



COUNTY OF MENDOCINO

DEPARTMENT OF PLANNING AND BUILDING SERVICES

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MEMORANDUM

DATE: SEPTEMBER 23, 2025

TO: HONORABLE BOARD OF SUPERVISORS

FROM: SHELBY MILLER, PLANNER II

SUBJECT: R_2024-0001 (ROCK TREE) REZONE TO ESTABLISH A COMMERCIAL CANNABIS PROHIBITION (CP) COMBINING DISTRICT.

PROPOSED DISTRICT: The proposed CP Combining District is situated within the Rock Tree Valley, located 3.5± miles northeast of Willits City center at the intersection of Hearst Willits Road (CR 306) and String Creek Road (private), and 1± mile west of the intersection of Hearst Willits Road (CR 306) and Tomki Road (CR 237D). The CP Combining District includes 25 Assessor's Parcel Numbers (APNs) comprising of 19 legal parcels totaling 892.3± acres. With the exception of APN: 037-310-54, all parcels have the General Plan land use classification of Range Lands (RL) and are zoned within the Rangeland (RL) district. The remaining parcel (APNs: 037-310-54) is designated within the Forest Land (FL) classification and within the Timber Production Zoning (TPZ) District.

In the project description, the applicant asserts that existing cannabis regulations, permit processes, and enforcement options have not protected their neighborhood from the undesirable effects of commercial cannabis. It is also mentioned that recent and future movements to change existing regulations are uncertain and may further weaken protections. The applicant and supporting property owners wish to have commercial cannabis clearly prohibited in their neighborhood by the establishment of the CP Combining District.

ENVIRONMENTAL DETERMINATION: Pursuant to Article 5, Section 15061(b)(3) of the California Environmental Quality Act (CEQA), a "common sense exemption" applies to projects "*where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment*". The project proposes establishing a combining district that would prohibit commercial cannabis activities, including cannabis processing facilities, per Mendocino County Code Chapter 20.119. As detailed in the Commercial Cannabis Prohibition Combining District section of the Planning Commission staff report, MCC Section 20.119.040 requires that existing permitted commercial cannabis activities within the proposed CP Combining District would have a maximum of three (3) years to cease operation, and new commercial cannabis activities would be prohibited except those uses defined as exempt under Section 10A.17.030. However, there are no permitted commercial cannabis activities within the proposed CP Combining District.

In addition, the prohibition of commercial cannabis activities would not affect personal cannabis activities that are in accordance with the Adult Use of Marijuana Act of 2016 (Proposition 64) as codified in California Health and Safety Code Section 11362.2.

Adoption of the proposed CP district would not have any environmental impact on the parcels within the district. The proposed CP district consists entirely of parcels zoned either RL or TPZ, neither of which are eligible for new cannabis cultivation permits pursuant to MCC Section 20.242.060. Because commercial-scale cannabis cultivation is already prohibited on the subject parcels, the application of the CP rezone can have no environmental impacts. In addition, these parcels could still host other agricultural uses and other uses as allowed by Mendocino County Code, which may be more or less intense than commercial cannabis cultivation or cannabis processing. Elimination of commercial cultivation activities from these parcels will not have a significant impact on the environment within the CP district.

The elimination of commercial cannabis operations within the proposed CP district would also not have a significant impact on the environment beyond the district's boundaries. Because these parcels are already ineligible for cannabis cultivation permits, the CP rezoning will not have the impact of heightening development demand elsewhere. Pursuant to MCC Section 20.243.060, cannabis processing facilities are permitted in the Rural Community (RC), Agricultural (A), Upland Residential (UR), Forest Lands (FL), Range Lands (RL), and Commercial (C-1, C-2) zoning districts with the issuance of an administrative permit (AP), and Industrial (I-1, I-2, PI) zoning districts with a zoning clearance. The impact of prohibiting cannabis processing facilities on the 19 parcels within the proposed CP District would not result in a reduction of available parcels for this activity to any substantive extent. Environmental impacts of cannabis processing facilities could include the potential increase of greenhouse gases due to vehicle miles traveled, which would be avoided by the proposed prohibition.

