# Exhibit A

This page intentionally left blank.

## **DRAFT RESOLUTION**

## Before the Housing and Community Development Chief of Planning in and for the County of Monterey, State of California

In the matter of the application of: LUIZ TONY G & LINA M LUIZ TRS (AKA COASTA BELLA LLC) (PLN170285) RESOLUTION NO. ----

Resolution by the Monterey County HCD Chief of Planning:

- Considering the North Monterey County Cannabis Facilities Projects Initial Study/Negative Declaration (IS/ND) (HCD-Planning File No. REF220024, SCH No. 2022030457), and finds the project consistent with the IS/ND pursuant to Section 15162 of the CEQA Guidelines; and
- Approving the Administrative Permit to allow commercial cannabis activities consisting of cultivation and nursery within an existing 29,415 square foot greenhouse and within a new 13,440 square foot greenhouse; processing, non-volatile manufacturing, and self-distribution within an existing 4,265 square foot building and within a new 25,000 square foot building.
  [PLN170285, TONY AND LINA LUIZ, 745 SAN JUAN ROAD, ROYAL OAKS, NORTH COUNTY AREA PLAN (APN: 117-401-022-000)]

The Coasta Bella, LLC application (PLN170285) came on for public hearing before the Monterey County HCD Chief of Planning on December 21, 2022. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Monterey County HCD Chief of Planning finds and decides as follows:

### FINDINGS

1. **FINDING: CONSISTENCY:** The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.

# **EVIDENCE:** a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:

- the 2010 Monterey County General Plan;
- North County Area Plan; and
- Monterey County Zoning Ordinance (Title 21).

No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.

- b) Allowed Use. The subject property is located at 745 San Juan Road, Royal Oaks, North County Area Plan, APN: 117-401-022-000. The parcel is zoned Farmland 40 Acres Minimum, or "F/40". The project consists of cannabis cultivation within an existing 29,415 square foot greenhouse and cannabis distribution, non-volatile manufacturing, and processing in an existing 4,265 square feet associated support structure. The project also involves the construction of a new greenhouse for cannabis cultivation and a new associated support structure for distribution, non-volatile manufacturing, and processing. Development within "F" district allows greenhouses and all nonhabitable accessory structures. Pursuant Title 21 Section 21.67.050.B1, indoor and mixed-light cannabis cultivation and cannabis nurseries may be permitted within existing greenhouses or agricultural support service facilities established prior to January 1, 2016. Additionally, on properties that contain one or more greenhouses legally established prior to January 1, 2016, cannabis cultivation may be permitted within new greenhouses and agricultural support service facilities. The project is consistent with the regulations for cannabis cultivation, pursuant Title 21 Section 21.67.050.B.1. The proposed application involves the establishment of a commercial cannabis facility within an existing greenhouse and an agricultural support service facility established before January 1, 2016 as well as the construction of a new greenhouse and associated support facility. No conflicts exist within the Monterey County Code (MCC) for this project, pursuant to MCC Chapter 7.90 and 21.67, the Mixed-Light cannabis cultivation (Type 1B, 2B, and/3B), nursery (Type 4) in existing structures, processing, and distribution of Applicant's products to other licensed cannabis facilities. Therefore, the project is an allowed land use for this site subject to an Administrative Approval.
- c) <u>Lot Legality.</u> The size and configuration of subject property (3.31 acres), APN 117-401-022-000, matches what is identified as Parcel C, on the Parcel Map of Lands of Mike Milladin, Et Al, filed for record on December 15, 1972 (Volume 3, Parcel Maps, Monterey County, Page 88). Therefore, the County recognizes the subject property as a legal lot of record.
- d) <u>Development Standards.</u> The development standards for Farmland Zoning Districts or "F" are set forth in Title 21, Section 21.30.060. Development in F districts for the main structures have regulations that include a front setback of 30 feet, side and rear setbacks of 20 feet, and a maximum height of 35 feet. Non-habitable accessory structures have regulations that include a front setback of 50 feet, side and rear setbacks of 6 feet, and a maximum height of 35 feet. Additionally, a Use Permit (PLN980633) was approved to increase the building site coverage from 50% to 68.86%. The subject property was developed prior to 1988 when the County required neither building permits nor zoning or planning review for greenhouses. The existing greenhouse on the property built in the absence of any planning/zoning

requirements do not comply with current setback and coverage requirements. The existing structures are considered legal nonconforming structures. The proposed new construction consists of two structures: a main structure, a greenhouse, include side setbacks of 20 feet and a rear setback of 128.5 feet, and an associated processing structure with side setbacks of 13 feet 1 inch to the north and 21 feet 3 inches to the south. Additionally, as proposed, all structures on the property will not exceed 35 feet and has a building site coverage of 51%, which is a decrease from historic use resulting from the project's associated demolition. Therefore, as proposed, the project meets all required development standards of Title 21.

- e) The application involves use of 29,415 square feet of existing greenhouse and proposes the development of 13,440 square feet of greenhouse for cannabis cultivation. The project also involves the use of the use of 6,899 square feet of existing structures and proposes the construction of a 25,000 square foot accessory structure for processing and office uses. No conflicts exist within the Monterey County Code (MCC) for this project, pursuant to MCC Chapter 7.90 and 21.67, the Mixed-Light cannabis cultivation (Type 1B, 2B, and 3B) in existing structures and processing in the warehouse building.
- f) <u>Location.</u> In accordance with Title 21 Section 21.67.050.B.4, and as demonstrated in Finding No. 5, the property is located more than 600-feet from the nearest school, public park, and drug recover facility.
- g) <u>Unique Identifiers.</u> In accordance with Title 21 Section 21.67.050.B.5, the Operation Plan describes how the applicant will implement a Unique Identifier program that is capable of tracking each batch or crop back to its source. The Unique Identifier program will be linked with the appropriate track and trace program. All cannabis will be entered into the track-and-trace system starting from seed.
- h) <u>Security:</u> The Operation Plan provides a detailed description of security measures to be implemented in accordance with Title 21 Section 21.67.050.B.6. New outdoor lighting, minimal motion-sensing detectors and security cameras are on site to deter trespassing and theft of cannabis and cannabis products.
- i) <u>Pesticides and Fertilizers.</u> In accordance with Title 21 Section 21.67.050.B.7, the Operation Plan includes measures taken to comply with the rules in place for safety of use and storage.
- j) <u>Water conservation measures.</u> Consistent with Title 21 Sections 21.67.050.B.8 and 21.67.050.C.4, the cultivation includes adequate measures to minimize use of water for medical cannabis cultivation at the site such as drip irrigation to prevent irrigation run-off to increase efficiency.
- k) <u>Energy Efficiency.</u> The project is consistent with the requirement specified in accordance with Title 21 Sections 21.67.050.B.9 and 21.67.050.C.5. The commercial cannabis operations will require measures to increase the energy efficiency of the greenhouse operation. The Operation Plan, sustainability measures, includes repairing all holes, openings, and cracks in the greenhouse, cover structural elements with insulation, adding thermal screens, and sealing fans.

- <u>Visibility.</u> In accordance with Title 21 Section 21.67.050.B.10, no plants or advertisements of cannabis plants or products will be visible from off-site. The property will be enclosed with a 6-foot tall chain link fence with razor wire top enclosing the property.
- m) <u>Canopy size:</u> State law currently restricts cultivation by any permittee or licensee to a total of 4 acres state-wide. The applicant has a total cultivation area of approximately 164,353 square feet (Approx. 3.77 acres), across four parcels. Therefore, the canopy size will be below the State required limitation, consistent with Title 21 Section 21.67.050.B.11. The application materials include statements that the applicant is not currently cultivating elsewhere in the State.
- n) <u>Additional Permits and Licenses.</u> Cultivation at the site will be required to obtain the appropriate Commercial Cannabis Business Permits pursuant to Chapter 7.90 of the Monterey County Code and Business License pursuant to Chapter 7.100 of the Monterey County Code. These licenses and entitlements will ensure ongoing monitoring of compliance with the plans and operational requirements. Failure to obtain and maintain all required permits, licenses, and entitlements may be ground for revocation of this permit.
- Land Use Advisory Committee. The project was referred to the North County Advisory Committee and the project was unanimously supported as proposed. The project was also referred to the Agricultural Advisory Committee and was supported as proposed.
- p) The project planner conducted a virtual site inspection using Google Earth on November 1, 2022, to verify that the site conforms to the plans listed above.
- q) The application, project plans, and support materials submitted by the project applicant to Monterey County HCD-Planning for the proposed development are found in Project File No. PLN170285.

# 2. FINDING: SITE SUITABILITY: The site is physically suitable for the use proposed.

- **EVIDENCE:** a) The project has been reviewed for site suitability by the following departments and agencies: HCD- Planning, North County Fire Protection District, HCD-Engineering Services, HCD-Environmental Services, Environmental Health Bureau and the Agricultural Commissioner's Office. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
  - b) <u>Odor.</u> The unique air pressurized system is designed to use negative and positive air pressure to prevent odors from escaping and contaminants from entering the sterile environment. There will be no cannabis activities taking place outside of this area.
  - c) Operational plans including security, tracking, reporting, sustainability measures, and other relevant information are proposed to address regulatory requirements and minimize impacts at the site and in the surrounding areas (also see Finding No. 1).
  - d) The project planner conducted a virtual site inspection using Google Earth on November 1, 2022, to verify that the site is suitable for this use.

- e) The application, project plans, and related support materials submitted by the project applicant to the Monterey County HCD - Planning for the proposed development found in Project File PLN170285.
- 3. FINDING: HEALTH AND SAFETY: The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.
  - **EVIDENCE:** a) The project was reviewed by HCD-Planning, HCD-Environmental Services, HCD-Engineering Services, Environmental Health Bureau, North County Fire Protection District, and the Agricultural Commissioner's Office. The respective agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
    - b) Necessary public facility available includes domestic water provided by an on-site private water well. The commercial cannabis operation on this site is currently limited to activity within the greenhouse structure and proposed no on-site wastewater treatment system (OWTS). The Environmental Health Bureau (EHB) has reviewed the project and has found it acceptable with non-standard conditions of approval: allowing interim use of portable toilets until such time that additional structures are occupied or constructed that necessitate the installation of fixed restrooms connected to an OWTS approved and permitted by EHB; and requiring a cross-connection control survey be completed by a qualified professional to identify potential crossconnection and recommend mitigations.
    - c) Operational plans including security, tracking, reporting, sustainability measures, and other relevant information are proposed to address regulatory requirements and minimize impacts at the site and in the surrounding areas (also see Finding No. 1).
    - d) Costa Bella, LLC will inspect packaging, labeling, and weighing devices used onsite.
    - e) The application, project plans, and related support materials submitted by the project applicant to the Monterey County HCD-Planning for the proposed development found in Project File PLN170285.

in Title 21 Section 21.67.050 (also see Finding No. 1). Required

FINDING: STATE AND COUNTY REQUIREMENTS: As proposed, the applicant has demonstrated that they can and will comply with all of the requirements of the State and County for the cultivation of medical cannabis.
EVIDENCE Operational plans including security measures, track and trace programs, monitoring and reporting requirements, packaging and labeling standards, sustainability measures, and other relevant information are proposed to address regulatory requirements contained

conditions of approval specified in Title 21 Section 21.67.050.D have been incorporated.

