Board of Supervisors

August 31, 2021

Cannabis Cultivation Facility

1478 Valley Ford Freestone Road, Bodega

UPC17-0069 Use Permit

Cecilia Jaroslawsky, Contract Planner

permit SONOMA

SONOMA COUNTY 18 50 CALIFORNIA AGRICULTURE INDUSTRY RECREATION

Vicinity Map

Land Use Map

General Plan Land Use

- Diverse Agriculture
- Land Extensive Agriculture
- Land Intensive Agriculture
- Resources & Rural Development
- Rural Residential
- Urban Residential
- Recreation / Visitor-Serving Commercial
- General Commercial
- Limited Commercial
- Limited Commercial Traffic Sensitive
- General Industrial
- Limited Industrial
- Public / Quasi-Public
- Planning Area Policy
- Affordable Housing
- City

Base Map Data

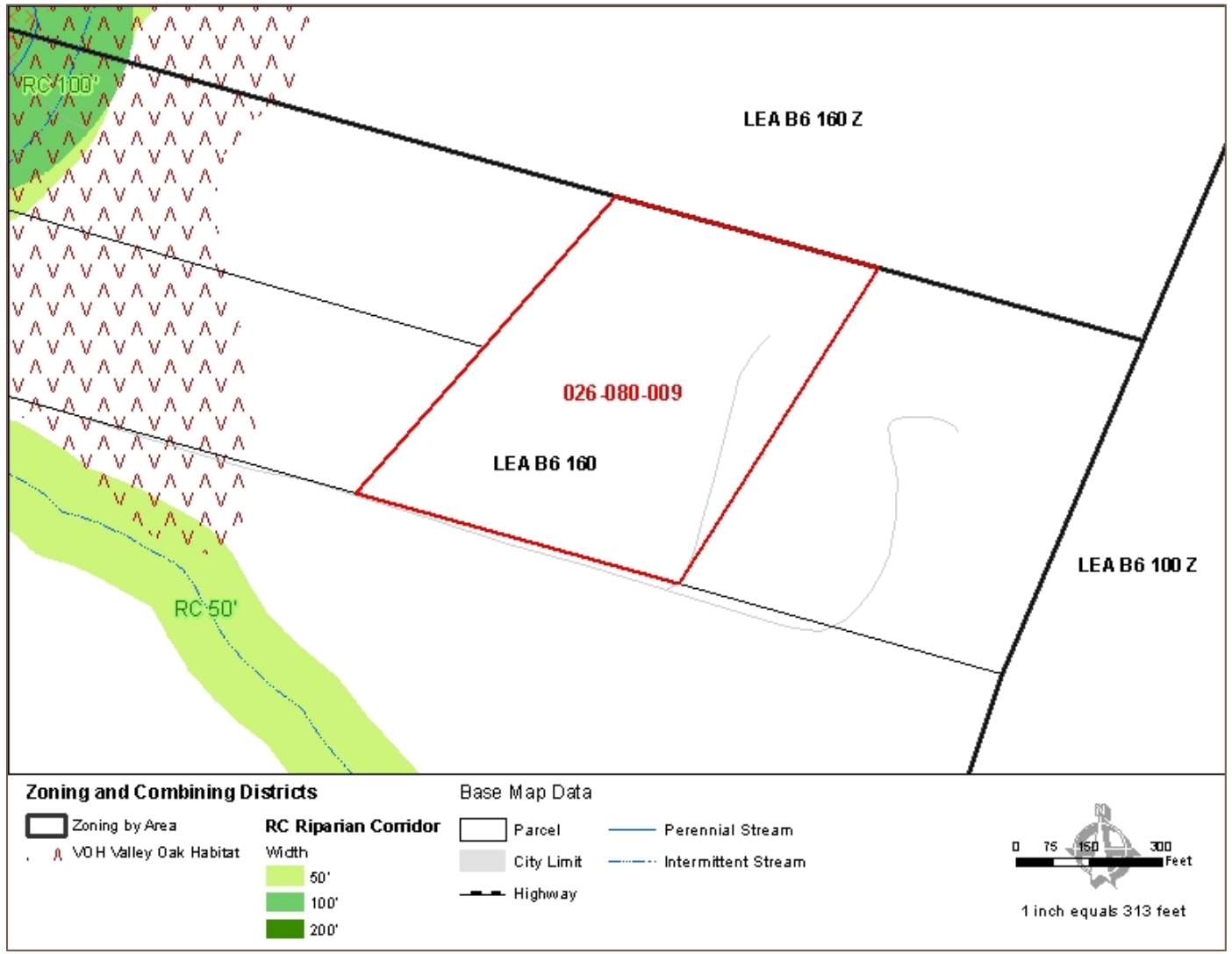
- Street
- Perennial Stream
- Intermittent Stream

