



Staff Report to the Zoning Administrator

Application Number: 201095

Applicant: Lacy Eamon & Mary Ellen Co-Trustees

Agenda Date: 10/15/2021

Owner: Lacy Eamon & Mary Ellen Co-Trustees

Agenda Item #: 2

APN: 109-011-02

Time: After 9:00 a.m.

Site Address: 530 Apple Valley Lane

Project Description: Proposal to operate an outdoor cannabis cultivation operation with up to 10,000 square feet of canopy area in a SU (Special Use) zone district on site with a single-family dwelling in process. The proposal includes drying, processing and trimming and Type 1 Distribution (self-distribution). Requires a Development Permit and a determination that the project is exempt from further environmental review under the California Environmental Quality Act (CEQA).

Location: Property located on the northwest side of Apple Valley Lane, approximately 1/2 mile north of the intersection of Green Valley Road.

Permits Required: Development Permit

Supervisory District: 4th District (District Supervisor: Caputo)

Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 201095, based on the attached findings and conditions.

Project Description & Setting

The property is located in the foothills of the Eureka Canyon Planning area, just beyond the actively farmed Green Valley commercial agricultural area. The cultivation site is located in a mixed forest of oaks, madrones, firs, and redwoods, with exception of open areas of the site where the house, cultivation, and processing areas are proposed. This area was a farm historically. The site contains a barn located at the site entry that is proposed to be demolished.

The property is zoned Commercial Agriculture (CA) to the southeast, Agriculture (A) to the southwest, Residential Agriculture (RA) to the east, and Special Use (SU) to the west. The property is surrounded by orchards and commercial agricultural lands and limited in existing residential

development. The nearest residentially developed property is approximately 650 feet to the southwest of the cultivation area.

Pursuant to County Code 13.10.312-314, a Development Permit with approval by the Zoning Administrator is required for cannabis cultivation within a Special Use zone district.

Zoning & General Plan Consistency

The subject property is a 58-acre parcel, located in the Special Use (SU) zone district, a designation which allows small scale commercial agriculture uses such as agricultural crop production and incidental uses supporting agricultural production. The proposed use is modest in size, suiting the remote location and available existing cleared area of the site, and provides excellent security given that access is provided via a single gated driveway.

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) General Plan designation. A dwelling is under review for construction, as required by the ordinance.

Key regulatory areas

Canopy

The proposed canopy area of 10,000 square feet is consistent with the maximum allowed by County Code Section 13.10.650 and is further regulated by a Cannabis License issued by the Cannabis Licensing Office following use approval. The project is conditioned to obtain a Class SU cannabis cultivation license for a single outdoor cultivation for no more than 10,000 square feet, consistent with the maximum allowed by code below.

The canopy area occupies land that would be allowed for small scale agriculture, a principal permitted use in the SU zone district. Normal activities associated with cannabis cultivation, including associated water use, small number of employees, harvest and processing related functions are akin to other small scale commercial agricultural uses allowed in the district.

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
SU - Class SU	Single License	58 acres	Up to 1.25 percent of the size of the parcel, not to exceed 10,000 square feet on parcels larger than 10 acres	10,000	N/A	10,000 square feet; up to 10,000 square feet allowed

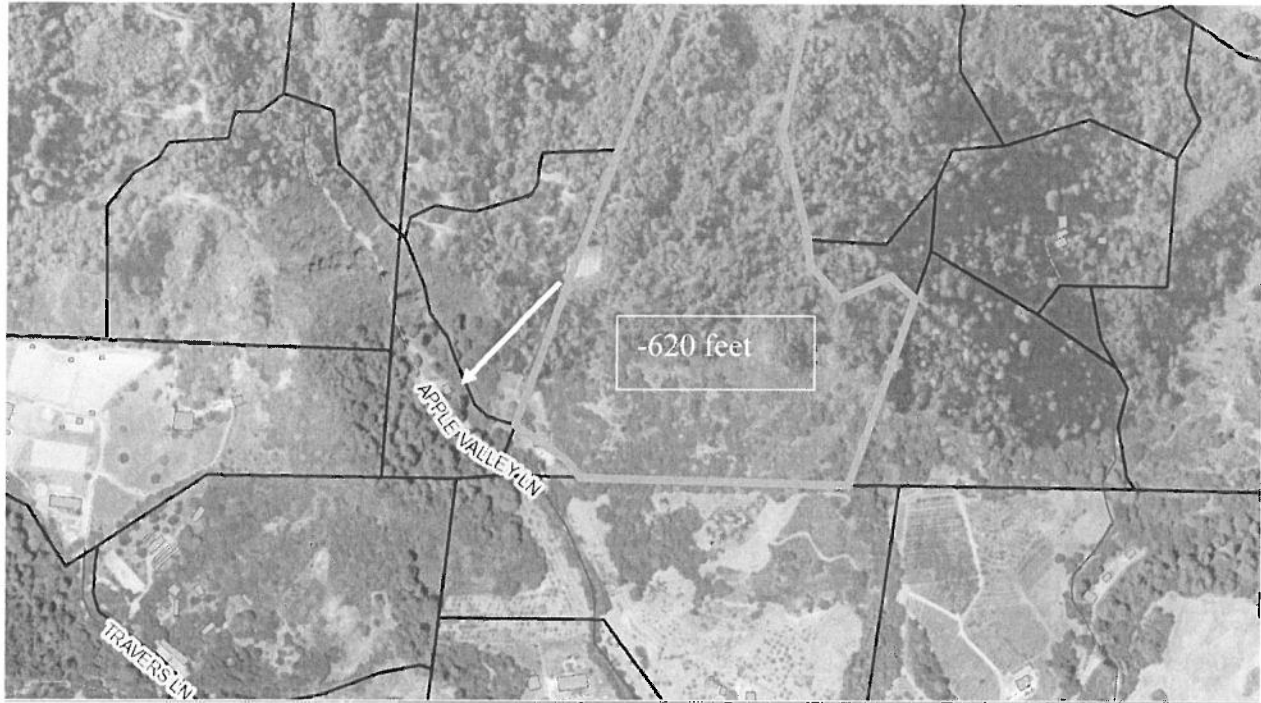
Security/Lighting

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 the location of the property toward the end of Apple Valley Lane and the location of the existing access gate at the intersection of Apple Valley Lane. The entry to the property is otherwise restricted due to the isolated area of the cultivation location, large parcel size and single access driveway, as well as the hilly topography surrounding this property. These property characteristics both preclude view of the site and cultivation area and significantly preclude pedestrian access to the site from adjoining properties. In addition, the security plan includes new cultivation fencing, video surveillance cameras, motion sensor lighting, and employee training to ensure that security is not compromised.

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 outdoor cultivation operation is located approximately 620 feet from the nearest residences located to the southwest.