- 5. FINDING: REQUIRED SETBACKS: The cultivation will not be located within a six hundred foot radius of a school providing instruction in kindergarten or any grades 1 through 12, a child care center, a youth center, a playground, or a drug recovery facility that is in existence at the time of approval of permits by the Appropriate Authority.
  - **EVIDENCE:** a) The cultivation and manufacturing operation will be located at 745 A, B, C, and 755 B San Juan Road, Royal Oaks.
    - b) The closest public park is Kirby Park, located approximately 20,000 feet South of the subject property.
    - c) The closest school is Pajaro Middle School, located over 4,000-feet southwest of the subject property.
    - d) The closest drug recovery facility is Alto Counseling Center, located over 4,000-feet Northwest of the subject property.
- 6. FINDING: QUALITY CONTROL: Adequate measures are proposed to ensure that medical cannabis cultivated at the site meets the industry standards.
  - **EVIDNECE:** a) Cannabis and cannabis products supplied by the applicant, except for immature cannabis plants and seeds, are subject to quality assurance and testing prior to the sale to a retailer, microbusiness, or nonprofit. California regulation for compliance testing is the responsibility for those with a Distribution License. The applicant, at the time of the approval of this permit, does not have a distribution license. Until the applicant obtains a distribution license, they will only sell to licensed distributors who are responsible for completing the compliance testing.
    - b) Operational standards that ensure testing of each batch of cannabis produced at the site will be addressed through the Commercial Cannabis Business Permit required pursuant to Chapter 7.90 of the Monterey County Code.
- 7. FINDING: FEDERAL COMPLIANCE: The cultivation will provide adequate measures that address the federal enforcement priorities for cannabis activities including restricting access to minors, prohibiting use or possession of firearms for security purposes at the premises, and ensuring that medical cannabis and medical cannabis products are supplied from permitted and licensed sources.
  - **EVIDENCE:** a) Plans and materials contained in file PLN170285 include descriptions of security measures that restrict youth access to the site. Unique identifiers, track and trace systems, and adequate records will be kept providing on-going evidence of non-diversion requirements. On-site security is prohibited from carrying lethal weapons.
    - Background checks of all persons with 10 percent or more interest in the cannabis businesses will be conducted. Any known association with organized crime may be grounds for denial of business permits and State licenses required to operate the dispensary.
    - c) Violations of Federal Enforcement priorities may be grounds for revocation of this permit.

- 8. FINDING: NO VIOLATIONS The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance.
  - **EVIDENCE:** a) Staff reviewed Monterey County HCD-Planning and Building Services records and is not aware of any violations existing on subject property.
    - b) Staff conducted a virtual site inspection using Google Earth on November 1, 2022 and researched County records to assess if any violation exists on the subject property.
    - c) The application, plans and supporting materials submitted by the project applicant to Monterey County HCD-Planning for the proposed development are found in Project File No. PLN170285.

## 9. FINDING: CEQA (Consider the Previously-Adopted Initial Study/Negative Declaration) – The project is consistent with the previously adopted North Monterey County Cannabis Facilities Projects Initial Study/Negative Declaration (IS/ND). Pursuant to Section 15162 of the California Environmental Quality Act (CEQA) Guidelines, when a negative declaration has been adopted for a project, no subsequent EIR shall be prepared for that project if the lead agency determines one or more of the following:

- i. No substantial changes are proposed in the project which will require major revisions to the previous IS/ND and due to involvement of new significant environmental effects or a substantial increase in the severity of previously identified impacts;
- ii. No substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions to the previous IS/ND and due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects; and
- No new information of substantial importance has been provided which was not known at the time of the previous IS/ND was adopted
- **EVIDENCE:** a) North Monterey County Cannabis Facilities Projects (IS/ND) (State Clearinghouse No. 2022030457, HCD-Planning File No. REF220024), adopted by the Board of Supervisors on October 4, 2022, and is herein incorporated by reference, evaluated potential cumulative effects of 5 sites that proposed to cultivate cannabis within existing greenhouses or industrial buildings.
  - b) The project consists of establishment a commercial cannabis mixedlight cultivation and non-volatile processing in existing structures, as well as the construction of two new structures of the same purpose. The existing structures on the same site will operate as cannabis cultivation and processing and will not change the nature or intensity of the use. The project involves the use of 29,415 square feet of existing greenhouse and proposes the construction of 13,440 square feet of greenhouse. The project also involves the use of 6,899 square

feet of existing structures and proposes the construction of 25,000 square feet of new associated processing structure, totaling 31,899 square feet for processing and office uses.

- c) Pursuant to Section 15168(c)(4) of the CEQA Guidelines, there is no new information of substantial importance that was not acknowledged when the IS/ND adopted. According to CEQA Consistency Checklist for Cannabis Cultivation Facilities (attached to this resolution and incorporated herein by reference), no substantial changes occur with respect to the circumstances under the IS/ND. The proposed project was analyzed and mitigated, as required in the previously identified significant effects at the time the IS/ND was adopted.
- d) Pursuant to Section 15162 of the CEQA Guidelines, there are no substantial modifications proposed in the project that would require major revision to the previously adopted IS/ND.
- e) None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. The project is not in a particularly sensitive environment, would not result in cumulatively considerable impacts, would not impact a hazardous waste site or historical resources, and would not damage scenic resources.
- f) The materials upon which the County's decision is based are located in HCD-Planning, 1441 Schilling Place, 2nd Floor, Salinas, CA.
- g) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning for the proposed development found in Project File PLN170285.

# **10. FINDING: APPEALABILITY -** The decision on this project may be appealed to the Planning Commission.

**EVIDENCE:** Pursuant to Title 21 Section 21.80.040(A), the Planning commission is the Appeal Authority to consider appeals from the discretionary decisions of the Director of Planning made pursuant to this Title. The decision of the Planning commission shall be final and may not be appealed.

## **DECISION**

**NOW, THEREFORE**, based on the above findings and evidence, the Chief of Planning does hereby:

- A. Consider the North Monterey County Cannabis Facilities Projects Initial Study/Negative Declaration (IS/ND) (HCD-Planning File No. REF220024, SCH No. 2022030457), and finds the project consistent with the IS/ND pursuant to Section 15162 of the CEQA Guidelines; and
- B. Approve the Administrative Permit to allow commercial cannabis activities consisting of cultivation and nursery within an existing 29,415 square foot greenhouse and within a new 13,440 square foot greenhouse; processing, non-volatile manufacturing, and self-distribution within an existing 4,265 square foot building and within a new 25,000 square foot building.

All of which are in general conformance with the attached plans, and this approval is subject to the conditions of approval, all being attached hereto and incorporated herein by reference.

**PASSED AND ADOPTED** this 21<sup>st</sup> day of December, 2022.

Craig Spencer HCD Chief of Planning

COPY OF THIS DECISION MAILED TO APPLICANT ON \_\_\_\_\_

THIS APPLICATION IS APPEALABLE TO THE PLANNING COMMISSION.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE \_\_\_\_\_

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

### <u>NOTES</u>

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from Monterey County HCD-Planning and HCD-Building Services Department office in Salinas.

2. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

This page intentionally left blank

# **County of Monterey HCD Planning**

# DRAFT Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN170285

#### 1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

Condition/Mitigation This Administrative Permit (PLN170285) allows commercial cannabis activities **Monitoring Measure:** consisting of cultivation and nursery within an existing 29,415 square foot greenhouse and within а new 13,440 square foot greenhouse; processing, non-volatile manufacturing, and self-distribution within an existing 4,265 square foot building and within a new 25,000 square foot building. The property is located at 745 San Juan Road, Royal Oaks (Assessor's Parcel Number 117-401-022-000), North County Area Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of RMA -Any use or construction not in substantial conformance with the terms and Planning. conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

### 2. PD002 - NOTICE PERMIT APPROVAL

#### Responsible Department: RMA-Planning

Condition/Mitigation The applicant shall record a Permit Approval Notice. This notice shall state:

"An Administrative Permit (Resolution Number \*\*\*) was approved by the Chief of Planning for Assessor's Parcel Number 117-401-022-000 on December 21, 2022. The permit was granted subject to 16 conditions of approval which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."

Proof of recordation of this notice shall be furnished to the Director of RMA - Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits, certificates of compliance, or commencement of use, whichever occurs first and as applicable, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning.

#### 3. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

Responsible Department: RMA-Planning

Condition/Mitigation lf, during the course of construction, cultural, archaeological, historical or **Monitoring Measure:** paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. Monterey County RMA - Planning and a qualified archaeologist (i.e., an archaeologist registered with the Register of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for recovery. (RMA - Planning)

(rang)

**Compliance or** The Owner/Applicant shall adhere to this condition on an on-going basis.

Action to be

Performed: Prior to the issuance of grading or building permits and/or prior to the recordation of the final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans. The note shall state "Stop work within 50 meters (165 feet) of uncovered resource and contact Monterey County RMA - Planning and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered."

When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.

#### 4. PW0001 - FRONTAGE IMPROVEMENTS

Responsible Department: RMA-Public Works

- Condition/Mitigation Monitoring Measure: Applicant/Owner shall remove all unpermitted rocks/boulders from right-of-way along the property frontages. Improve curb, gutter, install sidewalk and construct driveway connections, and pave-out along the frontage of San Juan Road. The design and construction is subject to the approval of the RMA. Encroachment Permits are required for all work within the public right-of-way.
  - Compliance or Owner/Applicant shall submit the design for review and approval of the RMA-PWF, Monitoring obtain an encroachment permit from the RMA prior to issuance of building or grading Action to be and construct and complete improvements permits. prior to occupancy or Performed: commencement of use. Applicant is responsible obtain all permits to and environmental clearances.

#### 5. PW0007 - PARKING STANDARD

Responsible Department: RMA-Public Works

**Condition/Mitigation** Monitoring Measure: The parking stalls and circulation shall meet County standards, and shall be subject to the approval of the RMA.

**Compliance or Monitoring Action to be Prior to Building/Grading Permits Issuance, the Owner's/Applicant's engineer/architect shall prepare a parking plan and submit plans for review and approval. Performed:** 

#### 6. PW0045 – COUNTYWIDE TRAFFIC FEE

**Condition/Mitigation Monitoring Measure:**Prior to issuance of building permits, the Owner/Applicant shall pay the Countywide Traffic Fee or the ad hoc fee pursuant to General Plan Policy C-1.8. The fee amount shall be determined based on the parameters in the current fee schedule.

Compliance or Monitoring Action to be Performed: Prior to issuance of Building Permits, the Owner/Applicant shall pay Monterey County RMA Building Services the traffic mitigation fee. The Owner/Applicant shall submit proof of payment to the Development Services.

#### 7. EHSP01 – WASTEWATER OPERATIONS (Non-Standard)

Responsible Department: Health Department

- Condition/Mitigation Monitoring Measure: Commercial cannabis operations on this site are currently limited to activities within greenhouse structures determined by Monterey County HCD to be of Group U occupancy type. As a result, long term use of portable toilets shall be allowed until such time that additional structures are occupied or constructed that necessitate the installation of fixed restrooms connected to an onsite wastewater treatment system approved and permitted by the Environmental Health Bureau.
  - Compliance or Monitoring Action to be Performed: Performed: Prior to issuance of Commercial Cannabis Business Permit (CNB) and subsequent renewal, the applicant shall submit evidence of portable toilet service to the EHB for review and acceptance. Records of waste hauling and servicing of the portable toilets may be requested during routine inspections associated with the CNB. In the event that a CNB is no longer required, an operating permit may be required to be obtained from the EHB to ensure ongoing operation and maintenance of the portable toilets.

At such time that the commercial cannabis operation expands into structures where installation of fixed restrooms is required, an onsite wastewater treatment system (OWTS) application, feasibility report, design and all applicable fees shall be submitted to EHB for review and approval. The OWTS shall be installed in accordance with the approved permit and this condition shall no longer apply.

#### 8. EHSP02 - ONSITE CROSS-CONNECTION CONTROL SURVEY (Non-Standard)

Responsible Department: Health Department

Condition/Mitigation The proposed commercial cannabis operation will receive domestic water service from Monitoring Measure: Pajaro/ Sunny Mesa Community Services District (PSMCSD) and irrigation from a well located on an adjacent property. To prevent backflow of water utilized for onsite cultivation and manufacturing activities into the onsite domestic supply, а cross-connection control survey shall be completed by a gualified professional to identify potential cross-connections and recommend mitigations.

Compliance or Monitoring Action to be Performed: Prior to issuance of construction permits for proposed processing Building K or for tenant improvements to support non-volatile manufacturing in Building J, the applicant shall submit to the following information to the Environmental Health Bureau (EHB) for review and acceptance:

• a detailed site plan, specifying any and all equipment that will receive water from or be connected to the onsite domestic water supply; and

• a cross-connection control survey that has been completed by a qualified professional that identifies potential cross-connections and recommends mitigations.

Prior to occupancy, submit to the following information to the Environmental Health Bureau (EHB)for review and acceptance:

• a final cross-connection control survey that has been completed by a qualified professional that confirms that all cross-connections have been mitigated.

#### 9. PD006(A) - CONDITION COMPLIANCE FEE

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors, for the staff time required to satisfy conditions of approval. The fee in effect at the time of payment shall be paid prior to clearing any conditions of approval.

