

## **Negative Declaration & Notice Of Determination**

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING 976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

**ENVIRONMENTAL DETERMINATION NO.** ED Number 18-117 **DATE:** November 6, 2018

PROJECT/ENTITLEMENT: Dolny Alabaster Minor Use Permit; DRC2018-00069

**APPLICANT NAME:** Michael Dolny/Cal Jacobson AG **Email:** Brian@pilothouse-management.com

ADDRESS: 791 Price Street, #185, Pismo Beach, CA 93449

**CONTACT PERSON:** Brian Wright **Telephone:** (805)440-4539

**PROPOSED USES/INTENT:** Request by Michael Dolny/Cal Jacobson AG for the indoor cultivation of up to 22,000 square feet of cannabis (mature plants). On-site development would include construction of a new 46,200-square foot greenhouse, a two-level 13,740-square foot head house building, a 3,022-square foot administrative building, and a 53,400 square foot steel water storage tank. Approximately 1.6 acres of existing avocado orchard would be removed to accommodate the new development. The operations would also include uses ancillary to cultivation, such as harvesting, drying, curing, and trimming of cannabis, as well as storage, packaging and labeling. Project grading would occur on approximately 3.0 acres, with the total graded material estimated to be 10,000 cubic yards. Graded materials are expected to be balanced on-site.

The project site is relatively flat and screened from public views by existing vegetation. All cannabis cultivation uses would be secured within the new project buildings, including all plants, equipment, agricultural materials, waste materials, and loading or unloading of product. The project fence would have a secured access at the southeast corner of the property. The project will be located on a 32.77-acre Residential Rural property at 502 Albert Way, Arroyo Grande in the South County Planning Area.

**Ordinance Modification:** The project request includes a modification from the parking provisions set forth in Section 22.18.050.C.1 of the County Land Use Ordinance (LUO), which describes parking requirements for agricultural uses. A ratio of one parking space per 500 square feet of floor area is the minimum requirement for nursery specialties. The proposed greenhouses and buildings would total 62,962 square feet, which would require the applicant to provide 126 parking spaces. The project proposes 35 parking spaces. Up to 40 employees may be on site at various times during the day with carpooling and bike-to-work programs proposed. Therefore, 35 spaces are proposed as sufficient to meet the parking demands of the project.

**LOCATION:** The project is located at 502 Albert Way in Arroyo Grande

**LEAD AGENCY:** County of San Luis Obispo

Dept of Planning & Building 976 Osos Street, Rm. 200

San Luis Obispo, CA 93408-2040 Website: http://www.sloplanning.org

STATE CLEARINGHOUSE REVIEW: YES ⊠ NO □

OTHER POTENTIAL PERMITTING AGENCIES:

**ADDITIONAL INFORMATION:** Additional information pertaining to this Environmental Determination may be obtained by contacting the above Lead Agency address or (805)781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT ......4:30 p.m. (2 wks from above DATE)

30-DAY PUBLIC REVIEW PERIOD begins at the time of public notification

Notice of Determination	State Clearinghouse No				
This is to advise that the San Luis Obispo County_  Responsible Agency approved/denied the above has made the following determinations regarding to	• • • • • • • • • • • • • • • • • • • •				
The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures and monitoring were made a condition of approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.					
This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at the 'Lead Agency' address above.					
County of San Luis	Obispo				
Signature Project Manager Na	me Date Public Agency				



# **Initial Study Summary – Environmental Checklist**

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING 976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

(ver 5.10)<u>Using Form</u>

## Project Title & No. Dolny-Alabaster Cannabis Cultivation Minor Use Permit (DRC2018-00069)

ED18-117

(DRC2010-00	7003)			
<b>ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:</b> The proposed project could have a 'Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these mpacts to less than significant levels or require further study.				
Aesthetics Agricultural Resources Air Quality Biological Resources Cultural Resources	Geology and Soils Hazards/Hazardous Materials Noise Population/Housing Public Services/Utilities	Recreation Transportation/Circulation Wastewater Water /Hydrology Land Use		
<b>DETERMINATION</b> : (To be comp	leted by the Lead Agency)			
On the basis of this initial evaluate	tion, the Environmental Coordinator t	inds that:		
The proposed project C	OULD NOT have a significant eff ON will be prepared.	ect on the environment, and a		
be a significant effect in the	oject could have a significant effect on his case because revisions in the projent. A MITIGATED NEGATIVE DECL	ect have been made by or agreed		
The proposed project ENVIRONMENTAL IMPA	MAY have a significant effect CT REPORT is required.	on the environment, and an		
unless mitigated" impact analyzed in an earlier d addressed by mitigation	AY have a "potentially significant i on the environment, but at least or ocument pursuant to applicable leg measures based on the earlier an ENTAL IMPACT REPORT is require addressed.	pe effect 1) has been adequately gal standards, and 2) has been alysis as described on attached		
potentially significant effection DECLARATION pursuant pursuant to that earlier E	roject could have a significant effect cts (a) have been analyzed adequate t to applicable standards, and (b) EIR or NEGATIVE DECLARATION, ed upon the proposed project, nothin	ely in an earlier EIR or NEGATIVE have been avoided or mitigated including revisions or mitigation		
Mindy Fogg	M/J-35	11/5/18		
Prepared by (Print)	Signature	Date		
	Environn	nental Coordinator		
Reviewed by (Print)	Signature (for) E	Ilen Carroll Date		

#### **Project Environmental Analysis**

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The County Planning Department uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Planning Department, 976 Osos Street, Rm. 200, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

## A. PROJECT

**DESCRIPTION:** The proposed project is a request by Michael Dolny/CAL Jacobson AG for the indoor cultivation of up to 22,000 square feet of cannabis (mature plants). As shown in Figure 1, onsite development would include construction of a new 46,200-square foot greenhouse, a 13,740-square foot head house building, a 3,022-square foot administrative building, and a 53,400 square foot steel water storage tank. The head house building would be constructed to have two levels, with the upper level having 6,440 square feet and the basement level having 7,300 square feet. The operations would also include uses ancillary to cultivation, such as harvesting, drying, curing, and trimming of cannabis, as well as storage, packaging and labeling. These activities would all occur inside the greenhouse and head house areas. The project would employ up to 50 people and would operate seven days per week between the hours of 7:00 AM and 6:00 PM.

As shown in Figure 2, the project would be located on a 32.77-acre Residential Rural property at 502 Albert Way, Arroyo Grande in the South County Planning Area (Assessor Parcel Number 091-181-001). The site currently supports an avocado orchard that has been in production for over 16 years. Approximately 1.6 acres of avocado orchard would be removed to accommodate the new development. The remaining orchard on site will continue to be farmed separately from the proposed cannabis cultivation operation. The site also contains an existing single-family residence and accessory structures, which will remain in place.

Project grading would occur on approximately 3.0 acres, which comprises approximately 9 percent of the total property. Grading would include both cut and fill activities, with the total graded material estimated to be 10,000 cubic yards. Graded materials are expected to be balanced on-site.

All cannabis cultivation uses would be secured within the new project buildings, including all plants, equipment, agricultural materials, waste materials, and loading or unloading of product. The property has an existing perimeter fence of varying height with some sections consisting of chain link, some consisting of barbed wire, and some consisting of concrete block wall. The project proposes an interior project fence consisting of 6-foot high barbed wire and wrought iron. The project fence would have a secured access at the southeast corner of the property.

The greenhouse would consist of eleven bays (25 feet x 168 feet). One bay would contain mother plants (15 benches, each 4 foot x19 foot in size) and clone plants (36 stacked shelving units, each 2 foot x 4 foot x 6 foot in size); four bays would contain immature vegetative plants (68 benches, each 4 foot x 9 foot in size); and six bays would contain mature plants (68 benches, each 4 foot x 9 foot in size).

All new buildings are proposed to be designed and constructed to achieve Leadership in Energy and Environmental Design (LEED) Silver Certification. As such, the project includes features and mechanisms to minimize energy usage, reduce and recycle water, manage solid and green waste, and minimize vehicle emissions.

The project site is relatively flat and screened from public views by existing vegetation. No exterior business signage is proposed. Natural screening exists along the perimeter of the project site. Natural screening consists of tall eucalyptus trees along the south, dense oak woodlands along the west and north, and large avocado trees along the east (Figure 3). The greenhouse and accessory structures would be surrounded by the existing tall and dense avocado orchard to the south and west, oak woodlands to the north, and single-family dwelling, support structures and plantings to the east. All exterior lighting would be used for security purposes and would be shielded, directed downward, and would comply with California Green Building Code, USGBC LEED Certification requirements - dark skies initiative, and California Title 24 outdoor lighting energy efficiency requirements. In addition, the existing lighting on site would be replaced to match the project-shielded, downward-facing lighting proposed for the project.

Pursuant to Cal Fire Standard 4, Access Roads and Driveways, Albert Way will need to be improved before the project becomes operational. To meet this standard, three sections of Albert Way would need to be widened from 16 feet to 24 feet. The sections to be widened are shown in Figure 4, below.

Ordinance Modification: The project request includes a modification from the parking provisions set forth in Section 22.18.050.C.1 of the County Land Use Ordinance (LUO), which describes parking requirements for agricultural uses. The type of commercial agricultural use that best matches the proposed cannabis cultivation is "Nursery Specialties." A ratio of one parking space per 500 square feet of floor area is the minimum requirement for nursery specialties. The proposed greenhouses and buildings would total 62,962 square feet, which with the application of this parking standard, would require the applicant to provide 126 parking spaces. The project proposes 35 parking spaces. Up to 40 employees may be on site at various times during the day with carpooling and bike-to-work programs proposed. Therefore, 35 spaces are proposed as sufficient to meet the parking demands of the project.

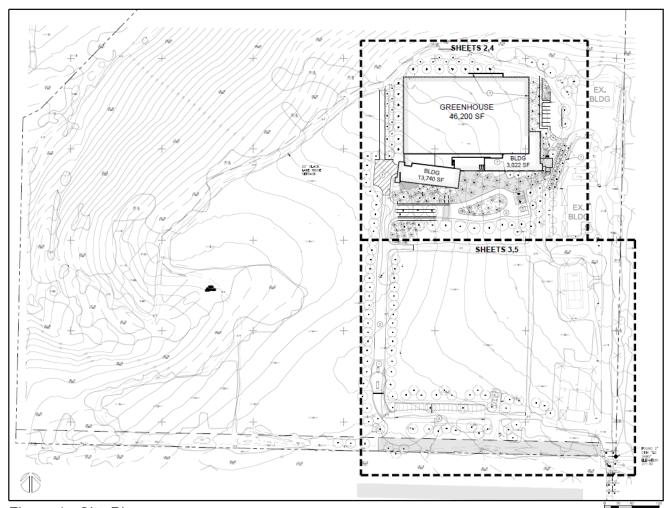


Figure 1 - Site Plan

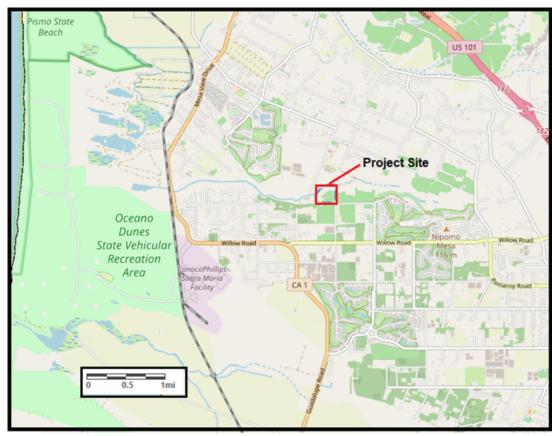


Figure 2 - Project Location



Figure 3 - Aerial of the Project Site



Figure 4 - Three Sections of Albert Way to be Improved (looking north)

ASSESSOR PARCEL NUMBER(S): 091-181-001

Latitude: 35 degrees 3' 17" N Longitude: 120 degrees 33' 36" W SUPERVISORIAL DISTRICT # 4

## **B. EXISTING SETTING**

PLAN AREA: South County SUB: South County Inland COMM: NA

LAND USE CATEGORY: Residential Rural

COMB. DESIGNATION: Sensitive Resource Area

PARCEL SIZE: 32.77 acres

**TOPOGRAPHY**: Gently sloping to moderately sloping

**VEGETATION**: Agriculture

**EXISTING USES**: Agricultural uses single-family residence(s)

## **SURROUNDING LAND USE CATEGORIES AND USES:**

North: Residential Rural; Greenhouse-Nursery	East: Agriculture; Avocado Orchard
South: Agriculture; Greenhouse-Avocado Orchards	West: Residential Rural;

#### C. **ENVIRONMENTAL ANALYSIS**

During the Initial Study process, at least one issue was identified as having a potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.



## **COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST**

1.	AESTHETICS Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	Create an aesthetically incompatible site open to public view?				
b)	Introduce a use within a scenic view open to public view?				
c)	Change the visual character of an area?				
d)	Create glare or night lighting, which may affect surrounding areas?				
e)	Impact unique geological or physical features?				
f)	Other:				

## Aesthetics

**Setting.** The project site is located at the north end of Albert Way, which is a private road off of Willow Road. Property fencing and natural screening are in place along the perimeter of the project site. Natural screening consists of tall eucalyptus trees along the south, dense oak woodlands along the west and north, and large avocado trees along the east (See Figures 5 and 6). The greenhouse and accessory structures would be surrounded by the existing avocado orchard to the south and west, oak woodlands to the north, and the single-family dwelling, support structures and plantings to the east.

Regulatory Setting: A significant impact could occur if the proposed project were to be visible from a scenic highway. The only Officially Designated State Scenic Highway in San Luis Obispo County is Highway 1. The project site is not visible from Highway 1. In addition, Section 22.30.310 of the LUO requires that greenhouses are screened at least 50 percent from public roads. Lastly, Table VR-2 of the Conservation and Open Space Element provides a list of Suggested Scenic Corridors. None of the roadways in the vicinity of the project site are listed on Table VR-2.



Figure 5 - Looking North onto Project Site from Albert Way



Figure 6 - Looking Southwest at Entrance from Interior Driveway (Albert Way is beyond the gate)

**Impact.** The project, as proposed, would not be visible from public roads. The project would be compatible with adjacent uses and surrounding visual character (agricultural and rural residential uses). The site does not include unique geological or physical features. The proposed buildings would be up to 36 feet in height and would be located on the interior of the site where they will be screened from

public view by existing vegetation. The project also includes a 53,400-gallon steel storage tank that would be located behind the existing shop building in the northeast corner of the property. The storage tank would be 40 feet tall and would also be well screened by the existing buildings and orchard. The proposed development would not be visible from Willow Road.

In compliance with LUO Section 22.30.310, the greenhouse would be more than 50% screened from any public roads. All new outdoor lighting would be used for security purposes and would be shielded, facing downward, and would comply with California Green Building Code, USGBC LEED Certification requirements - dark skies initiative, and California Title 24 outdoor lighting energy efficiency requirements. Additionally, the existing lighting on site would be replaced to match the project-shielded, downward-facing lighting proposed for the project.

Mitigation/Conclusion. Project design combined with regulatory compliance would ensure that any visual impacts are less than significant. No mitigation measures are necessary.

2. AGRICULTURAL RESOURCES Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Convert prime agricultural land, per NRCS soil classification, to non- agricultural use?				
b) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use?				
c) Impair agricultural use of other propert or result in conversion to other uses?	у 🗌			
d) Conflict with existing zoning for agricultural use, or Williamson Act program?				
e) Other:				
Agricultural Resources				
<b>Setting</b> . <u>Project Elements</u> . The following are for agricultural production:	a-specific eleme	ents relate to	the property's i	mportance
<u>Land Use Category</u> : Residential Rural	<u>Historic/E</u> Orchard		<u>rcial Crops</u> : Av	rocado
State Classification: Farmland of Statew	ride <u>In Agricul</u> t	<u>tural Preserve</u> ?	No	
Importance and Unique Farmland	Under Wil	lliamson Act co	ntract? No	

The average slope of the parcel is 19 percent, and the developed portions of project site are relatively flat. For the past 16 years, the project site has been used as an avocado orchard. Approximately 484 trees (1.6 acres) would be removed from the avocado orchard to accommodate the construction of the new greenhouse, head house and administration building.

