

**July 9, 2019**  
**Regular Meeting**  
**Item # 4**

**Finance**

**Additional Documents:**  
**Recommended Budget**  
**(available in the Clerk's Office)**

**July 9, 2019**  
**Regular Meeting**  
**Item # 7a**

**Community Development**

**Additional Documents:**

**Staff Report**

**Letters from Public**

**Handout from Owner**

**Petitions**

# Mono County Community Development Department

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PO Box 347  
Mammoth Lakes, CA 93546  
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## Planning Division

PO Box 8  
Bridgeport, CA 93517  
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[www.monocounty.ca.gov](http://www.monocounty.ca.gov)

Date: July 9, 2019

To: **Honorable Mono County Board of Supervisors**

From: Bentley Regehr, Planning Analyst

Re: **Cannabis Operation Permit 19-003/Tioga Green Cannabis Retail**

### RECOMMENDATION

1. Find that the project qualifies as a Categorical Exemption under CEQA guideline 15303 and file a Notice of Exemption.
2. Make the findings contained in the staff report and approve Cannabis Operation Permit 19-003 subject to the conditions as recommended or with desired modifications.

### FISCAL IMPACT

The proposed project will generate an incremental increase in sales and cannabis taxes.

### BACKGROUND

In June 2017, California Senate Bill 94 was passed, consolidating the provisions of the Medical Cannabis Regulation and Safety Act and Proposition 64 (passed by voter approval in the November 2016 election) into what is now known as the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA). The Act creates a framework for the regulation of commercial medicinal and adult-use cannabis in California. The margin of support for Proposition 64 in the Mono Basin was 30.6%, among the highest values in the county and exceeding the county's average margin of support of 23.2%.

Three state authorities were authorized for the oversight and State permitting of cannabis businesses: The Bureau of Cannabis Control is the lead agency for retailers, distributors, testing labs, microbusinesses, and temporary cannabis events; CalCannabis, a division of the California Department of Food and Agriculture, has oversight of cultivation; and the Manufactured Cannabis Safety Branch, a branch of the California Department of Public Health, regulates all commercial cannabis manufacturing. Each licensing authority requires an operator to receive local approval prior to applying for state licensure.

To develop specific local cannabis regulations, two rounds of public outreach were conducted via the Regional Planning Advisory Committees (RPACs) from March to August 2017. The Board of Supervisors held four public workshops beginning March 2017, and the Planning Commission held a workshop on September 21, 2017, for input and direction on policy issues raised by public outreach and other public comment. On December 5, 2017, General Plan Amendment (17-03) was adopted by Resolution R17-88, establishing policies for commercial cannabis activity by changing and adding text to the Land Use Element and Conservation/Open Space Element of the Mono County General Plan.

Primary discussion for cannabis regulations in Lee Vining occurred at the March 2017 Mono Basin RPAC meeting. Staff requested input on a variety of aspects related to operation of cannabis businesses, including the buffer from sensitive facilities (schools, parks, libraries, and the Community Center). A 600' buffer is the minimum standard, based on State regulations. A 1000' buffer was discussed but was not specifically recommended by the Mono Basin RPAC and no other buffer distances were suggested. The only exception to the 600' buffer in the county based on RPAC discussion is the

additional buffer surrounding the commercial corridor in Crowley Lake. The proposed project meets both a 600' and 1000' buffer.

In January and February 2018, the Planning Commission continued to review specific regulations to govern cannabis activity. These regulations were consolidated into a new General Plan chapter, Chapter 13, Commercial Cannabis Activities, and Mono County Code (MCC) Chapter 5.60, Cannabis Operations. On April 17, 2018, the Board approved General Plan Amendment 18-01 which included General Plan Chapter 13 and adopted MCC Chapter 5.60.

The chapters established two permits required for local cannabis businesses: A Conditional Use Permit for the property's land-use entitlement, and a subsequent Cannabis Operation Permit for the business. While the Conditional Use Permit runs with the land, the Operation Permit is unique to the business and expires annually. A separate cannabis Operation Permit is required for each type of cannabis activity carried out on or at the premises regardless of ownership.

Pursuant to California Business and Professions Code Section 26000, et seq., a valid license issued by the state shall be required to operate any commercial cannabis activity within the County.

## **DISCUSSION**

Cannabis Operation Permit 19-006/Tioga Green, is for an adult-use cannabis retail operation located at 51005 Highway 395 (APN 021-080-022) in Lee Vining, CA. The project was granted a Conditional Use Permit at the May 16, 2019, Planning Commission meeting, thereby satisfying MCC 5.60.040(C). The Commission found that the project was consistent with the requirements of Chapter 13 of the General Plan, analyzing the project's location, site, odor mitigation, signage, visual screening, lighting, parking, and noise generation.

At the time for the Use Permit approval, the applicant was seeking contract water service from the Lee Vining Public Utility District, which would have required approval by the Local Agency Formation Commission (LAFCO). The requirement was made a condition of the project. However, since that time, the applicant has determined the onsite well provides sufficient water, rendering the Use Permit condition no longer applicable. Conditions pertaining to the well use for operations are included in the approval of this Operation Permit.

The applicant, Mr. Cory Zila, does not currently operate any other cannabis businesses and is a resident of Mono County. Mr. Zila has fifteen years in the cannabis industry including work as a broker and retailer in the areas of extraction, distribution, transportation and cultivation. Mr. Zila is part-owner of Sierra Spectrum, LLC, which also includes owners Winston Hebert, Justin Modroo, and Amy DeSarro. Sierra Spectrum, LLC owns the property, building, and infrastructure located associated with the project site.

The property includes the existing 690-square foot commercial building (see Figure 1 for site plan). The building was previously approved for a drive-through restaurant via Use Permit 34-06-05. Use Permit 34-06-05 was revoked in conjunction with the approval of the cannabis use permit at the May 16 Planning Commission meeting. The proposal includes internal remodeling and minor exterior improvements to improve lighting, signage, and security. The building footprint will not be altered or expanded. See Figure 2 for the complete floor plan.

MCC 5.60.070 lists the application requirements for obtaining a Cannabis Operation Permit. The applicant has provided all required materials for this application to be processed. The project is required to comply with additional regulations for cannabis retail, MCC 5.60.140. Internal staff routing to the Cannabis Joint Committee has verified completeness and acceptance of the application.

