Kirk Consulting

TYLER MITCHELL
SUPPLEMENTAL DEVELOPMENT STATEMENT
CANNABIS CONDITIONAL USE PERMIT
4150 N. RYAN ROAD, CRESTON, CA 93432
APN (042-211-014)
PROJECT DESCRIPTION *(June 2019)*

Parcel Size:	78.48 Acres
APN:	042-211-014
Address:	4150 North Ryan Road, Creston, CA 93432
Land Use Designation:	AG
Williamson Act:	No
Water:	On-Site Well
Existing Uses:	Residence
Access:	North Ryan Road

The subject property consists of one parcel totaling 78.48 acres, located at 4150 North Ryan Road in Creston (APN 042-211-014), accessed off a dirt road from North Ryan Road, in the North County El Pomar-Estrella Sub Planning Area and zoned Agriculture. Existing uses on the site include a single-family residence (Permit C7645). The applicant also owns the adjacent parcel to the west totaling 72.63 acres (APN 042-211-013). A portion of the access road on the property was previously graded (Permit C2449).

Proposed Project

A request by Tyler Mitchell for a Conditional Use Permit to authorize the outdoor cultivation of cannabis totaling 3 acres of canopy, and the construction of 52,000 sq. ft. of greenhouse space for indoor cultivation totaling 22,000 sq. ft. of canopy (26,000 sq. ft. total greenhouse space) and vegetative nursery space totaling 22,000 sq. ft of canopy (26,000 sq. ft. total greenhouse space) for onsite use and offsite sales in 3 Phases. Supporting cultivation operations will include the construction of a 20,000 sq. ft. building to be used for drying/curing (13,165 sq. ft.), trimming (2,010 sq. ft.), manufacturing (2,050 sq. ft.) and a nursery cloning room (2,345 sq. ft). The final phase of the project includes retrofitting an existing 1,500 sq. ft. building for use as a non-retail storefront. The dirt road will be upgraded to an all-weather 20’ wide road with 16’ pinch points to provide adequate access to the new support buildings at the northern end of the parcel (per Cal Fire

recommendations). The property is utilizing registration CCM2016-00136. The proposed project has been designed in full compliance with LUO Section 4, Chapter 18322.30- Cannabis Activities as approved by the Board of Supervisors on November 27, 2017. For additional screening, 11 native blue oak trees will be planted as part of this project. The proposed project is located at 4150 North Ryan Road, Creston CA 93432, less than 1 mile southeast of California State Highway 41.

