

Mono County
Community Development Department

PO Box 347
Mammoth Lakes, CA 93546
(760) 924-1800, fax 924-1801
commddev@mono.ca.gov

Planning Division

PO Box 8
Bridgeport, CA 93517
(760) 932-5420, fax 932-5431
www.monocounty.ca.gov

**COMMERCIAL CANNABIS ACTIVITY
USE PERMIT INFORMATION**

INTRODUCTION:

A Use Permit is a discretionary permit issued by the Planning Commission, typically for uses that may be compatible with surrounding land uses under certain conditions but which are not listed as permitted uses in the land use designation. After holding a public hearing to receive input and comment, the Planning Commission sets conditions or standards, makes the required Use Permit "findings," and issues Use Permits.

Findings:

- A. All applicable provisions of the Land Use Designations and Land Development Regulations are complied with, and the site of the proposed use is adequate in size and shape to accommodate the use and to accommodate all yards, walls and fences, parking, loading, landscaping and other required features.
- B. The site for the proposed use relates to streets and highways adequate in width and type to carry the quantity and kind of traffic generated by the proposed use.
- C. The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located.
- D. The proposed use is consistent with the map and text of this General Plan and any applicable area plan.

The timeframes for processing Use Permits depends on the level of environmental review required and the press of County business. Projects that are Categorically Exempt under the California Environmental Quality Act can be processed in one or two months, while those requiring a Negative Declaration or Environmental Impact Report will take longer. The average Use Permit can be processed in three months.

APPLICATION PACKET SHALL INCLUDE:

- Completed application form.
- Completed Project Information form or Expanded Environmental Submittal for larger projects (three bound copies and one unbound copy for reproduction).
- Environmental Processing & Review agreement.
- Title/Deed of property or Property Owner's consent with rental agreement.
- General description of the nature, size, and type of activity
- Vicinity map
- Site plot plans meeting the requirements of the attached plot plan guidelines. Three full-size copies (blueprints). Applicants of larger projects may be required to submit additional full-size copies.
- Elevations or flat scale drawings of the proposed project. Three full-size. Applicants of larger projects may be required to submit additional full-size sets, if applicable.
- Floor plans of the proposed project. Three full-size sets, no larger than 11" x 17". Applicants of larger projects may be required to submit additional full-size sets.
- Odor Mitigation Plan
- Sign Plan
- Visual Screening Plan
- Lighting Plan
- Parking Plan

- Fire Prevention Plan
- Additional plan copies may be submitted electronically.
- Project processing deposit: See Development Fee Schedule for Use Permit.
- Environmental Review (CEQA): See Development Fee Schedule for Categorical Exemption, Negative Declaration, and Environmental Impact Report (deposit for initial study only).

APPLICATION REVIEW PROCEDURE:

- A. Preapplication review at Land Development Technical Advisory Committee (LDTAC). Preapplication review can be requested by staff or the applicant for larger projects, or projects that may generate significant public controversy, or to receive preliminary feedback from multiple County departments, starting July 2018. LDTAC meetings are optional but recommended.
- B. Application packet submitted to the Planning Division.
- C. Staff review of application packet. An application must be substantially complete to initiate a preliminary review. If not substantially complete, the application will not be accepted and will be returned to the applicant with a written notice of deficiencies. The applicant may correct the deficiencies and resubmit the application.
- D. Complete application packet. The packet will be sent for review by local and state agencies, and a Land Development Technical Advisory Committee (LDTAC) meeting will be scheduled for the application to be accepted and a formal completeness determination will be made. The LDTAC consists of representatives from County departments with an interest in the application. The preparation of a Planning Commission staff report, and environmental document will also commence.

Further LDTAC meetings for review of projects requiring a Negative Declaration or EIR, are scheduled a minimum of four weeks after a complete project application is accepted. Projects that are Categorically Exempt may be scheduled sooner. Generally, projects requiring the preparation of a Negative Declaration or Environmental Impact Report will take longer to process. Board of Supervisors' Minute Order 83-1154 requires the Planning Division to give local fire districts at least 20 days to review and comment on projects. After the initial review period, LDTAC meetings are held to examine comments and concerns of local, state and federal agencies.

- E. LDTAC review of project. The LDTAC will review with the applicant the staff report with conditions of approval, comments from other agencies and the environmental document. A Planning Commission hearing will be scheduled following the LDTAC review meeting(s).

Due to public review and noticing requirements, most Planning Commission public hearings will not be scheduled for at least two weeks after the last LDTAC meeting.

