



## PLANNING COMMISSION STAFF REPORT

**Planning Commission Meeting Date:** November 13, 2019

**TO:** Members of the Planning Commission

**FROM:** Greg Stones, Principal Planner  
g\_stones@ci.lompoc.ca.us

**RE:** Confidential Biotherapy Conditional Use Permit – CUP 19-02  
Cannabis Dispensary and Delivery Service

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### **AGENDA ITEM NO. 3**

A request for a Conditional Use Permit from Randal Thomas (applicant) representing Confidential Biotherapy Delivery, Inc. for Planning Commission consideration of a cannabis dispensary and delivery service (medical and recreational) within an existing industrial building located at 407 North N Street (APN: 089-221-008) in the Industrial (I) zone. This action is exempt pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA).

### **Scope of Review**

The Planning Commission is being asked to consider:

- If the project meets development standards for the Zoning District;
- If the project is consistent with the City's Architectural Review Guidelines;
- If the required Findings in the Resolution can be made; and
- If the Conditions of Approval are appropriate for the project.

**Staff Recommendation**

1. Adopt Resolution No. 919 (19) approving CUP 19-02 for a cannabis dispensary and delivery service based upon the Findings in the Resolution and subject to the attached draft Conditions of Approval; or
2. Provide other direction.

**Site Data**

1. Property Owner: Brian Adams and Cameron Porter
2. Location: 407 North N Street
3. Assessor's Parcel Number: 089-221-008
4. General Plan Designation: Industrial
5. Zoning: Industrial
6. Proposed Use: Cannabis Dispensary and Delivery Service from an existing multi-tenant industrial building
7. Surrounding Uses/Zoning: North - Industrial / I  
South - Commercial (automotive) / I  
East - Residential Mobile Home Park/ R3  
West - Commercial (gas station) / CC
8. Site Area: 7,000 square feet

**Discussion:**

The project site is currently developed with an existing 3,383 square foot multi-tenant industrial building. The applicant is proposing to operate a 1,072 square foot cannabis dispensary and delivery service from one of the two spaces within the building (407 North N Street).

The proposed floor plan consists of a reception area, records storage area, order fulfillment area, cannabis product storage area, bathroom, and a delivery area. The property fronts on North N Street and has access directly from the street, and to the rear of the building from the alley. The project site is located outside of the required 600 foot buffer, but within the 1000 foot buffer from sensitive uses (e.g. daycares, schools, and youth facilities). Therefore, any potential future conversion from a cannabis retail delivery service to a storefront dispensary would not be eligible for on-site smoking.

The hours of operation for on-site activities would be Monday through Sunday from 8:00 a.m. to 10:00 p.m. Deliveries would be Monday through Sunday between the hours of 9:00 a.m. to 9:00 p.m. There is a single point of entry and exit to the facility located near the receptionist area shown on the site plan/floor plan. The front entry door and doors used to separate authorized access areas would be reinforced steel. All steel reinforced doors will also have a commercial grade keypad (key code entry system). The facility also has metal roll-up doors which will have an electronic entry system and remote control to be used by CBD delivery employees. Only authorized CBD employees would have access to roll-up doors. Cannabis related activities and products will not be visible to the public at any time. The existing roll-up door will be used for licensed distribution vehicles to enter the facility to provide the cannabis products from inside the building. Cannabis products will be stored in the Cannabis Product Storage Area shown on the floor plan in the plan set (Attachment 3). The Cannabis Product Storage Area will be used to load and unload cannabis products, delivery bags and/or containers where only authorized employees will have access to secure areas. The Order Fulfillment Area will be used as an area for taking phone and online orders, and storage of equipment and materials used for daily operations. A 2,310 square foot remaining tenant space (405 North N Street) shown on the floor plan previously utilized as warehousing/indoor storage would remain vacant at this time.

### Parking

The project requires six (6) parking spaces based on a requirement of 1 parking space per 250 square feet of floor area for the retail use and 1 parking space per 1,500 square feet for the warehousing use.

The site proposes five (5) off-street parking spaces which is deficient in complying with parking requirements. However, the applicant is requesting a 17% parking reduction in order to reduce the required parking spaces from 6 to 5 spaces, and an allowance to have 2 compact parking spaces instead of 1. The Planning Commission has allowed 10%-20% reduction in parking on matters of slight modification and minor adjustment deemed necessary in connection with the efficient administration of the Zoning Ordinance pursuant to LMC section 17.144.020. Considering the operation of the use is for a non-storefront (not open to the public) dispensary, the number of parking spaces proposed and the parking reduction request is reasonable to accommodate the proposed use.

### Landscaping

The site is not currently landscaped. Additional landscaping in planters along the existing building as seen from North N Street and shown on the plans will be required as the site does not currently meet landscaping requirements. In addition, landscaping will be required between the side property line and the parking spaces in the front of the building, and in the front parkway. The parkway will be required to be landscaped with irrigation and the planting of one 24-inch box tree (COA P34).

### Fencing

The site is currently fenced with a rolling gate in the front and rear access points. Per LMC section 17.088.150, fences and walls shall not exceed a height of 36 inches within any required front yard, and LMC section 17.112.090 states that fences shall not exceed 24 inches in height within a vision triangle (which interferes with the driver's view of pedestrians on a public sidewalk). Therefore, a condition has been added to modify the fencing to meet City standards (COA P36).

In addition, the site currently has unpermitted barbed/razor wire which may be allowed when minimized from public view, subject to CUP. The barbed/razor wire may be allowed in the back of the property behind the building adjacent to the alley, and a condition has been added to address this type of security measure on the property (COA P37).

### Security

For security a condition has been included to provide a security plan (including locations of security lighting in the parking lot, and surveillance cameras on-site). This will be submitted during the cannabis license permit process and shall be reviewed and approved by the Police Department prior to sign off on the cannabis license permit (COA PD1).

### Commercial Cannabis Use License

Confidential Biotherapy Delivery, Inc. has submitted a Commercial Cannabis Use license application (CCU 18-18) which is currently still under review. The cannabis license application includes a comprehensive review of the applicant's background, business proposal, and operating procedures. This application is processed through the City Clerk's Office, and is separate from and in addition to the requirement for a CUP. The Planning Division requires an approved Conditional Use Permit prior to issuance of the cannabis use license given that the dispensary (delivery service) is proposed in the Industrial zone. Staff is conditioning the project to operate in compliance with all applicable State and City regulations, and in accordance with standard operating procedures outlined in the applicant's cannabis license application.

### Signage

The applicant is not required to have a sign program or signs to be reviewed by the Planning Commission (a program is only required for 4 or more tenants or businesses). Therefore, signage will be reviewed administratively at the staff level for compliance with the City's Sign Regulations (COA P7).

### Conformance with General Plan

The General Plan Land Use designation for the site is Industrial (I) and the stated purpose is:

*To provide areas for a wide range of industrial uses that may involve outdoor uses (Lompoc 2030 General Plan, Land Use Element, Table LU-1).*

The proposed use is permitted in the land use category with a conditions use permit, and is therefore consistent with the General Plan Land Use designation.

