

# Exhibit A

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**Before the Planning Commission  
in and for the County of Monterey, State of California**

In the matter of the application of:

**BJSP LLC PLN180109**

**RESOLUTION NO. 22-**

Resolution by the Monterey County Planning Commission:

- a. Considering the North Monterey County Cannabis Facilities Projects Initial Study/Negative Declaration (IS/ND) (State Clearinghouse No. 2020060325, HCD-Planning File No. REF220024), per California Environmental Quality Act (CEQA) Guidelines Section 15074; and
- b. Approving a Coastal Development Permit to allow establishment of commercial cannabis activities consisting of cultivation, nursery, non-volatile manufacturing and self-distribution within existing 121,690 square feet of greenhouses and warehouses.

[PLN180109, BJSP LLC, 37 McGinnis Road, Royal Oaks, North County Land Use Plan, Coastal Zone (Assessor's Parcel Number: 181-022-005-000)]

**The BJSP LLC application (PLN180109) came on for public hearing before the Monterey County Planning Commission on December 7, 2022. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Monterey County Planning Commission 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 1982 Monterey County General Plan;
  - North County Land Use Plan (NC LUP);
  - North County Coastal Implementation Plan (CIP Part 2); and
  - Monterey County Zoning Ordinance (Title 20, CIP Part 1).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) The subject property is located at 37 McGinnis Road, Royal Oaks, (Assessor's Parcel Number 181-022-005-000), North County Land Use Plan. The subject property is zoned Agricultural Conservation within the Coastal Zone or "AC(CZ)", which allows indoor, mixed-light, or nursery cannabis cultivation and non-volatile cannabis manufacturing, pursuant to MCC Sections 20.32.050.II and JJ. The project consists of one parcel historically used for agricultural production and is currently used for nursery, cultivation, processing, extraction, and distribution of cannabis within existing structures. The site includes 126,720 square feet of existing structures comprised of 118,690 square feet of existing greenhouse space, an existing 3,000 square foot warehouse, approximately 3,000 square feet of agricultural support buildings and a 1,520 square foot single-family residence, which is not part of the proposed project. Therefore, the proposed development is an allowed use for this site.
- c) The proposed project does not involve any changes to the existing structures on site. All cannabis activities will occur within existing greenhouse and warehouse structures. Minimal tenant improvements are proposed to existing structures including the replacement of roof panels to increase light transmission, the installation of a new micro-irrigation system, the replacement of ground cloth upon expansion of the operation, and emergency replacement of the existing on-site well due to water quality issues. The project will not result in any additional square footage. No conflicts exist for this project, as it pertains to mixed-light cannabis cultivation (Type 1B, 2B and/or 3B) and nursery (Type 4) in existing structures, processing, manufacturing (Type 6), and distribution (Type 11).
- d) Addition to Coverage: Pursuant to Monterey County Code (MCC) Section 20.32.060.E, the maximum building site coverage in the AC(CZ) zoning district is 3 percent. The subject property has an existing lot coverage of 126,720 square feet (58 percent) and is considered legal non-conforming. The proposed project would pose no increase in lot coverage. In accordance with Monterey County MCC Section 20.68.020, a legal nonconforming land use may be continued from the time that legal nonconforming land use is established.
- e) Location: In accordance with MCC Section 20.67.050.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.
- f) Unique Identifiers: In accordance with MCC Section 20.67.050.B.5, the Cultivation Plan describes how the applicant will implement a County approved unique identification protocol that can track each batch or crop back to its source.



- g) Security Measures: The prepared Security Plan details the ways in which it complies with MCC Section 20.67.050.B.6. Lighting, entrance security, fencing, limited access areas, secure storage, security cameras, and alarm systems are on site to deter trespassing and theft of cannabis and cannabis products. The property has an existing 5-foot-high security fence on the property line of the property. A new 6-foot-high fence is proposed as well as 20-foot-wide and 14-footwide gates. As part of proposed project security measures, the project would include the installation of outdoor lighting as identified in the project's Security Plan, which is required by Business and Professions Code Section 26070 and MCC Chapter 7.90. New outdoor lighting would ensure the safety of persons and protect the premises from theft and other crimes. Outdoor lighting would be downward facing, shielded to direct light downwards to ensure that lighting does not spill over onto nearby properties, and would be consistent with local lighting ordinances and DCC regulations. Minimal motion-sensing, downward facing (shielded) lighting would be used for security purposes. Background checks consisting of fingerprints and other information deemed necessary by the County of Monterey would be required for every person listed as an owner, manager, supervisor, employee or volunteer of the operation.
- h) Pesticides and Fertilizers: In accordance with MCC Section 20.67.050.B.7, the project's Environmental Plan identifies that pesticides and fertilizers will be labeled and stored to avoid contamination through erosion, leakage, or inadvertent damage from animals.
- i) Water Conservation: In accordance with MCC Section 20.67.050.B.8, water conservation measures will be taken where possible, including the use of micro-irrigation and a pulse watering schedule would reduce water use by 30 percent compared to traditional water use methods.
- j) Renewable Energy: In accordance with MCC Section 20.67.050.B.9, The subject property has already replaced old, inefficient heaters with new, energy-efficient heaters, and 200-watt incandescent lights with 35-watt LED lighting. Additionally, state of the art, energy efficient Schaefer fans have been installed for air movement.
- k) Visibility: In accordance with MCC Section 20.67.050.B.10, cannabis plants will not be visible from off-site and no visual markers indicating that cannabis is cultivated on the site will be visible from off-site.
- l) Additional Permits and Licenses: Cultivation at the site will be required to obtain the appropriate Commercial Cannabis Business Permits and Business License. These licenses and entitlements will ensure ongoing monitoring of compliance with the plans and operational requirements. Failure to maintain all required permits,

licenses, and entitlements may be ground for revocation of this permit.

- m) Agricultural Advisory Committee (AAC) Review: The project was referred to the Agricultural Advisory Committee on May 26, 2022. The committee voted to recommend approval of the project as proposed with a vote of 6-0, with five members absent.
- n) Land Use Advisory Committee (LUAC) Review: The project was referred to North County Land Use Advisory Committee (LUAC) on September 5, 2018. The committee unanimously recommended approval of the project as proposed by a vote of 6-0 with 3 members absent.
- o) 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 PLN180109.

**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, Environmental Health Bureau, HCD-Engineering Services, HCD-Environmental Services, North County Fire Protection District, and the California Coastal Commission. 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) Odor: In accordance with MCC Section 7.90.100.A.8, odor prevention devices and techniques, such as ventilation systems, filters and and/or odor-neutralizers would be installed, as needed, for plant cultivation, post-harvest production, and processing. Odor from the greenhouses and processing buildings may be produced during harvest, which takes place once every 3 to 4 months and lasts approximately 2 to 3 days. The key components of project's odor control program are proper ventilation, odor control equipment that has specifications that are adequate for the size of the operation, and regular inspection and maintenance.
  - 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 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 PLN180109.

**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, Environmental Health Bureau, HCD-Engineering Services, HCD-Environmental Services, North County Fire Protection District, and the California Coastal Commission. The respective agencies and committee 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) An existing on-site private well will provide water to the subject site. The site also contains one 20,000-gallon and two 10,000-gallon water storage tanks (40,000 gallons total) for irrigation and domestic water use. Proposed improvements include a water storage tank for fire protection and replacement of the existing well. On October 26, 2022, the applicant was granted an Emergency Coastal Development Permit to drill a replacement domestic multiple connection well on site due to poor potable water quality and high nitrate levels exceeding maximum contaminate levels of 10mg/L of the existing well. The two-connection small water system serves the existing single family dwelling on site as well as the cannabis operation. The Environmental Health Bureau had conditioned the project (Condition 6) to obtain a potable water supply that meets primary drinking water standards. The condition included two options to either install a centralized water treatment system or obtain a new source of supply. A cost analysis for treatment of the existing well was performed which indicated that annual operating costs would start at \$344,000 and continue to increase annually due to inflation. The cost to drill a replacement well is estimated to be \$255,000 which proved to be the most feasible option. Securing a potable water source was necessary in order to support the commercial cannabis business permit.
  - c) Waste Management is currently providing waste disposal and recycling services for non-cannabis waste. Recycling and regular waste are stored in receptacles on site until transported by Waste Management to a waste management facility. Cannabis waste disposal procedures would comply with Division 30, Sections 40141 and 42649.8(d) of the PRC. In addition, pursuant to DCC regulations 16309(a)(2) and 17223, the applicant has prepared a cannabis waste management plan, which may include composting cannabis waste. All composted cannabis waste would be done in compliance with Title 14 of the CCR at Chapter 3.1, commencing with Section 17850. The County does not allow for burning of cannabis waste on the project site.
  - d) 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 and supporting evidence.

- 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 PLN180109.

**4. 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 cannabis.

**EVIDENCE:** The Operational Plan includes security measures, track and trace protocols, monitoring and reporting requirements, packaging and labeling standards, sustainability measures, and other relevant information are proposed to address regulatory requirements contained in MCC Section 20.67.050 (also see Finding No. 1).

**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:** The subject site will be located at 37 McGinnis Road, Royal Oaks. The closest public park is Royal Oaks Park, located approximately 2.13 miles southeast of the project site. The closest school is Hall District Elementary School, located approximately 1.22 miles northwest of the project site. The closest addiction treatment and recovery facility is Teen Challenge Monterey Bay, located approximately 3.51 miles northwest of the project site.

**6. FINDING:** **QUALITY CONTROL:** Adequate measures are proposed to ensure that cannabis cultivated at the site meets the industry standards.

**EVIDENCE:**

- 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 sale at a retailer, microbusiness, or nonprofit.
- b) As a licensed distributor, the applicant shall adhere to these procedures. As a licensed cultivator, nursery or manufacturer, the applicant shall ensure that products are distributed by a licensed distributor. The licensed distributor may be the applicant or a third party.
- c) Operational standards that ensure testing of each batch of cannabis produced at the site are 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 cannabis and cannabis products are supplied from permitted and licensed sources.

- EVIDENCE:**
- a) Plans and materials contained in file PLN180109 include descriptions of security measures that restrict youth access to the site. Unique identification, 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.
  - b) The Operations Plan includes measures restricting access to minors, prohibiting use or possession of firearms for security purposes and the premises, and ensuring that cannabis and cannabis products are not supplied to unlicensed and unpermitted persons and not distributed out of state.
  - c) Violations of Federal Enforcement priorities may be grounds for revocation of this permit.

**8. FINDING:**

**CEQA (IS/ND)** – The project is consistent with the adopted North Monterey County Cannabis Facilities Projects Initial Study/Negative Declaration (IS/ND). Pursuant to Section 15074 of the CEQA Guidelines, staff finds that the project does not require subsequent environmental review based on the following findings:

- 1) No substantial changes are proposed in the project which will require major revisions to the previous IS/ND due to involvement of new significant environmental effects or a substantial increase in the severity of previously identified impacts;
- 2) 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 due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects; and
- 3) No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the IS/ND was adopted.

- EVIDENCE:**
- a) The IS/ND for the North Monterey County Cannabis Facilities Projects Initial Study/Negative Declaration (State Clearinghouse No. 2020060325, HCD-Planning File No. REF220024), adopted by the Board of Supervisors on October 4, 2022 (Board of Supervisor Resolution No. 22-179), evaluated potential cumulative effects of 7 sites on 5 properties that proposed to cultivate cannabis within existing greenhouses or industrial buildings.
  - b) The proposed project would entail the continued use of 121,690 square feet of existing greenhouses and warehouse structures for nursery uses, cultivation, processing, extraction, and distribution of cannabis within existing structures. Site improvements would include

the addition of a water tank for fire protection, the replacement of roof panels to increase light transmission, the installation of a new micro-irrigation system, and the replacement of ground cloth upon expansion of the operation.

