

>>> Lauren Mendelsohn <lauren@omarfigueroa.com> 5/2/2021 7:03 PM >>>
Hi Julia,

I have a question about the Draft of Appendix A. Footnote #7 says:

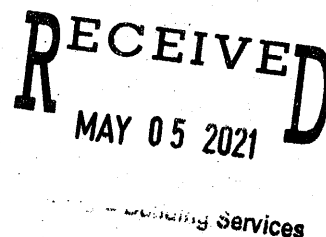
"Persons who applied for a Phase 1 permit pursuant to Chapter 10A.17 that are not located in a Commercial Cannabis Prohibition (CP) Combining District or sunset area (pursuant to MCC section 10A.17.080(B)(2)(b)) may apply for a Land Use Permit under Chapter 22.18. Phase 1 applicants applying pursuant to Chapter 22.18 to cultivate 10,000 square feet or less shall be subject to issuance of a Administrative Permit and need not comply with the zoning district or parcel size criteria within Appendix A. Cultivation above 10,000 square feet is subject to the provisions of Appendix A including zoning district and parcel size."

What about persons who applied for 10,000 square feet of mature cultivation and 12,000 square feet of nursery cultivation during Phase 1, and who are located in the TPZ zone? The TPZ zone is not listed as an eligible zoning district for Phase 3, but I have clients who applied there previously and who may wish to apply for a Phase 3 permit for their site if they are unable to satisfy the state's CEQA requirements with their Phase 1 permit. It seems entirely unfair to only allow them to apply for a portion of what they have already applied for, whereas other zoning districts are not subject to this restriction; furthermore it will end up in more site disturbance overall as Phase 1 folks in TPZ realize they are limited by their current property and seek out a new location to disturb.

Thank you, and I look forward to your response.



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