**Compliance or Monitoring Action to be Prior** to clearance of conditions, the Owner/Applicant shall pay the Condition **Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors. Performed:** 

#### 10. PDSP001-OPERATIONAL COMPLIANCE INSPECTIONS

Responsible Department: RMA-Planning

**Condition/Mitigation Monitoring Measure:** The owner and permittees shall allow access to the premises and access to records if requested by the County, its officers, or agents, and shall pay for an annual inspection and submit to inspections from the County or its officers to verify compliance with all relevant rules, regulations, and conditions.

Compliance or Monitoring Action to be Performed:

#### 11. PDSP002 – INSPECTION OF RECORDS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant, owner, and permittees agree to submit to and pay for, inspection of the operations and relevant records or documents necessary to determine compliance with Chapter 21/20.67 from any enforcement officer of the County or their designee.

**Compliance or Monitoring Action to be Performed: On-going during cannabis operations.** The owner and/or permittee shall allow access to cannabis business records and pay any required inspection fees.

#### 12. PDSP003 - COMMERCIAL CANNABIS PERMIT

Responsible Department: RMA-Planning

**Condition/Mitigation Monitoring Measure:** Any person, business, or entity operating a commercial cannabis activity on the property shall obtain a valid and fully executed Commercial Cannabis Business Permit pursuant to Chapter 7.90 of the Monterey County Code prior to commencing commercial cannabis activities at the site and must maintain such permits in good standing in order to continue operations.

**Compliance or Monitoring Action to be Performed:** Within 90 days of approval of a Use Permit/Coastal Development Permit, the person, business, and/or entities operating commercial cannabis activities shall obtain all required Commercial Cannabis Business Permits.

#### 13. PDSP004 – GROUNDS FOR REVOCATION

#### Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The property owner shall be responsible for ensuring that all commercial cannabis activities at the site operate in good standing with all permits and licenses required by the Monterey County Code and State law. Failure to take appropriate action to evict or otherwise remove permittees and persons conducting commercial cannabis activities at the site who do not maintain permits and licenses in good standing with the County and State shall be grounds for the suspension or revocation of this permit.

Compliance or Monitoring Action to be Performed: On-going during cannabis operations at the site. The owner shall ensure that all commercial cannabis operations have obtained and maintain all required permits, licenses, and entitlements or take appropriate actions to evict operators who do not maintain appropriate permits, licenses, and entitlements.

### 14. PDSP005 - COMPLIANCE WITH OPERATIONS PLANS

Responsible Department: RMA-Planning

**Condition/Mitigation** The commercial cannabis activities shall be maintained in accordance with the **Monitoring Measure:** operation plans approved by the County.

**Compliance or Monitoring Action to be Performed:** On-going during cannabis operations. Cannabis activities shall comply with the operations plans attached to this permit and as may be approved under a Commercial **Cannabis Business Permit.** 

#### 15. PDSP006 - ODOR CONTROL

Responsible Department:	RMA-Planning				
<b>Condition/Mitigation</b> Monitoring Measure: The property owner shall ensure that any cannabis business operating o to Section 7.90.100.A.8 of the Monterey Code, as may be amended. C devices and techniques, such as ventilation system with a carbon f incorporated to ensure that odors from cannabis are not detectable off-site.					
Compliance or Monitoring Action to be Performed:	Prior to issuance of Commercial Cannabis Business Permits, the owner/applicants shall provide plans and information to the satisfaction of the Chief of Planning, describing how odors will be controlled and how the odor control devices will be maintained.				

Odor prevention devices shall be maintained in accordance with approved odor control plans during the life of the operations.

#### **16. CC01 INDEMNIFICATION AGREEMENT**

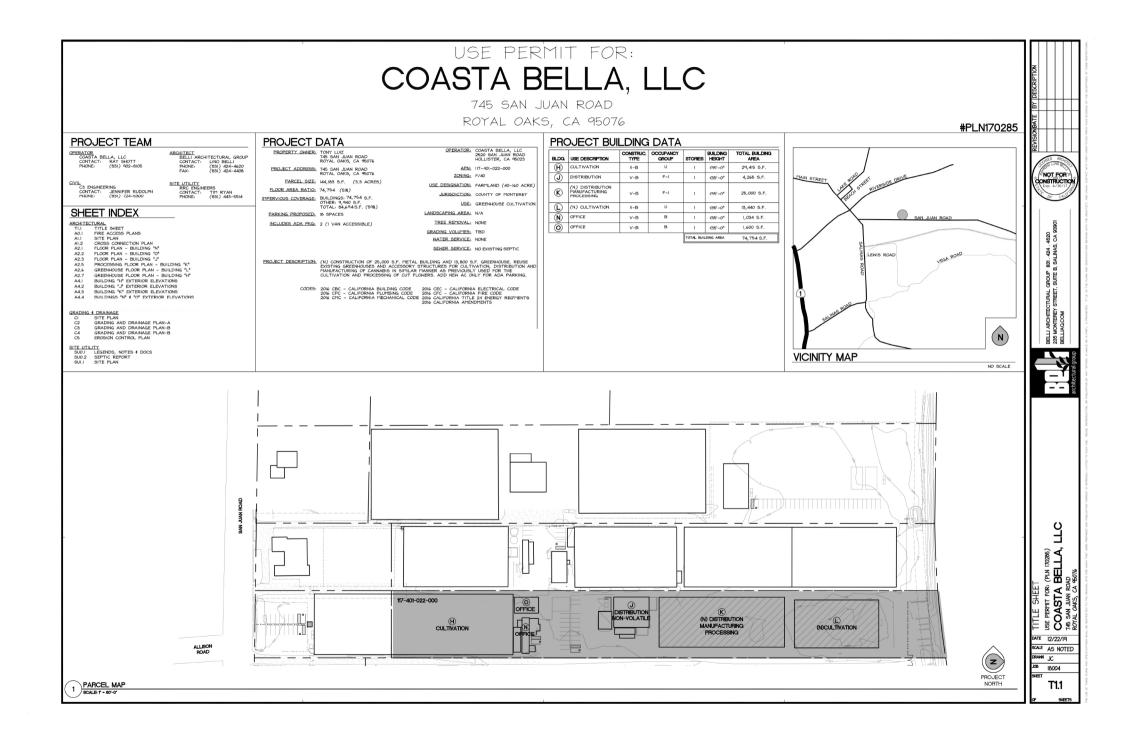
### Responsible Department: County Counsel-Risk Management

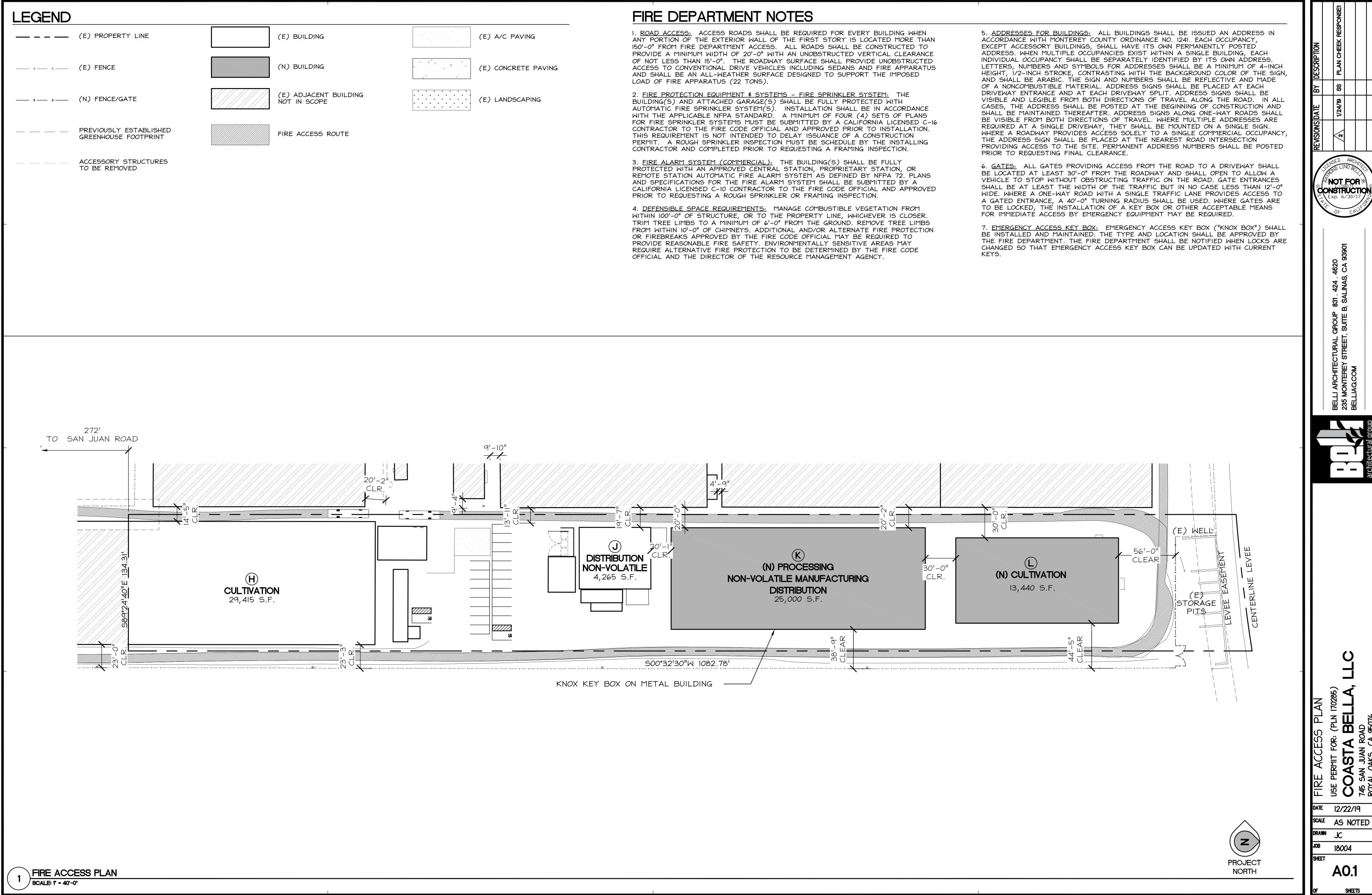
Condition/Mitigation The property owner agrees as a condition and in consideration of approval of this Monitoring Measure: discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the County for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. The County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his/her/its obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of property, filing of the final map, recordation of the certificates of compliance whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the County harmless. (County Counsel-Risk Management)