- d) Pursuant to Section 15073.5 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 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 PLN180109.

**9. FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors.

- EVIDENCE:**
- a) Pursuant to MCC Section 20.86.030, the project is appealable to the Board of Supervisors because it requires the Planning Commission to make a discretionary decision.
  - b) Pursuant to MCC Section 20.86.080.A.3, the project is subject to appeal by/to the California Coastal Commission because it involves development that is permitted as a conditional use.

### **DECISION**

**NOW, THEREFORE**, based on the above findings and evidence, the Monterey County Planning Commission does hereby:

- a. Consider the North Monterey County Cannabis Facilities Projects Initial Study/Negative Declaration (IS/ND) (State Clearinghouse No. 2020060325, HCD-Planning File No. REF220024), per California Environmental Quality Act (CEQA) Guidelines Section 15074; and
- b. Approve a Coastal Development Permit to allow establishment of commercial cannabis activities consisting of cultivation, nursery, non-volatile manufacturing and self-distribution within existing 121,690 square feet of greenhouses and warehouses.

All of which are in general conformance with the attached sketch and subject to the conditions, both being attached hereto and incorporated herein by reference.

**PASSED AND ADOPTED** this 7th day of December 2022, upon motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Craig Spencer, Planning Commission Secretary

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

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

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

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA

This decision, if this is the final 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.

#### NOTES

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.

# County of Monterey HCD Planning

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

PLN180109

### 1. PD001 - SPECIFIC USES ONLY

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** This Coastal Development Permit (PLN180109) allows commercial cannabis for cultivation, nursery, non-volatile manufacturing and self-distribution within existing 126,720 square feet of greenhouses and warehouses. The property is located at 37 McGinnis Road, Royal Oaks, (Assessor's Parcel Number 181-022-005-000), North County Land Use Plan, Coastal Zone. 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 HCD - Planning. Any use or construction not in substantial conformance with the terms and 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. (HCD - 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 Monitoring Measure:** The applicant shall record a Permit Approval Notice. This notice shall state:  
"A Coastal Development Permit (Resolution Number \*\*\*) was approved by the Planning Commission for Assessor's Parcel Number 181-022-005-000 on December 7, 2022. The permit was granted subject to 14 conditions of approval which run with the land. A copy of the permit is on file with Monterey County HCD - Planning."

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



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

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** If, during the course of construction, cultural, archaeological, historical or 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 HCD - 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.  
(HCD - Planning)

**Compliance or Monitoring Action to be Performed:** The Owner/Applicant shall adhere to this condition on an on-going basis.

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 HCD - 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. PWSP0001 – DRIVEWAY AND FRONTAGE IMPROVEMENTS

**Responsible Department:** RMA-Public Works

**Condition/Mitigation Monitoring Measure:** Applicant/Owner shall improve the existing roadway connection/pavement to McGinnis Road and Johnson Road. Clearing/grading of drainage along the property frontages, as necessary, to provide sufficient flow and, as needed, improvements will be required to maintain drainage and safe access to the project site.

Trim/maintain existing trees and vegetation as needed along the property frontages. The project will be required to trim or remove the trees and vegetation as necessary, and continue to maintain the vegetation, to provide sight visibility at the driveways and at the intersection.

Additionally, all fencing must be located outside the public road right-of-way, with access gates being placed a minimum of 30 feet inside the subject property to allow delivery trucks and other vehicles to safely enter and exit the site.

**Compliance or Monitoring Action to be Performed:** Design and construct driveway/roadway improvements to insure proper drainage. Show all proposed improvements on site plan for the intersection of McGinnis Road, Johnson Road and private driveway. Improvements are to be completed prior to occupancy or commencement of use. Encroachment permits are required for work done within the county right of way. Applicant is responsible to obtain all permits and environmental clearances

## 5. EHSP02 – Composting Operations (Non-Standard)

**Responsible Department:** Health Department

**Condition/Mitigation Monitoring Measure:** The project scope includes on-site composting of green waste. Composting activities must adhere to Title 14 of the California Code of Regulations. The facility shall determine which Regulatory Tier Placement is appropriate for the proposed use and demonstrate acceptance or issuance of any necessary Enforcement Agency Notification, Registration or Solid Waste Facility Permit.

**Compliance or Monitoring Action to be Performed:** Prior to issuance of the Commercial Cannabis Business permit, the applicant shall submit a written standard operating procedure of the on-site composting processes to the EHB for review and acceptance.

The applicant shall also submit to the satisfaction of the EHB, documentation of the acceptance or issuance of any necessary Enforcement Agency Notification, Registration or Solid Waste Facility Permit prior to commencement of operations.

## 6. EHSP01 – Obtain Potable Water Supply (Non-Standard)

**Responsible Department:** Health Department

**Condition/Mitigation Monitoring Measure:** The project receives water from McGinnis Road Water System #02, a 2-connection local small water system. Water quality analysis collected on March 29, 2018 from the well that currently serves the water system indicated a nitrate level of 31.7 mg/L as NO<sub>3</sub>-N, which exceeds the Maximum Contaminant Level (MCL) of 10 mg/L. The water system shall ensure a reliable water supply that meets primary drinking water standards by:

- 1) Installation and ongoing use of a centralized water treatment system acceptable to the Environmental Health Bureau (EHB), or equivalent technology that complies with local and state drinking water standards; or
- 2) Obtaining a new source of supply for McGinnis Road WS #02, which may or may not require installation and ongoing use of a water treatment system acceptable to the EHB to meet primary drinking water standards.

**Compliance or Monitoring Action to be Performed:** Prior to the issuance of the Commercial Cannabis Business permit, the applicant shall demonstrate to the satisfaction of EHB that the water system supplies water that meets primary drinking water standards.

If a water treatment system is utilized, the applicant shall provide to the EHB for review and acceptance as-built plans for the treatment system prepared by a qualified individual and shall submit water quality analysis of samples collected pre- and post-treatment to confirm the drinking water standard for nitrate is being met.

If a new source of supply is incorporated into the water system, the applicant shall submit water quality analysis to confirm that the water system is producing water that meets primary drinking water standards. If a water treatment system is required, the applicant shall obtain EHB acceptance of plans, install the treatment system and provide to the EHB for review and acceptance as-built plans for the treatment system prepared by a qualified individual. Submit water quality analysis of samples collected pre- and post-treatment to confirm primary drinking water standards are being met.

## 7. 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:** Ongoing during cannabis operations. The owner and/or permittee shall allow access to the site if requested by the County and pay any required inspection fees.

## 8. 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.

## 9. 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.

## 10. 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.

## 11. PDSP005 – COMPLIANCE WITH OPERATIONS PLANS

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The commercial cannabis activities shall be maintained in accordance with the 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.

## 12. PDSP006 – ODOR CONTROL

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The property owner shall ensure that any cannabis business operating on-site confirms to Section 7.90.100.A.8 of the Monterey Code, as may be amended. Odor prevention devices and techniques, such as ventilation system with a carbon filter, shall be 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.

## 13. 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 Performed:** 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.

**14. CC01 INDEMNIFICATION AGREEMENT**

**Responsible Department:** County Counsel-Risk Management

**Condition/Mitigation Monitoring Measure:** The property owner agrees as a condition and in consideration of approval of this 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 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





MCGINNIS ROAD  
A COUNTY ROAD 40 FEET WIDE

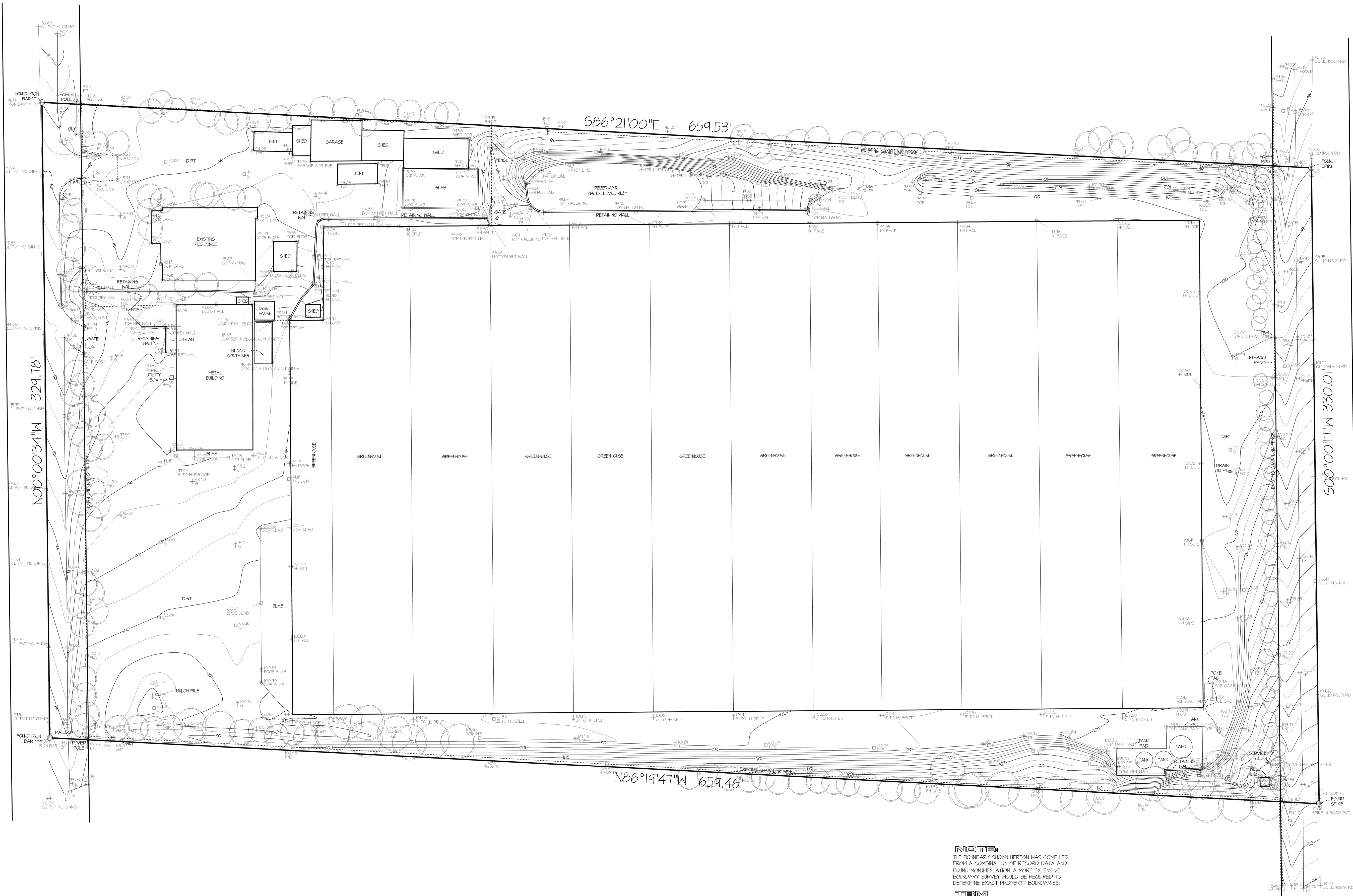
N00°00'34"W 324.78'

S86°21'00"E 659.53'

S00°00'11"W 330.0'

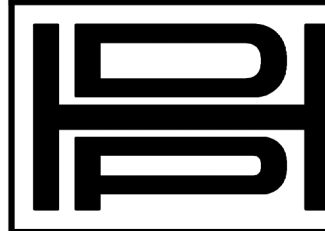
JOHNSON ROAD  
A COUNTY ROAD 40 FEET WIDE

N86°19'47"W 659.46'



**NOTE:**  
THE BOUNDARY SHOWN HEREON WAS COMPILED FROM A COMBINATION OF RECORD DATA AND FOUND MONUMENTATION. A MORE EXTENSIVE BOUNDARY SURVEY WOULD BE REQUIRED TO DETERMINE EXACT PROPERTY BOUNDARIES.