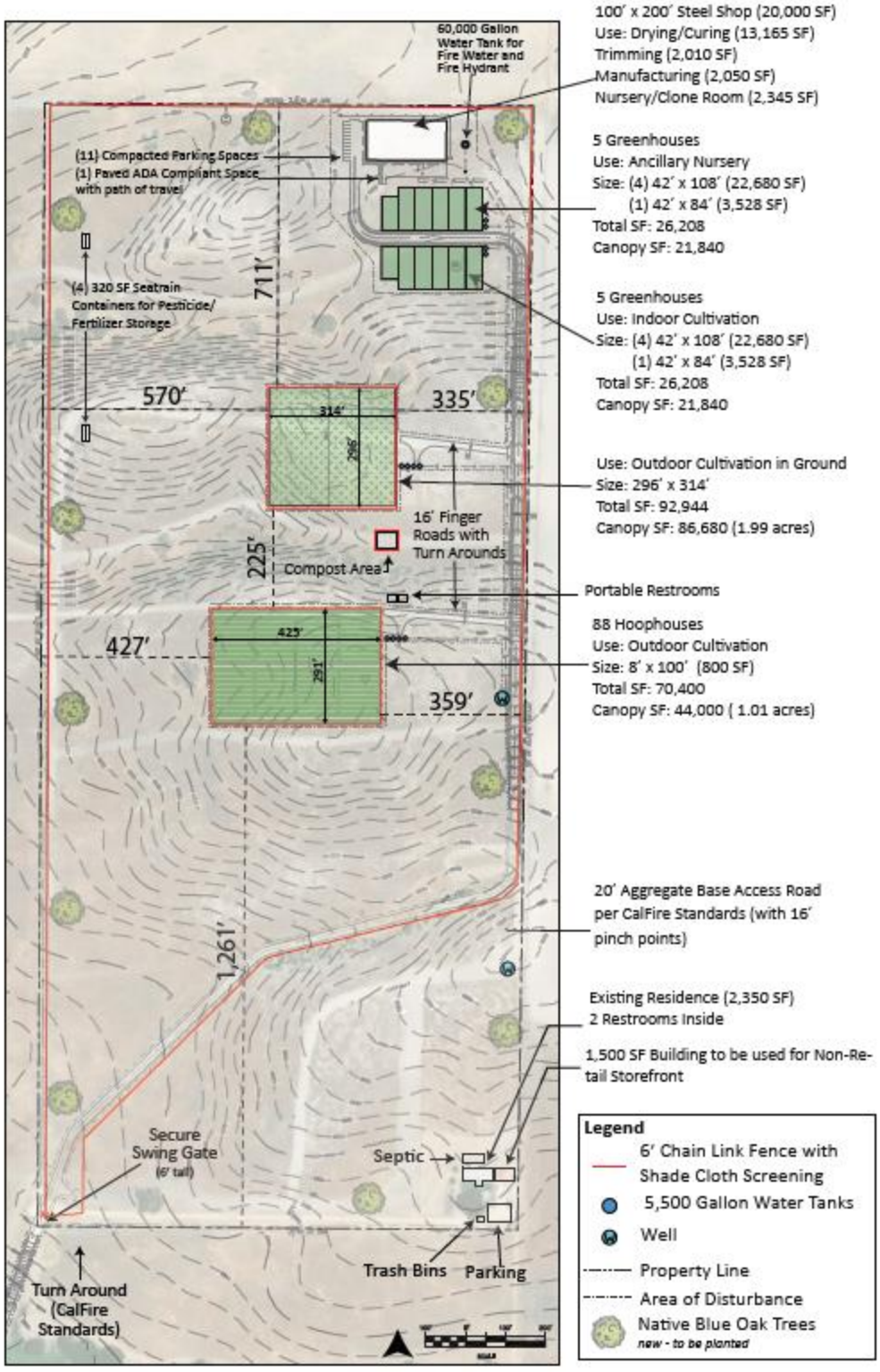
Figure 1: Vicinity Map

Table 1: Project Summary

*Existing building, to be retrofitted for new use.

Figure 2: Cultivation Area Site Plan

Phase	Structure Type	Use	Size	Count	Total SF	Walkway SF	Canopy SF
I	Hoop House	Outdoor Cultivation: Flowering	8' x 100'	88	70,400 *1.62 acres*	26,400 SF	44,000 *1.01 acres*
I	N/A *plants only*	Outdoor Cultivation: Flowering	296' x 314'	*n/a*	92,944 *2.13 acres*	6,264 SF	86,680 *1.99 acres*
			TOTAL Outdoor Cultivation		**163,344**	**32,664**	**132,000**
II	Greenhouse	Flowering	42' x 108'	5	22,680	3,780	18,900
			42' x 84'	1	3,528	588	2,940
			TOTAL Indoor Cultivation		**26,208**	**4,368**	**21,840**
		Nursery-Vegetative	42' x 108'	5	22,680	3,780	18,900
			42' x 84'	1	3,528	588	2,940
			TOTAL Nursery Area		**26,208**	**4,368**	**21,840**
			TOTAL Greenhouse	**12**	**52,416**	**8,736**	**43,680**
I	Storage Container	Pesticide	8' x 40'	2	640	n/a	
		Nutrition	8' x 40'	2	640	n/a	
II	Steel Shop (20,000 SF)	Drying/Curing	131'-6" x 100'	1	13,165	n/a	
		Trimming	43'-10" x 45'		2,010	n/a	
		Manufacturing	43'-10" x 46'		2,050	n/a	
		Nursery-Cloning Room	21'-11" x 100'		2,345	n/a	
III	Steel Building*	Non-Retail Storefront	25' x 60'	1	1,500	n/a	



The Project parcel is approximately 78 acres in size and consists of one legal parcel. The site is located on North Ryan Road which extends East and South of the project

site. The area is sparsely developed with very low densities and larger parcel sizes (40+ acres). The area's topography is primarily flat with slight hills towards the northern edge of the parcel, with 16 acres of the site between 10-20% slope and 62 acres of the site between 0-10% slope. The average slope within the site is 10%.