### **Conformance with Zoning Ordinance**

The zoning for the site is Industrial (I) and the purpose of this zone is:

*To provide for light industrial, manufacturing, and limited accessory uses. The intent is to encourage sound industrial development in appropriate areas and to provide development standards to protect adjacent commercial districts (Lompoc Municipal Code Section 17.064.010).*

The proposed cannabis delivery facility and dispensary is an allowed use as approved in Ordinance No. 1640 (17) and 1648 (18) which permits a cannabis delivery facility in the Industrial district from a dispensary with a CUP. Therefore, the project is consistent with the intent and purpose of the zoning district as approved in Chapter 9.36 (Cannabis Uses) of the Lompoc Municipal Code.

### **Architectural Review**

There are generally no exterior changes being made to the existing building. The only change includes adding exterior security cameras. Any mechanical equipment on the roof would also need to be screened from public view (COA P17). As conditioned, staff review finds that the design features of the project are complementary to the nearby industrial developments.

### **Staff Review**

No formal Development Review Board (DRB) meeting was held for this project since the request is limited to a new use in an existing building. However, the application was circulated and Conditions of Approval were drafted by each of the departments, providing standard and project specific requirements as necessary.

As conditioned, the project satisfies the development standards of the zoning ordinance, and therefore, staff recommends that the Planning Commission adopt Resolution No. 919 (19), approving CUP 19-02 based on the Findings in the Resolution and subject to the attached draft Conditions of Approval.

### **Environmental Determination**

The project is exempt from review pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA). No further environmental review is required and a Notice of Exemption will be filed for the project following the Planning Commission action.

**Noticing**

On November 1, 2019, required notices were mailed by US mail to property owners within 300 feet of the site and a notice was also posted to the project site. In addition, on November 3, 2019, a notice was published in the Lompoc Record.

**Appeal Rights**

Any person has the right to appeal the Planning Commission action to the City Council within ten days of the action. Contact a Planning Division staff member for the required appeal form and fee of \$257.80.

**Attachments**

1. Resolution No. 919 (19)
2. Vicinity Map
3. Plan Set

Respectfully submitted,

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Brian Halvorson  
Planning Manager

**APPROVED FOR SUBMITTAL TO THE PLANNING COMMISSION:**

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Christie Alarcon  
Community Development Director

**RESOLUTION NO. 919 (19)**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMPOC APPROVING A CONDITIONAL USE PERMIT (CUP 19-02) FOR A CANNABIS DISPENSARY**

**WHEREAS**, the City received a request for a Conditional Use Permit from Randal Thomas (applicant), representing Confidential Biotherapy Delivery, Inc. (CBD, Inc.) for Planning Commission consideration of a proposal to operate a commercial retail cannabis dispensary non-storefront delivery service in an existing building located at 407 North N Street (APN: 089-221-008) in the Industrial (I) zoning district; and

**WHEREAS**, the matter was considered by the Planning Commission at a duly-noticed public meeting on November 13, 2019; and

**WHEREAS**, at the meeting of November 13, 2019, \_\_\_\_\_ were present, and \_\_\_\_\_ answered Planning Commissioners' questions and addressed their concerns; and

**WHEREAS**, at the meeting of November 13, 2019, \_\_\_\_\_ spoke in favor and \_\_\_\_\_ spoke in opposition of the project.

**NOW, THEREFORE, THE LOMPOC PLANNING COMMISSION RESOLVES AS FOLLOWS:**

**SECTION 1:** After hearing testimony, considering the evidence presented, and due deliberation of the matters presented, the Planning Commission finds that the proposal, as conditioned, meets the requirements of the Lompoc Municipal Code and is consistent with the applicable policies and development standards, as conditioned, therefore the Planning Commission finds that:

- A. The proposed uses, as conditioned, are consistent with the applicable policies and development standards set forth in Lompoc Municipal Code Chapter Sections 17.064 and 9.36.090(A).
- B. The site for the proposed uses is adequate in size and topography to accommodate said uses, and all yards, spaces, walls and fences, and landscaping have adequately adjusted such uses with the land and uses in the vicinity.
- C. The site of the proposed uses relates to streets and highways adequate in width and pavement to carry the quantity and kind of traffic generated by the proposed uses.

- D. The proposed uses will have no adverse effect upon the abutting and surrounding properties from the permitted uses thereof.
- E. The proposed uses are within the intent and purpose of the Industrial (I) zoning district.
- F. The proposed uses are not obnoxious or detrimental to the public welfare, and are permitted uses enumerated in Section 17.064 of the Lompoc Municipal Code.
- G. The conditions stated in Exhibit A to this Resolution are necessary to protect the public health, safety, and welfare.
- H. The proposed project, as conditioned, is in substantial compliance with the City's Architectural Review Guidelines.
- I. The proposed use is eligible for a deviation from parking requirements, pursuant to Section 17.144.020 of the Lompoc Municipal Code, because the Planning Commission can consider and render decisions on matters of slight modification and minor adjustment deemed necessary in connection with the efficient administration of the Zoning Ordinance.

**SECTION 2:** This project is not subject to the California Environmental Quality Act ("CEQA") pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because the proposal 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. The key consideration is whether the project involves negligible or no expansion of an existing use. Furthermore, none of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, section 15300.2 apply to this project. Therefore, no environmental assessment is required or necessary.

**SECTION 3:** Based upon the foregoing, the proposal under CUP 19-02 is approved on November 13, 2019, subject to the conditions attached as Exhibit A, which are incorporated by reference as if fully set forth herein.

The foregoing Resolution was adopted, on motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, at the Planning Commission meeting of November 13, 2019 by the following vote:



**AYES:**

**NOES:**

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Brian Halvorson, Secretary

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Nicholas Gonzales, Chair

Attachment: Exhibit A – Draft Conditions of Approval

**DRAFT CONDITIONS OF APPROVAL  
CUP 19-02 – Confidential Biotherapy Delivery, Inc.  
407 North N Street (APN: 089-221-008)**

The Conditions of Approval of Conditional Use Permit (CUP 19-02) for an operation of a cannabis dispensary within an existing building located at 407 North N Street within the Industrial (I) zone.

