

AGENDA

REGULAR MEETING OF THE PLANNING COMMISSION TUESDAY, MARCH 21, 2017 6:00 P.M.

Council Chambers, City Hall
212 S. Vanderhurst Avenue, King City, CA

1. CALL TO ORDER

2. ROLL CALL:

**Planning Commission Members: Michael Barbree, Margaret Raschella,
Ralph Lee, Vice Chairperson David Mendez, and Chairperson David Nuck**

3. FLAG SALUTE

4. PUBLIC COMMENTS

Any person may comment on any item not on the agenda. PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD. Action may not be taken on the topic, unless deemed an urgency matter by a majority vote of the Planning Commission. Topics not considered an urgency matter might be referred to City staff and placed on a future agenda, by a majority vote of the Planning Commission.

5. PRESENTATIONS

None

6. CONSENT AGENDA

All matters listed under the Consent Agenda are considered routine and may be approved by one action of the Planning Commission, unless any member of the Planning Commission wishes to remove an item for separate consideration.

a. Approval of Minutes: February 21, 2017

7. PUBLIC HEARINGS

a. Project: Golden State Sciences: Medical Cannabis Manufacturing (Type 6)

Case No.: CUP 2016-011

Applicant: Ryan Littman. Representative, Chris Madson

Proposal: Renovation of a portion of an existing 13,500 square foot structure. 7,900 square feet will be renovated for Medicinal Manufacturing use, 2,700 square feet will remain as Administrative space and 2,900 square feet will remain vacant as dry storage area.

Location: 190 San Antonio Drive, King City, CA 93930

**Environmental
Determination:**

The proposed use will NOT expand the structure or add to parking or paved area. After review, potential project impacts fall with the range of Estimated Cumulative Impacts that were addressed by the mitigated

Negative Declaration (MND) approved by the City Council as part of the Zoning Code amendments approved September 27, 2016.

The project also qualifies as a Class 1 Categorical Exemption per CEQA Guidelines §15301 (Existing Facilities)

Therefore, the project can be determined as Categorically Exempt.

Recommendation: Staff recommends that Planning commission 1) review request for conditional use Permit, 2) receive public comment, and 3) adopt the attached Resolution.

8. REGULAR BUSINESS

9. PLANNING COMMISSIONER REPORTS

10. DIRECTOR'S REPORT

11. WRITTEN CORRESPONDENCE

12. ADJOURNMENT

NOTES

WRITTEN MATERIAL: Any writing or document pertaining to an open session item on this agenda which is distributed to a majority of the Planning Commission after the posting of this agenda will be available for public inspection at the time the subject writing or document is distributed. The writing or document will be available for public review in the Community Development Department, 212 S. Vanderhurst Avenue, King City, Ca, during normal business hours, and may be posted on the City's website identified above.

AGENDA ITEM SPEAKING TIME: The Planning Commission may limit persons speaking on an agenda item to three (3) minutes per item.

AMERICANS WITH DISABILITIES ACT: Any individual, who because of a disability needs special assistance to attend or participate in this meeting, may request assistance by contacting the City Clerk's Office (831) 385.3281. Whenever possible, requests should be made four (4) working days in advance of the meeting

UPCOMING REGULAR MEETINGS

<u>March 2017</u>		
March 7th	6:00 p.m.	Planning Commission Canceled
March 13th	6:00 p.m.	Airport Advisory Committee
March 14th	6:00 p.m.	City Council
March 21st	6:00 p.m.	Planning Commission
March 28th	6:00 p.m.	City Council

<u>April 2017</u>		
April 4th	6:00 p.m.	Planning Commission
April 10th	6:00 p.m.	Airport Advisory Committee
April 11th	6:00 p.m.	City Council
April 17th	5:00 p.m.	Recreation Commission
April 18th	6:00 p.m.	Planning Commission
April 25th	6:00 p.m.	City Council

ADT: Average daily trips made by vehicles or persons in a 24-hour period

ALUC: Airport Land Use Commission

AMBAG: The Association of Monterey Bay Area Governments. The AMBAG region includes Monterey, San Benito and Santa Cruz Counties, and serves as both a federally designated Metropolitan Planning Organization and Council of Government. AMBAG manages the region's transportation demand model and prepares regional housing, population and employment forecast that are utilized in a variety of regional plans.

APCD: Air Pollution Control District

BMP: Best Management Practice, Bike Master Plan

CAP: Climate Action Plan

CC&Rs: Covenants, Conditions, and Restrictions (private agreements among property owners; the City has no authority to enforce these)

CDBG: Community Development Block Grant (a federal grant program designed to benefit low and moderate income persons)

CEQA: California Environmental Quality Act

CFD: Community Facilities District

COG: A council of government, or regional council, is a public organization encompassing a multi-jurisdictional regional community. It serves the local governments by dealing with issues that cross political boundaries.

CUP: Conditional Use Permit

EIR: Environmental Impact Report

Ex-Parte: Communication between Planning Commissioners and applicants outside of a public meeting

FEMA: Federal Emergency Management Agency

GHG: Greenhouse gas

HOME: Home Investment Partnership Act (a federal program to assist housing for low and moderate income households)

HCP: Habitat Conservation Plan

HCD: State Department of Housing & Community Development

HUD: U.S. Department of Housing and Urban Development

LAFCO: Local Agency Formation Commission

LID: Low Impact Development (measures to reduce rainwater runoff impacts)

LLA: Landscaping and Lighting District

LOS: Level of Service (a measurement of traffic efficiency used by Caltrans)

MMTC: A multimodal transit center includes a combination of alternative modes of transportation so people do not have to only rely on vehicles.

MOU: Memorandum of Understanding

MND: Mitigated Negative Declaration

MPO: A metropolitan planning organization is a federally mandated and federally funded transportation policy-making organization, such as AMBAG, that is made up of representatives from local government to help implement transportation projects and projects.

Neg Dec: Negative Declaration (a CEQA statement that a project will not have a significant effect on the environment)

NEPA: National Environmental Policy Act

SOI: Sphere of Influence.

TAMC: The Transportation Agency for Monterey County develops and maintains a multimodal transportation system for Monterey County. TAMC consists of local officials from each Monterey city (12 cities) and five (5) county supervisorial districts, and ex-officio members from six (6) public agencies.

TOT: Transient Occupancy Tax

Variance: A form of relief from zoning development regulations based on physical constraints of a property that prevents development of the same type of buildings allowed on other properties within the same zone and in the same neighborhood

VMT: Vehicle Miles Traveled

Planning Commission Minutes

February 21, 2017

1. Call to Order

Chairperson Nuck called the regular meeting of the Planning Commission of the City of King to order at 6:00 p.m.

2. Pledge of Allegiance

Chairperson Nuck led the Commission and audience in the Pledge of Allegiance.

3. Roll Call

Chairperson David Nuck X Vice Chair David Mendez X

Michael Barbree X Margaret Raschella A Ralph Lee X

Action: Motion made by Commissioner Barbree to excuse Commissioner Raschella. Seconded by Commissioner Mendez. Motion carried 4-0.

Staff present: Maricruz Aguilar-Navarro, Assistant Planner; Erica Sonne, Admin. Asst./Deputy City Clerk

4. Public Comments

None

5. Presentations

None

6. Consent Calendar

All matters listed on the Consent Calendar are considered routine and may be approved by one action of the Planning Commission, unless any member of the Planning Commission wishes to remove an item for separate consideration.

a. Approval of Minutes: February 7, 2017

Action: Motion made by Commissioner Mendez to approve minutes of February 7, 2017. Seconded by Commissioner Barbree. Motion carried 4-0.

7. Public Hearing Items

- a. Project:** Planning Commission Interpretation regarding Condition of Approval No. 15 of CUP2016-001 (Applicant: SGH Holding, LLC; Location: 218 North First Street). Applicant is requesting the Planning Commission accept and approve the First Street Fence Plan as submitted.

Recommendation: Staff recommends Planning Commission review and accept the Fence Plan as submitted by Lino Belli, Belli Architectural Group representing SGH Holdings, LLC per Condition of Approval No. 15 of CUP2016-001 and AR2016-001.