Outdoor Cultivation

There are two outdoor cultivation areas with a total canopy area of 3 acres and will occur in phase I of the project. One outdoor cultivation area will be 2.13 acres (88,000 SF canopy). The outdoor plants will be harvested once per year, around mid-October. The second outdoor cultivation area will consist of plants in 88 hoophouses (8'x100' each) with 5' raised beds running down the center of each hoop, totaling 1.62 acres (with 44,000 SF canopy). These outdoor hoop plants will be harvested 2-3 times per year, in April, June, and August. In order to maintain appropriate canopy limits, the plants will be trained along a trellis system which consists of netting and support post (t-post or lumber). The total outdoor cultivation canopy is 3 acres (130,680SF). Each cultivation area will include secure 6' chain link fencing with privacy slats and cut outs for Kit Fox passage around the perimeter. Compost will be located in the fenced area next to the lower hoop house cultivation area.

Indoor Cultivation

A total of 12 greenhouses, (5) 42' x 108' and (2) 42' x 84', with footings, will be constructed in phase II of the project. Indoor cultivation will occur within 6 of the greenhouses, totaling 26,208 sq. ft. The plants will be located on movable benches with a total canopy of 21,840 SF. Each 42' x 108' greenhouse will have a working clearance of 756 sq. ft. and each 42' x 84' greenhouse will have a working clearance of 588 sq. ft. The indoor cultivation will be harvested four times per year, in March, June, August, and November. The remaining 6 greenhouse space will be utilized for nursery space. The greenhouse doors will remain locked and the greenhouses will be equipped with exterior security cameras.

Vegetative Nursery

The remaining 6 greenhouses will be utilized for nursery space, totaling 26,208 sq. ft. of total area and 21,840 of canopy and will occur in phase II of the project. Plants grown in the nursery will be kept in their vegetative life cycle, using mostly sun and supplemental lighting to ensure they do not go into their flowering stage. These plants are maintained the same as any other cannabis plant except they do not

receive any fertilizers or additional nutrients that promote the onset of flowers. These plants will occasionally be pruned, and the branches cut during the pruning process will be saved and transferred over to the cloning room. After a harvest occurs, these plants will be transferred to the cultivation areas where they will complete their life cycle and mature into their flowering stage.

Drying, Processing, Manufacturing, and Export of Product

A new 20,000 sq. ft. building will be constructed in phase II of the project. This building will be utilized for a nursery cloning room (2,345 SF), drying /curing (13,165 SF), trimming (2,010 SF), and manufacturing (2,050 SF). Product taken into the manufacturing phase will comprise of 80% oil and 20% processed flower. The facility will utilize closed-loop extraction, via an Ethanol extraction machine. Ethanol extraction [C2H6O] is safe, effective and proven. Ethanol does not require high pressure like the other two popular solvents (supercritical CO2 and butane) and is listed as non-volatile in the California State Regulations. This structure will also include restrooms (ADA-compliant) once completed. In the interim, portable restrooms will be available onsite for employees (in addition to the existing 2 restrooms inside the residence). Once processed and/or manufactured, product will be taken off-site for final distribution and sale. The final phase of the project entails retrofitting an existing 1,500 sq. ft. building for a non-retail storefront.

Nursery Cloning Room

2,345 sq. ft. of the new 20,00 sq. ft. building will be used for a nursery cloning room and will be constructed in phase II of the project. The cloning room uses pruned branches from the vegetative nursery to grow new plants. The branches are places into individual rooting cubes and place into rooting trays, approximating 50 cuttings per tray. These trays are placed under fluorescent lighting for approximately 2 weeks until the roots protrude through the bottom of the rooting cubes. The plants are then transplanted into larger pots and transferred to the vegetative nursery until they are ready for their final planting in a cultivation area.

Approximate Grading Estimate

The proposed structures have been strategically placed on the flatter portions of the parcel to reduce grading. Overall the proposed structures would result in approximately 10,610 CY cut / 8,778 CY fill for a total site disturbance of 670,383 sq. ft. Onsite grading will occur in phase I while access road improvements will

occur in phase II of the project. See preliminary grading, drainage and erosion control plan attached prepared by Roberts Engineering, Inc.