The significant setback, topographical differences, and physical separation adequately preclude odor from affecting adjoining residential use and surrounding 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 demolition and construction of accessory structures for drying, storage, processing 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 **201095**, 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: 201095

Assessor Parcel Number: 109-011-02

Project Location: 530 Apple Valley Lane

Project Description: Proposal to operate an outdoor cannabis cultivation operation with up to 10,000 square feet of canopy area in a SU (Special Use) zone district on site with a single-family dwelling in process. The proposal includes drying, processing and trimming and Type 1 Distribution (self-distribution). Requires a Development Permit and a determination that the project is exempt from further environmental review under the California Environmental Quality Act (CEQA).

Person or Agency Proposing Project: Lacy Eamon & Mary Ellen Co-Trustees

Contact Phone Number: (805)748-8342

- 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. X **Categorical Exemption**

Specify type: Class 3 - New Construction or Conversion of Small Structures (Section 15303)

Class	Category	Description
Class 1	Existing Facilities	Consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. (Cal. Code Regs., tit. 14, §15301.)
Class 3	New Construction or Conversion of Small Structures	Consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. (Cal. Code Regs., tit. 14, § 15303.)

EXHIBIT A

Class 4	Minor Alterations to Land	Consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry and agricultural purposes. (Cal. Code Regs., tit. 14, § 15304.)
Class 5	Minor Alterations in Land Use Limitations	Consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density. (Cal. Code Regs., tit. 14, § 15305.)

F. Reasons why the project is exempt:

Cultivation of agricultural crops, processing, and distribution, 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.

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

Sheila McDaniel, Project Planner

Date: _____

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, and distribution use would be located in an area designated for cultivation use. The proposed cultivation area would comply with the canopy allowed within the Special Use zone district. The proposed cultivation would comply with the required setback standards, including the 400-foot setback to all to property lines, and thus habitable structures on neighboring parcels, and the 300-foot setback to a public right-of-way, and cultivation on slopes less than 20 percent.

The Cannabis Licensing Office, in consultation with the County Sheriff, reviewed and accepted the preliminary 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 licensing and operation of the use.

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, and drip irrigation, rainwater catchment, etc.

Given all these considerations, the project, and the conditions under which it would be operated, are akin to other small scale 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 SU (Special Use) zone district. The proposed use is an allowed use within the SU 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 SU 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 and 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 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 small scale agricultural cultivation uses allowed 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. In addition, the facility will not overload utilities. 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 principal permitted small scale agricultural uses and the limited cannabis cultivation area would complement and harmonize with the surrounding area. Given the very limited scope of existing 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 existing gated entry, as well as security cameras and motion sensor lighting, the proposed use should continue to 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 an existing fencing and gate to secure cultivation in the central portion of the site for agricultural operations related to cannabis cultivation, adjacent to the residence. The site is fully screened from view of adjoining properties. Otherwise, security

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improvements such as security cameras and motion detected lighting are proposed to ensure public safety.

The proposed use is a small-scale agricultural use, which is an allowed use within the Special Use zone district.

Exhibit D: Project plans, prepared by Roper Engineering, revised 9/10/2020

- I. This permit authorizes operation of an outdoor cannabis cultivation operation with up to 10,000 square feet of canopy area in a SU (Special Use) zone district on site with a single-family dwelling. The proposal includes drying, processing and trimming and Type 1 Distribution (self-distribution), as indicated on the approved Exhibit "D" for this permit. Up to 10,000 square feet may be permitted within existing cleared areas located adjacent to the greenhouses. 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 SU Cultivation License from the Cannabis Licensing Office.
 - C. Obtain a Class 1 Distribution (Self Distribution) License from the Cannabis Licensing Office.
 - D. Obtain a Demolition Permit from the Santa Cruz County Building Official for structures proposed to be removed.
 - E. Obtain a Building Permit for storage structures/site improvements and a building permit for a single-family dwelling from the Santa Cruz County Building Official. The single-family dwelling may include a temporary dwelling for the required on-site cultivation manager while the proposed single-family dwelling is under construction.
 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 Building Permit by the Planning Department and Issuance of a Cannabis License, 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 requirements of the Pajaro Valley Fire Protection District, including:
1. Note on the plans "these plans are in compliance with California Building and Fire Codes (2019 edition) and Pajaro Valley Fire Protection District Amendments".
 2. Note on the plans "building numbers shall be provided. Numbers shall be a minimum of four (4) inches in height on a contrasting background and visible from the street. Where numbers are not visible from the street, additional numbers shall be installed on a directional sign at the property driveway and the street."
 3. 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.
 4. Access Road / Driveway Requirements
 - A. 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%.
 - B. 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.

- C. The access road shall have a vertical clearance of 13'-6" for its entire width and length, including turnouts.
 - D. An approved turn-a-round shall be provided for access roads and driveways in excess of 150 feet in length.
 - E. Drainage details for the road or driveway shall conform to current engineering practices, including erosion control measures.
 - F. All private access roads, driveways, turn-around and bridges are the responsibility of the owner(s) of record and shall be maintained to ensure the fire department safe and expedient passage at all times.
 - 1. The driveway shall be thereafter maintained to these standards at all times.
 - G. 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.
 - H. 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."
 - I. Note on the plans "the job copies of the building and fire systems plans, and permits must be on-site during inspections."
 - J. Note: 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.
- D. Meet all requirements of Environmental Planning including:
- 1. Clearly identify on Sheet CA3 that no grading is proposed. Hoop structures and potting containers shall be placed on original grade.
- E. Meet all requirements of and pay drainage fees to the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area, including all items specified in Part 3, Appendix C of the County Design Criteria as well as the following specific conditions of approval:

1. Provide final drainage and mitigation calculations with the building/grading permit application/s. The mitigation design shall be based on conservative saturated soil permeability /hydraulic conductivity values from the published physical properties table within the USDA/NRCS soil survey (or site-specific test values may be used) consistent with Part 3 Section G.5 of the County Design Criteria (CDC). It appears that based on soil type 182, a conservative permeability is 6 inches/hour. The final calculations shall be signed and stamped by the project engineer.
2. Final building/grading improvement plans shall show the methods of spreading runoff from all proposed impervious and semi-impervious areas and shall identify the mitigation areas consistent with the final drainage calculations and the CDC Part 3 Section G.3.g, G.3.h, and G.4. These mitigation areas shall be clearly identified on the plans and shall be referenced in the recorded maintenance agreement (see comment No. 4).
3. Provide review and approval letter from the project geotechnical engineer. The letter shall include specific review of the saturated soil permeability used in mitigation design as well as the location and stability of mitigation area/s. If the standard geotechnical review form is used these items shall be specifically addressed as notes on this form.
4. A recorded maintenance agreement shall be required prior to final inspection. Applicant shall notarize and record this form after all stormwater mitigations have been constructed. The agreement shall include a copy of the as-built site drainage system and all supplemental maintenance documents for this design.
 - A. An upslope runoff acknowledgement shall also be required. A modified SWM-25A/B form with this acknowledgement is available on the DPW website for use.
5. This project is located in Flood Control District 7A and shall be assessed an impervious area fee based on the net increase in impervious coverage. A 50% credit is given to semi-impervious surfaces. Current rate is \$1.42 per square foot but is subject to increase. Fee shall be assessed at time of permit issuance.
6. Upon approval of the project, a drainage "Hold" will be placed on the permit and will be cleared once the construction is complete and the stormwater management improvements are constructed per the approved plans: In order to clear the Hold, one of these options must be exercised:
 - A. The Civil Engineer / Designer must inspect the drainage improvements on the parcel and provide public works with a letter confirming that the work was completed per the plans. The Civil Engineer / Designer's letter shall be specific as to what was inspected (such as invert elevations, pipe sizing, the size of the

mitigation features and all relevant design features). Notes of “general conformance to plans” are not sufficient.

