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Mendocino County Board of Supervisors
501 Low Gap Road
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November 15, 2018

Re: Special Meeting 9/16/18

Dear Honorable Supervisors:

I regret that I am unable to attend this important special meeting because of a prior family commitment on the East coast. I write in support of many of the items on the Ad Hoc proposed recommendations, briefly ask that you consider a few additional items, and express my concern regarding the level of review (use permits) for so many of the suggested items. I also write in support of the suggested combined zoning districts and specifically request that a full use process be considered as a method for exception to the sunset provision in all sunset zones.

Use Permits Are Appropriate, But Full Use Permits Should Be Required Only In Instances Where Other Methods Are Truly Insufficient. As stated below, I strongly believe that Use Permits are appropriate tools that can effectively balance competing interests such as allowance for use types outside of usual parameters of a zoning area with consideration and protection of the environment and existing uses. However, I also strongly believe that the planning review should be narrowly tailored to fit the circumstance. In other words, if an Administrative Permit, or some other more streamlined process can accomplish the same goal, it should be favored over the full use permit process. I know that Director Schultz is reviewing methods to make the process more efficient, but currently, it is a very long process and some of the required elements may not be necessary to effectuate the type of review warranted for every change contemplated. Given the inspections conducted by our Ag Department, CDFG, CDFW, and the Water Board, it seems that we can accomplish some of the same protections by issuing Ag permits with specific conditions that are followed up on as an alternative tool to the full use permit process. Of course, in some instances a full use permit is the only appropriate tool. I merely ask that you carefully consider whether it is always the preferred tool given the expense, staff time, and backlog. With this in mind, **I support discussion items 2, 3 (see below), and 6 but with a review that is less onerous than a full use permit process. I support item 5 with a full use permit process.**

A Full Use Permit Process Should Be An Approved Method For Determining Whether An Existing Cultivator In The Permit Program May Be Exempted From the Sunset Provision. While I do not believe the full use permit process is appropriate in all instances, I strongly believe that it is the perfect tool to allow for consideration and careful review of existing cultivators in the permit program if they want to seek exemption from a sunset provision. This tool would allow careful, site-specific environmental analysis of an existing cultivator together with the important noticing to and input from neighbors while allowing for the possibility to save an existing lawful cultivator from extinction. This would not automatically allow for cultivation in sunset areas and would not change



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any zoning of the area but would only provide an avenue for the existing cultivator to possibly qualify.

Discussion Item 3 Should Not Be Limited To Outdoor. The zonings listed specifically allow agricultural use in the zoning code. Hoop Houses, or green houses are not limited in any other industry and should not be. In addition to the fact that hoop houses may be used by outdoor growers to reduce dust, wind and other elements from affecting the health of the crop, the price of cannabis that is grown outdoors is drastically lower than that grown in a structure. While we might wish it to be otherwise, that is the economic reality. If we want our small farmers to survive, we must allow them the methods that the market prefers.

Discussion Item 4: A Tiered System For Nurseries Should Be Adopted: Small farmers must diversify and find every possible avenue of value-added services and products. Both seed production and production of immature plants are one way for craft cultivators to realize value added revenue and to retain possession and control of genetics they may have spent years perfecting. There should be a tiered nursery permitting system so that more small farmers can qualify.

I Strongly Support Recommendations 1-16: I have advocated for many of these items from the beginning of the ordinance development process three years ago. I greatly appreciate consideration and approval of them now.

Please Add Cottage Level To Phase 2. I believe that Cottage Level permits for Indoor cultivation on Industrial property was inadvertently left off of the list of permissible indoor cultivation on industrially zoned property for Phase 2. We always want to encourage the smallest use necessary to accomplish what the permitted person wants. Currently, there are folks that must apply for a 5000 square foot permit for indoor cultivation on industrially zoned property despite the fact that they wish only to grow much less than 2500 square feet. Please add Cottage level to the list of allowable permit types for Phase 2.

Thank you for all of your hard work and for consideration of these issues.

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