3 AFFORDABLE UNIT  
1/4"=1'-0"

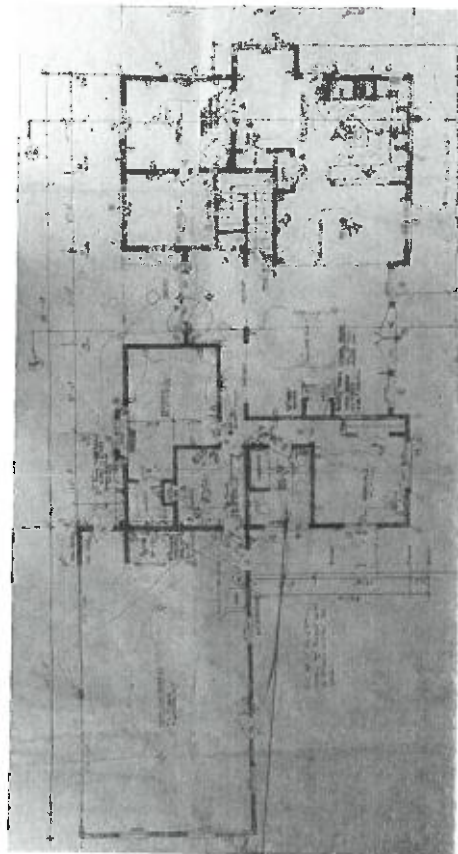


2 CARETAKERS HOUSE  
1/4"=1'-0"

1 BARN  
1/4"=1'-0"



## MAIN HOUSE



## MAIN HOUSE

BATHROOM AVAILABLE TO  
EMPLOYEE[illegible]

Report	PC-94-0711 (b)(6)
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8039 KALLISDALE  
1407.45TH AVE UNIT 2  
CAPITOLA, CALIF 95010  
40CM, US, M10 C30 194  
811-419-6117

PLANTING

WALLS	AS MOUNTED	DATE: MAY 19, 2018
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[illegible]

A-3

COMMERCIAL CANNABIS CULTIVATION  
CLASS SU BUSINESS APPLICATION  
905 BUZZARD LAGOON ROAD  
WATSONVILLE, CALIFORNIA  
APN 106 131 05