**TBM**  
A TEMPORARY BENCHMARK OF 100.00 WAS ESTABLISHED AT THE TOP CORNER OF AN EXISTING CONCRETE PAD AT THE JOHNSON ROAD ENTRANCE AS SHOWN HEREON.



**H. D. PETERS CO.**  
ENGINEERING - SURVEYING - LAND PLANNING  
139 CENTRAL AVENUE - PO BOX 502 - SALINAS, CALIFORNIA 95072 PH (831) 424-3961 FAX (831) 424-2746

**37 MCGINNIS ROAD**  
ROYAL OAKS, CA 95016  
MONTEREY COUNTY, CALIFORNIA  
APN: 181-022-005-000

**TOPOGRAPHIC SURVEY**  
PREPARED FOR  
**12/12 GENETICS LLC**

SCALE 1"=20' DRAWN JYU JOB NO. 4243  
DATE APRIL, 2018 FILE NO. 4243.DWG

SHEET  
1  
OF  
1





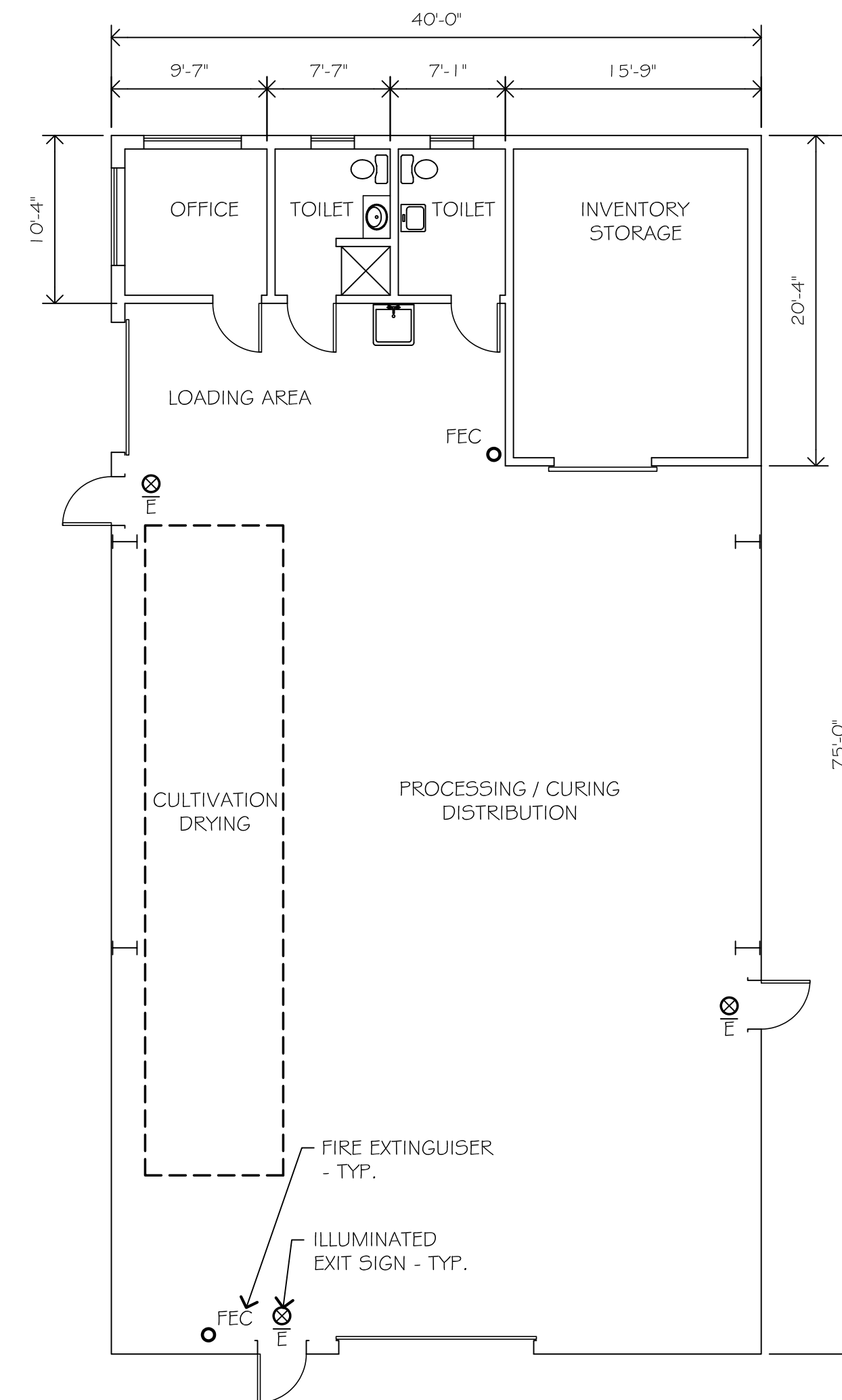




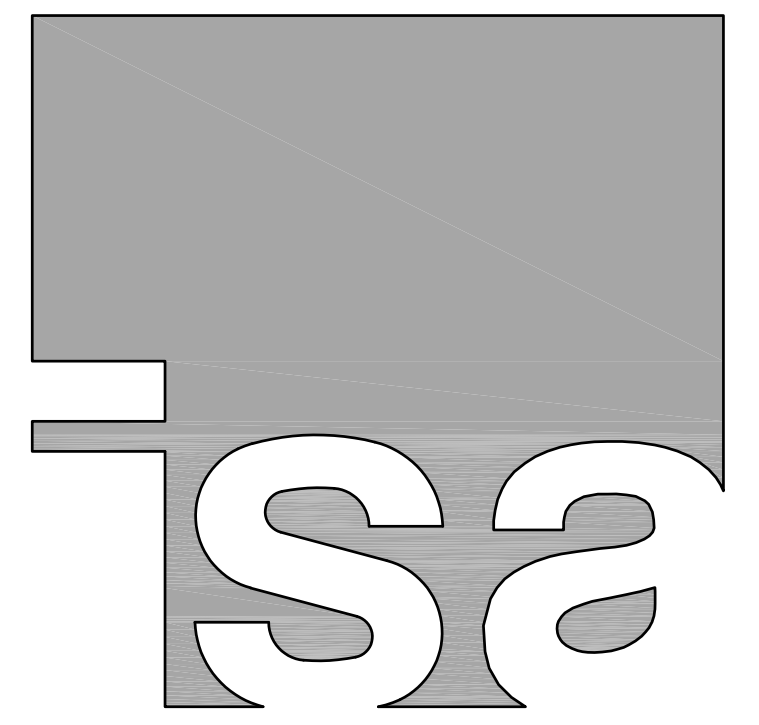
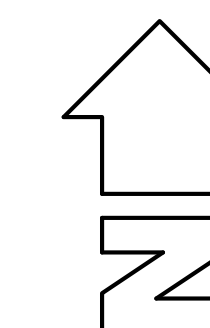
20'-0" HT.  
 METAL PANEL ROOFING  
 METAL PANEL SIDING

WEST & SOUTH ELEV. .1

**2 WAREHOUSE BLD'G - A - EXT. ELEVATIONS**  
 SCALE: 1/16"= 1'-0"



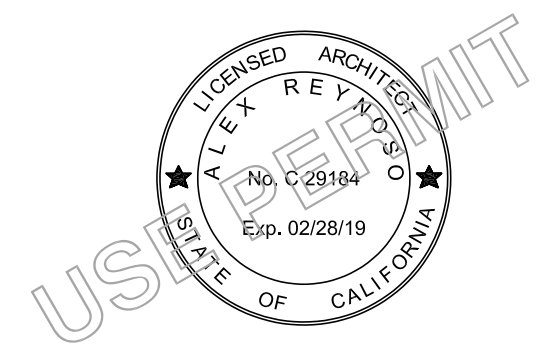
**1 WAREHOUSE BLD'G - A - FLOOR PLAN**  
 SCALE: 1/8"= 1'-0"



**IN STUDIO ARCHITECTURE**  
 250 MAIN STREET  
 SALINAS, CA 93901  
 831.320.2655

DATES


THE INFORMATION ON THESE PLANS IS PROPERTY OF IN STUDIO ARCHITECTURE. UNAUTHORIZED USE IS PROHIBITED.



**CLIENT**  
**12 / 12**  
**GENETICS, LLC**

**PROJECT**  
**USE PERMIT FOR A**  
**CANNABIS CULTIVATION,**  
**NURSERY, DISTRIBUTION**  
**& MFR. FACILITY**  
 37 MCGINNIS ROAD  
 ROYAL OAKS, CA 95076