**TIOGA GREEN  
PLOT PLAN  
5/10/2019**

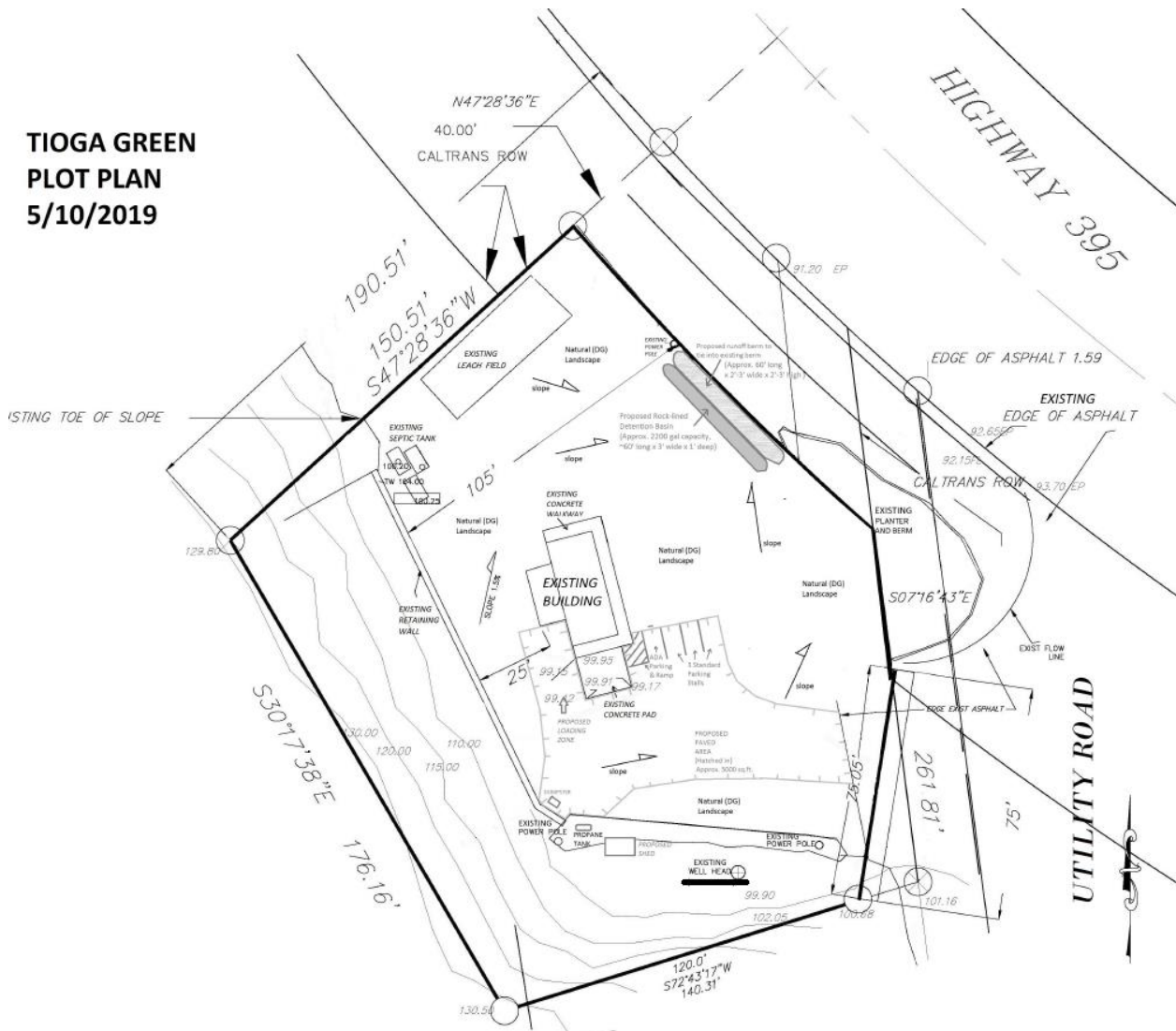


Figure 1: Site Plan

8'6." 15'

# Tioga Green Floor Plan

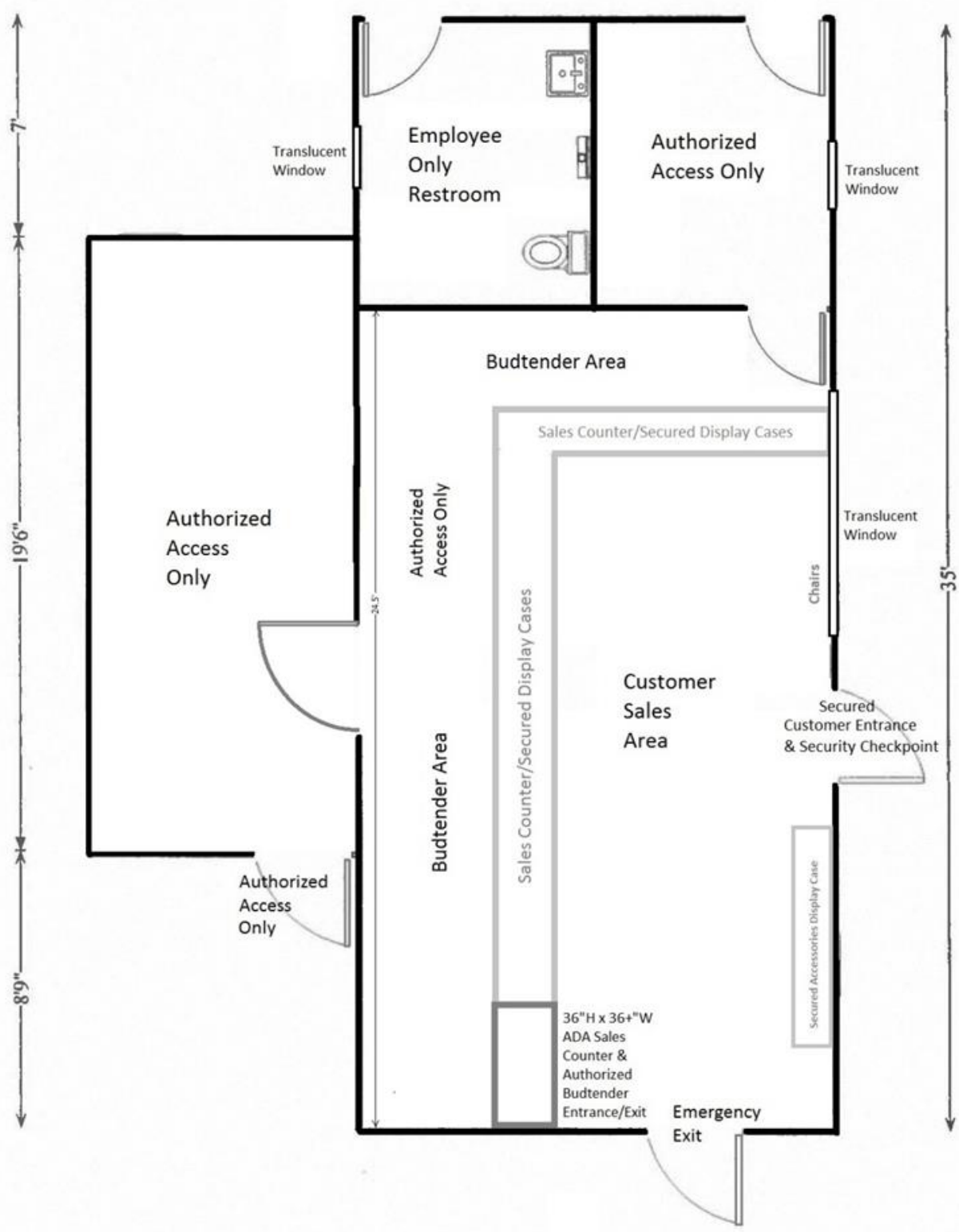


Figure 2: Floor plan 2

## **Operating plan – MCC 5.60.070(B)(13)**

The applicant is required to submit an operating plan detailing proposed activity, products, processes, inventory procedures, employee training, hours of operation, and quality control procedures.

