



# Staff Report to the Zoning Administrator

Application Number: **201254**

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**Applicant:** Ken Hart

**Agenda Date:** February 19, 2021

**Owner:** Philip Anderson

**Agenda Item #:** 3

**APN:** 098-071-16

**Time:** After 9:00 a.m.

**Site Address:** 25685 Skyland Rd., Los Gatos, CA 95033

**Project Description:** Proposal to operate a Class SU outdoor cannabis cultivation facility with up to 10,000 square feet of canopy on a site zoned SU (Special Use) on site with a single-family dwelling, mobile home, and barn. Requires a Commercial Development Permit and a determination that the project is exempt from further environmental review under the California Environmental Quality Act (CEQA).

**Location:** 25685 Skyland Rd., Los Gatos CA. The property is located approximately 1 mile south of the junction of Summit Rd. and Soquel/San Jose Rd.

**Permits Required:** Commercial Development Permit

**Supervisory District:** 1st District (Supervisor: Manu Koenig)

## **Staff Recommendation:**

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 201254, based on the attached findings and conditions.

## **Project Description & Setting**

### Setting

The subject property is located within the Summit Planning Area in a mountainous rural part of mid-county approximately 1 mile south of the junction of Soquel-San Jose Road and Summit Road. The property itself is situated in a shallow valley at the foot of Skyland Ridge, a forested area interspersed with clearings for orchards and residential development. The 20-acre property is bisected by Skyland Road, a county-maintained two-lane roadway. The northern (fairly steep) portion of the parcel is forested, the southern (flat) portion includes a primary residence, barn, mobile home and apple orchard. Cannabis is currently cultivated, manufactured, and distributed under a provisional State-issued license on a portion of the fenced apple orchard and within an agricultural structure (barn).

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The parcel is mapped within the “high/moderate” State Responsibility Fire response area and located within the “County” and “State” designated fault zones.

### Project Details

The proposed outdoor cultivation operation would be sited in a portion of the fenced orchard area at the southwestern corner of the property (Project Plans- Sheet A13). The total extent of mature and immature commercial cannabis canopy area on this site is limited to 10,000 square feet (SCCC 13.10.650(C)(3)(h)). The commercial cultivation area would be secured by a 6-foot high perimeter fence and accessed by a single secured entry gate. A small medical (non-commercial) cultivation area would be located near the proposed commercial cultivation, but fenced off from the main garden and accessed from a separate secured entrance (locked gate).

Cannabis would be cultivated outdoors to maturity. Imported immature plants (clones) would be placed in 200-gallon pots set upon weed cloth placed on bare soil. Harvested cannabis would be dried and weighed in (2) 320 square-foot (sf.) “Sea Train” shipping containers placed side by side near the barn (Sheet A13) on a pre-existing concrete pad. Dried cannabis would be processed, trimmed, and packaged under a shade cover in the area between the shipping containers. The post-harvest cannabis would then be processed/packaged and transported by the operator off-site for testing and sale under a Class 1 self-distribution license. Cannabis manufacture, formerly licensed as a temporary use within the barn, would be discontinued under an annual license.

The applicant proposes two (2) full time resident-operators and two to three (2-3) seasonal employees for harvest and post-harvest operations. Three (3) parking spaces will be located near the barn/shipping containers, including a standard space, accessible (van) space, and designated space for a distribution vehicle.

The applicant has provided a vegetation management plan to address fire protection concerns at the site (“Fire Prevention Plan Diagram and Notes”- Project Plans, Sheet A 50), including establishment of 100 ft. of defensible space around structures and incorporation of Cal Fire’s compliance requirements into a fire prevention check-list for employee use.

### **Permit Requirements**

Pursuant to County Code Section 13.10.323, cannabis cultivation facilities located within the Special Use (SU) zoned district are subject to a Commercial Development Permit and a public hearing with approval by the Zoning Administrator.

### **Zoning & General Plan Consistency**

The subject property is a 20.08-acre parcel located in the SU (Special Use) zone district, a designation which allows residential and small-scale agricultural uses. Cannabis cultivation is akin to a vineyard, orchard, or other similar small-scale agricultural activity allowed in the SU district with exception of security requirements. The proposed cannabis cultivation use is an allowed use within the Special Use zone district and the project is consistent with the site's R-M (Mountain Residential) General Plan designation.

## **Key Regulatory Issues**

### Siting

The owner/operator's residence and garage are accessed from Skyland Rd. by a 200 ft. paved driveway. A baserock/gravel single-lane drive extends due south about 500 ft. from the garage/driveway to the barn, shipping container pad, and employee/distributor parking area. The cultivation/garden area is located west of the barn (approximately 400 ft. south-west of the residence) on the south-western portion of the parcel.

The plans sheet shows a 300 ft. setback distance from the cultivation site to two neighboring residences (098-071-08, 098-071-87). The proposed cultivation site would require findings for an exception to the required 400 ft. setback distance between a neighboring habitable structure(s) and an outdoor cultivation site, including a garden area and processing facilities (13.10.650(C)(4)). Mature trees screen the view of the cultivation site from neighboring properties.

