



Staff Report to the Zoning Administrator

Application Number: 201230

Applicant: Jim Weaver

Owner: Nordahl Holdings LLC

APN: 087-231-31, 085-092-05, 089-031-07

Site Address: 17660 Kings Creek Road

Agenda Date: 8/6/2021

Agenda Item #: 5

Time: After 9:00 a.m.

Project Description: Proposal to operate an outdoor cannabis cultivation operation with up to 30,000 square feet of canopy area in a TP (Timber Production) 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: Property is located on Kings Creek Road (17660 Kings Creek), approximately 1.6 miles north of the intersection of Highway 9.

Permits Required: Commercial Development Permit

Supervisory District: 5th District (District Supervisor: McPherson)

Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 201230, based on the attached findings and conditions.

Project Description & Setting

The subject property is located at the end of an approximately 12-foot-wide paved private driveway that extends east of Kings Creek Road, north of Boulder Creek. The site includes two existing gates, one at the entry to the subject property at Kings Creek Road and another interior gate closer to the proposed cultivation area. The site contains timber throughout the site with exception of approximately a 4 to 5 acres of cleared area that is developed with a residential dwelling, previous boy scout lodge building no longer in operation, caretakers' unit (ADU), and non-habitable structures, including multiple small sheds, and an existing cannabis cultivation operation.

The cleared area is approximately 350 feet to the northeast of Kings Creek and approximately 150 feet north of an unnamed creek.

Cultivation is proposed within the cleared area of the site in the same areas currently under cultivation in accordance with a temporary cultivation license issued in 2018. Three 10,000 square

foot outdoor cultivation areas (one combined 20,000 square foot area, and one 10,000 square foot area) and approximately 840 square feet of nursery stock cultivation area is proposed utilizing two existing hoop houses. The existing 660 square foot non habitable structure is proposed to be remodeled to provide a restroom and secure storage area. The plans and program statement call out a new 110 square foot shed for storage, and pesticide storage in an existing shed. These structures are less than 120 square feet and do not require a building permit. In addition, recycling, trash, parking and fire turnaround hydrant upgrades and security improvements to ensure public safety are proposed.

Plans include proposed cultivation fencing to secure the canopy area. The existing perimeter fencing is proposed to be modified to meet security fencing standards of the County Sheriff, as required prior to licensing.

Three existing 10,000-gallon water tanks are proposed for rainwater collection and irrigation for the cultivation area with water provided by a well approved by Environmental Health.

Third-party distribution is proposed to collect product from the site following harvest.

Three to five employees are proposed for ongoing cultivation. Sufficient area adjacent to the cultivation area is available to employees. The property is entirely screened from surrounding properties by forested land typically associated with timber production zoning.

The project submittal package includes plans (Exhibit D), including the program statement. Project phasing is not proposed. Best Management and Operational practices, such as water conservation including drip irrigation and mulch, erosion control, waste management, pesticide storage and management compliance, etc., are included in the project plans. These practices go beyond normal agricultural operational practices, including a security plan that is provided separately and is confidential to the Sheriff's Office.

Permit Requirement

A Development Permit is required because cannabis cultivation within the Timber Production zone district is subject to approval by the Zoning Administrator.

Project Background

This property was previously approved as a boy scout camp in 1956 (Permit 78A-U) and issued a subsequent Use Permit in 1980 (Permit 1117-U). These permits authorized the residence, caretaker's unit (ADU), lodge, and non-habitable structures and fully developed and improved driveway access historically associated with the camp operation. The boy scout use is no longer in operation.

The applicant obtained a Temporary Cannabis License in 2018 by the Cannabis Licensing Official for cultivation associated with WoMens Alliance Medical Marijuana (WAMM), a medical collective providing affordable cannabis products for medicinal purposes.

The open cleared area currently in cultivation is located 350 feet northeast of Kings Creek and approximately 150 feet north of an unnamed tributary. Forested area is located between the

cultivation area and creeks. The creeks are mapped for potential presence of sensitive species. A biotic report prepared for the project noted the potential of two types of salamanders, the black salamander, and the Giant Salamander adjacent to the creek area. Pursuant to the findings in the report, neither species is expected to occur in the upland dry condition area where cultivation is ongoing. The report was accepted by Environmental Planning staff. Operational conditions of approval are included in this report which require cessation of use should species be identified during construction or operation of the cultivation use.

Zoning & General Plan Consistency

The project site consists of several parcels with a combined 217 acres located in the TP (Timber Preserve) zone district, a designation which allows commercial agriculture uses such agricultural crop production and incidental uses supporting agricultural production. Commercial agricultural production is a principal permitted use within cleared areas of the Timber Production zone district. The proposed outdoor cultivation area is a permitted use within the zone district and the zoning is consistent with the site's R-M (Mountain Residential) identical) General Plan designation. The use is proposed within the Mountain Residential General plan designated area of the site adjacent to the existing home site.

Canopy

Proposed canopy area is consistent with the maximum allowed by County Code Section 13.10.650 and as further regulated by a Cannabis License issued by the Cannabis Licensing Office.

The allowable maximum canopy area on an individual TP-zone parcel is 10,000 square feet pursuant to SCCC 13.10.650.C(3)(h). Additional co-located cultivation may be allowed for the proposed WAMM collective under SCCC 7.128.050(A)(1) as authorized by the Cannabis Licensing Official (CLO). Thus, the project is conditioned to obtain a Class TP cannabis cultivation license for no more than 30,000 square feet on behalf of WAMM, for a colocation that includes three parcels involved in the combined cultivation, as proposed and consistent with the maximum allowed by code below. The 30,000 square feet was authorized by the Cannabis Licensing Office pursuant to the preapplication clearance provided by the CLO. The immature canopy is allowed by the Cannabis Licensing Office in existing hoop houses, in addition to the maximum mature outdoor canopy. It should be noted that if a parcel associated with the authorized canopy is ever sold, the canopy allowance would be reduced accordingly, and the necessary security issues addressed. The project is conditioned to require that prior to sale of any property included in this use approval, the owner shall obtain a permit amendment to address canopy limits, and facility and operational requirements of the cannabis cultivation ordinance, best management practices, agricultural regulations (intended to minimize loss of agricultural land), and security issues.

This canopy allowance occupies less land area than would be allowed for other more intensive agricultural crops allowed in this district without use approval. Normal activities associated with agricultural production, including water use, employees, and harvest related functions, are akin to other principal permitted commercial agricultural uses allowed in TP zoning.

Cultivation Canopy Allowance						
Zone District - License Type	Number Of Licenses	Site Acreage	Outdoor Cultivation Canopy Allowance	Outdoor Cultivation Canopy Proposed	Indoor Cultivation Canopy Proposed	Total Canopy Proposed
TP - Class TP	Single License	217 combined acres	Up to 1.25 percent of the size of the parcel, not to exceed 10,000 square feet on a single parcel larger than 10 acres; colocation on combined properties for WAMM by code allowed 30,000 square total (10,000 square feet per parcel)	30,000 square feet	N/A	30,000 square feet

Security/Lighting

The security plan was reviewed by the Cannabis Licensing Office, in consultation with the County Sheriff responsible for reviewing cannabis related projects. The security plan received a preliminary recommendation for approval, with final approval prior to issuance of a cultivation license by the Cannabis Licensing Office. As required by the Sheriff's office, to ensure public health and safety, the preliminary and final security plan are confidential to the Sheriff's Office.

In general, access to the property is limited given gated entry to the property. An additional gated entry is provided farther along the driveway. In addition, the security plan includes cultivation fencing, video surveillance cameras, and motion detection lighting, etc. to ensure that security is not compromised. Like the applicant's other cultivation, physical entry to the property is otherwise restricted due to the remote and isolated area of the cultivation location, large property, mature vegetation (timber forest) located throughout the property surrounding the open cleared cultivation area and between adjoining properties, as well as steeper topography throughout this area. These property characteristics both restrict view of the site and challenge pedestrian access to the site from adjoining properties.

Odor

Per County Code Section 13.10.650, the project is required to demonstrate that the proposed cultivation location has taken into consideration neighboring sensitive receptors, such as

residential uses, schools, and parks. The ordinance requires a minimum 400 feet to habitable structures from outdoor cultivation area. In keeping with the regulations, the proposed operation is located approximately 1100 feet to the northeast of the nearest residence.

The setback, topographical differences, and physical separation adequately preclude odor from affecting adjoining properties.