- The proposed activity is retail sale of recreational cannabis and cannabis products to persons 21 years of age and older.
- Pursuant to County regulation, operation hours will be between 9:00 am and 9:00 pm.
- Quality control procedures: The applicant will verify that the cannabis and cannabis products have not exceeded their expiration or sell-by date if one is provided. A first in/first out and first expired/first out system will be used in order to avoid products expiring. If a product is close to expiring, the applicant will attempt to move the remainder of the product quickly prior to the expiration date through discounts and promotion of the product. For expired product, the business will mark it for disposal and store it separately from other products. All disposal of the cannabis waste will be recorded in the state track and trace system.
- The 24-hour emergency contact and community relations contact listed is Mr. Cory Zila; telephone number 760-647-0454, and email address tiogagreen@gmail.com.
- Processes and procedures to be utilized include documented opening and closing procedures, cash management procedures to limit on-hand cash, procedures requiring all deliveries to be coordinated with management and integrated within inventory control procedures, and formal incident reporting procedures and incident log to be maintained at the premises.
- All cannabis and cannabis products will be within a secure vault with the exception of a limited number of products for display purposes located within a locked display case. The locked display case will only house a small amount of inventory and employees will conduct physical inventory before and after shifts. Employees will unlock and open the retail display case only at the time of customer request and the case will remain locked during normal business operations. The secure vault will only be accessible by management and will be used to replenish the retail display case based on daily sales.
- Employees will only sell products from behind a secure sales area and will wear employee badges with photos at all times.
- Age Verification: No persons under the age of 21 will be allowed to enter the premise. Trained security personnel will enforce the regulation using electronic scanning and/or visual checking of a government issued form of identification.
- All sales of products will be final and appropriate signage will be posted to that effect. Tioga Green will not accept returns from other cannabis retailers or from customers.
- A warning sign for pregnant or breastfeeding adults, driving while high, and “Not for Kids or Teens”, will be posted in a prominent location, in compliance with MCC 5.60.140(P).
- Customer experience: Security will be present at the entrance during operating hours to check identification. Once through security a trained retail associate will guide customers through the products available, located in the locked display case. Management or senior staff will be present during all operating hours to ensure proper operating procedures. The retail area will include seating for customers. All salable products will be kept in a vault until the point of sale.

## **Inventory Control**

The business will implement formal inventory control procedures including electronic inventory control, inventory reconciliation procedures and regular stock counts. All deliveries will be coordinated by and with management. An electronic inventory control system will be integrated with the Point of Sales system, and regular stock counts will be implemented to reconcile actual stock on hand with electronic record of inventory.

A secured vault will be used for inventory storage, and all cannabis goods will be received from a licensed distributor (CA CCR §5406). Security cameras on the exterior and interior of the facility will record all areas where cannabis and cannabis product will be received, transported, and stored.

Once the applicant has applied for a state license, he will be able to register with the California Cannabis Track-and-Trace System and complete training on the system to become an account manager. When a state license has been issued, the

account manager will be credentialed to access the CCTT-Metric system and will use the system when receiving product. The operation will maintain a copy of all shipping manifests, provided by a licensed distributor, that will be made available to County officials upon request.

### **Employees**

The applicant has stated that all employees will go through a formal screening process that includes but is not limited to background checks and reference checks. Per County Code requirements, all employees are required to be twenty-one (21) years of age or older for adult-use retail, and the business shall retain proof of age for all employees.

All employees will undergo a mandatory internal security and operational training program that satisfies Mono County Code. Once hired, employees will complete an internal training program and an approved external training program, such as Sell-SMART by Cannabis Trainers TM. Employees will be trained about cannabis products offered as well as the risks involved with use of them.

### **Detailed business plan – MCC 5.60.070(B)(14)**

Use Permit 19-006 was approved on May 16, 2019, and the application provided a detailed analysis of the land use and relevant impacts including the project's location, site, odor mitigation, signage, visual screening, lighting, parking, and noise generation. A full copy of the Use Permit is attached (Attachment 1).

The applicant is required to obtain a Business License and cannabis tax certificate before beginning operation (MCC 5.60.040(F)). The applicant has agreed to secure and provide proof of all approvals necessary to operate a commercial cannabis retail operation prior to beginning business.

### **Waste management plan – MCC 5.60.070(B)(15)**

General waste (non-cannabis) will be disposed of in a bear-resistant dumpster on the property and serviced regularly by a disposal company. Minimal cannabis-related waste is anticipated. Cannabis products will be accepted from the distributor only if they are consistent with the order placed and meet packaging and testing requirements, including an appropriate expiration date. Quality control procedures reduce the number of products expiring prior to sale, using a first-in/first-out system. Any cannabis waste will be stored in the secure vault unit until it is ready to be manually transported to a licensed solid waste facility. Cannabis waste will be weighed and inventoried prior to leaving the store. Any expired or defective cannabis products may also be returned to distributors pursuant to state law. A waste report itemizing serial numbers and weight of cannabis product disposed of through a waste facility will be created and stored on the premise with appropriate receipts. No hazardous materials will be on site.

The Bureau of Cannabis Control Emergency Regulations, section 5053 (a), allows for returns between licensees when a manufactured cannabis good is found to be defective. The return may only be in exchange for a non-defective version of the same type of cannabis good, or in exchange for a cannabis good of equal value.

### **Security plan – MCC 5.60.070(B)(16)**

The Confidential Security Plan has been reviewed by the Mono County Sherriff's Office and has been approved. The Security Plan follows the requirements that have been set forth in Title 16, Section 5042-5047 of the California Code of Regulations. Per Mono County Code 5.60.070.B(16) the security plan is confidential.

### **Analysis – MCC 5.60.080(C)**

Upon completion of staff review and internal processing, the Director shall set the matter for decision by the Approval Authority, which shall receive and consider the input and recommendations of the Sheriff, staff, the applicant and any interested persons and, thereafter, may issue the cannabis operation permit if the following findings are made:

1. *The commercial cannabis activity, as proposed, will comply with the requirements of state law and regulation, the Mono County General Plan, the Mono County Code and this Chapter.*

The staff report describes the applicant's operations such that they are in compliance with County regulations and applicant has signed under Penalty of Perjury that "the applicant and all persons involved



in management have the ability to comply with all laws regulating cannabis businesses in the State of California and shall maintain such compliance during the term of the permit”.

2. *The property has all necessary land use entitlements as required by the Mono County General Plan or is legally exempt from such requirements.*

The applicant received a Use Permit from the Planning Commission on May 16, 2019. The applicant must provide documentation that shows the well is sufficient for the proposed use prior to commencement of operations (See: Condition 5 and Condition 6 of the Operation Permit).

3. *The applicant has demonstrated to the satisfaction of the Approval Authority that the operation, its owners and the applicant have the ability to comply with state law and regulation, the Mono County General Plan, the Mono County Code and this Chapter.*

Through this evaluation, the applicant has demonstrated the ability to comply with state law and regulation, the Mono County General Plan, and the Mono County Code. The application has been circulated for multi-departmental review and has received approval from departments including, but not limited to, Community Development, Public Health, Finance, and the Sheriff's Office. Application materials were reviewed, and additional questions of the project were communicated to the applicant for further clarification which was provided by the applicant and included in this report.

4. *No applicant or owner has been convicted of a felony or a drug related misdemeanor reclassified under Section 1170.18 of the California Penal Code (Proposition 47) within the past ten (10) years, unless the Approval Authority determines that such conviction is not substantially related to the qualifications, functions or duties of the person or activity and/or there is adequate evidence of rehabilitation of the person. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere.*

The applicant or owner has not been convicted of a felony or a drug related misdemeanor within the past ten (10) years. The applicant has completed a Live Scan and it has been determined that no significant crimes have been committed.