### Fire Hazard Reduction

As proposed and conditioned, the applicant shall maintain vegetation in accordance with compliance conditions of the County Fire Marshall's office. Given the moderate fire risk in the area, a vegetation management plan/clearing plan was prepared by the applicant to reduce the potential fire hazard and ensure that the facility operation, as limited as it is, does not pose a public health and safety issue for the larger community. The scope of the vegetation management plan is required to be reviewed and approved by the fire agency prior to building permit issuance.

As required by County Code, 13.10.650, the plans also include Best Management and Operational Practices (BMOP), which, among other topics, address irrigation and water conservation practices, operational practices, worker safety, pesticide use and storage, etc.

### Canopy Area

The table below provides relevant information regarding the allowed and proposed cultivation activity. The proposed cultivation meets the code limits as shown.

<b>Cultivation Canopy Allowance</b>						
<b>Zone District - License Type</b>	<b>Number of Licenses</b>	<b>Site Acreage*</b>	<b>Maximum Outdoor Cultivation Canopy Allowance</b>	<b>Outdoor Cultivation Canopy Proposed</b>	<b>Indoor Cultivation Canopy Proposed</b>	<b>Total Canopy Proposed</b>
SU - Class SU	Single License	20 acres	1.25 % of parcel, but not to exceed 10,000 square feet	10,000 square feet	N/A	10,000 Square feet

**Conclusion**

As proposed and conditioned, the project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

**Staff Recommendation**

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number 201254, based on the attached findings and conditions.

**Supplementary reports and information referred to in this report are on file and available for viewing at the Santa Cruz County Planning Department, and are hereby made a part of the administrative record for the proposed project.**

**The County Code and General Plan, as well as hearing agendas and additional information are available online at: [www.sccoplanning.com](http://www.sccoplanning.com)**

If you have any questions about this project, please contact Michael Sapunor at: [michael.sapunor@santacruzcounty.us](mailto:michael.sapunor@santacruzcounty.us).

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Santa Cruz, CA 95060

**Exhibits**

- A. Categorical Exemption (CEQA determination)
- B. Findings
- C. Conditions
- D. Project plans
- E. Assessor's, Location, Zoning and General Plan Maps
- F. Parcel information
- G. Program Statement

## CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF EXEMPTION

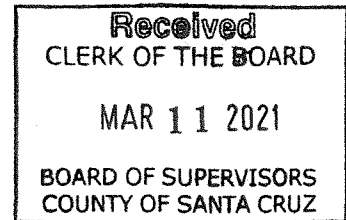
The Santa Cruz County Planning Department has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15332 of CEQA for the reason(s) which have been specified in this document.

**Application Number:** 201254

**Assessor Parcel Number:** 098-071-16

**Project Location:** 25685 Skyland Rd., Los Gatos CA 95033

**Project Description:** Proposal to operate a Class SU outdoor cannabis cultivation facility with up to 10,000 square feet of canopy on a site zoned SU (Special Use), on site with a single-family dwelling, mobile home, and barn. Requires a Commercial Development Permit and a determination that the project is exempt from further environmental review under the California Environmental Quality Act (CEQA).



**Person or Agency Proposing Project:** Philip Anderson

**Contact Phone Number:** (530) 514-8302

- A.  The proposed activity is not a project under CEQA Guidelines Section 15378.
- B.  The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).
- C.  **Ministerial Project** involving only the use of fixed standards or objective measurements without personal judgment.
- D.  **Statutory Exemption** other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).
- E.  **Categorical Exemption**

THIS NOTICE HAS BEEN POSTED AT THE CLERK OF THE BOARD OF SUPERVISORS OFFICE FOR A PERIOD COMMENCING 03/11/2021 AND ENDING 04/09/2021

Specify type: See below

**F. Reasons why the project is exempt:**

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

		modifications are made in the exterior of the structure. (Cal. Code Regs., tit. 14, § 15303.)
Class 4	Minor Alterations to Land	Consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry and agricultural purposes. (Cal. Code Regs., tit. 14, § 15304.)
Class 5	Minor Alterations in Land Use Limitations	Consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density. (Cal. Code Regs., tit. 14, § 15305.)

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

Michael Sapunor - RPS Date: 3/11/2021  
Michael Sapunor, Resource Planner

## Commercial Development Permit Findings

1. That the proposed location of the project and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity.

This finding can be made, in that the cannabis cultivation would be outdoors in an existing orchard and the drying, processing, weighing, packaging and storage of cannabis material located within permitted storage structures (shipping containers) and a shaded outdoor work area near an existing agricultural building (barn). The 20.08-acre parcel exceeds the minimum 20-acre parcel area standard for single parcels in the SU zone district for cultivation.