Based on the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP) and the San Luis Obispo County Important Farmland Map (FMMP 2016), the project site is mapped as both Farmland of Statewide Importance (south half) and Unique Farmland (Figure 7).

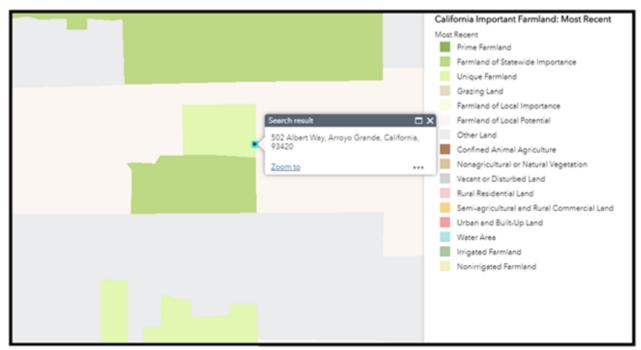


Figure 7 - Department of Conservation Farmland Mapping

The soil type(s) and characteristics on the project site include:

Oceano sand (0-9 % slope) +/- 29.1 acres

This very deep, excessively drained, nearly level to moderately sloping soil is on old stabilized sand dunes. It formed deposits of windblow sand. Areas are nearly round or long and narrow and range from 50-3,000 acres. The natural vegetation is mainly brush, annual grasses, and scattered hardwoods. Elevation ranges from 10 to 500 feet. The average annual precipitation reanges form 15 to 19 inches, and the average annual air temperature is about 58 degrees F. The soil is considered Class IV when irrigated and Class VI, nonirrigated.

## Oceano sand (9-30 % slope) +/- 5.1 acres

This very deep, excessively drained, strongly sloping and moderately steep soil is on old established sand dunes. It formed in deposits of windblown sand. Areas are nearly round or long and narrow and range from 50-3,000 acres. The natural vegetation is mainly brush, annual grasses, and scattered hardwoods. Elevation ranges from 10 to 500 feet. The average annual precipitation reanges form 15 to 19 inches, and the average annual air temperature is about 58 degrees F. This soil is considered Class VI, nonirrigated.

**Impact.** The project is located in a predominantly rural and agricultural area with agricultural activities occurring on the property and immediate vicinity. The project site does not support Prime Soils and is not within an Agricultural Preserve or under a Williamson Act Contract. Portions of the site qualify as Farmland of Statewide Importance, and other portions are designated as Unique Farmland. However, the project proposes cultivation of cannabis and uses ancillary to cultivation, while continuing the commercial production of avocados. Therefore, the project will not convert Prime Farmland to a non-agricultural use, and no significant impacts to agricultural resources are anticipated.

**Mitigation/Conclusion.** The project's impacts would be less than significant, and no mitigation measures are necessary.

3.	AIR QUALITY Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?				
b)	Expose any sensitive receptor to substantial air pollutant concentrations?				
c)	Create or subject individuals to objectionable odors?				
d)	Be inconsistent with the District's Clean Air Plan?				
e)	Result in a cumulatively considerable net increase of any criteria pollutant either considered in non-attainment under applicable state or federal ambient air quality standards that are due to increased energy use or traffic generation, or intensified land use change?				
GF	REENHOUSE GASES				
f)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				
g)	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				
h)	Other:				

## **Air Quality**

**Setting.** The Air Pollution Control District (APCD) has developed and updated their CEQA Air Quality Handbook (2012) to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

Greenhouse Gas (GHG) Emissions are said to result in an increase in the earth's average surface temperature. This is commonly referred to as global warming. The rise in global temperature is associated with long-term changes in precipitation, temperature, wind patterns, and other elements of the earth's climate system. This is also known as climate change. These changes are now thought to be broadly attributed to GHG emissions, particularly those emissions that result from the human production and use of fossil fuels.

In 2006, the State of California passed the Global Warming Solutions Act of 2006, commonly referred

to as Assembly Bill (AB) 32, which set the GHG emissions reduction goal for the State into law. The law requires that by 2020, State emissions must be reduced to 1990 levels by reducing GHG emissions from significant sources via regulation, market mechanisms, and other actions. Senate Bill (SB) 32, passed in 2016, set a statewide GHG reduction target of 40% below 1990 levels by 2030.

In March 2012, the San Luis Obispo County Air Pollution Control District (APCD) approved thresholds for GHG emission impacts, and these thresholds have been incorporated the APCD's CEQA Air Quality Handbook. APCD determined that a tiered process for residential / commercial land use projects was the most appropriate and effective approach for assessing the GHG emission impacts. The tiered approach includes three methods, any of which can be used for any given project:

- 1. Qualitative GHG Reduction Strategies (e.g. Climate Action Plans): A qualitative threshold that is consistent with AB 32 Scoping Plan measures and goals; or,
- 2. Bright-Line Threshold: Numerical value to determine the significance of a project's annual GHG emissions; or,
- 3. Efficiency-Based Threshold: Assesses the GHG impacts of a project on an emissions per capita basis.

For most projects the Bright-Line Threshold of 1,150 Metric Tons CO2/year (MT CO2e/year) would be the most applicable threshold. In addition to the residential/commercial threshold options proposed above, a bright-line numerical value threshold of 10,000 MT CO2e/year was adopted for stationary source (industrial) projects.

It should be noted that projects that generate less than the above-mentioned thresholds would also participate in emission reductions because air emissions, including GHGs, are under the purview of the California Air Resources Board (or other regulatory agencies) and would be "regulated" either by CARB, the Federal Government, or other entities. For example, new vehicles would be subject to increased fuel economy standards and emission reductions, large and small appliances would be subject to more strict emissions standards, and energy delivered to consumers would increasingly come from renewable sources. Other programs that are intended to reduce the overall GHG emissions include Low Carbon Fuel Standards, Renewable Portfolio standards and the Clean Car standards. As a result, even the emissions that result from projects that produce fewer emissions than the threshold would be subject to emission reductions.

Under CEQA, an individual project's GHG emissions would generally not result in direct significant impacts. This is because the climate change issue is global in nature. However, an individual project could be found to contribute to a potentially significant cumulative impact. Projects that have GHG emissions above the noted thresholds may be considered cumulatively considerable and require mitigation.

**Impact.** As proposed, the project would result in the disturbance of approximately 130,500 square feet. Approximately 484 trees (1.6 acres) would be removed from the avocado orchard to make space for the construction of a new greenhouse and accessory structures. This would result in the creation of dust during the construction phase, as well as short- and long-term vehicle emissions. The project would be moving less than 1,200 cubic yards/day of material and would disturb less than four acres of area, and as such would be below the thresholds triggering construction-related mitigation. The project is also not in close proximity to sensitive receptors that might otherwise result in nuisance complaints and would incorporate dust and/or emission control measures during construction.

Prior to commencement of permitted activities, three sections of Albert Way must be widened from the existing 16-foot width to ensure a consistent 24-foot width. The slope of this section of the road is under 12% grade and, according to Cal Fire, Standard 4, Access Roads and Driveways, will not require non-skid paved surface. Since the entirety of Albert Way is flat and clear of obstruction, a negligible amount of earthwork would be involved. As such, the road improvement combined with the on-site development would be below the general thresholds triggering construction-related mitigation.

From an operational standpoint, based on Table 1-1 of the CEQA Air Quality Handbook (2012), the project would not exceed operational thresholds triggering mitigation. The project is consistent with the level of development anticipated and projected in the Clean Air Plan. No significant air quality impacts are expected to occur.

No land use for cannabis cultivation/operations exists in the CEQA Air Quality Handbook, so for the purpose of estimating operational GHG emissions, this project may be considered an Industrial Project (sub-category: General Light Industry). Using the GHG threshold information described in the Setting section, the project is expected to generate less than the Bright-Line Threshold stationary source (industrial) projects of 10,000 metric tons of GHG emissions. Therefore, the project's potential direct and cumulative GHG emissions are found to be less than significant and would not be a cumulatively considerable contribution to GHG emissions. Section 15064(h)(2) of the CEQA Guidelines provides guidance on how to evaluate cumulative impacts. If it is shown that an incremental contribution to a cumulative impact, such as global climate change, is not "cumulatively considerable," no mitigation is required. Because this project's emissions fall under the threshold, no mitigation is required.

Cannabis cultivation operations have the potential to produce objectionable odors. Section 22.40.050 of the LUO mandates the following:

All cannabis cultivation shall be sited and/or operated in a manner that prevents cannabis nuisance odors from being detected offsite. All structures utilized for indoor cannabis cultivation shall be equipped and/or maintained with sufficient ventilation controls (e.g. carbon scrubbers) to eliminate nuisance odor emissions from being detected offsite.

To comply with the above ordinance provisions, an Odor Management Plan has been developed for the proposed project. As described in the plan, all cannabis operations would occur indoors where environmental controls and odor management systems would be in effect. Air circulation would be managed at entry, return and exhaust. Air entry would be through an environmentally safe photohydroionization air purification system mounted on the air supply to purify grow spaces. Air return would consist of a minimum MERV 11 pre-filter and secondary carbon filters on return ductwork from grow spaces to remove impurities and neutralize odors to circulate back to the grow space or exhaust. The project would be conditioned to adhere to Odor Management Plan Compliance and to ensure that nuisance odors are not detected offsite. This would ensure that any impacts related to objectionable odors are insignificant.

Mitigation/Conclusion. Project design combined with regulatory compliance would ensure that any impacts are less than significant. No mitigation measures are necessary.

4.	BIOLOGICAL RESOURCES Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	Result in a loss of unique or special status species* or their habitats?				
b)	Reduce the extent, diversity or quality of native or other important vegetation?				
c)	Impact wetland or riparian habitat?				
d)	Interfere with the movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?				

4.	BIOLOGICAL RESOURCES Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
e)	Conflict with any regional plans or policies to protect sensitive species, or regulations of the California Department of Fish & Wildlife or U.S. Fish & Wildlife Service?				
f)	Other:				

## **Biological Resources**

**Setting**. The following are existing elements on or near the proposed project relating to potential biological concerns:

On-site Vegetation: Agriculture (avocado orchard), coast live oak trees (*Quercus agrigolia*), and eucalyptus (*Eucalyptus globulus*) are on site. The northern portion of the project site is designated as a Sensitive Resource Area.

Name and distance from blue line creek(s): Los Berros Creek is located 1.9 miles northeast of the project site.

Habitat(s): Agriculture, Oak Woodland, Eucalyptus, Ruderal/Developed

Site's tree canopy coverage: Approximately 75%.

A Biological Resources Assessment (BRA) dated March 15, 2018, was prepared by Kevin Merk Associates, LLC (KMA) for the proposed project. The study focused on a 16-acre study area within the larger property. The study area includes the project footprint and driveways and is depicted in Figures 8 and 9 below.

Habitat types on site include: 1) Agriculture (an avocado orchard), 2) Oak Woodland dominated by coast live oak trees, 3) Eucalyptus (windrow), and 4) Ruderal/Developed. No natural drainage features exist in the study area; however, the site is located on the top of a mesa above Black Lake Canyon which supports a blue-line creek and riparian habitat. The canyon area is also designated as a Sensitive Resource Area per the County's General Plan and LUO. Coast live oak woodland occurs at the interface of the northern border of the property and the slopes of the canyon.

No special-status plant or wildlife species were identified on the project site as part of the assessment. Due to the presence of oak woodland habitat on the northern portion of the property, the following sensitive species have potential to occur in the areas north of the agricultural footprint: silvery legless lizard (*Anniella pulchra pulchra*), American badger (*Taxidea taxus*), coast horned lizard (*Phrynosoma coronatum*), sharp-shinned hawk (*Accipiter striatus*), and various other nesting birds protected under the Migratory Bird Treaty Act.

<sup>\*</sup> Species – as defined in Section15380 of the CEQA Guidelines, which includes all plant and wildlife species that fall under the category of rare, threatened or endangered, as described in this section.



Figure 8 - Aerial / Biological Setting (Kevin Merk Associates 2018)

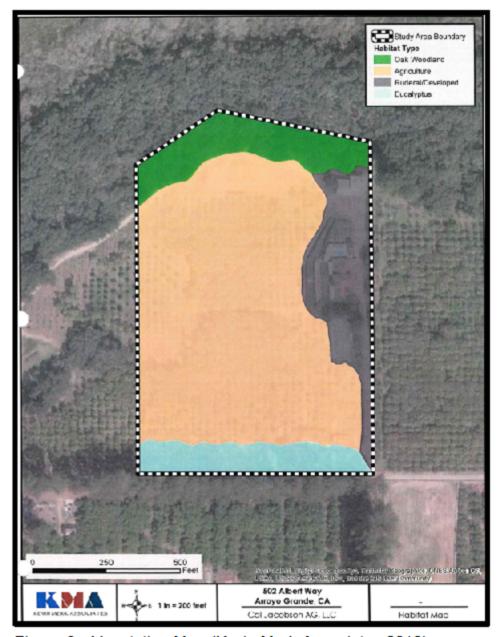


Figure 9 - Vegetation Map (Kevin Merk Associates 2018)

**Impact.** New construction for the proposed project would occur in areas that have already been disturbed by the existing avocado orchard and would avoid the canyon that's designated as a Sensitive Resource Area. The project incorporates elements into the project design to protect the creek in Black Lake Canyon, including the required 50-foot setback from the upland edge of all riparian habitat. In addition, the proposed road improvement along Albert Way would be located entirely within previously disturbed areas. However, the nearby sensitive oak woodland habitat associated with Black Lake Canyon has the potential to be directly or indirectly affected by the project's construction and operation. Such effects could also adversely impact sensitive plant or wildlife species that utilize the oak woodland habitat.

**Mitigation/Conclusion**. Potential impacts to biological resources are considered less than significant with incorporation of the recommended mitigation measures that require protective measures for oak trees and pre-construction surveys for migratory and nesting birds (Exhibit B).

5.	CULTURAL RESOURCES Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	Disturb archaeological resources?				
b)	Disturb historical resources?				
c)	Disturb paleontological resources?				
d)	Cause a substantial adverse change to a Tribal Cultural Resource?				
e)	Other:				$\boxtimes$

## **Cultural Resources**

**Setting.** The project is located in an area historically occupied by the Obispeno Chumash. No historic structures are present and no paleontological resources are known to exist in the area.

In compliance with AB52 Cultural Resources requirements, outreach to four Native American tribes groups was conducted (Northern Salinan, Xolon Salinan, Yak Tityu Tityu Northern Chumash, and the Northern Chumash Tribal Council). Comments were received from the Northern Chumash Tribal Council on June 9, 2018. The comments indicated that the Northern Chumash Tribal Council would like to see the records search for the project and all archaeological surveys for the property.

Central Coast Archaeological Research Consultants (CCARC) prepared a Phase I Cultural Resources Survey/Report dated June 2018. CCARC reviewed archaeological site records, site location base maps, GIS layers, and cultural resource surveys and excavation reports on file at the Central Coast Information Center (CCIC), at the University of California, Santa Barbara. CCARC also conducted a records search that included information on all surveys and sites within a .0.25-mile radius of the project site. In addition, CCARC consulted the National Register of Historic Places (NRHP) via the National Register Information Service (NRIS), the official online database of the NRHP, the California Inventory of Historic Resources, and the California Historical Landmarks. The searches did not reveal any built environment properties or archaeological sites within the study area or within a 0.25-mile radius of the project site. Finally, CCARC surveyed portions of the project site and Albert Way for the presence of cultural/archaeological resources and did not find any resources.

Impact. The project is not located in an area that would be considered culturally sensitive due to lack of physical features typically associated with prehistoric occupation. The CCARC record search and field survey did not identify any prehistoric or historic materials located on or near the project site. Therefore, significant impacts are not anticipated.

Mitigation/Conclusion. No archaeological monitoring is recommended during grading activities unless previously undiscovered cultural materials are unearthed. Per County LUO Section 22.10.040, if during any future grading and excavation, buried or isolated cultural materials are unearthed, work in the area shall halt until they can be examined by a qualified archaeologist and appropriate recommendations made. No significant impacts to cultural resources are expected to occur, and no additional mitigation measures are necessary.

