

# Misty Mountain Services, LLC

---

## Sonoma County Conditional Use Permit Application

**Cannabis Permit Types**  
**Type 1A Specialty Indoor**  
**Type 2 Medium Outdoor**

---

**Name:** Misty Mountain Services, LLC

**APN:** 077-130-095

**Address:** 885 Montgomery Rd. Sebastopol, CA

**Zoning:** DA B6 20 Z, RC100/50

**GWA:** Zone 2 - Major natural recharge

**Lot Size:** 10 acres

**General Plan Designation:** West Sebastopol Specific Plan

---

### Conditional Use Permit Application (PJR-123)

- **Specialty Indoor** (Type 1A state license): **2,961 square feet**
- **Medium Outdoor** (Type 2 state license): **38,484 square feet**

### Priority Processing Eligibility Statement:

Misty Mountain Services, LLC application meets Sonoma County criteria for priority processing. Eric Bell, the owner of the cannabis use has been an existing cannabis operator and resident in Sonoma County prior to January 1, 2016 and has an established local preference hiring plan.

Support documentation includes:

- Articles of Incorporation – 2015
- Tax Bill
- Sales receipts

### Property Description Summary:

885 Montgomery Rd is a rural ten acre property nestled on the south facing side of the rolling sebastopol hills. The property has native vegetation and is bordered by established tree lines. There are seven existing permitted structures on the property of which one unit is a residential home. There is preexisting and continued personal food production on the land and there has been prior use of the land for horse training.

# Table of Contents

Sonoma County Conditional Use Permit Application	1
Table of Contents	2
<b>Statement of Operator Qualifications:</b>	3
<b>Priority Processing Eligibility</b>	3
<b>Proposal Statement</b>	4
<b>Existing easements</b>	4
<b>Description of the Proposed Cannabis Use and Operational Plan</b>	5
<b>Description of how the project will meet the Medical Cannabis Land Use Ordinance Development Criteria (26-88-254(f)).</b>	6
<b>Biotic Resources</b>	6
<b>Fire Prevention Plan</b>	7
<b>Hazardous Materials</b>	7
<b>General Perimeter Security Summary</b>	8
<b>Project Description: Medical Cannabis Land Use Ordinance Operating Standards (26-88-254(g)).</b>	8
<b>Waste Management Plan</b>	9
<b>Water Supply and Management Plan</b>	9
<b>Groundwater Monitoring Easement if Water Well</b>	9
<b>Wastewater Management Plan</b>	11
<b>Location/vicinity map (8 1/2 in. X 11 in.)</b>	11
<b>See attachment: Location/Vicinity Map</b>	11
<b>Photographs of the proposed development site.</b>	11
<b>See attachment: Photographs of project sites</b>	11
<b>Site Plan. Existing Site Plan and Proposed</b>	11
<b>See attachment: Site Plan</b>	11

## Statement of Operator Qualifications:

### **Disclosure of convictions report**

All operators within Misty Mountain Services, LLC are over 21. There are no prior convictions on the record of any owners, management or staff within this company.

### **Employee management plan**

Misty Mountain Services, LLC estimates there will be 2-3 full time employees with a hiring preference of Sonoma County residency. Anticipated primary shifts will be from 6:00 am - 2:00 pm and 1:00 pm - 8 pm, 7 days a week.

In addition, an outsourced security firm will provide 24/7 security.

### **Occupational Safety**

Staff training will be ongoing, and will cover topics such as: safety awareness, OSHA standards and emergency procedures. Misty Mountain Services, LLC will comply with federal, state, and local laws regulations including CAL/OSHA and California Agriculture

### **Employee Drug Policy**

Misty Mountain Services, LLC prohibits the use, sale, possession, purchase, or transfer of illegal drugs on the premises.

Misty Mountain Services, LLC OSHA safety and company policy prohibits employees from being under the influence of any substance (cannabis included) or alcohol during work hours.

### **Priority Processing Eligibility**

Misty Mountain Services, LLC has followed the guidance provided by the State of California as an early adopter of the regulated cannabis industry as provided through the passing of the Medical Marijuana Regulation and Safety Act (MMRSA) of December 2015

### **See attachment: Supplemental Materials**

Sonoma County Penalty Relief: Received by the county on October 31, 2017

Sonoma County Cannabis Business Tax Quarterly Return

Sales Receipt - Bulk soil building amendments purchase order June 30, 2015

Articles of Organization - Misty Mountain Services, LLC incorporated on September 23, 2016

# Proposal Statement

## Description of the Existing Use and Property

### Existing agricultural, commercial, and residential uses.

The property has been used for residential and agricultural purposes for over ten years. It features one primary residence, a granny unit, three garages, a studio and an agriculture barn.

There are two small fruit orchards. The first is located on the northern line of the property, west of building 6 (Teahouse). The second is due west of existing outdoor cultivation area. Note, some fruit trees have fallen due to disease in the past season. The applicant plans to plant new fruit trees to replenish the orchard.