Maricruz Aguilar, Assistant Planner presented this item.

Chair Nuck ask for a motion with a roll call vote.

Action: Motion made by Commissioner Barbree to accept the Fence Plan as submitted by Lino Belli, Belli Architectural Group representing SGH Holdings, LLC per Condition of Approval No. 15 of CUP2016-001 and AR2016-001 seconded by Mendez.

AYES: Chair Nuck, Vice Chair Mendez, Commissioner Barbree, Lee,

NOES:

ABSENT: Raschella

ABSTAIN:

8. Regular Business-

None

9. Planning Commission Report – None

10. Director Reports-

11. Written Correspondence– None

12. Adjournment

There being no further business, the Planning Commission meeting was adjourned at 6:09 p.m.

David Nuck
Planning Commission Chairperson
City of King

Erica Sonne
Planning Commission Secretary
City of King



Item No. 7 (a)

REPORT TO THE PLANNING COMMISSION

DATE: MARCH 21, 2017

TO: HONORABLE CHAIR AND MEMBERS OF THE PLANNING COMMISSION

FROM: DOREEN LIBERTO BLANCK, COMMUNITY DEVELOPMENT DIRECTOR;

BY: SCOTT BRUCE, PRINCIPAL PLANNER

RE: CUP 2016-011, MEDICAL CANNABIS MANUFACTURING (TYPE 6): 190 EAST SAN ANTONIO DRIVE, CITY OF KING

RECOMMENDATION:

Staff recommends that Planning Commission 1) review request for Conditional Use Permit, 2) receive public comment, and 3) adopt the attached Resolution.

BACKGROUND:

In September 2016 the City Council approved amendment to the City's Zoning Code and to the East Ranch Business Park (ERBP) Specific Plan, authorizing expansion of land uses related to Medical Cannabis. As a result of that action Indoor Cultivation under artificial or mixed light, Medical Cannabis Nurseries, Manufacturing and Testing are allowed in the M-1, M-2 and M-3 Districts and in the ERBP. Since that time, Staff has been in regular discussion with potential Medical Cannabis applicants. This application is a the first Medical Cannabis CUP processed. Staff has had a number of discussions with the applicant regarding the application.

The process to approve a Medical Cannabis operation is complex. It includes:

- Conditional Use Permit (CUP)
- Medical Cannabis License
- Building Permit
- Business License

The Planning Commission's primary role in the process is to make a determination regarding the Conditional Use Permit. Community Development Staff has been tasked by the City Manager with reviewing and evaluating the Application for Operating Permit and the Building Department will approve the appropriate building permit.

EXHIBIT: Vicinity Map 190 East San Antonio Drive, King City, California

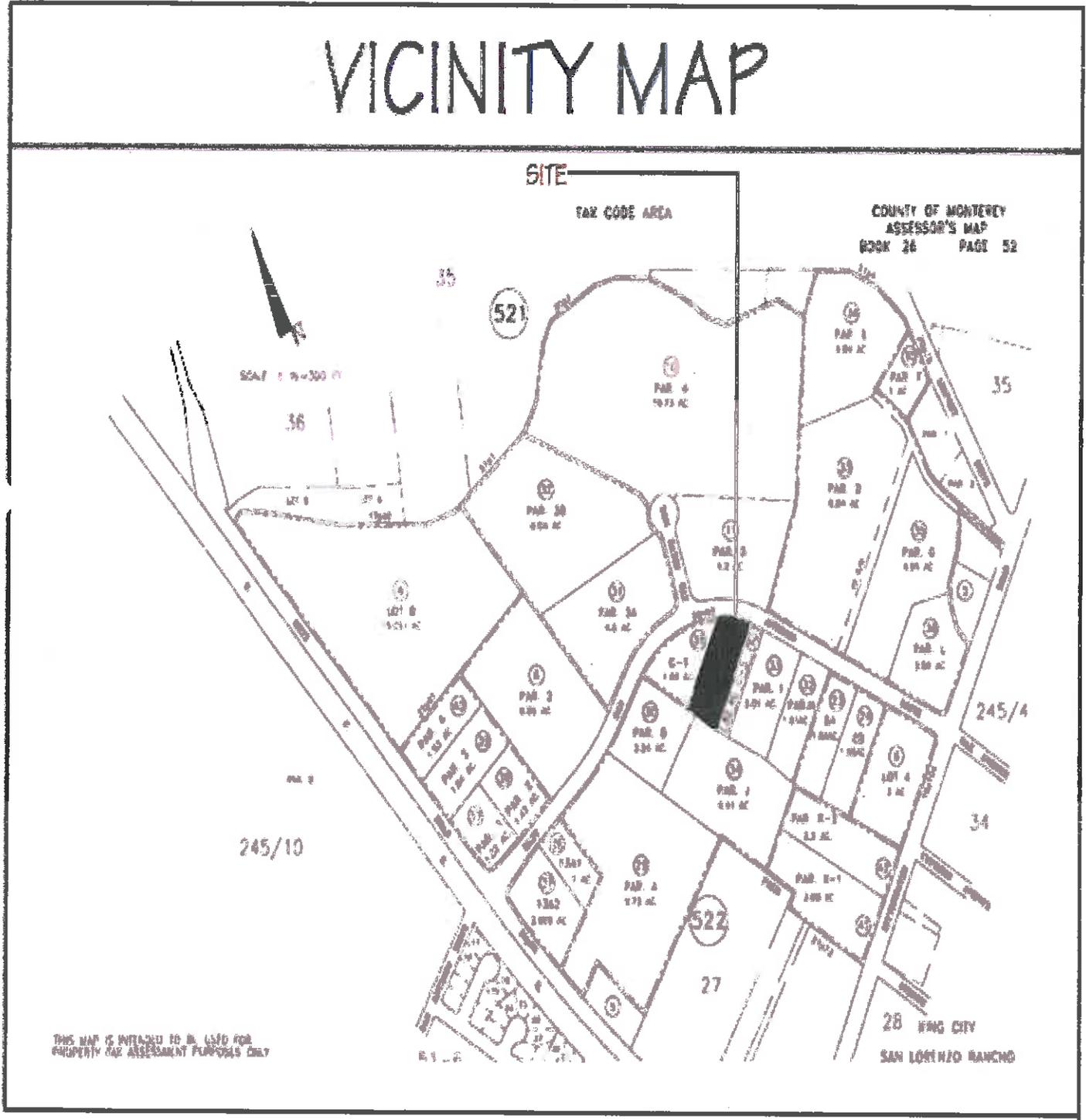


EXHIBIT: Aerial View Specifically Showing 190 East San Antonio Drive, King City, California



In the period of time since the City Council action, Staff has performed a detailed review of the Code and ERBP Amendments and prepared instructions to Applicants. The goal is to ensure that the application(s) address the elements of Code and of the ERBP. As such the information included in the application packages is rather detailed.

While not required for the CUP, the Permit Application process provides much information that informs the CUP process and potentially makes the Commission's determination easier and more complete.

CUP 2016-011 is a request to allow Medical Cannabis Manufacturing in an existing structure located at 190 East San Antonio Drive in the East Ranch Business Park.

Per Staff request, the applicant has prepared a comprehensive information Package that informs the CUP discussion and will be used during Permit Application Review. Information in this report is excerpted from that Package. The package itself is being made available electronically because of its size. A "paper copy" can be made available upon request and will be available at the Hearing. **See Exhibit 1.**

DISCUSSION:

Overview

The proposed use is located in an existing 13,500 sf structure, on a 1.36 lot, located on the west side of San Antonio Drive, previously occupied in part by Pete's Auto Repair.

- The parcel to the north is developed and is the site of Kasey's fitness Academy.
- The parcel to the south is developed, the building is currently vacant.
- The parcel to the west is the location of the L.A. Hearne Headquarters – the portion of that lot abutting the subject site is used for vehicle / truck parking.