- B. As-built plans stamped by the Civil Engineer / Designer may be submitted in lieu of the letter. The as-built stamp shall be placed on each sheet of the plans where stormwater management improvements are shown.
- C. The Civil Engineer / Designer may review as-built plans completed by the contractor and provide the County with an approval letter of those plans, in lieu of the above two options. The contractor installing the drainage improvements will provide the Civil Engineer / Designer as-built drawings of the drainage system, including construction materials, invert elevations, pipe sizing and any modifications to the horizontal or vertical alignment of the system. The as-built drawings, for each sheet showing drainage improvements and/or their construction details, must be identified with a stamp (or label affixed to the plan) stating the contractor’s name, address, license, and phone number. The Civil Engineer / Designer will review the as-built plans for conformance with the design drawings. Upon satisfaction of the Civil Engineer / Designer that the as-built plans meet the design intent and are adequate in detail, the Civil Engineer / Designer shall submit the as-built plans and a review letter, stamped by the Civil Engineer / Designer to the County Public Works Department for review to process the clearance of the drainage Hold, if the submittal is satisfactory.
- F. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services, including:
 - 1. A hazardous materials permit shall be required for hazardous materials stored, used, or generated on site.
- G. Meet all requirements and pay any applicable plan check fee of the Pajaro Valley Fire Protection District. This includes:
 - 1. Note on the plans “these plans are in compliance with California Building and Fire Codes (2019 edition) and Pajaro Valley Fire Protection District Amendments”.
 - 2. Note on the plans “building numbers shall be provided. Numbers shall be a minimum of four (4) inches in height on a contrasting background and visible from the street. Where numbers are not visible from the street, additional numbers shall be installed on a directional sign at the property driveway and the street.”

3. 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.
4. Access Road / Driveway Requirements
 - A. 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%.
 - B. 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.
 - C. The access road shall have a vertical clearance of 13'-6" for its entire width and length, including turnouts.
 - D. An approved turn-a-round shall be provided for access roads and driveways in excess of 150 feet in length.
 - E. Drainage details for the road or driveway shall conform to current engineering practices, including erosion control measures.
 - F. All private access roads, driveways, turn-around and bridges are the responsibility of the owner(s) of record and shall be maintained to ensure the fire department safe and expedient passage at all times.
 - G. The driveway shall be thereafter maintained to these standards at all times.
5. 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.
6. 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."

7. Note on the plans “the job copies of the building and fire systems plans, and permits must be on-site during inspections.”
8. Note: 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.

H. Meet all requirements of Accessibility including:

1. Please indicate the building occupancies, type of construction, sprinkler requirements, and area of each occupancy on the plans.
2. Please include the occupant load of building areas using the required occupant load factors in CBC Ch. 10.
3. Please include the occupant load of building areas to verify minimum plumbing fixtures will be provided using CPC 422 and referenced tables. Identify the required plumbing fixtures on the plans.
4. Exterior route details shall be provided to include slopes, widths, surface materials, and detectable warnings. Accessible routes need to be provided from the accessible parking to accessible restroom and to any employee work areas within buildings.
5. Accessible parking details to include slopes, striping and signage shall be provided. [CBC 11B-501]
6. Doors, doorways, and gates serving accessible structures shall be detailed. Include maneuvering clearances, threshold detail and hardware. [CBC 11B-404]
7. Signs shall be detailed to include character size, sign location, and Type II Braille, as required. [CBC 11B-21]

I. Meet all requirements of the Cannabis Licensing Office, including:

1. A maximum of (4) prefabricated “shipping style” containers totaling 1300 sf. of floor area are allowable for cannabis uses in the SU zone district. Shipping containers may be used for cannabis drying and storage, but electrification of such structures is only allowed on sites which are zoned Commercial Agriculture (CA). A building permit will be required to place the (4) shipping containers proposed for cannabis drying and harvest storage. “Man doors” with emergency egress hardware are required for

shipping containers.

2. "Shade/Hoop House" Structures (SCCC 12.10.315A, 13.10.650) a. SH/HH Exemption: SCCC section 12.10.315 (A) exempts "agricultural shade structures" from the requirement for a building permit if the structure is "less than 12 feet in height constructed of light frame materials and covered with shade cloth or clear, flexible plastic material". No supplemental power or electrical fixtures are allowed in hoop houses located in "Mountain Residential" and "Rural Residential" General Plan areas. A shade or hoop structure must satisfy the criteria in section 12.10.315 (A), or it will be considered a greenhouse and subject to all applicable greenhouse regulations. Note: shade and hoop structures not subject to the greenhouse regulations are still structures and as such are subject to all applicable non-greenhouse site regulations, coastal zone regulations, and environmental protection regulations contained in the Zoning Ordinance.
 3. Shade Hoop/Hoop House enclosure: Shade or hoop structures are commonly used in cannabis cultivation projects within the County and due to restriction associate with visibility and herbivory protection, shade and hoop structures can be fully enclosed with shade cloth or clear, flexible plastic.
- J. Provide required off-street parking for 7 cars as shown on plans. 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 licenses. The licenses shall allow up to 10,000 square feet of canopy, provided all canopy area is located entirely within existing cleared area of the site adjacent to the greenhouses. The licenses shall also allow Class 2 Manufacturing (non-volatile) and Class 1 Distribution (self-distribution).
 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 security plan shall be approved by the County Sheriff.
 2. A cultivation manager is required to reside on site in a permitted residence on the parcel. This may include a temporary dwelling (issued a permit in conjunction with the single-family residential building permit) while the single-family dwelling is under construction.
 3. BMOP Operational Plans for Licensing Review: The application for a cultivation license at 099-021-04 must include operational plans pursuant to BMOP Section D, including: Herbivory Prevention, Water Conservation (Environmental Health questionnaire), and Cannabis Plant Material/Solid Waste Management.
 4. Security Plan: 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.
- C. Cultivation licensee shall maintain a valid state license, posted in a conspicuous location.
- D. In order to maximize fire protection, within one year of issuance of the cultivation license the applicant shall remove all dead vegetation (trees and shrubs that were cut down and on ground) located within 100 feet of the cultivation area and dry storage and processing area.
- E. All conditions of approval of this approval and the Cannabis Licensing Official shall remain in effect.
- 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. 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.
- M. No processing of off-site product shall be permitted
- N. The project is prohibited from extending beyond the development area proposed. 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.
- O. 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