Site Operations Plan

Access

The parcel is accessed from a 60' wide public easement road that varies in (find parcel maps attached), approximately 0.5 miles north of North Ryan Road, and a County maintained road (varying in width from 20 -30 feet) which extends to parcels South and West of the site. The access road, North Ryan Road, will be improved in phase II of the project to meet CalFire standards. Road improvements will include be two engineered culvert crossings on North Ryan Road. Since phase I will consist of only outdoor cultivation, no offsite access road improvements will be necessary until prior to the construction of the permanent structures proposed in phase II. A 20' improved all-weather road will be provided onsite, along with additional 16' finger roads in phase I of the project to provide access to the proposed cannabis use areas.

Security

The proposed security plan includes two entry gates that are to remain locked, 4k HD cameras with night vision capabilities, 3-strand barbed wire fencing along the property line, and 6' chain link fencing with privacy slats around the two outdoor cultivation areas. There is no outdoor lighting proposed. The storage containers and buildings not included within the 6' fencing will have secure locked doors. Security cameras will be placed at all cultivation area access points, along with a field of view of each cannabis area. Cultivation areas will have complete visual coverage through the network of 24/7 surveillance cameras. Packaged product ready for transport by licensed distributors will be stored in locked waterproof containers. The site will operate in full compliance with State Licensing requirements for track and trace which will further ensure adherence to security protocols. Please see attached Security Plan.

Odor Management

Odor from the cultivation areas is naturally mitigated by the distance to the nearest residence from the outdoor cultivation site being over 2,186 feet away. The outdoor cultivation area will be fenced for odor control and visual barrier purposes. An odor mitigating system by FogCo will be installed around the perimeter of the outdoor cultivation area and use tubes to deliver a fog/mist that captures odor. The

greenhouses and processing buildings will include charcoal or carbon filters, with ventilation and fans for odor mitigation. The proposed operations are not anticipated to cause any odor issues.

FogCo installed along fence line.

FogCo installed on greenhouse exhaust vents.

Signage

No exterior signage distinctive to the cannabis operation is proposed.

Parking

The property site provides ample parking areas for the operations and are not in conflict with any adjacent properties or uses. One designated parking area is located adjacent to the existing residence and one is adjacent to the new steel building and greenhouses.

Employee Safety

The proposed operations are primarily agricultural in nature and conducted according to controls in place for the industry for crop production, manufacturing, and non-store front dispensary operations. No public access to the site will occur at any time.

Traffic

Regular (existing) commercial operations result in 2 round trips per day in a commuter truck. There will be an additional 4 commercial deliveries per year for soil, nutrients, and farm supplies. This is within standards for the access road and standard agricultural operations for the property. At full operational capacity, the staffing levels will be up to 10 employees, including existing owner participation. Operating time would be approximately 7 am to 4 pm, 5 days a week. Harvest will occur for 7 days per month, 6 months out of the year (45 days max). An additional 5-7 seasonal employees will be onsite during this time, for a total of 15-17 employees. An organized carpool program will be established for the seasonal

employees. Product transport is anticipated after each harvest is dried and/or processed and will consist of 1 passenger van or utility vehicle accessing the site over the course of 1 week. A trip generation study was prepared by Orosz Engineering, Inc. (see table below). Upon completion of the final phase of the project, the non-retail storefront will have two of the employees and will make four deliveries per day, scheduled at 10am, 12pm, 3pm, and 7pm. Overall the project is anticipated to generate 43 average daily trips, with 4 PM peak hour trips on a typical weekday. The project is not expected to contribute to any significant traffic impacts in the vicinity.

