

Glentucky Family Farm, LLC

Brief Project Overview

This application is for a PJR-123 Specialty Outdoor Cultivation Conditional Use Permit, to legalize an existing Outdoor Cultivation operation allowing up to 50 plants on 7.3 acres of land zoned LIA B6 60, LG/MTN SR named Glentucky Family Farm LLC, owned by Mike and Mary Benziger. The project only uses 1,560sf for the cultivation area of the allowed 50 plants and the applicant has no intention to expand his operations.

The property is also the Benziger's home and biodynamic certified vegetable farm, described in more detail below (5.a). No new construction is proposed or required and no farmland is being displaced. There are no riparian features on the property. A biotic assessment has been contracted, but is not yet completed.

The outdoor cultivation area is confined to one area located approximately 145' from the property line, or 45' from the 100' setback. It is ~20' from an existing indoor cultivation of 224sf in a structure formerly used as a garage and converted to an exercise room in 1995 (with a building permit B-134056), as labeled on the site map and topographic map (attached). An application for the Cottage Indoor Cultivation Zoning Permit was submitted/accepted July 14, 2017 (ZPC17-0003).

There are two large maps included in this application, the Site Map and the Topographic Map. The location of the raised beds is shown on the Site Map (attached) in addition to the Topographic Map (attached) and pre-dates the cannabis use. The Topographic Map was created in 2000, and shows contours, well, septic field, water tank, fire hydrants, orchards, garage, etc. The newer water tanks for the rainwater harvesting were added to the Topographic Map for this permit application, as was the location of the composting areas, (one for vegetables and one for cannabis related green waste). However, it didn't include the scale, property setbacks and property boundary lines, so the additional Site Map, (with a Location Map), was updated and included to show the 100' setbacks and meets the standards of CSS-019, areas. It was originally prepared in 2015 for a lot line adjustment and was prepared by Adobe Associates from a lot line adjustment.

The outdoor cannabis cultivation area exceeds the property setback requirements in 26-88-250 (f) 3. of the Sonoma County Code by ~45' and the indoor cultivation in the garage ~32' (See Attached Site Map and Topographic Map). The cannabis cultivation began in 2015, and there have been no neighbor complaints for either the indoor or outdoor cultivation.

1. Planning Application (PJR-001) (Attachments) including:

- Priority Processing Application (PJR-125)

Residency: The applicant, Mike Benziger, Glentucky Family Farm, and his wife Mary, have been residents of Sonoma County since 1981. His CA Driver's License

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is included (attached) for identification; however, for identity theft protection the last 3 digits have been redacted. He is the sole owner, operator of Glentucky Family Farm's cannabis operations, while his wife Mary is a co-owner of Glentucky Family Farm.

Established cultivation prior to 1/1/2016: In 2015, he was first Demeter Biodynamic (BD) Certified for cannabis, only one of two such certifications in the US. Their farm operations had been Demeter certified since 2000, but that was the first year their certification included cannabis (See Certification document attached). To establish his non-profit medical cannabis operations in 2015, he became part of a Mutual Benefit Corporation, *Supply Chain Organics*, organized under the Nonprofit Mutual Benefit Corporation Law.

The attachments for this MBC include the June 25, 2015 Bylaws, filed with the Secretary of State by their attorney and the minutes of their first meeting July 15, 2015 listing the members of their MBC including Mike Benziger. In 2016, an IRS EIN was filed and is also included. Additionally, there are receipts reflecting his donations (they were not sold) to non-profit entities of medical cannabis for compassionate uses from his 2015 crop, although they are dated 2017, because they are replacement receipts.

He and his wife Mary, formed Glentucky Family Farm, LLC in 2016, when Supply Chain Organics wanted to enlarge the operation by leasing a place off site (from the parcel in this application). He wanted to keep the medical cannabis cultivation small (the size it currently is) and instead expand their Demeter Certified Biodynamic vegetable farm, to be known as Glentucky Family Farm. The Operating Agreement for the LLC and the filing with the Secretary of State are attached.

A Google Earth aerial photo, dated 2015 is included in this package showing the outdoor beds for the Specialty cultivation and the garage for the Cottage indoor cultivation.