6.	GEOLOGY AND SOILS Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable			
a)	Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?							
b)	Be within a California Geological Survey "Alquist-Priolo" Earthquake Fault Zone", or other known fault zones*?							
c)	Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?							
d)	Include structures located on expansive soils?							
e)	Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?							
f)	Preclude the future extraction of valuable mineral resources?			$\boxtimes$				
g)	Other:							
Per	Division of Mines and Geology Special Publication	າ #42						
-44	ing. The following relates to the project's goologic appeats or conditions:							

**Setting.** The following relates to the project's geologic aspects or conditions:

Topography: Gently sloping to moderately sloping

Within County's Geologic Study Area?: No Landslide Risk Potential: low to moderate

Liquefaction Potential: moderate

Nearby potentially active faults?: No Distance? 3 miles

Area known to contain serpentine or ultramafic rock or soils?: No

Shrink/Swell potential of soil: Low

Other notable geologic features? None

## **Geology and Soils**

The project site is located in the south-central portion of the Nipomo Mesa, the remnant of ancient stabilized sand dunes that formed during the Late Pleistocene Period by strong prevailing northwest winds (L.S.A. Associates 2006). The mesa is largely comprised of a mantle of late Pleistocene aeolian (wind-blown) dune sands that creates triangular landmass more than four miles wide on the coastal side and extending inland more than 12 miles, to a point just east of Highway 101. The dune sand

consists of loosely to slightly compacted, massive but cross-bedded, coarse- to fine-grained, wellrounded quartoze sand. Soil colors range from light tan to brown to almost orange, depending on the amount of dissolved organics in the soil (Albion 2016).

The soil type(s) and characteristics on the project site include:

## Oceano sand (0-9 % slope)

This very deep, excessively drained, nearly level to moderately sloping soil is on old stabilized sand dunes. It formed deposits of windblown sand. Areas are nearly round or long and narrow and range from 50-3,000 acres. The natural vegetation is mainly brush, annual grasses, and scattered hardwoods. Elevation ranges from 10 to 500 feet. The average annual precipitation reanges form 15 to 19 inches, and the average annual air temperature is about 58 degrees Farenheit. The soil is considered Class IV when irrigated and Class VI, nonirrigated.

## Oceano sand (9-30 % slope)

This very deep, excessively drained, strongly sloping and moderately steep soil is on old established sand dunes. It formed in deposits of windblown sand. Areas are nearly round or long and narrow and range from 50-3,000 acres. The natural vegetation is mainly brush, annual grasses, and scattered hardwoods. Elevation ranges from 10 to 500 feet. The average annual precipitation reanges form 15 to 19 inches, and the average annual air temperature is about 58 degrees Farenheit. This soil is considered Class VI, nonirrigated.

The project is not located within the Geologic Study area designation or within a high liquefaction area. However, a geological report has been prepared in accordance with the County's LUO [Section 22.14.070 (c)] to evaluate the area's geological stability.

#### Fault Zones

There are three active faults in San Luis Obispo County zoned under the State of California Alquist-Priolo Hazards map: San Andreas, Hosgri-San Simeon, and the Los Osos. None of these faults are present on the project site. The project site has a low potential for landslide hazards and a low potential for liquefaction hazards (San Luis Obispo County 1999). The project site is not located in a designated earthquake fault zone (CDOC 2015).

#### Drainage

Surface drainage at the site currently flows to the west, towards Black Lake (Garing Taylor & Associate 2018). When a project has the potential to generate runoff that may adversely impact offsite receiving areas, the County LUO (Sec. 22.52.080) requires the preparation of a drainage plan to minimize potential drainage impacts. When required, this plan would recommend measures to address drainage and erosion such as the construction of on-site retention or detention basins and the installation of surface water flow dissipaters. Such a plan would also need to demonstrate that the increased surface runoff would have no more impacts to offsite receiving areas than that caused by historic flows. The Department of Public Works has reviewed the project and concluded that a drainage plan prepared by a licensed engineer will be required and will be reviewed at the time of building permit submittal (Marshall 2018).

### **Sedimentation and Erosion**

A sedimentation and erosion control plan is required for all construction and grading projects (LUO Sec. 22.52.120) to minimize impacts. The plan must be prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are also subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program.

**Impact.** As proposed, the project would result in the disturbance of approximately 1.6 acres. Grading



would include both cut and fill activities. Total graded material is estimated to be 10,000 cubic yards.

Based on site location and conditions described above, the project is not expected to be particularly susceptible to landslides, earthquakes, subsidence, or similar hazards.

A geotechnical engineering report has been prepared by Pacific Coast Testing, Inc. for the project. The report found the potential for liquefaction to be low to moderate and determined that the site is suitable for the proposed development. The study notes that dry/loose soils in the upper four to six feet could cause issues related to stability of the building foundations. However, these issues can be addressed during construction with the recommendations in the report.

The applicant has had a preliminary Stormwater Pollution Prevention Plan (SWPPP) prepared (Garing Taylor & Associate 2018). The SWPPP addresses potential site erosion and prescribes best management practices to avoid or minimize loss of topsoil.

**Mitigation/Conclusion.** During construction, in compliance with standard building permit requirements, the applicant will be required to follow recommendations in the Geotechnical Investigation regarding soil stability. In addition, the applicant will be required to prepare drainage plans and adhere to the best management practices in the erosion and sedimentation control plans and the SWPPP. Implementation of plan and ordinance requirements will mitigate potential impacts associated with geology and soils to a less than significant level. There is no evidence that additional measures beyond compliance with code requirements and the conclusions of the soil investigation will be needed.

7.	HAZARDS & HAZARDOUS MATERIALS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	Create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				
b)	Create a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 1/4-mile of an existing or proposed school?				
d)	Be located on, or adjacent to, a site which is included on a list of hazardous material/waste sites compiled pursuant to Gov't Code 65962.5 ("Cortese List"), and result in an adverse public health condition?				
e)	Impair implementation or physically interfere with an adopted emergency response or evacuation plan?				

7.	HAZARDS & HAZARDOUS MATERIALS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
f)	If within the Airport Review designation, or near a private airstrip, result in a safety hazard for people residing or working in the project area?				
g)	Increase fire hazard risk or expose people or structures to high wildland fire hazard conditions?				
h)	Be within a 'very high' fire hazard severity zone?				
i)	Be within an area classified as a 'state responsibility' area as defined by CalFire?				
j)	Other:				

#### **Hazards and Hazardous Materials**

Setting. To comply with Government Code section 65962.5 (known as the "Cortese List") the project applicant consulted the following databases/lists to determine if the project site contains hazardous waste or substances:

- List of Hazardous Waste and Substances sites from Department of Toxic Substances Control (DTSC) EnviroStor database
- List of Leaking Underground Storage Tank Sites by County and Fiscal Year from Water Board GeoTracker database
- List of solid waste disposal sites identified by Water Board with waste constituents above hazardous waste levels outside the waste management unit
- List of "active" CDO and CAO from Water Board
- List of hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code, identified by DTSC

The database consultation concluded that project site is not located in an area of known hazardous material contamination.

According to CalFire's San Luis Obispo County Fire Hazard Severity Zone map, the project site is within a "high" severity risk area for fire. The closest fire station to the project site is San Luis Obispo County Fire Station 22, which is 2.1 miles from the site. According to San Luis Obispo General Plan Safety Element Emergency Response Map, average emergency response time to the project site is 5 minutes (San Luis Obispo County 1999).

The project is not within the Airport Review area; and no schools are located within a quarter-mile of the project site.

### Impact.

Construction activities: Construction activities may involve the use of oils, fuels and solvents. In the event of a leak or spill, persons, soil, and vegetation down-slope from the site may be affected. The use, storage, and transport of hazardous materials is regulated by the Department of Toxic Substances Control (DTSC) (22 Cal. Code of Regulations Section 66001, et seq.). The use of hazardous materials



on the project site for construction and maintenance is required to be in compliance with local, state, and federal regulations. In addition, compliance with best management practice would also address impacts.

<u>Operational Activities:</u> The project does not propose the use of hazardous materials, nor the generation of hazardous wastes, as part of the ongoing operations. The proposed project is not on the Cortese List (which is a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5).

The project is located in a "high" severity risk area which could present a significant fire safety risk. The applicant has submitted a Fire Protection Plan for the project (Collings & Associates 2018). As described in the Plan, monitored fire sprinkler systems, three new fire hydrants on the primary access road, and a single steel water storage tank (53,400 gallons) are to be included in the design of the project. Other standard Fire Code requirements would include maintaining fire extinguishers, alarms, and a fire pump. Additionally, sections of Albert Way would be widened to accommodate emergency vehicles in accordance with Cal Fire Standard 4, Access Roads and Driveways.

The project is not expected to conflict with any regional emergency response or evacuation plan since it is not proposing any barriers to ingress or egress in the area.

**Mitigation/Conclusion.** All requirements would be in accordance with County Ordinances and Cal Fire/San Luis Obispo Fire Department Standards. Compliance with the Fire Protection Plan would reduce fire related impacts to less than significant levels. No significant impacts related to hazards or hazardous materials are anticipated, and no mitigation measures are necessary.

8.	NOISE Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	Expose people to noise levels that exceed the County Noise Element thresholds?				
b)	Generate permanent increases in the ambient noise levels in the project vicinity?				
c)	Cause a temporary or periodic increase in ambient noise in the project vicinity?				
d)	Expose people to severe noise or vibration?				
e)	If located within the Airport Review designation or adjacent to a private airstrip, expose people residing or working in the project area to severe noise levels?				
f)	Other:				

## Noise

**Setting.** The project site is not within close proximity of loud noise sources, nor is it located near sensitive noise receptors (e.g., residences or schools). The Noise Element of the County's General Plan includes projections for future noise levels from known stationary and vehicle-generated noise

sources. According to the Noise Element, the project lies within an area where future noise levels are expected to remain within an acceptable threshold.

### Impact.

Construction Impacts: Construction activities may involve the use of heavy equipment for grading and for the delivery and movement of materials on the project site. The use of construction machinery would also be a source of noise. Construction-related noise impacts would be temporary and localized. County regulations limit the hours of construction to day time hours between 7:00 AM and 9:00 PM weekdays, and from 8:00 AM to 5:00 PM on weekends.

Operational Impacts: Following construction, noise generated by vehicular traffic on Albert Way or Willow Road would be comparable to background noise levels generated by surrounding agricultural operations and existing vehicular traffic. The project is not expected to generate loud noises, nor conflict with the surrounding uses.

Mitigation/Conclusion. No significant noise impacts are anticipated, and no mitigation measures are necessary.

9.	POPULATION/HOUSING Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	Induce substantial growth in an area either directly (e.g., construct new homes or businesses) or indirectly (e.g., extension of major infrastructure)?				
b)	Displace existing housing or people, requiring construction of replacement housing elsewhere?				
c)	Create the need for substantial new housing in the area?				
d)	Other:				

## Population/Housing

Setting In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county. The County's Inclusionary Housing Ordinance requires provision of new affordable housing in conjunction with both residential and nonresidential development and subdivisions.

Impact. The project site includes one single-family home. The single-family home would continue to be used as a residential use. The proposed project would not result in the removal or construction of any housing.

Mitigation/Conclusion. The project would not result in the need for a significant amount of new housing; and would not displace existing housing. The project would be conditioned to provide payment of the housing impact fee for commercial projects. No significant population/housing impacts are anticipated, and no mitigation measures are necessary.

V r	PUBLIC SERVICES.  Vill the project have an efferes  esult in the need for new of  ervices in any of the follow	ect upon, or r altered public	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	Fire protection?					
b)	Police protection (e.g., S	Sheriff, CHP)?				
c)	Schools?					
d)	Roads?					
e)	Solid Wastes?					
f)	Other public facilities?					
g)	Other:					
Settin	g. The project area is serv	ed by the following	ng public servi	ices/facilities:		
Police	e: County Sheriff	Location: (App	proximately 7.9	miles to the no	rthwest)	
Fire:	Cal Fire (formerly CDF)	Hazard Severity	/: High	Response	e Time: 10-15 m	inutes
	Location: (Approximately 2.1	miles to the northe	east)			
Scho	ol District: Lucia Mar Unified S	School District.				

#### **Fire Services**

The project site is located within 2.1 miles from San Luis Obispo County Fire Station 22. According to San Luis Obispo General Plan Safety Element Emergency Response Map, average emergency response time to the project site is five minutes (San Luis Obispo County 1999). According to CalFire's San Luis Obispo County Fire Hazard Severity Zone map, the project site is within a "high" severity risk area for fire.

The applicant has submitted a Fire Protection Plan for the project (Collings & Associates 2018). As described in the Plan, monitored fire sprinkler systems, three new fire hydrants on the primary access road, and a single steel water storage tank (53,400 gallons) are to be included in the design of the project. Other standard Fire Code requirements would include maintaining fire extinguishers, alarms, and a fire pump. Additionally, sections of Albert Way would be widened to accommodate emergency vehicles in accordance with CalFire Standard 4, Access Roads and Driveways. With implementation of the Fire Protection Plan and road improvement to Albert Way, the project would not cause a need for new or altered fire protection services. The project's incremental impacts to Fire Department services would be insignificant.

#### **Police Services**

The project site is in the existing service range for the County Sheriff Department. Construction on-site would not normally require services from the Sheriff's Department, except in cases of trespassing, theft, and/or vandalism. The project includes a detailed security plan that must be reviewed by the County Sheriff. The plan includes employing a full-time security manager for the project. Incorporation of security techniques would serve to reduce the need for police/sheriff enforcement. Since the site is currently in the existing service range, it would not require additional police protection or law enforcement services and would not trigger changes that would affect police protection services.

Therefore, this impact would be insignificant.

## Schools, Parks, Other Facilities

As discussed in Section 9, Population/Housing, the project does not include the construction of any habitable structures and would not increase population. As such, the project would not generate new demand for schooling, park services, or other governmental facilities. Since the project would not generate development or changes in land use intensities that would change or increase existing demand, there would be no impact on schools, parks, or other governmental facilities.

#### Roads

The project site is accessed by a private road. Regional access to the site is provided by Willow Road, which is a county owned, paved road. Due to its location within the County's road improvement fee area for Nipomo, the project is required to pay traffic impact fees prior to issuance of a building permit. The Department of Public Works estimates a fee of \$3,080, which is derived from \$5,133 for each PM peak hour trip generated  $(0.60 \times \$5,133)$ .

#### **Solid Waste**

The project site is served by South County Sanitation, with solid waste pick up occurring once per week. The project proposes to achieve Leadership in Energy and Environmental Design (LEED) certification. The applicant has prepared a waste management plan that proposes recycling and on-site green-waste composting. Since the project is not expected to generate a substantial amount of solid waste, impacts are considered insignificant.

Mitigation/Conclusion. Regarding cumulative effects, public facility (County) and school (State Government Code 65995 et seq.) fee programs have been adopted to address the project's contribution to cumulative impacts and will reduce the cumulative impacts to less than significant levels. No significant public service impacts are anticipated, and no mitigation measures are necessary.

11.	RECREATION	Potentially Significant	Impact can & will be	Insignificant Impact	Not Applicable
	Will the project:		mitigated		
a)	Increase the use or demand for parks or other recreation opportunities?				
b)	Affect the access to trails, parks or other recreation opportunities?				
c)	Other				

### Recreation

**Setting.** The County's Parks and Recreation Element does not show any trails or potential trails through the proposed project. The project is not proposed in a location that would affect any trail, park, recreational resource, coastal access, and/or Natural Area.

Impact. The proposed project is not a residential project or large-scale employer and would not result in a significant population increase. Construction and operation of the proposed project would not have any adverse effects on existing or planned recreational opportunities in the County. The proposed project would not create a significant need for additional park, Natural Area, and/or recreational resources.