- F. Final Staff Report and environmental document. A final staff report and, if applicable, environmental documentation will be sent to the Planning Commission and the applicant one week prior to the public hearing.
- G. Planning Commission public hearing. Following a staff presentation and any public testimony, the Planning Commission will make a determination in accordance with the California Environmental Quality Act (CEQA) and then take action on the proposed project. It may: 1) deny; 2) approve; 3) approve with conditions or modifications; or 4) continue the hearing to receive additional input.

The applicant's attendance at the hearing is strongly encouraged in order to provide commissioners with additional information and to answer questions. Unless it is appealed to the Board of Supervisors, the Planning Commission's decision is usually the last administrative action.

- H. Appeal of the Planning Commission's decision. The applicant or other interested parties may appeal the Planning Commission's decision to the Board of Supervisors. A completed appeal application with accompanying fees must be filed with the Planning Division within 10 calendar days of the date of the Planning Commission's decision.

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COMMERCIAL CANNABIS ACTIVITY

USE PERMIT
APPLICATION

APPLICATION # _____ FEE \$ _____

DATE RECEIVED _____

RECEIPT # _____ CHECK # _____ or CASH

RECEIVED BY _____

APPLICANT/AGENT

Apogee Farms Inc. (Willard Wood and Connie Tucker, Principals)

ADDRESS PO Box 2429 CITY/STATE/ZIP Benton, CA 93512

TELEPHONE (536) 651-3661 E-MAIL williewood122685@yahoo.com

PROPERTY OWNER, if other than applicant Connie Tucker

ADDRESS 1001 St. Rt. 302 CITY/STATE/ZIP Ashland, OH 44805

TELEPHONE (419) 295-0697 E-MAIL olivesburg@icloud.com

Copy of Title or Deed

OR

Signed statement of consent and a copy of the rental agreement

PROPERTY DESCRIPTION:

Assessor's Parcel # 025-020-013 General Plan Land Use Designation RR40, Pending GPA App

TYPE OF ACTIVITY (check all intended use on the property):

- Nursery Cultivation Processing Distribution
 Manufacturing Type N or P Manufacturing Type 6 Manufacturing Type 7
 Testing Retail Microbusiness (check all activities that apply)
 Other _____

PROPOSED USE: Describe the proposed project in detail, attaching additional sheets if necessary. NOTE: An incomplete or inadequate project description may delay project processing and/or require additional staff time to write or refine the description.

10,000 sf cultivation area

1,800 sf processing building

Plants will be grown and processed onsite.

Will the activity take place in an existing structure? YES NO N/A
If NO, have you applied for a Building Permit? YES NO

WATER CONSERVATION MEASURES: Describe water conservation measures, water capture systems, grey water systems or other measures to be incorporated to minimize use of water where feasible.

Cultivation will use low flow drip irrigation.

Processing water will be captured in underground tanks and reused.

A private onsite well will be used for processing and domestic water.

ATTACHMENTS: The following documents are required for this application to be deemed complete:

- Vicinity Map
- Site Plan
- Floor Plan
- Odor Mitigation Plan
- Sign Plan
- Visual Screening Plan
- Lighting Plan
- Parking Plan
- Fire Prevention Plan
- Documentation for any "fixed noise sources"

DISTRIBUTION

- Storage and handling plans

TESTING FACILITY

- Certificate of accreditation from approved accrediting body

I CERTIFY UNDER PENALTY OF PERJURY THAT I am: legal owner(s) of the subject property (any person having an ownership interest in the property must sign, corporate officer(s) empowered to sign for the corporation, or owner's legal agent having Power of Attorney for this action (a notarized "Power of Attorney" document must accompany the application form), AND THAT THE FOREGOING IS TRUE AND CORRECT.

 4/12/19
Signature _____ Date _____ Signature _____ Date _____
Signature _____ Date _____ Signature _____ Date _____
Signature _____ Date _____ Signature _____ Date _____

Will the activity take place in an existing structure? YES NO N/A
If NO, have you applied for a Building Permit? YES NO

WATER CONSERVATION MEASURES: Describe water conservation measures, water capture systems, gray water systems or other measures to be incorporated to minimize use of water where feasible.