Environmental Review

Pursuant to the California Environmental Quality Act (CEQA), the project qualifies for a number of exemptions, principally Class 1 and Class 3, in that the proposed use is an allowed use, akin to other small scale agricultural crops, within previously cleared areas and drying, storage, processing, and related activities, and site improvements related to security measures, parking associated with the use, and best management and operational practices required for cultivation. A CEQA exemption form is attached as Exhibit A.

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 **201230**, 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.sccoplanning.com

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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. Comments & Correspondence (only if comments/correspondence are attached)

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: 201230

Assessor Parcel Number: 087-231-31, 085-092-05, 089-031-07

Project Location: 17660 Kings Creek Road

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Location: Property is located on Kings Creek Road (17660 Kings Creek), approximately 1.6 miles north of the intersection of Highway 9.

Person or Agency Proposing Project: Jeff Nordahl

Contact Phone Number: (831) 457-2033

- 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 3 - New Construction or Conversion of Small Structures (Section 15303)

F. Reasons why the project is exempt:

Cultivation of agricultural crops, including minor alterations to the land for security fencing and lighting associated with agricultural cultivation.

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 located in an area designated for cultivation use. The proposed cultivation area would comply with the canopy allowed within the Timber Production zone district. The proposed cultivation would comply with the required setback standards, including the 400-foot setback to all habitable structures on neighboring parcels, the 300-foot setback to a public right-of-way, the 50-foot setback to a drainage channel, and cultivation on slopes less than 20 percent.

The Cannabis Licensing Office, in consultation with the County Sheriff, reviewed and accepted the security plan, which includes, but is not limited to gated and locked entry, site fencing, video surveillance, employee training, and motion sensor lighting. A final security plan would be approved by the Cannabis Licensing Office prior to cannabis cultivation licensing.

The project includes a preliminary best management operations plan (BMOP), intended to conserve natural resources, and minimize impacts on the surrounding environment, including, but not limited to a secured hazardous materials and pesticide storage area, drip irrigation, etc.

Given all these considerations, the project, and the conditions under which it would be operated, are akin to other agricultural crop production and 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 site meets minimum setbacks to habitable structures- meant to provide odor control - pursuant to the cannabis cultivation regulations; a security plan has been submitted and accepted by the County Sheriff.

Any construction or improvements to existing structures 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 and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the TP (Timber Production) zone district. The proposed use is an allowed use within the TP zone district with Zoning Administrator approval.

The proposed cultivation would comply with the required setbacks to sensitive sites, including the minimum 400-foot setback to habitable structures. The proposed operation includes a Best Management and Operations Practices Plan that implements pertinent measures associated with the proposed cultivation, as noted in the project plans.

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 Class TP cannabis cultivation use is consistent with the use requirements specified for the R-M (Mountain Residential) land use designation in the County General Plan. Land designated as Mountain Residential is intended to provide a location for cannabis cultivation in areas having adequate access and public services and where the impacts of noise, traffic and other nuisances and hazards associated with such uses will not adversely affect other land uses. The project is conditioned to comply with security plan requirements prior to issuance of the license 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 finding can be made, in that the proposed cultivation would be located outdoors. A maximum of three to five employees are anticipated for daily cultivation operations, as well as an occasional delivery/distribution pick-up vehicle trip. This is considered consistent with the level of traffic associated with other principally permitted agricultural cultivation uses allowed in the district and would thus not present more than the acceptable level of traffic. Furthermore, given the site's location in the rural area, the cultivation facility is not anticipated to have a significant impact on the existing roads or intersections in the surrounding area. No significant change in utility demand is anticipated to occur with the outdoor cultivation application.

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 the proposed use is located in an area designated for agricultural uses and the limited cannabis cultivation area would complement and harmonize with the surrounding area. Given the very limited scope of outdoor operations, the proposed use will not affect the intensity of the current site or result in additional disturbance. In addition, given the approved security plan, that provides fencing and gated entry, as well as security cameras and motion sensor lighting, the proposed use should be compatible with the area.

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.

All commercial construction is subject to the County's Design Standards and Guidelines. In this case, physical improvements include fencing and gates to secure cultivation in the central portion of the site for agricultural operations related to cannabis cultivation. The site is fully screened from view of adjoining properties. Otherwise, security improvements such as security cameras and motion detected lighting are proposed to ensure public safety.

The proposed use is an agricultural use, which is an allowed use within the timber production zone district.

Exhibit D: Project plans, prepared and revised January 28, 2021, by Miguel Podolski

- I. This permit authorizes establishment of a 30,000 square foot outdoor cannabis cultivation in a TP (Timber Production) zone district 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 any 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 TP Cultivation License from the Cannabis Licensing Office.
 - C. Obtain a Building Permit from the Santa Cruz County Building Official, as required.
 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.
- II. Prior to issuance of a Cultivation License by the Cannabis Licensing Office the applicant/owner shall meet the conditions of approval of this discretionary permit:
 - A. Meet all requirements of the Agricultural Commissioner, including:
 1. Obtain an Operator Identification Number (OIN) for pesticide application, if required.
 - B. 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.

- C. Meet all Accessibility requirements including:
 - 1. Exterior route details shall be provided to include slopes, widths, surface materials, and detectable warnings. • Accessible parking details to include slopes, striping and signage shall be provided. [CBC 11B-501]
- D. Meet all requirements of the Cannabis Licensing Office, including:
 - 1. All applications for non-retail cannabis business licenses must attach an operational narrative and security plan sheet that describes security measures (operational and structural) for all uses of the property.
 - 2. BMOP Operational Plans for Licensing Review: All applications for non-retail cannabis business licenses must include as applicable, operational plans pursuant to BMOP Section D requirements; Herbivory Prevention, Odor Abatement, Water Conservation, Cannabis Plant Material/Solid Waste Management, and Site Cleanup and Restoration.
- A. Meet all requirements of the Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services, including:
 - 1. Enroll for coverage under Cannabis Cultivation General Order WQ 2019-0001-DWQ. Contact (805) 594-6194 or http://www.waterboards.ca.gov/centralcoast/water_issues/programs/cannabis_cultivation/index.html
 - 2. Facility required submit a Hazardous Materials Business Plan to California CERS portal if hazardous materials will be stored on site.
- B. Revise the BMOP to reflect the biotic report acceptance letter, dated June 15, 2021, and biotic report, prepared by Biotic Resources Group, dated May 12, 2021 under “Minimizing Site Disturbance and Forest Fragmentation” and “Biological Assessment”. These sections shall include conditions of approval.
- C. Meet all requirements and pay any applicable plan check fee of the Cal Fire Department. This includes:
 - 1. In order to obtain building application approval:
 - A. Show on the plans, details of compliance with the access road requirements. the access road shall be 12 feet minimum unobstructed width and maximum twenty percent slope. the access road fronting the project property corner to property corner shall conform to the minimum width standard.
 - B. The access road / driveway shall be an "all weather" surface. “All Weather Surface” is defined as a minimum 6" of compacted aggregate base rock, Class II or equivalent, and certified in writing

by a licensed engineer to 95% compaction for grades up to and including 5%. For grades in excess of 5% but not exceeding 15%, oil and screeds shall be applied to a minimum 6" of compacted aggregate base rock, Class II or equivalent, certified in writing by a licensed engineer to 95% compaction. For grades exceeding 15%, 2" of asphaltic concrete shall be applied over a minimum 6" of compacted aggregate base rock, Class II or equivalent, certified in writing by a licensed engineer to 95%.

- C. The maximum grade of the access road shall not exceed 20%, with grades greater than 15% not permitted for distances of more than 200 feet at a time.
- D. The access road shall have a vertical clearance of 13'-6" for its entire width and length, including turnouts.
- E. An approved turn-a-round shall be provided for access roads and driveways in excess of 150 feet in length.
- F. Note on the plans "a 100-foot clearance shall be maintained around and adjacent to the building or structure to provide additional fire protection or fire break by removing all brush, flammable vegetation, or combustible growth.

Exception: single specimens of trees, ornamental shrubbery or similar plants used as ground covers, provided they do not form a means of rapidly transmitting fire from native growth to any structure."