Mitigation/Conclusion. No significant recreation impacts are anticipated, and no mitigation measures



12	2. TRANSPORTATION/CIRCULATION	Potentially Significant	Impact can & will be	Insignificant Impact	Not Applicable
	Will the project:	Organican	mitigated	шриос	приношью
a)	Increase vehicle trips to local or areawide circulation system?				
b)	Reduce existing "Level of Service" on public roadway(s)?				
c)	Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?				
d)	Provide for adequate emergency access?				
e)	Conflict with an established measure of effectiveness for the performance of the circulation system considering all modes of transportation (e.g. LOS, mass transit, etc.)?				
f)	Conflict with an applicable congestion management program?				
g)	Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				
h)	Result in a change in air traffic patterns that may result in substantial safety risks?				
i)	Other:				

## **Transportation**

**Setting.** The project site is located at the end of Albert Way, about 0.5 mile north of Willow Road. The County has established the acceptable Level of Service (LOS) on roads for rural areas as "C" or better. Existing traffic volumes on Albert Way are 300 average daily trips (ADT). Albert Way is currently operating at LOS "A." The project site is located within the County's road improvement fee area for Nipomo. According to the County's South County Circulation Study and Traffic Impact Fee Update; the project site is located in Fee Area 1. The project also includes a Transportation Management Plan (TMP) that recommends strategies to reduce project impacts on surrounding roadways and intersections.

**Impact**. As described in the project's traffic study prepared by Associated Transportation Engineers (June 2018) the proposed project is estimated to generate a net increase of 95 ADT, but will not result in an increase in trips during the AM and PM peak hours (see Table 1)Implementation of the project's TMP will require employee shifts and deliveries to be scheduled outside of the typical 7:00-9:00 AM and 4:00-6:00 PM hours in order to reduce traffic during peak times.

Table 1 - Project-Specific Trip Estimates (Associated Transporation Engineers 2018)

Project Trip Generation Estimates										
		AE	TC	AM Peak Hour		PM Peak	k Hour			
Project Component	Size	Rate	Trips	Rate	Trips	Rate	Trips			
Proposed										
Employees(a)	40 Day	2.00	80	0.00	0	0.00	0			
Misc. Deliveries/Vendors/etc.(b)	9 Day	2.00	18	0.00	0	0.00	0			
Subtotals:			98		0		0			
Existing										
Orchard(c)	1.6 Acres	2.00	3	0.12	0.19	0.20	0.32			
Net New Trips			95		-0.19		-0.32			

<sup>(</sup>a) ADT = 1 inbound + 1 outbound trip per employee. AM/PM = 0 trips since employee shifts are 7:00 AM to 3:00 PM and 10:00 AM to 6:00 PM.

The traffic study also analyzed potential impacts by applying rates used for local greenhouse facilities assuming 46,200 square feet of greenhouse for the project. Associated Transportation Engineers used agricultural rates published by SANDAG to account for the removal of 1.6 acres of existing orchard. As shown in Table 2, this analysis resulted in the project having a net increase of only 5 ADT with 0.27 new trips occurring during the AM peak hours and 0.60 trips occurring during the PM peak hours.

Table 2 - Project Trips Based on Rates (Associated Transportation Engineers 201)

Project Trip Generation – Based on Rates									
		AI	ADT AM Peak Hour			PM Peak	Hour		
Land Use	Size	Rate	Trips	Rate	Trips	Rate	Trips		
Proposed									
Greenhouse(a)	46.2 KSF	0.18	8	0.01	0.46	0.02	0.92		
Existing									
Orchard(b)	1.6 Acre	2.00	3	0.12	0.19	0.20	0.32		
Net New Trips			5		0.27		0.60		

<sup>(</sup>a) Trip generation based on per acre using SANDAG rates for Agricultural.

The project's small amount of additional traffic would result in less than 400 ADT on Albert Way, which would remain at LOS "A" (Associated Transportation Engineers 2018). Thus, the project would not

<sup>(</sup>b) ADT = 1 inbound + 1 outbound trip per vehicle. Includes lab test collection (1 vehicle 6x per week); transportation (1 vehicle 5x per week); ag supply deliveries (3 vehicles 5x week); vendor/contractors (3 vehicles 5x per week); and visitors (10 vehicles 2x week). All miscellaneous deliveries/visitors etc. would be required to register prior to property access to limit visits outside of the 7-9 AM and 4-6 PM peak commuter periods.

<sup>(</sup>c) Trip generation on a per acre basis using SANDAG agricultural rates.

<sup>(</sup>b) Trip generation based on per 1,000 square feet of greenhouse using rates from local greenhouse studies.

c) No trip generation for existing use since the Project area is not actively used for agricultural operations.

conflict with adopted policies, plans and programs on transportation.

Due to its location within the County's road improvement fee area for Nipomo, the project is conditioned to pay traffic impact fees. The Department of Public Works estimates a fee of \$3,080, which is derived from \$5,133 for each PM peak hour trip generated (0.60 x \$5,133).

The Associated Transportation Engineers report also included a sight distance analysis for the proposed project. The speed limit on Albert Way is 25 miles per hour (MPH). The County's minimum sight distance standard for 25-MPH roads is 150 feet. The sight distance looking to the north along Albert way was measured at approximately 250 feet, and the site distance looking south along Albert Way was measured at 650 feet. The traffic study concludes that the proposed project is in compliance with County's site distance standards. The Department of Public Works concurs with the study and has conditioned the project to trim vegetation within the Willow Road right-of-way as necessary to maintain sight distance at the intersection with Albert Way.

As noted above in the project description and in Section 7, Hazards and Hazardous Materials, the applicant would be required to widen three sections of Albert Way pursuant to Cal Fire Standard 4, Access Roads and Driveways. This will further ensure safe roadway conditions for the private road serving the site.

No congestion management plan is in effect for the project area; and the proposed project would not adversely affect the performance of the region's circulation system or conflict with any policies, plans or programs for alternative transportation.

**Mitigation/Conclusion**. The project-specific Transportation Management Plan proposes to minimize traffic impacts during peak hours. The project would not reduce the Level of Service of public roadways or significantly increase vehicle trips to the circulation system. In accordance with Title 13.01 of the County Code, the applicant is required to pay to the Department of Public Works the South County Area-1 Road Improvement Fee based on the latest adopted areas fee schedule (estimated to be \$3,080). The project will also be required to maintain adequate sight distance and emergency access. Therefore, the project's transportation impacts would be less than significant with the applied project design features and ordinance requirements, and no mitigation measures are necessary.

13	3. WASTEWATER  Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?				
b)	Change the quality of surface or ground water (e.g., nitrogen-loading, day-lighting)?				
c)	Adversely affect community wastewater service provider?				
d)	Other:				

#### Wastewater

**Setting.** Regulations and guidelines on proper wastewater system design and criteria are found within the County's Plumbing Code (hereafter CPC; see Chapter 7 of the Building and Construction Ordinance [Title 19]), the "Water Quality Control Plan, Central Coast Basin" (Regional Water Quality Control Board

[RWQCB]) hereafter referred to as the "Basin Plan"), and the California Plumbing Code. These regulations include specific requirements for both on-site and community wastewater systems. These regulations are applied to all new wastewater systems.

For on-site septic systems, there are several key factors to consider for a system to operate successfully, including the following:

- ✓ Sufficient land area (refer to LUO or Plumbing Code) depending on water source, parcel size minimums would range from one acre to 2.5 acres;
- ✓ The soil's ability to percolate or "filter" effluent before reaching groundwater supplies (30 to 120 minutes per inch is ideal);
- ✓ The soil's depth (there needs to be adequate separation from bottom of leach line to bedrock [at least 10 feet] or high groundwater [5 feet to 50 feet depending on percolation rates]);
- ✓ The soil's slope on which the system is placed (surface areas too steep creates potential for daylighting of effluent);
- ✓ Potential for surface flooding (e.g., within 100-year flood hazard area);
- ✓ Distance from existing or proposed wells (between 100 and 250 feet depending on circumstances); and
- ✓ Distance from creeks and water bodies (100-foot minimum).

To assure a successful system can meet existing regulation criteria, proper conditions are necessary. Above-ground conditions are typically straight-forward and most easily addressed. Below ground criteria may require additional analysis or engineering when one or more factors exist:

- ✓ the ability of the soil to "filter" effluent is either too fast (percolation rate is faster or less than 30. minutes per inch and has "poor filtering" characteristics) or is too slow (slower or more than 120 minutes per inch):
- ✓ the topography on which a system is placed is steep enough to potentially allow "daylighting" of effluent downslope; or
- ✓ the separation between the bottom of the leach line to bedrock or high groundwater is inadequate.

Based on the Natural Resource Conservation Service (NRCS) Soil Survey map, the soil types for the project are Oceano sands. Ideal soil percolation rates are between 30 and 120 minutes per inch. Sand type soils, which includes on-site Oceano sands, have a percolation rate of >0.8 inches per hour (USDA 2008). This translates to a percolation rate of >75 minutes per inch on the project site which is within the preferred percolation rate for wastewater disposal. No additional measures beyond what is already required for a standard septic system are required.

Impacts/Mitigation. The project site has an existing septic system for the residential use on site. The applicant is proposing a separate septic system for the new commercial structures. Post-construction surface drainage would be directed to the vegetated areas and orchards as surface flow. This increases water use efficiency and reduces offsite surface runoff. The proposed project would replace 1.6 acres of avocado orchards with cannabis cultivation, which would result in a reduction in water usage of 1,899.8 gallons/day (see Section 14, Water & Hydrology, below). This reduction in water usage would also reduce the potential for surface water runoff. The proposed project would also utilize a condensate water recovery, water reuse and recycle system. This system would reuse water for plant irrigation and would not produce wastewater.

Based on the following project conditions or design features, wastewater impacts are less than significant:

- ✓ The project has sufficient land area per the County's LUO to support an on-site system;
- ✓ The soil's percolation rate is between 30 to 120 minutes per inch;
- ✓ There is adequate soil separation between the bottom of the leach line to bedrock or high groundwater;
- ✓ The soil's slope is less than 20%;
- ✓ The leach lines are outside of the 100-year flood hazard area;
- ✓ There is adequate distance between proposed leach lines and existing or proposed wells;
- ✓ The leach lines are at least 100 feet from creeks and water bodies.

Based on the above discussion and information provided, the site is able to design an on-site system that would meet CPC/Basin Plan requirements. Prior to building permit issuance and/or final inspection of the wastewater system, the applicant would need to show to the county compliance with the County Plumbing Code/ Central Coast Basin Plan, including any above-discussed information relating to potential constraints.

In addition, the County LUO requires that all cannabis projects comply with the requirements of the Central Coast Regional Water Quality Control Board and the Cannabis Cultivation General Order from the State Water Resources Control Board.

**Mitigation/Conclusion**. Based on compliance with existing regulations and requirements, potential wastewater impacts would be less than significant. No mitigation measures are necessary.

14	I. WATER & HYDROLOGY  Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
QI	JALITY				
a)	Violate any water quality standards?				
b)	Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, sediment, temperature, dissolved oxygen, etc.)?				
c)	Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?				
d)	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide additional sources of polluted runoff?				
e)	Change rates of soil absorption, or amount or direction of surface runoff?				
f)	Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?				
g)	Involve activities within the 100-year flood zone?				

14	. WATER & HYDROLOGY  Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
QU	IANTITY				
•	Change the quantity or movement of available surface or ground water?				
•	Adversely affect community water service provider?				
•	Expose people to a risk of loss, injury or death involving flooding (e.g., dam failure,etc.), or inundation by seiche, tsunami or mudflow?				
k)	Other:				

#### Water

#### Setting.

WATER SUPPLY-- The property is within the Nipomo Mesa Water Conservation Area. The Board of Supervisors adopted Resolution 2015-288 in 2015 to establish the Countywide Water Conservation Program (CWWCP) in response to the declining water levels in the Nipomo Mesa Water Conservation Area (NMWCA) part of Santa Maria Groundwater Basin), Los Osos Groundwater Basin (LOGWB), and the Paso Robles Groundwater Basin (PRGWB). A key strategy of the CWWCP is to ensure all new construction and new or expanded agriculture will offset its predicted water use by reducing existing water use on other properties within the same water basin (e.g., no net increase in water demand).

DRAINAGE – The following relates to the project's drainage aspects:

The drainage feature within Black Lake Canyon runs east-west along the northern property boundary. The topography of the project site is gently sloping- to moderately sloping.

Within the 100-year Flood Hazard designation? No

Closest creek? Black Lake Canyon Distance? Approximately 400 feet

Soil drainage characteristics: Well drained

For areas where drainage is identified as a potential issue, the LUO (Sec. 22.52.110) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins or installing surface water flow dissipaters. The drainage plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

SEDIMENTATION AND EROSION - Soil type, area of disturbance, and slopes are key aspects to analyzing potential sedimentation and erosion issues. The project's soil types and descriptions are listed in the previous Agricultural Resources section under "Setting." As described in the NRCS Soil Survey, the project's soil erodibility is as follows:

Soil erodibility: Low to moderate

A sedimentation and erosion control plan is required for all construction and grading projects (LUO Sec. 22.52.120) to minimize impacts. When required, the plan is prepared by a civil engineer to address both



temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is responsible for monitoring this program.

## **Impact - Water Supply**

The property is within the Nipomo Mesa Water Conservation Area and is required to offset project-related water usage at a 1:1 ratio. On the project site, an existing well has served the property for 16 years, and this well provides irrigation for the site's avocado orchard. The application included a well test from 2016 and a well water quality analysis from 2017, both of which concluded that the well was adequate for the proposed uses.

The proposed cannabis cultivation would use 1,182.6 gallons per day; while operations in the headhouse and administration building would use an additional 233 gallons per day. The total project-related cannabis cultivation and operations would be 1,415.6 gallons per day, which is equivalent to 1.59 acre-feet per year.

The project's estimated water usage is shown below in Table 3:

Table 3 - Estimated Water Usage

Use /Condition	Acre Feet per Year
Current water needs of avocado orchard	17.3
Orchard water need after removing 1.6 acres of trees	13.6
New Greenhouse and Domestic Water Usage	1.59
Water usage of site after project implementation	15.2

The proposed cannabis cultivation and operations are less water-intensive than the avocado orchards that they will replace. The proposed project would result in water savings of 2.1 acre-feet per year, or 1,899.8 gallons per day which exceeds the required 1:1 water demand offset.

The project proposes to achieve Leadership in Energy and Environmental Design (LEED) certification. This would require the project to employ modern sustainability methods, including water recycling, reuse and condensate recovery, and drought resistant landscaping. The applicant's water management plan includes the use of the underground concrete storage of 30,000 gallons and the phasing-in of roof water catchment.

#### Impact – Water Quality/Hydrology

With regards to project impacts on water quality the following conditions apply:

- ✓ Approximately three acres of site disturbance is proposed along with a balanced cut and fill of 10,000 cubic yards of material;
- ✓ The project would be subject to standard County requirements for drainage, sedimentation and erosion control for construction and permanent use;
- ✓ A SWPPP has been prepared by Garing Taylor & Associate (2018), for the project which addresses potential site erosion and prescribes best management practices to avoid or minimize erosion and runoff during construction;
- ✓ The project is not on moderate to steep slopes;
- ✓ The project is not within a 100-year Flood Hazard designation;

- ✓ The project is more than 100 feet from the closest creek or surface water body;
- ✓ All disturbed areas would be permanently stabilized with impermeable surfaces and landscaping;
- ✓ Stockpiles would be properly managed during construction to avoid material loss due to erosion;
- ✓ The project is subject to the County's Plumbing Code (Chapter 7 of the Building and Construction Ordinance [Title 19]), and the "Water Quality Control Plan, Central Coast Basin" for its wastewater requirements, where wastewater impacts to the groundwater basin would be less than significant;
- ✓ All hazardous materials and/or wastes would be properly stored on-site, which include secondary containment should spills or leaks occur.

Mitigation/Conclusion. As specified above, the project will result in a net decrease in water demand for the site. Adherence to existing regulations and compliance with the SWPPP would adequately address surface water quality impacts during construction and operation of the project. Based on compliance with existing regulations and requirements, potential water and hydrology impacts would be less than significant, and no mitigation measures are necessary.