The Cannabis Licensing Manager (CLO) reviewed the proposed project and recommends approval of the following exceptions to the required 400 ft. setback from a cultivation site to a neighboring habitable structure (dwellings) on (2) neighboring parcels.

- For APN# 098-071-08 (25615 Skyland Rd.), a parcel situated to the west of the cultivation area, CLO recommends a reduction from 400 ft. to 365 ft. due to the presence of a security fence and screening vegetation (mature trees) along the mutual property boundary.
- For APN# 098-071-87 (14566 Stetson Rd.), a parcel situated south of the cultivation area, CLO recommends a reduction from 400 ft. to 309 ft. due to the presence of a security fence, screening vegetation, and submittal of a letter of concurrence from the property owner.

The Cannabis Licensing Manager reviewed the proposed project and recommends approval of the proposed security plan and Best Management and Operations Practices (BMOP). The proposed cultivation is located a sufficient distance from legally established adjacent residential development sites, limiting odor from the proposed cultivation. Further, the security plan has been reviewed and meets criteria of the County Sheriff's office. In addition, the project is limited in scope, facility improvements, and number of employees. The project, as designed and conditioned, and the conditions under which it would be operated, will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public. In addition, the use will not be materially injurious to properties or improvements in the vicinity. The project will not result in inefficient or wasteful use of energy.

All facility structures and improvements will be in proximity to an existing barn/parking area to ensure health and safety. A derelict mobile home and deck will be removed as part of this project. Conditions of Approval, including prohibiting camping, electricity, and campfires, as well as requiring employee safety training and a vegetation management plan around the cannabis cultivation and facilities, will ensure public health and safety. All improvements will comply with prevailing building technology, the California Building Code, and the County Building ordinance to ensure the optimum in safety and the conservation of energy and resources.

2. That the proposed location of the project and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the



purpose of the zone district in which the site is located.

This finding can be made, in that the proposed location of the cannabis cultivation use and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the SU (Special Use) zone district and the proposed cannabis use meets all current site standards for the zone district and cannabis regulations. Furthermore, the project proposes (2) “Sea Train” shipping containers located in the existing developed portion of the site, adjacent to the barn, and utilizes existing access and site infrastructure on site.

3. That the proposed use is consistent with all elements of the County General Plan and with any specific plan which has been adopted for the area.

This finding can be made, in that the proposed cannabis cultivation use is consistent with the use and density requirements specified for the RM (Mountain Residential) land use designation in the County General Plan. With the small scope of proposed project, security measures, as approved by the County Sheriff, and vegetation management and employee safety training, the proposed cultivation will be consistent with the General Plan policies to ensure public health and safety.

A specific plan has not been adopted for this portion of the County.

4. That the proposed use will not overload utilities, and will not generate more than the acceptable level of traffic on the streets in the vicinity.

Two full time employees (owners living on site) and two to three seasonal employees are proposed. The expected level of traffic generated by the proposed project is not anticipated to be adversely impact existing roads or intersections in the surrounding area. Solar-powered motion sensor lighting is proposed for security lighting of the operational areas.

Thus, the proposed use will not overload utilities and will not generate more than the acceptable level of traffic on the streets in the vicinity.

5. That the proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.

This finding can be made, in that the site is located in a rural area of the county with mixed residential/agricultural uses and is located off a public roadway and accessed through a gated driveway. The limited access to the property, and invisibility of the cultivation site from Skyland Rd. and neighboring properties, provides for neighborhood peace and public safety. The scope of the operation is limited to full time employees living on site and two to three seasonal harvest employees and will not modify the primary residential use of the site and will complement the rural area. The use includes (2) shipping containers located next to a barn and an outdoor garden.

6. The proposed development project is consistent with the Design Standards and Guidelines (sections 13.11.070 through 13.11.076), and any other applicable requirements of this chapter.

This finding can be made, in that the proposed use will be of an appropriate small scale and type

Application #:201254  
APN: 098-071-16  
Owner: Philip Anderson

of design that will not affect the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area.

## Conditions of Approval

Exhibit D: Project Plans, prepared by Whitfield Architects, dated November 9, 2020.

- I. This permit authorizes operation of a 10,000 square foot, Class SU, outdoor cannabis cultivation facility in the SU (Special Use) zone district on a site with an existing single-family dwelling. The cultivation includes placement of (2) 320 square-foot “Sea Train” storage containers and a covered outdoor seasonal harvest processing area, as indicated on the approved Exhibit "D" for this permit. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, all construction or site disturbance, the applicant/owner shall:
  - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
  - B. Apply for: 1) a Class SU Cultivation License and 2) a Class 1 Self-Distribution License from the Cannabis Licensing Office. Cannabis manufacture is not authorized in the use permit approval.
  - C. Obtain a Building Permit from the Santa Cruz County Building Official for:
    1. Removal/demolition of the existing mobile home located west of the detached garage (“Existing Site Plan of the Entire Parcel”, Sheet A10).
    2. Placement of the (2) “Sea Train” shipping containers for approved cannabis uses. The shipping containers shall not have electrical power service.