Project Trip Generation

Proposed	Size		PHT Rates		PHT (Trips)
Outdoor Cultivation	3	AC	0	PHT/AC	0.0
Greenhouse	28	KSF	0.03	PHT/KSF	0.8
Drying/Curing/Processing	20	KSF	0.03	PHT/KSF	0.6
Manufacturing	3	KSF	0.67	PHT/KSF	2.0
Non-Retail Dispensary	0.8	KSF	0	PHT/KSF	0.0
				Total Proposed PHT	3.5

Proposed	Size		ADT Rates		ADT (Trips)
Outdoor Cultivation	3	AC	2	ADT/AC	6.0
Greenhouse	28	KSF	0.27	ADT/KSF	7.6
Drying/Curing/Processing	20	KSF	0.27	ADT/KSF	5.4
Manufacturing	3	KSF	3.93	ADT/KSF	11.8
Non-Retail Dispensary	0.8	KSF	15	ADT/KSF[1]	12.0
				Total Proposed ADT	42.8

Neighborhood Compatibility

Cannabis cultivation is consistent with allowed agricultural use of the property and surrounding area. There is no projected increase in noise level from this project. The distance of the cannabis operation to the nearest off-site residence is over 2,186 feet away. The outdoor cultivation area will be fenced for odor control and visual barrier purposes. An odor capturing system by FogCo will be installed around the perimeter of the outdoor cultivation site and use tubes to administer a fog that will capture odor. The greenhouse will include ventilation and fans for odor mitigation, and will be equipped with an inner blackout system to minimize nighttime light pollution. With these controls in place, and extended distance to any offsite residence, the proposed operations are not anticipated to cause any odor issues.

Wastewater and Green Waste

Hoop house cultivation will not produce any wastewater as all water is used within the planting environment. All green waste consisting of dead and/or stripped of flower plants and soil are composted onsite. Any other trash will be placed in a trash bin located next to the parking area and hauled off to a dump every week.

Sewage

No on-site subsurface sewage disposal system will be used. Portable restrooms will be available for employees during harvest (and in the interim until the Drying, curing, and processing building is constructed including employee restrooms) and will be utilized with regular service.

Pesticide and Fertilizer Usage

Pesticide and fertilizer usage will be conducted following organic farming practices and in accordance to the County of San Luis Obispo Department of Agriculture standards. The products to be used onsite are listed in Table 2. See attached Chemical Binder for individual material safety data sheets. The pesticides and fertilizers will be stored in the shipping containers that shall remained locked.

List of Pesticides and Fertilizers

Pesticides and Fungicides	Fertilizers and Amendments
• Monterey BT • Flying Skull / nuke em • Green Cleaner • Vital Earth / Grandevo • Venerate • SaferGro / mildew cure • Serenade garden • Regalia • Green cure	• Age Old Organics / grow • Age Old Organics / bloom • Vital Earth / grow • Vital Earth / bloom • Vital Earth / fish powder • Vital Earth / flower powder • Vital Earth / mega worm castings • Vital Earth / bat guano • Vital Earth / high phos sea bird guano • Sea Pal / fish emulsion • Stutzman / chicken manure • Roots Organics / nitrogen bat guano • Roots Organics / super phos bat guano • Sparetime / molasses • Sparetime / mocha bat guano • Baseline / humic acid • PCG / seabird guano • Earthjuice / bloom • The Guano Company / Budswel • Mission Fertilizer / CrayZ Swell

Hazardous Materials Plan/Employee Training and Safety

Employees will be trained on the proper administration of pesticides/fertilizers and spill clean-up practices. A monthly safety meeting will be held to review the most recent safety practices and ensure all employees are educated on inspection and reporting procedures should an event occur. Trash bins with lids will be located near the parking area for ease of transport to the local municipal dump.

- Inspection and Maintenance
    - Inspect equipment used onsite on regular basis. Look for any potential signs of fluid leakage.
    - Keep ample supplies of spill control and cleanup materials onsite, near storage, unloading, and maintenance areas.
- Reporting
    - Report significant spills to local agencies, such as the Fire Department; they can assist in the cleanup.
    - Notification should first be made by telephone and followed up with a written report.