The proposed use is to allow manufacturing of "... *cannabis concentrate including the production, preparation, propagation and compounding of manufactured medical cannabis directly or indirectly by extraction methods, or independently by means of chemical synthesis for packaging or repackaging which may include labeling or relabeling.*" **See Document, Section G page 26, Exhibit 2.**

The process applies carbon dioxide (CO₂) to extract cannabis oils by passing the CO₂ through the plant, then separating the oils and other medicinal components. Food grade alcohol is used to clean waxy leftovers. **See Document, Section G, page 26, page 30, Exhibit 2.**

The CUP Plan Set Package indicates that the proposed use will be located in an existing structure. No significant changes to the structure, footprint or to the building exterior (beyond cosmetics) are indicated. The applicant has indicated that three shifts of 8 - 12 persons are anticipated.

CUP Information

Architecture:

The existing structure is a metal structure with the building entry facing San Antonio Drive. It covers 22.8% of the overall lot. **See Exhibit 3** for photos of the existing structure and graphics showing proposed changes. The existing materials and colors are consistent with those of the surrounding area and will not be changed.

Floor Plan and Interior Uses:

The applicant will make improvements to 7,900sf of the interior. 2,700sf will remain as office space, 2,900 sf will be for storage or future growth. (Total equals 13,500 sf).

Landscape:

The primary landscaped area is on the east side of the structure, between it and San Antonio Drive. The area has existing landscaping, rather neglected (most probably related to the building being vacant for a period of time). Landscaping covers 10.9% of the lot (approximately 6,500 sf).

Proposed landscaping includes Evergreen pear trees, Purple Flowering Plum trees, yellow daisies, white flowering Australian Fuchsia, a variety of perennials. **See Exhibit 4.**

Parking, Paving:

No new access, parking or paving is proposed. The existing surface is asphalt along the southern side of the building and in the parking area. One access drive is present to the south side of the structure. **See Exhibit 5.**

Signage:

Signage will be limited to an address / street number for identification by emergency response personnel and deliveries.

Security:

Fencing: The facility will be surrounded on three sides by a non-climbing chain link fence with small square visibility with privacy screening and barbed wire tops, of a height to be determined by the City. Fencing facing San Antonio Drive will consist of eight (8) foot high wrought iron. **See Exhibit 6.** The parking / loading area will be gated.

Exterior Lighting: The parking area and building exterior will be illuminated with LED powered lighting placed to eliminate shadows and / or dark areas. Lights will include building mounted and poles. Lighting will be designed to present spread beyond the property boundaries and / or into the night sky. Poles will not exceed thirty (30) feet in height. **See Document, Section R Exhibit 7.**

Cameras: Security cameras will be mounted on all exterior doors, perimeter fencing and entry gates. At least 30 exterior motion sensor / night vision cameras will be placed with at least 25 interior motion / night vision cameras. The 24/7 surveillance will be accessible by the City of King Police Department through real time live access feed. **See Document, Section H, Exhibit 8.**

Solid Waste: Daily plant waste will be about 25 lbs (approximately 0.8 cubic feet after grinding). The entire plant is used and approximately 99% of cannabinoids are removed. Plant wastes are rendered unusable by grinding the remaining plant material and combining it with non-marijuana material. Conversations with Waste Management indicate that, currently, there are no State of California regulations for solid waste. **See Document, Section J, page 45, and Site Plan Section R, page 66 and Exhibit 9.**

Water: Water use will not be significantly different than other facilities in the Business Park Hand washing is likely the largest water user.

Power: Power use general consistent with “normal office (business) park use” is anticipated. Lighting is consistent with general administrative / manufacturing needs, the process itself takes minimal amounts of power. The largest use type may be air-conditioning – the manufacturing area (approximately 4,700 square feet) must stay at 74 degrees Fahrenheit.

Manufacturing Process: The manufacturing process applies Carbon Dioxide (CO₂) (max 8, 150lb tanks on-site) at any one time to extract medical cannabis oils using state of the art high pressure closed loop system. Liquid is passed through the plant, separating essential oils and other medicinal components. During the process the CO₂ evaporates and pure medicine is left. Food grade ethyl alcohol is used to clean waxy plant leftovers and to clean the machinery. **See Document, Section G, pages 27 through 32, Exhibit 10.**

Regulatory Permit Related Information:

Shipping and Transport: Cannabis will be transported to and from the facility in unmarked vehicles known only by the partners. When licenses are available from the State, transport will be restricted to licensed Transporters. Transactions will be recorded on a manifest with details regarding the driver, vehicle, weight and / or count of all products. Cameras will be placed to record delivery to and shipping from the facility. **See Document, Section G, Page 28.**

Odor Control: The Odor Control Program will operate in conformance with the requirements of Municipal Code Section 17.03.210 (i) including an exhaust filtration system and an air filtration system that creates negative air pressure between the interior and exterior building area. Ventilation will pass through a series of HEPA and Syneco systems or similar. **See Document, Section I.**

Security, Interior: Two armed guards will be on site at any time the facility is in operation. One will be on site at all times. Unescorted access to the facility will be allowed only to those Golden State Sciences personnel who have their own door code and access card. The building access system tracks all employee and guest access and records all visits and access to secure areas by identity. Persons under the age of 18 are not allowed on-site. **See Document, Section H.**

Employee Vetting: No person under 18 years of age will be employed on this site. The employee vetting process is being finalized at this time. At present it is anticipated that a third party will receive fingerprints and provide the City of King Police Department with background review. The Department will verify and the employee will sign, under oath, an agreement that verifies the accuracy of the background check and that delineates the responsibilities of and expectations for the employee. **See Document, Section C, d.**

Employee Training: Initial and on-going training in manufacturing and machine safety, OSHA and personal protective equipment requirements, documentation, testing, hazard response, chemical handling, labeling documentation and emergency procedures. **See Document, Section J, page 38**

Quality Control: No food products are being made and would require an amendment to the CUP to allow their production. All source materials are tested for pesticides, fungus, pests, molds and contaminants. If a product were to be called into question a recall program will be put into action that insures that 99%+ of the product questioned is returned. **See Document, Section C, c and d.**

Public Information Program: A Public Information program will be available electronically and in print in conformance with 17.03.290.(c). The program will provide information on the effects of drug use and provide resources available. The applicant will also provide one (1) to (2) workshops per year. **See Document, Section Q.**

Compliance with Evolving State and Local Regulations: The applicant's operating procedures will comply with state and local regulations. The applicant engages a team of Lawyers, community relations staff and industry advisors to assist with governance, compliance, legal adherence and updates to laws and regulations. **See Document, Section C.a.** In addition, the City requires that an Indemnification Agreement be executed (draft completed, in process). **See Document, Section N.**

ENVIRONMENTAL COMPLIANCE:

On September 27, 2016 the City Council approved Ordinances 2016- 728, 729 and 730, amending Municipal Section 17.03 of the Zoning Code to allow Medical Cannabis cultivation, nursery, manufacturing and testing uses (Types 2A,2B, 3A,3B, 4, 6 and 8.) The M-1, M-2 and M-3 Districts and the East Ranch Business Park Specific Plan (ERBPSP) were amended at that time to allow the uses in those specific zoning districts

A Mitigated Negative declaration (MND) was also prepared to evaluate potential and cumulative impacts of the proposed use types. It was approved on September 27, 2016 at the time that the change to the Zoning Code was approved. Staff review of the proposed use and its impacts indicates that the use as proposed is consistent with the evaluation and findings of the previously approved MND and is therefore exempt from additional CEQA review. No unusual circumstances per CEQA Guidelines §15300.2 were found.

This project also qualifies as a Class 1 Categorical Exemption per CEQA Guidelines §15301 (Existing Facilities).

Note: The applicant has indicated that maximum employee count may reach 15 per shift with a maximum of 35 employees. This maximum (35) is more than anticipated during the September IS / MND but is significantly less than originally evaluated during environmental review for the Specific Plan. Standard employee generation rates for an Industrial Use are approximately 61 employees per acre. Business Park rates are higher. The proposed use may generate 35 employees on 1.3 acres over a period of three shifts.

