



**Mendocino County Planning Commission
501 Low Gap Road
Ukiah, CA 95482**

July 17, 2019

Re: Agenda Item OA_2019-0002 (Proposed Changes To Inland Ordinance/MND)

Honorable Commissioners and Staff:

The Mendocino Cannabis Alliance appreciates the work that has gone into these proposed changes and MCA would like to offer the following support or further recommendations on the following items:

Proposed Changes

Item 1. MCA is in full support and agrees that this change would not constitute a significant change for purposes of the MND.

Item 2: MCA requests a lower minimum acreage requirement for smaller nurseries to less than 5 acres.

Item 3: Please recommend to the Board that the 4 year phase-out start from now. It is anticipated that the Board will consider alignment with State energy and air quality requirements regarding generators and energy use that are coming into effect in future years and Staff has been directed to bring forth proposals. Rather than directly tackle the issue, Staff suggested this measure to give more time to see how the State implementation will be conducted. 4 years from 2017 is only 1 ½ years away. More time is needed to transition away from primary reliance on generators or to evaluate a better method of regulating energy and air quality impacts. Further, we ask that a re-examination of the noise study be conducted. There are no qualified professionals in Mendocino County that can conduct such noise studies. A simpler approach would be to require adherence to all County noise requirements.

Item 4: MCA is in strong support of transferability but would respectfully request that both

non-conforming parcels and parcels in the Accommodation Combining Zones be allowed to participate in transferability. By adopting an Accommodation Combining Zone, an area is effectively taken out of the Sunset clause until or unless the action is reversed in time. There is a weighted period to discourage repeal within a short number of years.

Item 5: We respectfully request that rather than specify a cultivation style type that may be allowed, the Commission recommends that the specification relate to whether the cultivation is conducted in a structure with odor filtration. As explained earlier, Indoor, Mixed Light, and even Outdoor cultivation styles may be conducted in a structure if the definition of Outdoor aligns with the State definition (Staff was directed to review all areas in which alignment with State definitions can occur and those matters are anticipated to come before the Board again later in the summer or in the Fall).

Item 7: MCA strongly supports the extension for areas near the Coastal Zone, but we recommend a later deadline for eligibility given that it took more than 3 years for the issue to be addressed. Additionally, MCA requests that the extension of time to apply for the permitting program be extended for those in the Accommodation Combining Districts since applicants were only given 6 months to apply once the Accommodation Districts were adopted. The permitting process completely changed since the program began, making the upfront requirements much more involved and extensive (for example, applicants must now have a Water Board permit in hand before applying). These cultivators should be given a longer period in which to apply for a permit.

Thank you for the opportunity to comment and for your careful consideration of the issues we raise.

Respectfully,

Mendocino Cannabis Alliance