Considering the analysis contained in the staff report and the findings required by CEQA Guidelines Section 15061, Staff finds that the proposed project would not result in any significant environmental effect on the environment and is exempt from further environmental review.

PLANNING COMMISSION RECOMMENDATION: On February 20, 2025, on a motion by Commissioner Jones and seconded by Commissioner Wiedemann, the Planning Commission recommended approval of the project to the Board of Supervisors by a roll call vote of (3-1), with Commissioner Paulin dissenting. The Planning Commission found the project exempt from CEQA and made the following specific findings regarding the Project:

- i. is consistent with the General Plan for the reasons stated in the Memorandum prepared for this Project.
- ii. is compatible with the CP Combining District as defined in Mendocino County Code Chapter 20.119 with regard to location, size, shape and current zoning designations, and the size and shape of the proposed CP Combining District generally encompass the entirety of the geological area mapped as Rock Tree Valley, including the flatlands in the valley floor, Rock Tree Creek, and the surrounding slopes of forests and grasslands.
- iii. would provide additional environmental protection for Rock Tree Creek and String Creek to protect Steelhead and Chinook Salmon populations.
- iv. would protect the public health, safety and morals of the Rock Tree Community.
- v. shows deep community interest on the part of the applicant in protecting the natural resources and the character of the community.

STAFF RECOMMENDATION/RECOMMENDED ACTION

Given that sixty-seven percent of affected property owners have expressed support for the proposed project through a signed petition at the time of application, representing an increase of one owner from the initial application, the Planning Commission found that there is substantial community interest and shared concern. This interest is reflected in the applicant's repeated efforts to apply for the rezone in order to safeguard the quality of life should the Mendocino Cannabis Cultivation Ordinance be amended. Furthermore, Rock Tree Creek and String Creek lie within the Upper Eel River Watershed, which contain federally listed species including Chinook Salmon populations and federally threatened California Steelhead populations. The Planning Commission found that establishing a Cannabis Prohibition district would provide additional protections for Rock Tree Creek and String Creek to protect Steelhead and Chinook Salmon populations. Thus, the Planning Commission recommends approval of the proposed Rezone project to adopt the CP District within the Rock Tree Valley designated area.

ATTACHMENTS:

- A. Draft Ordinance
- B. Planning Commission Hearing Packet
- C. Planning Commission February 20, 2025, Adopted Minutes
- D. Planning Commission Resolution PC_2025-0001
- E. Public Comment Received for Planning Commission Hearing

Exhibit B: Proposed Rock Tree Valley CP District Parcel List

	Assessor's Parcel Numbers	Address
1	037-221-42	6150 Hearst Willits Road
2	037-221-43 & 037-310-61	6170 Hearst Willits Road
3	037-221-47	5100 Hearst Willits Road
4	037-221-48 & 037-221-49	24250 String Creek Road
5	037-221-50	5500 Hearst Willits Road
6	037-221-51 & 037-221-52	5200 Hearst Willits Road
7	037-221-54 & 037-221-53	5325 Hearst Willits Road
8	037-221-57 & 037-221-55	5501 Hearst Willits Road
9	037-221-58	5701 Hearst Willits Road
10	037-221-59	5721 Hearst Willits Road
11	037-310-75 (previously 037-310-53)	7590 Hearst Willits Road (previously 8500 Hearst Willits Road)
12	037-310-54	N/A (previously 8500 Hearst Willits Road)
13	037-310-62	7501 Hearst Willits Road
14	037-310-64	6800 Hearst Willits Road
15	037-310-67	7001 Hearst Willits Road
16	037-310-68	6651 Hearst Willits Road
17	037-310-73	6201 Hearst Willits Road
18	037-310-74	6501 Hearst Willits Road
19	108-090-24 & 108-090-10	5000 Hearst Willits Road

ORDINANCE NO. _____

**AN ORDINANCE CHANGING THE ZONING OF REAL PROPERTY WITHIN
MENDOCINO COUNTY**

The Board of Supervisors of the County of Mendocino, State of California, ordains as follows:

Section 1. Findings. Based on the information provided in the memorandum accompanying this ordinance and evidence in the record, the Board of Supervisors makes the following findings:

