

March 28, 2018

## **ALTERNATIVE RECOMMEDATION TO THE CULTIVATION SUBGROUP REPORT**

Section 3: Setbacks. Taking setbacks on a case by case by case is a flawed concept for multiple reasons. It adds a whole new level of complexity to the permitting process. In addition, there would be a major increase in the workload of Permit Sonoma in verifying the validity of each request.

1. There is the question of the grower's legal right to enforce the agreement if the neighbor changes his or her mind.
2. Would a new agreement be required at each yearly renewal?
3. How would other nearby residents know that a special variance was granted?
4. What recourse could a new owner of the adjacent parcel have to cancel the previous variance?
5. Would the special variance need to be part of a real estate disclosure should the property be sold?
6. Would this special variance need to be part of real estate disclosures of other nearby neighboring properties?

In sum, this case by case approach to setbacks would negate the now standard setbacks with which people are becoming familiar with and replace them with a hodgepodge of various setback possibilities. The clarity of the current setback standards would be lost.

Recommended this idea be discarded. Needlessly complex.