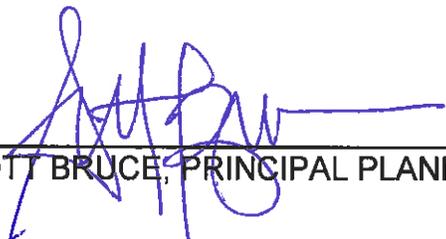
ALTERNATIVES:

1. Hear the item, invite public comment and approve the item as presented.
2. Deny the item. If the Planning Commission wishes to deny the CUP, the item needs to be continued, directing Staff to return with a Resolution of Denial.
3. Provide alternative direction to Staff.

ATTACHMENTS:

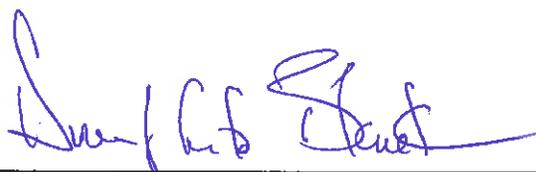
1. Electronic Version of Application Document ("Document").
2. Proposed Activity and The Process: Section G page 26
3. Photos of Existing Structure
4. Landscape Materials
5. Site Plan / Parking / Access
6. Fencing
7. Lighting
8. Camera Locations
9. Waste Disposal
10. Manufacturing / Shipping Process
11. Conditions of Approval
12. Resolution 2017 - 172

Submitted by:



SCOTT BRUCE, PRINCIPAL PLANNER

Approved by:



DOREEN LIBERTO-BLANCK, AICP, COMMUNITY DEVELOPMENT
DIRECTOR



Golden State Sciences
Conditional Use Permit Application
Cannabis Business License Application
APN: 026-522-039

G. Building Operations

(Provide a description of the operations within the building with particular focus on the handling of chemical materials, a carbon dioxide (CO2) compressor, and any other equipment details should be provided regarding the use of the building. This plan for the proposed Manufacturing and Storage Use should be provided to the City of King City, CA. A general overview of the building and any other details should be provided to the City of King City, CA. A general overview of the building and any other details should be provided to the City of King City, CA.)

The business at this facility will be the manufacturing of medical cannabis extracts, Type 6 Manufacturing, Level 1, by applying carbon dioxide (CO₂) to extract medical cannabis oils using a state-of-the art high pressure closed-loop compressor. We pass liquid CO₂ through the plant and separate the essential oils and other medicinal components. During the process the CO₂ evaporates and pure medicine is left. We use food grade ethyl alcohol in cleaning of waxy plant leftovers and to clean the machinery. Some of the lines are heated to between 50C and 60C for cleaning purposes. We use very small amounts of isopropyl alcohol (rubbing alcohol) for cleaning purposes. We provide the following detail:

- **All proposed activities to be conducted on the property.** In full compliance with state and local regulations, we propose to develop a 13,500 square foot building at the street address of 190 E. San Antonio Drive, King City, CA 93930 to conduct commercial cannabis activity, specifically Type 6 Manufacturing, Level 1. We will be manufacturing cannabis concentrate including the production, preparation, propagation and compounding of manufactured medical cannabis directly or indirectly by extraction methods, or independently by means of chemical synthesis for packaging or repackaging, which may include labeling or re-labeling.
- **Hours of operation and number of employees.** Hours will be consistent with Section 17.3.210(a) Operating Requirements of the King City Municipal Code. The operation will not be open to the public at any time. This facility is for the manufacturing of medical cannabis and may require staff to be present on premises 24 hours per day. Only authorized staff and delivery personnel will be allowed to enter the premises. We will have between 8 and 12 employees on site at any given time and run 3 eight hour shifts per day. There is parking sufficient for all employees at all times even if there is overlap in staff times.
- **Authorized persons.** We prohibit individuals from remaining on the premises of the commercial cannabis business if they are not engaging in activity expressly related to the operations of the commercial cannabis business. Access will be limited only to authorized Golden State Sciences personnel each of whom has his or her own door code and access card, which is centrally deployed and controlled. The building access system tracks all employees and guest access and records site visits, and access to each secure area by identity. Internal access to secured areas will be only for authorized employees. At no time will anyone under the age of 18 be allowed on the premises as a



Building Front Along San Antonio

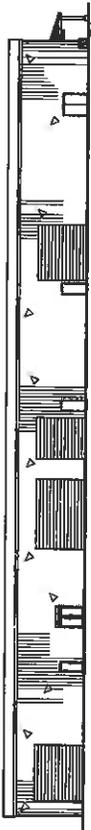




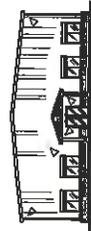
Existing Fence, North Side



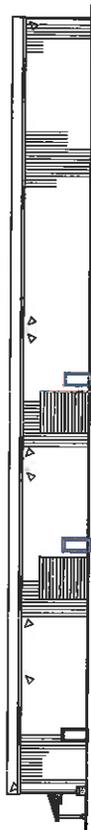




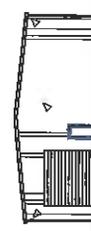
SOUTH ELEVATION



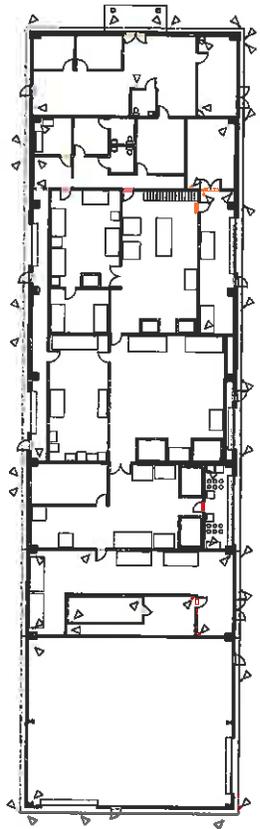
EAST ELEVATION



NORTH ELEVATION

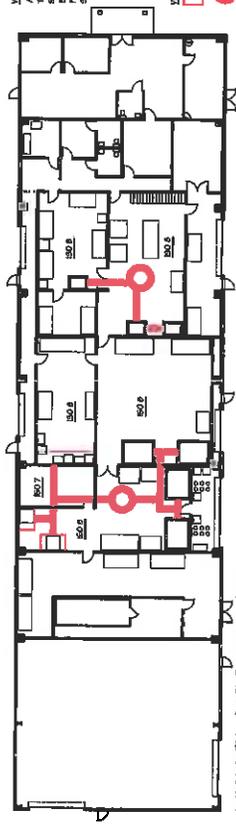


WEST ELEVATION



SECURITY PLAN

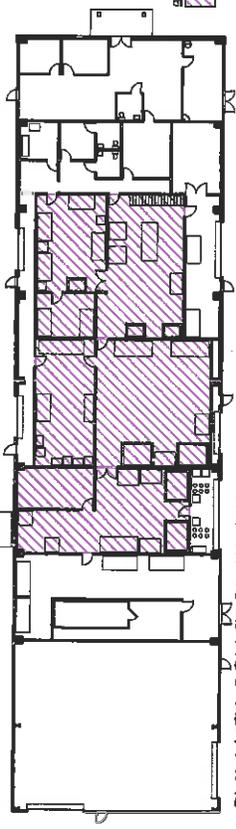
LEGEND FOR SECURITY PLAN:
 - RESTRICTED ACCESS AREA
 - MANUFACTURING ACCESS LACK
 - EMERGENCY ACCESS



VENTILATION PLAN

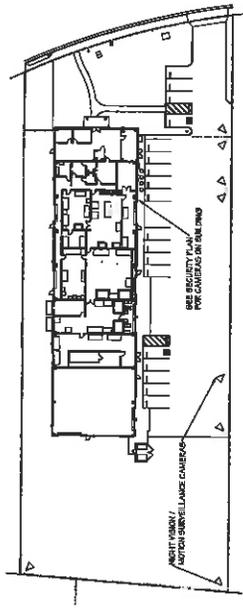
VENTILATION NOTE:
 ALL VENTILATION FROM MANUFACTURING WILL PASS THROUGH HEPA AND UV/ECO SYSTEM AND RETURN TO MANUFACTURING. THE PREPARATION ROOMS WILL FEATURE STAINLESS STEEL FLOORS TO BE WASHED AND DRYED BY VACUUM.