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- Lighting Plan
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- Fire Prevention Plan
- Documentation for any "fixed noise sources"

DECONTAMINATION

- Storage and handling plans

TESTING FACILITY

- Certificate of accreditation from approved accrediting body

I CERTIFY UNDER PENALTY OF PERJURY THAT I am: legal owner(s) of the subject property (any person having an ownership interest in the property must sign, corporate officer(s) empowered to sign for the corporation, or owner's legal agent having Power of Attorney for this action (a notarized "Power of Attorney" document must accompany the application form), AND THAT THE FOREGOING IS TRUE AND CORRECT.

Connie L. Zucker 4/5/19
Signature Date

Signature Date

Signature Date

Signature Date

Signature Date

Signature Date

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USE PERMIT PROJECT INFORMATION

(To be completed by applicant or representative)

NOTE: Please answer all questions as accurately and completely as possible to avoid potential delays in processing. Attach additional sheets if necessary.

I. **TYPE OF PROJECT** (check any permit(s) requested):

- Director Review Use Permit Lot Line Adjustment Land Division (4 or fewer)
 Subdivision Specific Plan Variance General Plan Amendment
 Commercial Cannabis Other _____

APPLICANT Apogee Farms, Inc. (Willard Wood and Connie Tucker, Principals)

PROJECT TITLE Apogee Farms, Inc.

LOT SIZE (sq. ft. /acre) 40.2 AC ASSESSOR'S PARCEL # 025-020-013

PROJECT LOCATION 23555 Highway 6, Benton, CA 93512

Has your project been described in detail in the project application? Yes No

Please Specify:

- EXISTING PROPOSED
Number of Units _____ Building Height/# of floors 19'6" / 1 floor
Number of Buildings 1 Density (units/acre) _____

Total lot coverage/impervious surface (sq. ft. & %) 1,800 SF 0.1%
a. Buildings (first-floor lot coverage /sq. ft. & %) 1,800 SF 0.1%
b. Paved parking & access (sq. ft. & %) N/A 0.0%

Landscaping/screening and fencing:
a. Landscaping (sq. ft. & %) None
b. Undisturbed (sq. ft. & %) 1,715,412 SF 99%

Total parking spaces provided:
a. Uncovered 3
b. Covered _____
c. Guest/Handicapped 1

II. **SITE PLAN**

Arc all existing and proposed improvements shown on the Plot Plan (see attached Plot Plan Requirements)? Yes No

III. **ENVIRONMENTAL SETTING**

Use one copy of the Tentative Map or Plot Plan as needed to show any necessary information. Attach photographs of the site, if available.

1. **VICINITY MAP:**

Attach a copy of assessor's parcel pages or a vicinity map showing the subject property in relation to nearby streets and lots or other significant features.

2. EXISTING DEVELOPMENT:

Vacant If the site is developed, describe all existing uses/improvements such as structures, roads, etc.
Does the Plot Plan show these uses? Yes No

3. ACCESS/CIRCULATION:

Name of Street Frontage(s) Highway C

Paved Dirt No existing access

Are there any private roads, drives or road easements on/through the property?

Yes No

Has an encroachment permit been submitted to Public Works or Caltrans? Yes No

Does the property have any existing driveways or access points? Yes No

Are any new access points proposed? Yes No

Does the Plot Plan show the driveways or access points? Yes No

Describe the number and type of vehicles associated with the project 1 pick-up truck

4. ADJACENT LAND USES:

A. Describe the existing land use(s) on adjacent properties. Also note any major man-made or natural features (i.e., highways, stream channels, number and type of structures, etc.).

LAND USE

LAND USE

North Vacant land

South rural residential (multiple structures)

East HWY 6/ Ag land

West Industrial/multiple structures

B. Will the proposed project result in substantial changes in pattern, scale or character of use in the general area? Yes No If YES, how does the project propose to lessen potential adverse impacts to surrounding uses? _____

5. SITE TOPOGRAPHY:

Is the site on filled land? Yes No Describe the site's topography (i.e., landforms, slopes, etc.) _____

6. DRAINAGES:

A. Describe existing drainage ways or wetlands on or near the project site (i.e., rivers, creeks and drainage ditches 12" or deeper and/or within 30' of the property) MAJORITY OF TOTAL SITE (40.2 AC) IS WITHIN A FEMA DESIGNATED FLOODWAY. PORTION OF TOTAL SITE USED FOR PROJECT IS ABOVE FLOOD 100 YEAR FLOOD ELEVATION.

B. Are there any drainage easements on the parcel? Yes No

C. Will the project require altering any streams or drainage channels? Yes No If YES, contact the Department of Fish and Game for a stream alteration permit. IF YES TO ANY OF THE ABOVE, show location on plot plan and note any alteration or work to be done within 30 feet of the stream or drainage.