Application #: 201095
APN: 109-011-02
Owner: Lacy Eamon & Mary Ellen Co-Trustees

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 CULTIVATION FACILITY FOR EYE N EYE LLC 530 APPLE VALLEY LANE WATSONVILLE, CA 95076 APN 109-011-02



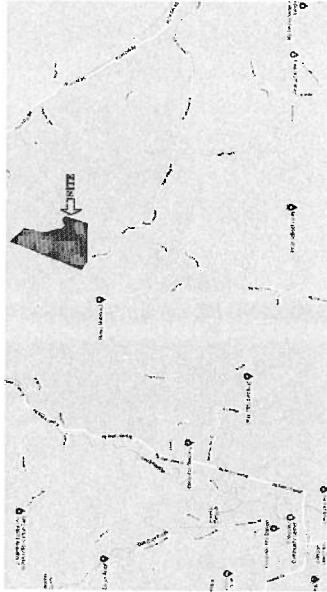
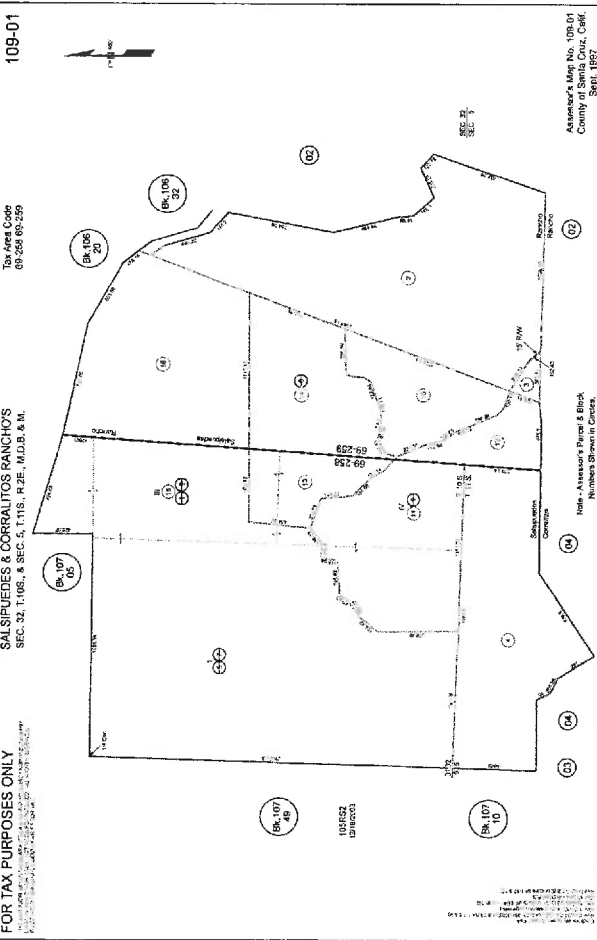
ROPER ENGINEERING
CIVIL ENGINEERING & LAND SURVEYING
84 PENNY LANE, SUITE A WATSONVILLE, CA 95076
(831) 724-5300 jroper@roperengineering.com



**CANNABIS CULTIVATION FACILITY FOR
EYE N EYE LLC**
530 APPLE VALLEY LANE APN 109-011-02
COVER SHEET

SCALE: AS NOTED
DESIGNED BY: JR
DRAWN BY: JR
DATE: MAR. 3, 2020
REVISION: SEPT. 10, 2020
JOB NO.: 18051

CAO



PROJECT DESCRIPTION
CANNABIS CULTIVATION FACILITY
530 APPLE VALLEY LANE, APN 109-011-02

CONTACTS

1. PREPARED BY:
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1155 E. GRAND AVE. # 105
WATSONVILLE, CA 95076
(831) 471-4200
eyeneye@eyeneye.com
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ROPER ENGINEERING
84 PENNY LANE, SUITE A
WATSONVILLE, CA 95076
(831) 724-5300
jroper@roperengineering.com
3. PLANNING CONSULTANT:
JAN HARRINGTON
HARRINGTON ASSOCIATES, INC.
500 GUNN STREET, SUITE 150
WATSONVILLE, CA 95076
(831) 488-8881
jrharrington@harringtonassociates.com

SHEET INDEX

SHEET NO.	TITLE
C-01	COVER SHEET
C-02	DESIGN PLAN
C-03	PLAT PLAN
C-04	CULTIVATION SITE PLAN
C-05	STORAGE & TRAILING SITE PLAN
C-06	FENCING & LIGHTING PLAN
C-07	ELEVATIONS
C-08	BIOP
C-09	BIOP NOTES
C-10	BIOP NOTES



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64 PENNY LANE, SUITE A, WATSONVILLE, CA 95076
(831) 724-5300 jeff@roperengineering.com