Local Hiring Preference Plan: At harvest time, 2-3 local adult (over 21) family members (and a local friend) are hired to work part time to process the crop on site, using a portable charcoal air filtration system to protect the workers. His operation is so small he doesn't require additional full-time staff. He has no intention to increase the size of his existing operations.

- **Signed Penalty Relief Application Form**
- 2. Indemnification Agreement form - PJR-011**
- 3. Owner/Agent Authorization Form**

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Authorizing Planning Consultant Paula Blaydes, Principal, Blaydes & Associates, to represent Glentucky Family Farm, LLC during the permitting process.

4. Operator Qualifications

As the owner of the property and Glentucky Family Farm, Mike Benziger, is the founder and former Chief Executive Officer of Benziger Wines. He and his family divested themselves of the winery in 2015, and he began his outdoor 50 plant (and indoor, see separate application) cultivations in 2015.

When selling the winery, he was interested in reducing the stress in his life to aid in his recovery from treatment for a double cancer diagnosis. He discovered that medical cannabis helped him reduce the anxiety and pain from both the disease and the treatments. He is now a cancer survivor. He found at that time that it is very difficult to find pure cannabis, but with their unique Demeter Biodynamic Certification he had an opportunity to not only help himself, but others.

The goal of Glentucky Family Farm is to grow food and medicinal crops that are pure and authentic to this location, which have the potential to heal the body and restore health to the soil and environment.

- a. The applicant, Mike Benziger (Glentucky Family Farm) has no convictions. Proof of Identification and residence (CA Driver's License) attached.
- b. He does not have full-time employees, working as a one-person operation for his two small cultivation operations. The 1,560 sf outdoor "Specialty" cultivation of up to 50 plants in raised beds/flexible containers that this Conditional Use Permit application addresses, and the indoor one, that was submitted for a Cottage Indoor Zoning Permit application. As needed, he hires part-time local family members and a friend (over the age of 21). He has no intention to increase the size of his existing operations.

However, at harvest time, he hires 2-3 local adult (over 21) family members (and a local friend) to work part time to process the crop on site, using a portable charcoal air filtration system to protect the workers. His Local Hiring Preference Plan, as stated above, consists of hiring his local family members and a friend. He has no intention to increase the size of his existing operations.

- c. Concurrently, as mentioned above, Glentucky Family Farm also has an application in process for an indoor Cottage Cultivation (500sf) PJR-123 ZP (ZPC17-0003), submitted July 14, 2017 for the same 7.3 acre parcel zoned LIA.

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5. Proposal Statement

The Glentucky Family Farm is owned and operated by Mike and Mary Benziger and consists is 7.3 acres located in Glen Ellen. In 2000, they received Demeter Certification as a Biodynamic (BD) farm and have been recertified for each of the last 17 years. No new structures are proposed for this project and the existing Specialty Outdoor Cultivation is in raised beds and some flexible containers. (See photo)

Another permit application (Indoor Cottage Cultivation Zoning Permit) was submitted for the existing garage building used for the indoor Cottage cultivation (~500sf) was converted to an exercise room with a permit in 1995 (B134056), and used for its current use since 2015.

The purpose of this application is to bring their existing medical cannabis operations (outdoor/indoor) into compliance with the County Ordinance by obtaining permits in order to legally continue to cultivate, organic, biodynamic medical cannabis authentic to this location, which have the potential to heal the body and restore health to the soil and environment. They will also be pursuing state license(s) for their operations.

a. Description of the Existing Use and Property

The 7.3 acre LIA zoned property is the location of their family home, as well as a working BD year-round vegetable farm, where they supply vegetables to local restaurants, such as Glen Ellen Star, owned/operated by his son-in-law as well as grow medical cannabis indoors and out. No land was removed from farming for this outdoor 1,560sf raised bed/flexible container operations.

They produce 30 or more different vegetables and fruits for restaurants, and local families as well as for their own. In 2015 they received one of only two certifications by Demeter in the US to farm Biodynamic cannabis. This was considered a major accomplishment.