Setbacks

The project meets all setback requirements. Land Use Ordinance Section 22.40.050 (D)(3)(b) requires outdoor cannabis cultivation sites to be setback 300' from all property lines and public rights of way. The outdoor hoop house cultivation areas will be at a 1,261' setback from the Southern property line, 427' setback from the Western property line, 359' setback from the Eastern property line and 1,292' from the Northern property line. The outdoor cultivation area consisting of plants grown in the ground will be 570' from the Eastern property line, 711' from the Northern property line, 335' from the Western property line and 1,777' from the southern property line. The nearest sensitive receptors (schools, parks, libraries, licensed recover facilities, et. al) are located well outside the 1,000' setback required by 22.30.D.1 (buffer map provided in plan set). The agricultural zoned parcel size of 78.48 acres meets the size requirement of 25 acres. Further, the property line is 883' away from the nearest offsite residence. The processing/manufacturing building is setback 30' from the northern property line and

Air Quality

The project is located on an existing agricultural site, with no grading required and organic practices utilized. The cannabis operation is situated on the center of the

property to reduce offsite impacts. Access is via a County-maintained unpaved road. There are two options for dust mitigation the applicant will choose between based on economic viability. One is to spread gravel over the road, and the second is a spray that locks in the dust (product by EnviRoad called Earthbind 100).

Screening and Fencing

The parcel is accessed from North Ryan Road, a public road that extends to parcels west and north beyond the site. An existing 3 strand wire fence runs along the property line. Additional 6' chain link fencing with privacy slats will be added around the cultivation area. Native blue oak trees are to be planted around the perimeter of the property for additional natural screening. Additional security controls as required by CDFA or BCC as required would be incorporated into existing operations, including security cameras, and fencing at key locations.

Water Management Plan

The property is in the Salinas/Estrella Water Planning Area, with a majority of the property in the Jackson and Reinhert Ranch Watershed and a portion in the Ryan Watershed. The project site is served by two existing groundwater wells that have historically served the property for agricultural use. An additional well will be installed for the cannabis operations. A total of (12) 5,500-gallon water tanks will be installed near each outdoor cultivation area, the nursery, and greenhouse. One 60,000-gallon water tank will be installed next to the processing/manufacturing building for fire water. No import of water is necessary or will occur in association with the proposed cannabis cultivation operations. Limited surrounding agriculture combined with high recharge potentials support the land use of commercial cannabis cultivation. The projected water usage is as follows (based on water demand analysis prepared by Cleath-Harris Geologists); the daily average anticipated per year is 7,106 gallons per day. The total annual water usage estimate is 7.96 AFY, including domestic water usage.

Estimated Irrigation Use
Employee Water Usage

Cultivation Type	Canopy Area	Applied Water	
	(square feet)	(feet/year)	(acre-feet per year)
Outdoor flower	86,680	1.11	2.21
Hoop house flower	44,000	1.91	1.93
Greenhouse flower	21,840	3.91	1.96
Greenhouse nursery	21,840	3.30	1.65
Ancillary nursery	1,500	1.32	0.05
TOTAL			7.8

Use	Rate	Gross Demand (gallons/year)	Gross Demand (AFY)
Domestic Water Demand	15 employees x 10 gal/capita/day	54,750	0.16

Water Offset

The subject parcel falls within the Paso Robles Ground Water Basin. The applicant will pay the associated water offset fee.

Energy Use

The total annual estimated energy use for the cannabis operation is 779,033 kWh to 942,203 kWh. See the tables attached to the Electrical Estimate for an estimated energy use breakdown

Issues Requiring Special Consideration

Cultural Resources

A Phase I Archaeological Surface Survey was prepared by Heritage Discoveries, Inc. for all areas proposed for cannabis use onsite. The report produced negative results for the presence of cultural resources. See the report attached.

Biological Resources

The site is located within the San Joaquin Kit Fox corridor. The owner is willing to pay the fees associated with the 1:1 Kit Fox mitigation ratio as prescribed by the County's Kit Fox Mitigation Ratio Map. Offsite compensatory mitigation for Kit Fox

will be provided at the time of issuance of each building permit. It is anticipated that the project will result in up to 12.6 acres of impact to potential Kit Fox habitat.