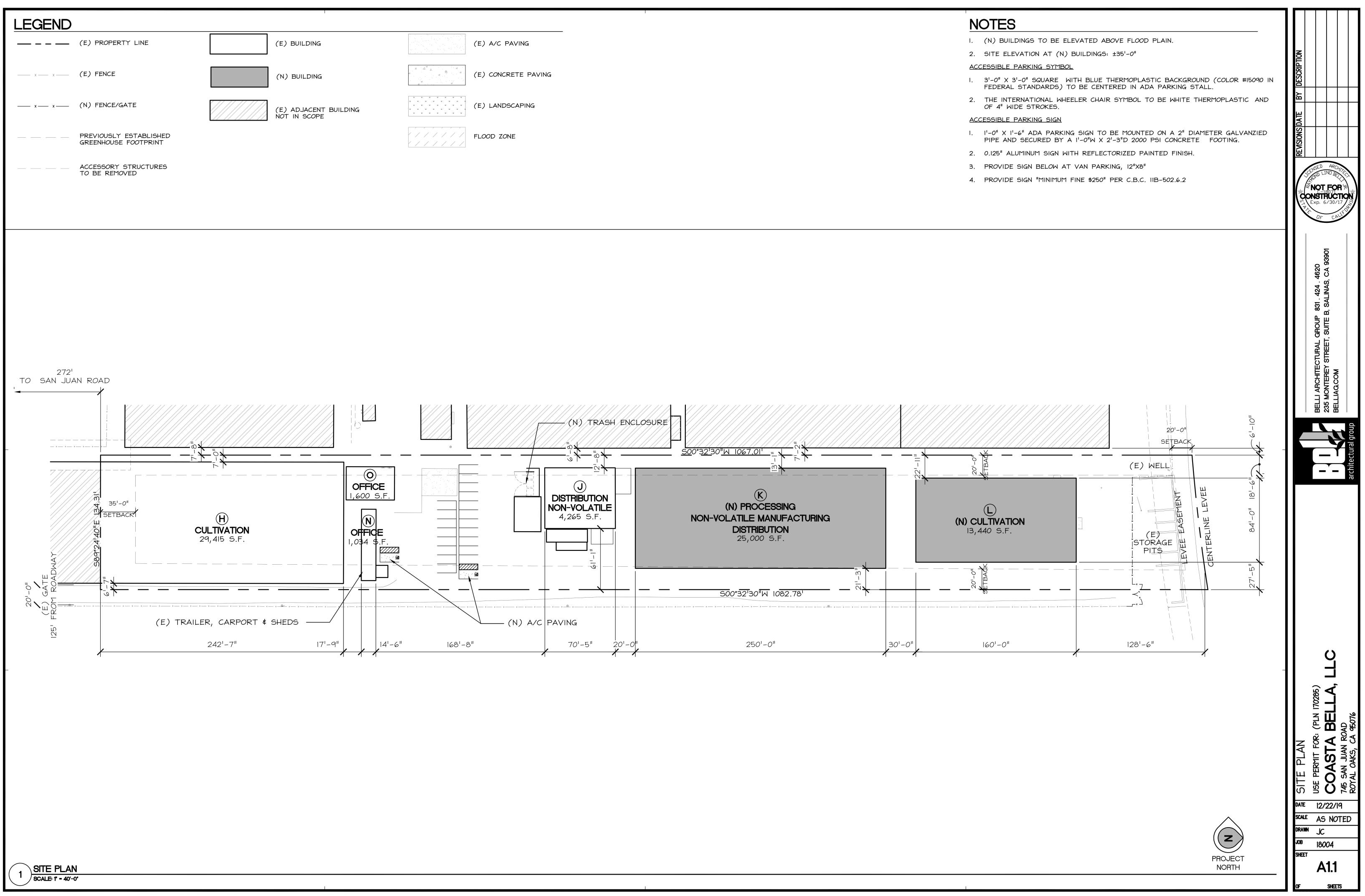
Compliance or Monitoring Action to be Performed:

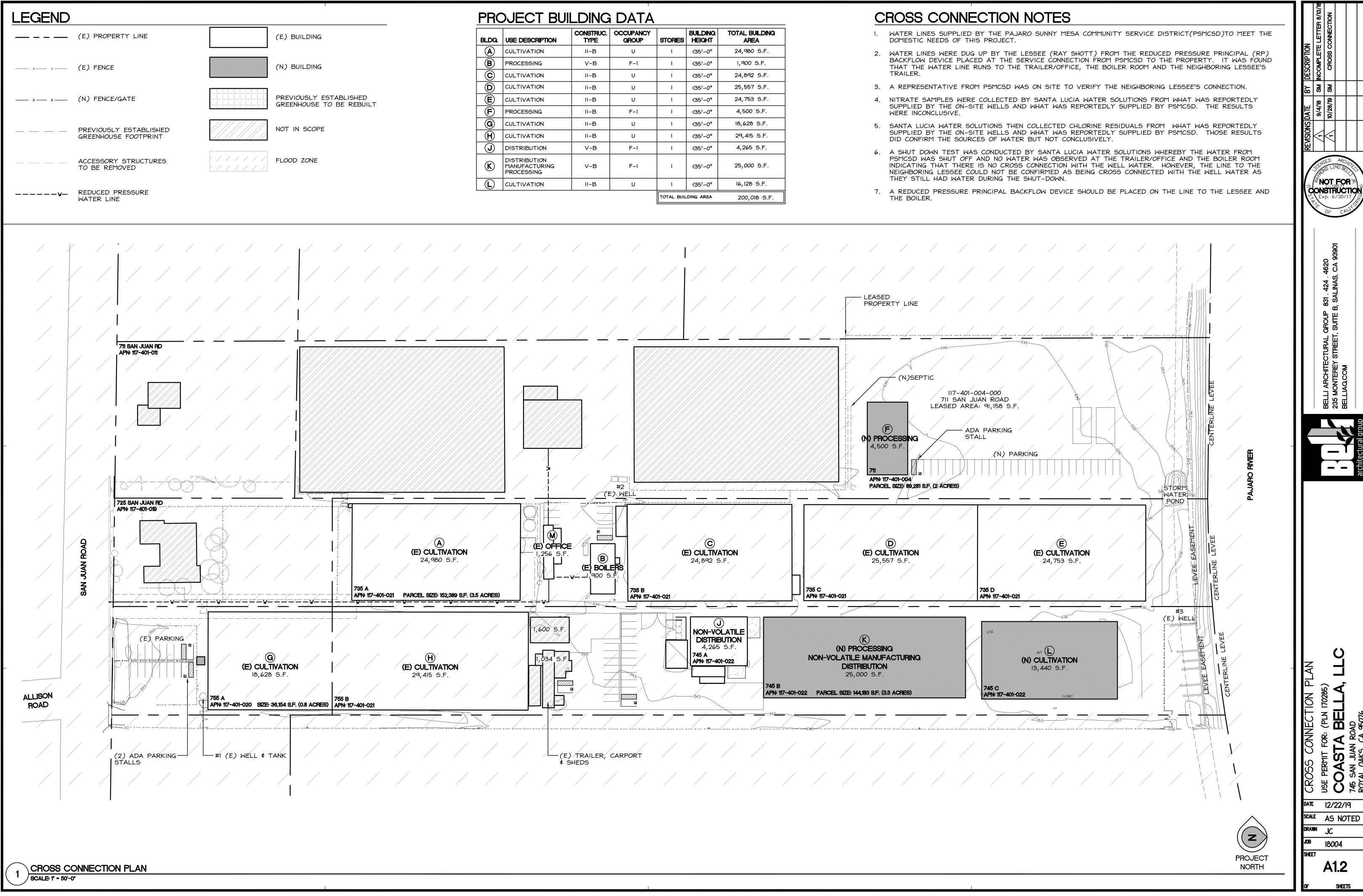
Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, recording of the final/parcel map, or recordation of Certificates of ed: Compliance, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to the Office of County Counsel-Risk Management for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the Office of County Counsel-Risk Management





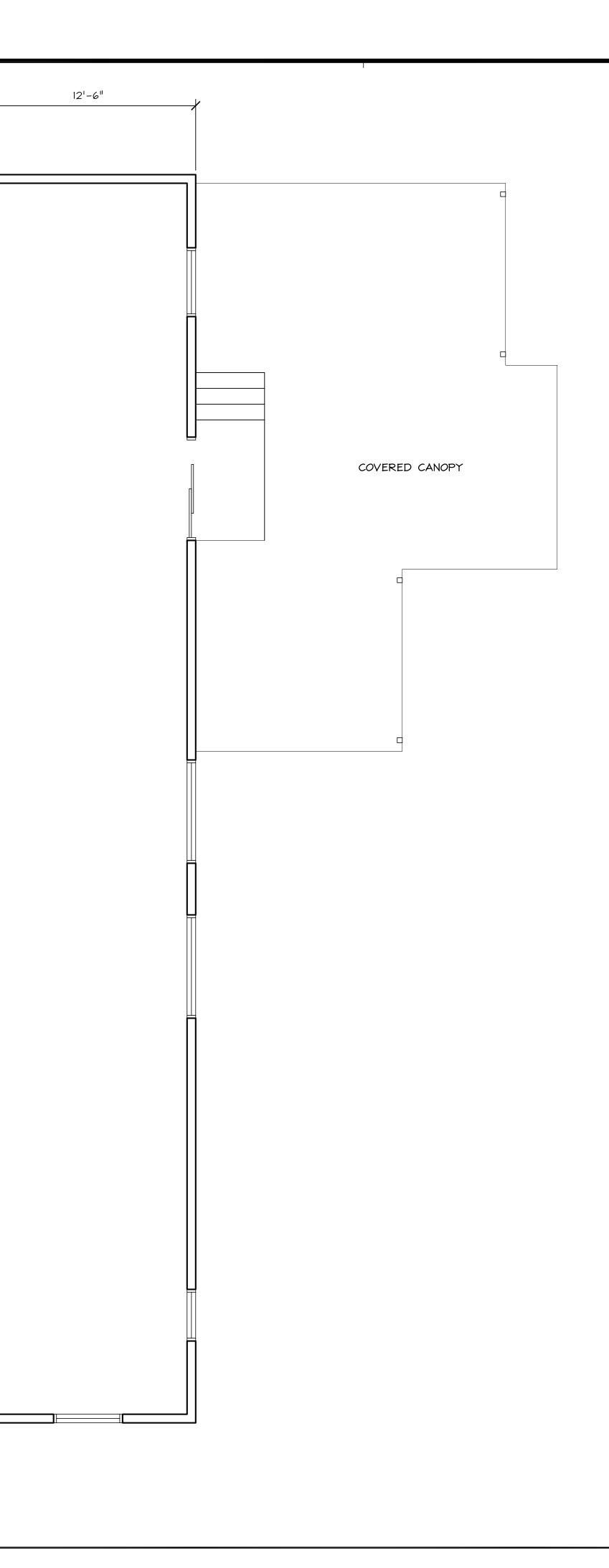




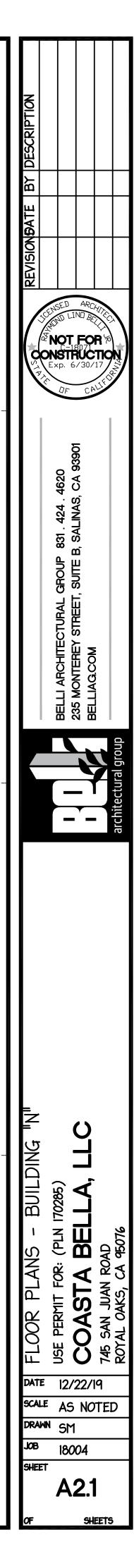
PROJECT BUILDING DATA							
BLDG.	USE DESCRIPTION	CONSTRUC. TYPE	OCCUPANCY GROUP	STORIES	BUILDING HEIGHT	TOTAL BUILDING AREA	
A	CULTIVATION	II-B	U	1	<35' <i>-0</i> "	24,980 S.F.	
B	PROCESSING	V-B	F-1	1	<35' <i>-0</i> "	1,900 S.F.	
C	CULTIVATION	II-B	U	1	(35'-0"	24,892 S.F.	
D	CULTIVATION	II-B	U	1	(35'-0"	25,557 S.F.	
E	CULTIVATION	II-B	U	1	(35'-0"	24,753 S.F.	
F	PROCESSING	II-B	F-1	1	(35'-0"	4,500 S.F.	
G	CULTIVATION	II-B	U	1	<35' <i>-0</i> "	18,628 S.F.	
H	CULTIVATION	II-B	U	1	<35' <i>-0</i> "	29,415 S.F.	
J	DISTRIBUTION	V-B	F-1	1	<35' <i>-0</i> "	4,265 S.F.	
K	DISTRIBUTION MANUFACTURING PROCESSING	V-B	F-1	1	<35' <i>-0</i> "	25, <i>000</i> S.F.	
L	CULTIVATION	II-B	U	1	<35' <i>-0</i> "	16,128 S.F.	
				TOTAL BUIL	DING AREA	200,018 S.F.	

