

Mono County Community Development Department

PO Box 347
Mammoth Lakes, CA 93546
(760) 924-1800, fax 924-1801
commdev@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 <input type="checkbox"/>
RECEIVED BY _____

APPLICANT/AGENT Edgerton Family TRUST
ADDRESS 108432 Hwy 395 CITY/STATE/ZIP Coleville Ca 96107
TELEPHONE (775) 291-1480 E-MAIL Eric@filthfarms.com
PROPERTY OWNER, if other than applicant ERIC Edgerton
ADDRESS Same as above CITY/STATE/ZIP _____
TELEPHONE (_____) _____ E-MAIL _____

- Copy of Title or Deed see Attachment A
OR
 Signed statement of consent and a copy of the rental agreement

PROPERTY DESCRIPTION:

Assessor's Parcel # 002-450-007-000 General Plan Land Use Designation Ag 10

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 (When available)
 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.

See attachment B

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.

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

- Vicinity Map *See Attachment "C"*
- Site Plan *See Attachment "D"*
- Floor Plan *N/A premises map E*
- Odor Mitigation Plan *F*
- Sign Plan *G*
- Visual Screening Plan *H*
- Lighting Plan *I*
- Parking Plan *J*
- Fire Prevention Plan *H*
- Documentation for any "fixed noise sources" *NA*

DISTRIBUTION

- Storage and handling plans *TBD by operator*

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.

<u><i>[Signature]</i></u>	<u>6/6/2018</u>	_____ Signature	_____ Date
_____ Signature	_____ Date	_____ Signature	_____ Date
_____ Signature	_____ Date	_____ Signature	_____ Date

24809m

Doc # 2017002686
Page 1 of 3
Date: 7/17/2017 01:44P
Filed by: INYO-MONO TITLE COMPANY
Filed & Recorded in Official Records
of MONO COUNTY
SHANNON KENDALL
CLERK-RECORDER
Fee: \$672.00

WHEN RECORDED MAIL TO:
Eric Michael Edgerton and Katherine Therese Bomba-Edgerton, Trustees of the Edgerton Family Trust, dated September 1, 2016

P O BOX 2717

STATELINE, NV 89449

MAIL TAX STATEMENTS TO:
Eric Michael Edgerton and Katherine Therese Bomba-Edgerton, Trustees of the Edgerton Family Trust, dated September 1, 2016
P O BOX 2717

STATELINE, NV 89449

Escrow No. 1701443-RLT

The undersigned hereby affirms that this document submitted for recording does not contain the social security number of any person or persons.
(Pursuant to NRS 239b.030)

APN No.: 002450007000
R.P.T.T. \$ 627.00

SPACE ABOVE FOR RECORDER'S USE ONLY

GRANT, BARGAIN, SALE DEED

THIS INDENTURE WITNESSETH: That Jeff Cordtz, a married man as to an undivided 50% interest and Bick Marsh, a married man as to an undivided 50% interest, all as tenants in common

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, do/does hereby Grant, Bargain, Sell and Convey to Eric Michael Edgerton and Katherine Therese Bomba-Edgerton, Trustees of the Edgerton Family Trust, dated September 1, 2016

all that real property situated in the County of Mono, State of California, described as follows:
SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Jeff Cordtz

Bick Marsh

*THIS document is Being Executed
in counterparts, the other of which
is Recording concurrently Herewith.*

3xx

#4809-m

Doc # 2017002687
Page 1 of 3
Date: 7/17/2017 01:44P
Filed by: INYO-MONO TITLE COMPANY
Filed & Recorded in Official Records
of MONO COUNTY
SHANNON KENDALL
CLERK-RECORDER
Fee: \$35.00

WHEN RECORDED MAIL TO:
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APN No.: 002450007000

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R.P.T.T. \$627.00 *See Conveyance Deed*

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Jeff Cordtz

Bick Marsh

Bick Marsh

THIS Document is Being Executed In Counterparts, the other of which is Recording concurrently Herewith

ATTACHMENT A

CEQA Checklist: Project Description (8) and Land Use (9)

8. Description of project: Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation:

Location

The Tilth Farms is located at 108432 Hwy 395 Coleville California (CA) in the unincorporated area of Mono County known as Antelope Valley ([Attachment B – Location Map](#)). The current general plan designation is Agricultural zoning. The site comprises 160.26 acres and the assessor's parcel number is APN 002-450-024-000 ([Attachment C –Site Plan](#)).

Description

Initial Development: Outdoor cultivation and nursery ([Attachment D - Project Boundaries and HWY Access](#)).