5. *The Approval Authority determines that issuance of the permit is in the best interests of the community, the County, and its citizens and visitors, based on the following:*

- 1) *The experience and qualifications of the applicant and any persons involved in the management of the proposed cannabis business;*

The applicant has a strong background in the cannabis business, with over fifteen years of experience in the industry. The applicant is a current and long-time resident of Mono County.

- 2) *Whether there are specific and articulable positive or negative impacts on the surrounding community or adjacent properties from the proposed cannabis business;*

The business is located at least 1400' from all sensitive receptors, including schools, parks, libraries, and community centers. The site is on the southern terminus of the Lee Vining Commercial Core and is surrounded by Southern California Edison land on all sides.

The business provides economic diversity to the Mono Basin area.

Public comment received at the May Planning Commission meeting highlighted concerns regarding safety and community cohesion. Multiple comments were made stating that children often walk the street in front of the proposed location.

Five comment letters were received for the Operation Permit prior to publication of the staff report. Three letters supported the business as an asset to the community, while two letters opposed the business, one on principle and the other citing threats to safety and community character. See Attachments for letters.

- 3) *The adequacy and feasibility of business, operations, security, waste management, odor control, and other plans or measures submitted by the applicant;*

As a retail business, the application adequately addresses the feasibility of business, operations, security, waste management, and odor control. The applicant has expressed commitment to selling product to only legal consumers through a detailed and robust security plan. The limited retail space has sufficient security elements to prevent crime and unanticipated nuisances.

Odor control and waste management will be very limited. Consumption is prohibited on-site, and retail products will arrive at the location prepackaged. Waste materials will be in the form of packaging and non-cannabis containing waste. Any cannabis or cannabis products that are found to be defective will be returned to the licensed Distributor.

- 4) *Whether granting the permit will result in an undesirable overconcentration of the cannabis industry in a limited number of persons or in a limited geographic area within the County;*

No other cannabis-related businesses exist in the Mono Basin at this time. The nearest operating cannabis retail business is in June Lake.

- 5) *Environmental impacts/benefits of the cannabis business such as waste handling, recycling, water treatment and supply, use of renewable energy or other resources, etc.; and*

No environmental impacts are anticipated from the proposed business.

- 6) *Economic impacts to the community and the County such as the number and quality of jobs created, and/or other economic contributions made by the proposed operation.*

The proposed business is expected to generate three permanent and nine seasonal jobs for area residents. The proposed business will generate positions for security and retail associates. The retail employees will be of high quality; background checks will be completed for employees and employees will receive specific training for the job.

The proposed business will generate an incremental increase in sales and cannabis taxes.

The Board has the authority to deny an application that meets any of the following criteria (MCC 5.60.080(D)):

1. The applicant has knowingly made a false statement of material fact, or has knowingly omitted a material fact, from the application.
2. A previous cannabis operations permit issued under this Chapter for an operation involving the same applicant or owner has been revoked by the County within the two (2) years preceding the date of the application and all opportunities for appeal of that determination have been exhausted or the time in which such appeals could have been filed has expired.
3. The applicant or any owner has been determined, by an administrative hearing body or a court of competent jurisdiction to have engaged in commercial cannabis activities in violation of State or local law and all opportunities for appeal of that determination have been exhausted or the time in which such appeals could have been filed has expired.

This staff report has been reviewed by the Community Development Director.

**Attachments**

1. Planning Commission Staff Report for Use Permit 19-006, including CEQA 15303 analysis
2. Public comment letters

**Conditions of Approval**  
**Cannabis Operation Permit 19-003/Tioga Green**

1. The operation shall comply with all County department regulations including, but not limited to, the Mono County Sheriff's Department, Public Health Department, Environmental Health Department, Public Works Department, Community Development Department, and Treasure - Tax Collector's Office.
2. The operation shall comply with all rules and regulations established in Mono County Code, the Mono County General Plan, and all applicable state laws.
3. This permit is nontransferable and shall terminate upon expiration or subsequent termination, or change in property ownership, or when more than fifty percent of the corporate stock, partnership interest or other business interest is transferred.
4. This permit is only valid when a Use Permit exists for the property. This permit shall become invalid if the Use Permit for the property is revoked.
5. The applicant shall provide well service provider's documentation that the water well is in good working condition and that it can provide an adequate water supply to serve the needs of this business.
6. The applicant shall contact Mono County Environmental Health to schedule an inspection of the well and appurtenances, and to collect a water sample for bacteriological analysis.
7. Prior to commencing operation, the applicant shall obtain a state cannabis retail license, Mono County Business License, and Mono County Tax Certificate.
8. Hours of operation shall begin no earlier than 9:00 am and end no later than 9:00 pm.
9. The applicant must provide proof of the state-issued license when available.
10. The County, its agents, and employees may seek verification of the information contained in this permit and the associated application.
11. The business shall be subject to an annual inspection performed to ensure compliance with County Code 5.60.120. Failure to pass the annual inspection prior to the August 31 may result in denial of the renewal application.
12. The operation shall operate only in accordance with the application and all corresponding plans reviewed and approved by the County.
13. This permit shall expire August 31, 2020 (unless renewed or revoked in accordance with Mono County Code Chapter 5.60).
14. Renewal/modifications must be received by August 1 accompanied by the required renewal/modification fee. If any of the documentation and information supplied by the applicant pursuant to Section 5.60.070 has changed or will change since the grant of this permit, the applicant shall submit updated information and documentation with the application for renewal and shall provide such other information as the Director may require. If an applicant fails to submit the renewal form and all associated fees thirty (30) days before August 31, the applicant will be required to submit a new application under section 5.60.070.

**From:** rocket schneider <[bleepsnow@gmail.com](mailto:bleepsnow@gmail.com)>

**Sent:** Monday, July 8, 2019 7:01:47 PM

**To:** Wendy Sugimura

**Cc:** [Tiogagreen@gmail.com](mailto:Tiogagreen@gmail.com)

**Subject:** Tioga Green

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mono County Supervisors and Staff,

I am writing in support of the proposal for Tioga Green, the Adult-Use Cannabis Dispensary being considered for approval in Lee Vining. I believe the business will be an asset to the community of Lee Vining and Mono County. I understand there have been a number of people in Lee Vining that have spoken out to the Board against the proposal stating concerns about children and the character of the community.

In 2016, State voters approved Proposition 64 by 57%. Mono County voted at an even greater percentage than the state in favor of Proposition 64, at 62% in favor, and voters in District 3, which includes June Lake and Lee Vining, voted 64% in favor. Voters in the Lee Vining precinct voted in favor at 65.42%, higher than any other precinct in Mono County outside of the Town of Mammoth Lakes. A substantial majority of voters in this community voted in favor of the laws allowing this type of business.

With the passage of Proposition 64 in 2016, cannabis is now legal for adult use. The education of youth and those that mentor them on cannabis is a tricky subject. California launched an educational campaign called "Let's Talk Cannabis" with a ton of educational materials available to help with this education process. The "Let's Talk Cannabis" website is <https://www.cdph.ca.gov/Programs/DO/letstalkcannabis/Pages/LetstalkCannabis.aspx>. Their campaign specifically targets youth, parents, and emphasizes responsible use for adults. I understand that the Tioga Green Owners, Cory Zila and Margie DeRose, have recently been circulating these educational flyers in the community. The County excise tax will contribute a significant amount of funding to the County that will be available for educational purposes.

