

From: Feliz Farms <felizfarms21@gmail.com>
To: <bos@mendocinocounty.org>
Date: 12/18/2017 1:57 PM
Subject: comments for 12/19 meeting

To the Mendocino County Board of Supervisors:

We write you today to voice some of our concerns about the ongoing cannabis permit process. Great strides have been made over the last few months, and we very much appreciate all the time and work that the Board of Supervisors and all the county employees have put into this process. However, several problems still remain which must be addressed.

Range Land (RL) zoning: The county should honor what was allowed in Range Land under the original medical cannabis ordinance when it was passed earlier this year, which granted zoning clearance to all nursery, outdoor and mixed light cultivation activity. Administrative permits were not be required for cultivation in RL except for indoor cultivation, and they should not be required except for indoor cultivation now. Retroactively mandating administrative permits is not right - many cultivators have already invested large amount of time and capital in RL zoning. Requiring an administrative permit will add considerable cost and time for cultivators, many of whom have already been pushed almost to a breaking point. It could also open up a huge can of worms for existing cultivators, as neighbors could attempt to stop the administrative use permit from being issued, even if their complaints have nothing to do with cannabis. Additional administrative use permits will also add a huge amount of workload for county staff who are already overwhelmed due to the recent wildfires. The clock is ticking, and if local cultivators have their permits delayed for many more months it is unlikely they will be able to participate in state licensing or the new legal market.

Approximately 50% of cannabis applicants are on RL zoning, so this issue is having a major negative impact on the permit process. Many applicants have already had their applications delayed for months due to this problem. State permits are becoming available now, and unnecessary further delays are unacceptable. The original zoning chart needs to be honored, especially for existing cultivators who already began the permit process.

Building use: We fully support the recommendations made by Scott Ward in regards to building use. The Board of Supervisors needs to adopt the proposed recommendations made by the Building Use Working Group, and do so as soon as possible. Again, we are out of time - permits are being held up and cultivators cannot afford even further delays.

Allowing minor use of electrical in hoop houses, provided that said electrical is not directly attached to the structure needs to be considered. A very minor amount of lighting, and small fans are still required for a hoop house to be of any use to a cultivator. Solar lights, small CFL lights, and small fans do not pose a major fire risk. Banning their use will force many cultivators, especially mixed light cultivators out onto the black market as this critical tool will be removed from them, making it virtually impossible to produce mixed light cannabis in a practical and affordable manner.

Cost of the agriculture exemption permit for hoop houses needs to be based on real world costs. We had seen a previous cost analysis from Building and Planning for a hoop house placing them at \$9 per square foot. This is extremely high and not accurate. A full cost list for a 1,000 square foot hoop house has been provided to Scott Ward and can be provided to the BoS if they wish. Construction costs were based off local materials and are current and accurate. A 1,000 square foot hoop house can be constructed for \$1,838, or \$1.84 per square foot, about 80% less than the Building and Planning estimate. Setting the cost per square foot at \$2, which still allows for some 'wiggle room' is more reasonable and accurate, and the permit cost should reflect this.

Trimming: Find some way to work trimming into home use occupancy or something similar. If large scale trimming or processing is taking place than this certainly makes sense to have it in a commercial building. However it does not make sense to require small 'mom and pop' operators who have to employees to build a commercial building just for this use. There must be a way to small cultivators who have no employees to trim and process their crops in a practical and cost effective manner. Currently there is no path to compliance for small farmers who cannot afford to cost of constructing a new commercial building.

Thank you for your time and we hope to see some of these changes implemented in a timely manner.

Sincerely,

Brandon Wheeler - Owner, Feliz Farms

Roger Wheeler - Owner, Sanel Highlands

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