0 125 250 500 Feet

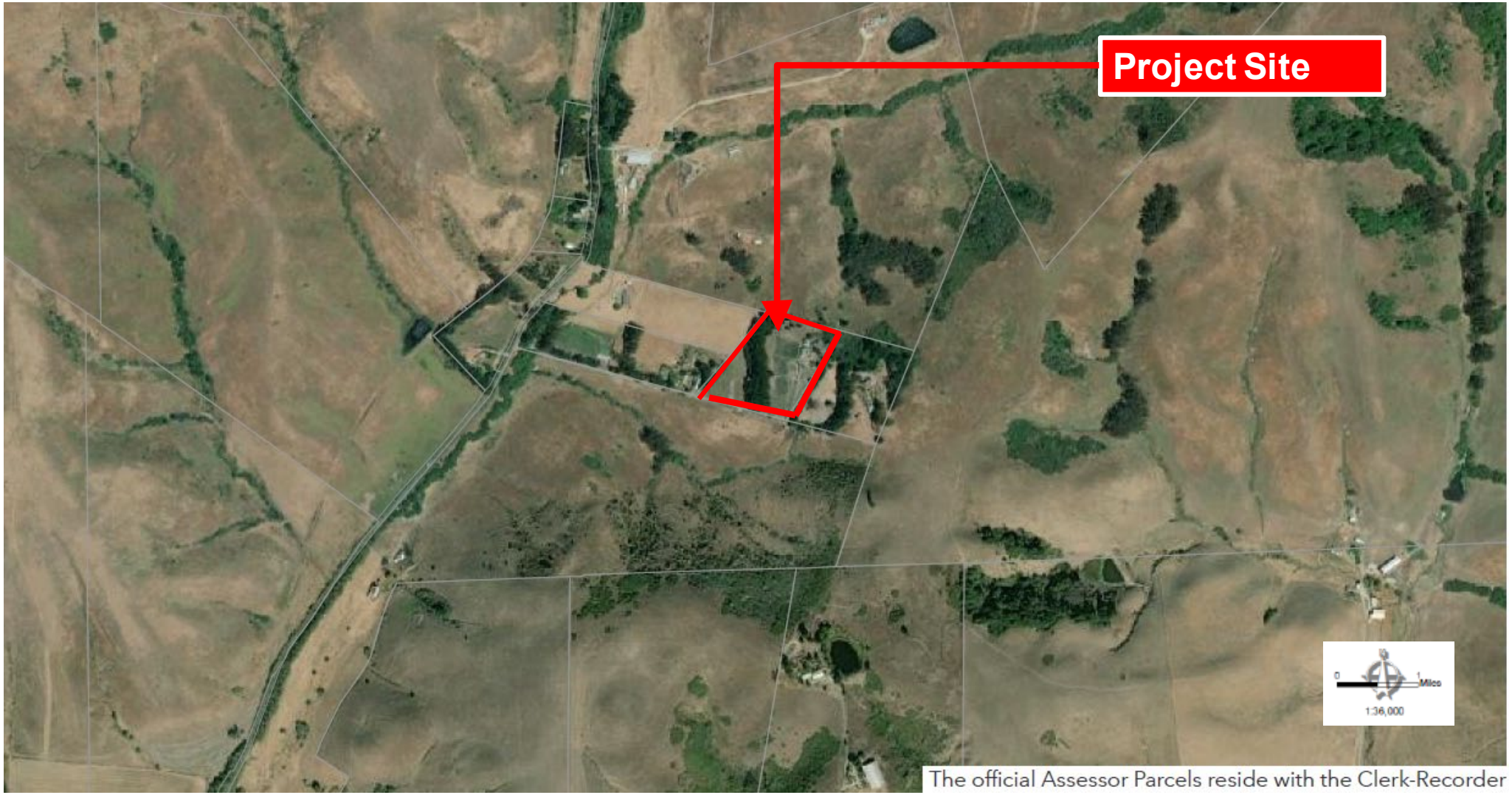
1 inch equals 500 feet

Numbers on map indicate maximum density in Acres/Unit, except Urban Residential where numbers indicate Units/Acres.

Zoning Map


RC 100'
LEA B6 160 Z
026-080-009
LEA B6 160
LEA B6 100 Z
RC 50'
Zoning and Combining Districts
Zoning by Area
VOH Valley Oak Habitat
RC Riparian Corridor
Width
50'
100'
200'
Base Map Data
Parcel
City Limit
Highway
Perennial Stream
Intermittent Stream
0 75 150 300
Feet
1 inch equals 313 feet

Aerial Map


Project Site
0
1
Miles
1:36,000
The official Assessor Parcels reside with the Clerk-Recorder

Project Proposal

Total Cannabis Cultivation Canopy, One Acre:

- Medium Outdoor: 39,861sf (Areas A1, A2 and A3)
- Outdoor: Temp Hoop Houses (Areas B2 and B3): 3,150 sf The third hoop house, (Area B1) would be used for 750 square feet of non-flowering.
- Cottage: 500 sf; includes sequential cultivation, clone propagation and nursery uses
- Processing: 375 sf;
- 13, on-site water tanks hold up to 28,000 gallons

