

To: Nevada County Board of Supervisors
Heidi Hall, Ed Scofield, Dan Miller, Hank Weston,
Richard Anderson

ec: CEO
Counsel
CDA

From: Richard and Corlene Mapes-homeowners
richmapesusa@gmail.com
corlenem@gmail.com

Date: December 29, 2017

RE: Nevada County Marijuana Ordinance Draft

Thank you for giving us the opportunity to voice our concerns before making a final decision on the newest draft of Nevada County's Marijuana Ordinance. We voiced our concerns at the last CAG meeting, and were encouraged by its members to email you directly. **Please understand, we are NOT against marijuana and know its importance medicinally, but we are against illegal and out of compliance marijuana grows with no regard to residents whether it is human or animal. We would like to see state run or licensed grows.**

Prior History

For the past 39 years, we have lived, worked, raised our family, and now have the opportunity to babysit our 11-month old grand daughter on 10 acres off Greenhorn Road in rural Grass Valley. For the last five to six years, with marijuana being legal in Nevada county, our once enjoyable neighborhood with many walking trails, friendly neighbors, and children playing in the great outdoors has become increasingly frightening with many afraid to go into their own yards. On our road of nine (9) homes, there are five (5) illegal and out of compliance grows each with multiple plants. We have had to endure gates on GPS roads, a bear killing, guns pointed at trail walkers (twice), uncontrollable and vicious dogs (one neighbor lost his dog to a pack of pit bulls), neighbors being asked to sell their homes, excessive road use from multiple vehicles with NO attempt for road repair, lying, and anxiety over the constant threat of intimidation and retaliation. The last two years has become the "Wild, Wild, West" with the following story being our last straw.

This December 11, 2017 at 6:30 A.M., we were involved in a home invasion robbery created by an illegal marijuana grow.

It started with a knock on our door. The man standing there said he was going to our neighbor's house-an illegal marijuana grow with numerous plants. His explanation was that he had gotten his truck stuck and had ran out of gas. He asked if he could buy some gas from me. I gave him gas, told him I didn't want his money, but maybe he could do me a favor sometime. The requests kept coming: a shovel, a chain saw, chains. I looked at their truck and told them they needed a tow truck and went back into my house.

My wife and I were getting ready to get our 11-month old granddaughter. Within minutes, my wife came into the living room, looked out the window and said there was an officer in our front yard with a gun pointed at our house. I saw him, too. I cautiously went out our door with my hands up, and said, "Don't shoot, I live here." Gun barrels look huge when three of them are pointed straight at you with intent to shoot.

When the sheriffs arrived, the three alleged robbers ran through our yard and by our house in an effort to escape. They were all apprehended within hours thanks to the quick efforts of our local law enforcement agencies. The cost of those efforts must be enormous not to mention the on-going costs of prosecution and incarceration (each of the alleged robbers are being held on \$500,000 bail). There were numerous patrol cars, unmarked vehicles, aircraft, and a tow truck along with all their personnel. **This was a terrifying experience for our family and our neighbors. We are now living in fear, and our neighbors are afraid to say anything.**

Main Concerns:

1. Two-Year License Grace Period

Legal grows should have a permit BEFORE starting a business or grow. Grows should have some document to assure neighborhoods that they are in compliance with county regulations.

-As a contractor, I was required to obtain a license BEFORE starting a business, and my wife was also required to have a teaching credential before she began her career as a teacher. Businesses also need to declare a fictitious business license in the newspaper. Why would you give marijuana grows a two-year grace period to obtain a license?

2. Five Prescriptions/20 Plants per Prescription with NO license required

One suggestion from the CAG committee was to allow five prescriptions with 20 plants per prescription to be grown with no license or permit on certain parcels. We believe this part of the ordinance needs to be revisited. All grows should be required to have some type of permit or license with the county or state prior to growing. This just means that illegal grows will continue, which is NOT working for rural neighborhoods.

3. Growers Need to Fund Their Own Industry

Code enforcement, law enforcement, and the impact on the District Attorney has created a situation where there are no funds to enforce the rules we have. Two (2) Code Compliance officers are not enough to keep our county's residents safe.

4. Locked Gates

In my neighborhood, numerous locked gates have been installed, not just on driveways but also on GPS roads that have been used for decades by residents, utility companies, visitors, and recently Nevada County Sheriffs and First-Responders. After going to PG&E and the fire department, we learned nobody cares and nobody has jurisdiction.

5. Marijuana Grow Dwellings

Will there still be a requirement for grows to have a permitted and certificated dwelling that is occupied by its owners or renters? That is NOT being enforced now. Three of the marijuana grows in our neighborhood have no dwelling at all and have hundreds of plants.

6. Contiguous Properties

It was also suggested that if a property owner has a permitted residence on one parcel, but owns undeveloped land on an adjoining parcel, the owner would be allowed to grow on both parcels. This would create a loophole for corporations or individuals to have massive grows which also create safety issues that would need to be addressed.