No.	REVISION/ISSUE	DATE

DATE: \_\_\_\_\_  
 DRAWING: \_\_\_\_\_  
 SHEET: \_\_\_\_\_  
 CHECKED BY: \_\_\_\_\_  
 APPROVED BY: \_\_\_\_\_

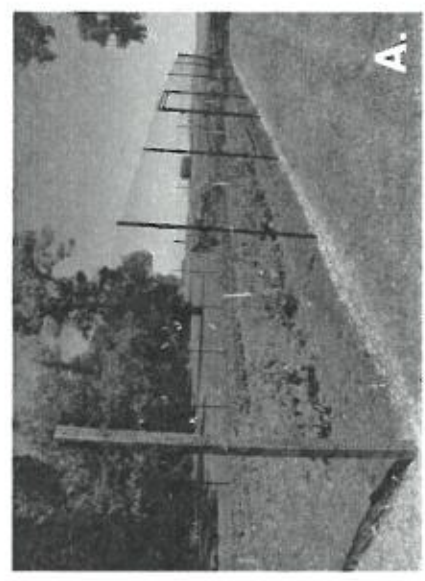
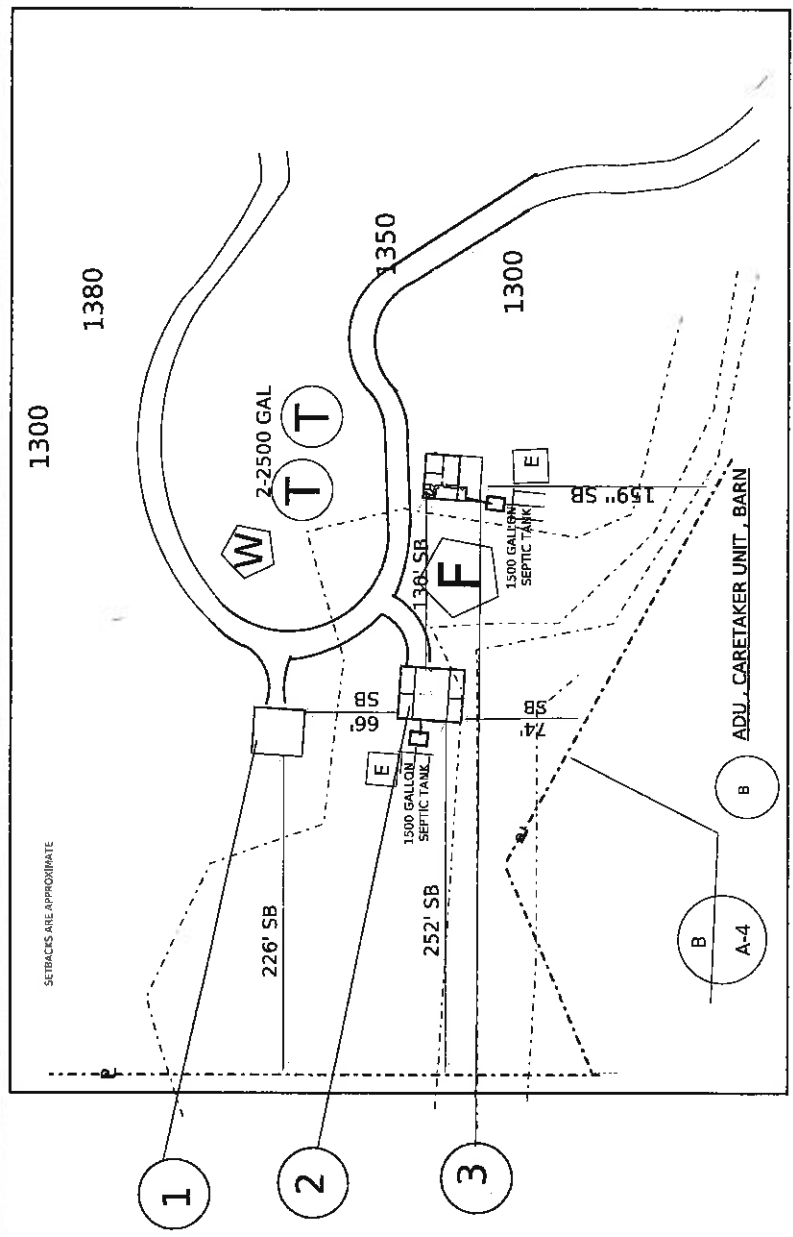
800 HASSDALE  
 1405 45TH AVE UNIT 2  
 CAPITOLA, CALIF 95010  
 ARCH. J.S. NO C30794  
 831-419-6197

