

ATTACHMENT D

FINDINGS
ZONE FILE #2023-043
WHITE WOLF FARMS INC., MIRANDA GARDENS, AND TILL LAND LLC (Collocation)
CANNABIS USE PERMIT

Upon due consideration of the facts presented in this staff report and at the public hearing for Zone File #2023-043, the Yolo County Planning Commission finds the following:¹

I. Findings Related to the California Environmental Quality Act (CEQA) and CEQA Guidelines

The Planning Commission finds that the project is consistent with the Cannabis Land Use Ordinance Environmental Impact Report (CLUO EIR) (SCH #2018082055), certified by the Board of Supervisors on September 14, 2021 (Resolution 21-111) and that no further environmental review is needed pursuant to Sections 15168(c), 15162, and 15183 of the California Environmental Quality Act (CEQA) Guidelines based the following:

Section 15168(c) Findings (Activity Within Scope of CLUO Program EIR)

1. The CLUO EIR is a program EIR pursuant to Section 15168 of the CEQA Guidelines.
2. The proposed project is a later activity anticipated in the CLUO EIR and subject to the regulatory controls established through the CLUO.
3. No subsequent EIR would be required under CEQA Guidelines Section 15162 (see Section 15162 Findings, below).
4. Applicable mitigation measures from the CLUO EIR have been integrated into the proposed project and/or imposed on the proposed project.
5. The proposed project is within the scope of the project described in the CLUO EIR, the CLUO EIR adequately describes the activity for purposes of CEQA, and the environmental effects of the proposed project were analyzed within the scope of the CLUO EIR.

Section 15162 Findings (No Subsequent EIR Required)

1. There are no components of the proposed project that will result in new significant impacts or a substantial increase in the severity of previously identified significant impacts that would require substantial revisions to the CLUO EIR.
2. There are no changes to the circumstances under which the proposed project will be undertaken that would require revisions to the CLUO EIR due to new significant environmental impacts or a substantial increase in the severity of previously identified significant impacts.
3. There is no new important information relevant to the proposed project that was not previously known or reasonably could have been known at the time the CLUO EIR was

¹ The findings generally applicable to the granting of a Use Permit under the Yolo County Code do not apply to Cannabis Use Permits, which are subject only to the findings set forth below (Cannabis Land Use Ordinance, Section 8-2.1406(L)).

certified that identifies significant impacts not discussed in the CLUO, substantial increases in the severity of previously identified significant impacts, previously infeasible mitigation measures or alternatives that are now feasible that the project proponents decline to adopt, or considerably different and more effective mitigation measures or alternatives that the project proponent proponents decline to adopt.

Section 15183 Findings (Streamlined Environmental Review due to Consistency with Zoning)

1. The zoning of the project site accommodates the density/intensity of the cannabis land uses allowed under the CLUO which is a zoning regulation comprehensively and cumulatively analyzed in the certified CLUO EIR.
2. The CLUO is a uniformly applied development standard of the County (Ordinance 1541, Section 1, adopted September 14, 2021, as amended) adopted based on substantial evidence in the record that the CLUO will substantially mitigate environmental effects when applied to future projects.
3. The proposed project has been analyzed for consistency with all requirements of the CLUO and found to be fully compliant with implementation of identified conditions of approval.
4. The proposed project will not result in environmental effects which are peculiar to the project or the parcel on which it will be located.
5. The proposed project will not result in significant environmental effects that were not analyzed in the CLUO EIR.
6. The proposed project will not result in potentially significant off-site impacts or cumulative impacts which were not addressed in the CLUO EIR.
7. There is no substantial new information which was not known at the time the CLUO EIR was certified demonstrating that effects of the proposed project will be more severe than discussed in the CLUO EIR.
8. Based on the CLUO Program EIR Checklist / Project Initial Study, no additional environmental review is required because the impacts of the project are not peculiar to the parcel or to the project, have been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards.