The farm produces about 20 to 40 lbs. of vegetables a week in the winter and over 50 lbs. of fruits and vegetables in the summer. They receive a price premium due to the BD certification and donate over 50% of the gross revenues to the local community. See photos of vegetables and insectary attached.

The Benziger's believe that Biodynamics (BD) is the most advanced form of organic farming. It creates ultra-pure products, regenerates the soil and individualizes the

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farm by creating its own unique biology above and below the soil. No artificial chemicals or inputs are allowed.

It takes several years to qualify for Demeter certification. Demeter is the world's oldest and most well-known organic certifier started in 1928. It owns the trademark Biodynamic and allows its use only after yearly inspections and certification. To be able to use the Biodynamic trademark a farm must pass a double certification, one for the farming practices and another for the method of processing.

Some of the requirements of Biodynamic farming are:

- The entire property must be maintained under BD practices, not just the production areas. Places not farmed must be maintained for biodiversity.
- The use of animals and insectaries are required in the farming process and are the key to eliminating artificial pesticides and herbicides.
- It is a closed system of farming that demands recycling and conditioning of all organic waste and used soils so that it become the main nutrient stream for the farm.
- Use of the BD preparations which are herbal remedies meant to heal the land and to help plants uptake trace elements and minerals.

Biodynamics requires a serious commitment. The Benziger's think it is well worth it because of its ability to regenerate the land, build biological capital and to be able to produce things that can improve people's lives.

Easements

The property has a Public Utility easement and a private road easement shown on the Site Map. (Attached) The applicant is willing to grant an easement for County staff to monitor their wells, if required.

Property Land Use/Ag Status

The property is not under a Land Conservation (Williamson) Act Contract.

b. Description of the Proposed Cannabis Use and Operational Plan:

The Specialty Outdoor Cultivation consists of 50 plants grown in raised beds and flexible containers (30'x52') totaling 1,560 sf confined to one area (See attached photo). The permit applications are to legalize their existing outdoor/indoor cannabis cultivation activities.

The outdoor watering system uses an estimated 8,125 gal. per growing season. The

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plants are watered on average every 2.5 days x with 2.5 gal per plant x 50 plants. There are typically 137 days from planting to harvest divided by 2.5 days of watering totals 55 days. During very hot days the watering is increased up to 10 extra applications (not waiting 2.5 days between watering). Soil moisture measurement probes are installed at the site. The water is metered and usually the 20,550 of rainwater catchment is more than enough to supply the outdoor cultivation and the smaller indoor cultivation (estimated water use is 1,080 gal for 3 growing cycles per year).

There is no wastewater runoff from the outdoor cultivation amounts due to careful watering, using moisture sensors, and drip irrigation as discussed above. The applicant complies with all BMPs. The property is located in the San Francisco Bay Area Regional Water Quality Control Board and they have not established BMPs or Waste Discharge Requirements yet. We were told they are waiting for the Statewide WDRs to be adopted by January 1, 2018. The State process is just beginning, but the applicant will comply with the statewide application process when it's in place.

The beds are not planted during fall and winter and during storm events the water from the raised beds flows into the orchard at a 1% slope. At that point, any "runoff" would consist of the diluted nutrients/compost tea residue. All pest and mildew management control products are stopped by September 30th and only organic farming approved products are used as labeled. There are no riparian areas nearby.

The indoor growing operations are conducted during three seasons, fall, winter, and spring, when it is unfeasible to grow outdoors without protection. The Specialty Outdoor separate application is for summer time cultivation (typically about 137 days).

All cannabis processing (drying, curing, grading and trimming) is done onsite by a part time team of adult relatives and a friend in a charcoal air filtered environment for worker protection.

- c. Description of compliance with the Medical Cannabis Land Use Ordinance Development Criteria [26-88-254(f)].

Number and Type of Facilities

There are no new buildings proposed. The existing outdoor Specialty Cultivation Conditional Use Application is for 50 plants in raised beds totalling 1,560sf (30'x52') and flexible containers. The existing buildings on site include the garage used for the

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224sf indoor cultivation, the applicant's home, a guest house, pool shed and a carport. No farm crops will be removed.