Note: Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
- II. Prior to issuance of an annual Cultivation License by the Cannabis Licensing Office:
  - A. The applicant shall obtain a Building Permit from the Planning Department for placement of the shipping containers. The building permit must be finalized prior to use of the shipping containers for harvest drying, weighing and storage.
  - B. The applicant shall Obtain an Operator Identification Number (OIN) for pesticide application and meet all requirements of the County Agricultural Commissioner’s Office.
  - C. Security cameras and data storage equipment must be implemented prior to beginning State-licensed cannabis operations as per the Security Plan. Exception: for cultivation of immature cannabis a single camera at the entry gate is required.

- III. Prior to issuance of a Building Permit (for shipping container placement and, if necessary, electrical work for security cameras and security lighting) the applicant/owner shall:
- A. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "D" on file with the Planning Department. Any changes from the approved Exhibit "D" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
1. A copy of the text of these conditions of approval incorporated into the full-size sheets of the architectural plan set.
  2. A copy of the preliminary Best Management and Operational Practices Plan (BMOP) incorporated into the full-sized sheets of the architectural plan set.
  3. Building plans shall exclude the security plan sheet, as this is confidential to the Sheriff's Office.
- B. Obtain a clearance for this cultivation project from the Environmental Health Services Department, including but not limited to:
1. Payment of fees for previous work that was performed without benefit of permit. Contact Environmental Health staff, Heather Reynolds, 454-2748.
- C. Meet all requirements and pay any applicable plan check fee of the Santa Cruz County Fire Agency/Cal Fire.
- D. Meet all accessibility requirements, as applicable, including:
1. Obtain building permits for non-exempt work per Santa Cruz County Code 12.10.310.
  2. 1 hr. wall assemblies between U and F1 occupancies or consider 1 building and non-separated occupancies if allowable area, height and number of stories for more restrictive occupancy complies. One story max. as shown. CBC 508.3, 602
  3. Exterior route details shall be provided to include slopes, widths, surface materials, and detectable warnings.
  4. Accessible parking details to include slopes, striping and signage shall be provided. [CBC 11B-501]
  5. Doors, doorways and gates shall be detailed. Include maneuvering clearances, threshold detail and hardware. [CBC 11B-404]

6. Complete and dimensioned details for restrooms shall be provided. Include fixture mounting heights, grab bars, maneuvering clearances, and door signage. [CBC 11B-603]
  7. Signs shall be detailed to include character size, sign location, and Type II Braille, as required. [CBC 11B-216]
- D. Meet all requirements of and pay drainage fees to the County Department of Public Works, Stormwater Management program. Drainage fees will be assessed on the net increase in impervious area. Plans shall address the following prior to building permit/cannabis license issuance:
1. The information on the project information and threshold determination form is conflicting/incomplete. The replacement of 2,370 square feet of impervious area qualifies the project as medium not small as indicated on the form. Please clarify.
  2. The project proposes approximately 2,500 square feet of pervious pavers. The threshold form accounts for these areas as self-mitigating. Please provide analysis demonstrating that these areas qualify as self mitigating (no additional runoff directed to these areas, analysis demonstrating that the provided cross section will retain the 2year 2 hour and 10 year storms without runoff given the site soils, see definition section in Part 3 of the County Design Criteria, CDC).
  3. Provide a final stormwater management plan that includes all required items from Appendix C (or Appendix B if the project is determined to be small) of Part 3 of the CDC including but not limited to:
    - i. Update to specify inspection testing for the constructed self mitigating areas – testing shall adhere to either ASTM, Caltrans, or other approved test method. A hold will be placed on the building permit for final inspection results that shall be submitted prior to acceptance.
    - ii. Update the plans to show existing and proposed stormwater (drainage) patterns - including areas that drain to/through the project site. The Final shall illustrate how stormwater runoff will be conveyed and controlled from all new and replaced impervious areas.
    - iii. Please provide information evaluated to justify the first statement of “there will be adequate on and off site drainage with no downstream restrictions” on sheet A40.
- F. Meet all requirements of the Agricultural Commissioner’s Office, including updating operator certifications for the temporarily-licensed cultivation operation at the site if required.

- H. Provide required off-street parking, including 2 spaces for the single family residence and an accessible/van space at the harvest storage container site (as noted on Exhibit D, Sheets A10, A13). Parking spaces must be 8.5 feet wide by 18 feet long. Parking must be clearly designated on the Site Plan.
- IV. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. All site improvements shown on the final approved Building Permit plans shall be installed.
  - B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
  - C. Pursuant to Sections 16.40.040 and 16.42.080 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.080, shall be observed.
- V. Operational Conditions
- A. Prior to the first cannabis harvest, the Building Permit shall be finalized by the Building Official, including clearance of all agency holds.
  - B. The cultivation licensee shall maintain a valid state license, posted in a conspicuous location.
  - C. All conditions of approval of this approval and the Cannabis Licensing Official shall remain in effect.
  - D. All measures of the security plan as adopted by the Cannabis Licensing Office, per the Sheriff's Office, shall remain in effect.
  - E. The following security measures shall be maintained:
    - 1. All required cannabis cultivation area security fencing shall be maintained.
    - 2. No advertising or signage is allowed that displays either in words or symbols the presence of cannabis on-site.
    - 3. Each employee shall receive training regarding the site's security plan.
  - F. Hours of operation shall be limited to 7:00 a.m. and 7:00 p.m. seven days a week.