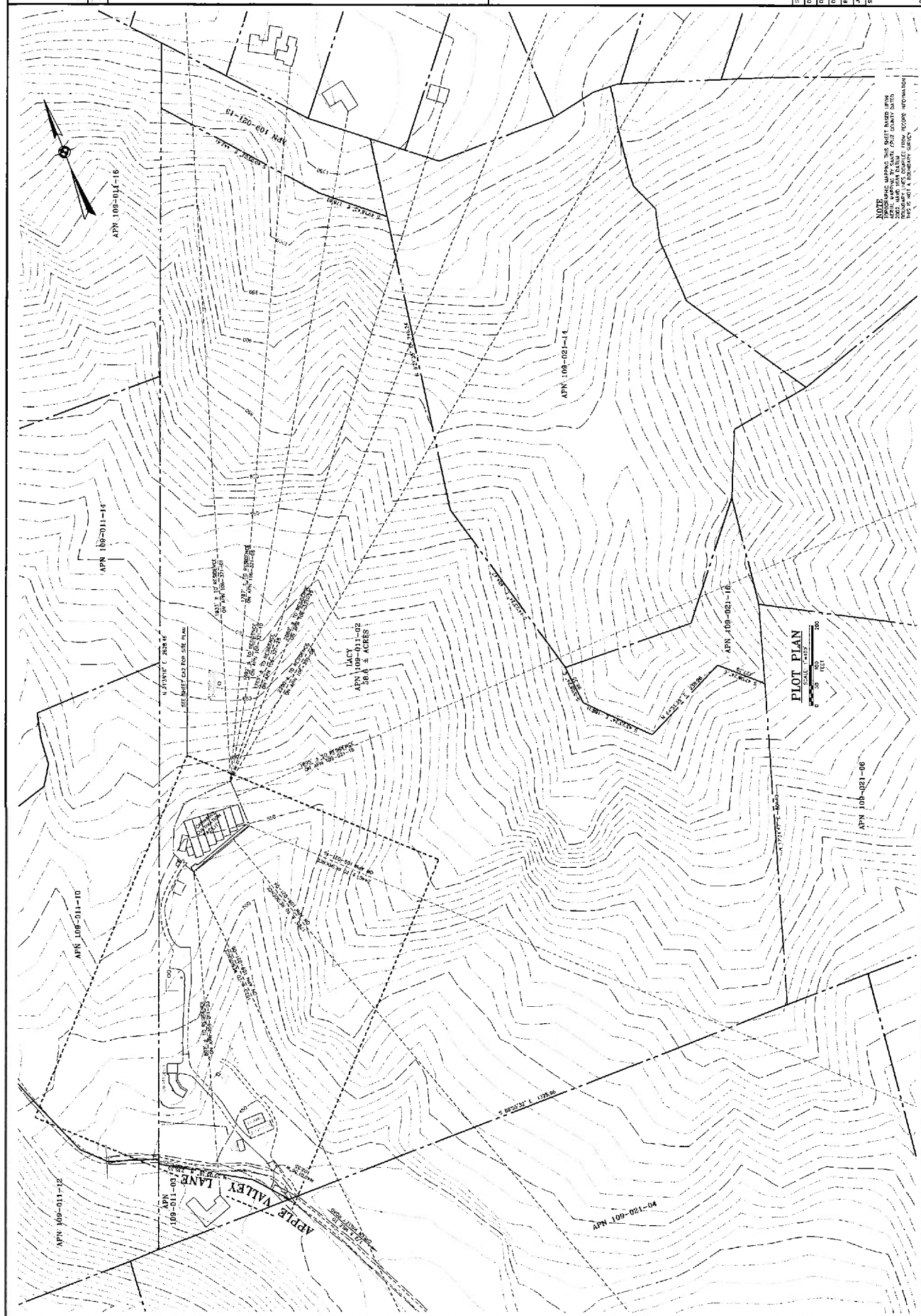


**CANNABIS CULTIVATION FACILITY FOR
EYE N EYE LLC**
530 APPLE VALLEY LANE APN 109-011-02
PLOT PLAN

SCALE: AS NOTED
DESIGNED BY: JR
DRAWN BY: JR
DATE: MAR. 3, 2020
PROJECT: SEPT. 10, 2020
JOB NO.: 18051
SHEET

CA1

OF 9 SHEETS

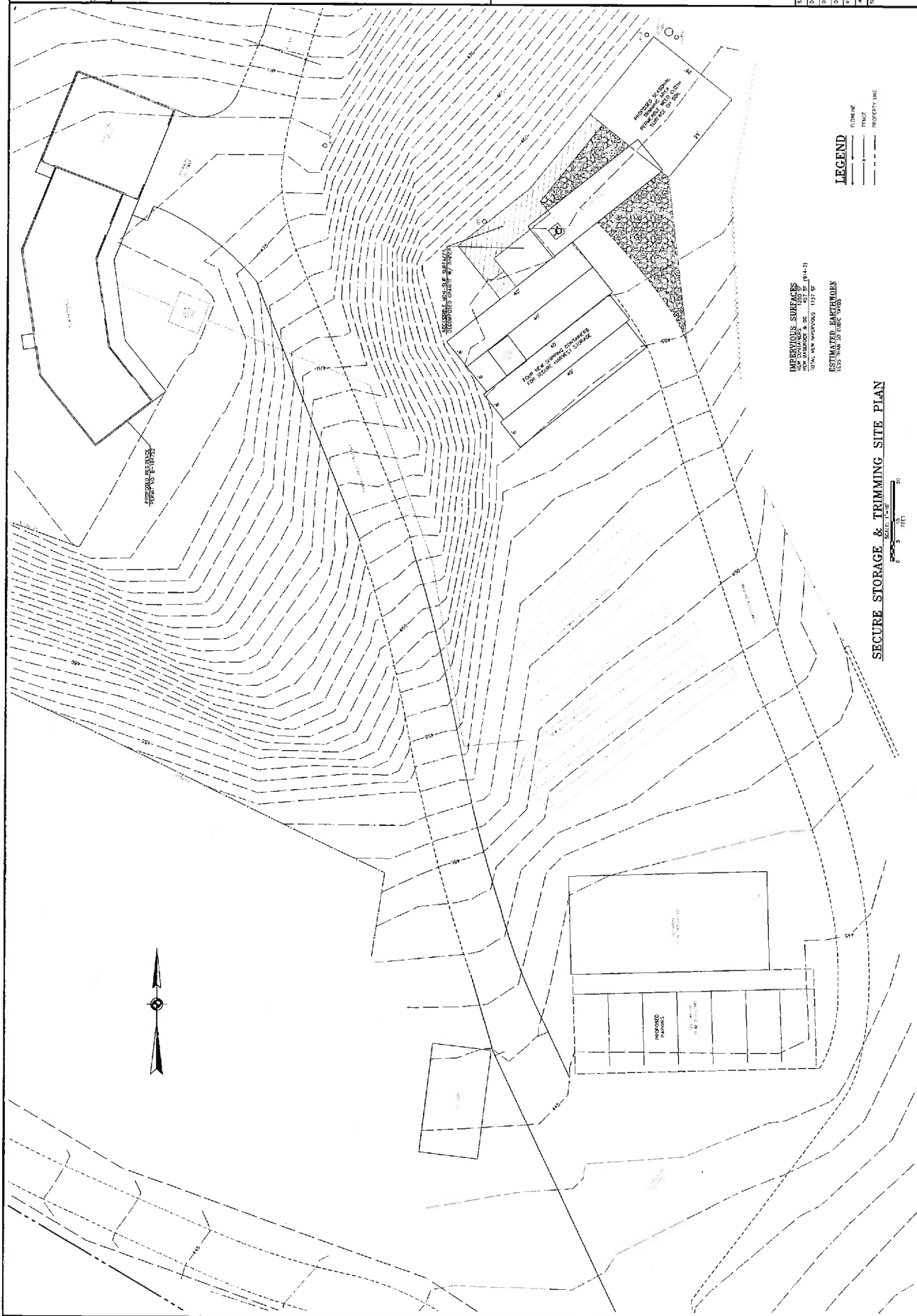


NOTE:
THIS MAP WAS PREPARED BY THE SURVEYOR FOR THE PURPOSE OF RECORDING THE PROPERTY INFORMATION SHOWN HEREON. IT IS NOT A GUARANTEE OF THE ACCURACY OF THE INFORMATION SHOWN HEREON. THE SURVEYOR ASSUMES NO LIABILITY FOR ANY LOSS OR DAMAGE CAUSED BY THE USE OF THIS MAP.

PLOT PLAN
0 50 100 150 200
FEET









HOOP HOUSE PLAN C
SCALE: 1"=4'
CA6





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CIVIL ENGINEERING & LAND SURVEYING
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EYE N EYE LLC
530 APPLE VALLEY LANE APTN 109-011-02
CANNABIS CULTIVATION FACILITY FOR

SCALE	AS NOTED
DESIGNED BY	JR
DRAWN BY	JR
DATE	MAR. 3, 2020
REVISION	SEPT. 10, 2020
JOB NO.	180231
SHEET	

CA7
8 3 00712

BMOP Plan Notes

Cultivation operations will utilize an existing farm road to the grow area. Cultivation will not be occurring during the winter months and, therefore, no vehicles will use this farm road in the winter period.

