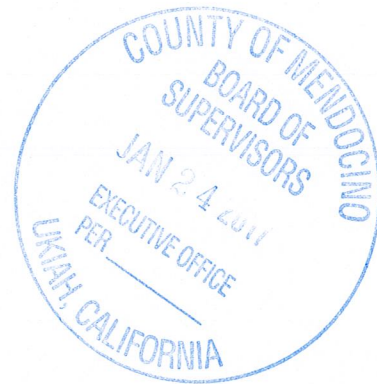




January 23, 2017

County of Mendocino
Board of Supervisors
501 Low Gap Road, Room 1070
Ukiah, CA 95482



RE: Draft Cannabis Cultivation Ordinance 10A.17

Dear Members of the Board of Supervisors:

Thank you for your continued efforts on this ordinance and for considering the interests of all residents of Mendocino County. On behalf of several of our clients living and cultivating medical cannabis on Greenfield Ranch we would like to address Section 10A.17.070 of the Draft Medical Cannabis Cultivation Ordinance. The section restricts tenants-in-common to a maximum cultivation area of 10,000 square feet for the entire parcel, regardless of how many homesteads there are on the parcel.

Many residents of Greenfield share their parcels with one or more other families as tenants-in-common. While their homes are geographically separated, they are tied by assessor parcel number or by legal parcel. These residents will be restricted from cultivating up to the limits provided in the ordinance even though they reside on parcels far larger than the minimum acreage required by the draft ordinance for a permit to be issued.

We ask the Board to change the restriction of one permit per parcel to one permit per homestead. We propose the following changes to language for Section 10A.17.070 and the addition of a new section on tenants-in-common:

The following types of cultivation permits will be offered at a maximum density of one (1) cultivation permit per applicant per legal parcel. ~~However, if a single legal parcel is owned by multiple individuals residing in separate habitable residential units on that legal parcel, each owner may individually apply for a permit to cultivate medical cannabis, provided that the cumulative total square footage of cultivation of all owners shall not exceed the total maximum square footage allowed based on the permit type. All owners seeking to cultivate in this manner shall initiate the application process at the same time; any partial owner of the legal parcel not cultivating medical cannabis shall provide a statement, as part of the application, that he or she will not so cultivate.~~

Section 10A.17. _____ – Tenants-In-Common

If a single legal parcel is owned by multiple individuals residing in separate legal habitable residential units on that legal parcel, each owner may individually apply for a permit to cultivate medical cannabis. Provided that the parcel size is a minimum of 10 acres, one additional cultivation permit of up to 10,000 square feet of canopy for each

ten-acre increment (e.g., 2 permits for a 20 acre parcel, 4 permits for a 40 acre parcel, etc.), up to a maximum of 8 permits, may be issued.

For example, this change would allow three tenants in common who live on a property that is 30 acres or larger and properly zoned, to cultivate up to 10,000 square feet of canopy each, if the tenants-in-common reside at separate habitable residential units.

In addition, we have removed the requirement that non-participating residents need to participate in the permitting process. This requirement could exclude many residents who are not able to get their tenants-in-common to sign. Tenants-in-common may get permits to build houses, drill wells and conduct other projects on their land, thus it seems inconsistent to require them to obtain consent to participate in medical cannabis cultivation permitting.

This proposed change will allow the residents of the County who live as tenants-in-common to participate in the licensing process under the new ordinance and prevent issues and disputes with their fellow tenants-in-common.

Thank you for your consideration. Please contact me at (916) 572-5705 or melissa@harvestlaw.com with any questions or comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Melissa Sanchez", written in a cursive style.

Melissa Sanchez
Attorney at Law