- G. Note on the plans "the job copies of the building and fire systems plans and permits must be on-site during inspections."
 - H. As a condition of submittal of these plans, the submitter, designer and installer certify that these plans and details comply with applicable Specifications, Standards, Codes and Ordinances, agree that they are solely responsible for compliance with applicable Specifications, Standards, Codes and Ordinances, and further agree to correct any deficiencies noted by this review, subsequent review, inspection or other source, and, to hold harmless and without prejudice, the reviewer and reviewing agency.
- B. Provide required off-street parking for 6 cars. Parking spaces must 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.

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. Prior to cannabis cultivation and related activities, the applicant shall obtain the following:
 - 1. Local License Required (SCCC 7.128.090): The applicant shall meet the “conditions of approval” of this discretionary permit prior to obtaining a County-issued non-retail cannabis business license.
 - 2. State License Required: The applicant must obtain a State-issued cannabis license to operate a non-retail cannabis business in Santa Cruz County. The CEQA determination for this discretionary application shall be included in the State license application(s) made by the applicant.
- B. Prior to issuance of local cultivation license:
 - 1. The application shall attach an operational narrative and security plan sheet that describes security measures (operational and structural) for all uses of the property.
 - 2. BMOP Operational Plans for Licensing Review: The application applications for non-retail cannabis business licenses must include as applicable, operational plans pursuant to BMOP Section D requirements.; Herbivory Prevention, Odor Abatement, Water Conservation, Cannabis Plant Material/Solid Waste Management, and Site Cleanup and Restoration.
 - 3. The security plan shall be approved by the County Sheriff.
- C. Cultivation licensee shall maintain a valid state license, posted in a conspicuous location.
- D. All conditions of approval of this approval and the Cannabis Licensing Official shall remain in effect.
- E. Hoop house covers: Covers on temporary hoop structures must be removed between October 31 and April 15.

- F. All measures of the security plan as adopted by the Cannabis Licensing Office, per the Sheriff's Office, shall remain in effect.
- G. The following security measures shall be maintained:
 - 1. All required cannabis cultivation area security measures, including gates and any required fencing, as required by the shall be maintained.
 - 2. No advertising or signage is allowed that displays either in words or symbols the presence of cannabis on-site.
 - 3. Each employee shall receive training regarding the site's security plan and best management operational practices.
- H. 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.
- I. The cannabis cultivation operation shall adhere to the best management operational practices per the approved plans.
- J. There will be no on-site retail sales of cannabis products and the premises shall not be open to the public.
- K. This permit authorizes a maximum of one (1) cultivation license.
- L. Prior to sale of any property included in this use approval, the owner shall obtain a permit amendment to address canopy limits, and facility and operational requirements of the cannabis cultivation ordinance, best management practices, and agricultural regulations (intended to minimize loss of agricultural land).
- M. All employee vehicle parking, including full time, seasonal employees, and distribution and delivery parking associated with the operation shall be provided in designated parking areas, per approved plans.
- N. No processing of off-site product shall be permitted.
- O. The applicant shall cease work immediately if a special-status species is identified at any time during construction or during ongoing activities associated with the proposed cannabis operations. The animal shall either be allowed to move out of harm's way on its own or a qualified biologist shall move the animal out of harm's way to a safe relocation site.
- P. The applicant shall not disturb migratory birds or nesting bird habitat. Trees, shrubs, and open grassy areas within and around the project impact areas may provide nesting habitat for migratory birds and birds of prey. Nesting birds are protected under the California Fish and Game Code, and the Federal Migratory Bird Treaty Act (MBTA). Under the MBTA, it is "unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, kill, attempt to take, capture, or kill" a migratory bird unless and except as permitted by regulations.

- Q. The applicant shall not disturb any Oak Woodlands habitat. Oak woodlands may occur in the vicinity of the proposed project activities. Oak Woodlands are considered sensitive under Santa Cruz County's Sensitive Habitat Protection ordinance (Chapter 16.32) and provide potential habitat for special-status species. Oak woodlands shall be avoided during development and ongoing activities associated with the proposed cannabis operations. Additional impact analysis would be necessary for any future proposals with potential to impact oak woodlands.
- R. 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.
- S. If future County inspections of the subject property by the Cannabis Office or the Planning Department Office 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 use permit revocation.

V. Indemnification

The applicant/owner shall indemnify, defend with counsel approved by the COUNTY, and hold harmless the COUNTY, its officers, employees, and agents from and against any claim (including reasonable attorney's fees, expert fees, and all other costs and fees of litigation), against the COUNTY, its officers, employees, and agents arising out of or in connection to this development approval or any subsequent amendment of this development approval which is requested by the applicant/owner, regardless of the COUNTY's passive negligence, but excepting such loss or damage which is caused by the sole active negligence or willful misconduct of the COUNTY. Should the COUNTY in its sole discretion find the applicant's/owner's legal counsel unacceptable, then the applicant/owner shall reimburse the COUNTY its costs of defense, including without limitation reasonable attorney's fees, expert fees, and all other costs and fees of litigation. The applicant/owner shall promptly pay any final judgment rendered against the COUNTY (and its officers, employees, and agents) covered by this indemnity obligation. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of the State of California and will survive termination of this development approval.

- A. The COUNTY shall promptly notify the applicant/owner of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. The COUNTY shall cooperate fully in such defense.
- 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 applicant/owner shall not be required to pay or perform any settlement unless such applicant/owner has approved the settlement. When representing the COUNTY, the applicant/owner 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. The "applicant/owner" shall include the applicant and/or the owner and the successor'(s) in interest, transferee(s), and assign(s) of the applicant and/or the owner.

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 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: _____

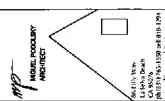
Expiration Date: _____

Jocelyn Drake
Deputy Zoning Administrator

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.

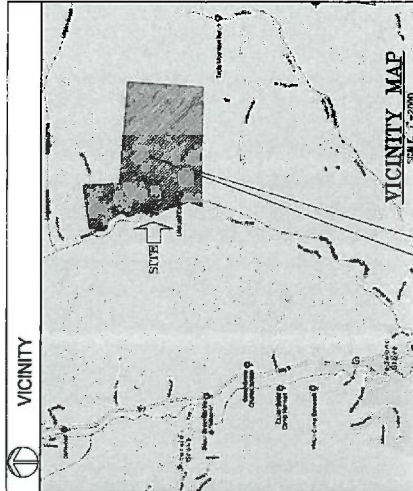
CANNABIS GROW SITE FOR JADE GROVE FARM

17660 KINGS CREEK ROAD APN 087-231-31, 085-092-05, & 089-031-07



DATE	1-17-20
SCALE	AS SHOWN
DRAWN BY	MP
CHECKED BY	MP
APR	2020 KINGS CREEK
PROJECT	

A1



SITE: 17660 KINGS CREEK RD
BOULDER CREEK, CA 95008
APNs: 087-231-31, 085-092-05
and 089-031-07

PROJECT DATA

PROJECT DESCRIPTION: Development application:
Proposal to cultivate 50,000 square feet of cannabis outdoors and to use two 600 square foot seasonal
hoop houses for seedlings

ASSESSOR PARCEL NUMBERS:	087-231-31	43.0 ± Acres
	085-092-05	20.7 ± Acres
	089-031-07	147.8 ± Acres
TOTAL AREA:		211.5 ± Acres

PROJECT ADDRESS:
17660 KINGS CREEK ROAD
BOULDER CREEK, CA 95008
NORDHL HOLDINGS LLC

OWNER OF RECORD:
GOJEFF HOLDING
PO BOX 1801, SLOPE, CA 95070

LAND CONSULTANT:
200 Mariner Boulevard, Santa Cruz, CA 95062

ARCHITECT:
Contact: Megan Proulx
8818 W. Hwy. 1, Suite B, CA 95070

CIVIL ENGINEER:
Contact: Megan Proulx
8818 W. Hwy. 1, Suite B, CA 95070

ROPER ENGINEERING
10000 S. Main St., Suite 100
Oroville, CA 95966

PACIFIC RIM PLANNING GROUP
central@primgroup.com
Phone: (818) 457-2828

MP ARCHITECTURE
mpdesign@mparchitect.com
Office: (818) 795-1800 cell: (818) 516-1284

DRAWING INDEX

- A1 VICINITY - DATA - DRAWING INDEX - AERIAL
- A2 PARTIAL SITE - FENCING - LIGHTING - HOOP HOUSES - SECURE STORAGE BUILDING
- A3 BEST MANAGEMENT OPERATIONAL PRACTICES
- A4 BEST MANAGEMENT OPERATIONAL PRACTICES
- A5 BEST MANAGEMENT OPERATIONAL PRACTICES
- C1 SITE PLAN - SCALE 1"=200' - TOPOGRAPHY
- C2 AERIAL SITE PLAN
- C3 PARTIAL SITE PLAN - AREA OF WORK - AREAS OF CULTIVATION
EXISTING BUILDINGS - DRIVEWAY - SEPTIC PLAN
- S1 SECURITY PLAN