II. Findings Related to the Cannabis Land Use Ordinance

The Planning Commission finds that the proposed project is consistent with the Cannabis Land Use Ordinance (CLUO) based on the following:

(A summary of the evidence to support each FINDING is shown in italics)

1. The requested use is a conditionally allowed use in the applicable zone designation.

The requested use is a collocated Cannabis Use Permit to allow issuance of a cannabis cultivation licenses for up to two acres of cultivation canopy for each licensee (White Wolf Farms Inc., Miranda Gardens, and Till Land LLC), for a total of six acres of canopy on the project site. The subject property is zoned Agricultural Extensive (A-X). Pursuant to Article

3, of Chapter 2, of Title 8 of the Yolo County Code, cannabis cultivation is permitted in the A-X zone upon issuance of a use permit. Cannabis cultivation includes activities involving the planting, growing, harvesting, drying, curing, grading, storing, and trimming of cannabis grown onsite.

2. The requested use is consistent with the general plan, and area or specific plan if applicable.

The requested use is consistent with the Yolo County General Plan. Cannabis cultivation is included in the Agriculture (AG) land use designation (Policy LU-1.1, and Table LU-4).

3. The proposed use complies with each of the applicable provisions of the Cannabis Land Use Ordinance and other applicable sections of the County Zoning Regulations.

The project has undergone a thorough review against the applicable provisions of the Cannabis Land Use Ordinance (CLUO) and Article 3 (Agricultural Zones) of Chapter 2 of Title 8 of the Yolo County Code. The project, as conditioned, is determined to be in compliance with the CLUO and zoning requirements applicable in the Agricultural Zones.

White Wolf Farms Inc. and Miranda Gardens currently meet and will continue to maintain all buffers from nearby sensitive land uses (i.e., off-site legal residences). The nearest agricultural homesite (to the west) is approximately ½ a mile from the existing outdoor cultivation area. Till Land LLC is relocating cannabis operations from the Capay Valley and is not currently cultivating on the property. As proposed, Till Land will meet all buffers from nearby sensitive land uses.

The applicable provisions of the Cannabis Land Use Ordinance are included as conditions of approval. The operator is required to submit an annual report on July 1 of each year starting the first July in the year after permit issuance documenting compliance with the Cannabis Use Permit requirements.

4. The proposed use, together with the applicable conditions, will not impair the integrity or character of the neighborhood nor be detrimental to the public health, safety, or general welfare.

Cannabis cultivation and associated uses are permitted in agricultural zones with a use permit. White Wolf Farms Inc. and Miranda Gardens have been cultivating cannabis on an annual basis under validly issued county and state licenses since 2017. Till Land cultivated cannabis in the Capay Valley (APN 060-200-031) under County and State licenses from 2018 to 2023 but let their State license expire and has been non-operational since March of 2023. The project site is located in an agriculturally zoned area and is surrounded primarily by land in agricultural production, with Oat Creek corridor to west, annual grassland grazing to south, an olive orchard to north (on the subject property), an almond orchard to northeast, cattle grazing to east, an almond orchard to west beyond the riparian area, and grape vineyard to west of olive the orchard and north of the Project parcel. A majority of the cultivation areas are currently visible from the public right-of-way. Till Land and Miranda Gardens' proposed outdoor cultivation areas (taking place inside hoop houses) are clustered near County Road 12A. Vegetative screening along the north and south sides of County Road 12A is proposed and will provide a visual barrier along the public right-of-way. White Wolf Farms' outdoor cultivation area is also visible; however,

it is set further back from County Road 12A and partially screened by trees and vegetation along Oat Creek.

The operator has prepared a security plan and will implement measures to secure the property, such as security cameras, motion activated lighting, alarms, and administrative controls. The operator is also required to provide property owners within 1,000 feet of the property line with an operable method of communication with a local or on-site responsible party having prompt access to the site, operations, and activities. This requirement facilitates communication between neighbors related to conditions at the site and operation of the activity.