**SHEET**  
**EXISTING**  
**BLDG' A**

**PLN180109**

PROJECT NUMBER:	1811.1
ISSUED:	07-30-2018
DRAWN BY:	AR
CHECKED BY:	-
FILENAME:	-

**A2.1**

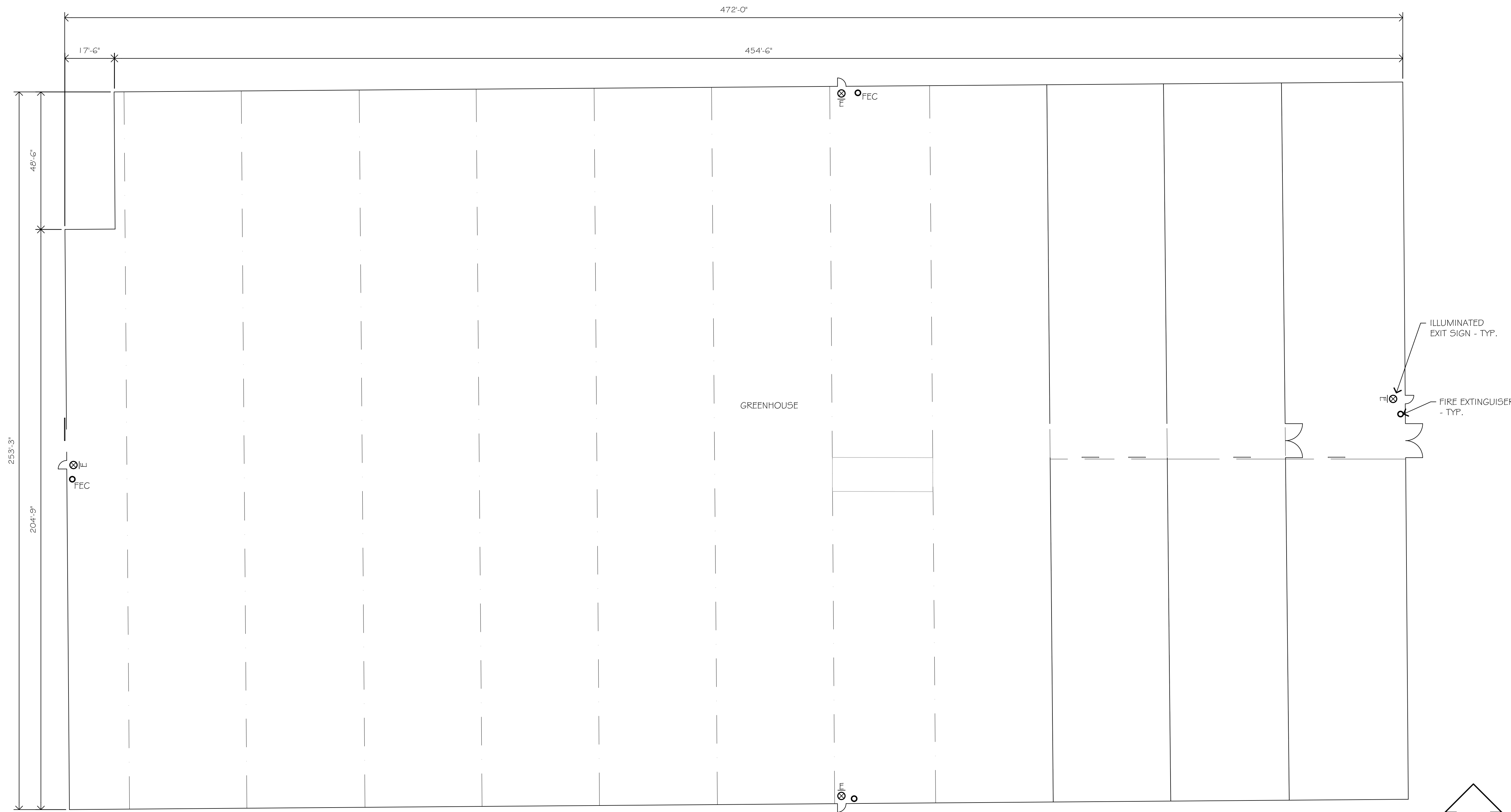




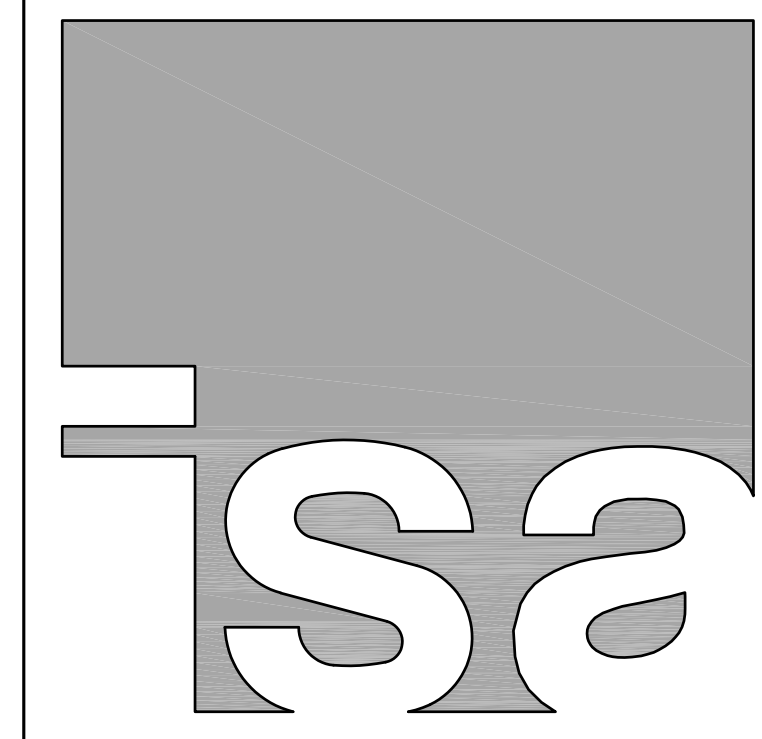
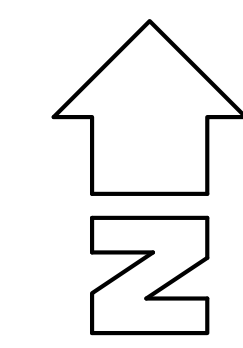
16'-0" HT.  
 POLYCARBONATE ROOFING  
 POLYCARBONATE SIDING

WEST & SOUTH ELEV. .1

**2 GREENHOUSE BLD'G - GH1 - EXT. ELEVATIONS**  
 SCALE: N.T.S.



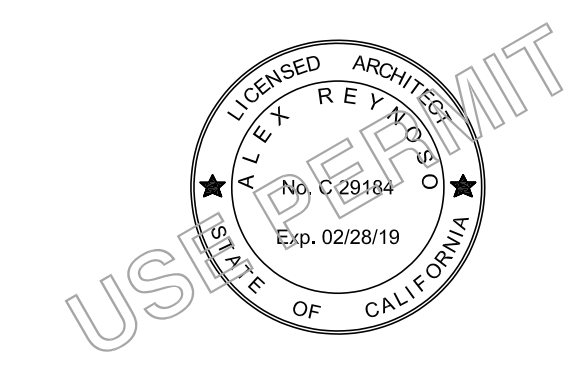
**1 GREENHOUSE BLD'G - GH1 - FLOOR PLAN**  
 SCALE: 1"= 20'-0"



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 SALINAS, CA 93901  
 831.320.2655

DATES


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**CLIENT**  
**12 / 12**  
**GENETICS, LLC**

**PROJECT**  
**USE PERMIT FOR A**  
**CANNABIS CULTIVATION,**  
**NURSERY, DISTRIBUTION**  
**& MFR. FACILITY**  
 37 MCGINNIS ROAD  
 ROYAL OAKS, CA 95076

**SHEET**  
**EXISTING**  
**BLDG' GH1**

**PLN180109**

PROJECT NUMBER:	1811.1
ISSUED:	07-30-2018
DRAWN BY:	AR
CHECKED BY:	-
FILENAME:	-

**A2.8**







**GENERAL FIRE PROTECTION NOTES**

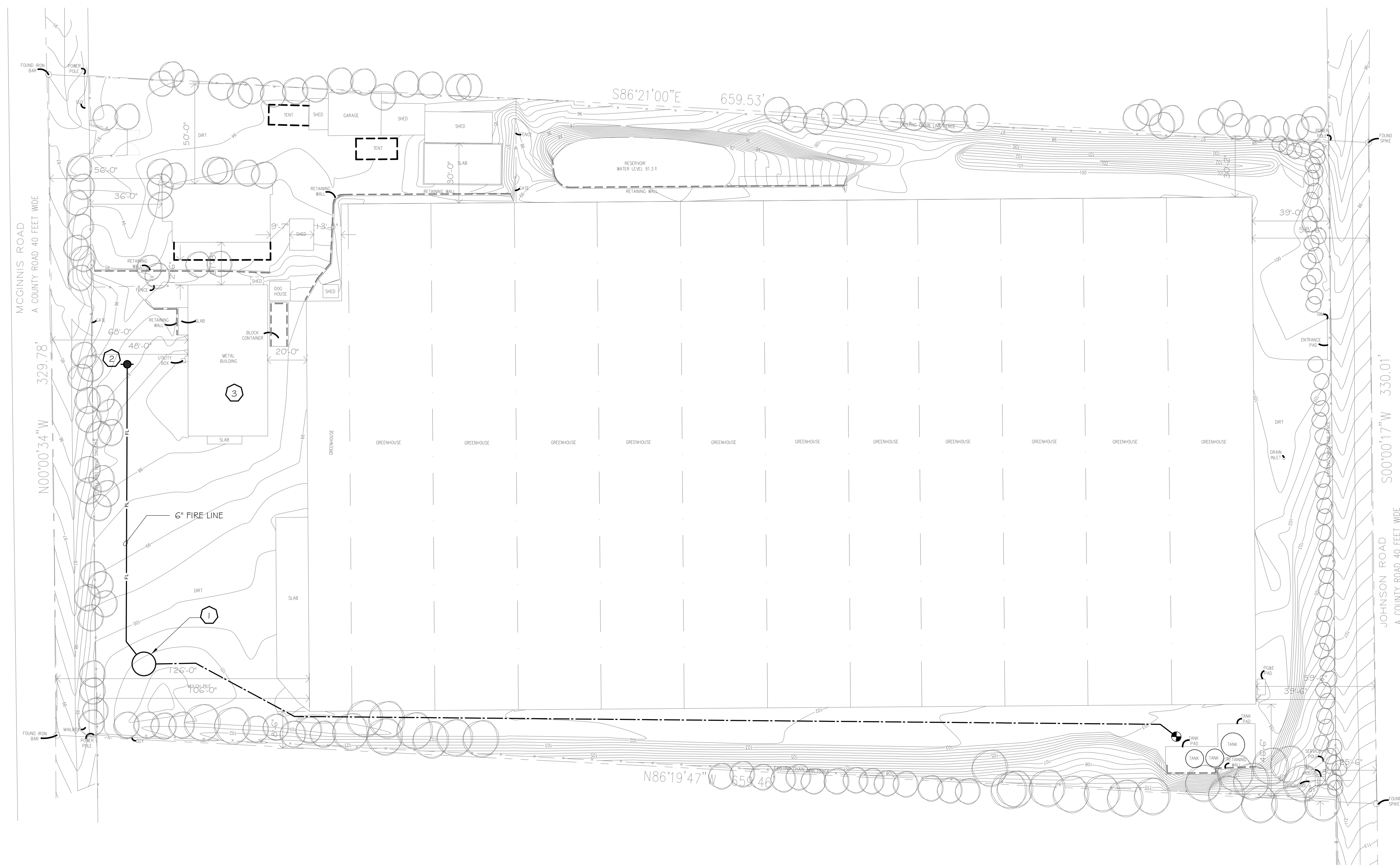
1. ENTIRE INSTALLATION SHALL CONFORM TO THE REQUIREMENTS OF THE 2016 CALIFORNIA MECHANICAL PLUMBING, BUILDING AND FIRE CODES, NATIONAL FIRE PROTECTION CODES AND PAMPHLETS, AND ALL OTHER APPLICABLE CODES AND REGULATIONS, INCLUDING THE CALIFORNIA ENERGY CONSERVATION STANDARDS OF TITLE 24.
2. DESIGN AND INSTALLATION SHALL CONFORM WITH NFPA PAMPHLETS.
3. ALL MATERIALS AND DEVICES TO BE UL LISTED.
4. FIRE PROTECTION CONTRACTOR SHALL SUBMIT DRAWINGS AND CATALOG DATA FOR ALL UL AND FM APPROVED COMPONENTS AND DEVICES TO THE MONTEREY COUNTY FIRE MARSHAL'S OFFICE FOR APPROVAL AND OBTAIN PERMITS PRIOR TO INSTALLATION.



**IN STUDIO ARCHITECTURE**  
 250 MAIN STREET  
 SALINAS, CA 93901  
 831.320.2655

DATES


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**OSHEET NOTES**

1. INSTALL (N) 13,500 GALLON WATER TANK TO SERVE AS FIRE WATER STORAGE RESERVOIR.
2. INSTALL (N) FIRE HYDRANT WITHIN 20' OF DRIVEWAY. PROTECT WITH BOLLARDS.
3. (E) WAREHOUSE TO REMAIN. NO CHANGE IN OCCUPANCY.