There are no existing structures or vegetation located within the site. A vegetation buffer, within the project, will be established to protect the surrounding area from the cultivation area. This buffer will be established within the cultivation area. Cultivation will occur in above-ground containers and plant pots.

All recommendations of the archaeological survey completed by Robert Environmental, prepared in March of 2019 will be followed.

Security lighting will be solar powered and motion activated. Further, it will be shielded, downward facing and compliant with L.A. City illumination standards.

No new impermeable surfaces will be used. The plastic sheathing associated with the hoop structure will be removed and replaced with a permeable material. The plastic sheathing will be removed and replaced with a permeable material. The plastic sheathing will be removed and replaced with a permeable material.

Visual screening will be achieved by utilizing privacy screens on the fence at the cultivation area. This screening and screening will ensure that the cultivation area is not visible from the project.

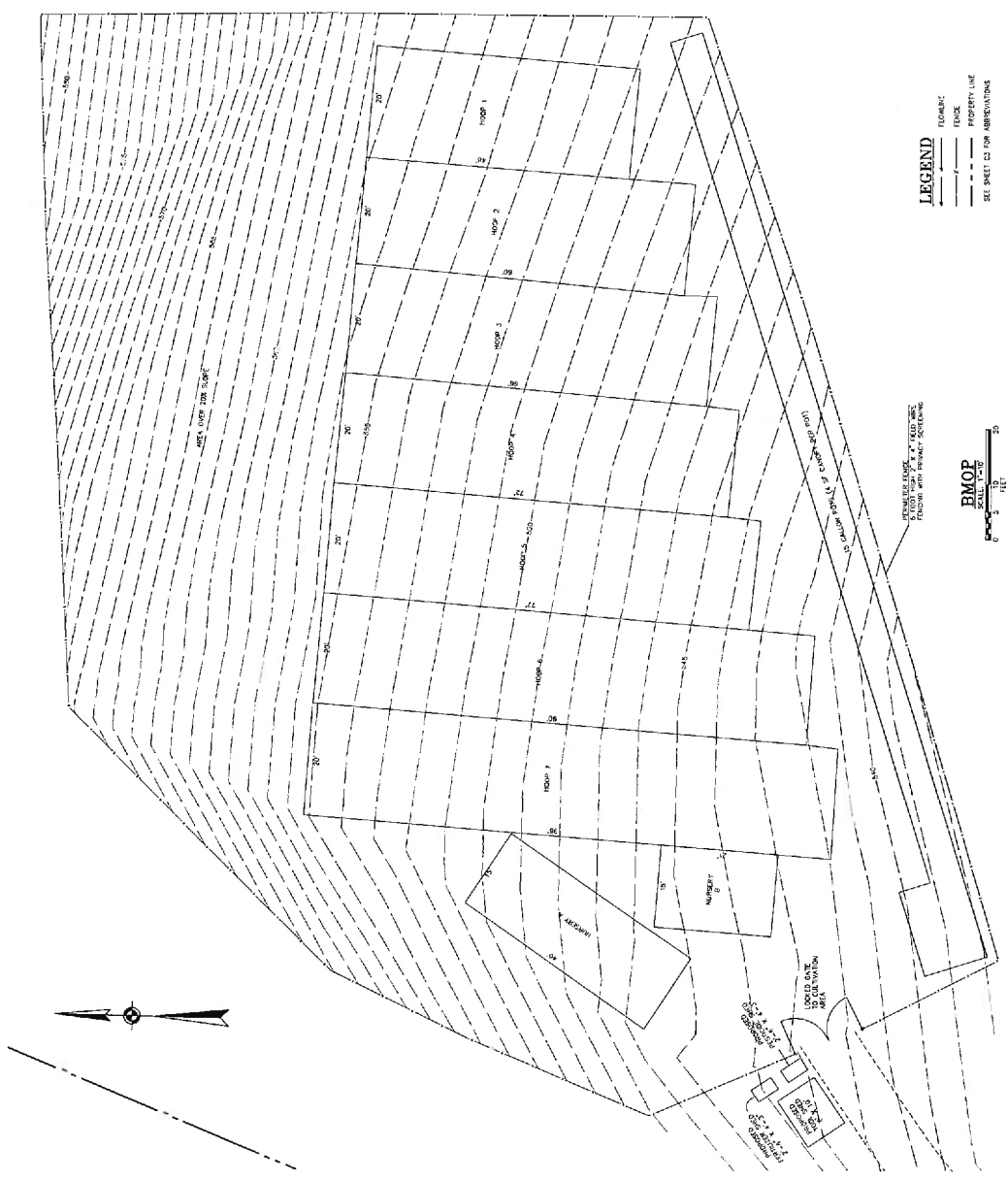
No more than 10% of the cultivation area will be used for parking and storage of equipment. The cultivation area will be used for parking and storage of equipment. The cultivation area will be used for parking and storage of equipment.

Permitted structures will be located within the cultivation area. Permitted structures will be located within the cultivation area. Permitted structures will be located within the cultivation area.

Application of pesticides will comply with all State and local pesticide regulations.

If an odor complaint is received and verified, steps will be taken to eliminate the odor or reduce the odor. If an odor complaint is received and verified, steps will be taken to eliminate the odor or reduce the odor. If an odor complaint is received and verified, steps will be taken to eliminate the odor or reduce the odor.

Cannabis cultivation and other agricultural activities will be conducted in accordance with the applicable laws and regulations. Cannabis cultivation and other agricultural activities will be conducted in accordance with the applicable laws and regulations. Cannabis cultivation and other agricultural activities will be conducted in accordance with the applicable laws and regulations.