The operator submitted an odor control plan that describes the odor emitting activities and the administrative and passive controls to reduce and control odors to the greatest extent possible. If odor nuisances are verified pursuant to the enforcement procedure set forth in the CLUO, the operator may employ active controls, such as odor neutralizers for the outdoor canopy, as well as passive controls such as additional vegetation barriers, reassignment of outdoor canopies to mixed-light structures (may require amendment or modification to use permit), different plant strains, or relocation of the outdoor canopy areas to minimize the potential for nuisances.

The project, as conditioned, will therefore not impair the integrity or character of the neighborhood nor be detrimental to the public health, safety, or general welfare.

4.a. The population in the area has been taken into consideration.

The project site is not located within a densely populated area. The site is surrounded by mostly agricultural land uses with Oat Creek corridor to west, annual grassland grazing to south, an olive orchard to north (on the subject property), an almond orchard to northeast, cattle grazing to east, an almond orchard to west beyond the riparian area, and grape vineyard to west of the olive orchard and north of the Project parcel. There is one residence on agriculturally zoned land within 1/2-mile of the project site. The nearest residence on agriculturally zoned land is approximately 1/2-mile west of the existing outdoor cultivation area. The nearest population center is the town of Zamora, which is located approximately four miles east of the project site. According to 2020 Census data, the total population within the 95698 Zip Code, which includes the town of Zamora, is 213 persons. Pursuant to the CLUO, the White Wolf Farms Inc., Miranda Gardens, and Till Land LLC collocated operations are not located within an over-concentrated area.

4.b. The crime rate in the area has been taken into consideration.

Staff reached out to the Yolo County Sheriff's Office and did not receive a response suggesting that existing cannabis cultivation activities at the White Wolf Farms Inc., Miranda Gardens, and Till Land LLC collocated operation caused an increase in crime in the Zamora area. Further, the Yolo County Sheriff's Office has previously provided anecdotal information that their office is not aware of any major crimes occurring on licensed cannabis cultivation sites throughout the county.

4.c. The record of nuisance abatement in area has been taken into consideration.

There have been no nuisance complaints reported to the County's Cannabis Unit regarding the cannabis operations for White Wolf Farms Inc. or Miranda Gardens dating

back to 2019 (the Department of Community Services Cannabis Unit maintains complaint data going back to 2019 when the Cannabis Unit was relocated to Community Services). Till Land LLC has received two nuisance complaints (one for odor, and one for odor and roaming dogs) at its previous location in the Capay Valley. The area surrounding the project site is not known to have an unusual amount of reported nuisance complaints.

4.d. Community character has been taken into consideration.

The community character of the area is typical of the rural, working agricultural landscape found throughout the unincorporated county. Cannabis cultivation and associated uses are considered agricultural land uses in the General Plan and allowed with a use permit in the A-X zone. The project, as conditioned, requires the permittee to maintain, manage, and operate the site, all improvements and alterations, and all structures, in good repair, acceptable in appearance, and in a reasonable safe condition. Measures are in place to protect the rural night sky by shrouding greenhouse structure(s) and requiring exterior lighting to be full cut-off, shielded, and downward facing.

4.e. Community support has been taken into consideration.

A Courtesy Notice was mailed to property owners within 1,000 feet of the property boundary of the subject parcel on May 14, 2024. Additionally, the Courtesy Notice was emailed to the interested parties list maintained by the Planning Division. Staff did not receive any responses from nearby property owners.

The project site is located within the boundary of the Yolo-Zamora Citizens Advisory Committee (CAC) comment area; however, the Yolo-Zamora CAC is not an active committee due to lack of membership, and therefore did not convene to discuss and make a recommendation on the project.

5. Adequate utilities, access roads, drainage, sanitation, and/or other necessary facilities will be provided, as required in applicable County and State regulations, standards, and specifications.