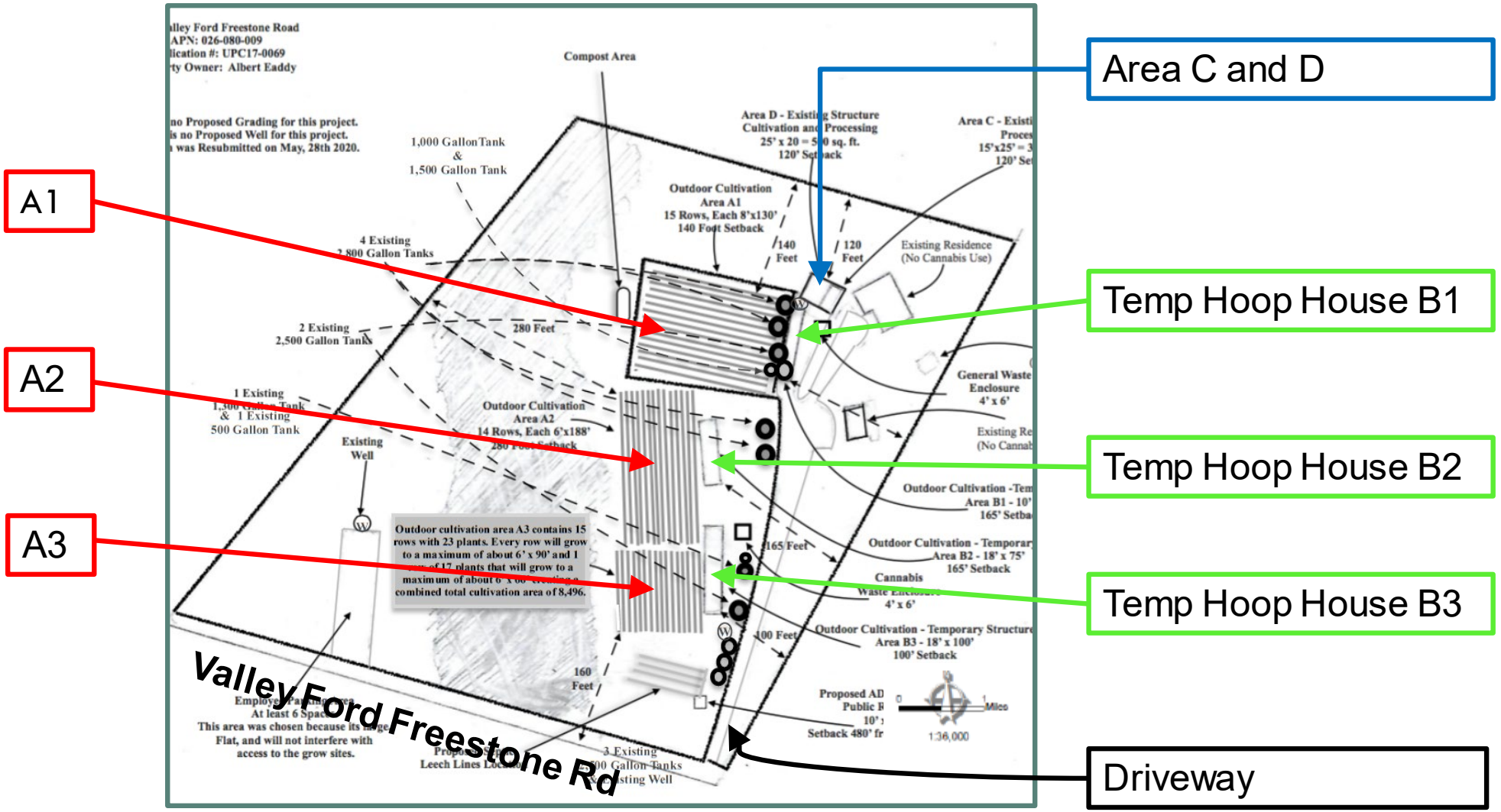
6 fulltime employees

Hours of operation 24-hours, 7 days a week

- Deliveries and shipping limited to 8am-5pm Monday –Friday

- Closed to the public
- Security w/fully fenced perimeter with automatic security gates

Project Site Plan and Details



Site Access


Project Site
Freestone Valley Ford Rd
Ebabias Creek
Freestone Valley Ford Rd
Freestone Valley Ford Rd, Valley Ford...
Private Road
0
1
Miles
1:36,000

General Plan and Area Consistency

Land Extensive Agriculture (LEA 160)

Petaluma Dairy Belt Area Plan

- ✓ Preserve 100% of the current site in its current state;
- ✓ Utilize existing structures;
- ✓ No removal of existing land from agricultural use;
- ✓ The character of the land will remain agricultural;
- ✓ The project will not limit future options on this agricultural site; and
- ✓ The majority of the site would remain undeveloped pasture and mature pine forest.

Zoning Consistency

- **Land Extensive Agriculture (LEA 160)**

✓ Cannabis Cultivation allowed use with Use Permit;

✓ Consistent with the Development Criteria including:

- ✓ i. 100 to 500 feet from property boundaries;
- ✓ ii. 350 feet and 900 feet from the two closest off-site residences; and
- ✓ iii. 6+ miles from the nearest sensitive use, Tomales Elementary School and High School.