AERIAL PHOTO - SITE PLAN

17660

A4

2

3



ROPER ENGINEERING & LAND SURVEYING
CIVIL ENGINEERING & LAND SURVEYING
48 MAIN AVENUE - CORRALITOS CA 95076
(831) 724-5300 jroper@roperengineering.com

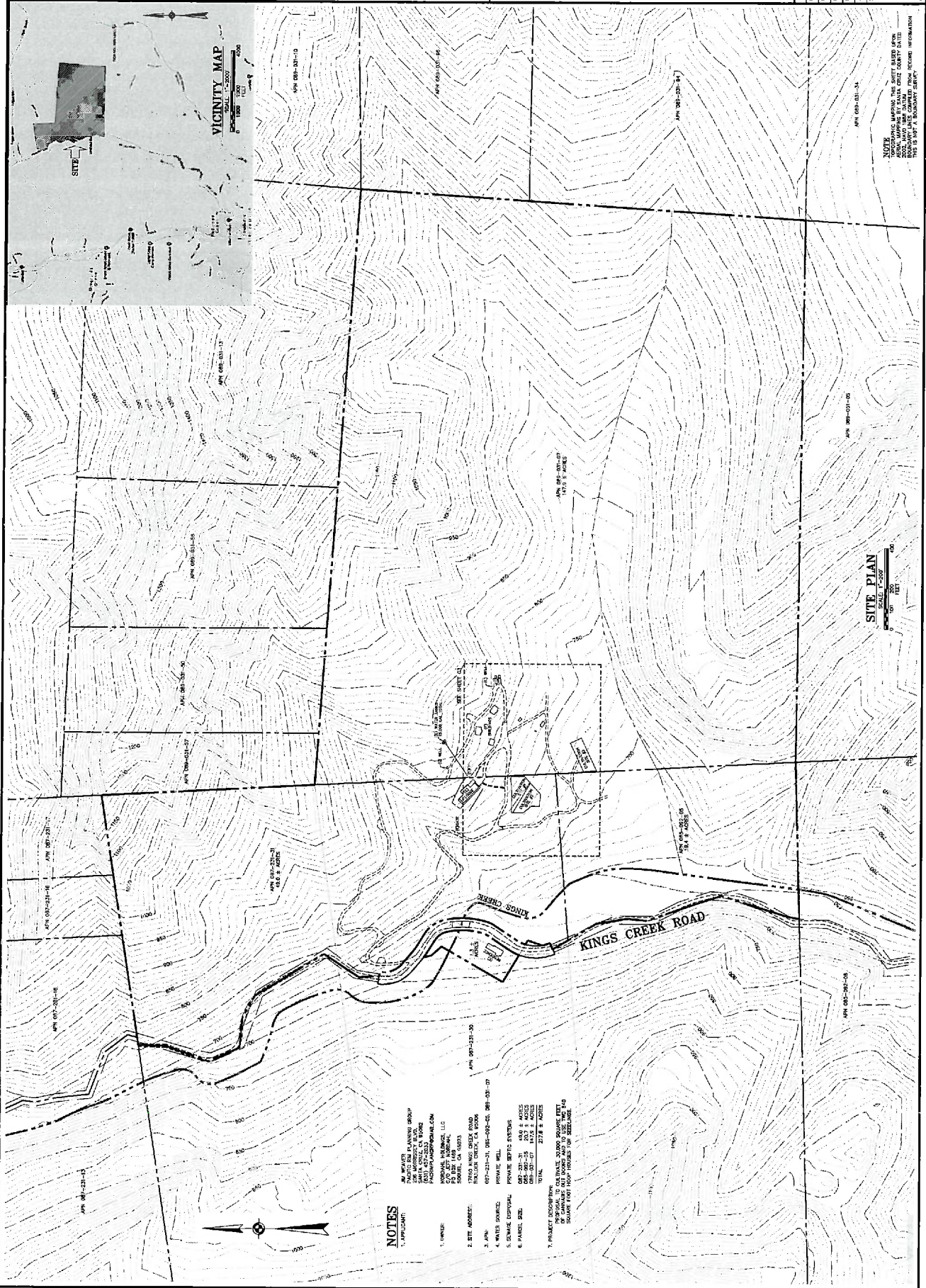


**CANNABIS GROW SITE FOR
JADE GROVE FARM**
17660 KINGS CREEK ROAD APTN 087-231-31, 085-092-05 & 089-031-07
PLOT PLAN

17065
DATE: DEC 12, 2016
PROJECT: APRIL 15, 2021
JOB NO.: 17065
SHEET

C1

NOTE
UNDERSTANDING THIS MAP, THE GROWER MUST BE AWARE THAT THIS IS NOT A BOUNDARY SURVEY. THIS IS NOT A BOUNDARY SURVEY.



NOTES

1. SITE ADDRESS: 17660 KINGS CREEK ROAD APTN 087-231-31, 085-092-05 & 089-031-07
2. SITE ADDRESS: 17660 KINGS CREEK ROAD APTN 087-231-31, 085-092-05 & 089-031-07
3. SITE ADDRESS: 17660 KINGS CREEK ROAD APTN 087-231-31, 085-092-05 & 089-031-07
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5. SITE ADDRESS: 17660 KINGS CREEK ROAD APTN 087-231-31, 085-092-05 & 089-031-07
6. SITE ADDRESS: 17660 KINGS CREEK ROAD APTN 087-231-31, 085-092-05 & 089-031-07
7. SITE ADDRESS: 17660 KINGS CREEK ROAD APTN 087-231-31, 085-092-05 & 089-031-07
8. SITE ADDRESS: 17660 KINGS CREEK ROAD APTN 087-231-31, 085-092-05 & 089-031-07
9. SITE ADDRESS: 17660 KINGS CREEK ROAD APTN 087-231-31, 085-092-05 & 089-031-07
10. SITE ADDRESS: 17660 KINGS CREEK ROAD APTN 087-231-31, 085-092-05 & 089-031-07





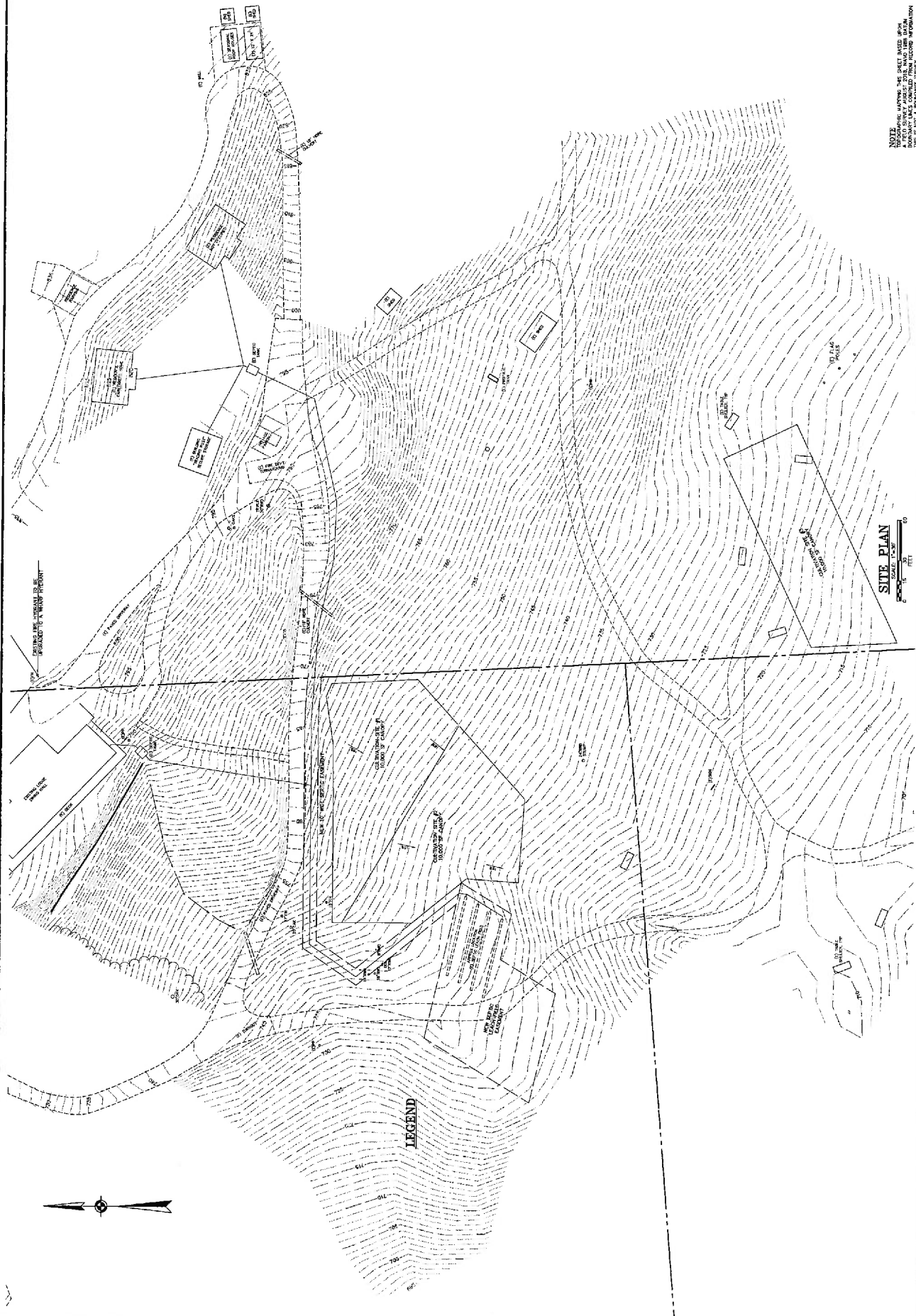
ROPER ENGINEERING & LAND SURVEYING
48 MAIN AVENUE - CORRALITOS CA 95076
(831) 724-5300 jroper@roperengineering.com