7. VEGETATION:

A. Describe the site's vegetation and the percentage of the site it covers (map major areas of vegetation on the Plot Plan) LOCAL NATIVE SCRUB, 98%

B. How many trees will need to be removed? None

C. Are there any unique, rare or endangered plant species on site? Yes No

D. Has the site been used for the production of agricultural crops/trees or grazing/pasture land in the past or at the present time? Yes No

E. Is landscaping/planting of new vegetation proposed? Yes No

8. WILDLIFE:

A. Will the project impact existing fish and wildlife? Yes No
Describe existing fish and wildlife on site and note any proposed measures (if any) to avoid or mitigate impacts to fish and wildlife _____

B. Are there any unique, rare or endangered animal species on site? Yes No

9. CULTURAL RESOURCES:

A. Are there any cemeteries, structures or other items of historical or archaeological interest on the property? Yes No Specify _____

10. SITE GRADING:

A. Will more than 10,000 square feet of site area be cleared and/or graded? Yes No If YES, how much? _____

B. Will the project require any cuts greater than 4' or fills greater than 3'? Yes No

C. Will the project require more than 200 cubic yards of cut or fill? Yes No If YES, how much? _____
If YES to A, B or C, contact the Department of Public Works for a grading permit.

D. Will site grading of 10% or more occur on slopes? Yes No

E. Note any measures to be taken to reduce dust, prevent soil erosion, or the discharge of earthen material off site or into surface waters CULTIVATION AREA WILL BE CONTAINED BY BERMING
DUST WILL BE CONTROLLED BY WATERING

11. AIR QUALITY:

A. Will the project have wood-burning devices? Yes No If YES, how many? _____

B. What fuel sources will the proposed project use? Wood Electric Propane/Gas

C. Will the proposal cause dust, ash, smoke, fumes or odors in the vicinity? Yes No

12. VISUAL/AESTHETICS:

A. How does the proposed project blend with the existing surrounding land uses?

B. How does the proposed project affect views from existing residential/commercial developments, public lands or roads?

C. If outdoor lighting is proposed, describe the number, type and location NA

13. NATURAL HAZARDS:

A. Is the site known to be subject to geologic hazards such as earthquakes, landslides, mudslides, ground failure, flooding, avalanche or similar hazards? Yes No (Circle applicable hazard(s)).

B. Will any hazardous waste materials such as toxic substances, flammables or explosives be used or generated? Yes No

C. Does the project require the disposal or release of hazardous substances? Yes No

D. Will the project generate significant amounts of solid waste or litter? Yes No

E. Will there be a substantial change in existing noise or vibration levels? Yes No
If YES to any of the above, please describe _____

14. OTHER PERMITS REQUIRED:

List any other related permits and other public approvals required for this project, including those required by county, regional, state and federal agencies:

Commercial Cannabis Operation Permit *County Planning Division*

- Encroachment Permits from *Public Works or Caltrans.*
- Stream Alteration Permit from *Department of Fish and Game*
- 404 Wetland Permit from *Army Corps of Engineers*
- Grading Permit from *Public Works*
- Building Permit from *County Building Division*
- Well/Septic from *County Health Department*
- Timber Land Conversion from *California Department of Forestry*
- Waste Discharge Permit from *Lahontan Regional Water Quality Control Board*
- Other _____

IV. SERVICES

1. Indicate how the following services will be provided for your project and the availability of service.

Electricity SCE Overhead Pole Line on Hwy 6
 Underground Overhead (Show location of existing utility lines on Plot Plan)

Road/Access Mono County, Highway 6

Water Supply Private Well

Sewage Disposal Septic


Fire Protection Benton & Chalfant Valley Fire Departments

School District Eastern Sierra Unified School District

2. If an extension of any of the above is necessary, indicate which service(s), the length of extension(s), and the infrastructure proposed SCE to extend power line from existing line on Hwy 6

to site

CERTIFICATION: I hereby certify that I have furnished in the attached exhibits the data and information required for this initial evaluation to the best of my ability, and that the information presented is true and correct to the best of my knowledge and belief. I understand that this information, together with additional information that I may need to provide, will be used by Mono County to review the proposed project in compliance with state and local law.

Signature  Date 4/12/19
 For Apogee Farms Inc.

NOTE: Failure to provide any of the requested information will result in an incomplete application and thereby delay processing.