**CLIENT**

**12 / 12**  
**GENETIC, LLC**

**PROJECT**

**USE PERMIT FOR A CANNABIS CULTIVATION, NURSERY, DISTRIBUTION & MFR. FACILITY**  
 37 MCGINNIS ROAD  
 ROYAL OAKS, CA 95076

**SHEET**

**SITE PLAN**  
**FIRE**  
**PROTECTION**

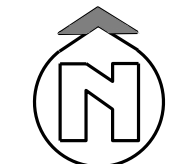
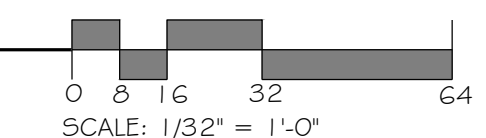
**PLN180109**

PROJECT NUMBER:	1811.1
ISSUED:	06-07-2018
DRAWN BY:	
CHECKED BY:	
FILENAME:	

**ZAL ENGINEERING**  
 MECHANICAL CONSULTANTS  
 565 HARTNELL ST. PO. BOX 1861  
 MONTEREY, CA 93942  
 TELEPHONE: (831) 402-2728  
 JOB NO.: 18017.00

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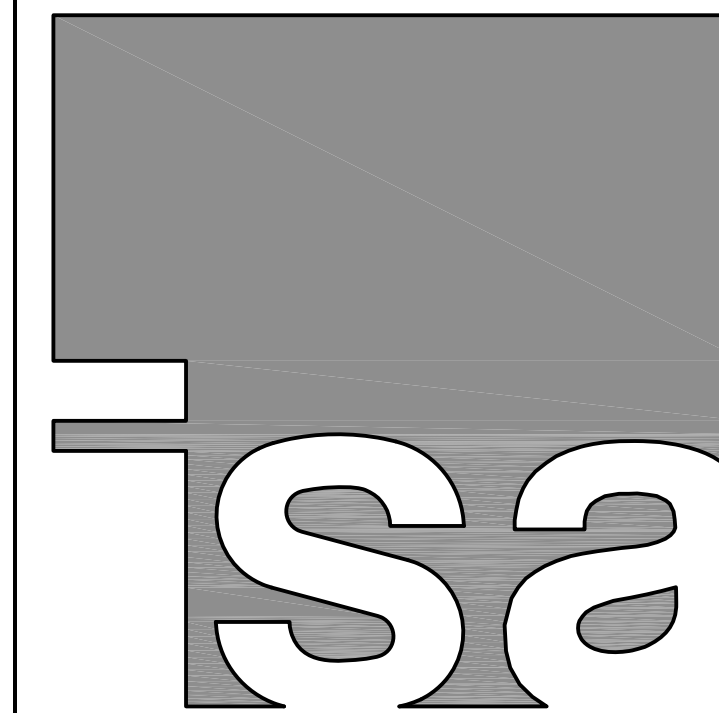
**SITE PLAN - FIRE PROTECTION**  
 SCALE: 1/32" = 1'-0"



**FP1**



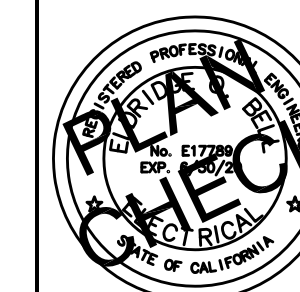




**IN STUDIO ARCHITECTURE**  
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 SALINAS, CA 93901  
 831.320.2655

DATES


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**AURUM CONSULTING ENGINEERS**  
 MONTEREY BAY, INC.

Project No. 18275.00

60 Garden Court + Suite 210 + Monterey, CA 93940

T: 831.646.3330 + F: 831.646.3338 + www.aecomb.com

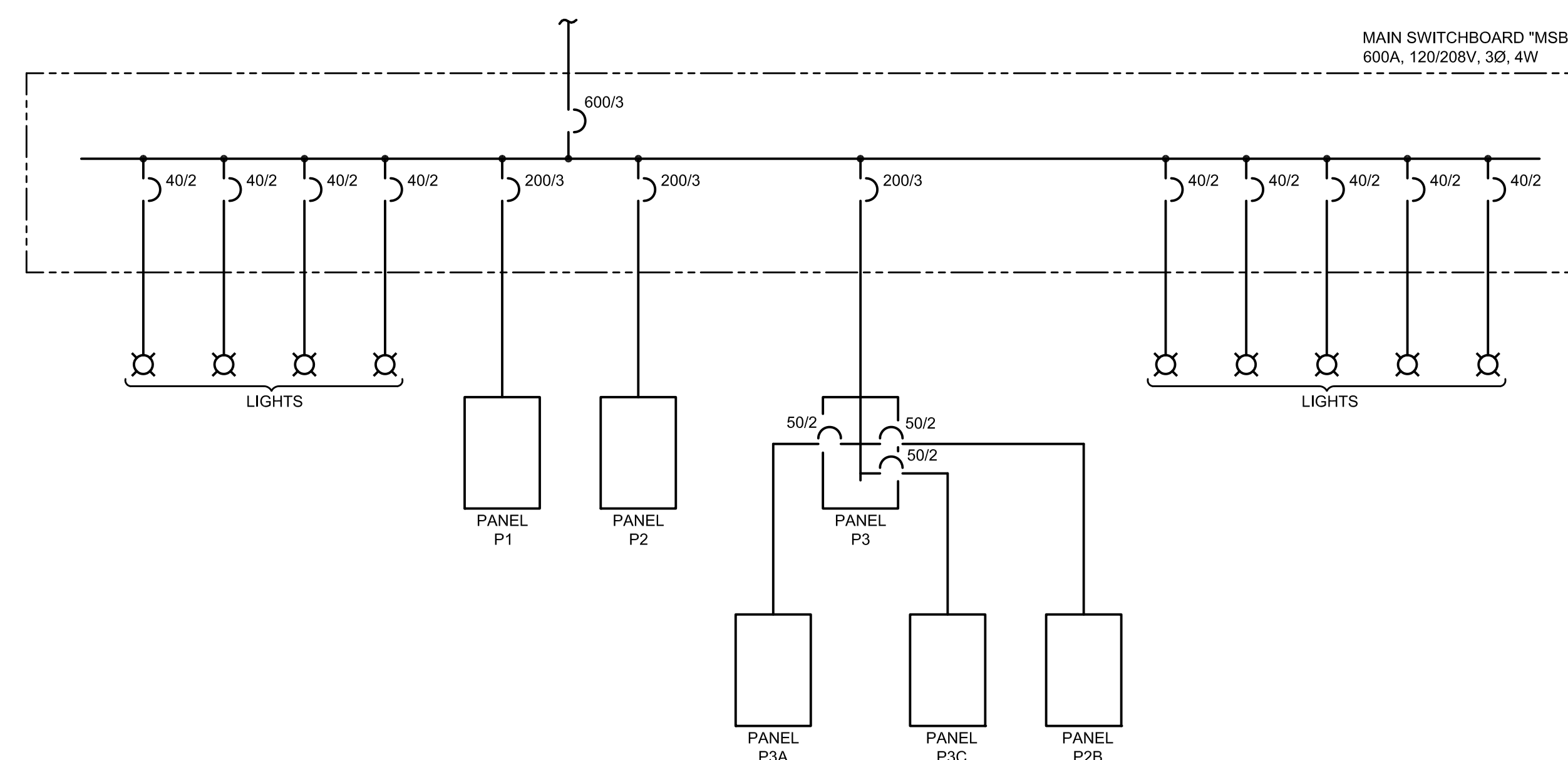
These drawings are instruments of service and are the property of AURUM CONSULTING ENGINEERS MONTEREY BAY, INC. All designs and other information in the drawings are for use on the specified project and shall not be used elsewhere without the express written permission of AURUM CONSULTING ENGINEERS MONTEREY BAY, INC.

**CLIENT**  
 12 / 12  
**GENETIC, LLC**

**PROJECT**  
 USE PERMIT FOR A  
**CANNABIS CULTIVATION,  
 NURSERY, DISTRIBUTION  
 & MFR. FACILITY**  
 37 MCGINNIS ROAD  
 ROYAL OAKS, CA 95076

**SHEET**  
 EXISTING ELECTRICAL  
 SINGLE LINE DIAGRAM

**PLN180109**  
 PROJECT NUMBER: 1811.1  
 ISSUED: 07-24-2018  
 DRAWN BY: CADD  
 CHECKED BY: E.O.B.  
 FILENAME:



\* PER PG&E RULES, REGULATIONS, AND STANDARDS

**1 (E) SINGLE LINE DIAGRAM**  
 NO SCALE

**E1.1**





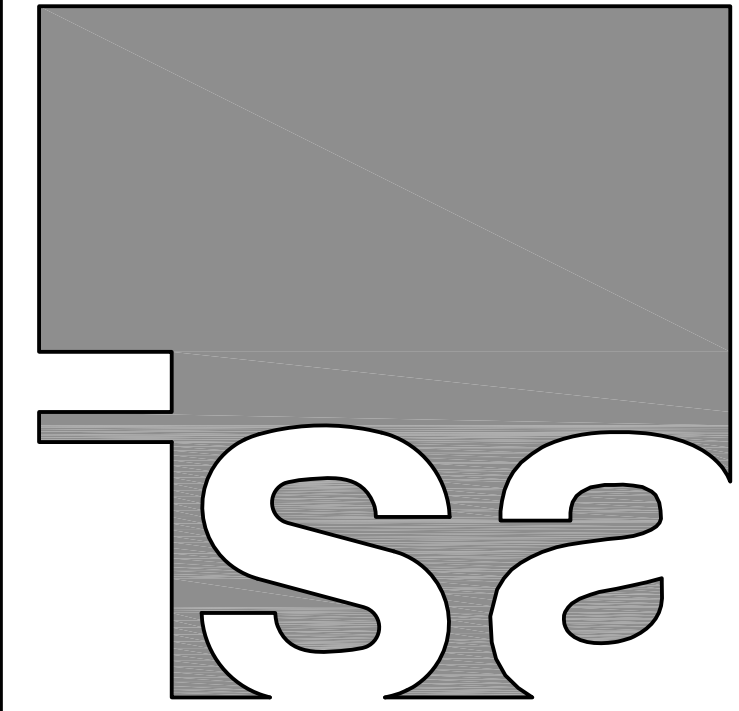
**NOTES:**

A. CONTRACTOR SHALL LOCATE ALL (E) UNDERGROUND UTILITIES PRIOR TO TRENCHING AND TAKE CAUTION TO AVOID DAMAGE DURING TRENCHING. HAND TRENCH IF NECESSARY. CONTRACTOR SHALL MAKE ALL REPAIRS TO DAMAGED UTILITIES AT NO CHARGE TO OWNER.

B. ALL WIRING FOR SITE LIGHTING SHALL BE #10 AWG MINIMUM, U.O.N.

**SHEET NOTES**

1. LOCATE FOR SECURITY PANEL.
2. MOUNT SECURITY CAMERAS TO 20' POLE..
3. LOCATE FOR EXTERIOR LIGHTING CONTROL PANEL.
4. HOMERUN ALL EXTERIOR LIGHTS TO ELECTRICAL PANEL AT SHOP VIA LIGHTING CONTROL PANEL, TYP.