Setbacks/Sensitive Uses

The farm and its operations are not open or accessible to the public. The outdoor raised bed Specialty (50 plant) cannabis cultivation site is set back ~145' from the property boundary. The indoor cultivation garage building is 132' setback exceeding the 100' requirement and 300' setback from nearby residences (besides the Benziger home). There are no sensitive uses nearby requiring a 1,000' setback for this project. The outdoor/indoor cannabis cultivation has taken place since 2015 and no neighbors have had complaints.

Biotic Resources (CEQA) etc.

The residence/farm property has been in use since they purchased it in 1984. There will be no new construction or disturbance to the land. However, a biologist Darren Wiemeyer, Wiemeyer Ecological Sciences, has been retained to prepare a biotic assessment of the property. The improvements and structures, (residence, garage, guest house, pool shed, carport, well and septic tank/ field,) on the property have been constructed with appropriate permits. The garage had a permit to be converted into an exercise room and now they have applied for an Indoor Cottage Zoning permit to legally grow medical cannabis. There are no riparian areas on the property; and no critical habit is affected.

Fire Prevention Plan

The outdoor cultivation is located in raised beds near the garage where the indoor cultivation is located and both areas are within 20 ft. and 50 ft. to 2 drafting hydrants (see attached photos) which are hooked to a 30,000gal. cistern, which is automatically filled from the well. There are 3 hose outlets that surround the building, which are always charged. The raised beds are bordered in asphalt on one side and weed free permeable pathways between the beds. The area on the other side of the beds is kept under control by string trimming a 50+' area nearby.

The garage is in the view of the security cameras. The building is surrounded on 2 sides by 10ft of black top. On the other 2 sides is an olive grove, which is kept mowed and clean. Inside the garage there are 2 appropriately rated fire extinguishers. There is a hose and water outlet inside the room. The lighting systems are automatically programed to turn off if they get too hot.

The applicants live and work fulltime on the property, it is their only home. The Glen

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Ellen Fire Department is at the bottom of the hill, 1.5 miles away, and response time is under 10 mins. There is a paved road to their property and the paved driveway into, with a looped road providing adequate space for a fire truck to turn around.

Hazardous Materials Handling

They are a Demeter Biodynamic property so they cannot use any artificial chemicals and fertilizers. What they are allowed to use is typically organic, made from plant, animal or microbial matter that very low or has no known toxicity. Use of specific nutrients or treatments must be approved by Demeter in advance. Rates and amounts are tracked and limited. When they are used, they are applied by hand as labeled.

They keep their fertilizers (Biolink), mildicides (Trigger, Neem), fungicide (Serenade OPTI) and pesticides (Neem,) in their containers tightly closed and monitor regularly for leaks. They are stored in a heavy duty bin that acts as a containment unit. SDS sheets are attached to the outside of the bin and in a binder in the garage. They are available if needed for processing this application. Storage is in a locked, secure and dry loft above the growing area in the garage. See photo.

Typical quantities stored on site are below the CUPA reportable quantity amounts:

- 5-10 gal. of Biolink;
- 2 qts. Neem
- 2 qts. Serenade
- 2 qts. Trigger

They use compost tea produced on site under BD certification methods, usually 5 gallons at a time. SDSheets are available for these products upon request.

Security Plan

d. Description of how the project will meet the Medical Cannabis Land Use Ordinance Operating Standards [26-88-254(g)].

This application is for the Outdoor Specialty Cultivation Conditional Use Permit, (50 plant maximum). The existing indoor cannabis cultivation operation in an existing building ~500sf is approximately 224sf and he has no plans to expand.

Water Supply

The water for all of the cannabis cultivated and the vegetables is mostly supplied by rainwater harvested and stored on site in tanks totally 20,550 gal. (Photo attached) There also is a well that supplies a 30,000 gal. storage tank that automatically refills from the well (which is metered) and connects to two drafting fire hydrants on the property. One of the fire hydrants is located less than 50 ft. from the indoor cultivation garage. (Shown on attached Topographic Map)

There are 2 very productive wells on this property. The first well is about 650ft deep and pumps 30+ gpm, it was drilled in 1981/82. The second well is about 950ft deep and also pumps 30+ gpm and was drilled in 2000. Both wells operated without problem during the drought. The wells have meters on them.

