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Mendocino County Board of Supervisors  
501 Low Gap Road  
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**5/8/18 BoS Agenda Items Re: Cannabis**

Dear Honorable Supervisors and dedicated Staff:

I respectfully request that 3 specific items are included in the Staff report and Agenda Items for the Cannabis Ordinance Amendments:

1. Discussion of and decision on whether proof of prior (to 1/1/16) cultivation in Mendocino County for a person may be proved with proof from a different property than the one being sought to be permitted now **SO LONG AS THE PROPERTY** (now being sought to be permitted) has proof of prior cultivation as well as the person. Here are legitimate scenarios that may arise where long time Mendocino County cultivators would otherwise be prevented from getting legal now. **The Planning Commission discussed this and were very interested in seeing folks who had to move still have a chance.**
  - a. Renter cultivated on different property than now.
  - b. Landowner cultivated on different property than now and sold their property (not knowing that eventually there would be an extinguish and transfer program).
  - c. Partners (business, land or personal) split up and now both want to cultivate on different properties where both properties have proof of prior but not with one or the other of the former partners.
  - d. Name provided in 9.31 materials (including fingerprinting) but not listed as applicant.
2. Please discuss removing churches from the list of sensitive receptors or at a minimum reduce the setback. The State does not have churches listed as a sensitive receptor. **The Planning Commission discussed this and recommended removal of churches from the list.**
  - a. For non-cultivation businesses, very harsh results since limited commercial areas make it difficult to avoid churches in business centers of unincorporated Mendocino County.  
Case example: Love In It in Mendocino. This long time dispensary is currently located in a tiny space in a historic building, which prevents them from being able to fully comply with State regulations. They found a new building and friends decided to buy the new building. At my insistence, they conducted due diligence with PBS to ensure the new space would be approved. They received a clean bill to proceed from PBS. The day after escrow closed, a PBS representative called apologizing that they made a mistake and that there is a church 800 feet away.
  - b. For cultivators in areas that are likely going to have an overlay zone to opt-in to the cultivation ordinance even though the parcels are small (Laytonville for example).
3. Please conduct a discussion about extending the deadline to apply for Phase 1. **May 8<sup>th</sup> is the last date that this issue could be decided and result in not having a gap after June 30<sup>th</sup> if the Board is inclined to extend the application deadline.**

A few additional items for the Update include the need to allow the Working Groups to pick up additional issues (either in existing working groups if applicable or new working groups that would start after one or more current working group is concluded), the need to work out a more particular process for Extinguish and Transfer so folks can have known information before engaging in such a long affecting act on the extinguishing property, and, or course, (probably as a part of the ordinance amendment discussion) Microbusiness issues that make sense and can allow small operators to stay in business.

**I beg you to calendar the cannabis related items earlier in the day since there will be quite a lot to get through and patience often wears thin toward the end of a long hard day.**

Thank you for your consideration.

Hannah L. Nelson