Expansion Development: Dependent on additional cannabis operations but would include commercial entrance and exit access, manufacturing, distribution, processing and retail operations ([Attachment D – Project Boundaries & HWY Access](#)).

The initial proposed APN will apply for a conditional use permit for up to 44.5 acres of cannabis cultivation, nursery and outdoor mixed light operations.

Expansion plans will include additional cultivation acreage and the following structures:

- Manufacturing Facility: 10,000-25,000 square feet
- Distribution Facility: 5000-10,000 square feet
- Processing Facility: Up to 20,000 square feet
- Retail Operations Facility: Up to 5000 square foot

Buildings will be designed and built to Mono County and State of CA standards.

Cultivation – Cannabis Crop

Operational plans for each process in the cannabis value chain will be submitted to the local government for approval before conducting operations.

All plants in cultivation will be screened from public view and grown at a minimum of 300 feet from property lines for odor mitigation and security. Cultivation operations will also be set back 150 feet from perennial water courses, including the Walker River, for environmental protections. All structures will be set back a minimum of 50 feet from property lines.

ATTACHMENT A

CEQA Checklist: Project Description (8) and Land Use (9)

Plants will be propagated on site or purchased from a CA State licensed nursery and planted directly into the ground or pots. Outdoor cultivation areas will be screened by wind breaks, vegetative barriers, and or hoop house structures.

Tilth farms will implement soil conservation techniques whenever possible. Initial field preparation will use conventional tillage to relieve existing soil compaction, increase drainage, remove rocks, and allow raised beds to be shaped. To prepare an area for production the selected area will be graded, ripped and disked, and picked for rocks.

Raised beds will be made with a tractor and bed shaper to increase early spring soil warming, promote drainage, and control field traffic. Drip tape for long-term use may be applied at this stage, below tillage depth at 12-18 inches. Raised beds will be about 42 inches wide, on 6 to 8-foot centers.

During the cannabis growing season (May through November), the raised beds will be mulched with either plastic mulch (common/standard in vegetable production), or a living or killed organic mulch (common/standard in orchards and vineyards) to provide soil temperature control and reduce irrigation requirements. The plastic mulch is very thin, applied with a tractor and removed after use. It is easily compressed and recycled.

Fluted Colture blades or low-inversion ripper shanks will be used for primary tillage (every 1-3 years, 3-4 feet apart), and secondary tillage will be restricted to a 4 to 10-inch depth in a strip wide enough to allow for fertilizer application, crop establishment, and early season soil warming (10-20 inches).

The furrows (isle ways) will be 2-3 feet wide and planted with a cover crop selected to provide mud and dust control, pollen and habitat for beneficial insects, relieve compaction from field traffic, and tolerate worker traffic.

All plant waste matter will be composted onsite in a secure area. Compost area will be less than 100 cubic yards of material.

Cultivation – Cover Crop

When cannabis is not in production, the production area will be planted with a rotation of cover crops including but not limited to cereal rye, annual rye, buckwheat, field peas, hairy vetch, oats, arugula, mustard, oilseed radish (Introduction to Cover Crops for Vegetable Production in Utah, Maughn and Drost, October 2016). Cover crops will be rotated annually to manage insect and disease populations. The primary goals of the cover crop program will be to increase soil organic matter and biodiversity, reduce erosion, increase soil infiltration, increase moisture and

ATTACHMENT A

CEQA Checklist: Project Description (8) and Land Use (9)

nutrient holding capacity, and to provide surface residue. Cover crops will be killed with a combination of frost killing, mowing, crimping/rolling, herbicide application, and light tillage when necessary for Integrated Pest Management Program (IPMP) (Attachment E - IPMP), other management purposes, or when other options are ineffective.

Cover Crop, Conservation and Tillage Management

See Attachment M – Cover Crop, Conservation and Tillage Management Plan

Facilities

Processing

Processing of plants involves cutting, drying, trimming, and curing activities.

Manufacturing

Manufacturing will be done inside a facility, out of public view, and 300 feet from property lines for odor mitigation. Consumer products to be produced will include such items as concentrates, edibles, and creams and sprays. Packaging will be done within the same structure. Storage of finished product will be in a secure area until distribution.

Distribution

Distribution of product will occur in a CA state permitted vehicle. All plants and materials will be tracked from germination or propagation to sale with the CA State approved track and trace system. Standard operating procedures will be outlined in the operations and permitting application

Retail

Retail operations will be conducted from an indoor structure. All operations will be conducted with the parameters of CA State and Mono County regulations. Lab tested cannabis products will be available to customers.

