

Julie Patterson-Hunter

From: Richard Anderson
Sent: Monday, September 4, 2017 5:08 PM
To: Julie Patterson-Hunter
Subject: Fwd: CAG meetings and cannabis ordinance

RECEIVED

SEP 05 2017

NEVADA COUNTY
BOARD OF SUPERVISORS

Public comment.

Sent from my iPad

Begin forwarded message:

From: cai Prins <caiprins@hotmail.com>
Date: September 4, 2017, 4:09:59 PM PDT
To: "richard.anderson@co.nevada.ca.us" <richard.anderson@co.nevada.ca.us>
Subject: CAG meetings and cannabis ordinance

Dear Mr. Anderson thank you for representing our district in a more impartial, practical and fact based fashion than some of the other supervisors. As a Nevada County resident, my biggest concern with this whole process is that it is just a delay or show put on to appease the cannabis supporters, while the BOS has already determined the path it intends to take. The board needs to let the CAG do its job without manipulation and then form policy off of the framework provided by the CAG. Failure to follow the CAG's recommendation will be a waste of much taxpayer money that could have been better spent on a proper economic impact study.

The CAG and the BOS' job is to form policy that simply and effectively represents the 59% of votes that supported both outdoor and commercial production while still respecting the concerns of the 41% that were in opposition. The easiest way to keep it as simple as possible is to not create new cannabis specific law where there are already existing laws in place; for example it is already illegal and highly punishable to steal or divert water out of creeks. It is already illegal to not have sewage running into a proper septic system. It is already illegal to speed down the road, etc. As for striking balance between the whole community, the best way forward is to follow the state's lead and treat cannabis like any other agricultural crop.

The state has put considerable resources into formulating their regulations, the best solution for Nevada County is to follow these regulations with a few modifications in consideration of our county's specific geography, zoning and parcel size, and nature preservation.

Some suggestions

-Other ag crops don't have such severe setbacks which currently place a ban on most parcels in our county.

-As long as a farm is in the appropriate zoning, there is no reason that the size of the garden should be dependent on the parcel size. The license types that the cannabis community is asking for would fit on fairly small farms.

-Smell is often cited as the main nuisance concerning cannabis cultivation. While smells being pleasant or not is subjective, it is odd that most of the descriptions of cannabis smell include terms like fruity, earthy, piney, and floral. There is no strain that actually smells like skunk, and if someone finds it again they will probably make a lot of money. When someone buys a piece of ag zoned land, it is clearly stated that normal odors and noise associated with agriculture, or timber production where applicable, are part of the deal. A flower farm must definitely smell better than a feed lot or pig farm. Also consider that the callery or Bradford pear tree is one of the most planted ornamental trees across the country and that they have a most unpleasant odor.

-At the CAG meeting there was some confusion amongst the members on resident vs residence on the property. I support something like a 3 or even 5 year resident of the county requirement for a commercial license or permit. I don't believe that there should be a requirement of a residence on the farm. As it is inappropriate for people in the residential zones to grow outdoors, the logical solution for them is to grow on the appropriately zoned parcels outside of the more densely populated areas. Putting the undue and unnecessary expense of a residence on the farm requirement on these residents of the county doesn't strike the balance we are looking for.

-To minimize the cost to the county for issuing and enforcing permits consider letting the state regulate wherever possible. Smaller farms would be easier to regulate. Focus regulations more on the retail end.

-Some of the best ways to increase the quality of life in Nevada County and make it a desirable place to live are to support schools and educational opportunities here, and to support the recreational activities present in our county. Grant permits and let a large portion of the fees and taxes fund improvements to these areas.

In summary, thank you again for supporting this ongoing process. The cannabis community that is a part of the community at large feels like we are already playing from behind as far as being allowed to come into realistic compliance and moving forward in a legitimate industry. If the small farmer is going to survive after 2023 when the state lifts the cap on farm size, support must come from their county. Please grant permits up to 22,000 sq. ft. and nothing larger. This would support the small farmers that make up a large part of our county. These farmers positively contribute to our community much more than they're given credit for. Please follow the state guidelines in granting these permits as they are already going to be hard enough to comply with on their own.

Thanks again, Cai Prins

Julie Patterson-Hunter

From: Richard Anderson
Sent: Monday, September 4, 2017 5:14 PM
To: Julie Patterson-Hunter
Subject: Fwd: Findings & Analysis from Alliance Survey Part 1
Attachments: FINDINGS OF ALLIANCE SURVEY PART 1.pdf; ATT00001.htm

Public comment.

Sent from my iPad

Begin forwarded message:

From: Diana Gamzon <diana@nccannabisalliance.org>
Date: September 4, 2017, 12:15:26 PM PDT
To: Richard Anderson <richard.anderson@co.nevada.ca.us>
Subject: Findings & Analysis from Alliance Survey Part 1

Hi Supervisor Anderson,

In preparation for tomorrows Board Meeting please see attached the findings from the Alliance Survey that was conducted of our local cannabis community.

Please reach out if I can answer any questions.

Thank you,
Diana

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Director
Nevada County Cannabis Alliance
419 Broad Street, Suite C
Nevada City, CA 95959
[530 -264 - 7376](tel:530-264-7376) (office)
[530 - 205 - 3480](tel:530-205-3480) (cell)
diana@nccannabisalliance.org

FINDINGS OF ALLIANCE SURVEY PHASE 1

The Nevada County Cannabis Alliance is advocating for policies that provide clear pathways for 85 percent of the cannabis community that responded to our survey. The data outlines the blueprint the county could follow to tailor a Cannabis Cultivation Business Ordinance that allows current Nevada County cannabis cultivators a pathway to legitimacy.