**I. PLANNING**

**PLANNING – GENERAL CONDITIONS**

- P1. All applicable provisions of the Lompoc City Code are made a part of these conditions of approval in their entirety, as if fully contained herein.
- P2. In conformity with Sections 17.140.010, 17.152.010, and 17.152.020 of the Lompoc City Zoning Ordinance, the violation of any condition listed herein shall constitute a nuisance and a violation of the Lompoc City Zoning Ordinance and the Lompoc City Code. In conformity with Sections 1.24.010 and 1.24.060 of the Lompoc City Code, a violation of the Lompoc City Code and the Lompoc City Zoning Ordinance is a misdemeanor and shall be punishable as provided by law. In addition to criminal penalties, the City may seek injunctive relief. The applicant agrees to pay for all attorney's fees and costs, including, but not limited to, staff time incurred by the City in obtaining injunctive relief against the applicant as a result of a failure of the applicant to fully perform and adhere to all of the Conditions of Approval.
- P3. The applicant is advised that certain fees and charges will be collected by the City prior to issuance of building permits and/or prior to issuance of Certificates of Occupancy.
- P4. These conditions of approval shall be noted on the construction drawings filed for any building permits, including the Planning Commission resolution and the applicant's signed affidavit agreeing to comply with the conditions.
- P5. All revisions made by the Planning Commission and specified in the Planning conditions of approval shall be shown on a revised site plan, which shall be reviewed by the Planning Division prior to submittal of construction drawings.
- P6. Minor changes to the site plan, architectural elevations, or landscape plans shall be reviewed by the Planning Manager and approved if acceptable. Major changes to the site plan, architectural elevations, or landscape plans shall be reviewed by the Planning Commission and approved if acceptable.
- P7. No signage is proposed at this time. Prior to the installation of any signage or sign related construction, the applicant shall obtain the appropriate permit through the Planning and Building Divisions.
- P8. Owner agrees to and shall indemnify, defend, protect, and hold harmless City, its officers, employees, agents and representatives, from and against any and all

claims, losses, proceedings, damages, causes of action, liabilities, costs and expenses, including reasonable attorney's fees, arising from or in connection with, or caused by (i) any act, omission or negligence of Owner, or their respective contractors, licensees, invitees, agents, sublessees, servants or employees, wherever on or adjacent to the Property the same may occur; (ii) any use of the Property, or any accident, injury, death or damage to any person or property occurring in, or on or about the Property, or any part thereof, or from the conduct of Owner's business or from any activity, work or thing done, permitted or suffered by Owner or its sublessees, contractors, employees, or invitees, in or about the Property, other than to the extent arising as a result of City's sole active negligence or to the extent of any willful misconduct of the City; and (iii) any default in the performance of any obligations of Owner's part to be performed under the terms of this Agreement, or arising from any negligence of Owner, or any such claim or any action or proceeding brought thereon; and in case any action or proceedings be brought against the City, its officers, employees, agents and representatives, by reason of any such claim, Owner, upon notice from City, shall defend the same at its expense by counsel reasonably satisfactory to City.

Owner further agrees to and shall indemnify, defend, protect, and hold harmless the City, its officers, employees, agents and representatives, from and against any and all actions brought by any third party to challenge the Project or its approval by the City, including environmental determinations. Such indemnification shall include any costs and expenses incurred by Agency and City in such action(s), including reasonable attorney's fees.

- P9. Building permits shall be obtained from the City of Lompoc for proposed new construction.
- P10. The applicant shall notify the City of Lompoc Planning Division of a change of ownership for the property or a change of project representative within 30 days of such change at any time during the City process prior to final Certificate of Occupancy.
- P11. Lompoc Municipal Code Section 17.006.030 allows any person to appeal a decision of the Planning Commission within 10 calendar days after the Planning Commission's decision. No grading, building, demolition, or other ministerial permit, nor any other discretionary permit, shall be issued by the City for the Project until the later of (1) the expiration of the 10-day appeal period, or (2) the City Council's decision on the appeal, if a timely appeal is filed.
- P12. The right to use an occupancy permit shall be contingent upon the fulfillment of any general and special conditions imposed by the Conditional Use Permit procedure.
- P13. All of the special conditions shall constitute restrictions running with the land and shall be binding upon the owner of the land, his successors or assigns and a covenant to the effect may be required.
- P14. All of the conditions shall be consented to in writing by the applicant.

P15. The resolution granting the application, together with all consent forms and a description of the property shall be recorded by the Recorder of the County of Santa Barbara.

P16. The use permit granted is conditioned upon the rights or privileges acquired thereby being utilized within one year after the effective date of approval, and should the rights or privileges authorized hereby fail to be executed or utilized within said year, or when a building permit has not been issued within said year, or when some form of work is involved which has not actually commenced within said year, or if so commenced, is null and void; unless such permit has not been utilized or such construction work started or completed within such one year period by reason of delays caused by the City in approving plans, in which event the Community Development Director shall grant and record a commensurate extension. The Zoning Administrator may, at its discretion, and with the consent or upon request of the permittee, for any cause, grant a reasonable extension of time in addition to the one (1) year period hereinabove provided. Such a request for extension shall have been filed with the Zoning Administrator fifteen (15) days prior to the expiration of the one (1) year.

#### **PLANNING – ARCHITECTURAL CONDITIONS**

P17. Proposed mechanical, ventilation, and utility equipment shall be architecturally screened to prevent visibility from public view and shall be designed and placed to harmonize with the major structures on the site and with the neighborhood.

#### **PLANNING – SITE PLAN CONDITIONS**

P18. No outside vending machines, except fully enclosed newspaper racks, shall be allowed on site. All newspaper racks shall be pedestal-mounted.

#### **PLANNING – AIR QUALITY CONDITIONS**

P19. Dust (PM<sub>10</sub>) - a dust abatement program shall be prepared by the applicant and submitted with the building permit plans. The program shall be reviewed and approved by the City Engineer, Senior Environmental Coordinator, and Planning Manager prior to issuance of building permits. The dust abatement program shall include, but is not limited to, the following dust control measures:

- a. Sprinkle all construction areas with water (recycled when possible) at least twice a day, during excavation and other ground-preparing operations, to reduce fugitive dust emissions.
- b. Construction sites shall be watered and all equipment cleaned in the morning and evening to reduce particulate and dust emissions.
- c. Cover stockpiles of sand, soil, and similar materials, or surround them with windbreaks.

- d. Cover trucks hauling dirt and debris to reduce spillage onto paved surfaces or have adequate freeboard to prevent spillage.
- e. Post signs that limit vehicle speeds on unpaved roads and over disturbed soils to 10 miles per hour during construction.
- f. Soil binders shall be spread on construction sites, on unpaved roads, and on parking areas; ground cover shall be re-established through seeding and watering.
- g. Sweep up dirt and debris spilled onto paved surfaces immediately to reduce resuspension of particulate matter through vehicle movement over those surfaces.
- h. Require the construction contractor to designate a person or persons to oversee the implementation of a comprehensive dust control program and to increase watering, as necessary.
- i. The name and 24/7 contact information for the person responsible for dust control shall be provided to the City prior to issuance of grading permits.
- j. If dust is not controlled on the site, the City shall shut down work on the project until the applicant can provide adequate dust control.
- k. Streets and alleys surrounding the project shall be kept clean and free of dirt.