15	5. LAND USE  Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a)	Be potentially inconsistent with land use, policy/regulation (e.g., general plan [County Land Use Element and Ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?				
b)	Be potentially inconsistent with any habitat or community conservation plan?				
c)	Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?				
d)	Be potentially incompatible with surrounding land uses?				
e)	Other:				

#### Land Use

Setting/Impact. The project is surrounded by rural residential and agricultural uses. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County LUO, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CAL FIRE for Fire Code, California Fish and Wildlife for the Fish and Game Code, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

The project is not within or adjacent to a Habitat Conservation Plan area. Since the project proposes cultivation and ancillary uses, it is consistent and compatible with the surrounding uses for agriculture and rural residential.

**Mitigation/Conclusion.** No inconsistencies were identified, and therefore, no additional measures beyond application of existing plans and regulations is necessary.

16.	MANDATORY FINDINGS OF SIGNIFICANCE Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of				
	California history or pre-history?				
b)	Have impacts that are individually limited, but cumulatively considerable?  ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects  of probable future projects)				
,	Have environmental effects which will cabeings, either directly or indirectly?	use substant	tial adverse e	ffects on huma	an

- a) The proposed project does not have the potential to substantially degrade the quality of the environment. Compliance with all the mitigation measures identified in Exhibit B will ensure that project implementation will not substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal. Nor will the project contribute significantly to greenhouse gas emissions or increase energy consumption. Implementation of the project will not eliminate important examples of the major periods of California history or pre-history. Therefore, the anticipated project-related impacts are less than significant with incorporation of the mitigation measures included in Exhibit B.
- b) The potential for adverse cumulative effects were considered in the response to each question in sections 1 through 15 of this form. In addition to project specific impacts, this evaluation considered the project's potential for incremental effects that are cumulatively considerable. As described in Section 4 above, there were determined to be potentially significant effects related to biological resources. However, the mitigation measures included in Exhibit B would reduce the effects to a level below significance. As a result of this evaluation, there is no substantial evidence that, after mitigation, there are cumulative effects associated with this project. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.
- c) In the evaluation of environmental impacts in this Initial Study, the potential for adverse direct or indirect impacts to human beings were considered in the response to certain questions in Sections 1. Aesthetics, 3. Air Quality, 6. Geology & Soils, 7. Hazards & Hazardous Materials, 8. Noise, 9. Population & Housing, 10. Public Services and Utilities, 12. Transportation & Circulation, 13. Wastewater, 14. Water & Hydrology, and 15. Land Use. As a result of this evaluation, there is no substantial evidence that, after mitigation, there are adverse effects to human beings associated with this project. Therefore, the project has been determined not to meet this Mandatory Finding of Significance.

For further information on CEQA or the County's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Information", or the California Environmental Resources Evaluation System at: <a href="http://resources.ca.gov/ceqa/">http://resources.ca.gov/ceqa/</a> for information about the California Environmental Quality Act.

### **Exhibit A - Initial Study References and Agency Contacts**

The County Planning Department has contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an 🖂) and when a response was made, it is either attached or in the application file:

<u>Cor</u>	ntacted Agency		<u>Response</u>
	County Public Works Department		Attached
	County Environmental Health Services		Not Applicable
	County Agricultural Commissioner's Office	ce	Not Applicable
	County Airport Manager		Not Applicable
	Airport Land Use Commission		Not Applicable
	Air Pollution Control District		Not Applicable
$\Box$	County Sheriff's Department		Not Applicable
$\square$	Regional Water Quality Control Board		None
П	CA Coastal Commission		Not Applicable
$\square$	CA Department of Fish and Wildlife		None
	CA Department of Forestry (Cal Fire)		None
Ħ	CA Department of Transportation		Not Applicable
	Community Services District		Not Applicable
$\square$	Other		Northern Chumash Tribal Council
	Other		South County Advisory Council
	** "No		comment" or "No concerns"-type
resp	oonses are usually not attached		
prop	following checked (" $\boxtimes$ ") reference materials ha posed project and are hereby incorporated by rmation is available at the County Planning and I	refe	erence into the Initial Study. The following
Cou	Project File for the Subject Application  Inty documents Coastal Plan Policies Framework for Planning (Coastal/Inland) General Plan (Inland/Coastal), includes all maps/elements; more pertinent elements:  Agriculture Element Conservation & Open Space Element Economic Element Housing Element Noise Element Parks & Recreation Element/Project List Safety Element		Design Plan Specific Plan Annual Resource Summary Report Circulation Study er documents Clean Air Plan/APCD Handbook Regional Transportation Plan Uniform Fire Code Water Quality Control Plan (Central Coast Basin – Region 3) Archaeological Resources Map Area of Critical Concerns Map Special Biological Importance Map
	Land Use Ordinance (Inland) Building and Construction Ordinance Public Facilities Fee Ordinance Real Property Division Ordinance Affordable Housing Fund Airport Land Use Plan Energy Wise Plan South County Area Plan/South County sub area and Update EIR		CA Natural Species Diversity Database Fire Hazard Severity Map Flood Hazard Maps Natural Resources Conservation Service Soil Survey for SLO County GIS mapping layers (e.g., habitat, streams, contours, etc.) Other

**Attached Attached**  In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

#### **Project-Specific Studies**

- Associated Transportation Engineers, Traffic Study for the Cal Jacobson Ag Project, June 27, 2018
- BSK Associates Laboratory, Water Analysis, January 4, 2017
- Central Coast Archaeological Research Consultants, Cultural Resources Survey of the Cal Greenhouse, June 2018
- Collings & Associates, Fire Protection Plan for Cal Greenhouse Cultivation Project, May 11, 2018
- Garing Taylor & Associate, Inc., Stormwater Pollution Prevention Plan (SWPPP) for 502 Albert Way Greenhouse, February 22, 2018
- Kevin Merk Associates, LLC, Biological Resources Assessment for Agricultural Improvements at 502 Albert Way, March 15, 2018
- Mello & Son's, Well Test Report for 502 Albert Way, December 22, 2016
- Pacific Coast Testing, Inc., Geotechnical Investigation for Proposed Greenhouse Project, October 10, 2018

#### **Other County References**

- Albion Environmental.2016. Archaeological Data Recovery at CA-SLO-97/H for the Stories of the Rancho Project, San Luis Obispo County. Report curated at the Albion Environmental office Santa Cruz, California
- California Department of Conservation (CDOC). 2015.CGS Information Warehouse: Regulatory Maps
   <a href="http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps">http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps</a>
   accessed August 2018
- L.S.A Associates Inc. 2006. Willow Road Extension Final Supplemental EIR. Willow Road Extension/U.S. 101 Interchange Project. On file Central Coast Information Center, University of California, Santa Barbara
- Marshall, Glenn. County Department of Public Works Memo on DRC2018-0069 Dolny MUP, July 24, 2018
- San Luis Obispo County.1999.General Plan Safety Element. <a href="https://www.slocounty.ca.gov/getattachment/893b6c58-7550-4113-911c-3ef46d22b7c8/Safety-Element.aspx">https://www.slocounty.ca.gov/getattachment/893b6c58-7550-4113-911c-3ef46d22b7c8/Safety-Element.aspx</a> accessed August 2018
- United States Department of Agriculture (USDA).2008. Natural Resource Conservation Service (NRCS) Soil Quality Indicators.
   <a href="https://www.nrcs.usda.gov/Internet/FSE\_DOCUMENTS/nrcs142p2\_053289.pdf">https://www.nrcs.usda.gov/Internet/FSE\_DOCUMENTS/nrcs142p2\_053289.pdf</a> accessed August 2018

### **Exhibit B - Mitigation Summary Table**

Per Public Resources Code Section 21081.6, the following measures also constitute the mitigation monitoring and/or reporting program that would reduce potentially significant impacts to less than significant levels. These measures would become conditions of approval (COAs) should the project be approved. The Lead Agency (County) or other Responsible Agencies, as specified in the following measures, are responsible to verify compliance with these COAs.

#### **Biological Resources**

- BIO-1 Prior to issuance of a construction permit: Orange protective fencing shall be installed along the northern edge of the agricultural road to protect the grassy strip of vegetation and adjacent oak trees. Protective fencing shall be maintained during all construction activities and crews informed of the restricted area.
- BIO-2 During project construction: To avoid impacts to nesting birds, including special status species such as the sharp shinned hawk and species protected by the Migratory Bird Treaty Act, any tree or shrub removal should be limited to the time period between September 1 and February 14, if feasible. If initial site disturbance, grading, and tree removal cannot be conducted during this time period, a pre-construction survey for active bird nests within the limits of the project shall be conducted by a qualified biologist and the following measures incorporated.

Surveys shall be conducted within two weeks prior to any construction activities proposed to occur between February 15 and August 31. If no active nests are located, ground disturbing/ construction activities may proceed. If active nests are located, then all construction work shall be conducted outside a non-disturbance buffer zone to be developed by the project biologist based on the species (i.e., 50 feet for common species and at least 500 feet for raptors and special status species), slope aspect and surrounding vegetation. No direct disturbance to nests shall occur until the young are no longer reliant on the nest site as determined by the project biologist. The biologist shall conduct monitoring of the nest until all young have fledged.

**DATE: 11/6/2018 REVISED:** 

### DEVELOPER'S STATEMENT & MITIGATION MONITORING/REPORTING PROGRAM FOR DOLNY-ALABASTER ED18-117 (DRC2018-00069)

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All development activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Per Public Resources Code Section 21081.6, the following measures also constitute the mitigation monitoring and/or reporting program that would reduce potentially significant impacts to less than significant levels. These measures would become conditions of approval (COAs) should the project be approved. The Lead Agency (County) or other Responsible Agencies, as specified in the following measures, are responsible to verify compliance with these COAs.

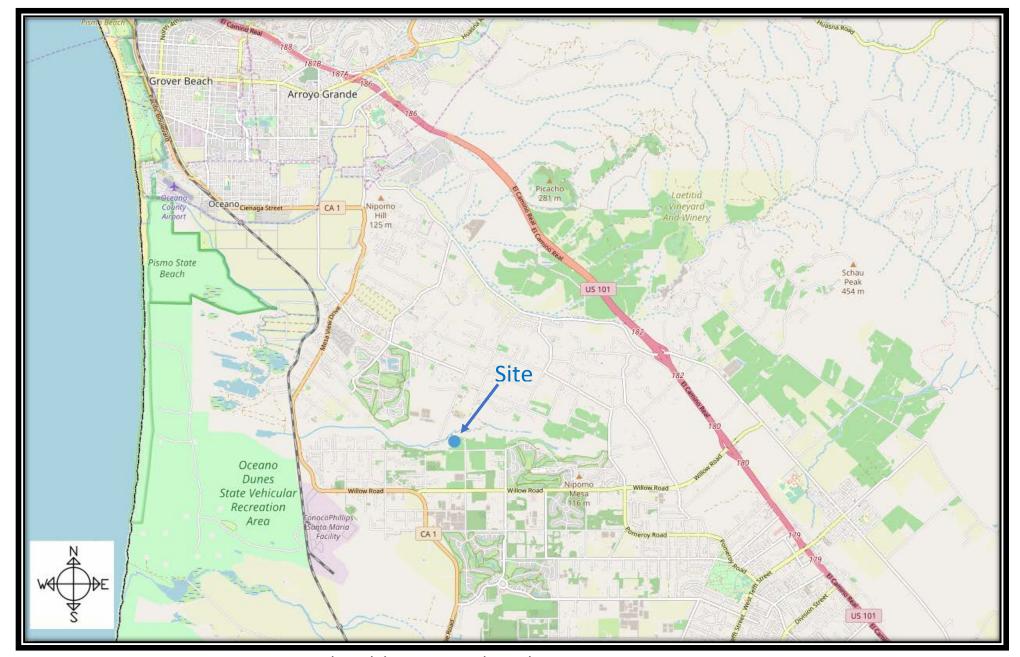
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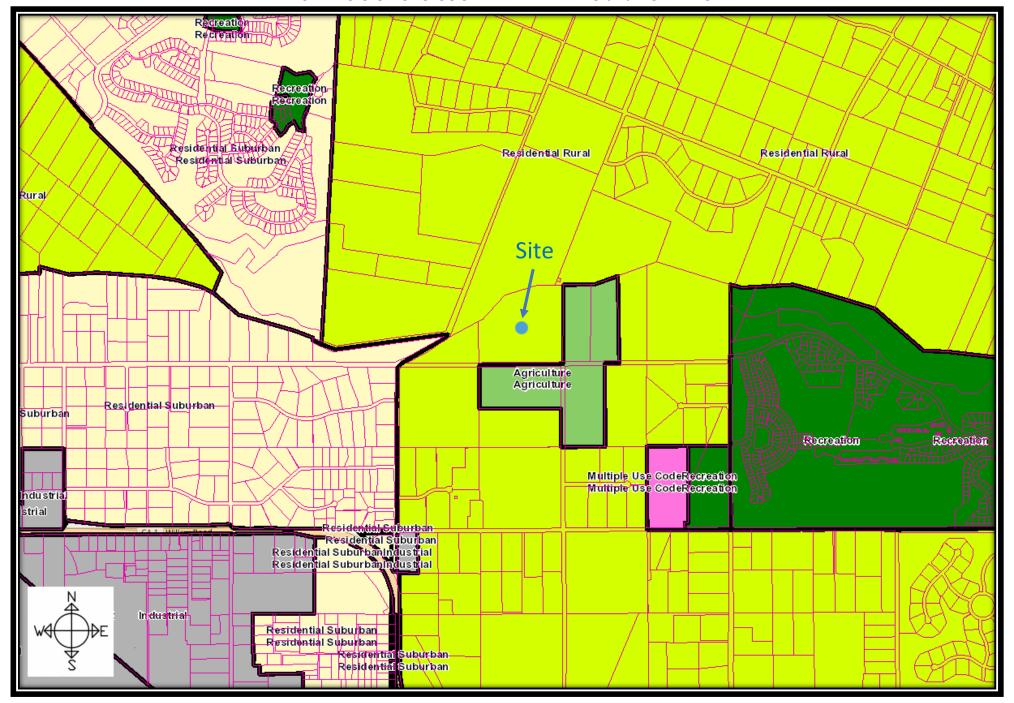
Signature of Owner(s)	Name (Print)	 Date	
(- <b>,</b>	(		
Signature of Owner(s)	Name (Print)	Date	
Brian Wright Brian Wright-Pilot	right-Pilothouse Management on behalf of Dolny -Alabaster Inc		

#### SAN LUIS OBISPO COUNTY • PLANNING and BUILDING



DRC2018-00069 Dolny-Alabaster Cannabis Cultivation Minor Use Permit – Vicinity Map

