



# *Mendocino County Farm Bureau*

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Affiliated with the California Farm Bureau Federation and the American Farm Bureau Federation

January 18, 2018

Via Email: [bos@mendocinocounty.org](mailto:bos@mendocinocounty.org)

Mendocino County Board of Supervisors  
501 Low Gap Road, Room 1010  
Ukiah, CA 95482

***RE: Cannabis Cultivation and Manufacturing on Williamson Act Properties***

Dear Chair Hamburg and Board Members,

The Mendocino County Farm Bureau (MCFB) is a non-governmental, non-profit, voluntary membership, advocacy group whose purpose is to protect and promote agricultural interests throughout the county and to find solutions to the problems facing agricultural businesses and the rural community. MCFB currently represents approximately 1200 members.

Thank you for having staff bring forward the zoning lists for the cannabis permit applications in December. It was helpful to see where the current permits are located, especially in relation to resource properties such as AG, RL, FL and TPZ. MCFB requests that the Board ask staff to provide a further analysis of the cannabis cultivation and manufacturing permit applications to provide statistics on how many permit applications are on properties under Williamson Act contracts. This analysis will be of assistance to ensure that properties related to cannabis cultivation and manufacturing permits are indeed going to be reviewed for compliance with the Williamson Act.

In looking at cannabis permit application zoning data from December, a number of applications were for mixed light or nursery permits. It is our understanding that mixed light and nurseries involve some sort of a green house structure. If new structures for mixed light/nurseries are being installed to accommodate the maximum growing space allowed under the permit, then there should be some level of review involved to verify that these structures are not being installed on properties under Williamson Act contracts. If cannabis is not considered to be a qualifying use for Williamson Act contract compliance, then any cannabis accessory structures (greenhouses, processing, etc) would also not be allowed on Williamson Act properties as current requirements for accessory structures are to be incidental, related and subordinate to a qualifying agricultural use.

In relation to the zoning regulations for the processing, manufacturing, testing, dispensing/retail and distribution of medical cannabis and adult use cannabis within the unincorporated areas of Mendocino County, there was language included in the zoning ordinance for exceptions for sites that were previously permitted for packing and processing prior to January 1, 2016. MCFB requested that language be included under section, 20.243.160 Exceptions, to not allow for exceptions for cannabis facilities to be permitted in existing packing/processing facilities associated with a Williamson Act contract. Again, this is because accessory structures are to be incidental, related and subordinate to a qualifying agricultural use.

MCFB does realize that encouraging cannabis processing, manufacturing, testing, dispensing/retail and distribution on existing packing and processing properties within the unincorporated areas of Mendocino County is better than encouraging new development and further potential impacts to resource properties. Since there are currently a number of cannabis permit applications for processing, etc. in existing packing and processing facilities, there is a likelihood that some of these applications will be on Williamson Act contracted properties. If this occurs, the county should look at the entirety of the property to see if there is an opportunity to rescind and renew the existing Williamson Act contract if the property is large enough to remove the proposed cannabis related structures from the Williamson Act contract while leaving the balance of the property under a new contract.

The thought is that by removing the existing packing/processing structures from the Williamson Act contracts there could be increased ability for the use of these types of facilities for cannabis manufacturing, etc. while continuing to allow the balance of the properties to be maintained in qualifying production agriculture. Cannabis facilities could lease the property that remains under Williamson Act contract to local food farmers, livestock producers, or produce their own qualifying agricultural product. In addition, this may prevent large Williamson Act contract properties from completely being non-renewed and also impacting adjoining properties under Williamson Act contracts within the same agricultural preserve area. This scenario will not be a solution for every cannabis manufacturing permit application looking for an exception on an existing packing/processing facility associated with a Williamson Act contract, but it may work for some.

For those properties that a rescind and renew of a Williamson Act contract is not an option, then the property should be non-renewed out of the Williamson Act. The non-renewal process involves multiple years for complete removal from the Williamson Act and the adjustment of property tax. The county could work with cannabis manufacturing permit applicants to start the non-renewal process and provide proof on starting the non-renewal process with the cannabis permit application in order to move forward with obtaining the permit. The county will have to ensure that the non-renewal process is ultimately completed.

MCFB encourages the Board of Supervisors to consider the comments and recommendations above. As always, if there are any questions, please do not hesitate to contact the MCFB office.

Sincerely,

A handwritten signature in cursive script that reads "Frost Pauli".

Frost Pauli  
President