VENTILATION PLAN SCHEME:
 - VENTILATION HOOD
 - VENTILATION TO OUTSIDE
 - VENTILATION DUCT



CLIMATE CONTROL PLAN

CLIMATE CONTROL PLAN SCHEME:
 - CLIMATE CONTROL AREA



SITE SURVEILLANCE CAMERA PLAN

TENANT IMPROVEMENT FOR:
GOLDEN STATE SCIENCES
 190 E SAN ANTONIO DR
 KING CITY - CALIFORNIA 95130
 SHEET NO. **A-3**
 OF 3 SHEETS

EDWARD L. RINGHART
 A.L.A. ARCHITECT

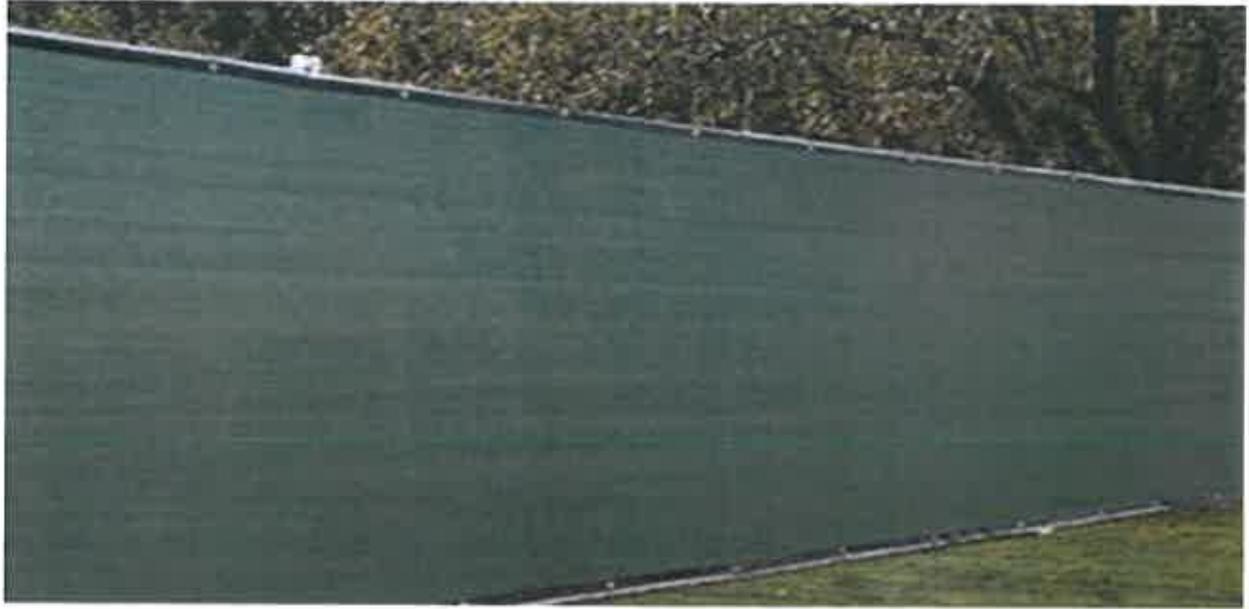
100% COMPLETE
 10/15/10

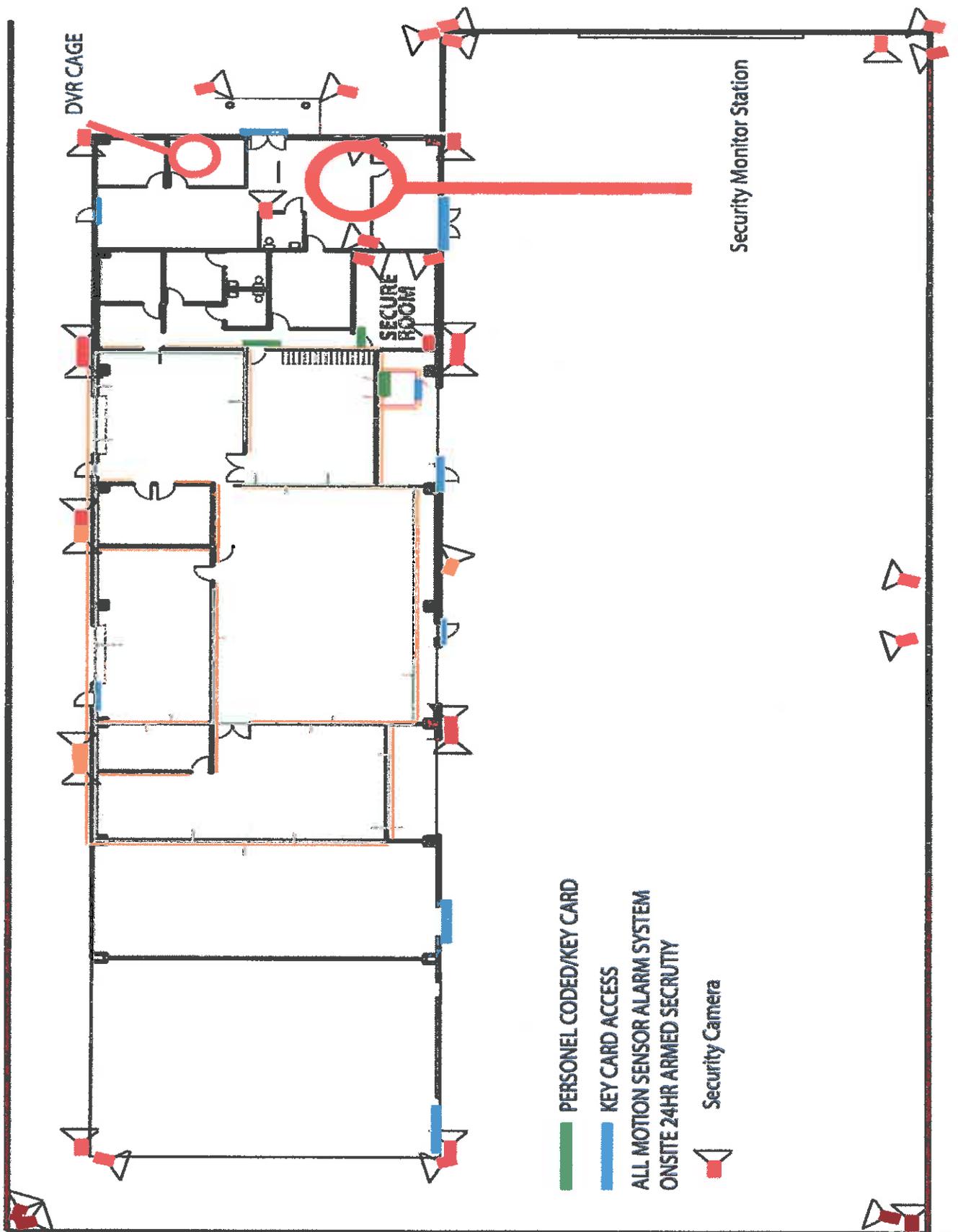
107 CHURCH STREET - SALINAS - CALIFORNIA 93901
 Phone: (209)-438-2346 Fax: (209)-438-2828
 Email: edward@ringhart.com