There are two food production gardens on the property. The first is uphill from the outdoor garden to the north, just below the house driveway. The second is below the outdoor cultivation area just south of the perimeter.

The property is not subject to Land Conservation (Williamson) Act Contract.

There is no intent to remove trees on the land as related to proposed cannabis project.

## Existing easements

There is one easement, noted in the Phelps Well Easement attachment on the property for well and waterline.

**See Attachment: Phelps Easement Report**

## Description of the Proposed Cannabis Use and Operational Plan

### Types of cannabis use, sizes, and locations.

Two sites for Indoor Cultivation of mature flowering plants:

- **Building 2B:** 763 sq. ft. indoor mature canopy
- Building 4: 784 sq. ft. indoor mature canopy

Two sites for Indoor Cultivation of immature plants, personal nursery:

- **Building 2A:** 763 sq. ft. indoor immature canopy
- Building 5: 651 sq. ft. indoor immature canopy

Total Indoor Cultivation Area: 2,961 sq. ft.

One site for Outdoor Cultivation

- Field: **38,484** sq. ft. outdoor mature canopy

Total Outdoor Cultivation Area: 38,484 sq. ft.

### Proposed structures

There are no new proposed structures.

### **There is no proposed grading for cannabis cultivation development of property.**

Excerpt from the Stormwater and Erosion Plan: “The elevation ranges from a maximum elevation of 412 feet above sea level at the northern property line near the developed residences, to a minimum of 263 feet above sea level in the southwest corner of the parcel where the driveway meets Montgomery Road. The slope of the parcel ranges from a minimum of approximately 5% near the proposed cultivation area, to approximately 20% at the steepest portion of the hill to the south of the residences and driveway, as measured by hand-held clinometer (Figure 2).”

### Processing plan for cannabis

Building labeled 1B on the Proposed Site Plan shows the existing 504 sq. ft. facility that will be used for drying and processing.

All s involved in the harvesting process will undergo thorough training on handling and worker safety.

An outline of **indoor** harvesting duties are detailed as follows. Staff will cut flowering plants ready to be harvested from their main branch and hang them upside down **in cultivation room** to dry out excess water weight. This plant material will be stored for an approximate 7-10 day curing process. Trimming staff will begin the plant manicuring process once the plant material is ready. The flower and trim material will be weighed and tracked for reporting to the State of California BCC guidelines and for CDFTA tax records.

All green waste generated from the processing will be composted in compliance with the Ag Commissioners Best Management Practices with a minimum 1:1 ratio of compost

material blended with green waste in a contained designated area on the southeastern corner of property (see site plan).

All **processed and** packaged material will be transported off the property by a state licensed transportation company approximately every 12 weeks. No cash will be held on site, this facility is purely production oriented with export of materials and no return of materials or money back to the location.

The **outdoor plants** will be transported offsite for drying, curing, processing immediately upon harvest. No outdoor harvest material will be transported back to the property after removal.

## **Description of how the project will meet the Medical Cannabis Land Use Ordinance Development Criteria (26-88-254(f)).**

### **Number and type of facilities**

There are 5 locations on the property that are designated for cannabis use (see site plan):

- **Unit 1B:** Garage, U-occupancy (Processing)
- **Unit 2A:** Garage, U-occupancy (**Mature Indoor Cultivation**)
- **Unit 2B:** Garage, U-occupancy (**Immature Indoor Cultivation**)
- **Unit 4:** Garage, U-occupancy (Mature Indoor Cultivation)
- **Unit 5:** Storage, U-occupancy (Immature Indoor Cultivation)
- **Field:** Mature Outdoor Cultivation

### **Square footage of each cultivation area**

- **Unit 2A:** 763 sq. ft.
- **Unit 2B:** 763 sq. ft.
- **Unit 4:** 784 sq. ft.
- **Unit 5:** 651 sq. ft.
- **Field:** 26845 sq. ft.

### **Setbacks of all cultivation and outdoor activity areas to property lines**

All cultivation facilities meet the minimum 300' setback from neighboring residence homes and 100' setback from property line requirements as outlined in Ordinance 6189, (see site plan).

### **Separation distance of property boundary to property line of sensitive uses**

There are no sensitive use areas on or near the property.

## **Biotic Resources**

### **See Attachment: Wiemeyer Biological Assessment**

As per the assessment provided by Wiemeyer Ecological Services, the location for proposed outdoor cultivation is located in non-native annual grassland area and the proposed

expansion area is located in non-native annual grassland with a few tree consisting of black oak, coast live oak and a stunted giant sequoia.

It does not appear that there will be any impacts to any sensitive habitats or biological resources as part of ongoing cultivation and the proposed expansion area. The trees near or within the proposed expansion area did not exhibit habitat requirements necessary for roosting bats, so bat protection measures will not be needed.