**IN STUDIO ARCHITECTURE**  
 250 MAIN STREET  
 SALINAS, CA 93901  
 831.320.2655

**DATES**


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**PLAN CHECK**  
 PROFESSIONAL ENGINEER  
 STATE OF CALIFORNIA

**AURUM CONSULTING ENGINEERS MONTEREY BAY, INC.**  
 Project No. 18275.00  
 60 Garden Court + Suite 210 + Monterey, CA 93940  
 T 831.646.3330 + F 831.646.3336 + www.aecomb.com

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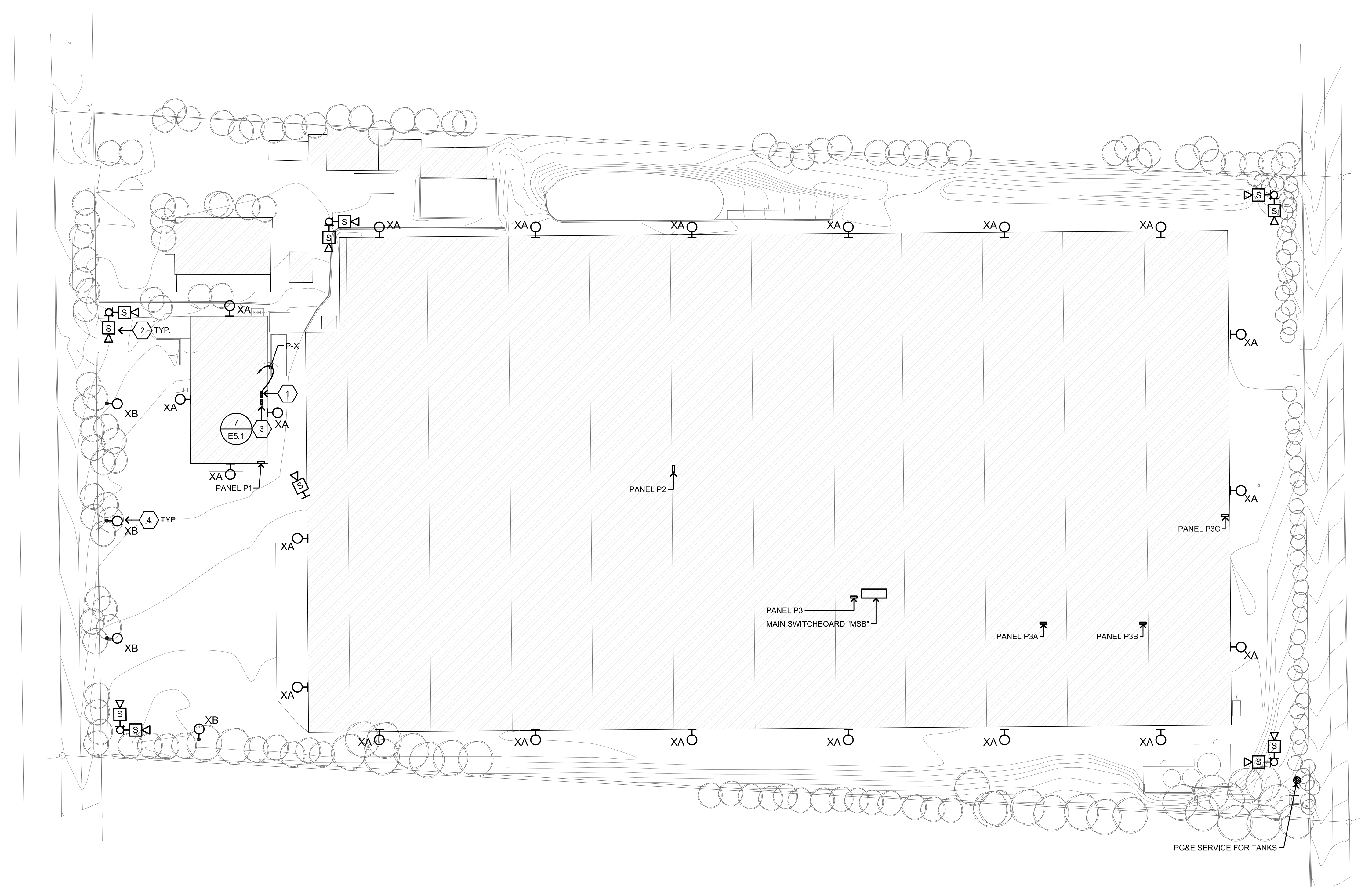
**CLIENT**  
 12 / 12  
**GENETIC, LLC**

**PROJECT**  
 USE PERMIT FOR A  
**CANNABIS CULTIVATION,  
 NURSERY, DISTRIBUTION  
 & MFR. FACILITY**  
 37 MCGINNIS ROAD  
 ROYAL OAKS, CA 95076

**SHEET**  
**PROPOSED  
 ELECTRICAL  
 SITE PLAN**

**PLN180109**  
 PROJECT NUMBER: 1811.1  
 ISSUED: 07-24-2018  
 DRAWN BY: CADD  
 CHECKED BY: E.O.B.  
 FILENAME:

**E2.1**

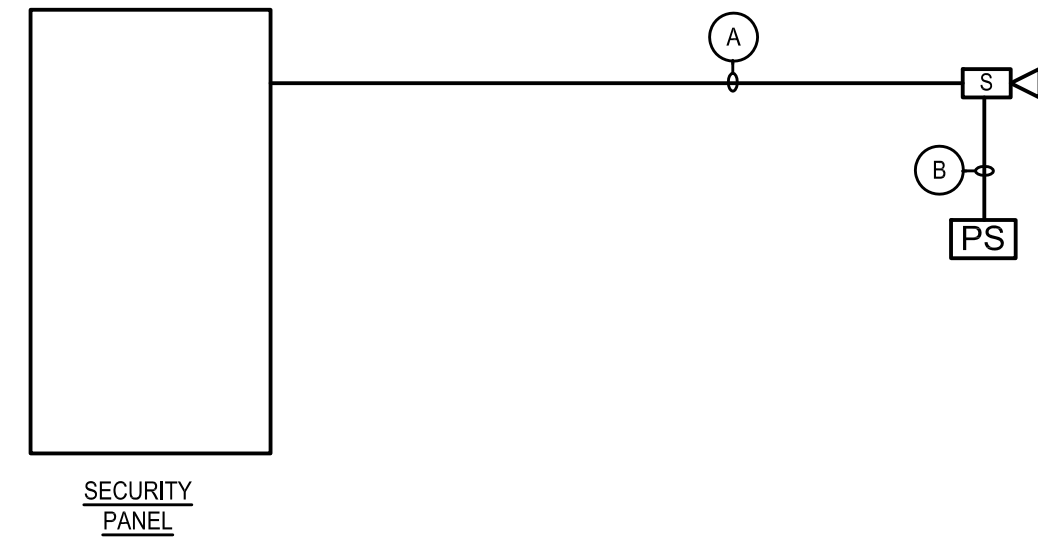


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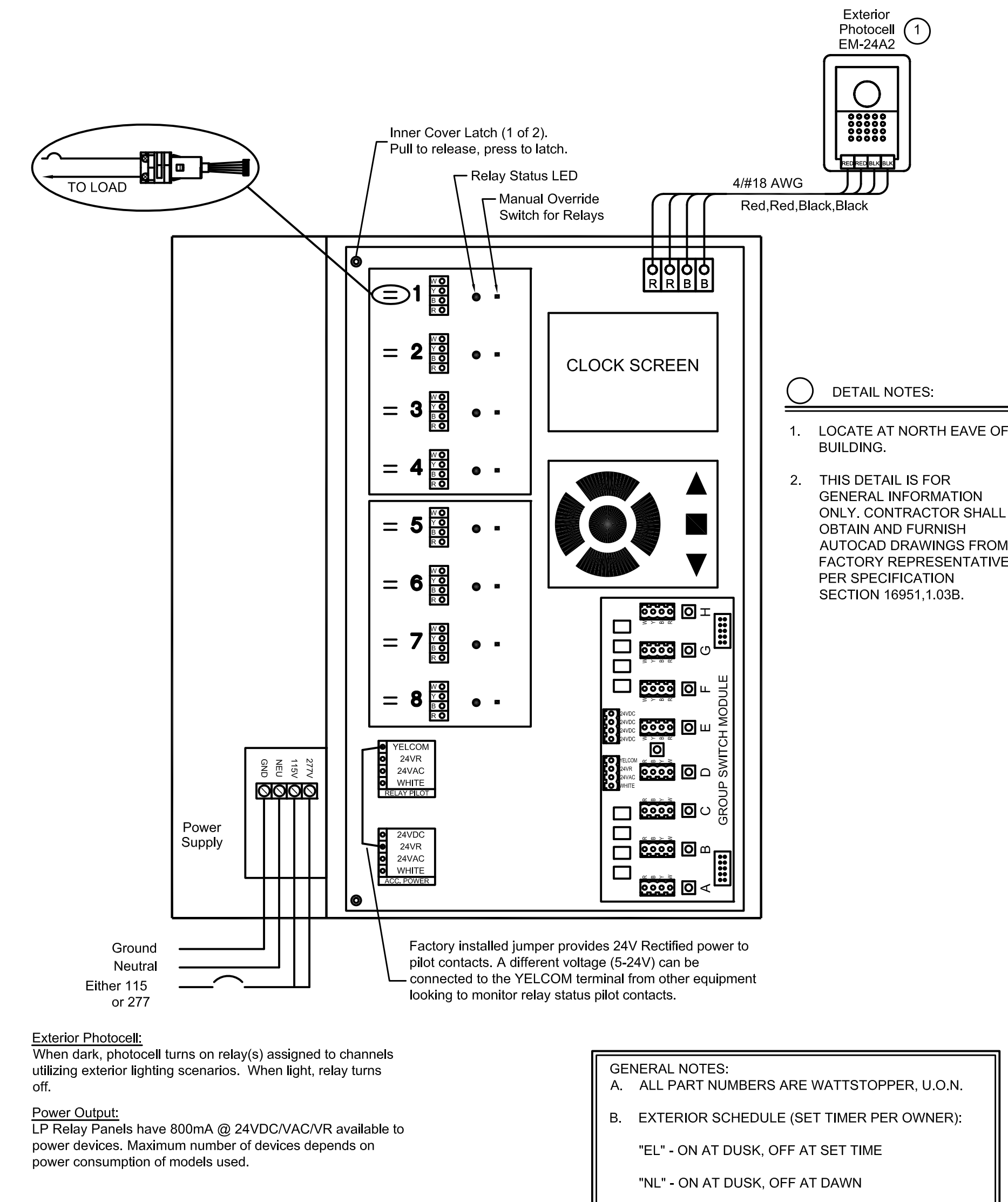


LOW VOLTAGE SYSTEM CABLE SCHEDULE				
I.D.	DESCRIPTION	MANUFACTURER	USE	NOTES
A	(1) CAT 6+ CMP CABLE	SUPERIOR ESSEX P.N. 66-272-6B	SURVEILLANCE CAMERAS	YELLOW COLOR
B	2 CONDUCTOR, 18 AWG COPPER	WEST PENN P.N. 224	SURVEILLANCE CAMERA POWER	STRANDED CABLE