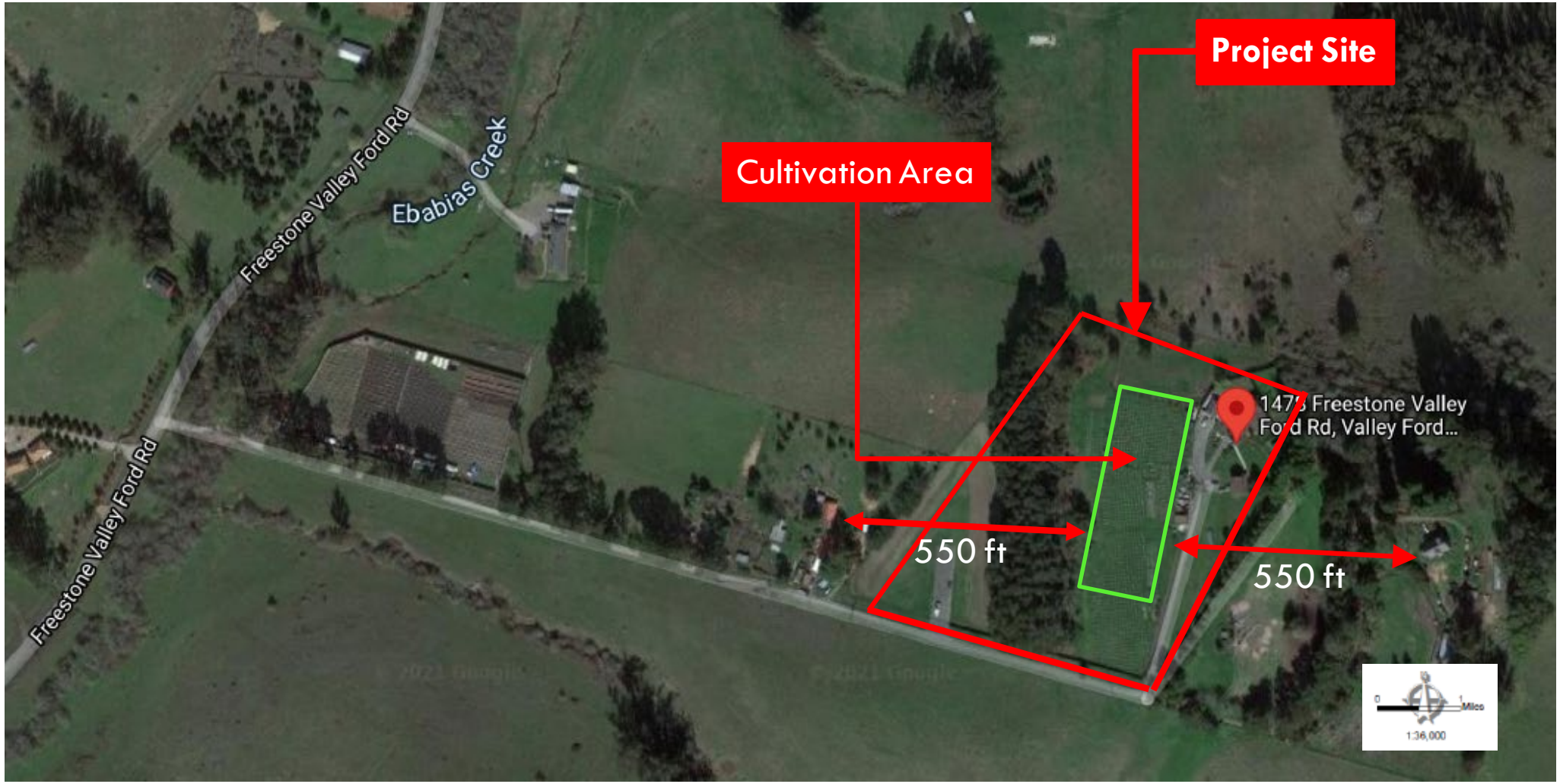
Zoning Consistency

Cannabis Ordinance Development Criteria	Project Compliance	
Minimum lot size 10 acres	✓	10.72 acres
Maximum cultivation One Acre (43,560 sq ft)	✓	43,540 sq ft
Processing of site-grown cannabis only	✓	375 sq ft
ADA Bathroom Only	✓	168 sq ft

Zoning Consistency – Outdoor Setback Requirements

- Setbacks from Property Lines
  - ✓ i. 100 feet from property lines;
  - ✓ ii. 300 feet from residences on surrounding properties; and
  - ✓ iii. 1,000 feet from sensitive uses, such as schools, parks, and treatment facilities.
  - ✓ Consistent with the LEA Zone District

Cultivation Areas



Environmental Determination

- CEQA environmental review determined all potential impacts can be mitigated to Less Than Significant
  - Mitigated Negative Declaration prepared
  - Public Comment Period 6/22/2021 – 7/23/2021
  - Mitigation measures for Biological Resources include onsite monitoring of special status plants, preventing the taking of Red-Legged frogs, avoidance of disturbing nesting birds, and improving onsite habitat of the Western Bumble Bee.