The character of the community will not be tarnished by a new business in a prominent location that has sat vacant for decades. More small businesses in Lee Vining, like Tioga Green, will contribute to the vibrancy and economic stability of the community. The proposal includes signage, building design, and landscaping that are characteristic of the rustic and naturalness of the area. The building is small and does not overpower the street frontage. The location is ideal as it is away from the center of the community, including schools and parks. Customers of the dispensary have to intentionally go there. The concern over a dispensary being in the community is interesting as 65.42% of the community voted in favor of legalizing cannabis for adult use. The "Not In My Back Yard" mentality is just the fear of change and unknown

outcomes. The education of customers and those in the community are a priority of the owners.

In addition, with the recent approval of several cannabis farms, manufacturers, and distributors in the County, Tioga Green intends to source as much of their products from local sources as possible. Other than tourism, no other industry offers the opportunity to be vertically integrated, creating more jobs and revenue that will stay in the County.

I appreciate your consideration of my support as a member of the community for the Tioga Green proposal. The business would be a true asset to the community of Lee Vining and the Eastern Sierra as a whole.

Thank you,

Willie Schneider, mono city resident and owner of hermitage juice bar in June lake

From: **Jr Garnica** <[albert.garnica33@gmail.com](mailto:albert.garnica33@gmail.com)>

Date: Mon, Jul 8, 2019, 16:33

Subject:

To: <[TiogaGreen@gmail.com](mailto:TiogaGreen@gmail.com)>

Mono County Supervisors and Staff,

My name is Albert Garnica jr. As a veteran marijuana has helped so much that there are no words for how grateful I am. I used to take about 15 pills a day for PTSD now I smoke marijuana and take about 4 pills a week. Before marijuana and after the military I was reckless and careless. Now I'm a proud father and husband as well as a productive member of society. I can speak for myself and other veterans when I say that if it wasn't for medical marijuana we wouldn't have a second chance at having a peaceful life. Thank you

I am writing in support of the proposal for Tioga Green, the Adult-Use Cannabis Dispensary being considered for approval in Lee Vining. I believe the business will be an asset to the community of Lee Vining and Mono County. I understand there have been a number of people in Lee Vining that have spoken out to the Board against the proposal stating concerns about children and the character of the community.

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I appreciate your consideration of my support as a member of the community for the Tioga Green proposal. The business would be a true asset to the community of Lee Vining and the Eastern Sierra as a whole.

Thank you,



**From:** Missy Potalivo <[missy@socialsensemarketing.com](mailto:missy@socialsensemarketing.com)>

**Sent:** Monday, July 8, 2019 6:53:20 PM

**To:** Bob Gardner; Stacy Corless; Fred Stump; Jennifer Halferty; John Peters; Bentley Regehr; Wendy Sugimura

**Subject:** Tioga Green

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Best Regards,

Missy Potalivo  
Mono City Resident

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**Sent:** Monday, July 8, 2019 6:53:20 PM

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**Subject:** Tioga Green

Mono County Supervisors and Staff,

I am writing in support of the proposal for Tioga Green, the Adult-Use Cannabis Dispensary being considered for approval in Lee Vining. I believe the business will be an asset to the community of Lee Vining and Mono County. I understand there have been a number of people in Lee Vining that have spoken out to the Board against the proposal stating concerns about children and the character of the community.

In 2016, State voters approved Proposition 64 by 57%. Mono County voted at an even greater percentage than the state in favor of Proposition 64, at 62% in favor, and voters in District 3, which includes June Lake and Lee Vining, voted 64% in favor. Voters in the Lee Vining precinct voted in favor at 65.42%, higher than any other precinct in Mono County outside of the Town of Mammoth Lakes. A substantial majority of voters in this community voted in favor of the laws allowing this type of business.

With the passage of Proposition 64 in 2016, cannabis is now legal for adult use. The education of youth and those that mentor them on cannabis is a tricky subject. California launched an educational campaign called "Let's Talk Cannabis" with a ton of educational materials available to help with this education process. The "Let's Talk Cannabis" website is <https://www.cdph.ca.gov/Programs/DO/letstalkcannabis/Pages/LetstalkCannabis.aspx>. Their campaign specifically targets youth, parents, and emphasizes responsible use for adults. I understand that the Tioga Green Owners, Cory Zila and Margie DeRose, have recently been circulating these educational flyers in the community. The County excise tax will contribute a significant amount of funding to the County that will be available for educational purposes.

The character of the community will not be tarnished by a new business in a prominent location that has sat vacant for decades. More small businesses in Lee Vining, like Tioga Green, will contribute to the vibrancy and economic stability of the community. The proposal includes signage, building design, and landscaping that are characteristic of the rustic and naturalness of the area. The building is small and does not overpower the street frontage. The location is ideal as it is away from the center of the community, including schools and parks. Customers of the dispensary have to intentionally go there. The concern over a dispensary being in the community is interesting as 65.42% of the community voted in favor of legalizing cannabis for adult use. The "Not In My Back Yard" mentality is just the fear of change and unknown outcomes. The education of customers and those in the community are a priority of the owners.

In addition, with the recent approval of several cannabis farms, manufacturers, and distributors in the County, Tioga Green intends to source as much of their products from local sources as possible. Other than tourism, no other industry offers the opportunity to be vertically integrated, creating more jobs and revenue that will stay in the County.

I appreciate your consideration of my support as a member of the community for the Tioga Green proposal. The business would be a true asset to the community of Lee Vining and the Eastern Sierra as a whole.

Best Regards,

Missy Potalivo  
Mono City Resident

**From:** [Wendy Sugimura](#)  
**To:** [Bentley Regehr](#)  
**Subject:** FW:  
**Date:** Friday, June 21, 2019 10:14:38 AM

---

**From:** Denise <denisedomaille@yahoo.com>  
**Sent:** Thursday, June 20, 2019 6:01 PM  
**To:** Wendy Sugimura <wsugimura@mono.ca.gov>  
**Subject:**

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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I am writing in support of the proposal for Tioga Green, the Adult-Use Cannabis Dispensary being considered for approval in Lee Vining. I believe the business will be an asset to the community of Lee Vining and Mono County. I understand there have been a number of people in Lee Vining that have spoken out to the Board against the proposal stating concerns about children and the character of the community.

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I appreciate your consideration of my support as a member of the community for the Tioga Green proposal. The business would be a true asset to the community of Lee Vining and the Eastern Sierra as a whole.

Thank you,  
Denise Molnar

Sent from my iPhone

**From:** [dan molnar](#)  
**To:** [Bob Gardner](#); [scorelss@mono.ca.gov](mailto:scorelss@mono.ca.gov); [Fred Stump](#); [Jennifer Halferty](#); [John Peters](#); [Bentley Regehr](#); [Wendy Sugimura](#)  
**Subject:** Tioga green  
**Date:** Saturday, July 6, 2019 9:27:33 PM

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CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Unfortunately I can't make the meeting Tuesday am. I have to work in mammoth.  
I writing to convey my support of Tioga green and there vision.

Marijuana use has finally come out of the closet which is a good thing. Any negative effects it might have pale to those of alcohol and tobacco as we all know.

Having lived and worked in the mono basin on and off since 2004 I can say with confidence that the mono basin has always had a large number of marijuana enthusiasts and in my opinion they are some of the more productive, tolerant and interesting members of the population.

Tioga green would not alter the character of lee vining. It would benefit the existing marijuana culture which has peacefully and uneventfully flourished for decades.

If the residents of lee vining want to address a threat to there towns character perhaps they should consider a ban on tobacco and alcohol. There are mountains of studies which would confirm there detrimental qualities.