- (a) CEQA. The Project is Exempt from review under the California Environmental Quality Act (Public Resources Code section 21000 *et seq.*; "CEQA") pursuant to Section 15061(b)(3) of the State CEQA Guidelines.
- (b) General Plan Consistency. The proposed Cannabis Prohibition District is appropriate for the affected parcels and is consistent with the intentions of the Rangeland and Forestland General Plan land use classifications. Prohibiting certain cannabis cultivation and facilities uses from parcels within these classifications may have the effect of assisting with the management and preservation of these resource lands. The CP Combining District is intended to allow the County to designate specific areas where commercial cannabis operations are prohibited. As provided by community petition, this Project seeks to prohibit commercial cannabis activities on the subject parcels. The Mendocino County General Plan emphasizes the role of the community – local residents, organizations and others, as well as the importance of self-determination in shaping communities' future through public planning processes, and the adoption of CP districts is consistent with these planning principles.
- (c) Zoning Code Consistency. The proposed Project is situated within the Rangeland and Timberland Production Zoning Districts. The CP Combining District is intended to allow the County to designate specific areas where commercial cannabis operations are prohibited. Sixty-seven percent of landowners of the Rock Tree Valley neighborhood have signed a petition to demonstrate support for the proposed CP Combining district. The proposed CP Combining District would be applied to an area where a majority of the parcels allow residential use by right. The proposed CP Combining District would comprise of nineteen contiguous legal parcels.
- (d) Cannabis Prohibition (CP) Combining District Consistency.
 - (1) Per Mendocino County Code Section 20.119.020(A), all of the parcels subject to the CP Combining District allow residential uses by right. The parcels within the district are currently zoned either Rangelands (RL) or Timberland Production Zoning (TPZ), which both allow residential uses by right.
 - (2) Per MCC Section 20.119.020(B), the district is composed of no fewer than ten (10) legally created parcels, as the proposed district contains 19 legal parcels.
 - (3) Per MCC Section 20.119.030(B)(1), the applicants were able to demonstrate the support of more than sixty percent (60%) of the affected parcels at the time of application via individual, signed petitions from property owners.

Section 2. Rezone. Pursuant to Division I of Title 20, Chapter 20.212 of the Mendocino County Code, the zoning of the following real property within Mendocino County is hereby changed as follows:

The zoning of the APNs within the district boundary are hereby changed from Rangeland (RL) to Rangeland, Cannabis Prohibition (RL:CP), and from Timberland Production Zoning (TPZ) to Timberland Production Zoning, Cannabis Prohibition (TPZ:CP), as shown on the map attached as Exhibit A. Exhibit B

includes a list of Assessor's Parcels within the proposed district, but should errors in the APN list be present, the map in Exhibit A shall supersede.

Passed and adopted by the Board of Supervisors of the County of Mendocino, State of California, on this 23rd day of September, 2025, by the following vote:

AYES:

NOES:

ABSENT:

WHEREUPON, the Chair declared said Ordinance adopted and SO ORDERED.

ATTEST: DARCIE ANTLE
Clerk of the Board

JOHN HASCHAK, Chair
Mendocino County Board of Supervisors

Deputy

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

APPROVED AS TO FORM:
CHARLOTTE SCOTT, County Counsel

BY: DARCIE ANTLE
Clerk of the Board

Deputy

Deputy

CASE#: Rezone R_2024-0001
OWNER: VARIOUS



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January 9, 2025

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the Mendocino County Planning Commission, at their special meeting to be held on Thursday, January 30, 2025, at 10:00 a.m., will conduct a public hearing on the following project at the time listed or as soon thereafter as the item may be heard. This meeting will take place in the **Board of Supervisors Chambers, 501 Low Gap Road, Ukiah California**, and Virtual attendance will be available via Zoom. Meetings are live streamed and available for viewing online on the Mendocino County YouTube page, at <https://www.youtube.com/MendocinoCountyVideo>. In lieu of personal attendance, the public may participate digitally in meetings by sending comments to pbscommissions@mendocinocounty.gov or via Telecomment. The telecomment form may be found at: <https://www.mendocinocounty.gov/departments/planning-building-services/public-hearing-bodies>.