Lighting

All lighting for hoop house cultivation will be under 1040 watts per fixture. All outdoor lighting will be facing downward and conform to Mono County dark sky ordinances. All interior lighting will be blocked by retractable black-out curtains.

Noise

ATTACHMENT A

CEQA Checklist: Project Description (8) and Land Use (9)

The site shall be operated so that noise levels do not exceed county standards at the project boundary as defined on the plot plan. The facility shall be operated so it is not a nuisance to the surrounding rural residential and agricultural zones areas. All vehicles traveling to or from the site will enter or leave through the main locked entrance. The site will be fenced and under 24-hour surveillance.

Power

The property has three-phase power supplied by Liberty Utilities. Adequate electricity is available for project.

Traffic

Initial Development: At the onset of outdoor cultivation and nursery operations traffic will be limited to employees, deliveries, and visitors through the existing north and south access routes on HWY 395. The site will not allow public access without appointments and all visitors would be accompanied by an employee while on premise (**Attachment D – Project Boundaries and HWY Access**).

Expansion Development: Once the commercial expansion is developed all employees, UPS, Fed Ex, and other deliveries will utilize the southern commercial access and parking lot located on HWY 395 (**Attachment D – Project Boundaries and HWY Access**).

Best Management Practices

Guidelines from General Construction Specifications for Land Development & Improvement Projects in Mono County, and Mono County Best Management Practices Manual will be followed when soil is disturbed during construction activities.

(www.monocounty.ca.gov/roads/page/grading-permit-application).

Pesticides

Tilth Farms relies on providing pollen to native and released beneficial insects before and throughout the cannabis production season, as well as providing overwintering habitat for these insects (**Attachment E - IMPM**). These resources will be provided within the production area by providing insectary plants including but not limited to sweet alyssum, cilantro, buckwheat, bush beans, marigolds, mustard, basil, and the maintenance of surface residue, mulch, and ground cover year-round.

ATTACHMENT A

CEQA Checklist: Project Description (8) and Land Use (9)

Minimal pesticide use, especially application to flowering plants or pesticides with residual, systemic, or translaminar activity will be necessary to maintain beneficial insect populations and maintain an economically profitable predator-prey balance.

Plantings of native perennial and self-seeding annual flowering plant species will be situated near the production area and around the property to provide pollen and overwintering habitat for native beneficial insects. These areas will not be tilled and managed minimally. Drip irrigation systems in these areas will be designed to be purposefully uneven, to provide a range of moisture regimes, and over-seeded with a mix of native plant species. These areas will be monitored for noxious weeds and will be managed for species distribution during the first years of establishment.

The pollen and habitat resources will be beneficial to insects and birds of California, and have additional value in Antelope Valley, a high desert river valley.

There will be no commercial cannabis activity with 300 feet of perirenal water courses. These 300 feet will act as a natural buffer for wildlife.