Finally. I'm flabbergasted that a few business people have the gumption to try and deny another business entity the opportunity to legally participate in our capitalist system. That is about as un American as it gets.

Thanks for your time.

Dan Molnar

Sent from my iPhone

**From:** Stephani Hukkanen <[stephhukk@gmail.com](mailto:stephhukk@gmail.com)>

**Sent:** Tuesday, July 9, 2019 8:16:43 AM

**To:** Bob Gardner; Fred Stump; Jennifer Halferty; John Peters; Bentley Regehr; Wendy Sugimura;  
[scorelss@mono.ca.gov](mailto:scorelss@mono.ca.gov)

**Subject:** Dispensary Lee Vining

To Whom it may Concern,

As a citizen of Mono County for 10 years, I have witnessed the issues brought on by an absence of a dispensary. I first moved here without a car, and know of at least thirty other citizens across this county who do not have a working vehicle. Accessing medical marijuana is unreasonably difficult for the locals of Lee Vining and travellers alike. Having a dispensary in Lee Vining would be a crucial service because it would make it easier for patients to get their medicine.

Furthermore, the amount of people who come through Lee Vining heading to or from Yosemite always ask about where to find a dispensary close. People traveling from Tahoe are in need as well since the rules are more strict there and they don't have the access like we do here. A business like that would do really good in the town of Lee Vining.

Cory Zila really knows what he's doing as a businessman and he is a long time local. He's very knowledgeable when it comes to Marijuana and the lagalities of having a business like this.