P20. Ozone (O<sub>3</sub>) Precursors: (NO<sub>x</sub> and ROC)

- a. All construction equipment engines and emission systems shall be maintained in proper operating order, in accordance with manufacturers' specifications, to reduce ozone precursor emissions from stationary and mobile construction equipment.
- b. All construction projects on sites larger than 15 acres shall provide temporary traffic control (e.g., flag person) to avoid unnecessary delays to traffic during construction activities which interrupt normal traffic flow.
- c. If feasible, electricity from power poles or ground lines shall be used in place of temporary diesel- or gasoline-powered generators.

**PLANNING – MITIGATION MONITORING CONDITIONS**

P24. Hours of construction shall be limited to:

Monday through Friday – Between the hours of 7:30 a.m. and 5:00 p.m.

Saturday – Between the hours of 8:00 a.m. and 5:00 p.m.  
Sunday – None

Minor modifications to the construction hours may be granted by the Planning Manager upon a request in writing.

## **PLANNING – PROJECT SPECIFIC CONDITIONS**

- P25. Uses occupying the building and site shall operate in conformance with the City of Lompoc Municipal Code noise regulations.
- P26. No discharge at any point into any public sewer, private sewage disposal system, or stream, or into the ground of any materials of such nature or temperature as can contaminate any water supply, interfere with bacterial processes in sewage treatment, or otherwise cause the emission of dangerous or offensive elements, shall be permitted except in accord with standards approved by the California Department of Public Health or such other governmental agency as shall have jurisdiction of such activities.
- P27. Tenant improvements, including interior modifications, will be subject to building permit requirements.
- P28. The parking spaces shall be double-striped when the new accessible space is installed to bring the parking lot into conformance with LMC Section 17.112.090 Parking Lot Design Criteria and Requirements.
- P29. A Temporary Use Permit shall be obtained from the Planning Division prior to installation of a construction trailer on the project site.
- P30. The dispensary will operate in compliance with all applicable State and City regulations, and in accordance with standard operating procedures outlined in the Commercial Cannabis Use License (CCU 18-18) application.
- P31. On-site smoking is not permitted for the dispensary at this location.
- P32. Hours of operation for the dispensary and delivery service shall be consistent with hours stated in the Commercial Cannabis Use License (CCU 18-18).
- P33. The applicant shall obtain a city Cannabis License and a Certificate of Occupancy prior to Planning Division sign-off for the Business Tax Certificate (BTC).
- P34. A landscape planter with drought tolerant landscaping with irrigation shall be installed along the front of the building, between the side property line and parking spaces in the front of the property, and in the front parkway including installation of a 24 inch box tree prior to Planning Division sign off of a building permit.
- P35. The project shall adhere to LMC Section 9.36 (Cannabis Uses) and is incorporated herein by reference.

- P36. The fences in the front yard shall be removed or modified to adhere to LMC section 17.088.150, and LMC section 17.112.090. This shall be demonstrated on the plans submitted into the Building Division and prior to Planning Division sign off of the building permit.
- P37. The barbed/razor fencing shall only be allowed in the rear of the property behind the building adjacent to the alley. This shall be demonstrated on the plans submitted into the Building Division and prior to Planning Division sign off of the building permit.

## **II. BUILDING AND LIFE SAFETY**

### **BUILDING – GENERAL CONDITIONS**

- B1. The Project shall comply with the requirements of the most recently adopted version of Title 24, California Code of Regulations, and of City of Lompoc regulations.
- B2. Plans are to be prepared by a California licensed Architect, Civil Engineer or Structural Engineer in accordance with California state law unless specifically exempted.
- B3. If the project requires greater than fifty cubic yards of grading, provide a separate Grading Plan that complies with City Standards and applicable provisions of the building codes.
- B4. Fire-resistive assemblies may be required for occupancy separation and/or exterior wall protection. Parapets may be required in accordance with the California Building Code (CBC) and the California Fire Code (CFC).
- B5. Dimensioned building setbacks and property lines, easements, street centerlines, and dimensions between buildings or other structures, along with all significant site features, shall be shown and identified on plot plans.
- B6. All property lines and easements shall be shown and identified on the plot plan. A written statement by the Applicant that such lines and easements are shown is required.
- B7. The Title/Cover/first sheet of the plans shall include, at a minimum:
- a. Complete Scope of Work to be performed
  - b. Code Analysis addressing all proposed work
  - c. Occupancy Classification(s)
  - d. Description of use(s)
  - e. Type of Construction
  - f. Height of the structure(s) and number of stories
  - g. Floor area of structure(s), existing and new, broken down by Use or Occupancy type, including totals

- B8. Submittal requirements may include, as applicable, complete Construction Documents, Soils Reports, Soils Engineer's substantial conformance letter, Energy Compliance forms, California Green Building Standards Code (CGBSC) compliance forms, CWM (Construction Waste Management) plans, listing of required Special Inspections and a listing of deferred submittals.
- B9. State of California accessibility requirements shall be incorporated into the project as required, showing compliance with CBC Chapter 11A, CBC Chapter 11B, or both, as applicable.
- B10. Fire sprinklers shall be provided as required per Building, Fire, and/or City codes.
- B11. Project shall comply with current City and State water conservation and stormwater regulations.
- B12. Contractor shall minimize the use of street parking by construction workers and equipment during construction. Temporary toilet and handwashing facilities for construction are required. Trash and debris shall be contained on-site. Recycling/Salvaging of materials for re-use shall comply with the California Green Building Standards Code.
- B13. All special inspections shall be stated when required on the plans. All special inspectors are required to check-in at City Hall with the Building Division prior to conducting any inspections. Inspection results are required to be submitted within 48-hours to the Building Division at 100 Civic Center. No special inspectors shall perform work on weekends or without checking in.
- B14. No one shall occupy the building until a Certificate of Occupancy has been issued by the Building Official.
- B15. At the description of the Building Official, a pre-construction meeting may be required on site prior to commencement of work. Pre-construction meetings are to be scheduled at least 72-hours in advance with the Building Division. All key team members shall be present, including the General Contractor and the Architect and/or Engineer of Record.

### **BUILDING – PROJECT SPECIFIC CONDITIONS**

- B16 No work may commence until a Building Permit is issued from Building and Safety Division.
- B17. Plans as submitted do not comply with current building codes. These conditions will be addressed through the Building Division review/approval process.