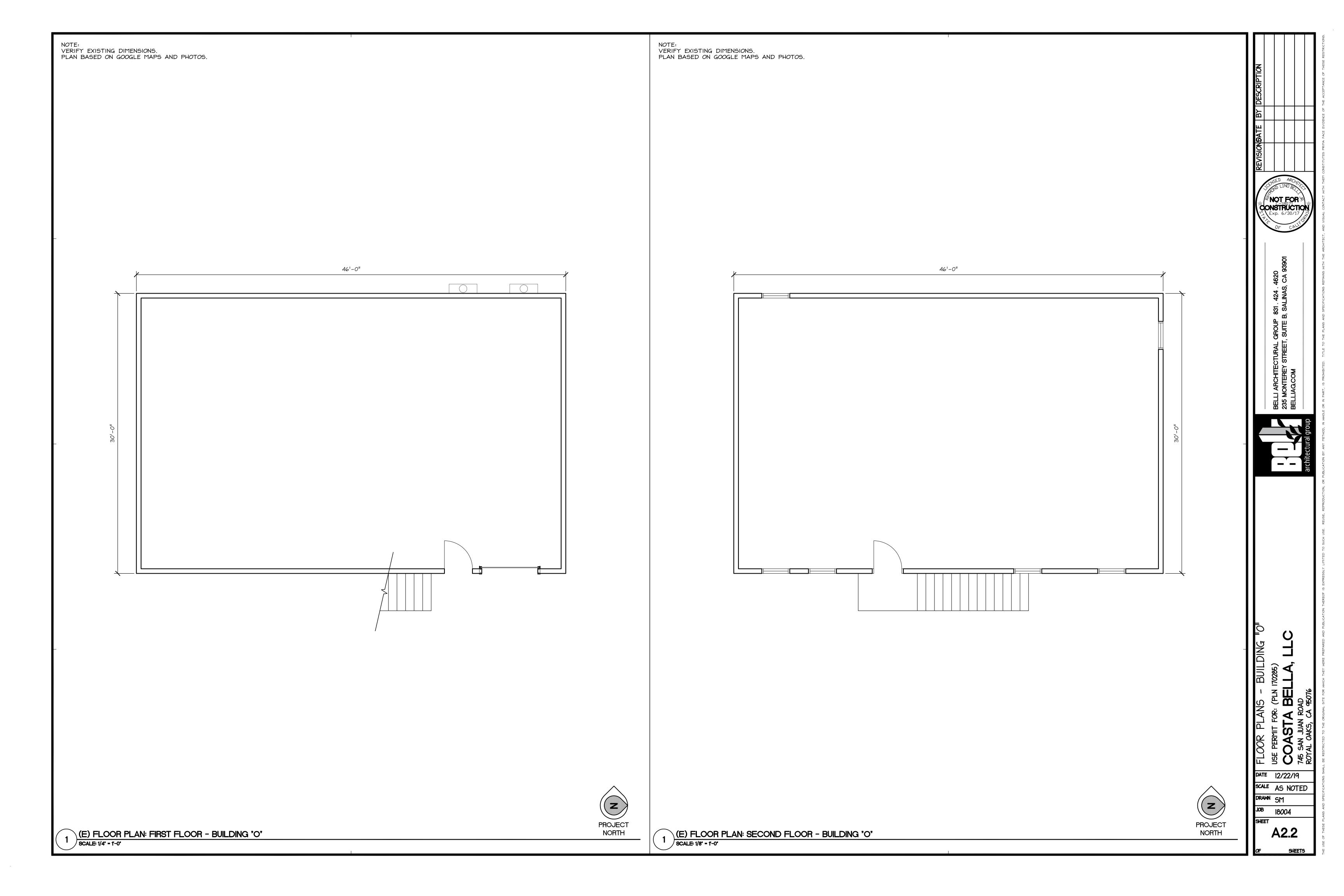
NOTE: VERIFY EXISTING DIMENSIONS. PLAN BASED ON GOOGLE MAPS AND PHOTOS.

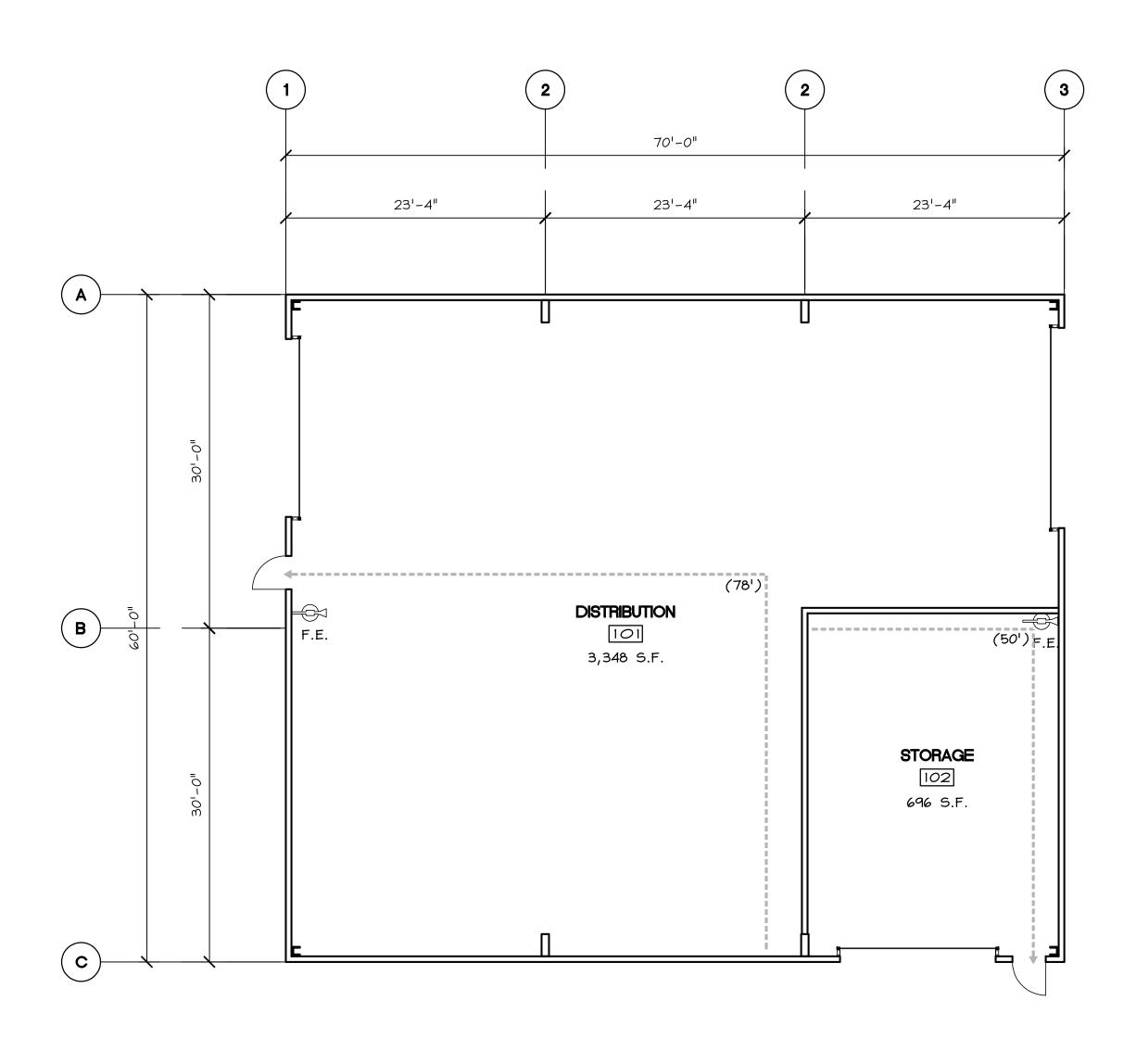
72'-(













<u>NOT</u> 1.	<u>E:</u> THE MAXIMUM TRAVEL DISTANCE FROM ANY POINT IN THE BUILDING TO AN
	APPROVED EXIT SHALL NOT EXCEED 300'-0"/.
2.	ONE EXIT IS REQUIRED FOR EACH 15,000 S.F. OF AREA OR FRACTION THEREOF

3. 2A:10BC FIRE EXTINGUISHER W/ VALID CERTIFICATION TAGS ATTACHED: (1) PER 3,000 S.F. OR FRACTION THEREOF; MAX. TRAVEL DISTANCE 75'-0"; MOUNTED ON A WALL w/ TOP NOT MORE THAN 5'-0" A.F.F

LEGEND						
	2x METAL STUD WALL FRAMING	â				
101	ROOM NUMBER					
- 🕞 F.E.	2A:10BC FIRE EXTINGUISHER W/ V4 (1) PER 3,000 SF OR FRACTION T 75'-0"; MOUNTED ON A WALL ω/					
(travel di	istance) PATH OF TRAVEL	(ONE FOOT-CANDLE SHALL BE MAINTAINED THE FULL WIDTH OF EGRESS PATH OF TRAVEL)				

# ROOM LEGEND

ROOM	OCCUPANCY	AREA (S.F.)	OCC. LOAD FACTOR	OCC. LOAD	EXITS REQ'D	REQ. WIDTH OF STAIRS (0.3)		COMMENTS
101	5-1	3,348	1/500	6.69	I	44"	36"	I EXITS REQ'D TABLE 1019.1
102	S-1	696	1/500	1.39	1	44"	36"	I EXITS REQ'D TABLE 1019.1
TOTAL						-		