### **Cultural Resources**

885 Montgomery Road has no know historic record of activity. The proposed outdoor cultivation will be in cultivation pots set on top of the surface area of the field.

### **Fire Prevention Plan**

**See attachment: Fire Prevention Report**

### **Hazardous Materials**

**See attachment: HazMat Report**

Misty Mountain Services, LLC shall comply with applicable hazardous waste generator, underground storage tank, above ground storage tanks and AB 185 (hazardous materials handling) requirements and maintain any applicable permits for these programs from the Fire Prevention Division, Certified Unified Program Agency (CUPA) of Sonoma County Fire and Emergency Services Department or Agricultural Commissioner.

### **Lighting Plan**

All lighting for the indoor cultivation area will be shown in the building plans. The indoor operations shall be fully contained so that little to no light escapes. Light shall not escape at a level that is visible from neighboring properties between sunset and sunrise. The outdoor cultivation area will not apply any supplemental lighting.

Security lighting will adhere to the guidelines where all lighting shall be fully shielded, downward casting and not spill over onto structures, other properties or the night sky. Stormwater Management Plan

Noise Limits: Cultivation operations do not exceed the General Plan Noise Standards.

### **Security and Fencing Plan**

**See Confidential Binder: Security Plans**

### **Fencing**

## **Project Description: Medical Cannabis Land Use Ordinance Operating Standards (26-88-254(g)).**

### **Odor Control Plan**

Odor mitigation will be maintained through the use of carbon filters\* installed on the ventilation system for the indoor cultivation facilities and processing facility.

Detail of carbon filter system per building:

1B 1 carbon filter with 12" fan

2A 1 carbon filter with 8" fan

2B 1 carbon filter with 12' fan

4 2 carbon filters with 12' fans

5 1 carbon filter with 12"fan

\*all carbon filters are replaced annually

See attached information for carbon filter and fan specs.

### **Energy source use**

Misty Mountain Services, LLC will contract the EverGreen clean power for 100% renewable energy use. Research is being done by the company for future solar power installation on the property.

### **Hours of operation**

The general operation hours for the facility will occur between 6 am - 8 pm, Sunday through Saturday.

### **Waste Management Plan**

Misty Mountain Services, LLC waste management plan will be in compliance with the Best Management Practices issued by the Agricultural Commissioner. There are no riparian areas or blue line streams on the project site.

The location of the garbage and recycling will be stored to the westside of building marked #7 on the site plan.

All garbage and refuse on this site shall be accumulated and stored in nonabsorbent, watertight, vector resistant, durable, easily cleanable, heavy plastic containers with tight fitting lids. No refuse container shall be filled beyond the capacity in order to completely close the lid. All garbage and refuse on this site shall not be accumulated or stored for more than seven calendar days, and shall be properly disposed of before the end of the seventh day in a manner prescribed by the Solid Waste Local Enforcement Agency.

All waste, including but not limited to refuse, garbage, green waste and recyclables, must be disposed of in accordance with local and state codes, laws and regulations. All waste generated from cannabis operations will be properly stored and secured to prevent access from the public.

Misty Mountain Services, LLC has implemented a recycling program on the property. Receptacles will be placed in convenient locations throughout the property. All glass, plastic, and aluminum will be collected and delivered to a nearby recycling center. An owner supplied dump trailer will be used for hauling trash and recycling. Plant and organic waste will be composted onsite.

There are two permitted septic systems on the property, as noted in attached BDK Reports. Both septic systems are functioning properly.

**See Attachment: Septic Systems**

### **Water Supply and Management Plan**

The existing well reports show a well depth of 416 feet with a stabilized flow rate of 5 GPM. The diameter of the well casing is 8 inches.

**See Attachment: Well Report**

### **Groundwater Monitoring Easement if Water Well**

**See Attachment: Groundwater Monitoring Easement**

885 Montgomery Road is in a groundwater Zone 2 with a permitted well on site.

## **Wastewater Management Plan**

### **See attachment: Water Resources Report**

Misty Mountain Services, LLC has one outdoor site that will prevent water runoff through the implementation of both water conservation and discharge control.

Water conservation will be implemented through the use of drip irrigation that will prevent overflow from the above ground garden pots.

In the event of a line break, other unexpected excess water flow and stormwater management in the rainy season, water runoff will be controlled through the use of bio swales, mulching, native erosion control seeding and native landscaping. These systems will be implemented in accordance to the Ag Commissioner's guidelines.

The indoor facilities will utilize a drip irrigation system that prevents water overflow and discharge. In the event of a broken line or unexpected water overflow a recirculating water catchment system will be set in place to recover excess water and repurpose.

## **Location/vicinity map (8 1/2 in. X 11 in.)**

**See attachment: Location/Vicinity Map**

## **Photographs of the proposed development site.**

**See attachment: Photographs of project sites**

## **Site Plan. Existing Site Plan and Proposed**

**See attachment: Site Plan**