DATE: JULY 15 2019  
 SCALE: AS NOTED

DRAWING: BUILDING LAYOUT AND  
 DEER FENCE PHOTO

DRAWN BY: BAR  
 SHEET: A-4

CHECKED BY: \_\_\_\_\_  
 APPROVED BY: \_\_\_\_\_



A DEER FENCE SURROUNDING GROW AREA







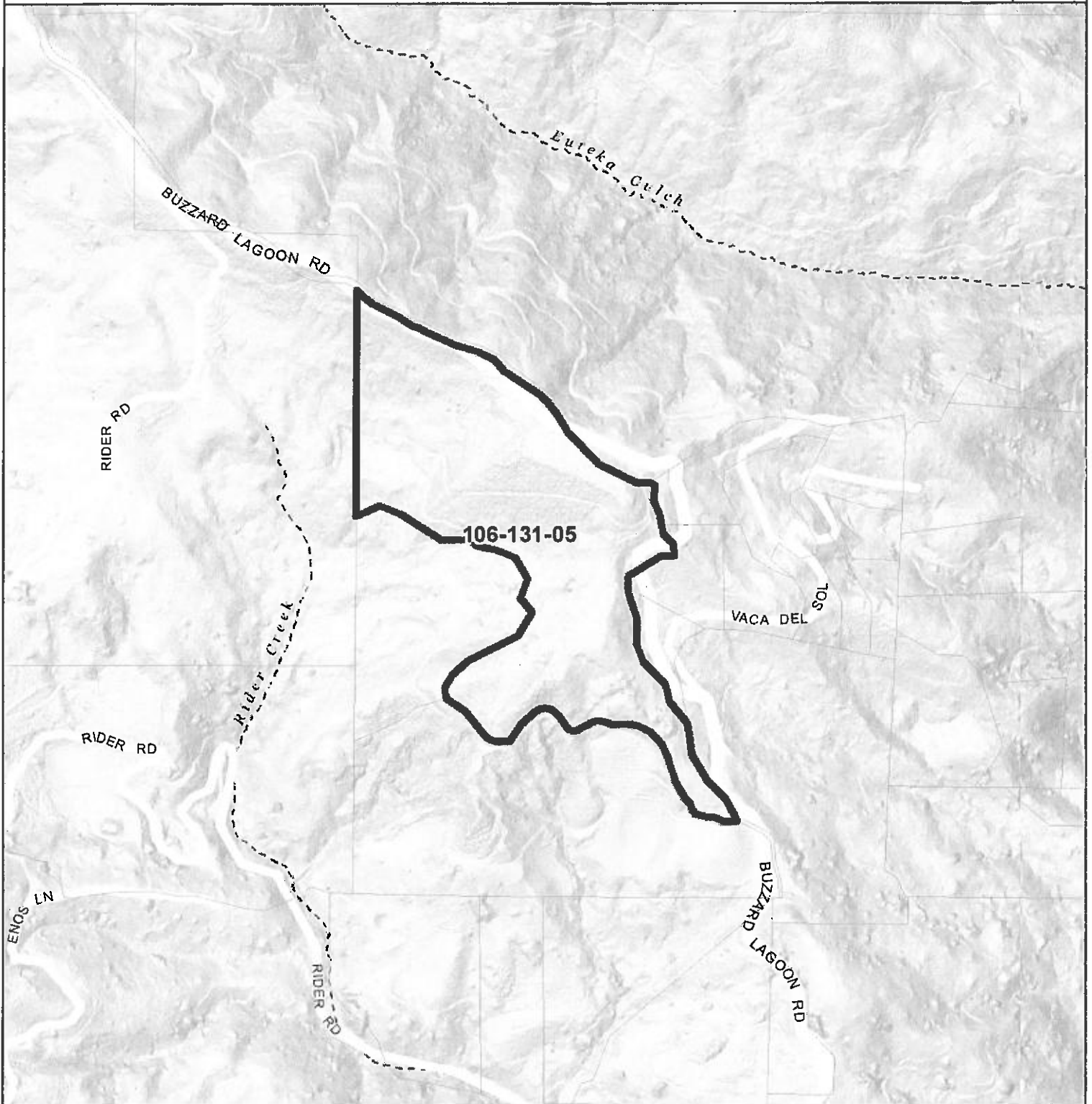