### **III. FIRE**



## **FIRE – GENERAL CONDITIONS**

- F1. Ensure proper licensing of fire protection system engineer(s) and California State Fire Marshal licensed installers for design specific systems. Additionally, a City of Lompoc business license may be required of any installers. Verify with the City Clerk any concerns for the local business license of project employees.
- F2. All FDC's and fire sprinkler risers shall be maintained with a protective coat of red paint (OSHA Red or similar) to protect against marine influences and rust for the life of the system. (When Applicable.)
- F3. All fire sprinkler systems are to be maintained accordingly. Annual flow testing is required and a current 5-year fire sprinkler certification is required for the life of the system.
- F4. All fire extinguishers required to have an 'A' rating shall have a minimum rating of 2A10BC. Location, number and types shall be in accordance the California Code of Regulations Title 19. Any areas of hazard may require larger extinguishers, consult Title 19.
- F5. The Project shall comply with the requirements of the most recently adopted California Code of Regulations Title 24 and City of Lompoc regulations.
- F6. A Knox key box shall be installed as directed by the Fire Code Official when a building permit is obtained for any work. The key box shall contain keys that will allow the fire department access to all portions of the building. The keys shall have tags affixed identifying their purpose. The nominal height of the Knox box installations shall be 5 feet above grade. Consult with the Fire Marshal for placement and specifications.
- F7. Fire alarms shall be tested on a routine basis, including annual audible testing with the Lompoc Fire Department present.
- F8. Any area that requires a red curb shall be maintained at all times. OSHA Red or similar paint is required with a highly reflective white paint stenciled on the red paint that reads: "FIRE LANE – NO PARKING" in repeating intervals.

## **FIRE – PROJECT SPECIFIC CONDITIONS**

- F9. Any change in activity that includes manufacturing, infusing, packaging, extraction, control area, storage of chemicals, or lab testing of cannabis materials will require all portions of the building to have NFPA 13 approved fire sprinklers.
- F10. A NFPA 72 compliant fire alarm system will be required if specific condition F9 is met in the future throughout the building. Fire alarm systems are required in accordance with the most restrictive of the following: the CFC, CBC, or the Lompoc City Code, including CFC 903.4.2. or currently adopted addition.

- F11. Fire-resistive assemblies may be required for occupancy separation and/or exterior wall protection. Parapets may be required in accordance with the CFC.
- F12. Any change in activities in the future will require a full plan submittal under the current adopted codes at the time the proposed changes are submitted for review.
- F13. The building shall be clearly identified with the business name and the address on the exterior for all first responders to identify what the warehouse is and how to find it.
- F14. Commercial vehicles inside a warehouse will need to have an area of separation for both fire resistance and emission hazards.
- F15. Cultivation or storage of live plants is not approved for retail at this site. These items would require additional upgrades to the building and submission of a full set of plans for review.
- F16. Maximum occupancy will be determined for the site, but at no time shall the number exceed 49 persons.
- F17. All areas of the warehouse space for this tenant space shall be clearly identified on plans submitted including their use and occupant load prior to fire approving building plans for permit issuance.

#### **IV. GRADING – PROJECT SPECIFIC CONDITIONS**

- GR1. Accessible parking stall shall be van accessible. Show this stall and appropriate signage on the site plan submitted for the building permit. No grading is proposed, and therefore, no grading plan/permit is required.
- GR2. Provide an accessible path of travel to the building from the public ROW.

#### **V. STORMWATER – PROJECT SPECIFIC CONDITIONS**

- S1. No pollutants, including, but not limited to, sediment, chemicals, trash and contaminated storm water shall be discharged from private property into, or where they could be transported to, City property, the City's storm drain system, streets, storm channels, or waterways, either during or after construction.

#### **VI. WASTEWATER – PROJECT SPECIFIC CONDITIONS**

- WW1. Provide a Baseline Monitoring Report with the first submittal to the City for building permits.

#### **VII. ENGINEERING – PROJECT SPECIFIC CONDITIONS**

EN1. Any work in the public ROW or on public utilities will require an encroachment permit to be issued by the City of Lompoc Engineering Division prior to beginning of work.

EN2. STREET IMPROVEMENT and TRAFFIC SIGNAL IMPACT FEES will be imposed upon the issuance of a building permit and are based on the City of Lompoc Development Impact Fee Schedule in effect at the time of permit issuance.

## VIII. AVIATION/TRANSIT

### NO GENERAL OR PROJECT SPECIFIC CONDITIONS

## IX. ELECTRIC

### NO GENERAL OR PROJECT SPECIFIC CONDITIONS

## X. SOLID WASTE – PROJECT SPECIFIC CONDITIONS

SW1. The property owner/business owner shall submit a written agreement indicating the property owner/business operator will contact solid waste to schedule a regular recurring week day and time for refuse and green waste pick-up as a special haul, to be approved by the Solid Waste Superintendent. Materials containing cannabis shall be mixed with a minimum of 51% inert material, kept in a locked container in a secure location, until pick-up by solid waste is arranged and accomplished. **Disposal of cannabis waste shall be weekly, by agreement with the City's Solid Waste Division LMC Section 8.04.130.**

SW2. The Solid Waste Division recommends storing of refuse, recycle, and greenwaste containers inside of the business. Solid Waste will provide collection of containers from within the business, returning containers to within the business after servicing as a special haul.

SW3. If secured (Locked) refuse, recycle, or greenwaste containers are stored outside, Solid Waste has a concern with individuals breaking into the containers (breaking lock/locking mechanism), and/or stealing of the containers. Businesses will be responsible for the replacement costs associated with replacing of locks and/or containers.

## XI. WATER – GENERAL CONDITIONS

- W1. This facility must comply with plumbing cross-connection control standards as required by City Ordinance and State law for the protection of water supplies.
- W2. All meter protection shall be by an approved Reduced Pressure Principle Backflow Prevention Assembly (RP) at the service connection. Information on acceptable assemblies is available from the City Water Division.
- W3. All public water system components must be constructed within public right-of-way or public easements.
- W4. When a fire sprinkler system is required or proposed, the utility plan shall show the location of the Fire Department Connection (FDC) with reference dimensions to the nearest fire hydrant. **Fire Department requires fire department connections to be within 50' of a fire hydrant.**
- W5. When a fire sprinkler system is required or proposed the utility plan shall show the fire line connection point to water main.
- W6. The make, size, and location of all water meters shall be determined by the Engineer/Architect or his authorized representative. All water meters will be furnished and installed by the Water Division at the expense of the Owner/Contractor/Developer.
- W7. All cross-connection control wet fire sprinkler systems with Fire Department Connection (FDC) shall be installed on private property and outside City right-of-way, per City Std. Dwg. No. 404 (last revised 06/2008).

**WATER – PROJECT SPECIFIC CONDITIONS**

- W8. There are three 5/8” water meters currently serving the property. If the services are to be abandoned or increased in size, an encroachment permit is required and shall be obtained from the City of Lompoc Engineering Division prior to any work within the public ROW or on public utilities.

**XII. POLICE**

- PD1. Provide a security plan (including locations of security lighting in the parking lot, and surveillance cameras on-site) to be submitted during the cannabis license permit process and shall be reviewed and approved by the Police Department prior to sign off on the cannabis license permit.

I do hereby declare under penalty of perjury that I accept all conditions imposed by the Planning Commission in their approval of the project. As the project applicant/owner, I agree to comply with these conditions and all other applicable laws and regulations at all times.

