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Subject: Draft EIR

To whom it may concern,

Thank you so much for all the hard work that has gone into what I know will be a perfect ordinance for Santa Cruz county. We are all eagerly awaiting our opportunity to participate in the legal regulated cannabis market. Here are some comments and concerns regarding the draft EIR.

**SU ZONING-** Allow all SU zoning. There are properties in Santa Cruz county that are zoned SU with general plan designations of RM and RR that have commercial farms and orchards and vineyards for many many decades that could be allowed to change crops to cannabis if they have the right acreage and correct setbacks from streams, public right of ways and neighbors. At the very least, review on a case by case basis. Not every property is the same. Maybe allow for realignment of general plan when appropriate. To include everyone you must allow all SU zoning as in previous draft ordinances. The EIR suggests that a more permissive ordinance is better for the environment and will help to decrease the black market and raise more taxes for the county.

**MICROBUSINESSES-** Allow licensees the opportunity to apply for and receive Type 12/Microbusiness licenses.

**SENSIBLE FIRE POLICY-** Greentrade recommends defining cannabis cultivation as a Type U (Utility and Miscellaneous) usage rather than Type F-1 (Moderate-Hazard Factory Industrial), which has been suggested, and includes significantly harder to meet requirements, including water storage of 120,000 gallons and twenty foot wide access roads. These requirements are inconsistent with other industries, and the associated costs and logistics create a barrier of entry so high as to discourage cultivators from even attempting to apply for licensing. In addition, it is not appropriate for an outdoor farm to be classified as a "Moderate-Hazard Factory Industrial" usage for code purposes.

**MULTIPLE LICENSES PER PARCEL-** Previous proposals allowed for only one cultivation license to be granted per parcel, regardless of the size of the parcel. Our recommendation is to allow multiple licenses per parcel.

This recommendation is based upon the previous "Text of Proposed Regulations" made by the Department of Food and Agriculture in January 9, 2017 when developing rules for the predecessor (the Medical Cannabis Regulation and Safety Act a.k.a. "MCRSA") of the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA), which was not passed until July 2017. The "Text of Proposed Regulations" (see Section 8602) explicitly allows for "multi-tenant cultivation" on a single property. When MCRSA was repealed by the passage of MAUCRSA, the Department of Food and Agriculture withdrew its entire above referenced "Text of Proposed Regulations" and is in the process of developing new recommendations in light of the changes caused by MAUCRSA. The legal framework for cannabis cultivation under MAUCRSA has not been significantly changed from the MCRSA regulations, so common sense dictates that use of a single parcel by multiple licensees will be recommended again, as MAUCRSA is generally more liberal than the previous MCRSA.

**NURSERIES-** cannabis breeders and nurseries have significantly different needs for their sites. We recommend that future regulations include a section creating a license type to correspond with the California state Type 4 nursery license. These regulations should allow additional space not counted towards canopy limits to be used for non-commercial research and development.

**CONTINUITY OF OPERATION-** in order to participate in licensing, existing cultivation operations need the option to continue operating while their applications are processed. As is already being prepared by the state (which intends to offer temporary licensing before the end of the year), the county should offer some option to allow cultivators to enter the licensing application process while still continuing to cultivate.

**DISTRIBUTION-** licensed distributors will be required to broker any legal sale of cannabis. The County should include a provision creating a license type for distributors as set forth in MAUCRSA.

INCENTIVES AND GRADUATED LICENSING FEES- excessive initial licensing fees will discourage participation in the programing. Reasonable licensing rates will be effective to assist in more applicants. In addition, incentivize, organic-equivalent cultivation, compassion programs, living wage employment and participation by women, people of color, and historically marginalized groups.

ALIGNMENT WITH STATE LAW- conflicting local and state law consistently creates confusion and accidental non-compliance with regulations. We recommend that any regulations passed are written to mirror state law, and particularly MAUCRSA to the greatest extent possible.

Thank you again for everyone's hard work with the draft ordinance.

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