CASE#: R_2024-0001

DATE FILED: 2/12/2024

OWNER: Various Property Owners

APPLICANT: Robert Cronin

REQUEST: Rezone to establish a Commercial Cannabis Prohibition (CP) Combining District to prohibit commercial cannabis operations per Mendocino County Code Chapter 20.119 that includes 24 Assessor's Parcel Numbers (APNs) comprising 18 legal parcels.

ENVIRONMENTAL DETERMINATION: Exempt [CCR Section 15061(b)(3)]

LOCATION: 3.5± miles northeast of Willits City center, at the intersection of Hearst Willits Road (CR 306) and String Creek Road (private), and 1± miles west of Hearst Willits Road (CR 306) intersection with Tomki Road (CR 237D), between mile post MEN 4.19 and MEN 7.95. APNs: 037-221-42; 037-221-43; 037-310-61; 037-221-47; 037-221-48; 037-221-49; 037-221-50; 037-221-51; 037-221-52; 037-221-53; 037-221-54; 037-221-55; 037-221-57; 037-221-58; 037-221-59; 037-310-53; 037-310-54; 037-310-62; 037-310-64; 037-310-67; 037-310-68; 037-310-73; 037-310-74; 108-090-24. See attached map.

SUPERVISORIAL DISTRICT: 3 (Haschak)

STAFF PLANNER: SHELBY MILLER

The staff report and notice will be available for public review 20 days prior to the hearing on the Department of Planning and Building Services website at: <https://www.mendocinocounty.gov/departments/planning-building-services/public-hearing-bodies>.

Your comments regarding the above project(s) are invited. Written comments should be submitted to the Department of Planning and Building Services Commission Staff, 860 North Bush Street, Ukiah, California. The public may participate digitally in meetings in lieu of personal attendance by sending comments to pbscommissions@mendocinocounty.gov by January 29, 2025, or orally via telecomment. All public comment will be made available to the Planning Commission, staff, and the general public as they are received and processed by staff, and can be viewed as attachments to this meeting agenda at <https://www.mendocinocounty.gov/departments/planning-building-services/public-hearing-bodies>.

The Planning Commission's action regarding this item shall be a recommendation to the Board of Supervisors and the Board's action shall be final. If you challenge the project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Department of Planning and Building Services at, or prior to, the public hearing. All persons are invited to present testimony in this matter.

AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE. Mendocino County complies with ADA requirements and upon request, will attempt to reasonably accommodate individuals with disabilities by making meeting material available in appropriate alternate formats (pursuant to Government Code Section 54953.2). Anyone requiring reasonable accommodation to participate in the meeting should contact the Department of Planning and Building Services by calling 707-234-6650 at least five days prior to the meeting.

Additional information regarding the above noted item(s) may be obtained by calling the Department of Planning and Building Services at 707-234-6650, Monday through Friday, 8:00 a.m. through 5:00 p.m. Should you desire notification of the Planning Commission's decision you may do so by requesting notification in writing and providing a self-addressed stamped envelope to the Department of Planning and Building Services.

JULIA KROG, Director of Planning and Building Services

Parcel 151

EXHIBIT "A"

TPZ (Township Planning Zone)

PF (Professional Office)

FL (Future Land Use)

RL (Residential Low Density)

Parcels to be rezoned to include a Cannabis Prohibition (CP) Combining District

String Creek Road

Tabbar Canyon Road

Hearst Willets Road

String Creek Road

Reynolds Highway

Dirt Lane

037-310-64

037-310-67

037-310-53

037-310-54

037-310-62

037-221-43

037-310-61

037-310-73

037-310-68

037-221-59

037-310-74

037-221-47

037-221-42

037-221-50

037-221-57

037-221-53

037-221-55

037-221-48

037-221-51

037-221-52

037-221-49

037-221-54

108-090-10

108-090-24

CASE: **R 2021-0003**
OWNER: **Various**
APN: **Various**
APLCT: **Robert Cronin**
AGENT: **Bruce Jackson**
ADDRESS: **Hearst-Willits Road, Willits**