\_\_\_\_\_  
Randall Thomas, Applicant

\_\_\_\_\_  
Date

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Brian Adams, Property Owner

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Date

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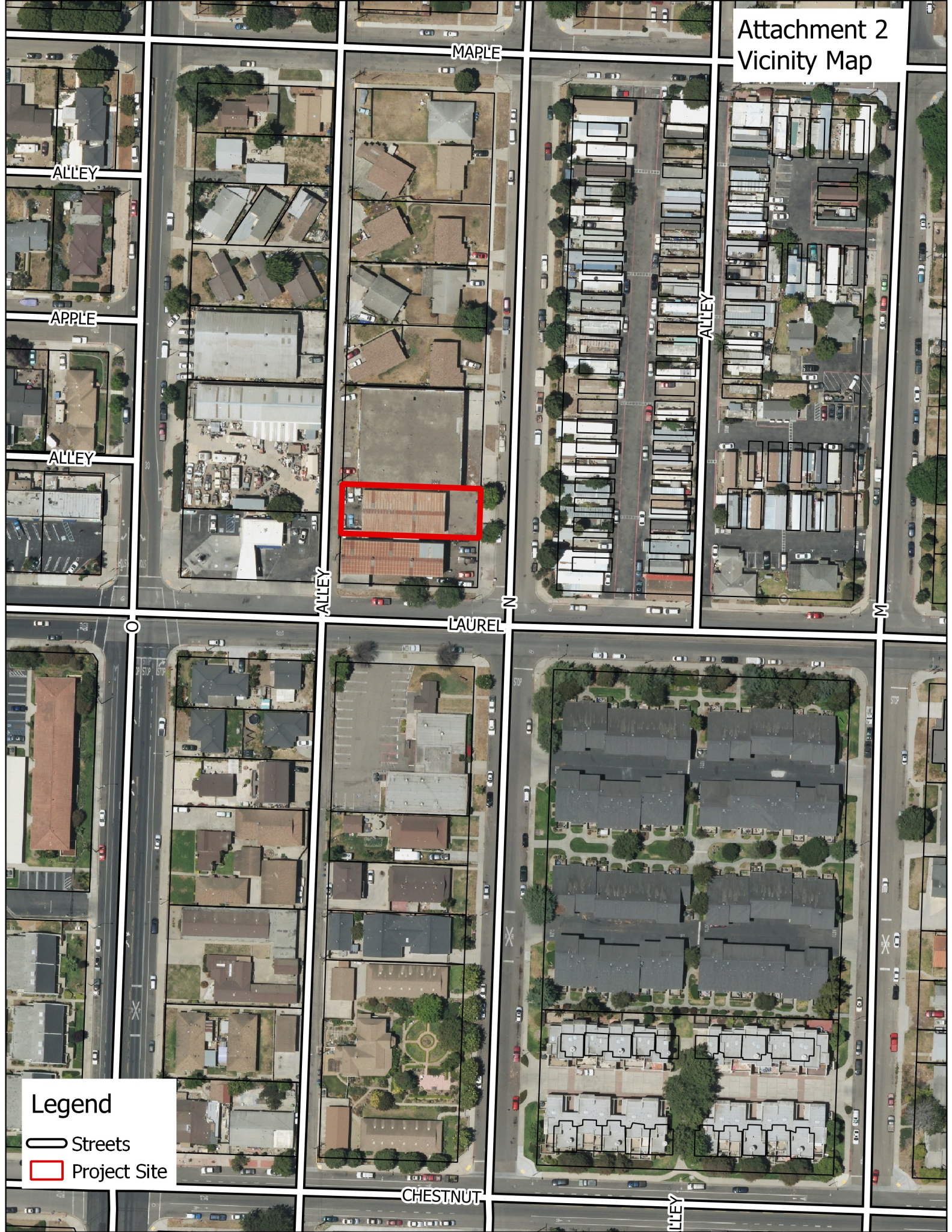
Cameron Porter, Property Owner

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Date

G:\COMDEV\Projects\Conditional Use Permits (CUP)\2019\CUP 19-02 Confidential Biotherapy Delivery\Staff Report