**CANNABIS GROW SITE FOR
JADE GROVE FARM**
17660 KINGS CREEK ROAD APN 087-231-31, 085-092-05 & 089-031-07
SITE PLAN & SEPTIC SYSTEM

3
SHEET
DATE: DEC 12, 2018
DRAWN BY: JR
CHECKED BY: JR
SCALE: AS NOTED
TYPED BY: JR

NOTE:
THIS DRAWING MAY NOT BE USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION OF ROPER ENGINEERING & LAND SURVEYING. THIS IS NOT A BROADCAST SERVICE.



Project Statement

APNs: 087-231-31

085-092-05 - 089-031-07

Project Location and Description:

The project site is located at 17660 Kings Creek Road in unincorporated Boulder Creek, Santa Cruz County, California. The approximately 250 acre parcels are Assessor's Parcel Numbers (APNs) is 087-231-31; 085-092-05 & 089-031-07 (parcel map attached and originally known as Camp Lindblad. This parcel is fully owned by Jeff Nordahl. The parcel is Zoned Timber Production. The General Plan designation is Mountain Residential. The parcel is located at the end of a private driveway. The area of proposed development is in the flat central portion of the parcel and is well screened from roads and neighbors by steep slopes and thick vegetation. A lockable gate is located at the entrance of the property.

Cannabis cultivation will occur inside two existing hoop houses totalling 1680 square feet, and in two outdoor grow areas located in an existing meadow. The outdoor areas will allow for a canopy of 30,000 square feet.. No manufacturing, drying, storage or distribution will occur on site. There are several existing buildings (built by the BoyScouts) that will not be used as a part of the cannabis operation. Two small buildings/structures will be constructed to facilitate the storage of fertilizer and pesticides.

Parking and People Summary Single Operator

The facility will be a single operator with 3 to 5 employees. Operation hours are anticipated to be 8 am to 6 pm and parking will be provided by installing 6 new spaces (including one accessible space) adjacent to the hoop houses. Employees will primarily perform cultivation and harvesting duties.

Daily vehicle trips to the site are anticipated to be between 5 and 9 on average.

Single Operator Cultivation Details

Greenhouse Portion

Hoop house #1: 840 square feet and **Hoop house # 2** 840 square feet

The hoop houses will be used for the seedlings and clones (juveniles) during the beginning of the summer grow season. Once the seedlings /clones are large enough to move outdoors in the spring, they will be transferred to the outdoor cultivation areas. All of the plants in the outdoor grow area will be grown in pots.

Harvest Details Single Operator

Harvested cannabis plants will be transported off site to be dried. We do not foresee an influx of employees as our harvesting techniques are not labor intensive.

Manufacturing Details Class 2 - No Import of Material

There will not be any manufacturing on this property. There will not be any import of material.

We purchase all necessary supplies in bulk and therefore receive deliveries approximately 2 or 3 times per year.

The only cannabis waste generated in this process is the plant material that is separated from the plant material to be dried. This cannabis waste is then composted in our compost pile.

Distribution Class 1- Self Distribution

There is no distribution proposed to occur from this site.

Noise

This proposal is only for cultivation. The only potential noise associated with the operation will be the use of a small tractor. Given that the property is well isolated from other properties, the occasional use of a tractor on TPZ property will likely not be heard from adjacent properties.

Status of Boy Scout Camp

The Boys Scouts of American ceased use of the property approximately 5 years ago. Therefore, pursuant to Santa Cruz County Code; the permit allowing the camp is now null and void. This proposal does not include any type of camp or over night uses

WAMM Collective

The proposed amount of canopy on this property includes the Co-located cultivation 087-231-31 known as the WAMM Collective pursuant to SCCC7.128.050 (A)(1)

FOR TAX PURPOSES ONLY

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POR SECS. 5 & 6,
T.9S., R.2W., M.D.B & M.