Your Current County Code Compliance Mission Statement:

<p>“It is the mission of the Code Compliance Program to work in partnership with the people of Nevada County to promote and maintain a healthy, safe, and desirable living and working environment.”</p>
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Through the years, we have trusted that you, our County Supervisors, would make the right choices on this matter, but since the most recent Code Compliance was printed in the Union Newspaper from CAG, we are skeptical. We do not believe this mission statement holds true for us. You as supervisors need to discuss everyone's health, safety, and welfare, not just the illegal revenue brought into this community by illegal grows, most of which line the pockets of the grower and not for any county maintenances.

My questions to all of you are:

1. What are you going to do to keep us safe with your new ordinance?
2. Are you in support of the transient pot growers or legal residents?
3. How are you going to make sure that the marijuana revenue helps sustain and keep our residents and legal businesses safe, happy, and compliant?

If you have further questions, feel free to contact us at the above emails.

Julie Patterson-Hunter

From: Julie Patterson-Hunter
Sent: Friday, January 5, 2018 8:43 AM
To: All BOS Board Members
Subject: FW: Cannabis Opinion

Dist 5 resident

From: Chris Hinkel [mailto:christine.hinkel@gmail.com]
Sent: Friday, January 5, 2018 8:27 AM
To: bdofsupervisors <bdofsupervisors@co.nevada.ca.us>
Subject: Cannabis Opinion

Dear Nevada County Board of Supervisors,

I'm writing you to share my support of you passing a cannabis ordinance as soon as possible. I urge you to:

- 1- Support the local Nevada County residents in getting licenses.
- 2- Have a transparent licensing process.
- 3- Make the licensing process more favorable to long time residents of Nevada County to avoid outsiders land grabs.
- 4- Support the small business owner so larger corporations won't put the little guys out of business.

Thank you,
Chris Hinkel



Chris Hinkel
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[Watch my YouTube videos on real estate and Tahoe fun](#)
[My Website](#)

Julie Patterson-Hunter

From: Julie Patterson-Hunter
Sent: Friday, January 5, 2018 8:45 AM
To: All BOS Board Members
Cc: Rick Haffey; Alison Barratt-Green; Alison Lehman; Sean Powers; Mali Dyck
Subject: FW: Setbacks for Cannabis Cultivation
Attachments: cagsetbacks.jpg

From: Richard Anderson
Sent: Friday, January 5, 2018 7:14 AM
To: Julie Patterson-Hunter <Julie.Patterson-Hunter@co.nevada.ca.us>
Subject: Fw: Setbacks for Cannabis Cultivation

From: Drew <andrewgoodwin@gmail.com>
Sent: Thursday, January 4, 2018 4:36 PM
To: Hank Weston; Heidi Hall; cagmeetingcomments@migcom.com; Richard Anderson
Subject: Setbacks for Cannabis Cultivation

The biggest obstacle on my 13 acre parcel will be setbacks as well as for many other growers. Only so much of my property is not heavily sloped and or usable.

Please set the setbacks on AG parcels 5 acres or above to 50ft or less ... this is the only way that growers will be able to comply with the various terrain and odd size parcel sizes ...

The only other alternative I can recommend is some sort of variance ... that the Nevada County Alliance is also suggesting.

Also the only way for me to continue help patients that I personally know directly ... and Networks such as Forrest's is by having a Micro License and being able to deliver products to my friends and patients.

I have attached a picture of my parcel as an example ...

Thank You

Andrew

Julie Patterson-Hunter

From: Julie Patterson-Hunter
Sent: Friday, January 5, 2018 3:14 PM
To: Julie Patterson-Hunter
Subject: FW: CAG recommendations

All BOS Received

From: gary sobonya [<mailto:garysobonya@gmail.com>]
Sent: Wednesday, January 03, 2018 10:46 AM
To: Ed Scofield
Subject: CAG recommendations

Ed,
I attended all of the meetings of the Nevada County Citizen's Advisory Group concerning Cannabis regulations and I would like to commend that group for it's thorough, heart-felt work towards adopting sensible rules for our county.

I encourage you and your fellow supervisors to take their recommendations seriously. All sides and opinions were able to voice their concerns, and many of the CAG members remarked that they were amazed at the level of education and enlightenment they received regarding the realities of the Cannabis industry in California today.

The 10,000 square foot limit, (designated small by the state), on commercial cultivation is reasonable. None of us want "mega-farms" here.

5,000 sq. ft. on 5 acres or more in AG zoning is also reasonable.

The one topic the CAG failed to get consensus on was the topic of setbacks. This topic is *crucial* to the bulk of farmers in Nevada County wanting to come into compliance with any new ordinance.

Most small farms in this county are on smaller acreage with odd shaped property lines. 100 or more feet to the property line makes it impossible for many to comply.

All of you have stated that compliance of farmers with any new ordinance is a priority.

With that priority in mind, I encourage you to adopt a reasonable setback to the farmer's property line of 30 to 50 ft. That would encourage, not discourage compliance and would be more in line with other setbacks required by the county.

My last suggestion is to ask the board to issue a statement declaring it's intention to allow permitting of Cannabis cultivation in our county. A generic statement would allow Nevada County farmers to apply for temporary state licenses and not be left behind as the state moves forward with it's licensing program.

Thank You,
Gary Sobonya
Nevada County resident for 31 years