

REC'D AUG 29 2016

**No on Measure AF Committee**

110 South Main Street Suite C

Willits, CA 95490

August 26, 2016

Mayor and City Council  
City of Fort Bragg  
416 N. Franklin Street  
Fort Bragg, CA 95437

RE: Request for endorsement of No on Measure AF

Dear Mayor and Councilmembers,

Mendocino County faces an important choice on the future of the marijuana industry. Commercial production was authorized by the legislature in January 2016 and will be expanded under Proposition 64 (the Parker initiative). But both statewide legal schemes allow local cities and counties a wide latitude to establish their own regulations for marijuana cultivation, processing and sales.

The Mendocino County Board of Supervisors has risen to this challenge and worked hard at crafting an ordinance that would authorize permits for commercial marijuana operations while protecting citizens from nuisance impacts and protecting the environment from harm. After months of public hearings, the Board referred a draft ordinance for environmental review with the expectation that it would receive further consideration early next year.

But this careful process didn't satisfy a group of marijuana growers who wanted to write the marijuana rules themselves. They collected enough signatures to qualify the "Mendocino Heritage Act" for the November ballot. It has been designated Measure AF and is 60 pages long.

Serious problems are common when regulations are written by the industry that's being regulated, and Measure AF is no exception. We believe that Measure AF should be rejected on these grounds alone--that it is an attempt to override the good-faith work by our democratically-elected representatives on the Board of Supervisors. Rather than reflect the needs of the entire community, Measure AF would serve the needs of marijuana growers alone.

In addition, there are seven specific flaws in Measure AF:

- Measure AF would allow growing in every residential zoning district, with grows of up to 1 acre of plant canopy.

- Measure AF would allow growing within 30 feet of a neighbor's property and within 100 feet of a neighbor's house, except in mobile home parks where there would be no setback requirements at all.
- Measure AF establishes a civil enforcement procedure that would be so weak and slow as to be non-existent.
- Measure AF would give marijuana recognition under the County's "Right to Farm" ordinance, meaning neighbors would be barred from complaining about odor.
- Measure AF would eliminate the 1000 foot separation under existing County Code between marijuana operations and youth-oriented facilities, churches and residential treatment centers, and Measure AF would reduce the marijuana separation from parks and schools to only 600 feet.
- Measure AF would allow an unlimited number of marijuana dispensaries in any commercial zoning without public process.
- Measure AF would recognize the use of explosive butane in manufacture of hash oil as a "principal permitted use" in any industrial zoning without public process, even though this dangerous practice has caused many fires.

These issues are discussed in detail in the enclosed document, "Questions and Answers About Measure AF."

The voters will decide the fate of Measure AF in November. It's unreasonable for the average voter to analyze a 60-page document and sort out conflicting advertising claims about it. So most voters will look to established bodies like yours for guidance.


An endorsement by the City of Fort Bragg is appropriate because this issue will affect everyone in Mendocino County--our suburban residents, our rural residents, and our children today and into the future.

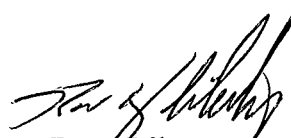
We respectfully request that you consider endorsing a "No" vote on Measure AF and communicating that endorsement to our committee. We are available to discuss this issue in person and can be contacted at [NoOnMeasureAF@yahoo.com](mailto:NoOnMeasureAF@yahoo.com).


Sincerely,

NO ON MEASURE AF COMMITTEE

  
Hal Wagenet

  
Chris Neary

  
Ross Liberty

  
Mike Sweeney

enclosure