Tax Area Code
90-109

87-23

Bk.89
01

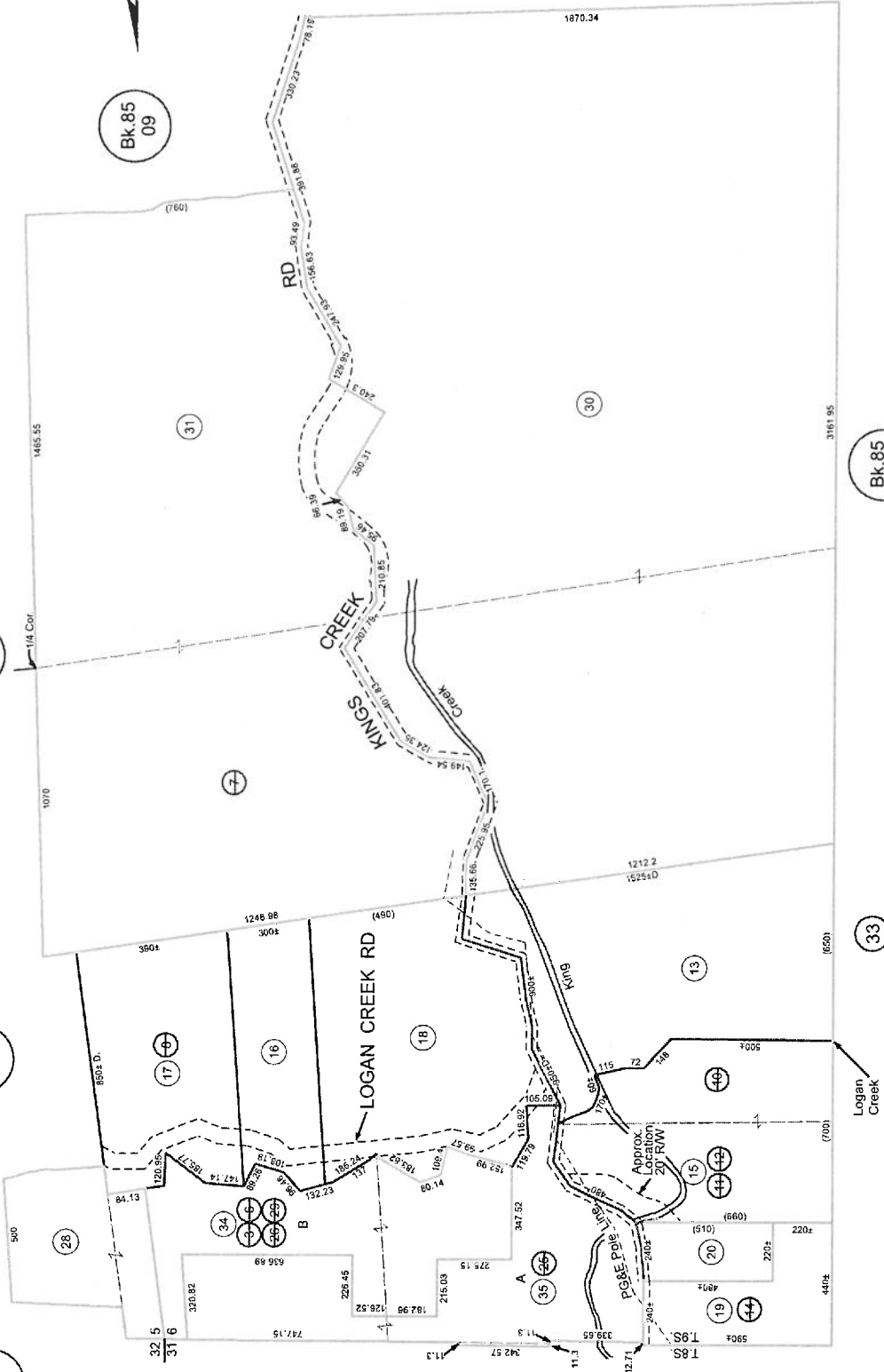
56RS21
4/5/1972

Bk.89
46

Bk.89
03

Bk.85
09

Bk.85
09



10PM51
4/17/1973

Electronically Redrawn 8/30/01 mmm
Rev. 8/13/07 mmm (Sec. 10 & 13)
Rev. 8/13/07 CB (2.005951 Cor Body 1-30 & 31)
Rev. 6/22/11 CB (Cor to sec line)
Rev. 2/23/15 CB (Por to 087-17)
Rev. 2/23/15 CB (Por from 87-17)
Rev. 2/23/15 CB (14-0030393 & 392, LBA 1-34 & 35)

Note - Assessor's Parcel & Block
Numbers Shown in Circles.

Assessor's Map No. 87-23
County of Santa Cruz, Calif.
Aug., 2001

FOR TAX PURPOSES ONLY

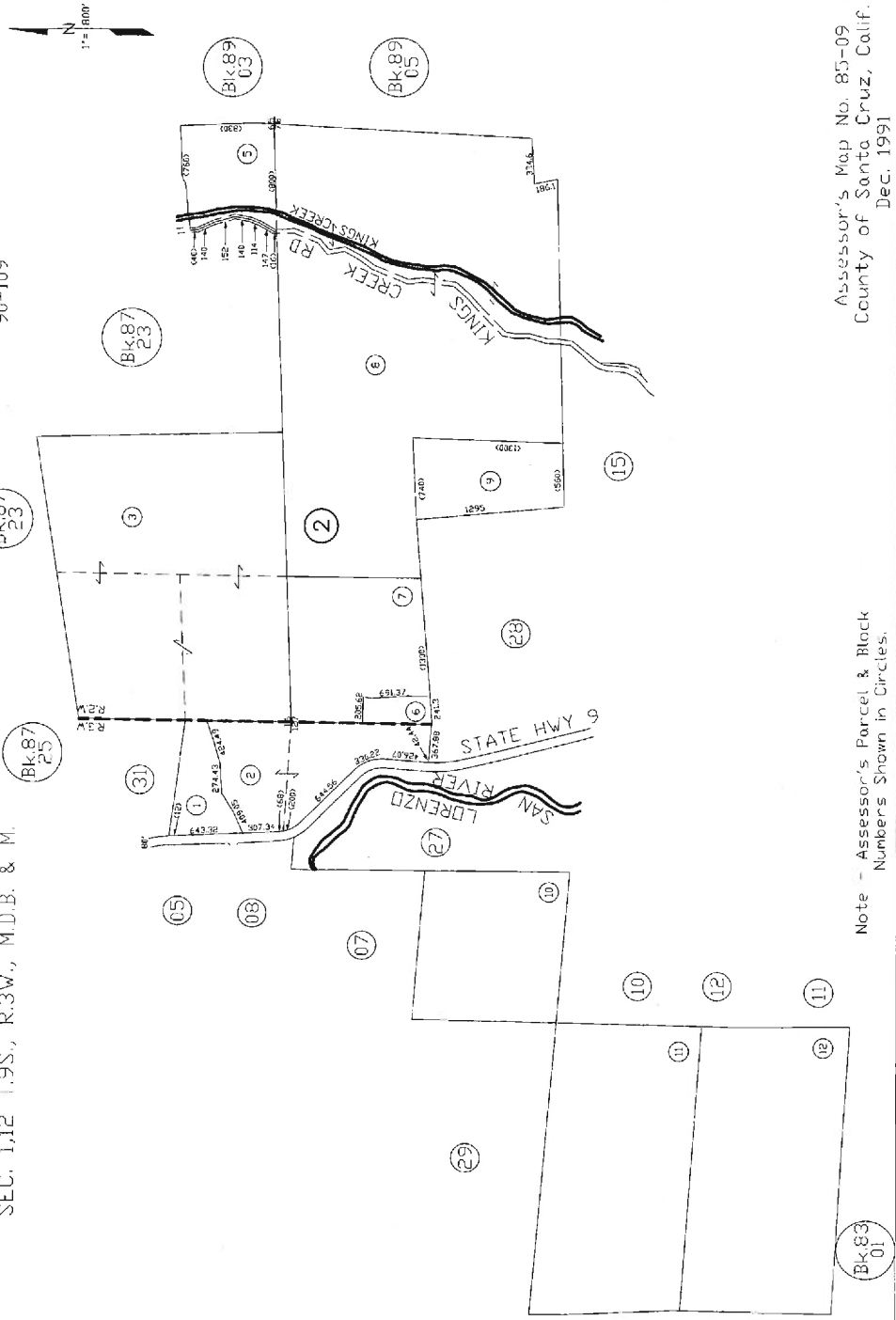
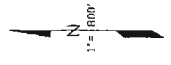
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POR. SEC. 6.7 T.9S., R.2W., &
SEC. 1.12 T.9S., R.3W., M.D.B. & M.

Tax Area Code
90-109

85-09



Note - Assessor's Parcel & Block
Numbers Shown in Circles.

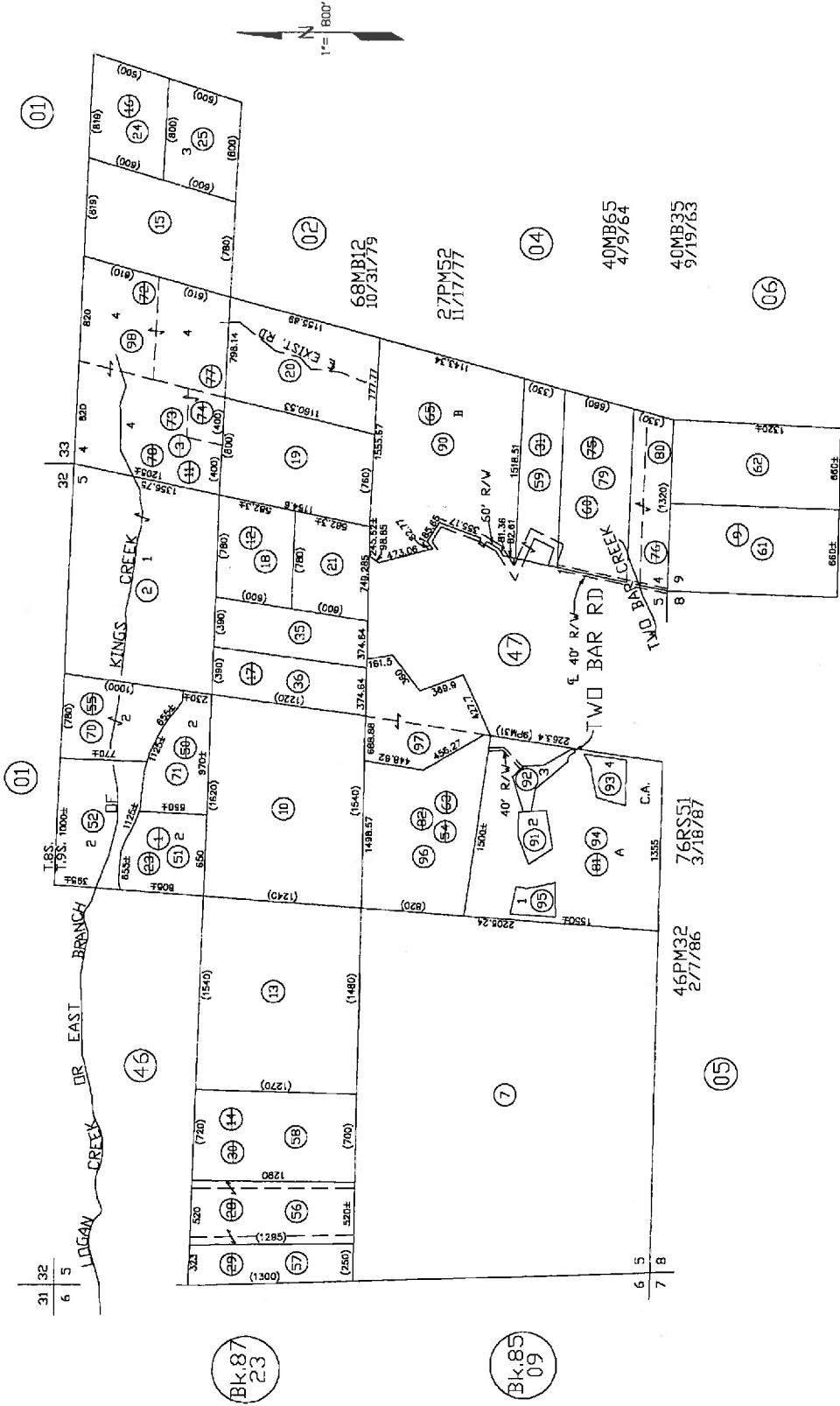
Assessor's Map No. 85-09
County of Santa Cruz, Calif.
Dec. 1991