DATE ISSUED: 1/22/10
 BY: CLK
 10/05





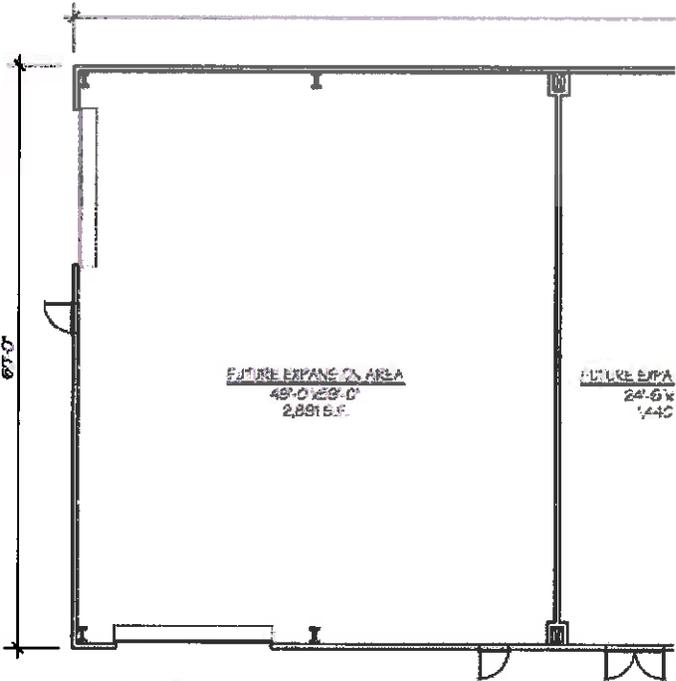
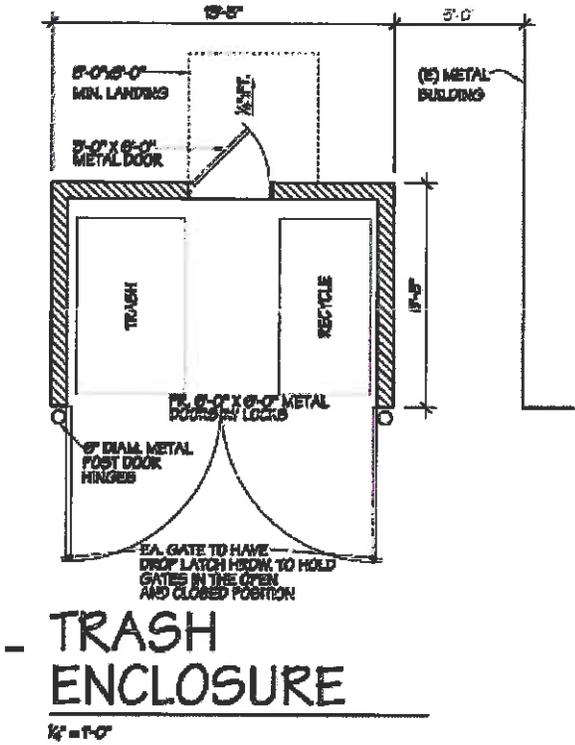






Golden State Sciences
Conditional Use Permit Application
Cannabis Business License Application
APN: 026-522-039

EXHIBIT: Waste Disposal Location



WALL SCHEDULE

	(E) 2x STUDS @ 16" O.C. TO BE REMOVED
	(E) 2x STUDS @ 16" O.C.
	(N) 2x STUDS @ 16" O.C.



Golden State Sciences
Conditional Use Permit Application
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J. Waste Disposal

The types of waste products to be disposed of are used CO₂, alcohol and plant components. We will have one dumpster and a recycling bin on site. The Trash area will remain locked at all times. The solid waste authority will have key access to the trash area.

Waste is picked up by the solid waste authority up to twice a week.

The types of waste products to be disposed of are used CO₂, alcohol and plant components. We will have one dumpster and a recycling bin on site. The Trash area will remain locked at all times. The solid waste authority will have key access to the trash area.

- **Plant component waste.** The daily amount of plant waste is 25lbs. We use the entire plant so there is no sorting of this material. Our process uses 99% of the cannabinoids so there is a trace amount (if any at all) left in the waste. Discarded plant matter has no smell. The State of California does not currently regulate the disposal of cannabis waste, hence we follow the regulatory requirements promulgated by Washington State. Our plant wastes are rendered unusable by grinding the remaining plant and combining it with non-marijuana material. When it is mixed with a compostable material, it will be sent to a designated composting facility. When it is mixed with a non-compostable material, it will be picked up by the Solid Waste Authority. Until it leaves our facility, it will be stored in our locked and secured dumpsters. The used plant material contains no cannabinoids and therefore is not hazardous. Routine testing confirms that there is no discernible cannabinoid in the waste.
- **Alcohol waste.** A single liter per day of contaminated ethanol is produced from cleaning the machinery. Most ethanol used in the processing is recycled and reused. What cannot be recycled or reused is disposed of by sanitary sewer. The cleaning alcohol is stored in locked cabinets until it is unuseable at which point it is discarded immediately. There is no hazard in ethanol. This would be the same as pouring vodka down the drain.
- **CO₂.** CO₂ is recycled by taking CO₂ out of the air and releasing it back into the air safely upon completion of the extraction. CO₂ occurs naturally and is mixed with the air we breathe. There is no hazard in releasing this back into the air. There is no onsite storage of CO₂ waste.

Waste is picked up by the solid waste authority up to twice a week.

In accordance with **KCMC Section 17.03.220**, we follow all local, state and federal requirements for solid waste and hazardous waste disposal. The Monterey County Environmental Health Bureau may inspect the commercial cannabis business at any time during business hours to ensure compliance with this Section.

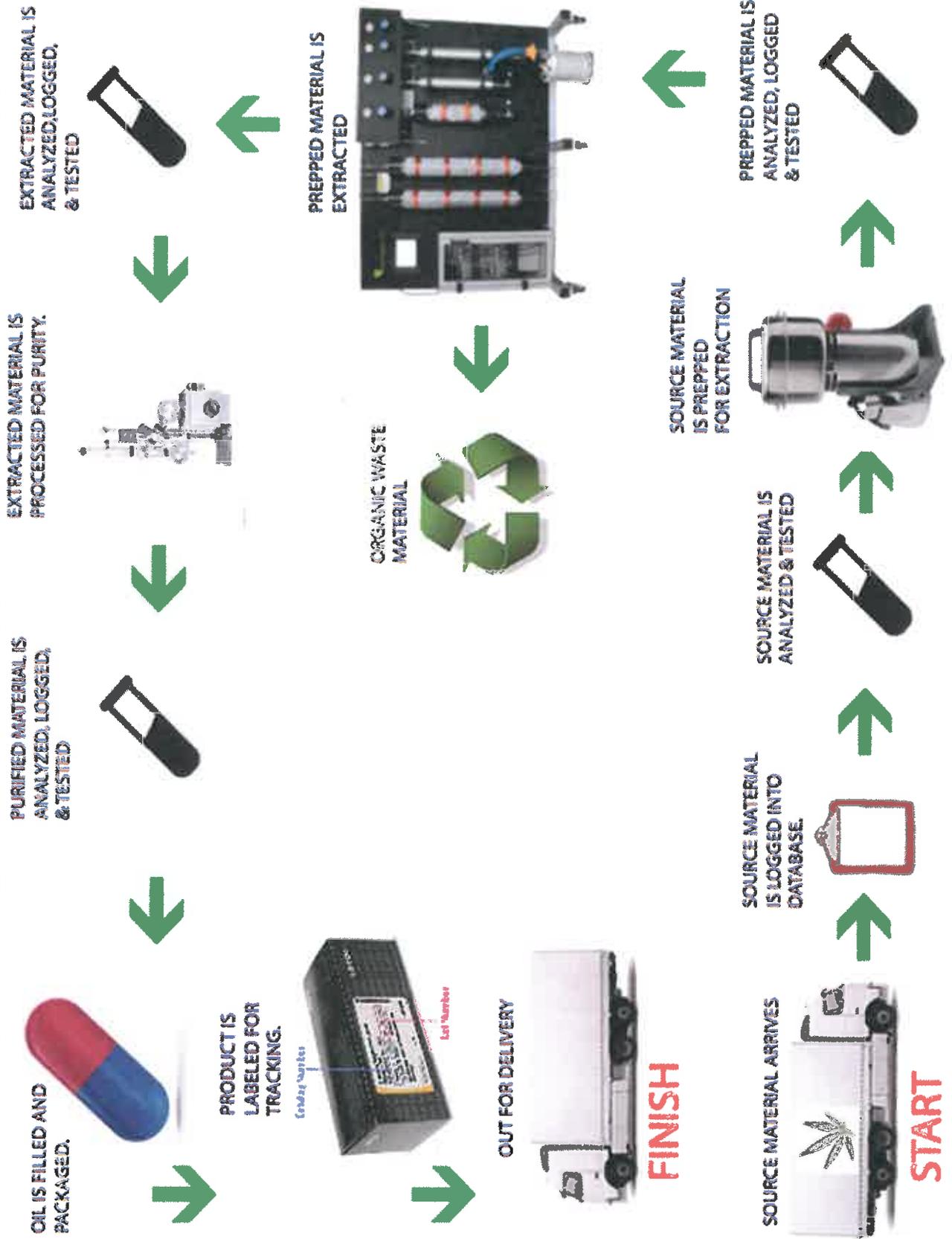


EXHIBIT No. 11

**Case Number: COA 2017 - 011
CONDITIONS OF APPROVAL**

GENERAL CONDITIONS:

(Applicant should contact Scott Bruce, if there are questions on the following conditions of approval "**COA**").