#### SAN LUIS OBISPO COUNTY • PLANNING and BUILDING

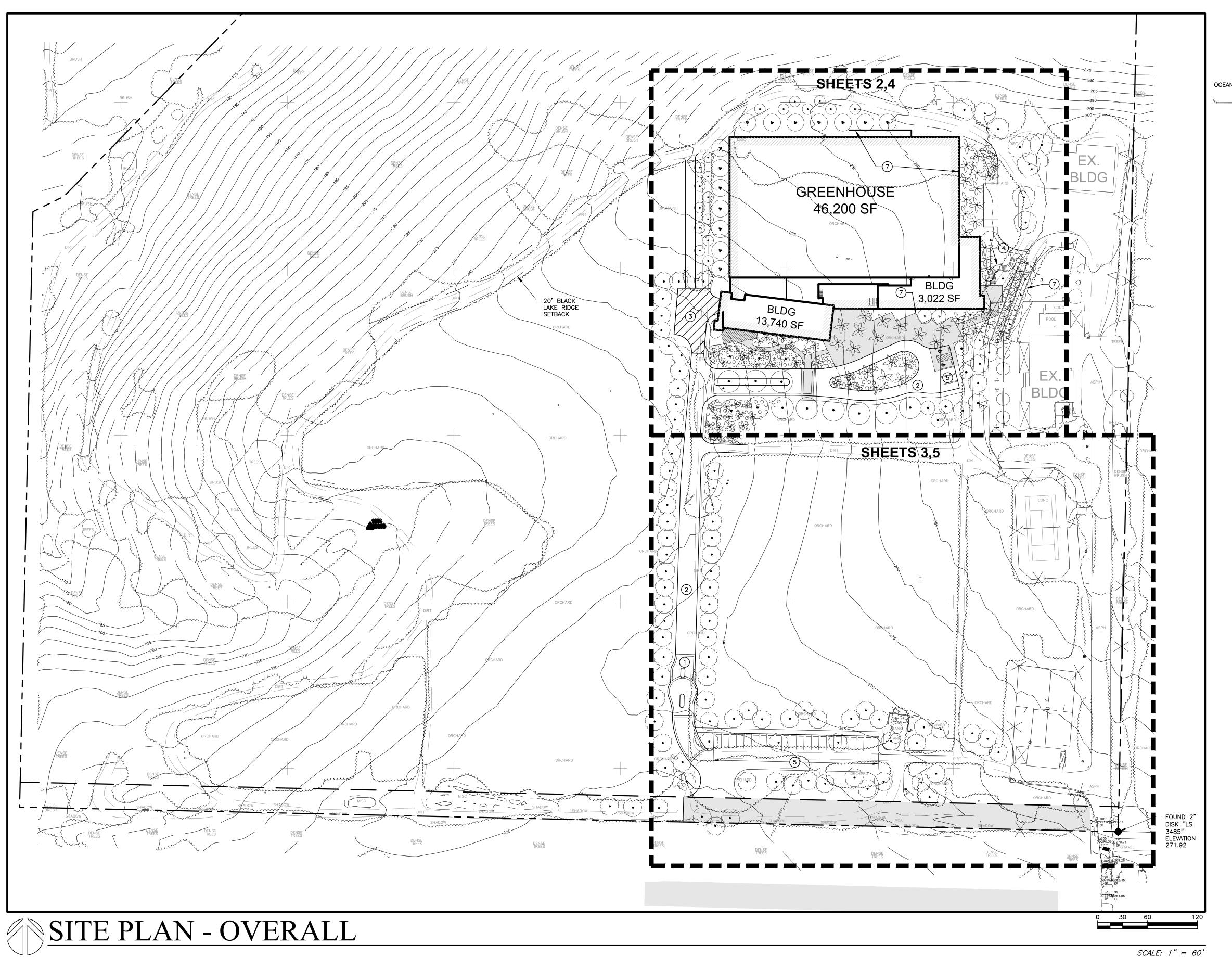


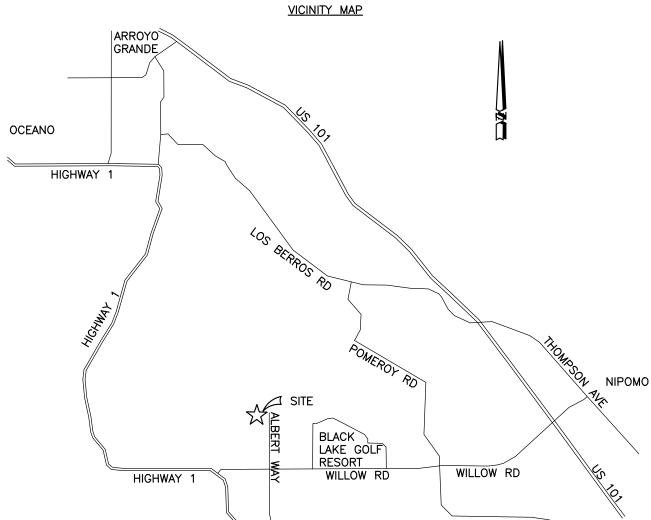
DRC2018-00069 Dolny-Alabaster Cannabis Cultivation Minor Use Permit – Land Use Categories Map

### SAN LUIS OBISPO COUNTY • PLANNING and BUILDING



DRC2018-00069 Dolny-Alabaster Cannabis Cultivation Minor Use Permit – Aerial Map





### CONSTRUCTION NOTES

CONSTRUCT PERMEABLE PAVER SYSTEM PER LS PLANS.

- (2) CONSTRUCT DG ROADWAY
- (3) CONSTRUCT 6" PCC/6" AB TRUCK TURNAROUND AREA.
- (4) CONSTRUCT RUSTIC STAIRWAY WITH RAILROAD TIES AND DG PER LS PLANS.
- (5) DG PARKING AREA WITH COUNTY APPROVED WHEEL STOPS.
- 6 CONSTRUCT 4" PCC SIDEWALK.
- 7 RETAINING WALLS AND STEM WALLS PER ARCH PLANS.

### BASIS OF BEARING

BEARINGS SHOWN ON THIS MAP ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM, ZONE 5 GRID NORTH, NAD83(2011), EPOCH 2010.

## <u>BENCHMARK</u>

THE LOCAL BENCHMARK FOR THIS SURVEY IS A FOUND 2" DISK STAMPED "LS 3485" WITH AN ELEVATION OF 271.92'. ELEVATION PROVIDED BY ONLINE POSITIONING USER SERVICE (OPUS) UTILIZING BASE STATIONS DE6612 VNDP VANDENBERG CORS ARP, DK7589 P280 CAMATTACYNCS2006 CORS ARP, AND DN7410 P516 JIMJACKSONCS2006 CORS ARP; NAVD 88.

## SITE STATISTICS

GREENHOUSE AREA 46,533 SF ADDITIONAL BUILDING AREAS 14,800 SF IMPERMEABLE PAVEMENTS 87,700 SF PERMEABLE PAVEMENT 19,900 SF 34,500 SF LANDSCAPE AND DG TOTAL DISTURBED AREA 130,500 SF

## **GENERAL NOTES**

- 1. LANDSCAPE SHOWN FOR REFERENCE ONLY.
- 2. WITHIN AREAS OF ADA INGRESS/EGRESS, NO SLOPE SHALL EXCEED 5% IN THE DIRECTION OF TRAVEL NOR 2% ACROSS THE PATH OF TRAVEL UNLESS NOTED OTHERWISE.
- SEE ARCHITECTURAL PLANS OR BUILDING AND RETAINING WALL SPECIFICS.
- 4. REFERENCE GEOTECHNICAL INVESTIGATION REPORT FOR SUBGRADE AND FINAL GRADE PREPARATION REQUIREMENTS.

DRAWN BY: KJ CHECKED BY: RR DATE: 02-05-2018 JOB NO. 17-658 FILE NAME: OVERALL SITE PLAN SCALE: 1" = 60'

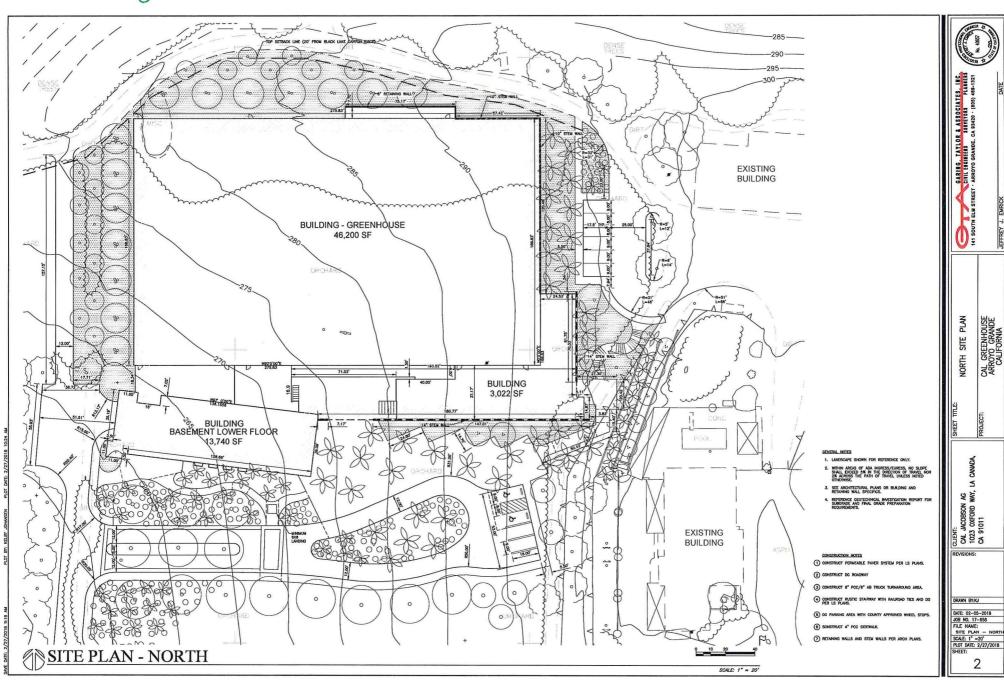
CLIENT:
CAL JACOBSON ,
1023 OXFORD W
CA 91011

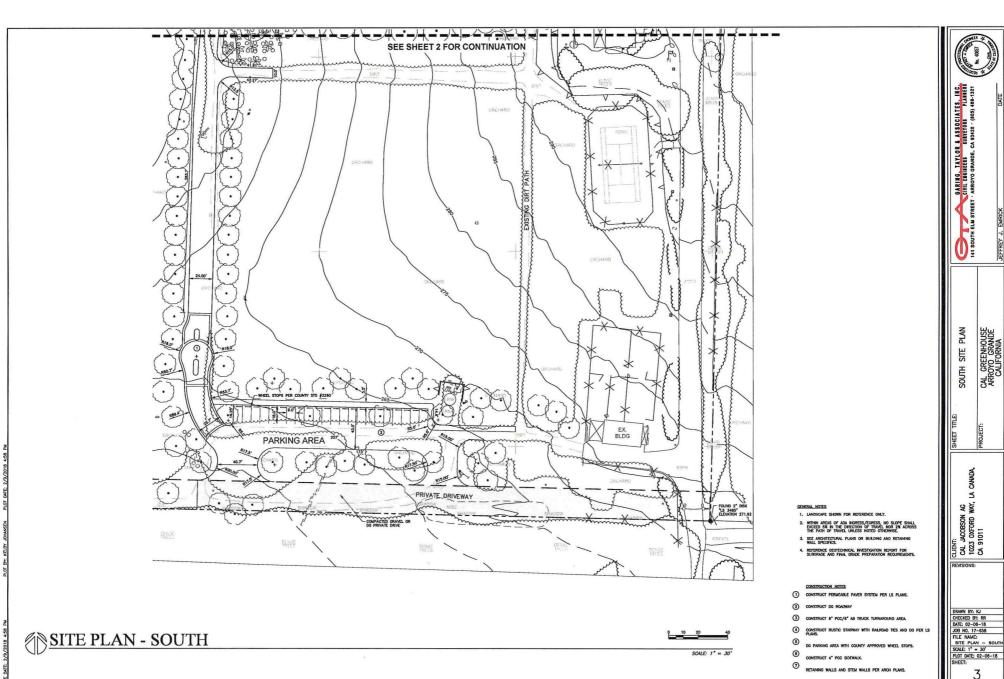
**REVISIONS:** 

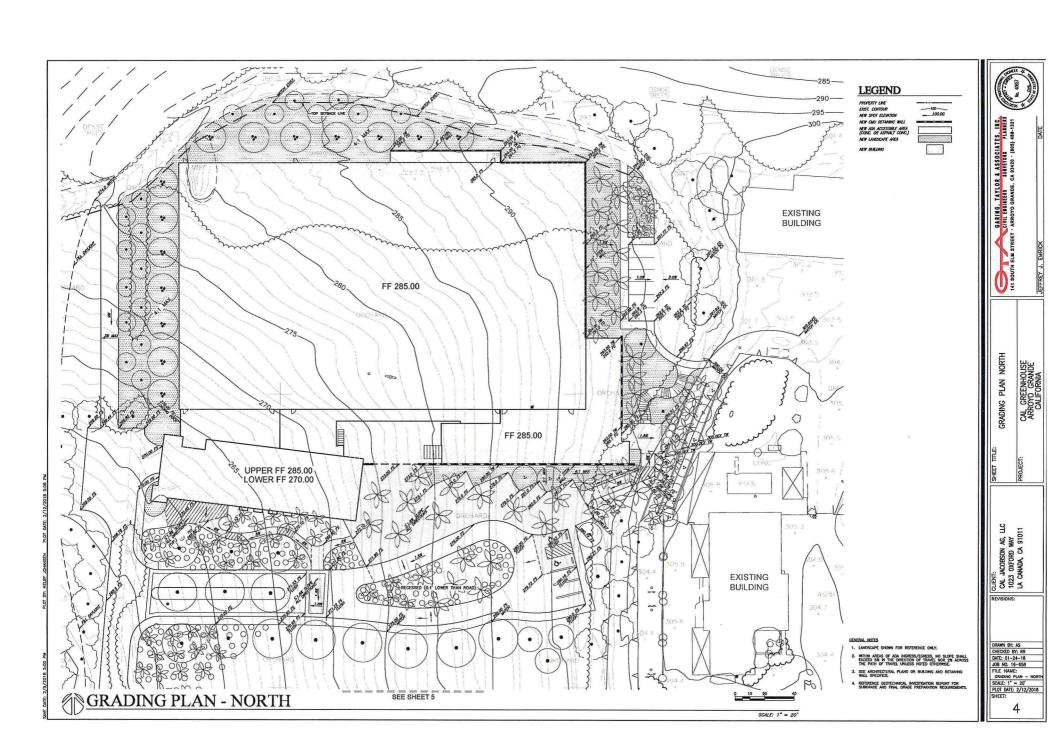
SITE

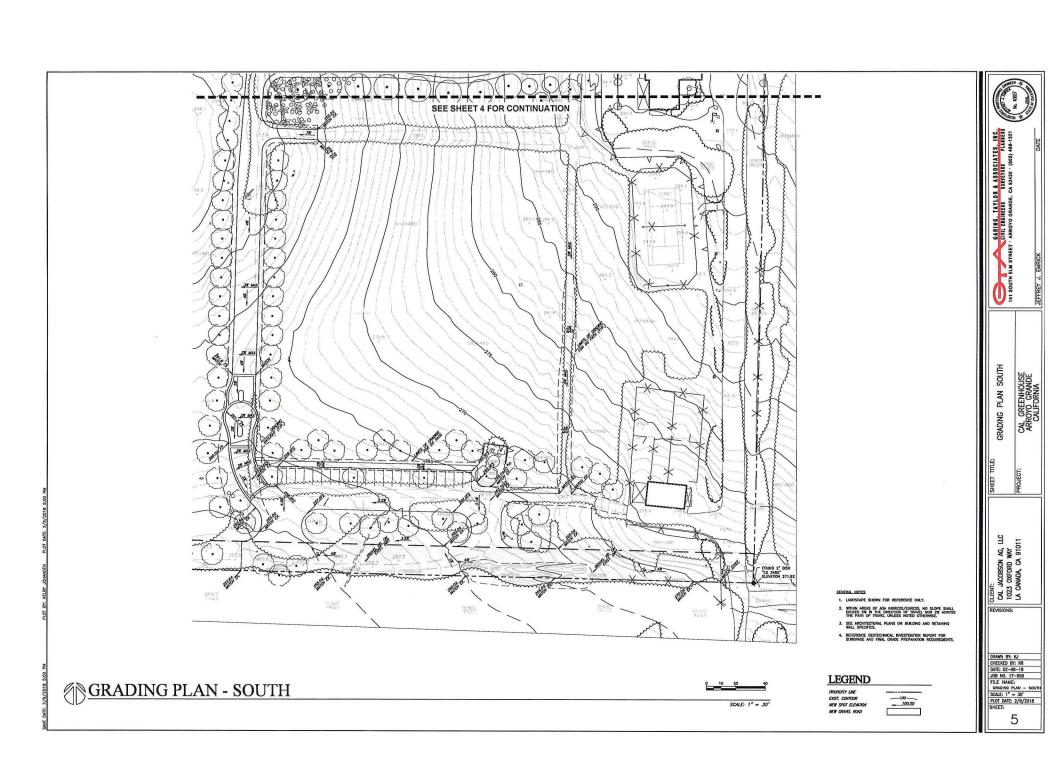
OVERA

PLOT DATE: 5/10/2018











Cal Greenhouse - Arroyo Grande - California

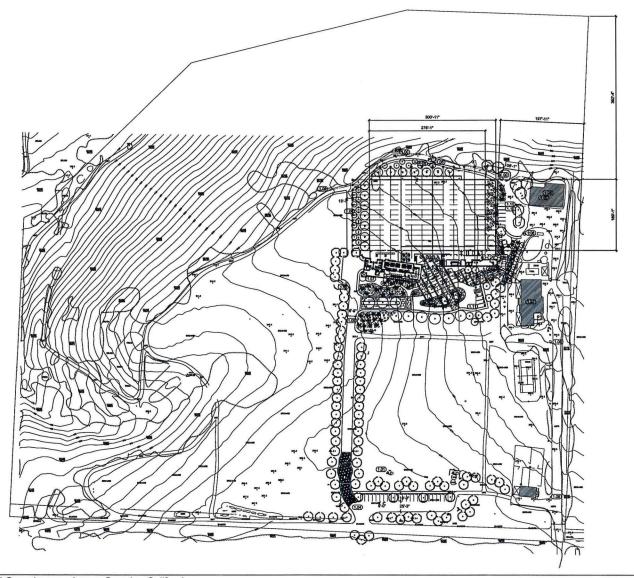
Proposed Greenhouse Project



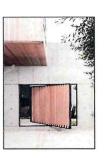














#### PROJECT INDEX:

A-0.0	Architectural Site Plan
A-0.1	Overall Plan (at grade)
A-0.2	Overall Basement Level
A-0.3	Head House Lavel 1
A-0.4	Head House Basement Lev
A-0.5	Administrative Area
A-1.0	Proposed Elevations
A-11	Personnel Elevations

