



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

April 27, 2021

RE: 3a) Noticed Public Hearing - Discussion and Possible Action Including Introduction and Waive First Reading of Mendocino County Code Chapter 6.36 and Cannabis Facilities (Sponsor: Planning & Building Services)

Honorable Supervisors,

MCA acknowledges the intent of the recommendations offered from the Planning Commission (PC) with regard to the Facilities ordinance amendments in that they align with the BOS recommendations to both “streamline the permitting process” and “provide more opportunities to the cannabis industry” in the areas of events and expanded facilities use. We appreciate, to cite 2 examples, the Commission’s recommendation that the County create a stand-alone **Microbusiness license** on any parcel with cultivation as well as the recommended allowance of permitted sales and use of cannabis provided to guests by **lodging** operators. Please see MCA’s separate memo with specific language for a stand-alone Microbusiness permit.

MCA believes, however, that some of the Commission’s recommendations come up short of meeting the goal of helping our industry grow and thrive. The following additions to the PC recommendations help provide expanded opportunities for those attempting to participate in the full spectrum of cannabis commercial activities and, at the same time, serve Mendocino County with increased economic development in a safe and respectful manner:

- 1) **Farmer’s Markets.** Smaller communities from Covelo to Pt. Arena have less access to appropriate private lands on which they can hold cannabis farmers’ markets, as the PC requires with its mandate that they are not held in a “visibly public location.” We ask that communities be allowed to hold farmers’ markets in public locations as long as there is controlled entry and exit access to the market, so that age and other restrictions can be enforced. This has worked well in the past in, for example, half block areas in Mendocino Village. Hand stamps, security personnel and other protocols help control access to the market. **§20.243.040 (D) (8) (b)**
- 2) **Farm Tours.** MCA continues to recommend that the number of farm tours allowed be one (1) per day and we agree with the limit of twenty-five (25) persons per tour. However, limiting tour numbers based on location of parcels relative to publicly maintained roads denies this opportunity to many farms that are isolated from their neighbors but are located on private roads. The applicant for a Minor Use Permit, per PC recommendation, could offer statements from neighbors in support of this activity and/or aerial photographs illustrating the distance that their private access road has from the site of neighbors. Issuance of the permit is up to the discretion of County staff and can be made in light of these circumstances. **§20.243.040 (D) (9) (a)(b)**
- 3) **Commercial Distribution locations.** MCA commends the PC recommended expansion of Distributors into AG, RL, and FL zoning districts. We would note that, in order to be consistent with the opening stipulation in the ordinance, (E)(1) that “A distribution facility shall be a site or location where distribution, as defined herein, occurs, and shall be a commercial use type. ...” Distribution should be included in the C1 and C2 commercial zones as an allowable activity. **§20.243.040 (E) (1) (2)(a) and Zoning Table C1 and C2.**
- 4) **Cannabis Events.** MCA finds it to be inconsistent and prejudicial to restrict use of cannabis products at events but not impose the same restrictions on the sale and use of alcohol. We recommend adding the following language: **“If a special event includes the provision of cannabis and alcohol, the sale and use of alcohol and alcohol products shall be conducted in a secure and secluded location at the event only accessible by a controlled entrance.” §20.243.110 (A)(5).**

Thank you for your consideration of our recommendations.

Sincerely,

Mendocino Cannabis Alliance