Deliveries shall be limited to 7:00 a.m. and 7:00 p.m. seven days a week.

- G. The cannabis cultivation operation shall adhere to the best management operational practices per the approved plans. Descriptions of the following operational practices must be attached to the Cannabis Cultivation License application: Herbivory prevention, water conservation, cannabis plant material and cannabis solid waste management, and cultivation site clean-up and restoration plan.
  - H. In the event that odor complaints are substantiated by the Monterey Bay Air Quality Control Board, the Licensing Official may reduce the canopy allowance associated with this use permit to minimize odor, as appropriate.
  - I. There will be no on-site retail sales of cannabis products and the premises shall not be open to the public.
  - J. This permit authorizes a maximum of one (1) cultivation licensee.
  - K. All employee vehicle parking, including full time, seasonal employees, and distribution and delivery parking associated with the operation shall be provided in designated parking areas, per approved plans.
  - L. No camping, un-permitted temporary generators, or campfires shall be permitted on site.
  - M. The Vegetation Management Plan, included in the approved plans, shall be maintained throughout operations to ensure public health and safety.
  - N. In the event that future County inspections of the subject property by the Cannabis Licensing Office or the Planning Department disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including use permit revocation.
- VI. As a condition of this development approval, the holder of this development approval (“Development Approval Holder”), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys’ fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to

defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.

- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
1. COUNTY bears its own attorney's fees and costs; and
  2. COUNTY defends the action in good faith.
- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor'(s) in interest, transferee(s), and assign(s) of the applicant.
- 

Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

**Please note: This permit expires three years from the effective date listed below unless a building permit (or permits) and cannabis license(s) are obtained for the primary structure and cannabis use described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, and to obtain the cannabis license, will void the development permit, unless there are special circumstances as determined by the Planning Director and Cannabis Licensing Official.**

Approval Date:

Effective Date:

Expiration date:



**FOR TAX PURPOSES ONLY**

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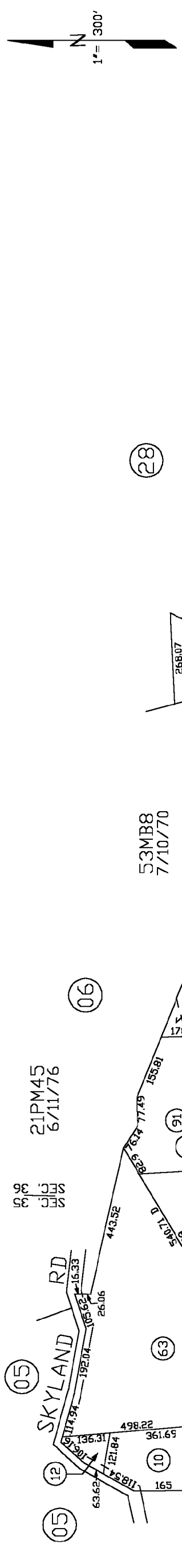
**SOQUEL AUGMENTATION RANCHO**

POR. SECS. 35 & 36, T.9S., R.1W., M.D.B. & M.

Tax Area Code

79-032

98-07



SEC 36  
SEC 35

21PM45  
6/11/76

53MB8  
7/10/70

53MB40  
10/28/70  
(POR. 098-071-87)

43MB52  
6/29/65

48MB12  
8/9/67

BK.98  
09

Electronically redrawn 12/5/98 KSA  
Rev 11/6/02 mvm (changed section note)  
Rev 12/6/99 CB (Por to pg 98-06)