The project is served by PG&E and is conditioned to achieve Valley Clean Energy ultra-green or equivalent standard (100 percent renewable and 100 percent carbon-free). Access to the property is from County Road 12A via an existing dirt/gravel access road. As required by the Public Works Division, the project is conditioned to secure an encroachment permit for any proposed work within the county right-of-way, which includes County Road (CR) 12A. Additionally, driveway approaches/connections and culverts are conditioned to be maintained by the applicant or applicant's successor. The site is conditioned to provide portable hand washing sink to accommodate the existing portable toilets. Site drainage is reviewed during the building permit process. The project, as conditioned, provides adequate utilities, access roads, drainage, sanitation, and other necessary facilities as required in applicable county and state regulations, standards, and specifications.

6. The number of cannabis operations in the area has been taken into consideration.

White Wolf Farms Inc., Miranda Gardens, and Till Land LLC are considered 'Existing Licensees' (Till Land LLC is relocating from the Capay Valley to the subject property). All three operations are located outside of the Capay Valley, an area identified in the CLUO

EIR as overconcentrated. The remaining unincorporated area of the County is not considered to be overconcentrated. Therefore, the project site is not located in an area considered to be overconcentrated.

The nearest existing/licensed cannabis operation is approximately four miles east of the project site. All other existing/licensed cannabis operators are more than four miles from the extent of White Wolf Farms Inc., Miranda Gardens, and Till Land LLC property boundary.

7. The proximity of cannabis operations to each other, and/or to other identified sensitive land uses has been taken into consideration.

As stated in Finding 6, above, the project site is not within an area that is considered overconcentrated. The nearest existing/licensed cannabis operation is approximately four miles east of the project site. The town of Zamora is approximately four miles east of the White Wolf Farms Inc., Miranda Gardens, and Till Land LLC property boundary.

White Wolf Farms Inc. and Miranda Gardens currently meet, and will continue to maintain, all CLUO buffers from sensitive land uses. Till Land LLC is relocating cannabis operations from the Capay Valley and is not currently cultivating on the property. As proposed, Till Land will meet all buffers from nearby sensitive land uses. There is one residence on agriculturally zoned and within 1/2-mile of the project site. The nearest residence on agriculturally zoned land is approximately 1/2-mile to the west of the property along County Road 12A.

8. The proximity to adjoining/nearby land uses has been taken into consideration.

The surrounding land uses include Oat Creek corridor to west, annual grassland grazing to south, an olive orchard to north (on the subject property), an almond orchard to northeast, cattle grazing to east, an almond orchard to west beyond the riparian area, and grape vineyard to west of the olive orchard and north of the Project parcel. A majority of the cultivation areas are currently visible from the public right-of-way. Till Land and Miranda Gardens' proposed outdoor cultivation areas will be clustered near County Road 12A within hoopouses. Vegetative screening along the north and south sides of County Road 12A is proposed to screen the view of the operation. White Wolf Farms outdoor cultivation area is also visible; however, it is set further back from County Road 12A and partially screened by trees and vegetation along Oat Creek. The project site is mostly flat with open topography and riparian habitat along Oat Creek.

The existing outdoor cultivation and processing trailers are located on the project site in a manner to maintain the 100-foot buffer from Oat Creek. The existing and proposed structures meet the required setbacks set forth in the Yolo County Code. The project complies with the CLUO buffer requirements from sensitive land uses.

9. The compliance history of the applicant and/or operator has been taken into consideration.

White Wolf Farms Inc. first received a cultivation license in 2017. The operator has received three Notices of Violation (dated 8/24/2017 - Track and Trace violations/fence issues, 7/30/2019 - cultivation exceeded the scope of license, and 7/28/2023 - Track and Trace violations). There have been no complaints lodged against the White Wolf Farms Inc. operation with the Cannabis Unit per records maintained by the Department of

