

Mendocino County Board of Supervisors
501 Low Gap Road
Ukiah, CA 95482

May 6, 2018

Dear Honorable Supervisors,

I urge you to adopt the recommendations of the planning commission to remove churches from the sensitive areas requiring a one-thousand foot set-back from cannabis facilities. Alternately, please reduce the setback for churches to 600 feet, which is the state mandated setback for sensitive receptors such as schools and other youth-oriented facilities. The state does not require any minimum setbacks from churches.

In our current location, 10464 Lansing Street Mendocino, it will be difficult for Love In It to fully comply with state regulations governing cannabis retail facilities. Friends of ours very generously purchased a building located at 45110 Main Street, Mendocino with the intention of having us relocate there. Before pursuing that location, we checked with P&B and were told it was compliant with county set-backs for sensitive areas including schools, youth-oriented facilities and churches. We also received a written determination that the Mendocino Headlands State Park was not considered a sensitive area requiring a setback. Prior to the close of the sale, I again contacted P&B to ensure that there were no zoning issues with the new location and was again assured that it was outside of the 1000-foot county setback requirement for sensitive areas including the Mendocino High School, Rotary Park, the Mendocino Rec Center, St Anthony's Catholic Church and the Mendocino Presbyterian Church, which has a pre-school on its premises.

One week after the sale of the property closed, I received a call from P&B telling me that the Mendocino Baptist Church is located 800 feet from the property and that an administrative permit would be a possible remedy. Earlier this week I was further informed that because we are in the Mendocino Historic District and in the coastal zone, it is not possible to seek an administrative permit.

Ironically, the proposed location on Main Street is much further away from all the above listed sensitive receptors than our current location on Lansing Street, where we are grandfathered into the county ordinance. The only exception is the Baptist Church, which currently holds services Sunday mornings from 10:30 to approximately 11:30 AM. Love In It's hours of operation are 11am to 6pm, so there is a one-half hour overlap per week when there church services and we are open for business. We are open during hours of service for the Presbyterian Church and St. Anthony's and have never had any issues with either church.

Our dispensary, Love In It, has been operating in the village of Mendocino since February of 2011 and I have been managing it since January 2016. During this time, we have done our utmost to be fully compliant with all local and state regulations and have worked hard to be a responsible and reputable member of the Mendocino business community. We have good relations with our current neighbors and they have had no issues with us or our clientele.

One of the objections we have heard about our relocation to main street is that we will attract an unsavory element to that part of town. Our clients come from all walks of life and use cannabis for a variety of reasons; some for serious health issues such as cancer, chronic pain, arthritis, insomnia, anxiety, depression, neuropathy, etc., while others use cannabis much like one would have a glass of wine or a beer. Our customers and patients daily disprove outdated stereotypes about the type of people who use cannabis. In fact, the average sale at our shop is \$67.59, hardly an amount that the supposed unsavory element could afford. Furthermore, we do not now, nor do we intend to allow any onsite consumption of cannabis or cannabis products.

Love In It is also contributing significantly to the revenues of Mendocino County. In 2017, we paid \$22,992.57 to the county for the 5% county cannabis tax and our state sales tax remittance was \$33,414.32 of which the county portion was approximately \$4100. We just paid \$10,676.23 to the county for the first quarter of 2018 for the 5% county cannabis tax. Given the increase in sales due to recreational legalization, we expect our total contribution to the county in 2018 for the cannabis tax to be between \$40,000 and \$50,000. This is in addition to the county's share of state sales tax revenues.

We want to continue to be a responsible and contributing member of the local business community. In order to do so, it is necessary for us to relocate to a facility that will allow us to be fully compliant with state regulations. All that is preventing us from doing so is a 200 foot discrepancy with a county setback to a church where our hours of operation overlap by one-half hour one day a week. Please remove or reduce this setback so that we can move forward and continue serving our patients and customers.

Best regards,

Mary Aigner
Manager
Love In It