Hazardous Waste Management

See Attachment K - Outdoor Waste Management Plan

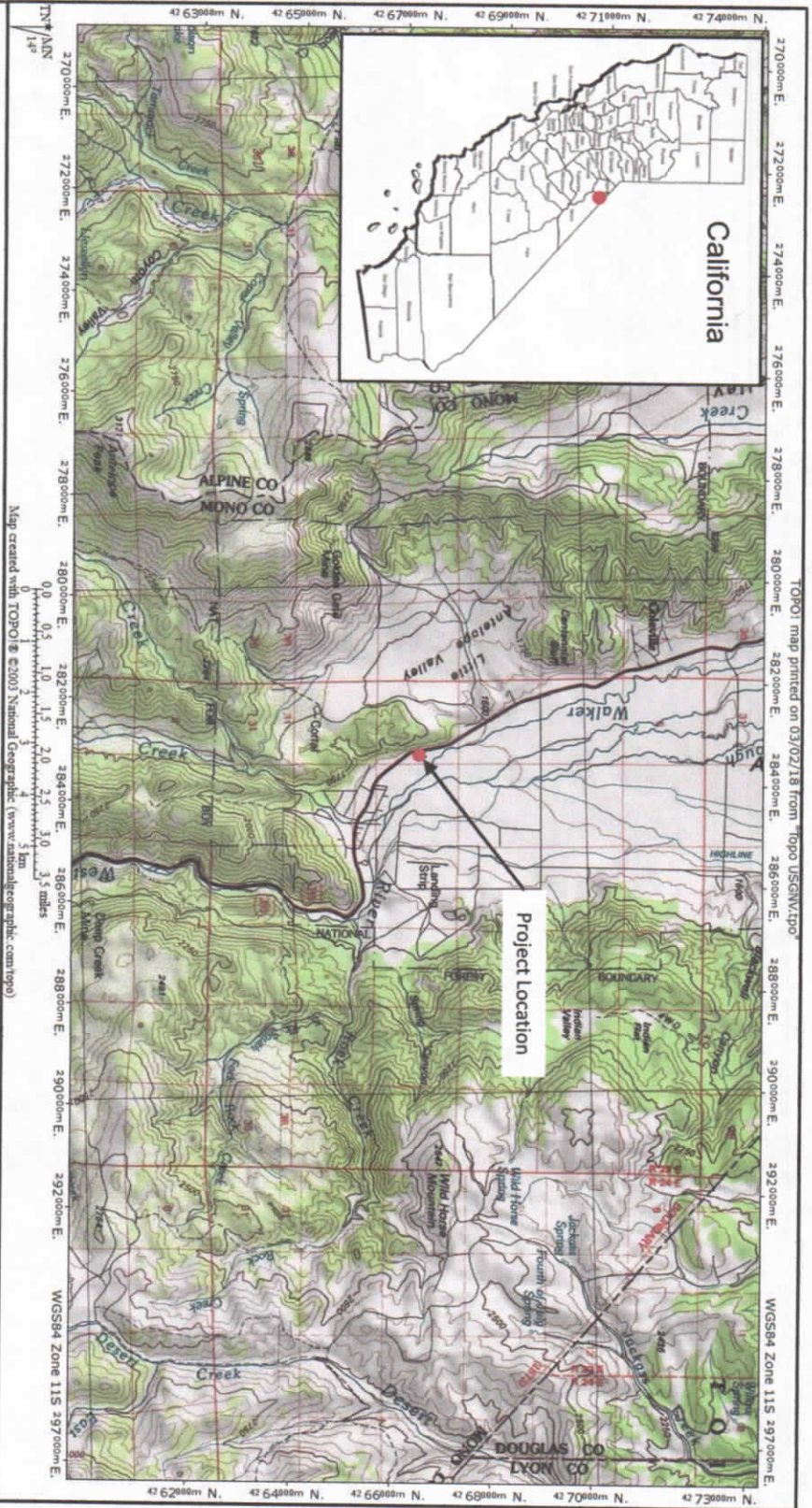
Nitrogen Management

See Attachment L - Outdoor Nitrogen Management Plan

Surrounding Land Uses and Setting

The property is located at the southern end of Smith Valley, the majority of which is agricultural lands. The lands at the southern end of the valley include agricultural and rural residential properties. Lands directly to the south are 23 acres of vacant rural residential property. To the west are mixed use one-acre parcels with homes and a 35-acre property zoned for agriculture with a home. The northern area supports a rural mobile home community with several mobile homes and Sierra East Trailer Park. North to the east boundary is 607 acres of agricultural land used for cattle grazing. See Mono GIS at the following URL:
<https://gis.mono.ca.gov/apps/pv/parcel/002450024000>)

Attachment B



Tilth LLC – Cannabis Farm
 Antelope Valley, Mono County, CA
 USGS 1:24,000, Quad: Risue Canyon, NV-CA
 Prepared by: NAS Environmental Consulting, May 2018

Figure 1
 Project Location ●

Odor Mitigation Plan

The property at 108432 Hwy 395 Coleville California was chosen for the proposed cannabis operations because of its ability to aid in the mitigation of odor. The large parcel allows for all odor causing processes of the cannabis plant to be set back 300' from property lines. Additionally prevailing south- south westerly winds direct odor into 600 acre plus Ag property used for cattle grazing.

Sign Plan

Nursery, cultivation, processing, manufacturing, distribution operations will not have public on site. Visitors will be by appointment only. Signage will be address at driveway gate or building.

Retail operations if developed will have signage plans included in operations permit applications for Mono County to review.

Visual Screening Plan

All plants will be screen from public view.



Tilth will prevent views into the outdoor cultivation premise by using light diffusion film, shade fabric coverings over and around the crop. The film and shade fabric will allow light to pass, but completely obscure everything behind. Natural topography and vegetation will also aid in the screening.

Mixed light operations will be conducted within a 29 gauge metal building with an opaque roof.



Lighting Plan

All exterior lighting will be downward facing. Lighting used for cultivation will be block during the periods of after sunset til sunrise.



Fire Prevention Plan

Fire will be prevented by the ready use of the 150 gpm Ag well and water reels and irrigation system on property. The property also has a 1400 gpm river pump station.

Fire extinguishers also will be available.

Defensible space will be maintained around buildings.