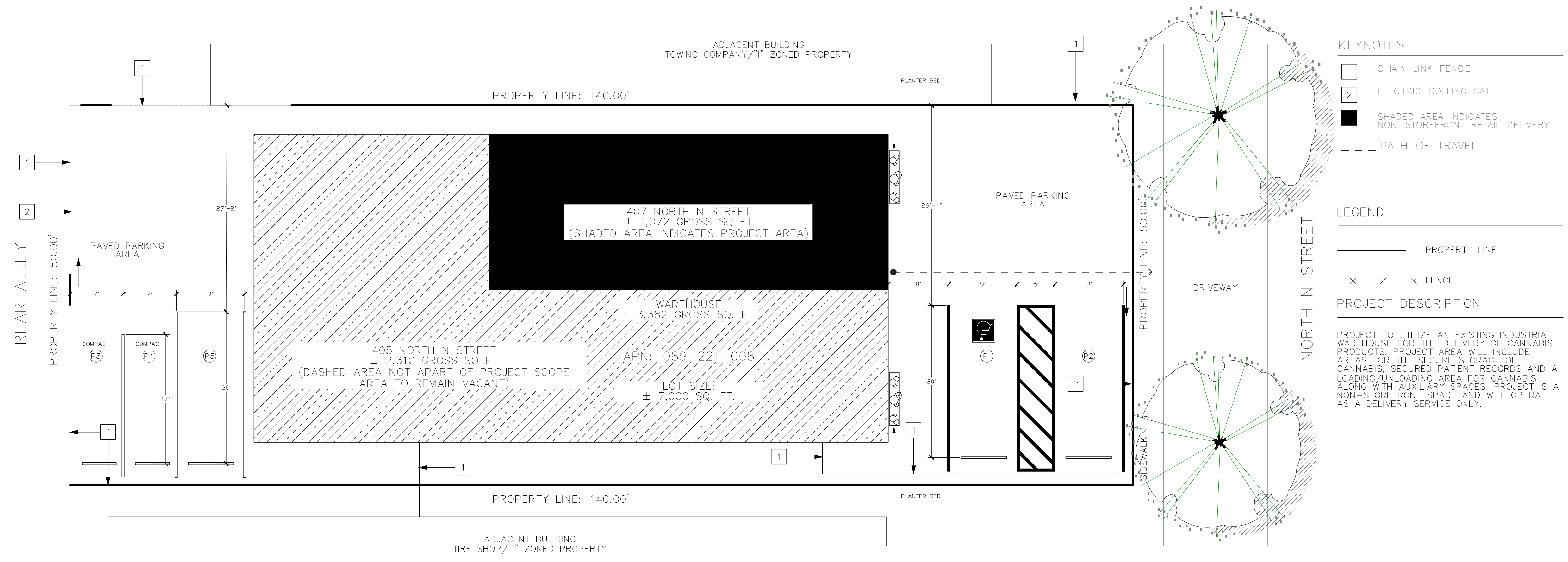
# Attachment 2 Vicinity Map



## Legend

 Streets

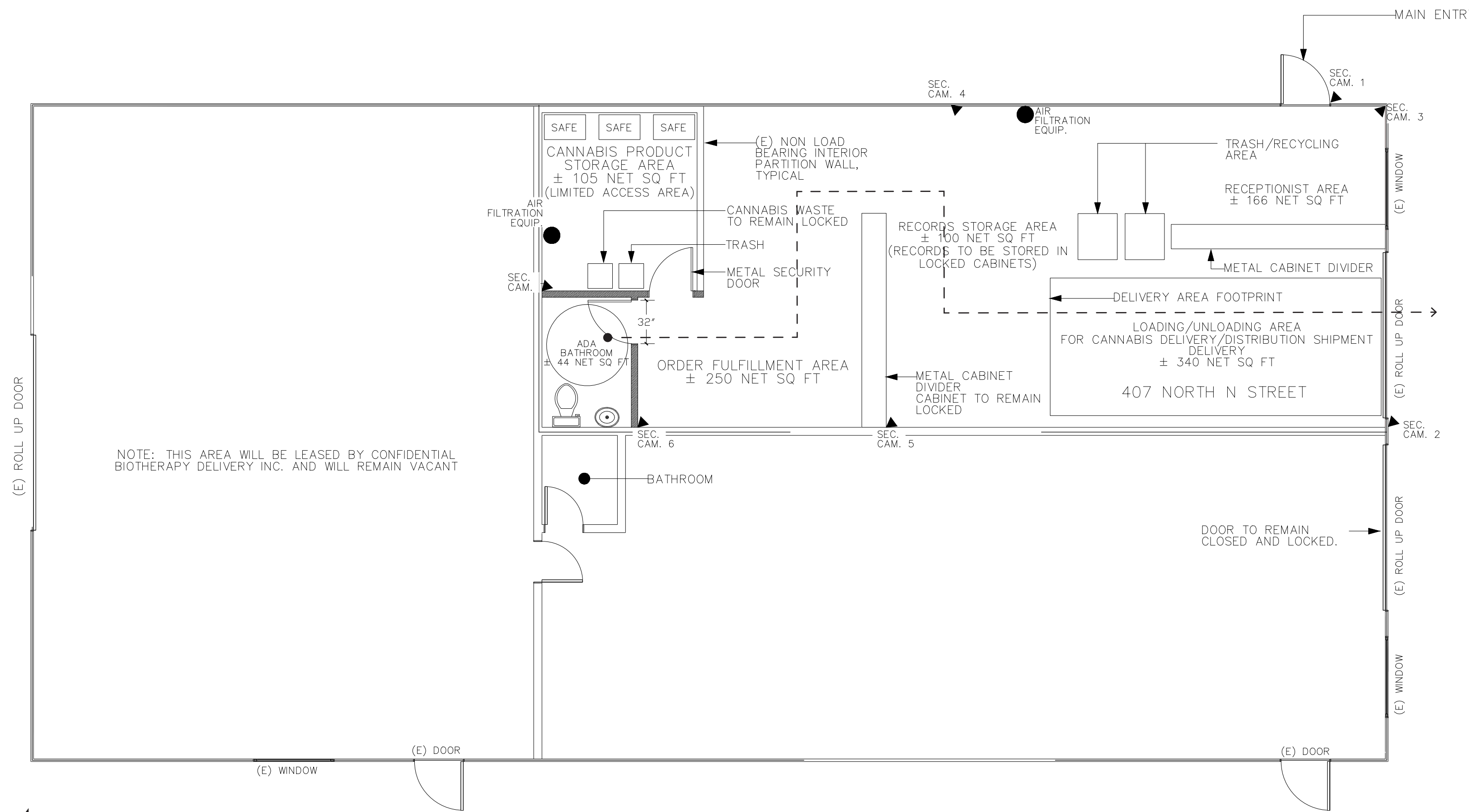
 Project Site



- KEYNOTES**
- 1 CHAIN LINK FENCE
  - 2 ELECTRIC ROLLING GATE
  - SHADED AREA INDICATES NON-STOREFRONT RETAIL DELIVERY
  - PATH OF TRAVEL
- LEGEND**
- PROPERTY LINE
  - X X X FENCE
- PROJECT DESCRIPTION**
- PROJECT TO UTILIZE AN EXISTING INDUSTRIAL WAREHOUSE FOR THE DELIVERY OF CANNABIS PRODUCTS. PROJECT AREA WILL INCLUDE AREAS FOR THE SECURE STORAGE OF CANNABIS, SECURED PATIENT RECORDS AND A LOADING/UNLOADING AREA FOR CANNABIS ALONG WITH AUXILIARY SPACES. PROJECT IS A NON-STOREFRONT SPACE AND WILL OPERATE AS A DELIVERY SERVICE ONLY.

**SITE PLAN**  
 SCALE 1/8" = 1'-0"

**NOTES:** "I" ZONED PROPERTY, NO SETBACKS REQUIRED  
 NO CUSTOMER SALES AT THIS PROPERTY. PROPERTY WILL SERVE AS A DELIVERY SERVICE ONLY.  
 NO COMMON OR SHARED AREAS.



**KEYNOTES**

- SHADED AREA INDICATES PROPOSED STRUCTURE (ADA COMPLIANT).
- PATH OF TRAVEL

Confidential Biotherapy Delivery, Inc.  
 Parking Requirement Summary Table

Date: 8/24/2019

Address	Business Names	Type of Business	Floor Area (sq. ft.)	Parking Ratio	Required Parking	Notes
407 North N Street	Confidential Biotherapy Delivery, Inc. (CBD)	Cannabis Delivery Service	1072	1 space for each 250 sq. ft. of gross floor area	4.3	Area is partitioned off from remaining warehouse. Onsite Daily employees: 3
405 North N Street	Vacant (rented by CBD)	Warehousing/ Indoor Storage	2,310	1 space per 300 sq. ft. office area plus 1 space per 1,500 sq. ft. indoor storage area	1.5	Office Area sq. ft.: 0 Employees: 0 Warehouse to remain vacant.
<b>Total Square Footage of Buildings at Site</b>			<b>3382</b>			
<b>Total Existing Spaces at the Site</b>					<b>5</b>	
<b>Total Spaces Required based on the Uses</b>					<b>5.8</b>	

Conclusion: the 3,382 sq. ft. warehouse building center has 5 parking spaces at the site, two of which will be compact spaces and one of which is an ADA compliant parking space. The addition of the ADA parking space reduces the number of available parking by one space. From the calculations, 5.8 spaces are required based on all the uses. However, CBD will have up to three employees onsite during operational hours; therefore, there is ample parking to