Sincerely,

Stephani Hukkanen

**July 9, 2019**

**Mono County  
Board of Supervisor's Meeting**

**Tioga Green**

**Additional Materials**

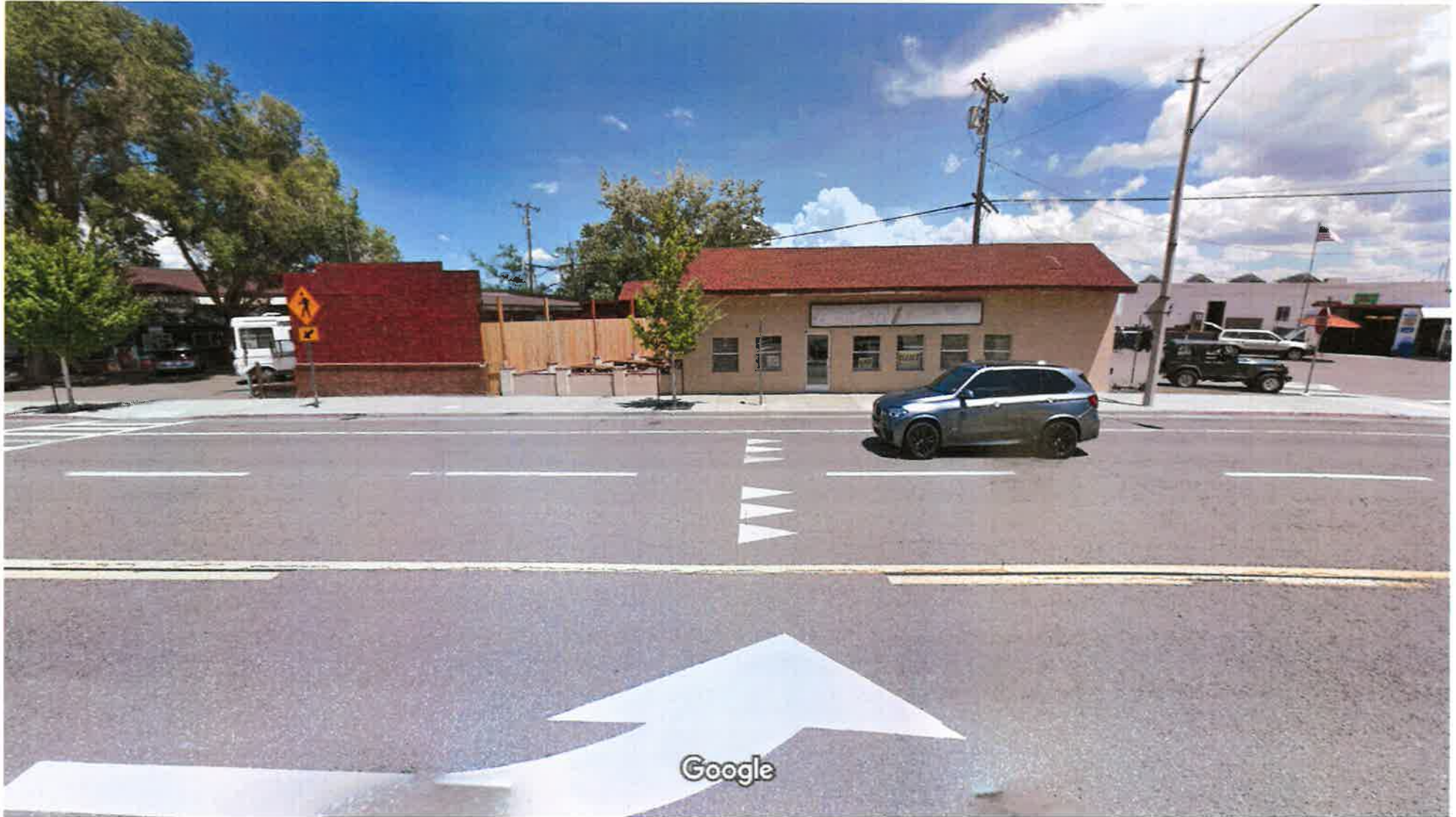


Image capture: Jul 2018 © 2019 Google

Lee Vining, California



Street View - Jul 2018





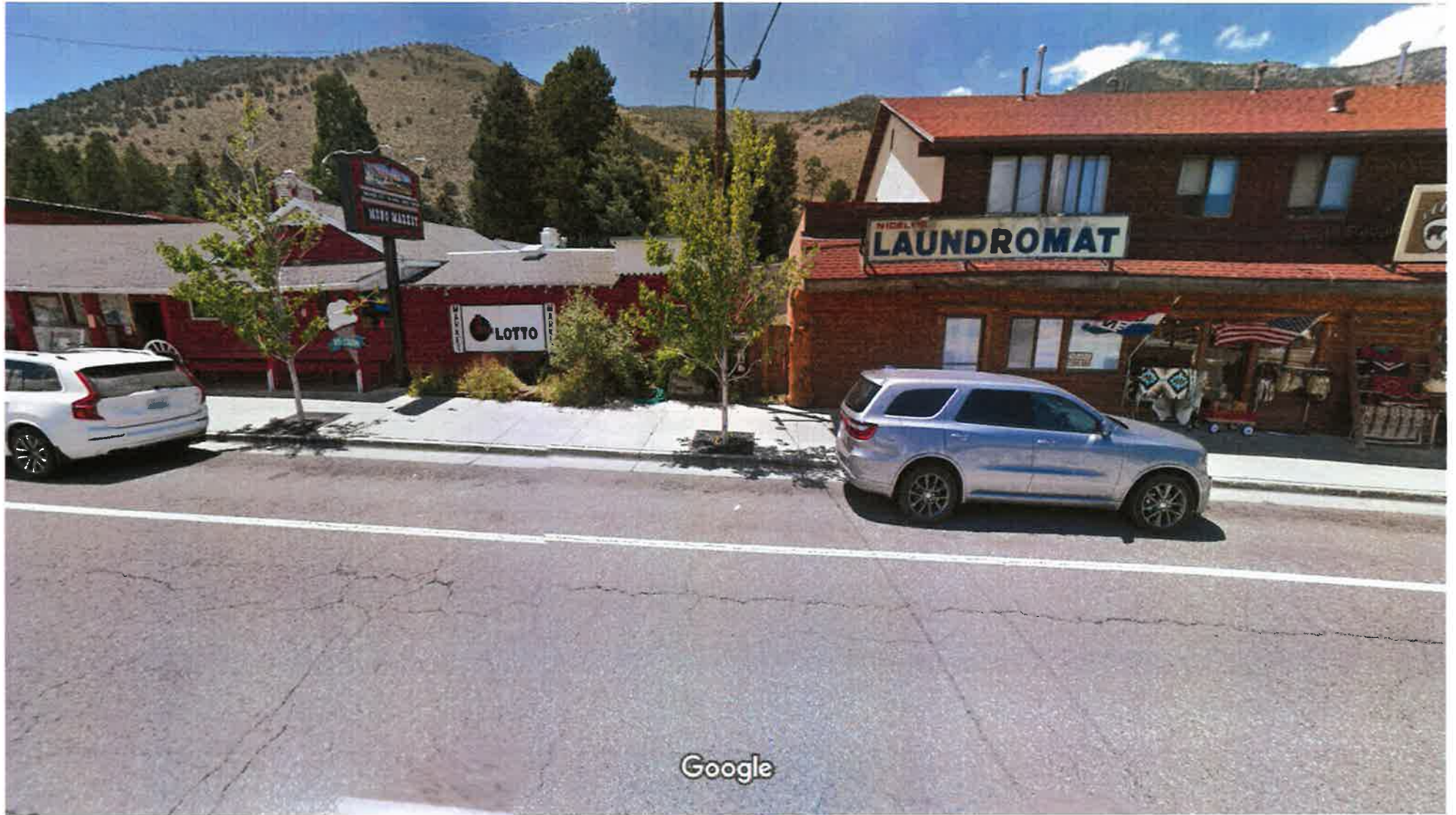


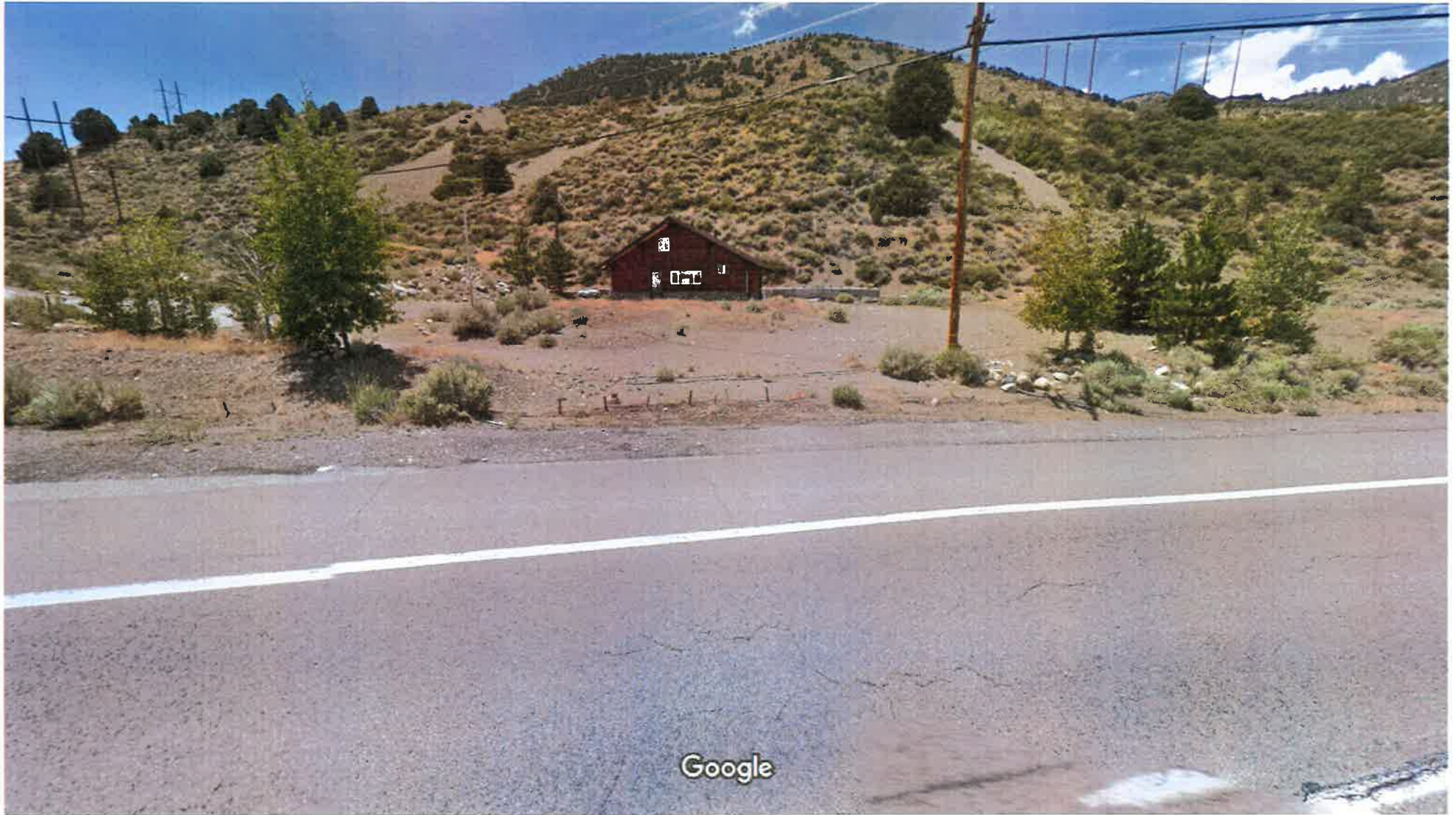
Image capture: Jul 2018 © 2019 Google

Lee Vining, California



Street View - Jul 2018





Google

Image capture: Jul 2018 © 2019 Google

Lee Vining, California



Street View - Jul 2018



# SAY NO TO CANNABIS DISPENSARY IN LEE VINING

## Petition to the Mono County Board of Supervisors

Whereas, Tioga Green, a cannabis company, has applied to open a recreational marijuana dispensary at 51005 Highway 395, Lee Vining, CA that will significantly and negatively impact the quality of life of our small community.

We the undersigned, as concerned town of Lee Vining residents, parents, homeowners, business owners hereby petition our elected officials to:

- 1) Reject the application to open a recreational marijuana dispensary at 51005 Highway 395, Lee Vining, CA
- 2) Consider public hearing for community input on the matter.
- 3) Increase legal distance requirement of such operation to at least 1500' away from any school, public park, ballfield and libraries, community centers and child care facilities.
- 4) Amend the Mono County Code of Ordinances on Cannabis to set a limit of retail licenses to be 4 and/or 20 miles away from each other. According to the California Code of Regulations Bureau of Cannabis Control 5019. Excessive Concentration.  
It applies when the ratio of licensees to population within the census tract or census division in which the applicant premises is located exceeds the ratio of licensees to population in the county in which the applicant premises is located.