REZONE EXHIBIT



**PLANNING COMMISSION
STAFF REPORT- REZONE**

**JANUARY 30, 2025
R_2024-0001**

PROJECT PLANNER CONTACT

Shelby Miller
860 N Bush Street
Ukiah, CA 95482
Phone: 707-234-6650
Fax: 707-463-5709
Millers@mendocinocounty.gov

PROJECT SUMMARY

OWNER: Various Owners in the Rock Tree Valley Area

APPLICANT: Robert Cronin
6201 Hearst Willits Road
Willits, CA 95490

REQUEST: Rezone to establish a Commercial Cannabis Prohibition (CP) Combining District to prohibit cannabis operations per Mendocino County Code 20.119 that includes 25 Assessor's Parcel Numbers comprising 18 legal parcels.

LOCATION: 3.5± miles northeast of Willits city center, at the intersection of Hearst Willits Road (CR 306) and String Creek Road (private), and 1± miles west of Hearst Willits Road (CR 306) intersection with Tomki Road (CR 237D), APNs: 037-221-42; 037-221-43; 037-310-61; 037-221-47; 037-221-48; 037-221-49; 037-221-50; 037-221-51; 037-221-52; 037-221-53; 037-221-54; 037-221-55; 037-221-57; 037-221-58; 037-221-59; 037-310-53; 037-310-54; 037-310-62; 037-310-64; 037-310-67; 037-310-68; 037-310-73; 037-310-74; 108-090-24; and 108-090-10.

TOTAL ACREAGE: 892.35± Acres

GENERAL PLAN: Rangeland, Forestland
General Plan (Chapter 2 – Development Element

ZONING: Rangeland, Timber Production Zone
Mendocino County Code Title 20, Division I

CODE REFERENCE: Rezone
Mendocino County Code (MCC) Chapter 20.212

SUPERVISORIAL DISTRICT: District 3 (Haschak)

ENVIRONMENTAL DETERMINATION: Exempt (CCR Section 15061(b)(3))

POSSIBLE ACTIONS:

OPTION 1:

By Resolution, the Planning Commission recommends that the Board of Supervisors find the project Exempt from CEQA and approve the requested Rezone, as proposed by the applicant, based on the facts and findings contained in the Resolution.

Additional options the PC may consider are listed below; Staff would need additional information from the PC to draft the Resolution for either option.

OPTION 2:

By Resolution, the Planning Commission recommends against the adoption of the requested Rezone, as proposed by the applicant, based on the facts and findings contained in the Resolution. Denial of a project would be excluded from any CEQA review requirements.

OPTION 3:

By Resolution, the Planning Commission recommends that Board of Supervisors find the project Exempt from CEQA and approve the requested Rezone, with the boundaries of the proposed CP District as modified by the Planning Commission, based on the facts and findings contained in the Resolution.

Procedural Update

Since the filing of this rezone application, MCC Chapter 20.212 was amended by Ordinance No. 4538, adopted by the Board of Supervisors on September 10, 2024. MCC section 20.212.030 regarding Planning Commission Recommendations on amendments to the General Plan, Specific Plan, Zoning Code, and Zoning Map was amended such that if the Planning Commission recommends against a proposed amendment to the Zoning Map, the Board of Supervisors is not required to take any further action unless an appeal is filed in accordance with MCC Chapter 20.208. If the Commission were to recommend against the proposed rezone application and the applicant desired to file an appeal to the Board of Supervisors, the applicant would not be subject to additional appeal fees at this time given that the fees paid for this specific application anticipated hearings by both the Planning Commission and Board of Supervisors, pursuant to the procedure of the prior code.

PROJECT BACKGROUND & INFORMATION

PROJECT DESCRIPTION: Rezone request to establish a Commercial Cannabis Prohibition (CP) Combining District that includes 18 parcels to prohibit commercial cannabis operations per Mendocino County Code (MCC) Chapter 20.119 in the Rock Tree Valley Area northeast of the City of Willits (See Attachment N). The CP Combining District is intended to allow the County to designate specific areas where commercial cannabis operations are prohibited. The regulations in this section are supplemental to the regulations for the applicable underlying zoning district.