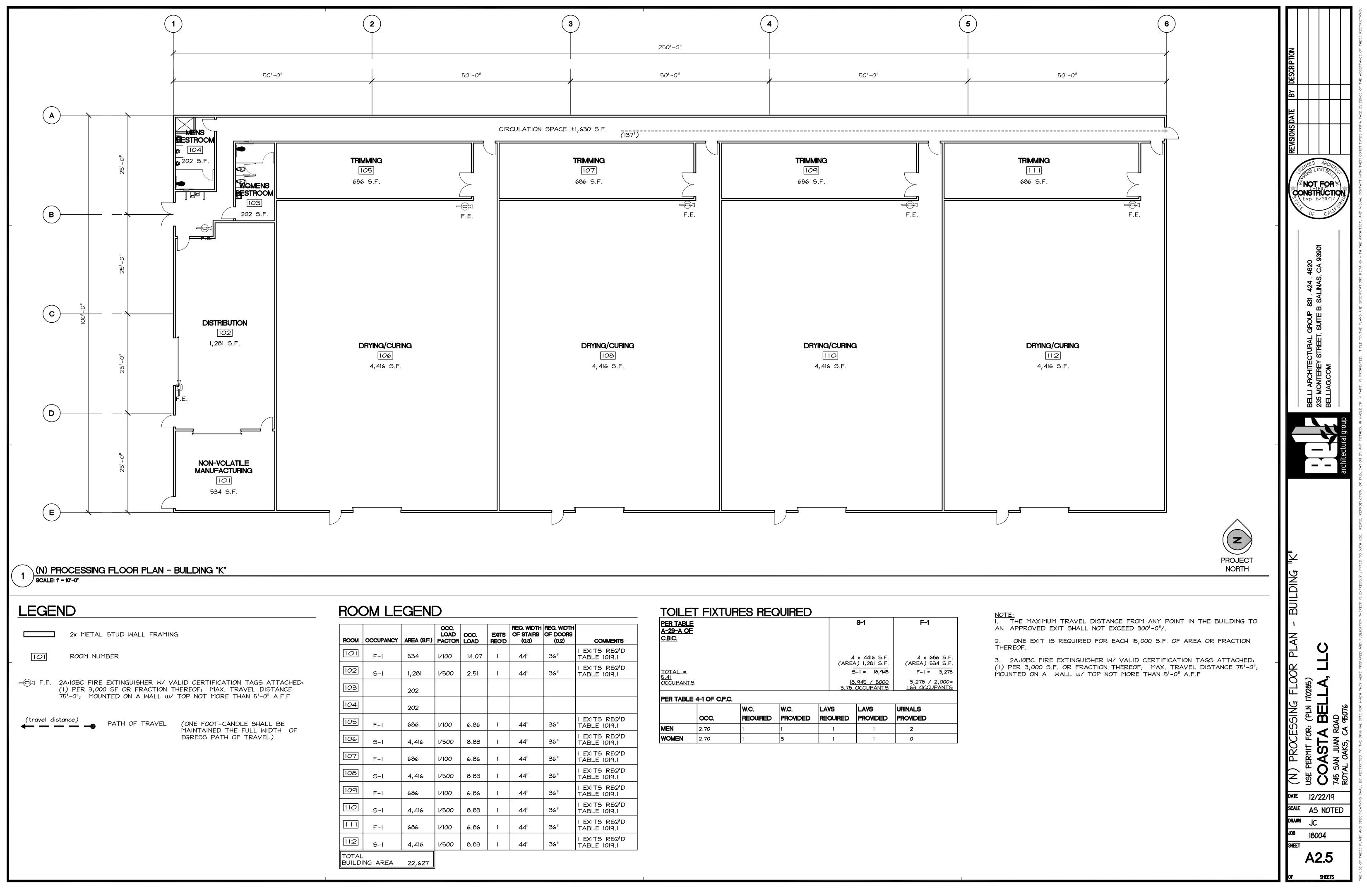
TOTAL BUILDING AREA 4,044

TOILET FIXTURES REQUIRED PER TABLE A-29-A OF C.B.C.
TOTAL = 0.80 OCCUPANTS

**S-1** 696 S.F. (AREA) 3,348 S.F. F-1 = 4,044 4,044 / 5,000= 0.80 OCCUPANTS

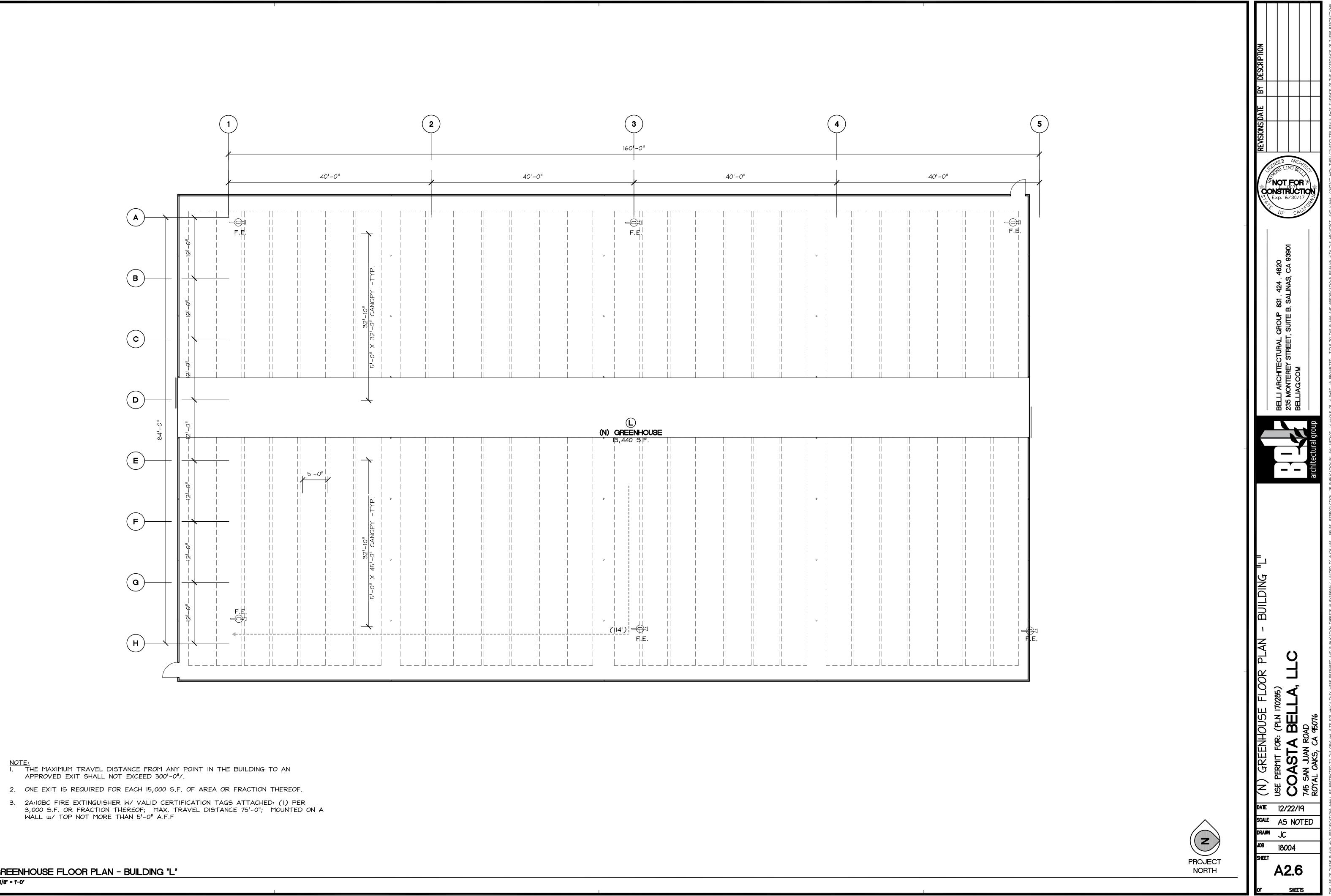
PER TABLE 4-1 OF C.P.C.

FER TABLE 4-10F C.F.C.								
		W.C. W.C.		LAVS	LAVS	URINALS		
	OCC.	REQUIRED	PROVIDED	REQUIRED	PROVIDED	PROVIDED		
MEN	0.40	1	1	t	1	0		
WOMEN	0.40	1	1	1	1	0		



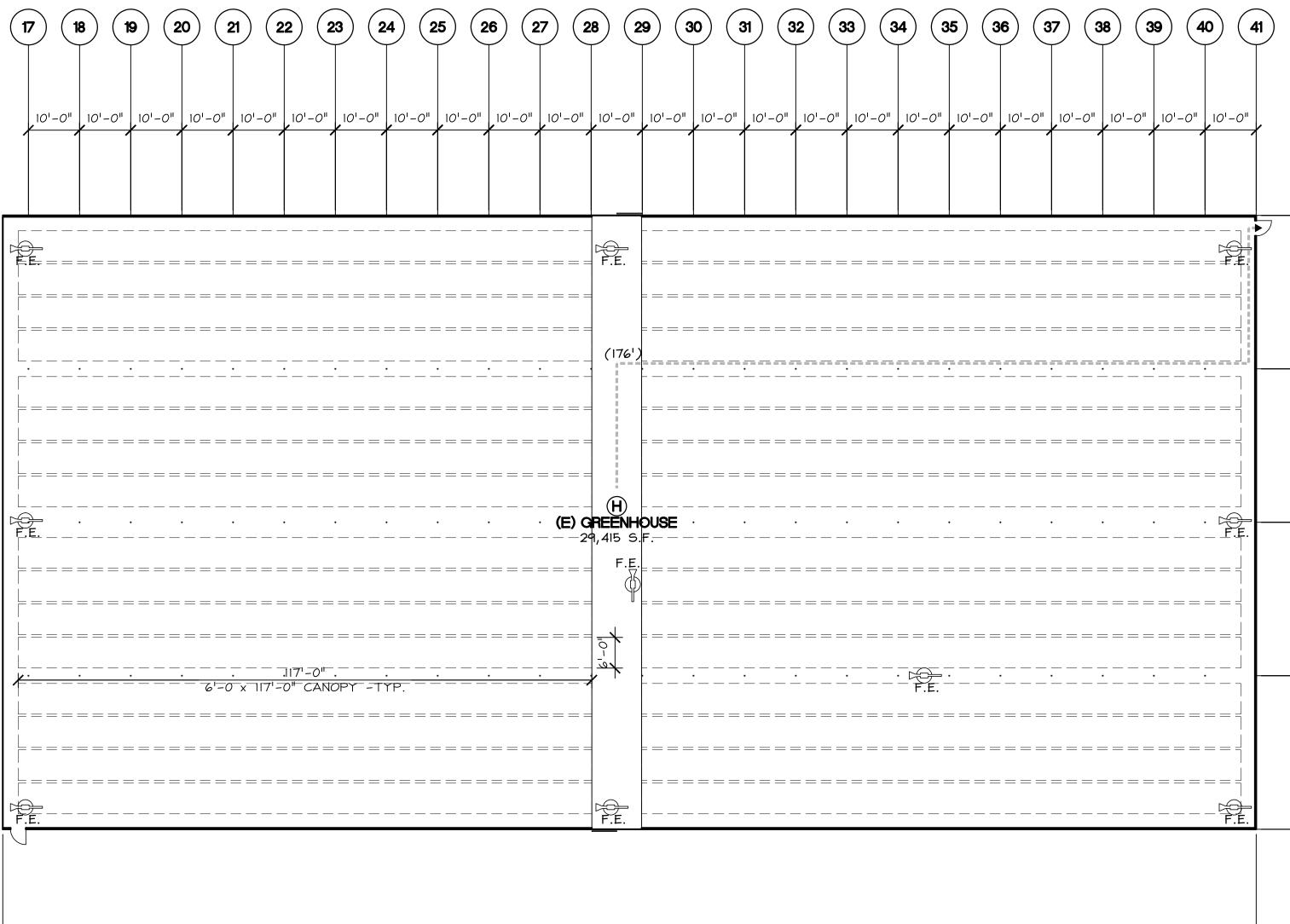
CC. DAD CTOR	OCC. LOAD	EXITS REQ'D	REQ. WIDTH OF STAIRS (0.3)	REQ. WIDTH OF DOORS (0.2)	COMMENTS
20	14.07	1	44"	36"	1 EXITS REQ'D TABLE 1019.1
00	2.51	1			I EXITS REQ'D TABLE 1019.1
20	6.86	Ι	44"	36"	I EXITS REQ'D TABLE 1019.1
00	8.83	Ι	44"	36"	I EXITS REQ'D TABLE 1019.1
00	6.86	Ι	44"	36"	I EXITS REQ'D TABLE 1019.1
00	8.83	1	44"	36"	I EXITS REQ'D TABLE 1019.1
20	6.86	Ι	44"	36"	I EXITS REQ'D TABLE 1019.1
00	8.83	Ι	44"	36"	I EXITS REQ'D TABLE 1019.1
20	6.86	Ι	44"	36"	I EXITS REQ'D TABLE 1019.1
00	8.83	1	44"	36"	I EXITS REQ'D TABLE 1019.1

TOIL	ET FIXTU	IRES REC					
PER TABLE A-29-A OF C.B.C.						S-1	F-1
TOTAL =	<u>.</u>				(AREA	x 4416 S.F. ) 1,281 S.F. -1 = 18,945	
<u>5.41</u> OCCUPAN						,945 / 5000 OCCUPANTS	3,278 / 2,000 <u>1.63 OCCUPANT</u>
PER TAB	LE 4-1 OF C.P.C						
	OCC.	W.C. REQUIRED	W.C. PROVIDED	LA\ REC	/S DUIRED	LAVS PROVIDED	URINALS PROVIDED
MEN	2 70	1	1		1	1	2



- 2. ONE EXIT IS REQUIRED FOR EACH 15,000 S.F. OF AREA OR FRACTION THEREOF.
- 3. 2A:IOBC FIRE EXTINGUISHER W/ VALID CERTIFICATION TAGS ATTACHED: (I) PER 3,000 S.F. OR FRACTION THEREOF; MAX. TRAVEL DISTANCE 75'-0"; MOUNTED ON A WALL w/ TOP NOT MORE THAN 5'-0" A.F.F

(N) GREENHOUSE FLOOR PLAN - BUILDING "L" SCALE: 1/8" = 1'-0"



NOTE: I. THE MAXIMUM TRAVEL DISTANCE FROM ANY POINT IN THE BUILDING TO AN APPROVED EXIT SHALL NOT EXCEED 300'-0"/.