**FLOOR PLAN**  
 SCALE 3/16" = 1'-0"

**NOTES:** ALL INTERIOR WALLS ARE (E) NON LOAD BEARING PARTITION WALLS TO REMAIN

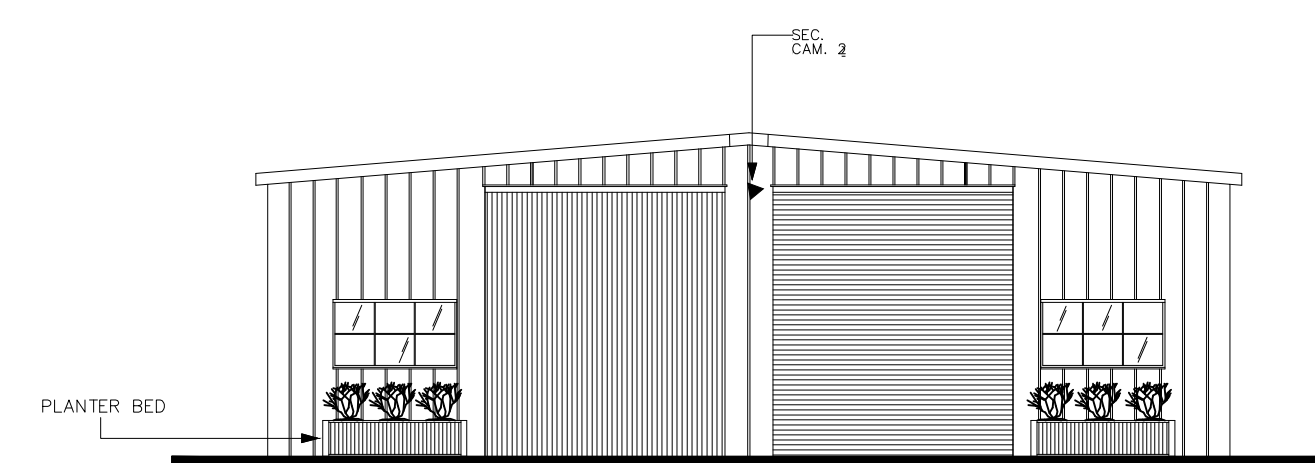
CLIENT:  
Team -A

ISSUE:  
08.29.2019

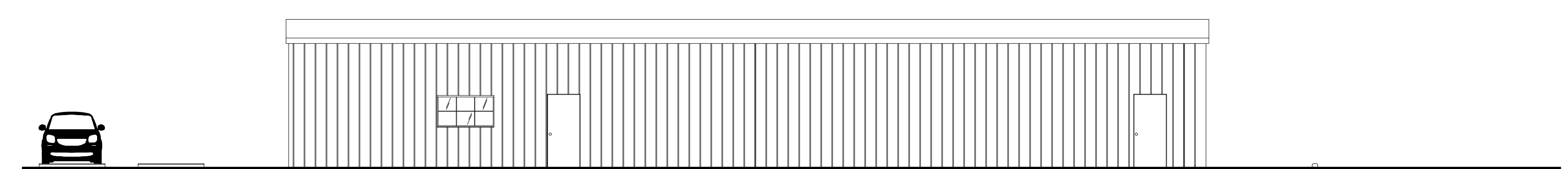
DRAWN BY:  
Jesus Sanchez

PROJECT:  
Existing Facilities

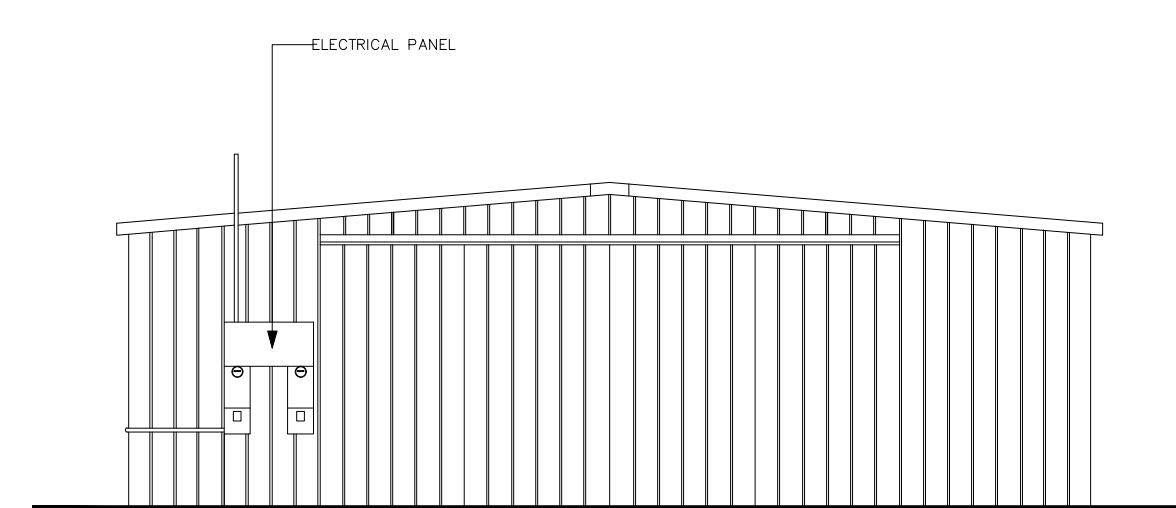
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 407 NORTH N STREET  
 LOMPOC, CA 93436



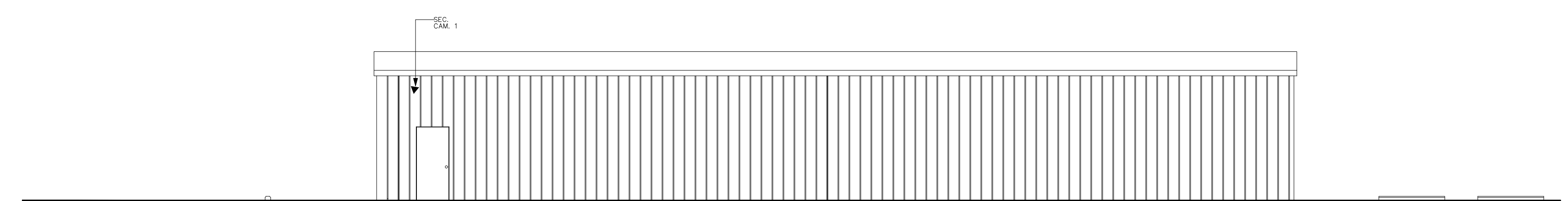
**EAST ELEVATION**  
SCALE 1/8" = 1'-0"



**SOUTH ELEVATION**  
SCALE 1/8" = 1'-0"



**WEST ELEVATION**  
SCALE 1/8" = 1'-0"



**NORTH ELEVATION**  
SCALE 1/8" = 1'-0"

CLIENT:  
 Team -A  
 ISSUE:  
 08.29.2019  
 DRAWN BY:  
 Jesus Sanchez  
 PROJECT:  
 Existing Facilities

407 NORTH N STREET  
 LOMPOC, CA 93436

DESCRIPTION:

SCALE:  
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