SANTA CRUZ COUNTY PLANNING DEPARTMENT

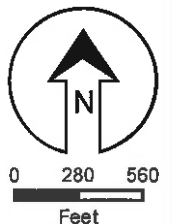
Parcel Location Map



Parcel: 10613105

- Study Parcel
- Assessor Parcel Boundary

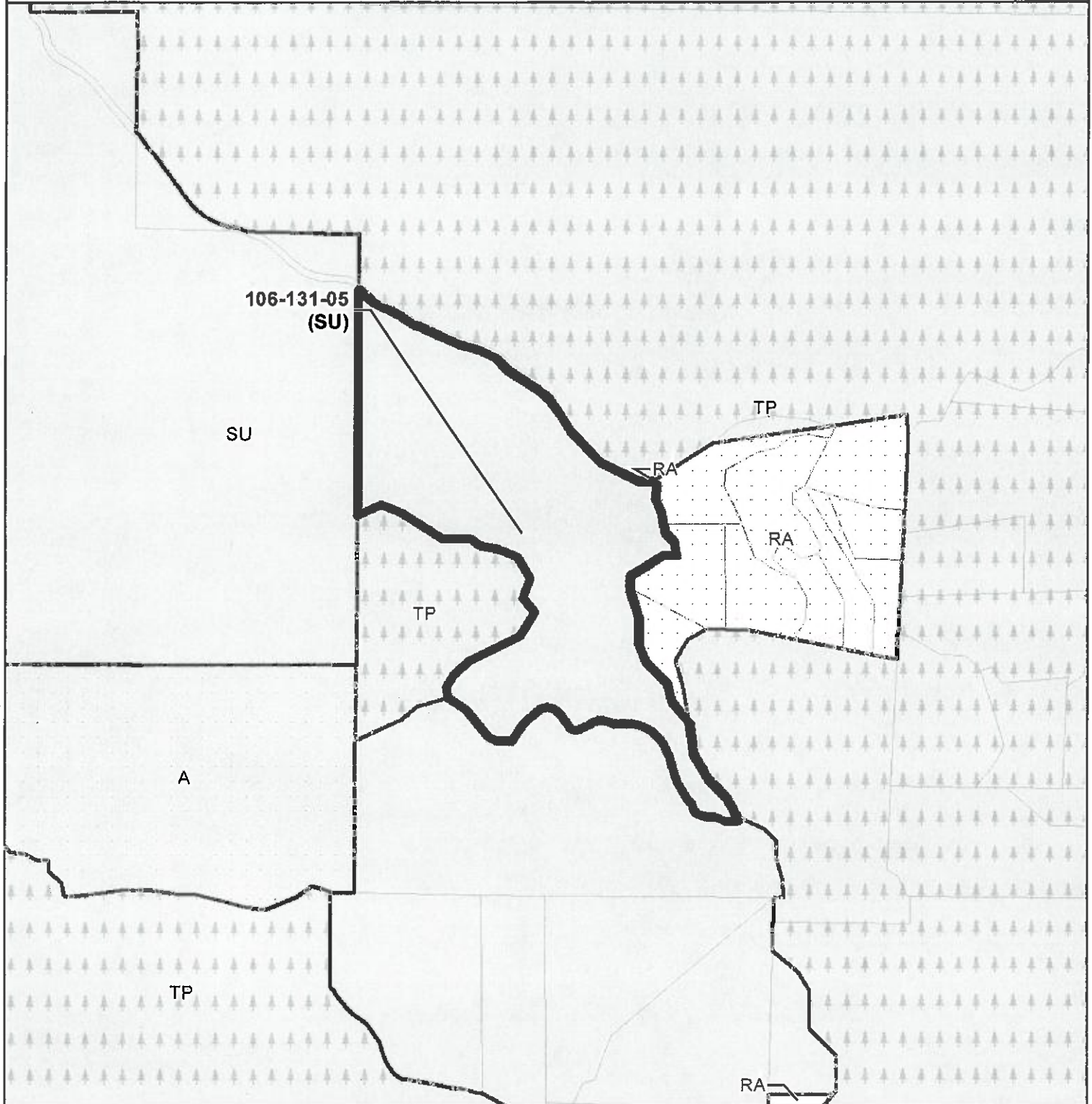
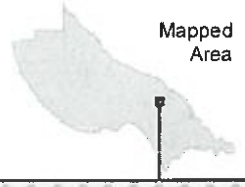
Map printed: 23 Sep. 2019