2. ONE EXIT IS REQUIRED FOR EACH 15,000 S.F. OF AREA OR FRACTION THEREOF.

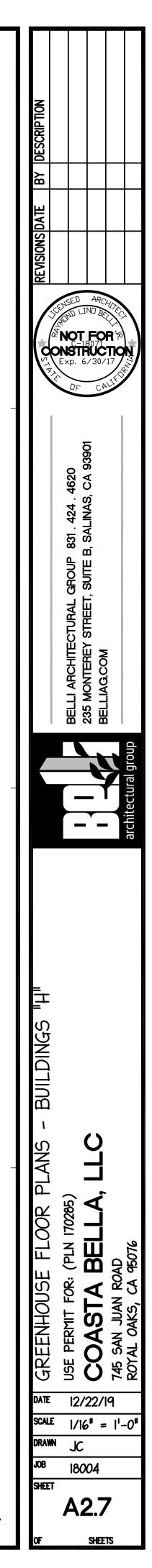
3. 2A:10BC FIRE EXTINGUISHER W/ VALID CERTIFICATION TAGS ATTACHED: (1) PER 3,000 S.F. OR FRACTION THEREOF; MAX. TRAVEL DISTANCE 75'-0"; MOUNTED ON A WALL w/ TOP NOT MORE THAN 5'-0" A.F.F

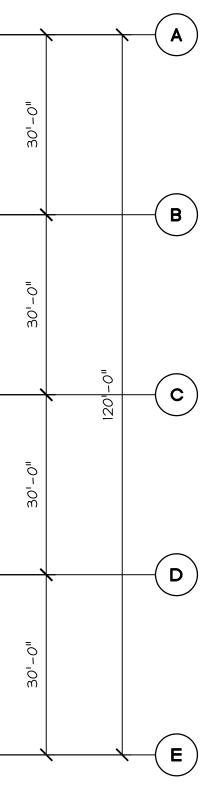
GREENHOUSE FLOOR PLANS - BUILDINGS "H" SCALE: 1/16" - 1'-0"

50 ALE: 1/10 = 1-

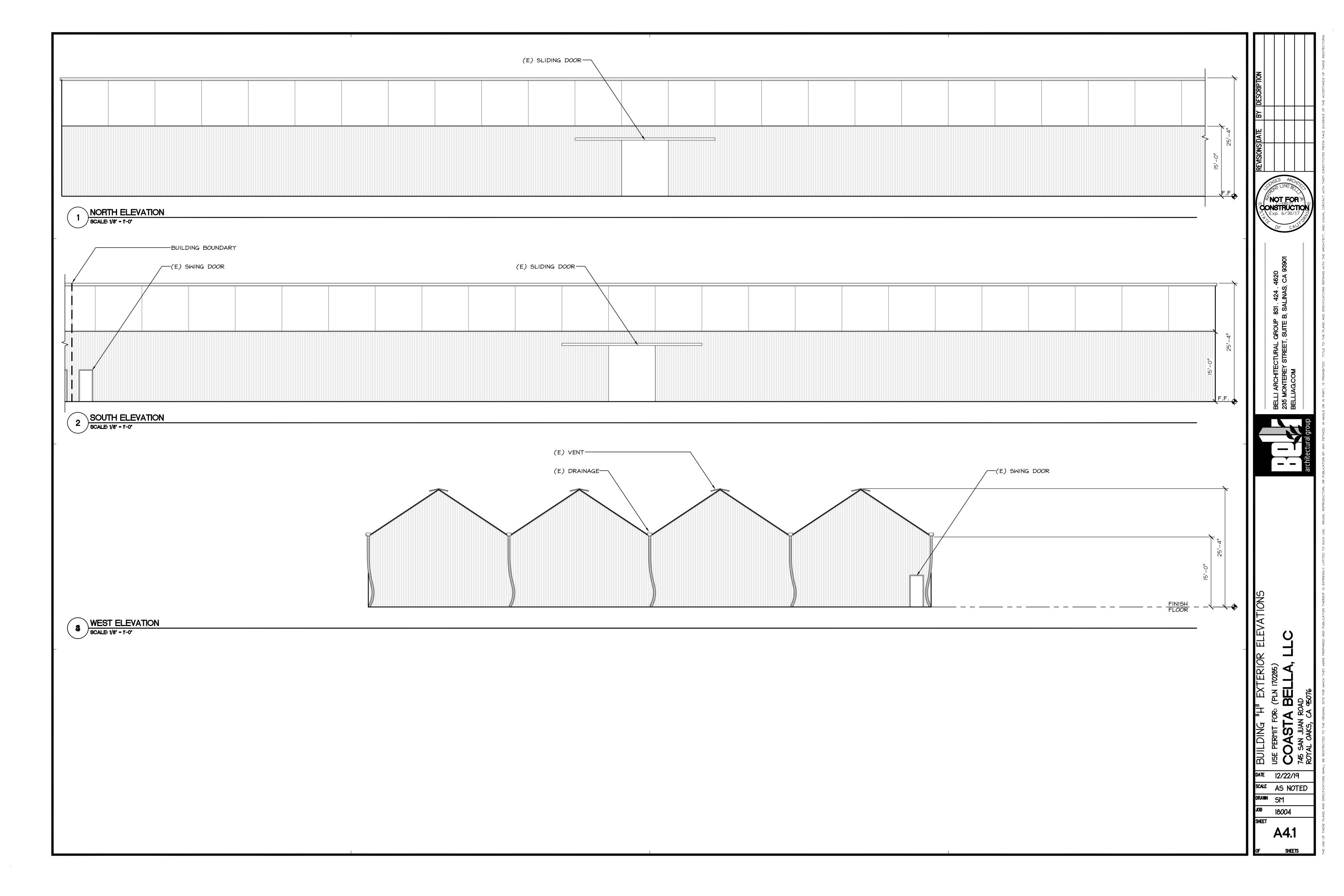
245'-0"