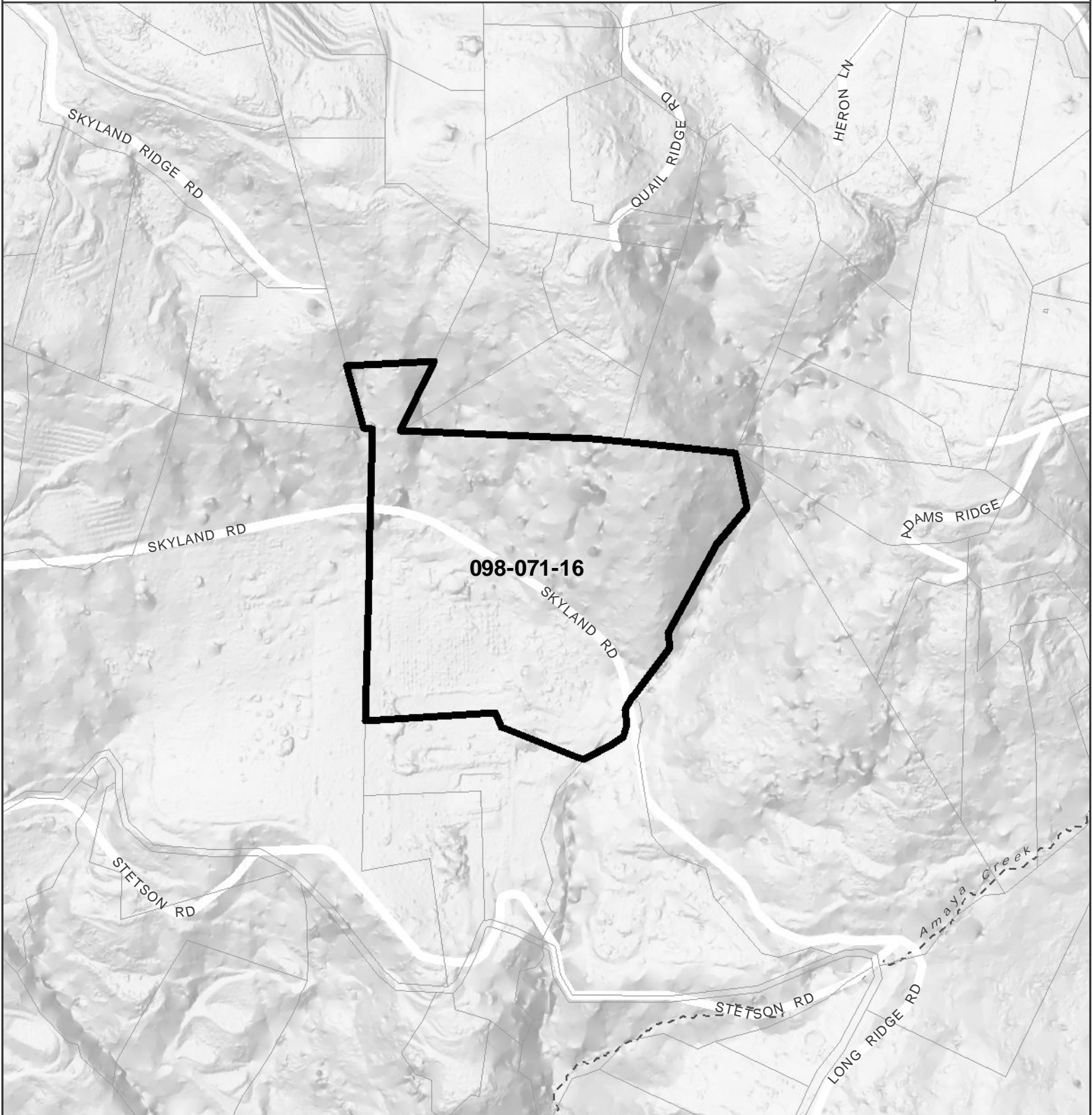
Assessor's Map No. 98-07  
County of Santa Cruz, Calif.  
Dec. 1998