The applicants applied for a Rezone (R_2021-0003) in 2021 requesting to establish a Commercial Cannabis Prohibition (CP) Combining District that included 25 Assessor's Parcel Numbers comprising of 18 legal parcels. The 2021 Rezone application was heard by the Planning Commission on July 20, 2023, in which the Planning Commission recommended approval of the project to the Board of Supervisors with a modification to the boundaries to exclude APN 037-310-68 recognizing that the property has a Phase 1 cannabis cultivation application under review. On September 26, 2023, the 2021 Rezone project was scheduled for a hearing before the Board of Supervisors but was ultimately denied.

Ninety-six percent (96%) of the parcels are situated within the Range Lands zoning district and four percent (4%) of the parcels are situated in the Timberland Production zoning district. Pursuant to MCC Section 20.242.060, on or after January 1, 2020, new cannabis cultivation sites may be permitted in accordance with this section, as indicated in Attachment L- Permit Requirements for New Cannabis Cultivation Sites Table. As of January 1, 2020, new cannabis cultivation sites are not permitted in Range Lands zoning district nor in the Timberland Production zoning district. Therefore, the subject parcels would not be eligible to cultivate commercial cannabis under the Mendocino Cannabis Cultivation Regulation (MCCR).¹

This current Rezone application (R_2024-0001) consists of the same boundaries as the previously requested rezoning. Mendocino County Code does not prohibit the refiling of a substantially unchanged application that has been previously denied. As such, the subject application, R_2024-0001, was filed on

¹ Note: Chapter 20.242 of the Mendocino County Code, titled Cannabis Cultivation Sites, is complementary to MCC Chapter 10A.17 – Mendocino Cannabis Cultivation Ordinance (MCCO) and together the chapters may be cited as the Mendocino Cannabis Cultivation Regulation ("MCCR").

February 12, 2024, requesting to establish a Commercial Cannabis Prohibition (CP) Combining District over 18 parcels.

APPLICANT'S STATEMENT: *"The layer of protection provided by a CP Combining District is important to us due to the continued pressure from the cannabis lobby to expand commercial cannabis within our county. Allowing cannabis in our neighborhood would be a land use change that we do not want. The proposed CP District provides that protection without diminishing any existing property rights."*

SITE CHARACTERISTICS: The proposed CP Combining District is situated within the Rock Tree Valley, located 3.5± miles northeast of Willits City center, at the intersection of Hearst Willits Road (CR 306) and String Creek Road (private), and 1± miles west of the Hearst Willits Road (CR 306) intersection with Tomki Road (CR 237D), between mile post MEN 4.19 and MEN 7.95. The proposed CP Combining District includes the flatlands in the valley floor which are predominantly meadows, pastures and wetlands as well as some of the surrounding slopes of forests, oak woodlands, and grasslands.

The proposed CP Combining District is comprised of 18 parcels totaling 892± acres with agricultural and low-density residential uses (See Attachment A). Farmland Classifications for these 18 parcels are predominately Grazing Land, with areas of Rural Residential and Rural Commercial (See Attachment J). The subject parcels are served by private wells and on-site septic systems. The subject parcels are mapped within a "Very High Fire Hazard" area and are served by the Little Lake Fire Protection District and California Department of Forestry and Fire Protection (CAL FIRE) (See Attachment G). To date, three (3) separate parcels within the proposed CP Combining District have applied for cannabis cultivation permits, with a total of six (6) applications with the County (See Attachment K). As of February 2024, all six (6) applications have been denied.

CANNABIS PROHIBITION DISTRICT BACKGROUND: On November 16, 2018, the Mendocino County Board of Supervisors adopted Ordinance No. 4420, which made amendments to Chapter 10A.17–Mendocino Cannabis Cultivation Ordinance and Chapter 20.242–Cannabis Cultivation Sites of the Mendocino County Code and also adopted Chapter 20.118 – "CA" Cannabis Accommodation Combining District and Chapter 20.119 – "CP" Commercial Cannabis Prohibition Combining District Provisions of Chapter 20.119 are intended to allow the County to designate specific areas where commercial cannabis operations are prohibited.