L-0.0	Landscape Site Plan
L-0.1	Landscape Lower Parking Area
L-0.2	Landscape Master Plan
1.03	Landerana Details

#### CIVIL ENGINEERING:

C-1	Site Plan Oversil
C-2	Site Plan North
C-3	Site Plan South
C-4	Grading Plan North
C-5	<b>Grading Plan Sout</b>

#### ARCHITECTURAL KEYNOTES:

	LINE INDICATES LIMIT OF WORK, PROTECT IN PLACE ALL NATURAL HABITAT TO THE
(1.00)	NORTH, SWPPP SHALL BE REVIEWED BY KEVIN MERK PRIOR TO COMMENCEMENT OF



#### Cal Greenhouse - Arroyo Grande - California

#### Proposed Greenhouse Project

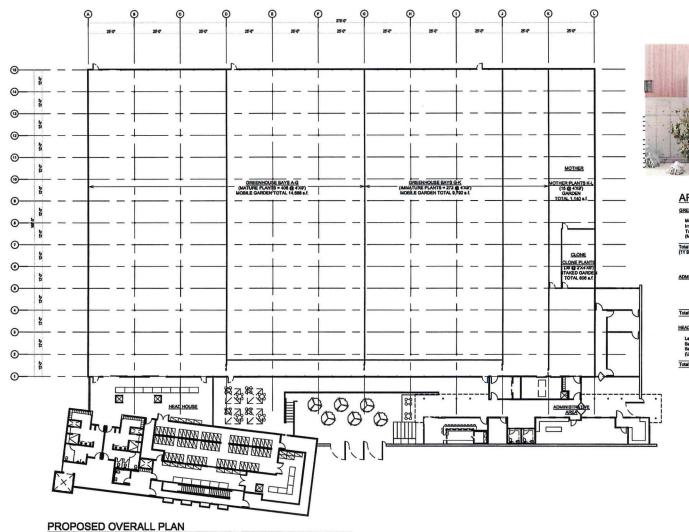
DATE: 04.30.18















#### AREA SUMMARY:

Total Greenhouse (11 Bays @ 25' x 168')

ADMINISTRATIVE AREA:

3,022 s.f.

13,740 s.f.

#### Cal Greenhouse - Arroyo Grande - California

Proposed Greenhouse Project

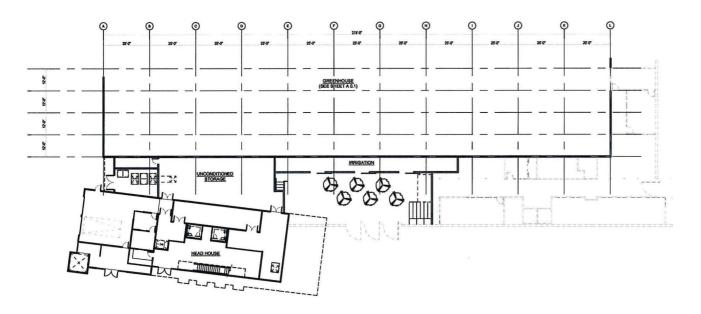
DATE: 04.30.18

















PROPOSED BASEMENT PLAN

Cal Greenhouse - Arroyo Grande - California Proposed Greenhouse Project

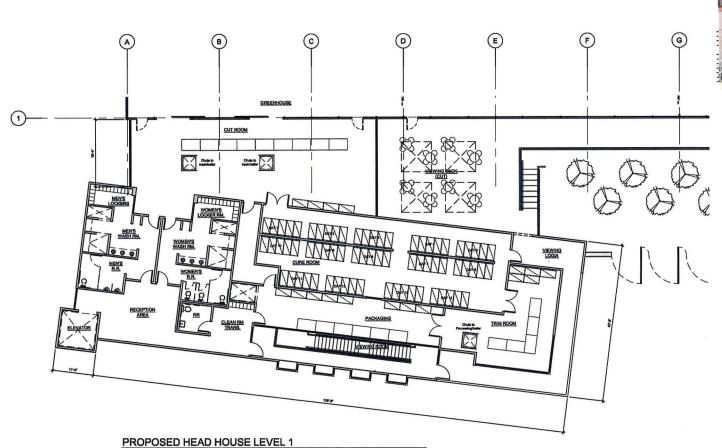
















PLAN NORTH 2 4 16

Cal Greenhouse - Arroyo Grande - California

Proposed Greenhouse Project

DATE: 04.30.18

PROJECT TEAM

Owner: Cel Jecobson AG 602 Albert Wey Arroyo Grande - CA 93 Architect
Jorden Segraves Architect Inc.
34 Selies Road South
Ladere Ranch, CA 92894
Contact Jorden Segraves
Pt: 949 278 2278 Fz: 949 278 2

Owner Representative: Pilot House Consulting Arroya Grande - CA 93420 Contact: Brian Wright Ph: 805.440.4539

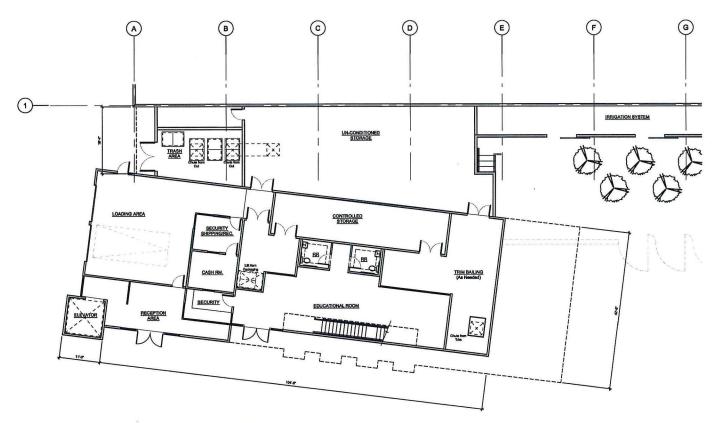
Chil Engineer: Garing, Taylor and Associates, inc 141 South Elm Street Arroyo Grande, CA 93420 Contact Ron Relly Ph: 805.489.1321 Fx: 805.489.87 Landscape Architecture: ENV 5 31132 Entradero San Juan Capistrano, CA 92575 Contact: Theadore Hannegan Ph: 949.742.0558

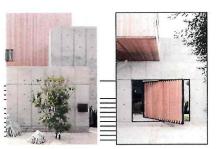














PROPOSED HEAD HOUSE BASEMENT LEVEL

Cal Greenhouse - Arroyo Grande - California

Proposed Greenhouse Project

PROJECT TEAM

Owner: Architect
Cel Jacobson AG Jorden Segraves Architect in

iens Segraves Architect Inc. Piot House i lettes Road South ser Ranch, CA 92594 Arroya Gran tact: Jorden Segraves Contact: Bris 949.278.2278 Fx: 949.278.2277 Ph: 805.440. Civil Engineer: Garing, Taylor and Associates, in 141 South Elm Street. Arroyo Grande, CA 93420 Contact: Ron Rally Ph: 805.489.1321 Fx: 805.489.8

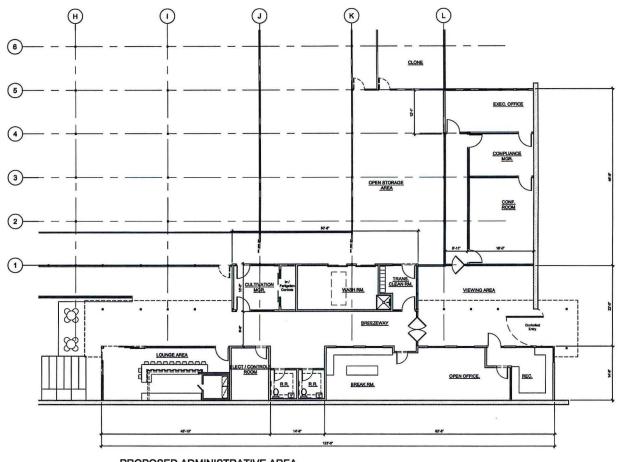
Landscape Architecture: ENV 5 31132 Entradero San Juan Capistrano, CA 92675 Contact: Theadore Hannegan Ph: 949.742.0858

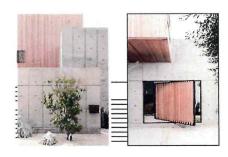






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PROPOSED ADMINISTRATIVE AREA

Cal Greenhouse - Arroyo Grande - California

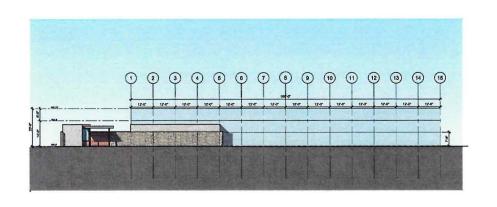
Proposed Greenhouse Project

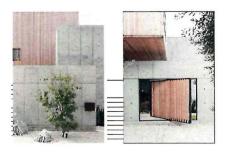






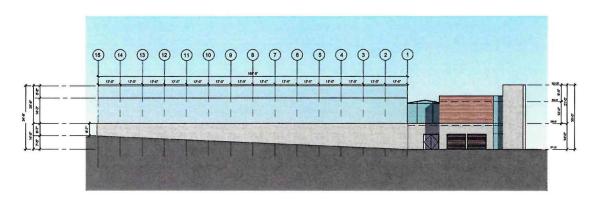








RIGHT ELEVATION



LEFT ELEVATION



#### Cal Greenhouse - Arroyo Grande - California

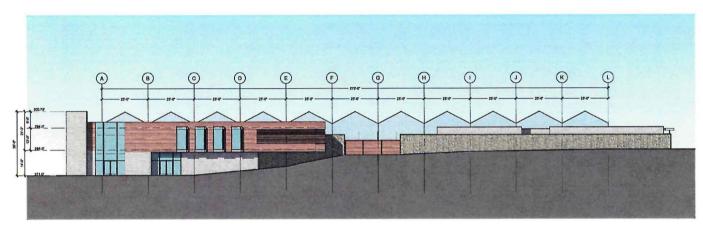
Proposed Greenhouse Project TOTAL S.F. - DATE: 11.13.17 (V-92)









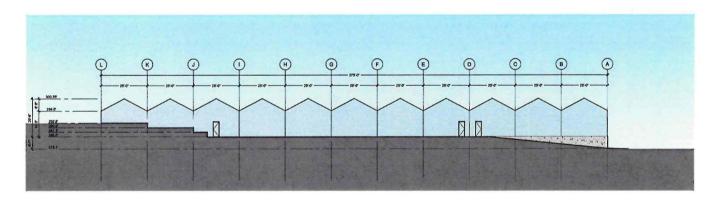








FRONT ELEVATION



REAR ELEVATION



#### Cal Greenhouse - Arroyo Grande - California

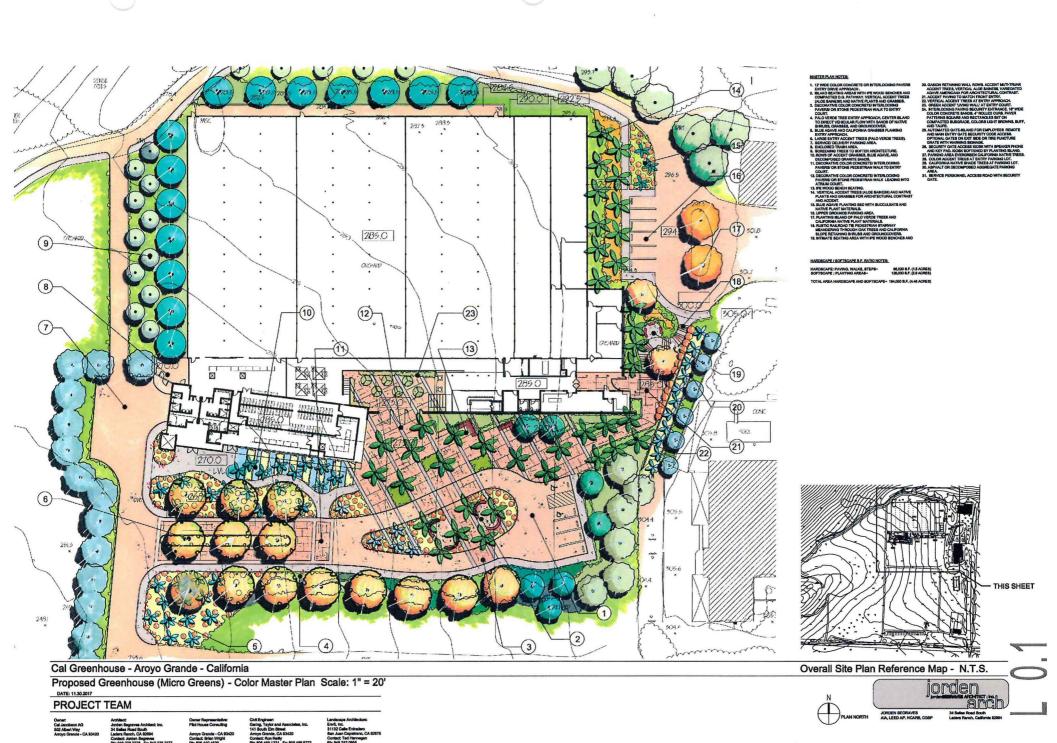
Proposed Greenhouse Project TOTAL S.F. - DATE: 11.13.17 (V-02)















Cal Greenhouse - Aroyo Grande - California

Proposed Greenhouse (Micro Greens) - Color Master Plan and Image Board Scale: 1/32" = 1' - 0"

DATE: 11342417

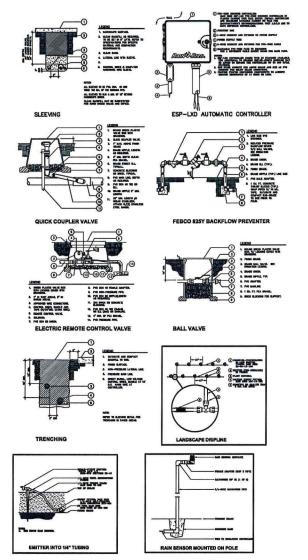
PROJECT TEAM



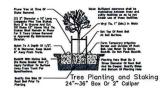












PLANTING NOTES

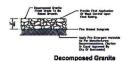
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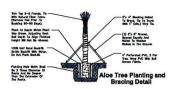
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#### **PLANT LEGEND**

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57	CONTRACTOR ST	RESIDENT	964	AS SICHN	- 9
55	SCHOOLAY, PUPJEX	HCP92232H	15 64	AS SICHN	3
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97	MODERALANCE	WOOLING CR.S	5 GA	AS SICHN	3
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57	NCCOMENTATIONS.	GANT CHANTEN	164	AS SICINI	3

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	V2	CLUMB SHEEK	CROAM STARE	19 64	AS SEOWN	
	¥2	LOWINGHOOM	CORPORE HORPITAL	16 CA.	AS SHOWN	

Cal Greenhouse - Aroyo Grande - California

Proposed Greenhouse (Micro Greens) - Planting and Irrigation Legend and Details Scale: N.T.S.