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





# SANTA CRUZ COUNTY PLANNING DEPARTMENT

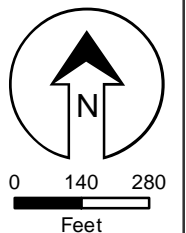
## Parcel Location Map



**Parcel: 09807116**

-  Study Parcel
-  Assessor Parcel Boundary

Map printed: 11 Feb. 2021

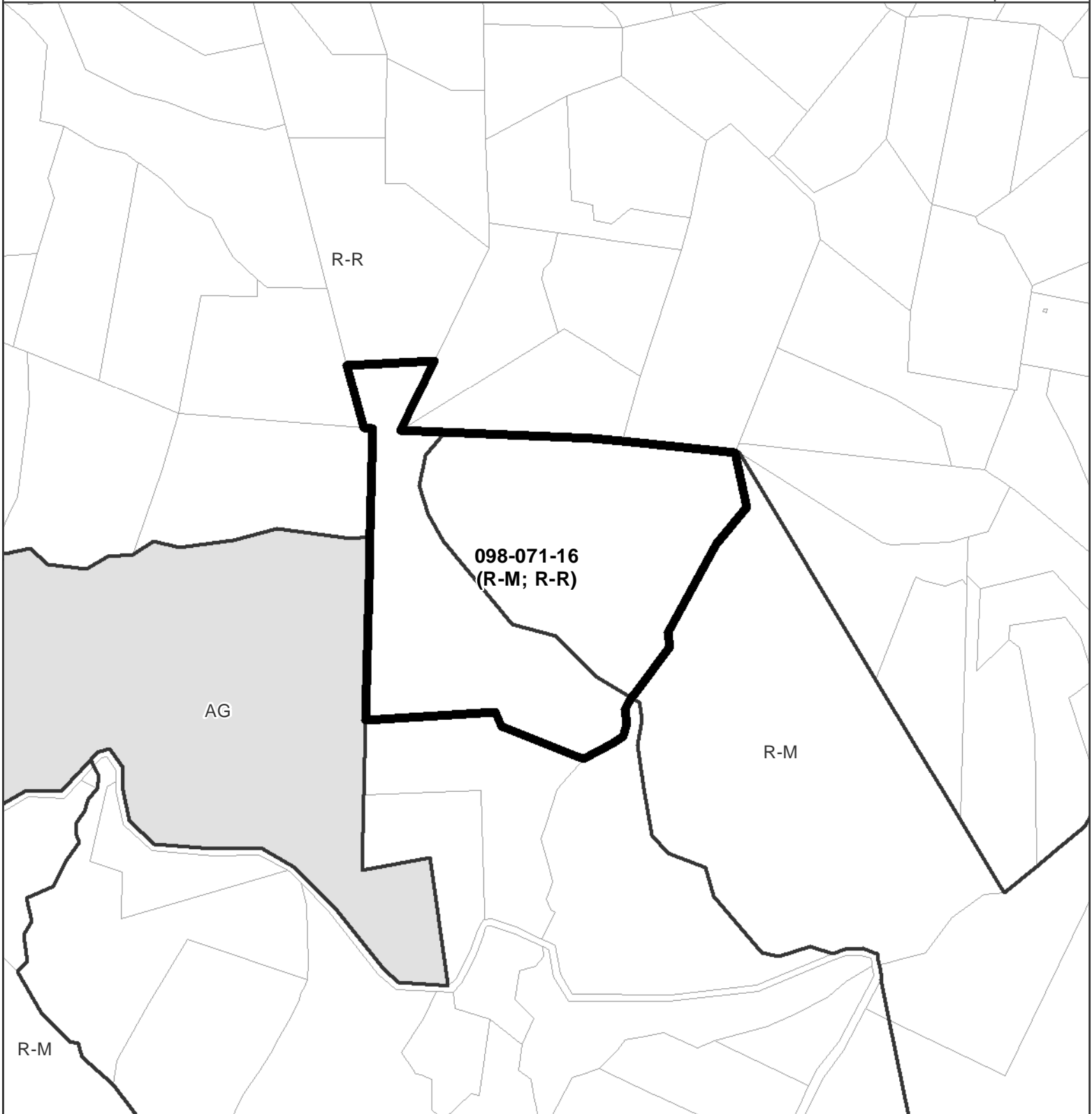







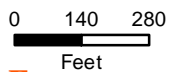
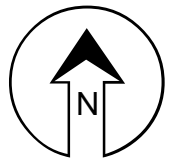
# Parcel General Plan Map