- 1 **Project Description:** Conditional Use Permit ("**CUP**") Case No. 2016-011 to allow Medical Cannabis Manufacturing located at 190 San Antonio Drive The property is located in the East Ranch Business Park Specific Plan (ERBP SP); the proposed use is allowed in the ERBP with an approved Conditional Use Permit.
- 2 **Approval Period:** The approval period for this permit shall be in accordance with the approved drawings and sketches and shall be null and void if not used within one (1) year from the date of the approval. Then the approval shall immediately expire. It is the applicant's responsibility to request an Extension of Time, **before the one (1) year expiration date so the approval does not become null and void.**
- 3 **City Noise Ordinance:** The Project shall comply with the City of King Noise Ordinance.

COMMUNITY DEVELOPMENT DEPARTMENT :

1. **Allowed Use:** Type 1(no flammables) Medical Cannabis Manufacturing (CA Type 6) Use is allowed. Cannabis Oils will be extracted and inserted into capsules, topicals and similar. No edible products will be produced without amendment to the CUP by the Planning Commission.
2. **Interior Renovation and Exterior:** The proposed use will be completely contained within an existing structure, no expansion of the existing structure will occur. Interior renovation will conform to plans as presented and will include 7,900 square feet manufacturing space, 2,700 square feet will remain as Administrative Space and 2,900 square feet will remain vacant and used for dry goods storage (excluding cannabis). Exterior building changes are limited to minor repainting. Colors will be as presented. Future painting and exterior maintenance will conform to Design Standards of the East Ranch Business Park Specific Plan. Minor interior changes, which are determined by the Community Development Director to be substantially in conformity with the plans and Application Package as presented may be granted by the Community Development Director.
3. **Parking:** Parking will conform to the Plan and Application Package as Submitted. No new parking area or gravel around the west or east sides of the building will be installed. Parking improvements will be limited to restriping, as needed.
4. **Landscaping:** Landscaping will conform to plans and Application Package as submitted. Irrigation Plans shall be presented to and approved by Building Official prior to Landscape Installation. The landscaping shall be maintained in a healthy condition in perpetuity.
5. **Lighting:** Security Lighting is proposed to be mounted on the structure and on poles in the parking area not to exceed 30 feet in height. A lighting plan must be approved before installation. All new outdoor lighting associated with the use shall be hooded and directed so as not to shine on public roads, onto surrounding properties or into the night sky.
6. **Signage:** No signage has been requested at this time with the exception of property address. Any additional signage shall conform to the requirements of Section 17.03 of the City of King Zoning Code and the requirements of the ERBP SP. Additional signage may be approved by the Community Development Department and may be submitted to the Planning Commission at the Director's discretion.

7. **Fencing:** The east fencing fence shall be wrought iron and eight (8') in height. Fences to the south, west and north shall be "no climb" chain link, six (6) foot in height with one foot of barbed wire, to a maximum of seven (7) feet with screening as presented. Screening material shall be same or equivalent to the material presented to the Planning Commission. Screening material will be reviewed by Staff with a determination of condition / requirement for replacement of damaged areas to be presented to Planning Commission every three (3) years.

BUILDING AND SAFETY DEPARTMENT: (No application for Building Permit has been submitted. An application must be submitted after CUP approval and prior to any interior renovations).

Building Plans: All Planning Commission COA shall be imprinted on plans submitted for building permits.

- 1 **Scope of Work Description:** Scope of work shall conform with that found in the CUP / Regulatory Permit Package
- 2 **Sprinklers:** Building is currently sprinkled with sprinklers to remain and be fully operational.

PUBLIC WORKS DEPARTMENT: (The Applicant should contact Octavio Hurtado, Hanna & Brunetti 408-842-2173, ohurtado@hannabrunetti.com,) to discuss the following COA as needed).

- 1 **Scope of Work Description:** No exterior parking, curb / gutter / sidewalk or utility improvements are proposed. Scope of work shall conform with that found in the CUP / Regulatory Permit Package.
- 2 **Driveway Approach Revisions:** Sidewalk to be at 2% maximum cross fall per ADA requirements.
- 3 **Recycled Water Connection:** At such time as the irrigation for the landscaped area is improved or installed, a connection shall be available at the sidewalk, sufficient to access and utilize the City's recycled "Purple Pipe" system at such time as it made available. "Purple Pipe" will be located in the San Antonio Drive Right-of-Way. A lateral line to the subject property will be installed by the City.

REGULATORY PERMIT:

Renovations shall comply with and Operations be subject to full compliance with Section 17.03 of the City of King Zoning Code as amended and the Regulatory Application Package.

- Regulatory Permit:** The Regulatory shall be approved by the City Manager and is in force for the period of one year. It shall be renewed annually. No operations shall occur without a current permit.
- Security Cameras:** Security cameras shall be installed in quantity and location per the Regulatory Application. City of King Police personnel shall have access to the system for real time review. One camera that is part of the City's City wide system shall be installed at the driveway access to the street.
- CO2:** The Applicant has indicated a desire to review existing Code Regulations related to CO2 storage. Until such time as Section 17.03 has been revised, CO2 stored on site shall comply with existing Code.
- Alcohol:** The Applicant has indicated a desire to review existing Code Regulations related to Ethanol / Alcohol storage. Until such time as Section 17.03 has been revised, Ethanol / Alcohol stored on site shall comply with existing Code.
- Spills / Cleaning:** All spills and liquid from machinery cleaning will be deposited into the City's Sanitary Sewer system.
- Solid Waste:** Solid waste disposal shall be in compliance with County of Monterey Health Department and Waste Management, Inc. requirements.

- G. Odor Control:** Odor shall be controlled per the Regulatory Application Section I and Section 17.03.210 (i) of the City of King Zoning Code. At the beginning of operations City Staff shall inspect for odor not less than once monthly for a period of no less than three months. In the event that compliance has not been achieved, mechanical equipment and the City Code will be reviewed. In the event that compliance is not achieved, Staff shall make a recommendation to City Council per Section 17.03.240 of the City Zoning Code. Odor caused by outdoor dumpsters will be addressed in a similar manner.
- H. Air Quality:** Venting of CO₂ and / or Ethanol / Alcohol shall be in compliance with Monterey County Air Pollution Control District Standards.
- I. Employee Background Checks:** Employees shall be vetted (background checks) to the satisfaction of the City of King Chief of Police and in compliance with the Regulatory Application Package and Section 17.03.210 (k) of the City's Zoning Code. A third party perform the check, that Party suggested by City's Consultant (HdL) and accepted by Applicant and City of King. Results will be provided to Applicant, HdL and City of King Police Chief. Police Chief to verify.
- J. Hours of Operation and Employees:** The Applicant has indicated that the facility will potentially be in operation 24 hours a day 7 days a week. A maximum of 35 persons will be employed, a maximum of 15 per shift. On-site parking will be sufficient to cover overlap periods.
- K. Work Permits and Fees:** Work Permits shall be issued in conformance with Section 17.03.070 (a). Fees shall be as set by the City Council.
- L. Indemnification Agreement:** A signed Indemnification Agreement shall be in place prior to Issuance of the Regulatory Permit. Such agreement shall be approved by the City Attorney and conform to the requirements of Section 17.03.160. Said agreement shall prevail over Hold Harmless and Indemnification Clause attached hereto.
- M. Record Keeping:** Financial and Product Record shall comply with the Regulatory Application Package and the requirements of Section 17.03.180.
- N. Youth Education Information:** Youth Education Information consistent with the Regulatory Permit Application Package Section Q and Section 17.03.290 (c) shall be in place prior to Issuance of a Regulatory Permit.