A biological resources assessment is being prepared by Padre, Inc. The following measures were recommended to minimize the project's impacts to less than significant:

1. Work Timing. All work activities shall be completed during daylight hours (between sunrise and sunset) and outside of rain events;
2. Work Limits. The Project impact area shall be clearly marked or delineated with stakes, flagging, tape, or signage prior to work. Areas outside of work limits shall be considered environmentally sensitive and shall not be disturbed;
3. Vehicles and Equipment. All equipment and vehicles shall be checked and maintained daily to prevent spills of fuel, oil, and other hazardous materials. A designated staging area shall be established for vehicle/equipment parking and storage of fuel, lubricants, and solvents. All fueling and maintenance activities shall take place in the staging area;
4. Biological Monitoring. Biological monitoring shall be completed by a qualified biologist for all initial ground disturbance (e.g., grading/excavation activities). For this task, the biologist shall survey/clear undisturbed work areas prior to start of work and then monitor the area while initial grading activities are completed. Any wildlife observed during monitoring shall be allowed to move out of work limits of their own volition or shall be captured and relocated to nearby suitable habitat by the biologist, as necessary and in compliance with state and federal Endangered Species Act regulations.
5. Burrow Assessment. Prior to disturbance of burrows that may support special-status species, such as, American Badger and San Joaquin kit fox, the occupancy shall be determined with non-invasive methods. Motion sensor cameras and/or tracking medium may be deployed to determine the active status of the burrow. If San Joaquin kit fox are identified, the USFWS should be notified immediately and all Project activities halted to determine avoidance measures;

6. Special-Status Plants. If a special-status plant species is observed during biological monitoring, the County and other appropriate agencies will be notified, and measures to avoid and/or minimize impacts will be determined, which could include plant avoidance, seed collection, or transplanting;

7. Nesting Bird Surveys. In the event vegetation removal (i.e., tree trimming/removal activities) are scheduled between February 1 and August 31 (general nesting bird season), nesting bird surveys shall be completed by a qualified biologist within 48 hours prior to start of work. If any active nests are discovered within or adjacent to work limits, an appropriate buffer (i.e., 500 feet for raptors and 250 feet for other birds, or at the discretion of a qualified biologist based on biological or ecological reasons) shall be established to protect the nest until a qualified biologist has determined that the nest is no longer active and/or the young have fledged; and

8. Oak Tree Mitigation. Based on discussions with the client, all disturbance areas can be configured such that they avoid impacting oak trees. If impact to oak trees becomes necessary at any point during the Project, including for right of way improvements, the following measures shall be implemented:

   - No oak tree shall be removed without prior County approval;
   - Trees within 20 feet of grading or trenching shall be protected by placement of protective fencing at least one foot outside the dripline;
   - Trenching and excavation within the tree driplines shall be hand-dug or bored to minimize root disturbance. Any root encountered on inch diameter or greater, shall be hand cut and appropriately treated;
   - Pruning of lower limbs in the construction area shall occur prior to construction activities to minimize damage; and
   - An oak tree replacement plan will be prepared and submitted to the County for approval, and a certified arborist shall be contracted to provide guidance on trimming and/or removal of oak trees in the field.

Parking Modification and Required Findings

At full operational capacity, the project will require up to 15 full-time staff with seasonal increases to 20-22. The project is designed to accommodate staff with approximately fifteen shared parking spaces and one ADA parking space on the property. Seasonal employees for harvest will commute via a passenger van, and all full-time employees will be encouraged to carpool, to decrease the number of vehicles onsite. Due to the limited nature of the staff required for the operation, parking standards as outlined in Chapter 22.18, Nursery Specialties are not appropriate for the project. The following findings are provided for use in a request for modification of parking standards of Chapter 22.18, Nursery Specialties.

In accordance with Chapter 22.18.18.020.H, the following three findings support the request to modify the parking standards:

a. The characteristics of the project, which consists of a cannabis cultivation consisting of outdoor and indoor uses, with seasonal temporary staff, do not necessitate the number of parking spaces, types of design or improvements required by this chapter. The agricultural cultivation staff can be accommodated in the existing level dirt area adjacent to the existing residence that will be marked and designated for parking.
b. The proposed parking area that consists of an unpaved parking lot with cone designations adjacent to the existing residence is adequate to accommodate all parking needs on site generated by the use, as the operation will be staffed by seven staff cultivating an agricultural product and there are no site constraints as far as space availability for the cultivation use.
c. No traffic safety problems will result from the proposed modification of the parking standards as there is ample existing parking on the site for the existing cannabis cultivation business, the parking location is located well away from any public right of way, and there is adequate space surrounding the parking area for any turning movement.