**PROJECT TEAM** 

Owner: Cel Jacobson AG 802 Albert Way Arroyo Grande - CA 9342 Architect Jorden Segraves Architect Inc 34 Selles Rosed Bouth Ladera Ranch, CA 92594 Conlect Jorden Segraves Ptc 949.276.2276 Fz: 949.276 Owner Representative Pitol House Consulting Arroyo Grande - CA 9 Contact: Brisin Wright Ph: 805.440.4639

resentative: CNE Engineer:
Consulting Gering, Taylor and Associating
India - CA 83420 Arroys Grands, CA 83420
Int Wight Contact Ron Relity
Contact Ron Relity

Landscape Architecture: Envid. Inc. 31132 Cafe Entradero San Asan Caplatrano, CA 936 Contact Ted Harringen Ptr 949,742,0858







### COUNTY OF SAN LUIS OBISPO

#### **Department of Public Works**

Colt Esenwein , Director

**REFERRAL** 

Date: July 24, 2018

To: Brandi Cummings, Project Planner

From: Glenn Marshall, Development Services

Subject: Public Works Comments on DRC2018-00069 Dolny MUP, Albert Way, Nipomo, APN

091-181-001

Thank you for the opportunity to provide information on the proposed subject project. It has been reviewed by several divisions of Public Works, and this represents our consolidated response.

#### **Public Works Comments:**

- A. 7/24/2018 We have reviewed the revised ATE 6/27/18 project traffic report and concur with the analysis and assumptions, and modified our recommended project conditions of approval accordingly.
- B. The proposed project is within a drainage review area. Drainage plan is required to be prepared by a licensed engineer and will be reviewed at the time of building permit submittal for the proposed greenhouses by Public Works. The applicant should review Chapter 22.52.110 of the Land Use Ordinance prior to future submittal of development permits.
- C. The project is located outside a Stormwater Management Area. However, if the project site disturbs 1.0 acre or more the applicant must enroll for coverage under California's Construction General Permit, which may include preparation of a project Storm Water Control Plan even though its located outside a Stormwater Management Area.

#### **Recommended Project Conditions of Approval:**

#### <u>Access</u>

- 1. **Prior to commencing permitted activities**, the applicant shall submit plans, encroachment permit, fee, and post a cash damage bond to install improvements within the public right-of-way in accordance with County Public Improvement Standards. The plan is to include, as applicable:
  - a. Trim vegetation within the Willow Road right-of-way as necessary to conform to sight distance standard A-5 series drawings at the intersection of Willow Road and Albert Way.
- Prior to commencing permitted activities, all public improvements have been constructed or reconstructed in accordance with County Public Improvement Standards and to the satisfaction of the County Public Works Inspector.
- 3. **Prior to commencing permitted activities,** the applicant shall provide evidence to the Department of Planning and Building that onsite circulation and pavement structural sections have been designed and shall be constructed in conformance with Cal Fire standards and specifications back to the nearest public maintained roadway.
- 4. **On-going condition of approval (valid for the life of the project)**, and in accordance with County Code Section 13.08, no activities associated with this permit shall be allowed to occur within the

public right-of-way including, but not limited to, project signage; tree planting; fences; etc. without a valid encroachment permit issued by the Department of Public Works.

#### <u>Fees</u>

5. **Prior to commencing permitted activities,** and in accordance with Title 13.01 of the County Code, the applicant must pay to the Department of Public Works the South County Area 1 Road Improvement Fee based on the latest adopted area fee schedule and 0.60 peak hour trips as estimated in the project traffic study prepared by *Associated Transportation Engineers (18044L02), dated June 27, 2018.* The estimated fee is \$3,080 (\$5,133/pht x 0.6 pht).

The fee schedule is subject to change by resolution of the Board of Supervisors. The applicant shall be responsible for paying the fee in effect at the time of payment.

#### **Drainage**

- 6. At the time of application for future construction permits, the applicant may be required to submit complete drainage plans and report prepared by a licensed civil engineer for review and approval in accordance with Section 22.52.110 (Drainage) of the Land Use Ordinance.
- 7. At the time of application for future construction permits, the applicant may be required to submit complete erosion and sedimentation control plan for review and approval in accordance with 22.52.120.

#### Storm Water Pollution Prevention Plan (SWPPP)

8. At the time of application for future construction permits, if the project site disturbs 1.0 acre or more the applicant may be required to enroll for coverage under California's Construction General Permit, which may include preparation of a project Storm Water Control Plan even if the project is located outside a Stormwater Management Area. Sites that disturb less than 1.0 acre must implement all required elements within the site's erosion and sediment control plan as required by San Luis Obispo County Codes.

 $G:\Development\_DEVSERVReferrals\Land\ Use\ Permits\MUP\DRC2018\DRC2018-00069\ Dolny\ MUP\ Nipomo\DRC2018-00069\ Dolny\ Nipomo\DRC2018-00069\ Dolny\ Nipomo\DRC2018-00069\ Dolny\ Nipomo\DRC2018-00069\ Dolny\ Nipomo\DRC2018-00069\ Dolny\ Nipomo\$ 

#### **Brandi Cummings**

From: Michael Stoker

**Sent:** Friday, June 08, 2018 9:38 AM

**To:** Brandi Cummings

**Cc:** Don C. Moore; Cheryl Journey

**Subject:** Re: DRC2018-00069 DOLNY, SOUTH COUNTY E-Referral

Brandi,

Please find buildings recommendations for DRC2018-00069 below. Please let me know if you have any questions.

In regards to this preliminary review, a building permit is required. The drawings specify the work to be completed consists of 46,000 sq. ft greenhouse facility and accessory business functions. A California State licensed design professional (Architect/Engineer) shall prepare plans in compliance with current codes adopted by the County of San Luis Obispo (Current version of the California Building Standards Codes and Title 19 of the SLO County Codes at time of permit submittal).

While a thorough plan review will be conducted at the time of the building permit application, the following items are noted to assist design review;

- 1. A California licensed Architect or Engineer is required to submit the plans for this project per BPC 5536.1.
- 2. A pre application meeting will be needed prior to submitting for a building permit to answer any questions and / or discuss code related issues.
- 3. Separate building permits will be required for all separate structures.
- 4. Specify the occupancy group and type of construction on the cover sheet of the plans to verify compliance with CBC Chapter 3 and 6.
- 5. Provide an allowable area analysis on the plans to verify compliance with CBC Chapter 5, including Table 503 and sections 504, 506, and 508. Also, provide information stating is the building is using the separated, non-separated, or accessory occupancy method or combination of each per CBC Section 508.
- 6. Any fire resistive walls or ceilings due to occupancy separations will need to be detailed on the plans to comply with the requirements of with CBC, including Chapter 5, 6 and 7. The specific details for the wall construction on the plans will need to reference an approved UL listing or gypsum manual listing.
- 7. The fire and smoke protection features (i.e. exterior walls, projections, openings, rated wall assemblies, shaft enclosures, parapet, etc) shall be shown, calculated and detailed on the plans to comply with CBC, including Chapter 7.
- 8. Provide an occupant load and exiting analysis on the plans to verify compliance with CBC, including Chapter 10.

- 9. The accessibility elements throughout will need to be shown, detailed, and / or noted on the plans to verify compliance with CBC Chapter 11B. (i.e. accessible parking, path of travel, restroom design, accessible amenities, rooms, equivalent, etc.)
- 10. Provide plans which clearly show the structural design to verify compliance with the 2016 California Building Code and referenced standards. The plans and supporting calculations will need to be prepared by a California Licensed Design Professional (Architect or Engineer) justifying the structural design.
- 11. The project will require a soils report and structural calculations for the design of the buildings. All structural elements to be detailed on the plans to comply with CBSC and adopted referenced codes.
- 12. A grading permit and SWPPP plan will be required for this project.
- 13. Provide isometric / single line drawings for the electrical, plumbing, and mechanical elements to verify compliance with the current versions of the California Electrical, Plumbing, and Mechanical Codes.
- 14. Provide a plumbing fixture analysis on the plans to verify the number of fixtures provided is sufficient for the proposed use and complies with CPC Chapter 4 and Table A and Table 422.
- 15. Provide an equipment schedule on the plans and any referenced standards or spec sheets that are applicable.
- 16. Provide details for anchorage for all equipment. For equipment weighing more than 400 lbs, provide calculations for seismic anchorage in accordance with ASCE 7-10, Chapter 13.
- 17. Energy Calculations will need to be provided to verify compliance with current California Energy Code.
- 18. Compliance with the current California Green Building Code and County of San Luis Obispo Green Building Ordinance will need to be show on the plans.
- 19. The building will need to be provided with fire sprinklers and an alarm system under a separate permit. At the time of the permit application provide plans and calculations showing the design of the system.

#### thanks

County Of San Luis Obispo Planning & Building Michael Stoker, CASp Building Division Supervisor (p) 805-781-1543 mstoker@co.slo.ca.us

**From:** Mail for PL\_Referrals Group **Sent:** Monday, June 4, 2018 12:06 PM

To: Brandi Cummings

Subject: DRC2018-00069 DOLNY, SOUTH COUNTY E-Referral

County of San Luis Obispo
Department of Planning & Building

DRC2018-00069 DOLNY, SOUTH COUNTY E-Referral, MINOR USE PERMIT, 502 Albert Way. Arroyo Grande, CA APN(s): 091-181-001

This application was recently filed with the Planning Department for review and approval. Because the proposal

may be of interest or concern to your agency or community group, we are notifying you of the availability of a referral on the project.

#### **DIRECT LINK to DOLNY Referral Package**

Link to webpage for all referral packages on new website (07/26/2017 and later): <a href="http://www.slocounty.ca.gov/Departments/Planning-Building/Forms-Documents/Informational/Planning-Referrals.aspx">http://www.slocounty.ca.gov/Departments/Planning-Building/Forms-Documents/Informational/Planning-Referrals.aspx</a>

### Planning Referrals - San Luis Obispo County

www.slocounty.ca.gov

The San Luis Obispo Permit Center (downtown) will be closing at 2:00 pm each day until further notice. The North County Sepayment until further notice.

Link to Archive Referrals: <a href="http://archive.slocounty.ca.gov/planning/referrals.htm">http://archive.slocounty.ca.gov/planning/referrals.htm</a>

**Community Advisory Groups:** You will want to contact the applicant and/or agent for the project to request a presentation to your group, or simply to answer questions about the project. The telephone number and address for the applicant/agent are provided in the link below.

\*\*\*\*\*\*

**Please comment** on all issues associated with this project **within 14 days** of receiving this e-mail **(Community Advisory Groups:** please respond within **60 days)** 

Direct your comments to the project manager(s):
Brandi Cummings (805-781-1006 or <a href="mailto:bcummings@co.slo.ca.us">bcummings@co.slo.ca.us</a>)
Referral Response:

As part of your response to this referral, please answer the following questions: Are there significant concerns, problems or impacts in your area of review?

If Yes, please describe the impacts along with any recommendations to reduce the impacts in your response.

If your community has a "vision" statement in the Area Plan - does the community feel this project helps to achieve that vision? If No, please describe.

What does the community like or dislike about the project or proposal?

Is the project compatible with surrounding development, does it fit in well with its surroundings? If No, are there changes in the project that would make it fit in better?

Does the community believe the road(s) that provide access to the site is(are) already overcrowded?

Does the community wish to have a trail in this location?

If the proposal is a General Plan Amendment, does the community feel the proposed change would encourage other surrounding properties to intensify, or establish intense uses that would not otherwise occur?

Please feel free to include information or questions other than those listed above. You may also choose to respond that you have no comments regarding the proposal.

### **Cassidy McSurdy**

Administrative Assistant III County Of San Luis Obispo Planning & Building (p) 805-788-2959 cmcsurdy@co.slo.ca.us

#### **Brandi Cummings**

**From:** Fred Collins <fcollins@northernchumash.org>

**Sent:** Saturday, June 09, 2018 7:58 AM

**To:** Brandi Cummings

Subject: RE: AB52, NCTC -- DRC2018-00069 DOLNY Referral

Hello Brandi,

NCTC would like to see records search, and all archaeological surveys for this property, sensitive area.

Fred Collins NCTC

**From:** Mail for PL\_Referrals Group [mailto:plreferrals@co.slo.ca.us]

**Sent:** Monday, June 4, 2018 12:22 PM **To:** fcollins\_northernchumash.org

**Cc:** Brandi Cummings

Subject: AB52, NCTC -- DRC2018-00069 DOLNY Referral

County of San Luis Obispo
Department of Planning & Building

DRC2018-00069 Dolny, South County E-Referral, Minor Use Permit, Arroyo Grande APN(s): 091-181-001

#### **Direct link to DOLNY Referral Package**

#### **PLEASE CONTACT:**

Brandi Cummings (805-781-1006 or bcummings@co.slo.ca.us)

# <u>The deadline for consultation request is:</u> July 4, 2018

\*\*\*\*\*\*

The County of San Luis Obispo is notifying you of the proposed project listed above. The project application was recently filed with the Planning Department for review and approval. State law under Assembly Bill 52 (Public Resources Code Section 21080.3.1) allows California Native American tribes 30 days to request consultation regarding possible significant effects that implementation of the proposed project may have on tribal cultural resources. The attached letter is your official notification and provides target timelines for the AB 52 Consultation Process.

If you have questions about this project or wish to request consultation, please contact the project manager(s) listed above and provide a designated lead contact person for this consultation				

August 27, 20018

Supervisor Lynn Compton, 4th District Supervisor County Government Center San Luis Obispo, CA 93408

Dear Supervisor Compton:

The SCAC took the following actions at its August 27, 2018 meeting:

**AT&T MOBILITY – DCR2018-00038** – Proposed Conditional Use Permit for a 55' tall antenna support structure disguised as a water tank with a small ground mounted equipment enclosure and generator within a fenced area; located at 1390 Los Berros Road, Arroyo Grande. The Council had some questions regarding the application, however a representative was not in attendance, so the project was tabled until the next meeting.

HOWARD PEPPER / TRAILER HITCH RV – DRC2016-00068 – Proposed Conditional Use Permit for a recreational vehicle dealership and outdoor storage located on the corner of North Frontage and Sandydale Drive in Nipomo. APN: 091-325-022. This project had been continued from the July meeting due to a pending request for a Will-Serve letter for a fire hydrant. The Will-Serve for the fire hydrant was received by the applicant, however Council concern over the lack of subsequent water availability for the building project was expressed. A motion to recommend denial of the project until water was available for permitting was approved on a vote of 6-3.

**DAYSPRING – DRC2018-00093** – Proposed Minor Use Permit for 3 one-acre outdoor (under hoops) and 22,000 sq./ft. indoor cannabis cultivations alongside a 22,000 sq./ft. greenhouse for ag processing (curing/drying) to be located at 510 Rancho Rd. Nipomo. APN: 090-241-003. This project is approximately 8 miles east of Highway 101 and located on agricultural zoned land. After discussion, a motion to approve this recommendation was made and passed by a vote of 7-0 with 2 abstentions.

**DOLNY – DRC2018-00069** – Proposed Minor Use Permit to build a 46,000 sq./ft. greenhouse facility that will house 22,000 sq./ft. of indoor cannabis cultivation and accessory business functions. It is located at 502 Albert Way, Arroyo Grande at the north end of this private road. APN: 091-181-001. After a presentation and question and answer session, the Council

entertained a motion to recommend approval of the project with the provision that appropriate widening of Albert Way be completed from the project location to Willow Road. The motion passed on a vote of 8-0 with one abstention.

On behalf of the South County Advisory Council,

Richard Wright,

alw Wright

Correspondence Secretary