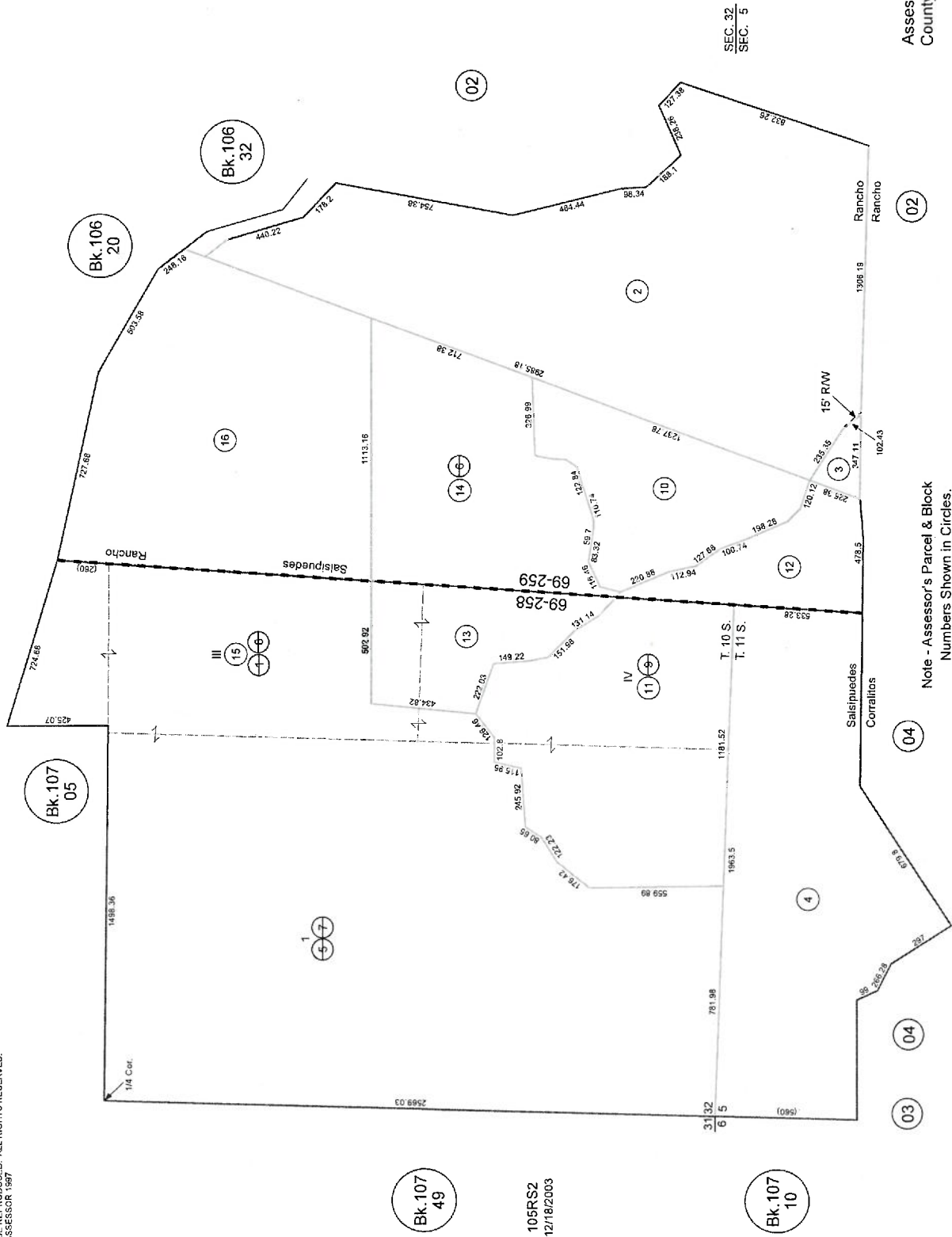
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SALSIPIUEDES & CORRALITOS RANCHO'S SEC. 32, T.10S., & SEC. 5, T.11S., R.2E., M.D.B. & M.

Tax Area Code
69-258 69-259

109-01



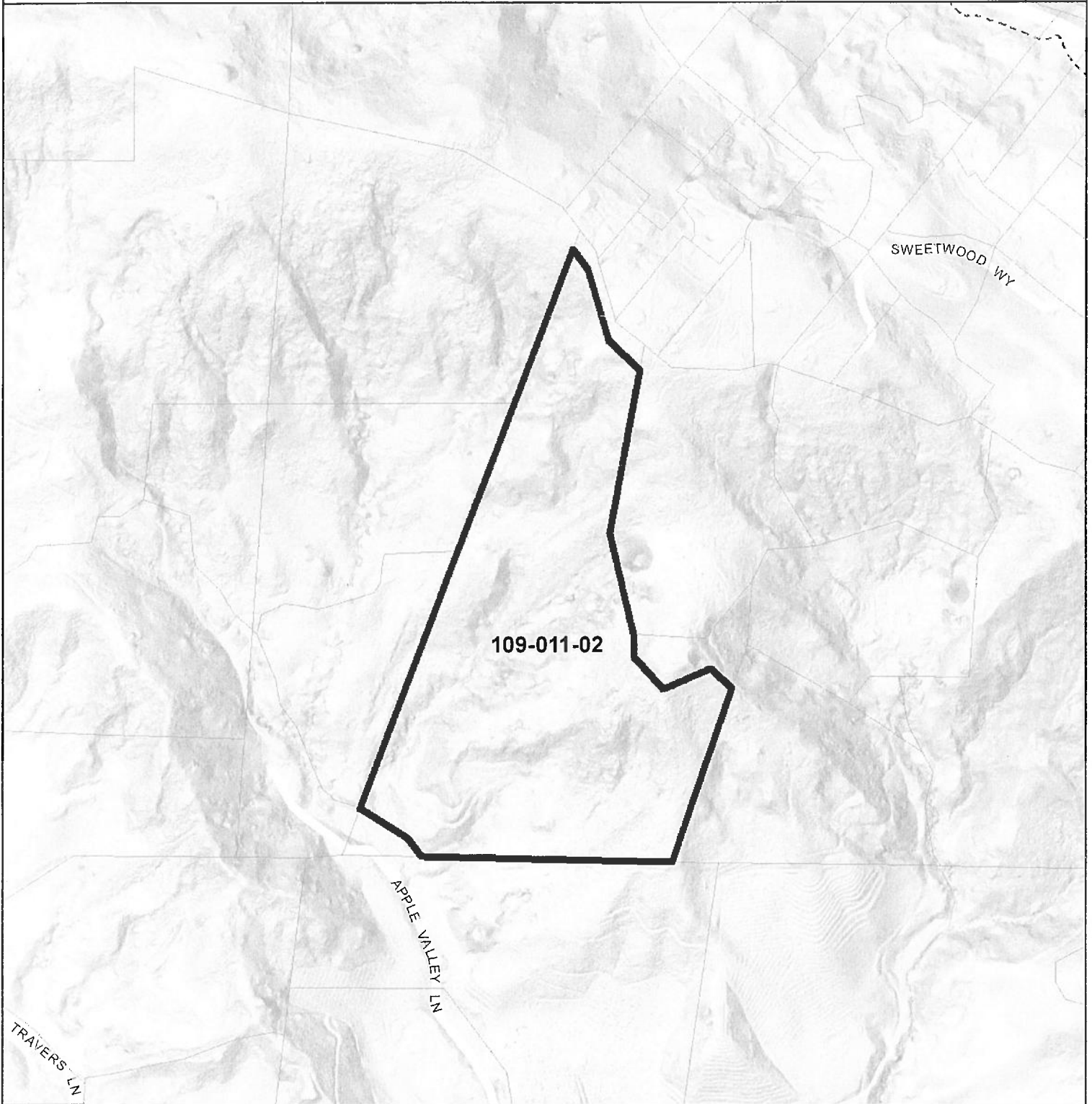
Note - Assessor's Parcel & Block
Numbers Shown in Circles.