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POR. SECS. 4, 5 & 9,
 T.9S., R.2W., M.D.B. & M.

Tax Area Code
 90-109

89--03



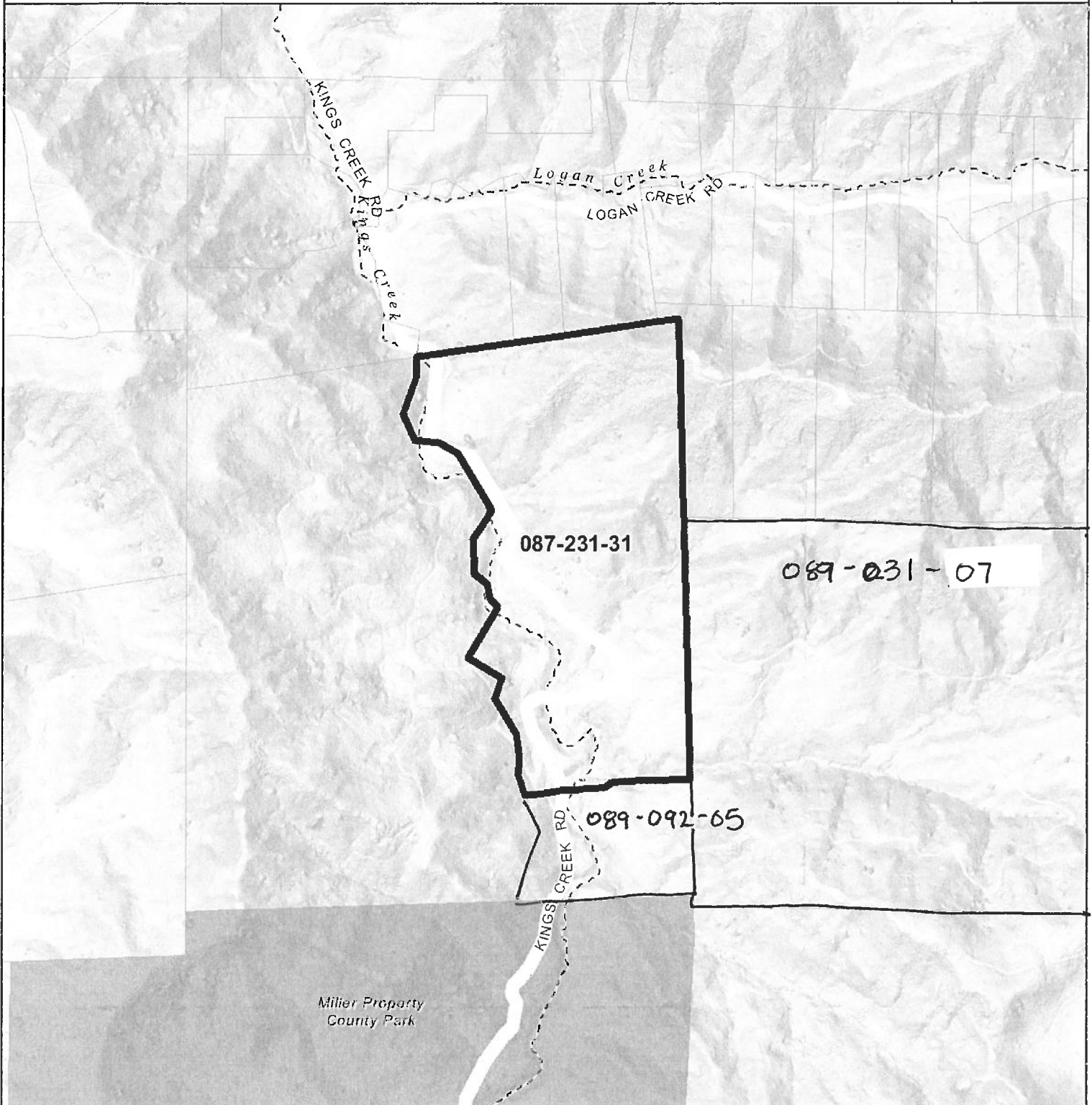
Note - Assessor's Parcel & Block
 Numbers Shown in Circles.