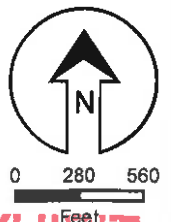


SANTA CRUZ COUNTY PLANNING DEPARTMENT

**Parcel Zoning Map**



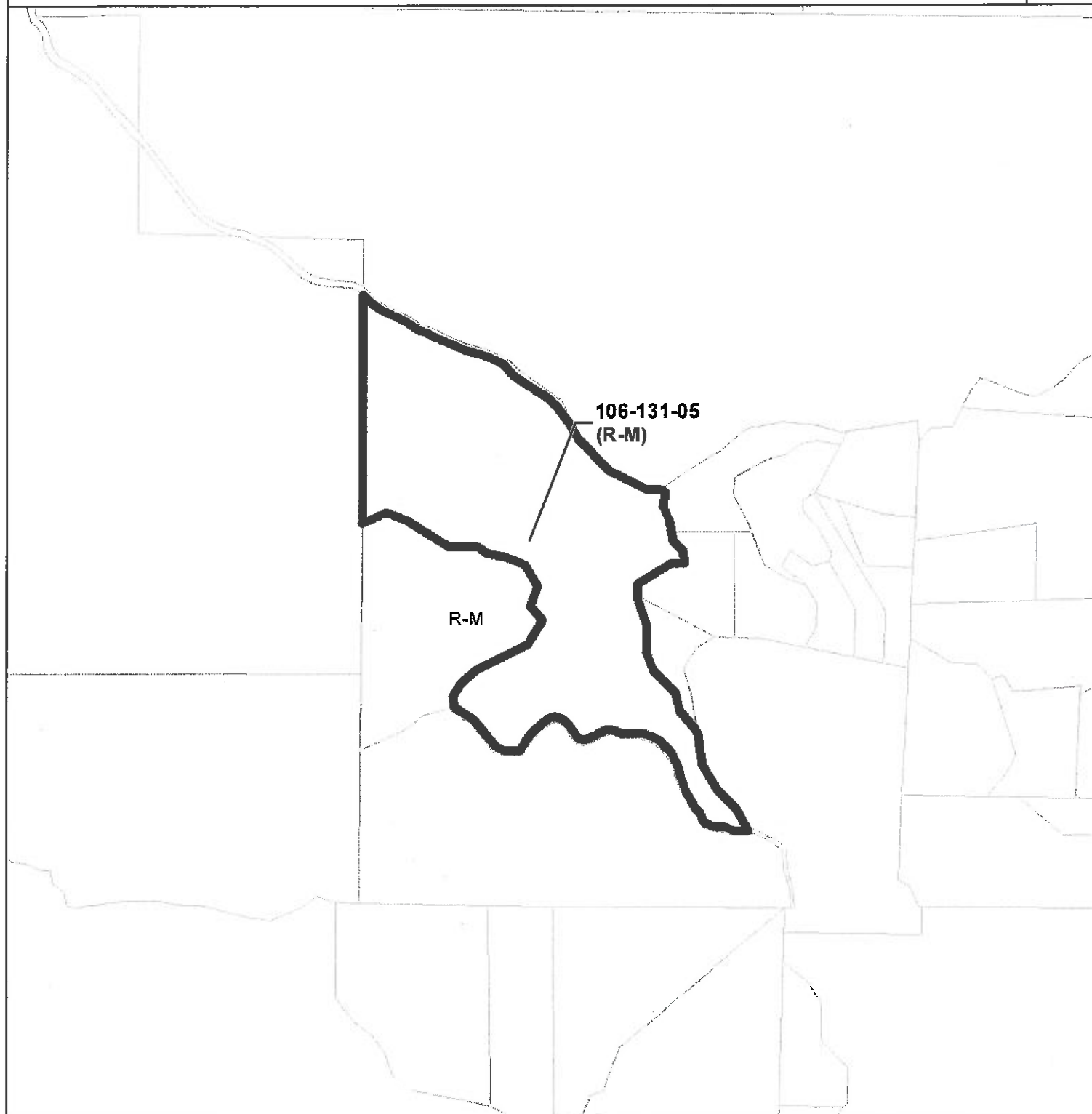
- A Agriculture
- RA Residential Agricultural
- SU Special Use
- TP Timber Production



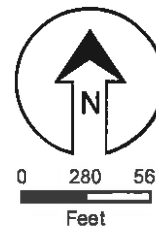
**EXHIBIT E**



# Parcel General Plan Map



☐ R-M Residential Mountain



## Parcel Information

### Services Information

Urban/Rural Services Line: ☐ Inside ☒ Outside  
Water Supply: Well  
Sewage Disposal: Septic  
Fire District: Cal Fire  
Drainage District: 7