HOLD HARMLESS AND INDEMNIFICATION CLAUSE:

The applicant agrees, as part of and in connection with each and all the applications and approvals, to defend, indemnify, and hold harmless the City of King ("**City**") and its elected officials, officers, contractors, consultants (including Earth Design, Inc., Aleshire & Wynder, LLP attorneys; Hanna & Brunetti, Aleshire & Wynder, LLP attorneys), employees and agents (including Earth Design, Inc., and Hanna & Brunetti) from any and all claim(s), action(s), or proceeding(s) (collectively referred to as "*proceeding*") brought against City or its officers, contractors, consultants, attorneys, employees, or agents (including Earth Design, Inc, Aleshire & Wynder, LLP, and Hanna & Brunetti) to challenge, attack, set aside, void, or annul:

- a. *Any approvals issued in connection with all approvals, actions and applications by City covered by the conditions of approval and/or mitigation measures; and/or*
- b. *Any action and approvals taken to provide related environmental clearance under the California Environmental Quality Act of 1970, as amended ("**CEQA**") by City's advisory agencies, boards or commissions; appeals boards or commissions; Planning Commission, or City Council. The applicant's indemnification is intended to include, but not be limited to, damages, fees and/or costs awarded against or incurred by City, if any, and costs of suit, claim or litigation, including without limitation attorneys' fees and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, City, and/or parties initiating or involved in such proceeding.*

The applicant agrees to indemnify City and its elected officials, officers, contractors, consultants, attorneys, employees and agents (including Earth Design, Inc., Aleshire & Wynder, LLP, Hanna & Brunetti,) for all of City's costs, fees, and damages incurred in enforcing the **indemnification** provisions of this Agreement.

The applicant agrees to defend, indemnify and **hold harmless** City, its elected officials, officers, contractors, consultants (including Earth Design, Inc., Hanna & Brunetti, Aleshire & Wynder, LLP attorneys), attorneys, employees and agents (including Earth Design, Inc., and Hanna & Brunetti) from and for all costs and fees incurred in additional investigation or study of, or for supplementing, redrafting, revising, or amending, any document (including, but not limited to, an environmental impact report, sphere of influence amendment, annexation, pre-zoning, general plan amendment, specific plan, vesting tentative tracts, sign applications, variances, conditional use permits, architectural review, etc.), if made necessary by said proceeding, and if the applicant desires to pursue such City approvals and/or clearances, after initiation of the proceeding and that are conditioned on the approval of these documents.

In the event that the applicant is required to defend City in connection with such proceeding, City shall have and retain the right to approve which approval shall not be unreasonably withheld, conditioned or delayed:

- a. *The counsel selected by applicant to so defend City, which approval shall not be unreasonably withheld, delayed or conditioned;*
- b. *All significant decisions concerning the manner in which the defense is conducted, which approval shall not be unreasonably withheld, delayed or conditioned; and*
- c. *Any and all settlements.*
- d. *Any motions or court documents filed on behalf of the city.*

City shall have and retain the right to have the City attorney defend the City and its staff in connection with such proceeding. City shall also have and retain the right to not participate in the defense, except that City agrees to reasonably cooperate with the applicant in the defense of the proceeding. If City chooses to have counsel of its own defend any proceeding where the applicant has already retained counsel to defend City in such matters, the fees and expenses of the additional counsel selected by City shall be paid by City. Notwithstanding the immediately preceding sentence, if City's Attorney's Office participates in the defense, any and all City Attorney, Staff and consultants' actual and reasonable fees and costs arising from their support of the defense shall be paid by the applicant.

The applicant's defense and indemnification of City set forth herein shall remain in full force and effect throughout all stages of litigation including any and all appeals of any lower court judgments rendered in the proceeding. Notwithstanding the preceding, this obligation to indemnify shall not apply to any claim to the extent arising from the gross negligence or willful misconduct of the indemnified party or of any agent, employee or licensee of the indemnified party.

Conditional Use Condition Agreement:

The conditional use permit is **not** valid until all Conditions of Approval ("*COA*") and mitigated measures imposed by the Planning Commission are signed for and agreed to by the applicant.

I have received a copy of the conditional use permit conditions of approval and mitigated measures and agree with them. I understand that if I do not abide by them the Planning Commission has the authority to revoke my conditional use permit, pursuant to the Municipal Code. (*Reference Municipal Code §17.64.040.*)

Applicant Signature: _____ Date: _____

RESOLUTION NO. 2017- 172

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF KING,
APPROVING CONDITIONAL USE PERMIT CASE NO. CUP 2016-011**

WHEREAS, on **January 19, 2017**, Golden State Sciences submitted an application to allow Manufacturing of Medical Cannabis in an existing structure located at 190 San Antonio Drive East Ranch Business Park Specific Plan (ERBPSP)

WHEREAS, on **March 07, 2017**, a Letter of Completeness was sent to the applicant; and,

WHEREAS, the proposed use is allowed with the approval of a Conditional Use Permit in the ERBP (Ordinance 2016-730 September 27, 2016);

WHEREAS, the proposed project conforms to the requirements of Section 17.03 of the City of King Zoning Code;

WHEREAS, the Project is Categorically Exempt under CEQA §15301 (Existing Facilities), and there are no applicable exceptions to the Categorical Exemption per CEQA Guidelines §15300.2;

WHEREAS, the Commission has reviewed the staff report, accepted public testimony, and considered all other relevant information during the duly noticed public hearing on **March 21, 2017**;

WHEREAS, the establishment, operation and maintenance of the use as presented will not be detrimental to the health, safety, morals and general welfare of persons in the East Ranch Business Park (the Neighborhood);

WHEREAS, the establishment, operation and maintenance of the use as presented will not be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City;

WHEREAS, the Commission makes the followings findings of facts:

1. The purpose of the proposed use Manufacture Medical Cannabis in accordance with the description, process and standards provided in the Application Package as reviewed by Staff and presented at the Public Hearing.
2. The proposed use is consistent with the General Plan Land Use Designation (LI) Light Industrial and the Uses and Standards of the (ERBP SP) – East Ranch Business Park Specific Plan.
3. The proposed use will be completely contained within an existing structure, no expansion of the existing structure will occur. Interior renovation will include 7,900 square feet manufacturing space, 2,900 square feet will remain as Administrative Space and 2,900 square feet will remain vacant and used for dry goods storage (excluding cannabis).
4. The entire lot will be fenced – existing fencing will be improved and / or replaced and new screening will be installed.
5. The existing lot is accessed at one point of entry. The southern portion of the lot is paved for parking, the eastern and northern portions of the lot are gravel. No vehicle access to the structure / deliveries will occur in these graveled areas. No new paving or laying of gravel will occur.
6. Existing landscaping will be removed and new landscaping will be installed per the Application Package.
7. All processes and interior construction / building improvements, security / operating procedures will be in conformance with the CUP / Regulatory Permit Application Package, as submitted and / or as conditioned (See COA's Exhibit 1: Attached) and with City of King Zoning Code section 17.03.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Planning Commission of the City of King adopts a finding of a Class I Categorical Exemption per CEQA Guidelines Section 15301 and approves Conditional Use Permit Case No. CUP 2016-011.

This resolution was passed and adopted this **21st day of March 2017** by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

DAVID NUCK, CHAIRPERSON

ATTEST: _____

ERICA SONNE DEPUTY CITY CLERK for MARICRUZ AGUILAR-NAVARRO, ASSISTANT PLANNER /
PLANNING COMMISSION SECRETARY