Assessor's Map No. 109-01
County of Santa Cruz, Calif.
Sept. 1997



SANTA CRUZ COUNTY PLANNING DEPARTMENT

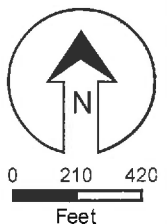
Parcel Location Map



Parcel: 10901102

- Study Parcel
- Assessor Parcel Boundary

Map printed: 16 Sep. 2021

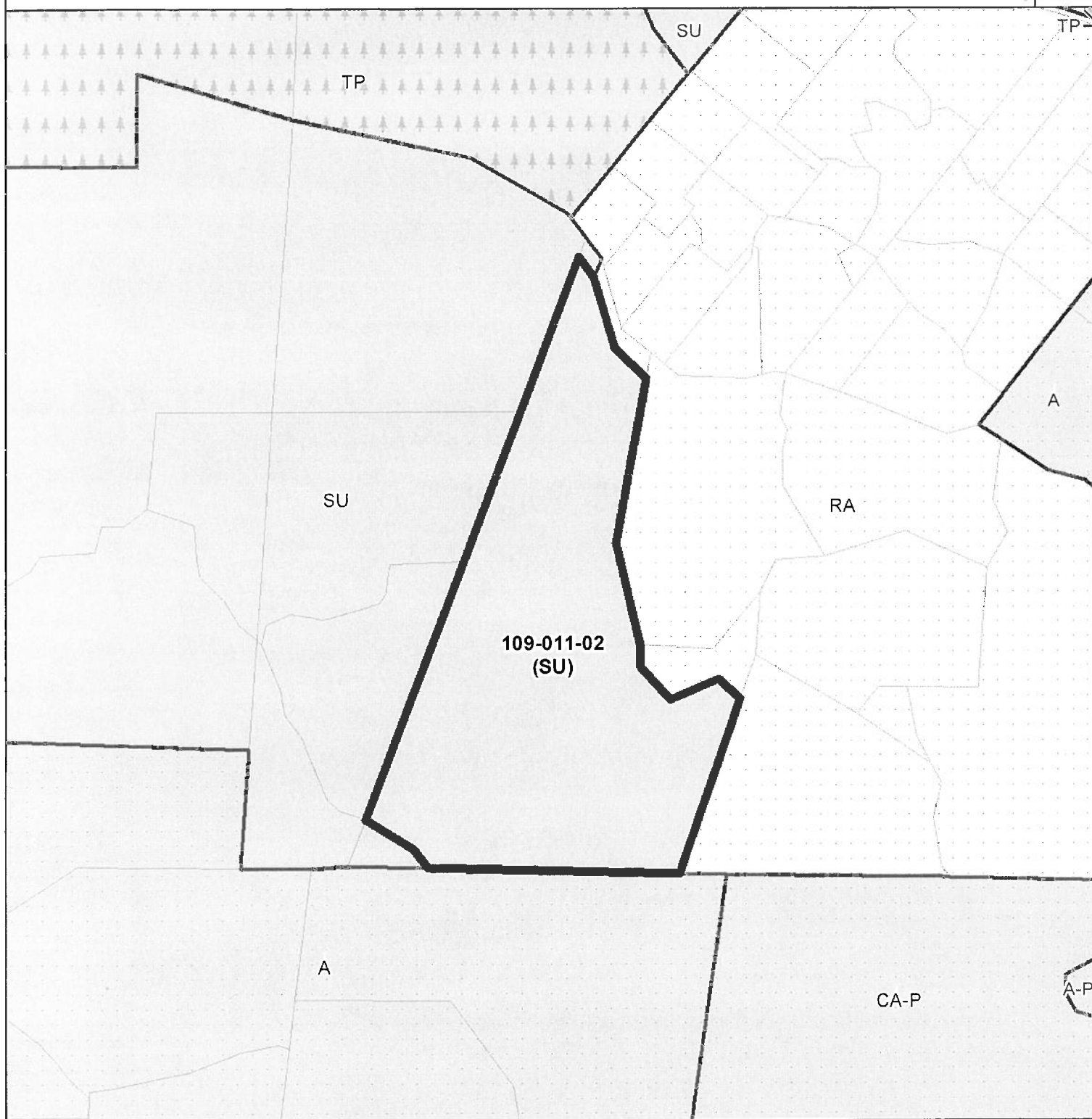




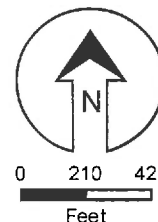
SANTA CRUZ COUNTY PLANNING DEPARTMENT

Parcel Zoning Map

Mapped
Area



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





SANTA CRUZ COUNTY PLANNING DEPARTMENT

Parcel General Plan Map



Mapped
Area

AG

R-M

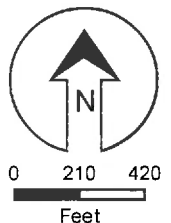
109-011-02
(R-M)

AG

R-M

R-M

AG *Agricultural*
R-M *Residential Mountain*



Parcel Information

Services Information

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

Parcel Information

Parcel Size: 58 acres
Existing Land Use - Parcel: Accessory structures, cannabis cultivation
Existing Land Use - Surrounding: Agricultural and residential
Project Access: Apple Valley Lane
Planning Area: Eureka Canyon
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 in geologic fault zone. Outdoor cultivation, non-habitable dry storage, and outdoor processing is not subject to geologic review per the County Geologist.

Fire Hazard: Moderate fire hazard mapped, but proposed operation located outside mapped area. Notwithstanding, the project is conditioned to meet fire district requirements, including fire clearance from structures.

Slopes: 0 to 15 percent slope

Env. Sen. Habitat: Mapped for Black Salamander; however, the location of the cultivation area, dry storage, and processing is proposed in a preexisting cleared and historically farmed area of the site. No additional new site disturbance is proposed. Thus, no biotic review is required.

Grading: No grading proposed

Tree Removal: No trees proposed to be removed

Scenic: Not a mapped resource

Archeology: Site mapped for a known historic era farmstead. A Phase I Archaeological Assessment (pedestrian visual survey) was completed and identified burned artifacts in the area. A Phase II Subsurface Testing Report (Albion Environmental Inc, dated February 2021) was prepared, reviewed, and accepted. This

determined that the artifacts were ceramic artifacts that were dated between 1965 and 1980 and related to a known fire that occurred in 1982. After completing further research Albion Environmental determined that no further archaeological studies are warranted under CEQA in the areas of proposed development as there are no resources in these areas. Furthermore, the site was determined to be illegible for registration for the Californian Register of Historical Resources as there was no connection between surface resources and the historic farmstead. Furthermore, there was an absence of subsurface resources, and the site is not a tribal resource area. Nonetheless, the project is conditioned to restrict the proposed development area to area shown on the plans and future construction extends beyond the currently defined Project Area, additional archaeological studies may be necessary.