Public Comments

- Status of the Penalty Relief Program
- Public Noticing of the Site
- Crime
- Noise
- Water Use
- Department of Cannabis Control (DCC) 6/20/21 Letter

Response to Issues Raised

- Status of the **Penalty Relief Program**: Response sent to resident in Attach 7: PRP is active and cultivation would not be allowed to exceed the maximum allowable.
- **Public Noticing** of the Site: Response sent to resident in Attach 7: Public noticing was completed as required.
- **Crime**: Per Sonoma County Sheriffs Office, Email 3/22/21, three crime reports since 1/1/2020 within 3,000 feet of the subject property, one was theft of solor panels and two were credit card fraud that occurred out of the area.

Response to Issues Raised

- **Noise:** Response sent to resident (Attach 7): per the submitted noise analysis completed by Noise Monitoring Services in May 2020, it was concluded the operational noise impacts are considered less than significant, and no noise mitigation measures are required at the site.
- **Water Use:** Response sent to resident (Attach 7): This project is in a Class 2 groundwater area, outside any priority basin, the Natural Resources Geologist at PRMD determined no groundwater study was required and standard groundwater monitoring conditions would apply, the project is unlikely to cause a decline in groundwater elevations or deplete groundwater resources over time and domestic water uses from the existing wells would be negligible.

Response to Issues Raised

Department of Cannabis Control: Attach 9 and 10

- General Comment 1: Acknowledgement of DCC Regulations.
- General Comment 2: AB 52 Compliance.
- General Comment 3: Permits and Approvals
- General Comment 4: Site-Specific Reports and Studies.
- General Comment 5: Evaluation of Cumulative Impacts.
- Specific Comment 1: Section No. V. Setting.
- Specific Comment 2: Section No. VI. Project Description
- Specific Comment 3: Section No. VII. Issues Raised by the Public or Agencies
- Specific Comment 4: Section no. VIII. Other Related Projects

- **Response:**
- 1: Table 2 should be modified in the ISMND to reflect this change.
- 2: Kashia Band of Pomo Indians responded they do not have concerns with the project.
- 3: ISMND to be modified to identify the DCC as a permitting agency. .
- 4: Condition of Approval to be added.
- 5: Addressed in Sections 3.b (Air Quality), 8.a (Greenhouse Gas), and 21.b (Mandatory Findings).
- 1: The applicant will be so advised.
- 2: Equipment is limited to planting and harvesting periods.
- 3: DCC to be added to the list of agencies to receive referral packets.
- 4: See G5 above; 3 adjoining projects will comply with County standards.

Response to Issues Raised:

Department of Cannabis Control:

- Specific Comment 5: Section No. 1.d. Aesthetics
- Specific Comment 6: Section No. 3.c. Air Quality.
- Specific Comment 7: Section No. 3.d. Air Quality.
- Specific Comment 8: Section No. 4 Biological Resources.
- Specific Comment 9: Section No. 4.1. Biological Resources
- Specific Comment 10: Section No. 10.b. Hydrology & Water Quality
- Specific Comment 11: Section No. 19.b. Utilities & Service Systems
- Specific Comment 12: Section No. 21.b. Mandatory Findings of Significance (Cumulative Impacts)

Response:

- 5: Stated within the Staff Report, on page 10, the project will comply with security measures adopted by the County.
- 6: Permit Sonoma evaluated emissions from the project using BAAQMD's CEQA Air Quality Guidelines.
- 7: Conditions of Approval were incorporated to specifically address potential odor impacts.
- 8: Operational characteristics are consistent with baseline site conditions.
- 9: Mitigation measures were incorporated into Conditions of Approval to address potential biological impacts.
- 10: Condition of Approval has been added to require the submittal of a Water Conservation Plan.
- 11: Stated within the Staff Report on page 10, project is in a Class 2 groundwater area and outside any priority basin; no groundwater study was required, standard groundwater monitoring conditions would apply.
- 12: See Response 4. Cumulative analysis conducted under CEQA.

Staff Recommendation

- Conditions of approval require compliance with GP noise standards of Table NE-2 and has a COA for monitoring
- Setbacks exceed requirements for residential structures and property lines
- Odor control & management meet requirements
- DTPW has reviewed the project and did not find the proposed use presented traffic issues that require further modifications or mitigations
- Security exceeds requirements
- Recommend the BOS review the information provided and hear public comments and approve the requested Use Permit.

UPC17-0069

Thank You

permit SONOMA

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