Community Services (the Department of Community Services maintains complaint data going back to 2019 when the Cannabis Unit was relocated to Community Services). Miranda Gardens first received a cultivation license in 2017. The operator has received one Notice of Violation (dated 7/28/2023 - Track and Trace violations). There have been no complaints lodged against the Miranda Gardens operation with the Cannabis Unit. Till Land LLC first received a cultivation license in 2018 on a property within the Capay Valley (APN 060-200-031). The operator has received five Notices of Violation (dated 10/19/2017- violation of county ordinance, 1/29/2019 - nuisance dogs running off property/loose on property, 4/11/2019 - Track and Trace violations, 4/27/2021 - cultivation exceeded the scope of license, and 4/19/2022 - unpermitted electrical lights in hoop houses). There have been two complaints lodged against Till Land LLC, and both were received for the site located in Capay Valley, prior to the proposed relocation. One complaint received for Till Land LLC was an odor complaint in 2018, and the other was an odor complaint and complaint of unattended dogs roaming the site in 2020.

Staff coordinated with the County Department of Financial Services to produce a history of cannabis and property tax payments for the site, which verified that the property owner is up to date on property taxes and White Wolf Farms Inc. and Miranda Gardens up to date on their cannabis taxes.

10. Parcel size and proposed uses on the non-cannabis portion(s) of the parcel have been taken into consideration.

The subject parcel is ±78 acres and is generally flat land with some gently sloped annual grassland/grazing land. The property is bisected into north and south sections by County Road 12A. The property has traditionally been used for cattle grazing prior to cannabis uses. The surrounding land uses are primarily agricultural: Oat Creek corridor to west, annual grassland grazing to south, an olive orchard to north (on the subject property), an almond orchard to northeast, cattle grazing to east, an almond orchard to west beyond the riparian area, and grape vineyard to west of the olive orchard and north of Project parcel. Pending the proposed expansion, approximately 59.2 acres of the property will remain for non-cannabis related uses.

11. Subject matter input relevant to the specific location or proposed project from County department and division heads, and the Cannabis Unit have been taken into consideration. This shall include information and recommendations from the Agricultural Commissioner relevant to compatibility of proposed cannabis cultivation with adjoining non-cannabis crops.

Subject matter input from County department and division heads have been taken into consideration when analyzing the project. Project specific conditions of approval from the Public Works Division, Environmental Health Division, and Building Division have been incorporated into the project. Additionally, the Cannabis Unit has provided information about compliance history (see Finding #9).

The Agricultural Commissioner reviewed the project application materials and determined that the project does create the potential for conflict with property to the east of the project site that is planted in almonds. The Agricultural Commissioner recommended that a hedge/tree buffer be planted on the east side of the site north of CR 12A, that all future cultivation north of CR 12A take place inside hoop houses, and that a representative from Till Land LLC develop a good neighbor policy with the neighbor to the east. All

recommendations provided by the Agricultural Commissioner have been incorporated into the project.

12. Other cultural, social, equity, and environmental justice concerns deemed applicable by the County have been taken into consideration.

White Wolf Farms Inc., and Miranda Gardens first received a license to cultivate cannabis in 2017 and has cultivated continuously since then under state and county licenses. Till Land LLC cultivated cannabis in the Capay Valley (APN 060-200-031) under County and State licenses from 2018 to 2023, but let their State license expire and has been non-operational since March 2023. The CLUO establishes the regulatory framework for permitting cannabis related uses in a transparent and equitable process. The use permit process allows for fairness, regardless of race, color, national origin or income, and the meaningful involvement of community in the decision-making process. The County has not deemed additional cultural, social, equity, and environmental justice concerns applicable, as this project is not located in an area considered to be over-concentrated nor has it been identified to be located in a disadvantaged community. The operators were provided an equitable opportunity to apply for a cannabis use permit pursuant to the CLUO, and the public was provided opportunities to comment on the project, and participate in a public hearing at the November 13, 2025, Planning Commission meeting.