The data suggests the need for a transition period for those who can but need to come into compliance with building code requirements.

DATA CONSIDERATIONS

- The survey received more than 1200 unique visits with a completion rate of 42 percent.
- A total of 514 unique visitors completed the entire survey.
- 60 percent of respondents use their smartphones to complete the survey. 30 percent used PCs and Laptops while 10 percent used tablets.
- It took an average of 22 minutes, longer than most surveys, for respondents to complete the survey.
- *Intended audience:* Nevada County Cannabis Community
- Nevada County officials were invited to participate in the collaboration of question creation and selecting a professional firm to carry out the survey. Requests were declined by the County.
- *Distribution*
 - Press releases for the survey went out to all major Nevada County and Sacramento/Auburn media outlets.
 - Email blast to over 2000 of Nevada County Cannabis Alliance email list.
 - Regular social media posts to Nevada County Peeps on Facebook and other widely "liked" pages.
 - Phone call and text blasts.

FINDINGS

Demographics

The Nevada County Cannabis community is comprised of a cross section of residents who contribute to the overall community through economic activities, philanthropic efforts and community participation.

- "I grow cannabis and own a non-cannabis business in the area."
 - Cannabis farmers in Nevada County; they are business owners, they vote and they live here.
 - Close to 40 percent of growers who responded to the survey also own local businesses in industries like healing arts, real estate, technology.

- As many as 6 percent owned businesses in the tech industry, and 13% own an Ag business, showing that cannabis farmers are also growing other agricultural crops.
 - Cannabis growers are also part-timers and work in the community.
 - 58 percent of respondents indicated having a non-cannabis job in industries like education, medical, technology, construction, agriculture and professional services.
- **“I have deep roots in Nevada County. I vote, own property and pay real estate taxes.”**
 - Survey results indicate that Nevada county growers are politically involved and represent a cross section of voters. 91 percent of respondents voted in the June and November 2016 elections.
 - 77 percent of cannabis growers who responded to the survey own homes in Nevada County.
 - 93 percent are Nevada County residents, and 43 percent have lived in the community for over 11 years.
 - 33 percent have children in the Nevada County school district.
 - Only 9 percent have been here for less than three years
- **“I am member of the community and contribute to the social and cultural fabric of the county.”**
 - 59 percent of respondents volunteer for a nonprofit organization in the communities.
 - 74 percent of respondents participate in cultural activities
 - 71 percent are involved in some sort of sporting group or league
 - And 65 percent participate in artistic endeavors in the area.
 - 78 percent donate to local charities and causes

Transition and Compliance

Nevada County cannabis farmers want to transition into legitimate businesses as state regulations come into effect. However, the absence of a local ordinance that allows them to seek state licensing has put them in a perilous situation. Many want to begin complying with local building codes, but fear that beginning that process would mean outing themselves to county officials and law enforcement.

- 77 percent said 'yes' they would work toward compliance if a transition period is enacted. As many as 98 percent would do the work to become compliant.
- With a 3 years transition period 95 percent of people surveyed are confident that they can comply. If the transition period is reduced to 1 year the confidence plummets to 19 percent.

- 66 percent said they would invest money to become compliant with local and state regulations, and an additional 30 percent indicated they needed more information about local regulations before investing in compliance.
- 49 percent of growers say setbacks are another big hurdle.
- With current setback restrictions only 17 percent of growers who responded would be able to comply with the present ordinance.

Commercial Cultivation Considerations

Nevada County cannabis farmers see the cultivation of cannabis as a small business, and as such they would like to have the same considerations as any other type of businesses.

- 63 percent of growers who responded to the survey grow for both personal and commercial use.
- 74 percent are growing for what we would consider commercial.

Zoning Considerations

When crafting a new ordinance that would allow the commercial cultivation of cannabis, Nevada County officials should consider that a vast majority of growers are already cultivating in land use zones that are appropriate for the activity.

- 70 percent of growers who responded to the survey should be immediately eligible for commercial cultivation based on zoning within Agricultural, Residential - RA Rural, Timber Production Zone and Forestry.
- 53 percent live on Ag land and are ready to participate as regulated farmers in the market place.
- 55 percent of growers wanting to comply say land use is the biggest hurdle.

License Types Considerations

As stated previously, Nevada County cannabis farmers want to become licensed businesses. Here is a breakdown of the type of licenses the local industry would like to see with the state in order to establish well-integrated cannabis industry.

- 54 percent intend to pursue state licensure.
- Due to a lack of local permitting process, 32 percent say they are not sure they can pursue state licensure.
- 38 percent said they would want to pursue Type 1 or Specialty Outdoor that allows up to **5,000 square feet of total canopy**
- 24 percent said they would pursue Type 1C or Specialty Cottage: **2500 square feet of mixed light**
- 38 percent would pursue Type 2 and 2B, **up to 10,000 square feet of outdoor cultivation** or mixed light.

- 14 percent would pursue Type 3 or up to **one acre of outdoor canopy space**.
- There was considerable interest in a smaller percentage of respondents to pursue other business license types such as **nurseries, distribution, manufacturing, processing and testing and dispensary licenses**.

Cultivation Practices Considerations

The Nevada County industry is uniquely positioned to distinguished itself for its sustainable cultivation practices. The Alliance believes local regulations will help identify bad actors who commit egregious environmental violations, while allowing farmers who use best and organic management and cultivation practices to standout in the statewide marketplace.

- 89 percent of respondents said they would adhere to state regulations pertaining to pesticide use.
- 53 percent would support an ordinance that followed of a third-party certification for organic farming practices.