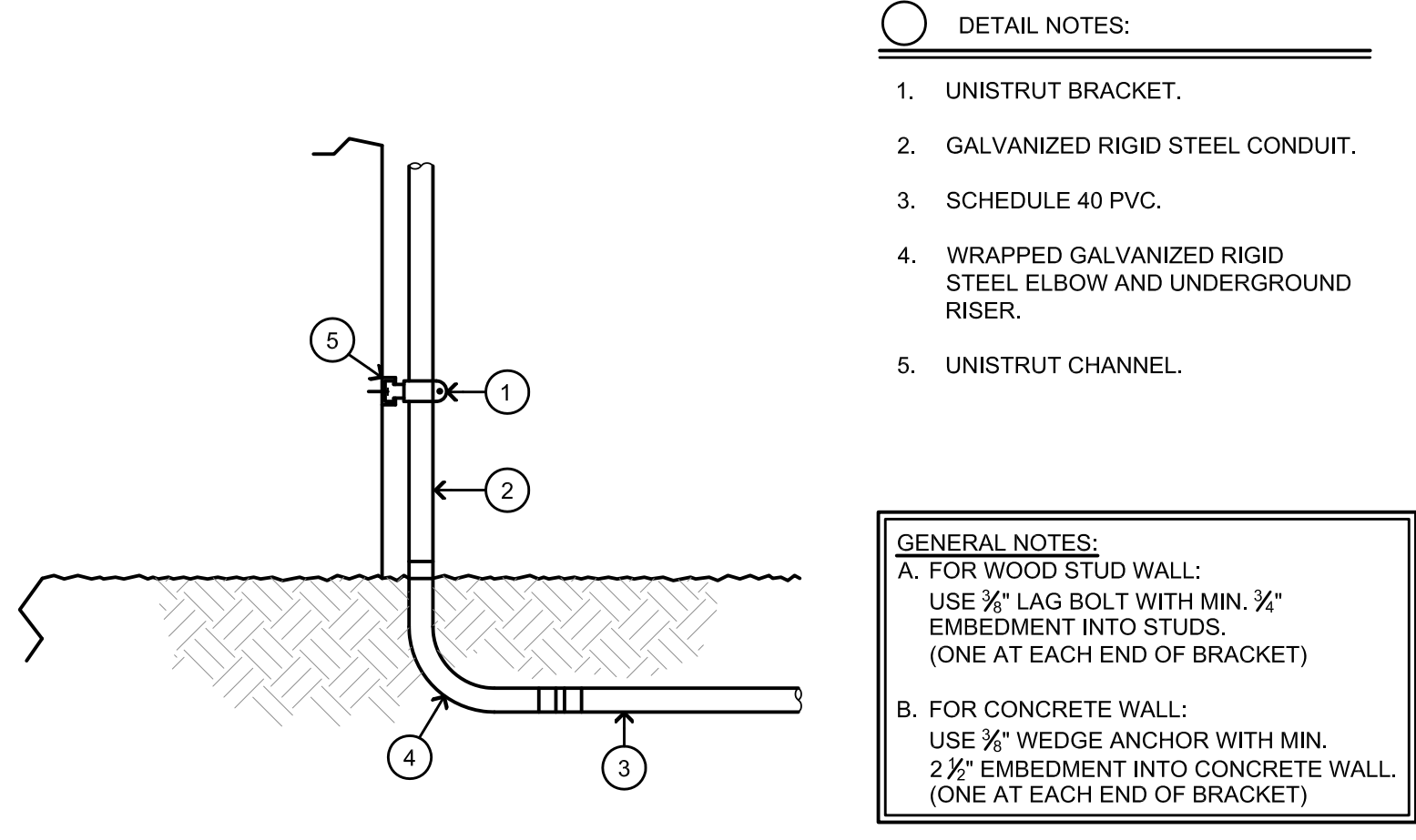
EQUIPMENT LIST			
I.D.	DESCRIPTION	MANUFACTURER	NOTES
SC	SECURITY CAMERA	SEE SPECS	PROVIDE VIDEO STORAGE AS REQUIRED PER DISTRICT STANDARDS
PS	SURVEILLANCE CAMERA POWER SUPPLY	SEE SPECS	



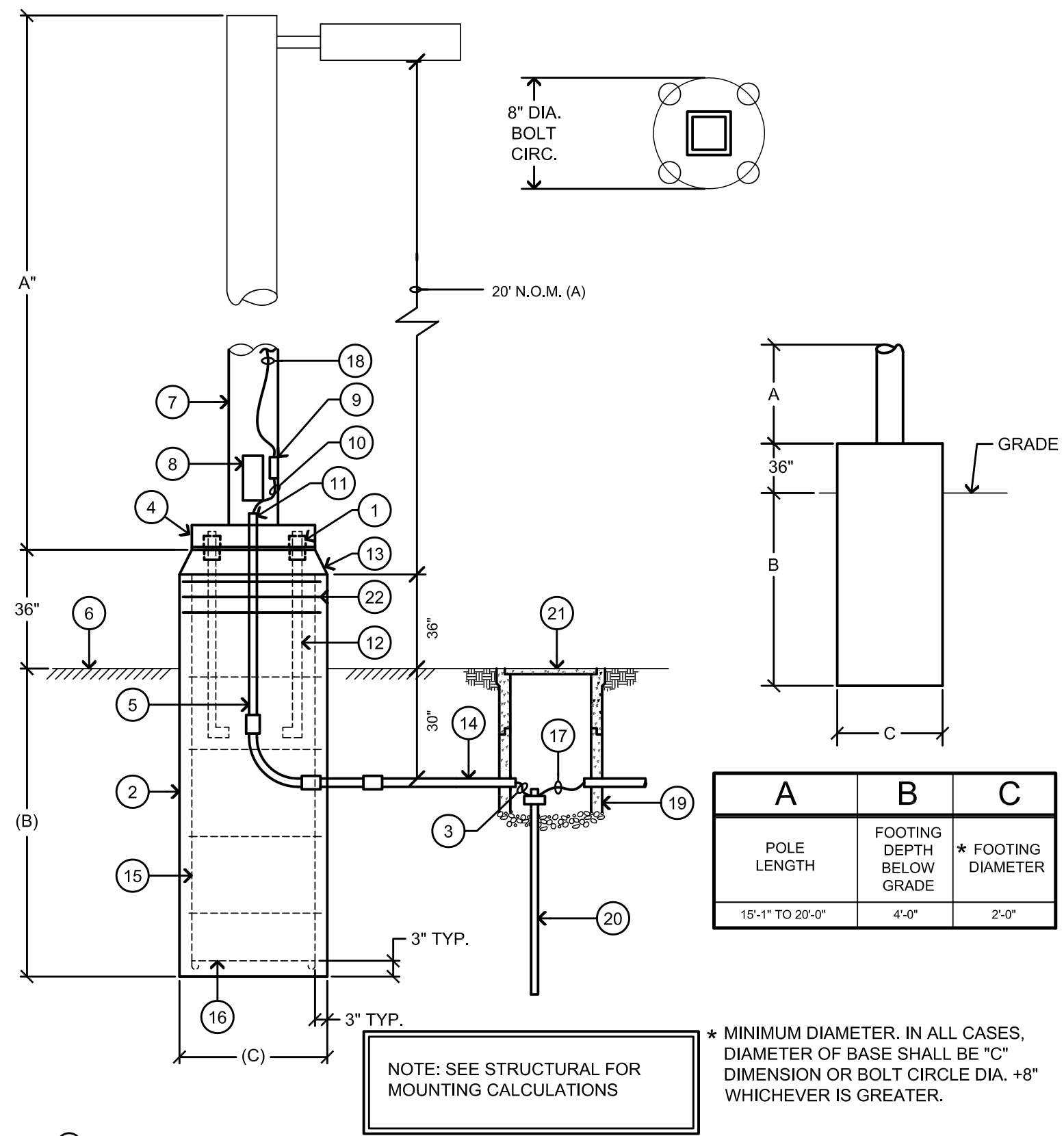
**7 CAMERA SYSTEM RISER DIAGRAM**  
NO SCALE