13. Site efficiency and use of the site to minimize fallowing of agricultural land has been taken into consideration.

The existing buildings and structures that are used to support the cannabis operations are clustered on the south portion of the property (south of County Road 12A). Miranda Gardens and White Wolf Farms Inc. are proposing to build 14 new 30' x 100' hoop houses each (for a total of 28), and Till Land LLC is proposing to build 28 new 30' x 100' hoop houses. The proposed cultivation expansion area for Miranda Gardens is immediately east and northeast of the existing cultivation area, the proposed cultivation expansion area for White Wolf Farms Inc. is immediately north of the existing cultivation area. The proposed cultivation area for Till Land LLC is immediately north of the Miranda Gardens existing cultivation area on the north and south side of County Road 12A. The cultivation expansion will result in approximately 18.3 acres of previously fallow land and olive orchard to be used for cannabis, leaving approximately 59.2 acres of land not in cannabis use. The northern portion of the property (north of Oat Creek) is currently planted in olive orchard, with a disturbed area accommodating a residential dwelling and associated outbuildings.

III. Findings Related to the Williamson Act

The subject project site is under Williamson Act Contract (Land Use Agreement #97-160). The Williamson Act (Gov't Code § 51200 et seq.) requires that the property be used for agricultural and open space uses or uses that are compatible with agriculture. The CLUO recognizes cannabis cultivation and related activities as agricultural land uses. See Yolo County Code of Ordinances § 8-2.1404(E). To the extent that any of the project's proposed uses are not agricultural uses, the Williamson Act and the County's Williamson Act Guidelines set forth three "principles of compatibility" that non-agricultural uses on contracted lands must be consistent with. See Government Code § 51238.1. Accordingly, the Planning Commission makes the following findings:

1. The use will not significantly compromise the long-term productive agricultural capability of the subject contracted parcel or parcels or on other contracted lands in agricultural preserves.

Approval of the project will not significantly compromise the long-term productive agricultural capability of the subject parcel or other contracted lands in agricultural preserves. Cannabis cultivation uses are included in the Agriculture land use designation in the Countywide General Plan. The project proposes adding approximately four acres of outdoor cannabis cultivation canopy within hoop houses, for a total of six acres of mature canopy on the approximately 78-acre parcel. The approximate total land disturbance of cannabis activities, including existing and proposed cultivation footprint is approximately 18.3 acres. The CLUO EIR considered off-site impacts to agriculture and concluded that there would be no impact with zoning for agricultural use or Williamson Act contracts under any of the alternatives. The agriculturally related uses on this parcel will support continued agricultural use of other contracted lands in agricultural preserves.

2. The use will not significantly displace or impair current or reasonably foreseeable agricultural operations on the subject contracted parcel or parcels or on other contracted lands in agricultural preserves. Uses that significantly displace agricultural operations on the subject contracted parcel or parcels may be deemed compatible if they relate directly to the production of commercial agricultural products on the subject contracted parcel or parcels or neighboring lands, including activities such as harvesting, processing, or shipping.

The proposed project will not significantly displace or impair current or reasonably foreseeable agricultural operations on the subject contracted parcel or on other contracted lands in agricultural preserves. The expansion of cultivation activities will occur primarily on lands immediately adjacent to existing cannabis cultivation areas. Continuation of and expansion of cannabis cultivation and associated uses are paramount to the project. The project is expected to support, not compromise or displace, the long-term agricultural capability of the land by encouraging the continuation of the land's productivity through cultivation of cannabis crops.

3. The use will not result in the significant removal of adjacent contracted land from agricultural or open-space use.

Lands immediately east and south of the project site are not under Williamson Act contract. The parcel to the north and the parcels to the west are under Williamson Act contract. The parcel to the north is planted in grape vineyard and the parcels to the west are planted in almond orchard and grape vineyard. Experience from the project's existing cannabis cultivation activities (since 2017) indicates that adjacent contracted land is not affected by the operations, and there is no evidence that the project will result in the removal of adjacent land from agricultural use.