	<u>Date</u>		
1	Wayne Beaman	5/22/19	GARY AYLERWORTH 5/23/19
2	Kenny Kellogg		12 HUGH MURPHY 5/23/19
3	Mike Beaman	5/22/19	13 <del>Signature</del> 5/23/19
4	Marge Beaver	5/22/19	14 <del>Signature</del> 5/23/19
5	Kenn Powers	5/22/19	15 <del>Signature</del> 5/24/19
6	<del>Signature</del>	5-22/19	16 Carolyn Webb 05.24.2019
7	<del>Signature</del>	5/22/19	17 Gary Walcke 5/25/19
8	<del>Signature</del>	5/22/19	18 <del>Signature</del> 5/26/19
9	<del>Signature</del>	5/22/19	19 Kent Van Donge 5/25/19
10	Ann Ogilvie	5-23-19	20 Bernard B. Beaters

SAY **NO** TO CANNABIS DISPENSARY IN LEE VINING

- 21 Merle Frouk May 24-19
- 22 Marlene Ames 5/24-19
- 23 Steve White 5/25/19
- 24 Ken White 5/25/19
- 25 Robert White 5/25/19
- 26 Remona BEAVER 5/25/19
- 28 Matt Barton
- 29 Jan H. Hays 5/26/2019
- 30 Carol Holt 5/26/2019
- 31 Jay Baker 5/27/2019
- 32 Rick Holm 5/27/19
- 33 John Blow 5/27/19
- 34 Chris Clark
- 35 Dan Niles 5-27-19
- 36 Narciso Vargas 5-28-19
- 37 Randy Walker 5/28/19
- 38 Steve Schmidt 5-29-19
- 39 Brielle Johnck 5/29/19
- 40 Joe Jalya 5/30/19
- 41 John Albrides 5/20/19
- 42 John - 5/30/19
- 43 John 5/30/19
- 44 [unclear]
- 45 Gail Adams

- 46 Meyer Beane 6/1/19
- 47 Pete Navarro 6/1/19
- 48 Jeff Barnett 6/1/19
- 49 John Lee 6/2/19
- 50 Francisco J. Copado 6/2/19
- 51 Carol A. 6/2/19
- 52 ~~Wally~~ 6/2/19
- 53 ~~John~~ 6/3/19
- 54 ~~John~~ 6/3/19
- 55 Moni Madalena 6/3/19
- 56 Virginia Perez 6/3/19
- 57 Ron Martin 6/4/19
- 58 Frank Chap 6/7/19
- 59 Jessica Saldana 6/8/19
- 60 Juan Saldana 6/8/19
- 61 ~~John~~ 6/9/19
- 62 ~~John~~ 6/11/19
- 63 ~~John~~ 6/11/19
- 64 Sally Miller 6/13/19
- 65 ERIC STREANSEN 6/15/19
- 66 Carey Morratt 6/15/19
- 67 DAN KENNING 6-22-19
- 68 Diego Romero 6-22-19
- 69 Jason Small 6-23-19
- 70 Kinsmill 6/23/19
- 71 Tim Hansen 6-27-19

# SAY **NO** TO CANNABIS DISPENSARY IN LEE VINING

## Petition to the Mono County Board of Supervisors

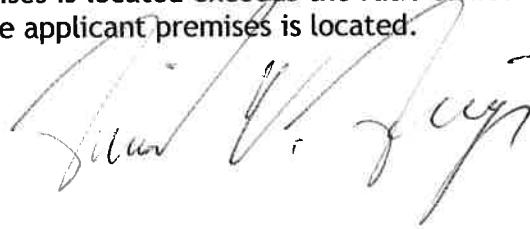
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DAVID DURGIN



Print Name:

Signature

Contact Information

Maureen McGlinchy

MMG

760-647-6146

THOMAS V. PARANJIC

Thomas V. Paranjic

760-937-8288

Stephanie Bantz

Stephanie Bantz

760-914-2119

Print Name:

Signature

Contact Information

DANIEL FLORES



(760) 709-1848

Kirsten Watson



(660) 647-6048

Lorie Watson



760-647-6394

Sandy Flores  
ACEX FLORES



760-709-1605

Yazmin Coronado



760-914-2721



Cecily Andersen



775-219-1476

775-233-9709

Jose L Romero

(323) 929-0777

Celia Llamas S. LLSC

(323) 605-8611

Margarita Saldaña



DAVID DORE



760-648-3196

Veronica Flores















760 258 7682

Jose Flores



760 920 1731



Print Name:	Signature	Contact Information
LINDA DORE		760-647-1055
Aide Navarro		760-709-0024
Serena Banta		760-209-3062
Jamee Banta		<del>760-209-3062</del>
JASON PELICHOWSKI		760 920 8990
RITA C BANTA		
Dulce Pascetti		760-965-6466
Richard W. McLean III		760-495-2893
Penelope Kewigg		760-647-6488
Courtney Veenker		760-590-4365
Andy Atkisson		801-633-0357
Tommy Czeschin		760 920-1986
William Czeschin (Billy)		(760) 937-7770
Kathy Santos		760 500 7796
	Joseph Santos	760 935 <del>992</del> 4904

# People out of town

DATE

- |    |   |          |        |
|----|---|----------|--------|
| 1  | Wayne Hendrix                             | 6-4-19   |        |
| 2  | Audrey McFarland                          | 6.4.19   |        |
| 3  | Nenny McFarland                           | 6/4/19   |        |
| 4  | <del>John</del> (JACOB POSTALIAN)         | 06/04/19 | } LARD |
| 5  | Chir Barth                                | 6-4-19   |        |
| 6  | Paul [unclear]                            | 6-4-19   |        |
| 7  | Rob R Ans                                 |          |        |
| 8  | Mary [unclear]                            | 6-6-19   |        |
| 9  | Melanie R. Waters                         | 6/7/19   |        |
| 10 | Dona Winters                              | 6-7-19   |        |
| 11 | CURTIS <del>ILLINGWORTH</del> ILLINGWORTH | 6.7.19   |        |
| 12 | MARY Illingworth                          | 6/7/19   |        |
| 13 | Cardyn Roberts                            | 6/7/19   |        |
| 14 | <del>[unclear]</del>                      | 6-7-19   |        |
| 15 | Wendy Abercrombie                         | 6-7-19   |        |
| 16 | Melanie Krueger                           | 6/7/19   |        |
| 17 | SHON ABERCROMBIE                          | 6-8-19   |        |
| 18 | Quelley Westwood                          | 6-8-19   |        |
| 19 | <del>John</del>                           | 6-8-19   |        |
| 20 | J Simmons                                 | 6.8.19   |        |
| 21 | Ronise Beamer                             | 6.9.19   |        |
| 22 | Rich Fay                                  | 6-9-19   |        |
| 23 | Linda Magan                               | 6-9-19   |        |
| 24 | Mike Magan                                | 6.9.19   |        |
| 25 | Lynn Wildman                              | 6/9/19   |        |
| 26 | Leanne Wildman                            | 6/9/19   |        |
| 27 | Jason Wildman                             | 6/9/19   |        |
| 28 | <del>[unclear]</del>                      | 6/9/19   |        |
| 29 | Elan [unclear]                            | 6/9/19   |        |
| 30 | Larry [unclear]                           | 21/20/19 |        |

- 31 Belmont Frisby 6/23/19  
32 Christine M. Frisby 6/23/19  
33 Jan Gunderson 6/24/19  
34 Daniela Greer 6/24/19  
35

**July 9, 2019**  
**Regular Meeting**  
**Item # 7d**

**Probation**

**Additional Documents:**  
**Draft Realignment**  
**(available in Clerk's office)**