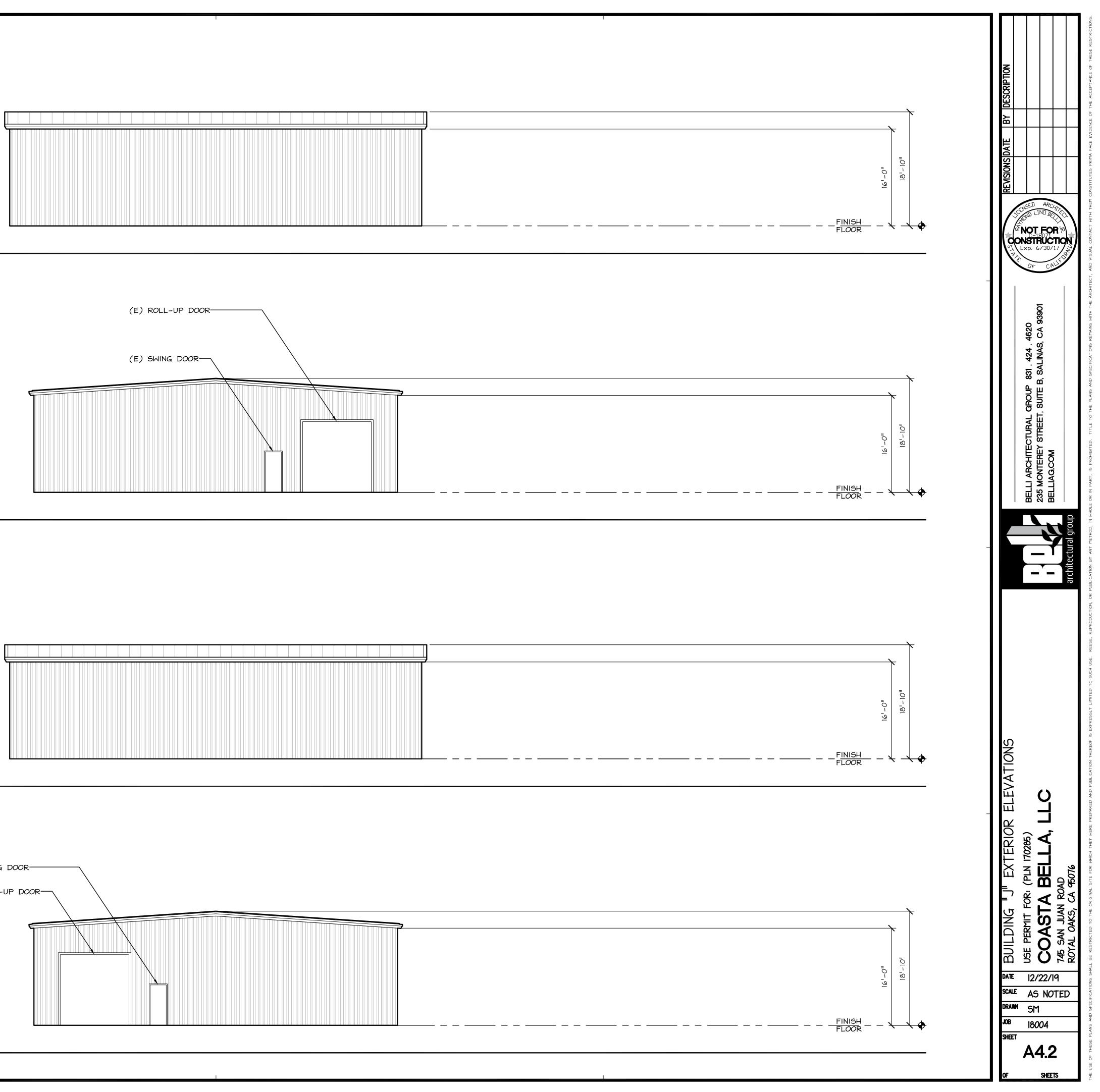


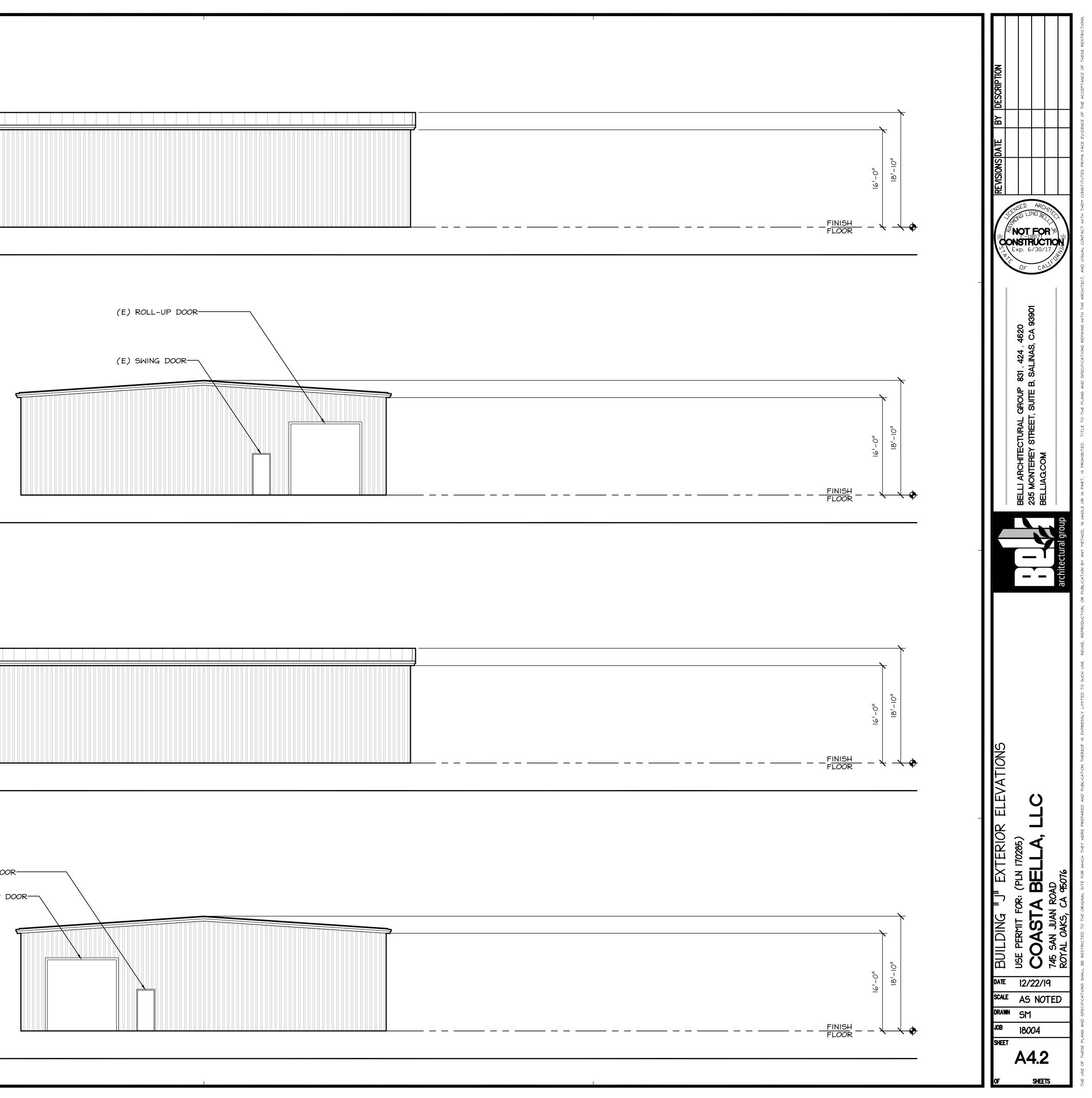


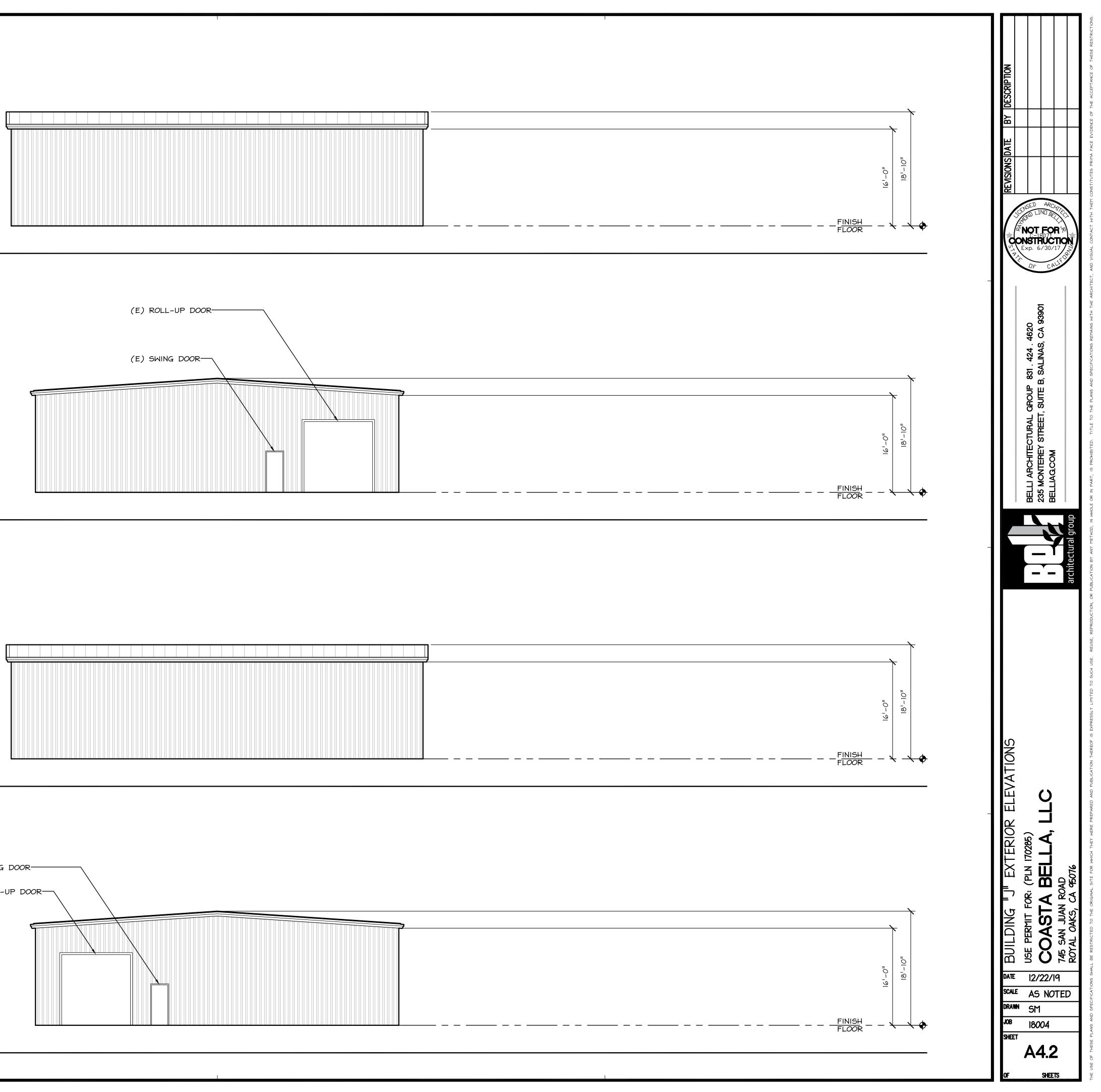


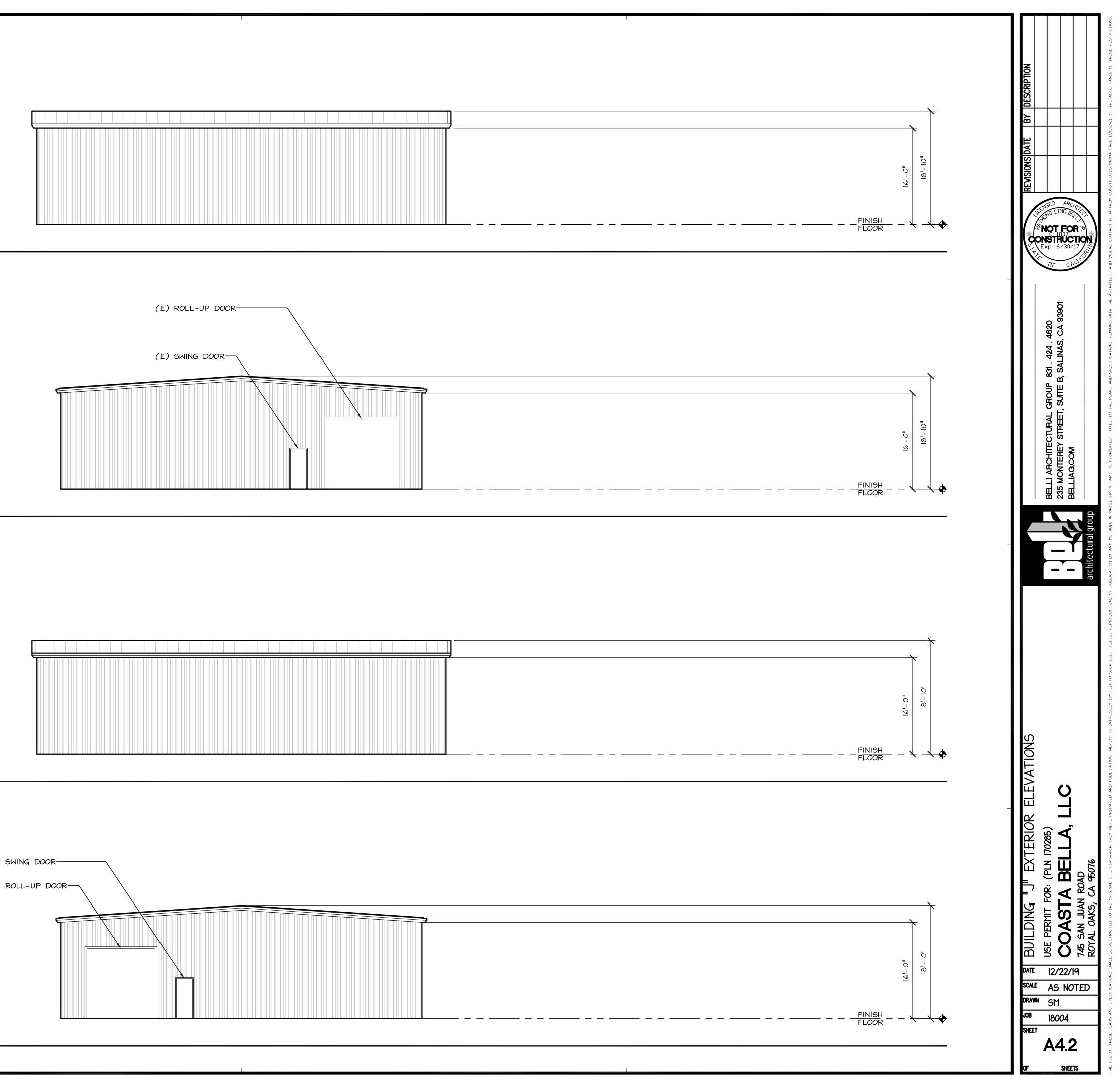


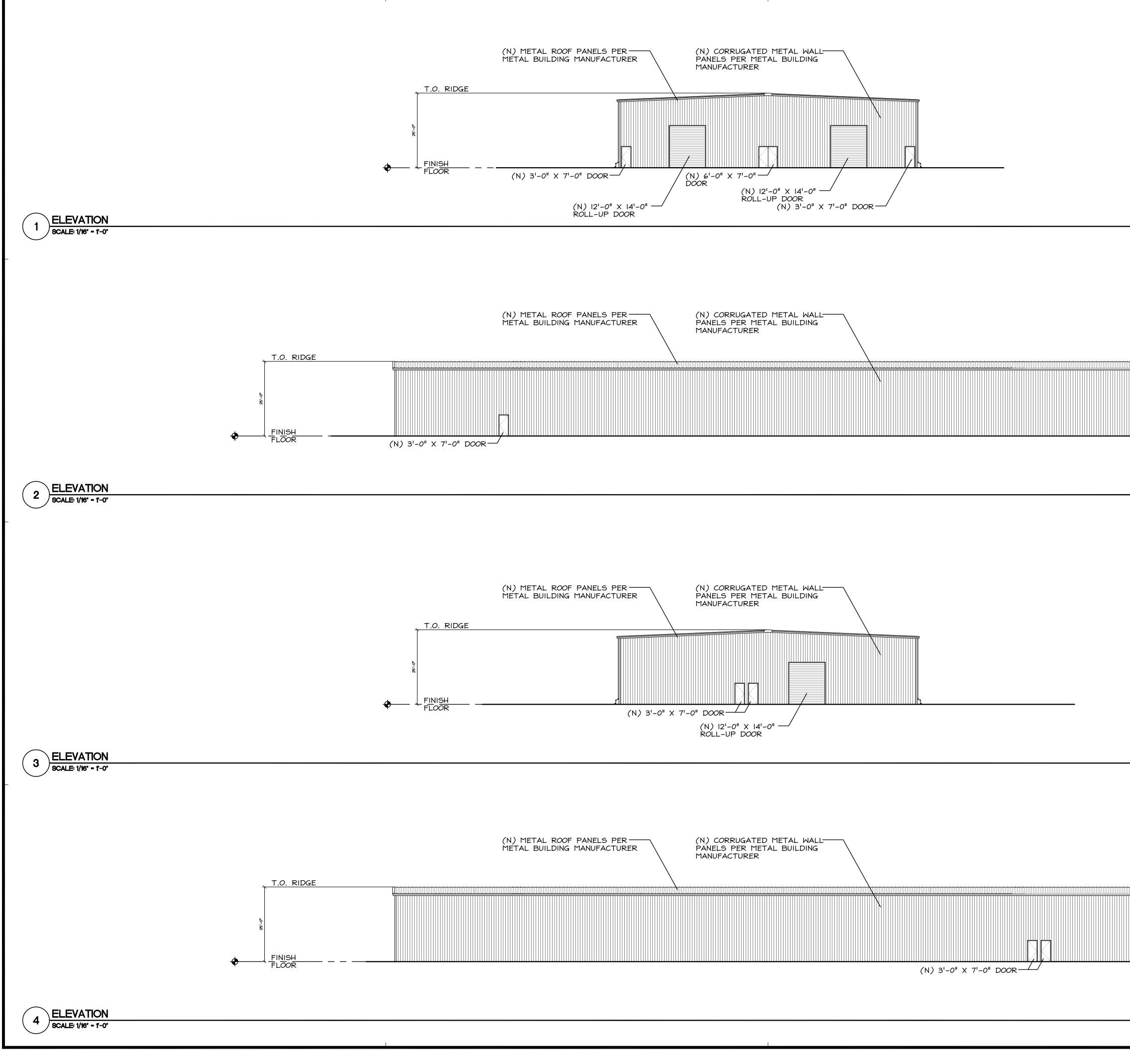
1 NORTH ELEVATION SCALE: 1/8" - 1"-0"	
2 EAST ELEVATION SCALE: 1/8" - 1"-0"	
SCALE: 1/8" = 1-0"	
3 SOUTH ELEVATION	
3 SCALE: 1/8' - 1'-0'	
	(E)
	(E)
4 WEST ELEVATION SCALE: 1/8" - 1"-0"	
$\smile$	











KEY PLAN	REVISIONS DATE REVISIONS DATE REVISIONS DATE REVISIONS REVENUE REVISIONS REVENUE REVISIONS REVENUE REVISIONS REVENUE REVISIONS REVENUE REVISIONS REVISI
KEY PLAN	BELLI ARCHITECTURAL GROUP 831.424.4620 235 MONTEREY STREET, SUITE B, SALINAS, CA 93901 BELLIAG.COM
KEY PLAN	ELEVATIONS
KEY PLAN	PUILDING K EXTERIOR BUILDING K EXTERIOR BUILDING K EXTERIOR IN 170285) DISE PERMIT FOR: (PLN 170285) DISE PERMIT FOR: (PLN 170285) DISE PERMIT FOR: (PLN 170285) DIST POINT PORT PUILTING K EXTERIOR DIST POINT PORT PUILTING K EXTERIOR PUILTING K EX