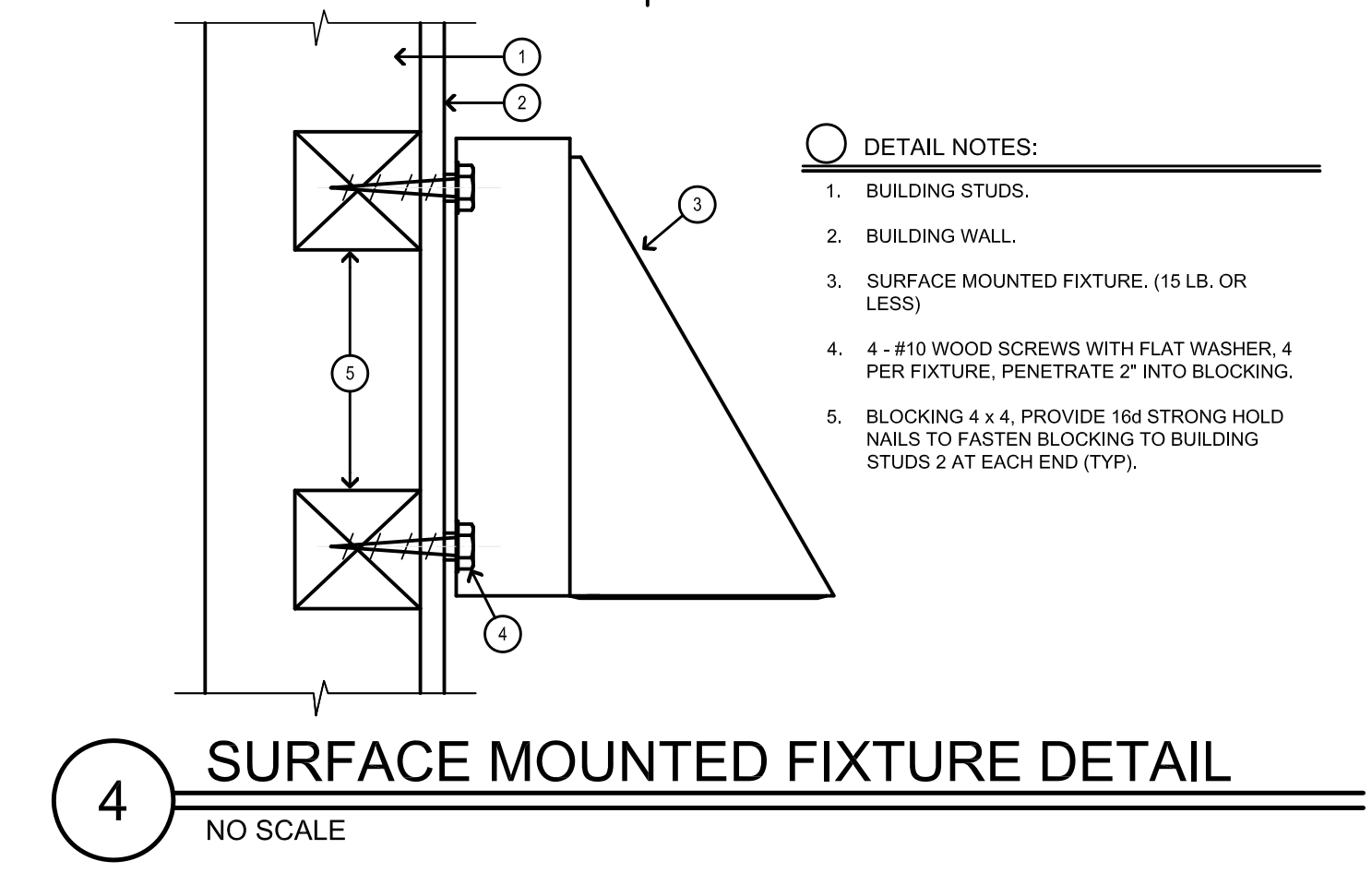
**7 EXTERIOR LIGHTING CONTROL PANEL DETAIL**  
NO SCALE



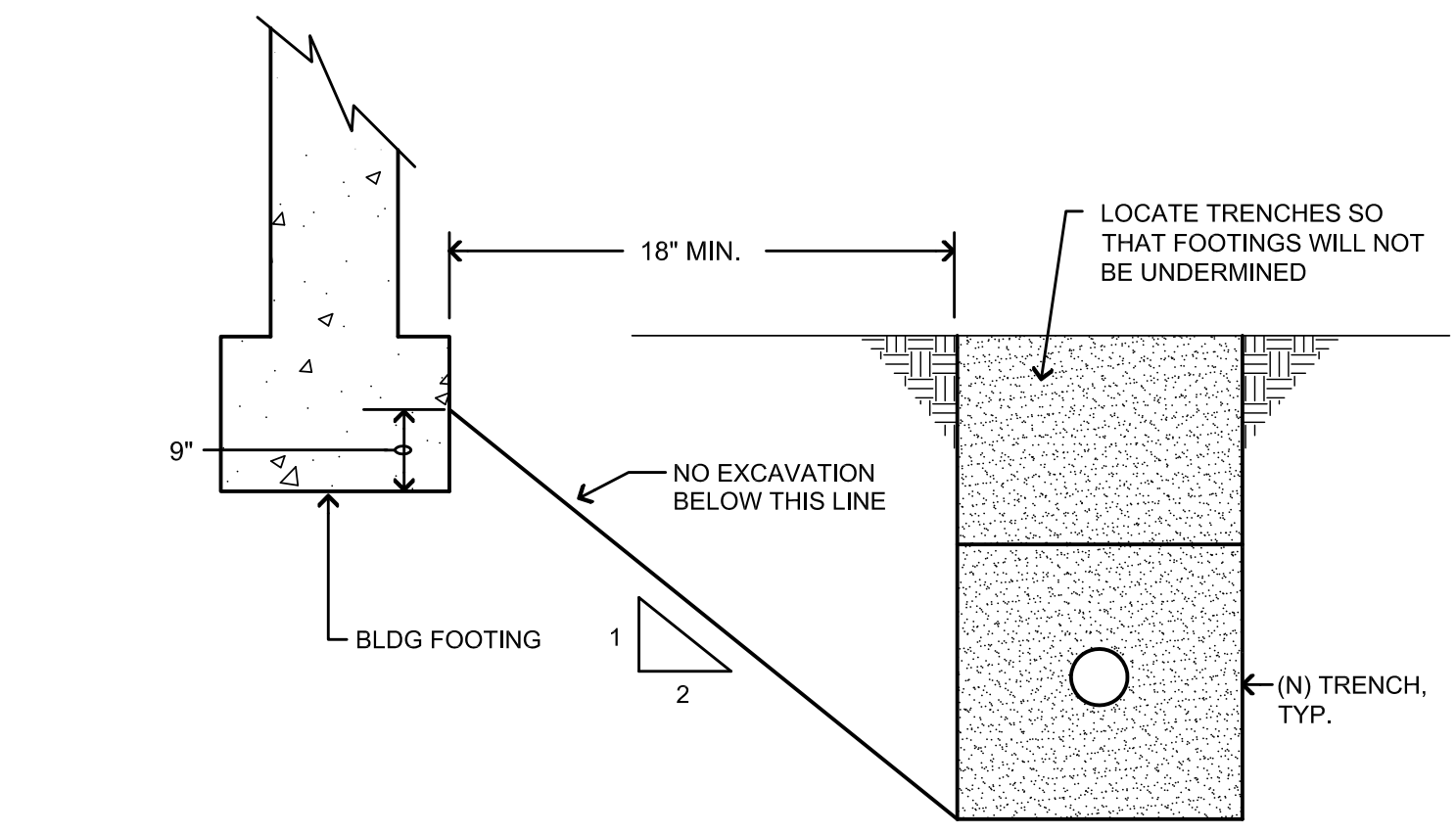
**6 UNDERGROUND CONDUIT RISER DETAIL**  
NO SCALE



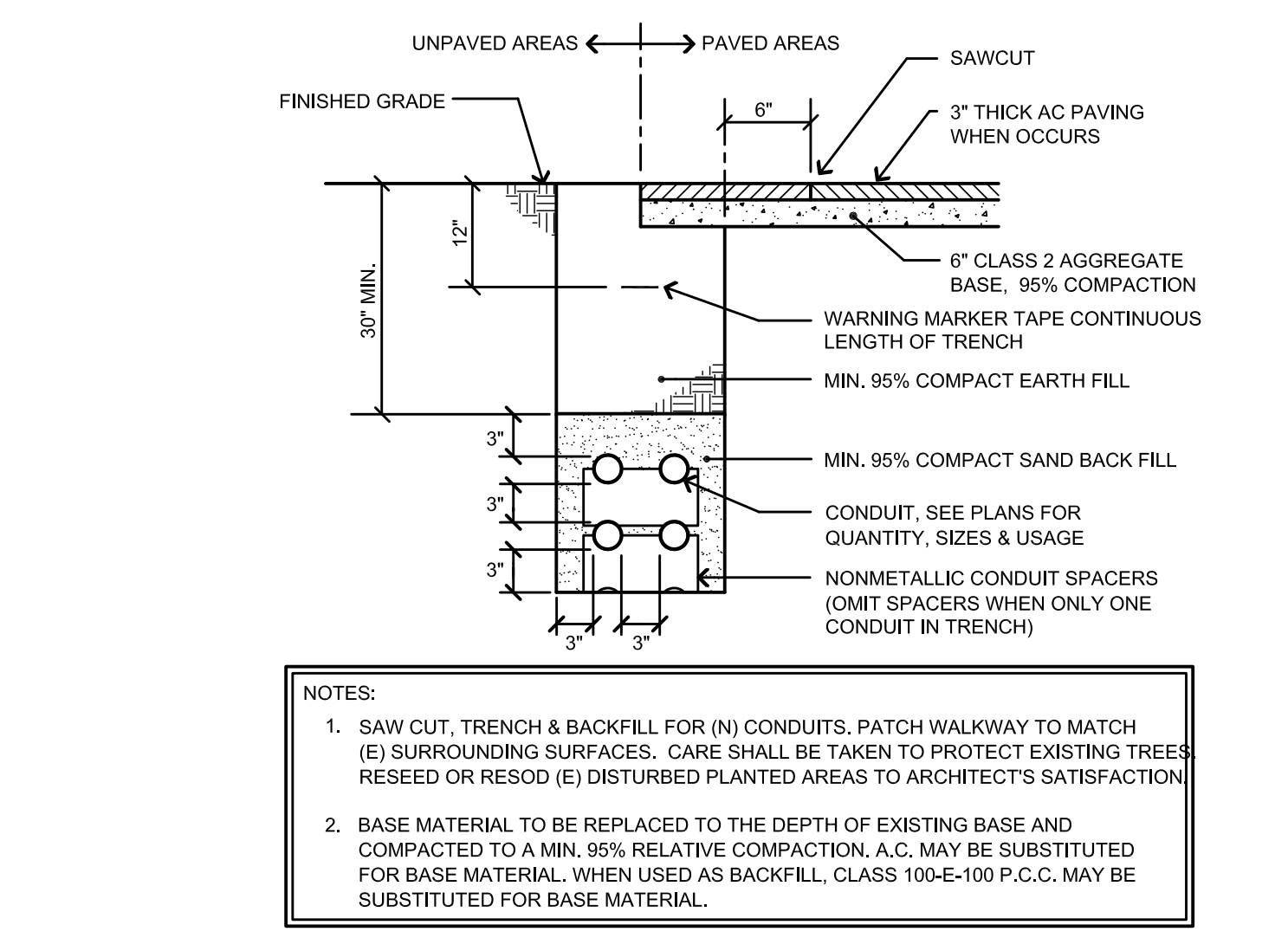
**5 FIXTURE MOUNTING DETAILS**  
NO SCALE



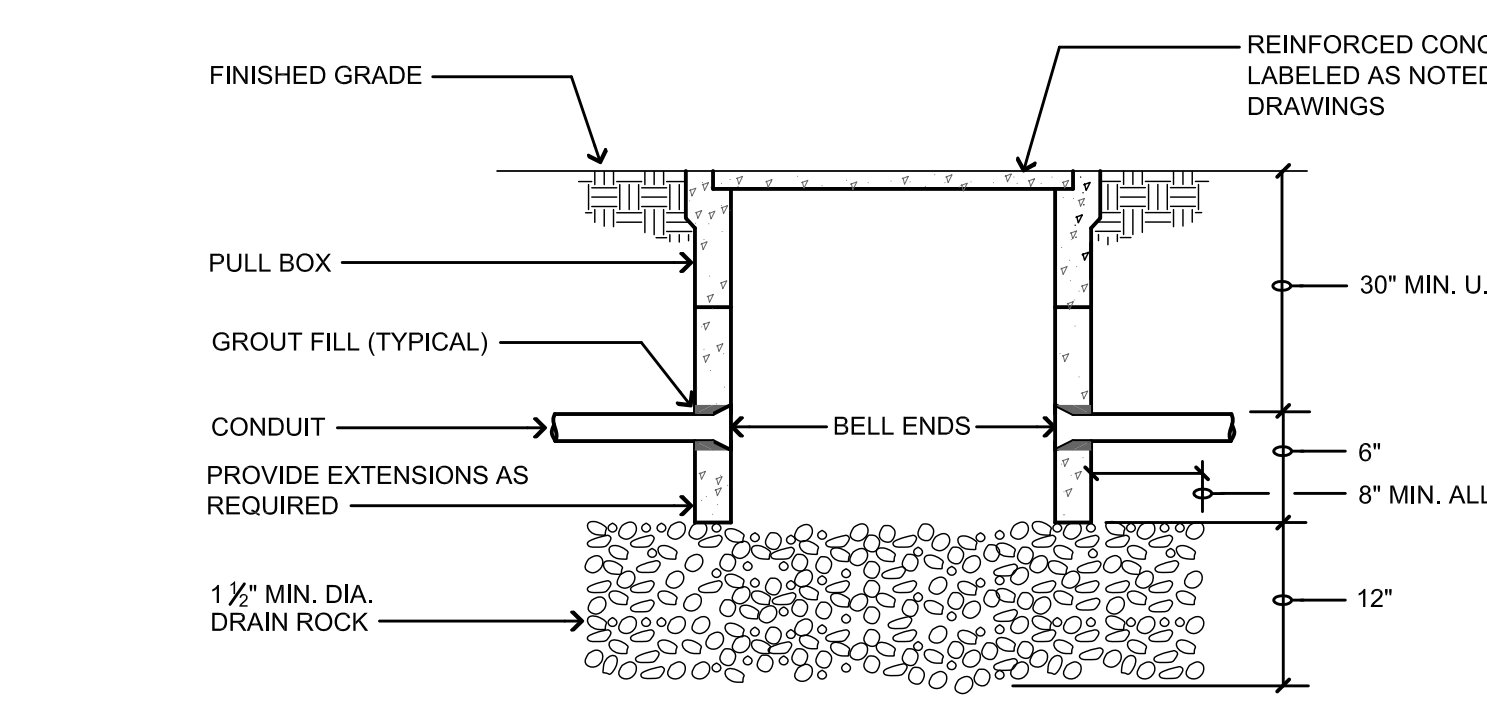
**4 SURFACE MOUNTED FIXTURE DETAIL**  
NO SCALE



**3 TRENCH NEAR BLDG FOOTING**  
NO SCALE



**2 TYPICAL TRENCH SECTION**  
NO SCALE



**1 TYPICAL PULLBOX DETAIL**  
NO SCALE

**IN STUDIO ARCHITECTURE**  
250 MAIN STREET  
SALINAS, CA 93901  
831.320.2655

DATES

**AURUM CONSULTING ENGINEERS**  
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60 Garden Court • Suite 210 • Monterey, CA 93940  
T 831.646.3300 • F 831.646.3308 • www.aecomb.com

**CLIENT**  
**12 / 12 GENETIC, LLC**

**PROJECT**  
**USE PERMIT FOR A CANNABIS CULTIVATION, NURSERY, DISTRIBUTION & MFR. FACILITY**  
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**SHEET**  
**ELECTRICAL DETAILS**

PLN180109  
PROJECT NUMBER: 1811.1  
ISSUED: 07-24-2018  
DRAWN BY: CADD  
CHECKED BY: E.O.B.  
FILENAME:

**E5.1**