The applicants are mindful with their water use, to minimize stress on the wells. Both wells pump into 30-40,000g cistern. The water is distributed from there to their home and gardens by an automatic irrigation system.

Rainwater is captured at 2 locations, ~ 20,550g is held and distributed to our gardens and grow areas. Soil moisture probes are installed in several locations to pinpoint moisture levels. This technology is backed up by devises that determine the level of stress in a plant. These 2 data points and knowing their soil types give they have the ability to irrigate only when needed, not by formula. Every drop of water counts. The water is metered to all garden and grow sites.

Energy Source Use

The majority of the home and farming electricity needs are met by their 34kw solar array in their lower former pasture, where the vegetables are now grown. See attached photo of the array. The solar system supplies all of the power for the indoor cultivation and the majority, if not all of the power used domestically. It is connected to PG&E for net metering. Utility bills dating back to the installation of the system can provide additional data on the minimal use of utility power, if

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needed. However, the applicant is in the process of switching to Sonoma Clean Power Net Green Metering.

Waste Management Plan

All green waste from the cannabis operations is composted on site, adhering to biodynamic methods. It is kept separate from the compost used for the vegetables. Glentucky family Farm is a Demeter certified Biodynamic farm, which requires that most of the nutrients come from the farms waste stream. They strive for a closed system of fertilization by using their own animals and a diversity of plants. With the exception of some organic cow manure they bring in, all the waste generated on the farm is recycled by way of composting. A small amount of garbage and highly colored cardboard leave the farm, most cardboard is composted.

Green waste is shredded by hand and incorporated into the compost pile on a regular basis. They make 60 to 70 tons of compost annually, which takes about a year to ferment and perfect. It is used boost the biology of the soil on a monthly basis. One handful of Biodynamic compost has more microbes then there are people on this planet. Growing plants this way increases their ability to heal the body and regenerate the soil. The compost is reused as fertilizer. The compost operations and outdoor cultivation are not near any riparian areas and the grade is less than 1%. See attached photo of compost area.

Odor Control Plan.

The outside cultivation area in raised beds is near the garage indoor cultivation. It is set back from the private road by 145' and odor has not been a problem for the 50 plants during the 6-8 weeks of odor for the past 2 years of operations.

For the indoor cannabis operation is 224sf (approximately 24 plants) the odors are controlled by a charcoal air filtration system as needed. There have been no odor complaints, or complaints of any kind in the years they have grown indoors and outdoors.

Hours of operation

The public has no access to the project and there are no full time employees. The hours of operation are determined by the owner/applicant. Part time family members and a friend are hired to process, the crop, the hours are determined by the need.

Wastewater Management Plan

There is a septic system, for wastewater generated on site. It was permitted in 1995 and the size information should be in the County permit system.

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Groundwater Monitoring Easement

Their well has a meter on it and all of the water for the indoor and outdoor cannabis cultivation comes from the 20,550 gal. of rooftop rainwater harvested and stored. They do not have a recorded easement for the County to access their well; however, they are willing to provide one as required. They are in water zone 3, but are in the hills above the Sonoma Valley.

6. **Location/vicinity map** (8 ½ in. X 11 in.)

The location map was developed as part of a lot-line adjustment done in 2015

7. **Photographs**

An aerial photo of the property is included, along with photos showing the water system, fire hydrants, composting, solar array, etc.

8. **Site Plan.**

- Included in a pocket in the back of the permit application package is a 24 in. x 36 in. Site Map and a Topographic Map.
- One reduced Site Map (11 x 14 in.) is included in the binder.
- a. The site plans meets the Minimum Standard Site Plan Requirements (Form CSS-019) and include the following;
 - Cultivation area(s), for this application is in raised beds and flexible containers. Interior drawing of the garage and indoor grow and storage.
 - Areas where composting of green waste will occur, if applicable.
 - Water well
 - Septic field