

Board of Supervisors - Comments on Proposed Cannabis Ordinance, Business Types other than Cultivation.

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Date: 4/30/2017 9:58 PM

Subject: Comments on Proposed Cannabis Ordinance, Business Types other than Cultivation



TO: Mendocino County Board of Supervisors and County Staff

From: Casey O'Neill, HappyDay Farms, Vice Chair California Growers Association

I would like to thank the Board and Staff for the many hours spent crafting regulations for the local cannabis industry. There has been a strong willingness to meet with members of the community and it has been good to engage on this complex issue. I would also like to communicate support for the letter the Board received in regards to medicine making via traditional methods including alcohol, coconut oil and other food grade production processes. The following are items that are offered for consideration and possible change in the proposed ordinances:

Provisional Operation: Expand the acceptable date from Jan 1, 2016 to "in operation prior to passage of this ordinance". Specify that all normal standards for business types of similar nature be followed by cannabis businesses, for example, herbal products manufacturing or sales.

Pre-Application Process: The process would move more rapidly if the county were to allow for pre-application for any use permit in parallel with ordinance

Fast Tracking Permit Processes: We'd like to suggest that the county move as rapidly as possible with the process for Use Permits and other processes in the licensing of the non-cultivation business types. This should dovetail well with the "provisional operation" mentioned above. This is important in terms of job creation and tax revenue for the county.

Accessory Manufacturing: Support for allowing accessory manufacturing in a kitchen or other farm-related use.

Processing Facility: Definition should also include “under control of other licensed entity besides cultivators”. This is in line with the proposed State License Type 1P which will authorize drying, curing, trimming, packaging of cannabis by licensed businesses not engaged in cultivation.

20.243.070 Processing Facilities: We’d like to see processing be considered for parcels zoned either commercial or industrial. Cannabis processing will not entail the types of large vehicle movements that are often associated with agricultural processing.

20.243.080 Manufacturing Facilities: Non-Volatile Manufacturing should be considered a compatible use for Commercially Zoned parcels.

Non-volatile Manufacturing and Processing: These uses should be considered similar to the operation of a microbrewery (one of which sits across the street from the Ukiah Courthouse), and should be able to be operated in Commercial Zones. TO

Waste Disposal: What about empty plastic bags that held cannabis? Can they not be placed in normal trash disposal?

20.243.150 Permit Types and Zoning Districts: We’d like to suggest that Table 1 include Processing as a Zoning Clearance Use in Commercial Districts, and that Non-Volatile Manufacturing also be considered a Zoning Clearance use in all Commercial Districts.

Microbusiness License: Should be considered a compatible use with all parcels authorized for cultivation licensure, not just an industrial use type.

20.243.160 Exceptions: Facilities that meet the proposed standards should be authorized under Zoning Clearance or Administrative Permit. Given the requirement that the facility have already been authorized as a packing and processing location, the county should not require a MUP.

Operating Prior to Licensure: In the recently released State Regulations, Pg 24, Article 2 – 40140 discusses an allowance for companies to continue to operate, if they have been operating before the Jan 2018 proposed date while the licensure process moves along. It would be good for Mendocino County to craft methods for businesses to be operating in a compliant manner prior to the passage of this ordinance.

Farmers markets and Bud and Breakfasts: Mendocino County is a leader in development of cannabis policy which has a tremendous effect at other levels of the policy discussion. We would like to suggest that Mendocino move forward with permitting these uses, which will be extremely beneficial to our local economies, and which will help to provide working templates for state regulators to review and adopt with their regulations.

Setback Requirements: Support for staff recommendation of removal of setback requirements.

Memorandum Section F, Paragraph D - "Next Steps" - We do not support delays for the "development of criteria" that would otherwise prolong the ordinance approval by the board of supervisors

Thank you for your time and efforts on this complicated issue!

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