Assessor's Map No. 89-03
 County of Santa Cruz, Calif.
 Dec., 1999



SANTA CRUZ COUNTY PLANNING DEPARTMENT

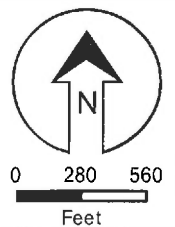
Parcel Location Map



Parcel: 08723131

- Study Parcel
- Assessor Parcel Boundary
- Existing Park

Map printed: 26 Jul. 2021



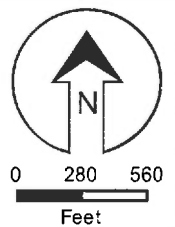


SANTA CRUZ COUNTY PLANNING DEPARTMENT

Parcel Zoning Map



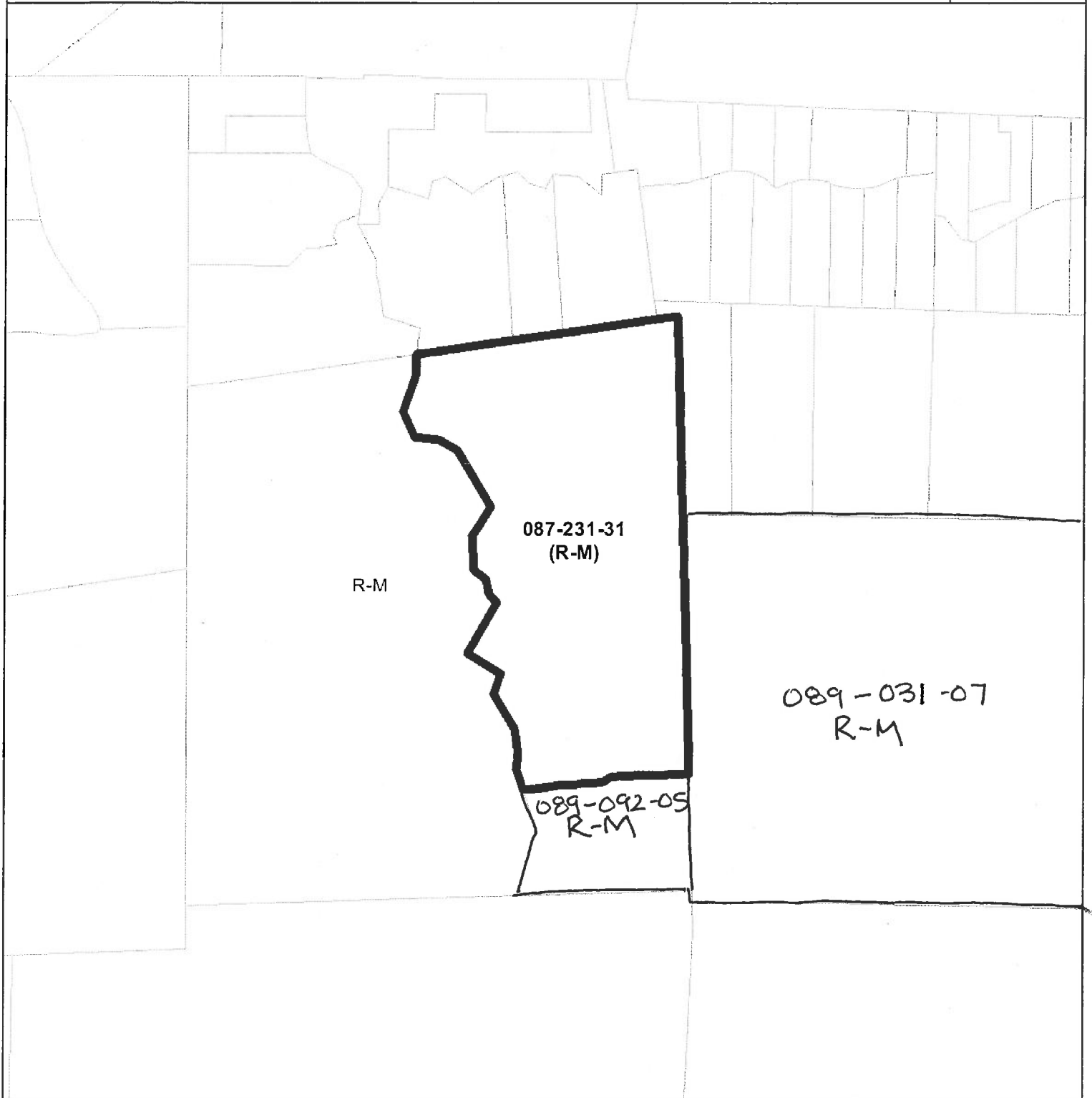
- RA Residential Agricultural
- SU Special Use
- TP Timber Production



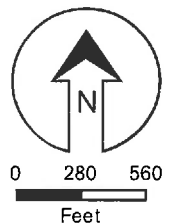


SANTA CRUZ COUNTY PLANNING DEPARTMENT

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: Outside Drainage district

Parcel Information

Parcel Size: 217 combined acres
Existing Land Use - Parcel: Former Boy Scout camp/ Existing Cannabis Cultivation
Existing Land Use - Surrounding: Cannabis Cultivation
Project Access: Kings Creek Road
Planning Area: San Lorenzo Valley
Land Use Designation: R-M (Mountain Residential)
Zone District: TP (Timber Production)
Coastal Zone: ☐ Inside ☒ Outside
Appealable to Calif. Coastal Comm.: ☐ Yes ☒ No

Technical Reviews: Biotic Report Review

Geologic Hazards: Not mapped/no physical evidence on site
Fire Hazard: Not a mapped constraint in the cleared area of the site
Slopes: 0-30 percent overall, less than 20 percent in area of cultivation, gentle to flat in cultivation area
Env. Sen. Habitat: Kings Creek and unnamed Creek mapped for sensitive habitat, accepted biotic report notes absence of resources in existing cultivation area and little potential for species, project conditioned to require operational conditions to cease use if any species are identified
Grading: No grading proposed
Tree Removal: No trees proposed to be removed
Scenic: Not a mapped resource
Archeology: Not mapped/no physical evidence in cleared cultivation areas of site

Biotic Resources Group

Biotic Assessments ♦ Resource Management ♦ Permitting

May 12, 2021

Jim Weaver
Pacific Rim Planning Group
206 Morrissey Blvd
Santa Cruz, CA. 95062

RE: 17660 Kings Creek Road Parcel, APN is 087-231-31 & 085-092-05& 089-031-07

Project Name - Jade Grove

Salamander Review

Dear Jim:

The letter presents the results of the review of the proposed Jade Grove project site for potential presence of special status amphibians, as requested by the County of Santa Cruz Planning Department.

Methodology

On March 31, 2021, Dana Bland, wildlife biologist, and I conducted a site visit to the proposed project site. Areas proposed for greenhouses and other grow operations were viewed and habitat conditions noted. The focus of the review was to ascertain potential habitat for California giant salamander (*Dicamptodon ensatus*), as requested by the County.

Wildlife Species of Concern

The California giant salamander, as well as the Santa Cruz black salamander (*Aenides flavipunctatus niger*), may occur in and adjacent to Kings Creek. These two species are State Species of Special Concern. The black salamander is a terrestrial breeding species, that occurs in moist riparian habitat near creeks. The California giant salamander is an aquatic breeding species. Both of these species may utilize forested areas adjacent to the creek.

Review of Project Site

Neither of these two species are expected to occur at the project site. Suitable habitat for these two species is located over 100 feet from the proposed project. The dry conditions (i.e., upland woodland and upland grassland) are located too far from the creek corridor and are not suitable for these species.

Please let me know if you have any questions on these findings.

Sincerely,



Kathleen Lyons
Principal/ Plant Ecologist

Logan Thompson

From: Juliette Robinson
Sent: Tuesday, June 15, 2021 5:04 PM
To: Logan Thompson
Cc: Matt Johnston
Subject: Biotic Assessment REV211119 APNs 085-092-05, 087-231-31, 089-031-07
Attachments: Salamander Review.pdf; B-201230 Plans.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Hi Logan,

Please find below the results of the Biotic Assessment for REV211119 (APNs 085-092-05, 087-231-31, 089-031-07):

The project is a proposal to operate an outdoor cannabis cultivation operation with up to 30,000 square feet of canopy area. The project impact areas evaluated for this Biotic Assessment include the proposed cultivation areas and associated access routes as shown on the attached Plans dated 3/17/2020.

During preliminary analysis it was determined that the project site is located in an area of biotic concern as defined by SCCC 16.32. The project site was evaluated by Environmental Planning staff to identify if potential habitat for special-status species may occur there. This evaluation involved review of existing resource information including a query of the California Natural Diversity Data Base (CNDDDB), review of a brief Salamander Review letter prepared by Biotic Resources Group (attached), and a reconnaissance level site visit to assess the potential for sensitive habitat and special-status species on or near the project site.

It has been determined based on the results of this Biotic Assessment that habitat for special-status species or other sensitive habitat does not occur in the project impact areas. Sensitive habitat does occur in the vicinity of the proposed project.

To ensure that sensitive habitats occurring in the vicinity of the proposed project are protected, the following conditions should be included in the project approval:

- There are two streams located in the vicinity of the proposed project activities (Perennial Kings Creek, and Intermittent Stream 304) . Streams and their riparian corridors (as defined by Santa Cruz County Code Section 16.30.030) are granted special protections under the County's Sensitive Habitat Protection and Riparian Corridor and Wetlands Protection ordinances (Chapters 16.30 and 16.32). These creeks and their riparian corridors provide potential habitat for special-status species and shall be avoided during development and ongoing activities associated with the proposed cannabis operations.
- If a special-status species is identified at any time during construction or during ongoing activities associated with the proposed cannabis operations, work shall cease immediately in the vicinity of the individual. The animal shall either be allowed to move out of harm's way on its own or a qualified biologist shall move the animal out of harm's way to a safe relocation site.
- Trees, shrubs, and open grassy areas within and around the project impact areas may provide nesting habitat for migratory birds and birds of prey. Nesting birds are protected under the California Fish and Game Code, and the Federal Migratory Bird Treaty Act (MBTA). Under the MBTA, it is "unlawful at any time, by any means or in any

manner, to pursue, hunt, take, capture, kill, attempt to take, capture, or kill” a migratory bird unless and except as permitted by regulations.

- Oak woodlands may occur in the vicinity of the proposed project activities. Oak Woodlands are considered sensitive under Santa Cruz County’s Sensitive Habitat Protection ordinance (Chapter 16.32) and provide potential habitat for special-status species. Oak woodlands shall be avoided during development and ongoing activities associated with the proposed cannabis operations. Additional impact analysis would be necessary for any future proposals with potential to impact oak woodlands.

Please let me know if you have any questions or if I can provide further assistance with this project.

Thanks,

Juliette

Juliette Robinson

Resource Planner IV/Biologist – Environmental Planning
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060
(831) 454-3156