### Parcel Information

Parcel Size: 63 acres  
Existing Land Use - Parcel: Single Family Residential  
Existing Land Use - Surrounding: Residential and Timber Production  
Project Access: Buzzard Lagoon Road (County Maintained Roadway)  
Planning Area: Eureka Canyon Road  
Land Use Designation: R-M (Mountain Residential)  
Zone District: SU (Special Use)  
Coastal Zone: ☐ Inside ☒ Outside  
Appealable to Calif. Coastal Comm.: ☐ Yes ☒ No

Technical Reviews: None

### Environmental Information

Geologic Hazards: Mapped landslide beyond area of proposed development; however, no habitable structures proposed, thus no geologic analysis required  
Fire Hazard: Critical Fire Hazard- State Responsibility Area  
Slopes: Cultivation site and facility site at residence are flat  
Env. Sen. Habitat: Mapped for biotic resources; however, no additional site disturbance proposed. Thus, no additional biotic information required  
Grading: No grading proposed  
Tree Removal: No trees proposed to be removed  
Scenic: Not a mapped resource  
Archeology: Mapped archaeology; however, no additional site disturbance proposed. Thus, an archaeology report is not required

**Program Statement  
Lucky Lady Buds (LLB)  
905 Buzzard Lagoon Road / APN 106-131-05**

Lucky Lady Buds(LLB) plans to cultivate outdoors ( in ground only- no greenhouses or hoop houses) cannabis at 905 Buzzard Lagoon Road, in unincorporated Santa Cruz County (APN 106-131-05). The proposed site is 63.7 acres and it is zoned SU with a general plan designation of Mountain Housing.

No Manufacturing or distribution is proposed. Distribution, drying and processing will be contracted out to a licensed distribution company.

What little Cannabis waste will be generated from cultivation operations will be composted on site in the area designated on Sheet A1

**PARKING AND PEOPLE SUMMARY SINGLE OPERATOR**

Cultivation operations are anticipated need a minimum of 1-2 people. The main cultivator operator will live on site. During the 3-4 day harvest an additional 3-4 employees will be required. This staff may work at the same time or work in staggered shifts.

Daily vehicle trips to the site are anticipated to include up to 1 vehicle during the bulk of the cultivation season. During the 3-4 day harvest there may be 4-5 total trips (this assumes a worst case scenario of each harvest employee driving their own vehicle, and also several trips for the distributor to pick up and then deliver the product) This number is conservative as harvest employees are expected to car pool .

Ample area for parking exists for this small number of employees in the area around the paved access driveway and circular driveway in the vicinity of the house.

**PROJECT SINGLE OPERATOR CULTIVATION DESCRIPTION**

Cannabis cultivation operations are proposed in 10,000 square feet as denoted on Sheet A1 of the project plans.

**CULTIVATION DETAILS SINGLE OPERATOR**

Cannabis will be cultivated on site within the ground. Cannabis plants will initially be grown from clones using standard clone trays and growth medium cubes. The clones will be transferred into 1 gallon size pots, and then transferred into 5 gallon size pots until the roots are 3-5 inches long, then they will go directly in the ground. Based on the total canopy size of the premises we anticipate to need 1-2 employees during all stages of plant growth. Pot sizes may vary based on market demands as current plans are for cultivation of flower while cultivation for extracts may be done at a later date based on market demands.

#### **HARVEST DETAILS SINGLE OPERATOR**

Harvested cannabis will be picked up and dried and processed off site by a licensed distributor. The site currently has parking capacity for these employees in the area of the main house however it is expected that harvest employees will be brought in via vanpool to assist with the harvest. Harvested cannabis will be weighed on site in the weigh station shown on Sheet A-1 of project plans and then removed from site immediately upon harvest by a licensed distributor. A portable toilet and hand washing facility will be provided during the harvest period in the area shown on Sheet A-1 of the project plans in close proximity to the main house and fire turnaround and removed from the site when harvest is completed.