Mapped Area

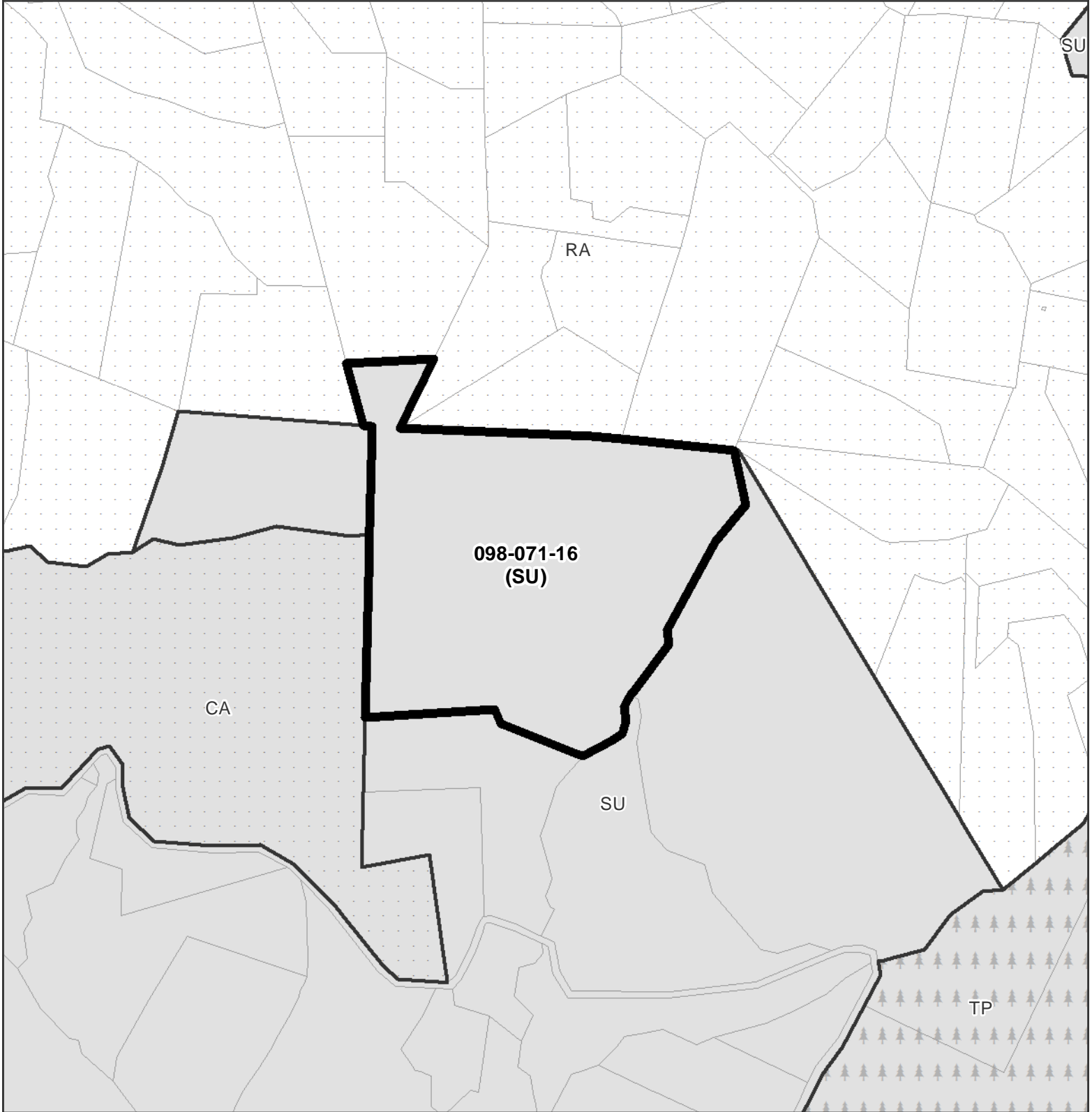


-  AG *Agricultural*
-  R-M *Residential Mountain*
-  R-R *Residential Rural*

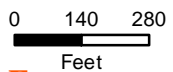
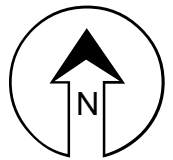




# Parcel Zoning Map



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



## Parcel Information

### Services Information

Urban/Rural Services Line:     \_\_\_ Inside     x Outside  
Water Supply:                    Well  
Sewage Disposal:                Septic  
Fire District:                    Cal Fire  
Drainage District:                N/A

### Parcel Information

Parcel Size:                      20.08 acres  
Existing Land Use - Parcel:      Single family Residential, Cannabis Cultivation  
Existing Land Use - Surrounding: Residential  
Project Access:                  Skyland Road  
Planning Area:                   Summit  
Land Use Designation:          R-M (Mountain Residential)  
Zone District:                    SU (Special Use)  
Coastal Zone:                    \_\_\_ Inside     x Outside  
Appealable to Calif. Coastal   \_\_\_ Yes        x No  
Comm.

**Technical Reviews:** None.

### Environmental Information

Geologic Hazards:            San Andreas Fault- No habitable structures proposed  
Fire Hazard:                    No  
Slopes:                         0-5 percent  
Env. Sen. Habitat:            Not mapped/no physical evidence on site  
Grading:                        No grading required  
Tree Removal:                 No trees proposed to be removed  
Scenic:                         Not a mapped resource  
Archeology:                    Mapped, No archaeological report required.





# COUNTY OF SANTA CRUZ Planning Department

## COMMERCIAL DEVELOPMENT PERMIT

Owner: Philip & Zeyna Anderson Permit Number: 201254  
Address: 25685 Skyland Rd., Los Gatos Parcel Number(s): 098-071-16  
95033

### PROJECT DESCRIPTION AND LOCATION

Proposal to operate an outdoor cannabis cultivation operation, including 10,000 SF of canopy and Class 1 Self-Distribution on site with a single-family residence, mobile home, and 1,800 SF barn. Requires a Level V Agricultural Development Permit on a SU parcel with R-M & R-R General Plan (Class SU, Class 1 self-distribution), and a determination that the project is exempt from further review under the California Environmental Quality Act (CEQA).

Property is located approximately 1,000 feet northwest of the intersection of Stetson Rd and Skyland (25685 Skyland Rd., Los Gatos).

### SUBJECT TO ATTACHED CONDITIONS

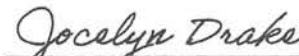
Approval Date: 2/19/2021 Effective Date: 03/05/2021  
Exp. Date (if not exercised): see conditions Coastal Appeal Exp. Date: N/A  
Denial Date: \_\_\_\_\_ Denial Date: \_\_\_\_\_

A Building Permit must be obtained (if required) and construction must be initiated prior to the expiration date in order to exercise this permit. **THIS PERMIT IS NOT A BUILDING PERMIT.**

By signing this permit below, the owner agrees to accept the terms and conditions of this permit and to accept responsibility for payment of the County's costs for inspections and all other actions related to noncompliance with the permit conditions. This permit shall be null and void in the absence of the owner's signature below.

  
\_\_\_\_\_  
Signature of Owner/Agent

3/15/2021  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Staff Planner

February 19, 2021  
\_\_\_\_\_  
Date