Chapter 20.119 provides that CP Combining Districts must be composed of no fewer than ten (10) legally created parcels that are contiguous, except for separations by public and private roads, rail lines, utility easements, or similar linear public facilities.² The establishment of a CP Combining District may be initiated by one (1) or more property owners within the boundaries of the proposed Combining District. Applications filed with the Planning and Building Services Department for said Combining Districts must demonstrate landowner support.³

To provide assurances to existing and future residents choosing to reside in a CP Combining District, the following modification restrictions apply to established prohibition districts:

- Ineligible for repeal by property owner request for 10 years following date of approval.
- After 10 years, a request to repeal or amend a CP Combining District can be initiated by petition of 65% or more of all current property owners within that district.
- Parcels adjacent to a CP District may be added to it within the initial 10-year period.
- Changes to the zoning of parcels within a CP District would have no effect on the prohibition of cannabis cultivation and/or facilities established through adoption of the CP District.

Except as provided in Section 20.119.030, the establishment of a CP Combining District shall be processed

² MCC, Division I, Section 20.119.020(B)

³ MCC, Division I, Section 20.119.030(B)

in accordance with the provisions of Chapter 20.212–Amendments, Alterations, and Changes in Districts, and so are held to the same standards as other rezone applications.

As provided in Chapter 20.212, the zoning reclassification of property is subject to action by the Planning Commission as well as action by the Board of Supervisors.

In addition to the above specific characteristics of CP Combining Districts, adoption of such a combining district, like all other zoning districts, is an exercise of the County’s police power over land uses and development and are intended to protect health, safety, and welfare. The rezoning of property is a legislative act, and zoning regulations and decisions must bear a substantial relationship to public health, safety, morals, or general welfare and not arbitrary or irrational.

Public Services:

Access: Hearst Willits Road (CR 306)

Water District: None

Sewer District: None

Fire District: Willits Unified

RELATED APPLICATIONS: The following applications have occurred on the subject parcel or on the surrounding properties and are relevant to the proposed project. All projects listed below have already been approved, unless otherwise stated.

Subject Parcel(s) Projects:

- **AG_2018-0042 & AG_2018-0043:** Cannabis Cultivation. Denied. January 24, 2019.
- **AG_2019-0028:** Cannabis Cultivation. Denied. February 2024.
- **AG_2017-0299:** Cannabis Cultivation. Denied. January 28, 2019.
- **AG_2018-0099 & AG_2018-0100:** Cannabis Cultivation. Denied. August 7, 2024.
- **R_2021-0003:** Rezone request to establish a Cannabis Cultivation Prohibition (CP) Combining District that included 18 legal parcels. The Planning Commission recommended the Board of Supervisors approve the CP District with a modified boundary which removed one assessor parcel number that had a pending cultivation permit. The Board of Supervisors ultimately denied the application. September 26, 2023.

AGENCY COMMENTS: On May 30, 2024, project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. Their submitted recommended conditions are discussed in this staff report and contained in Conditions of Approval. A summary of the submitted agency comments are listed below.

TABLE 1: Referral Agency Responses	
REFERRAL AGENCIES	COMMENT
Agricultural Commissioner	No Comment
Air Quality Management District	No Comment
Assessor’s Office	No Comment
Building Division – Ukiah	No Comment
Cannabis Department	No Comment
Department of Transportation	No Comment
Environmental Health	No Comment
Farm Advisor	No Comment
Little Lake Fire District	No Comment
Planning Division – Ukiah	No Comment
Resource Lands Protection Committee	No Comment
CAL FIRE – Land Use	No Comment
CAL FIRE – Resource Management	No Comment

California Department of Fish and Wildlife	No Comment
Cloverdale Rancheria	No Response
Potter Valley Tribe	No Response
Redwood Valley Rancheria	No Response
Sherwood Valley Band of Pomo Indians	No Response

PROJECT ANALYSIS

GENERAL PLAN AND ZONING DISTRICT CONSISTENCY: The American Planning Association defines neighborhoods as diverse, dynamic social and economic entities with unique characteristics, which are recognized by residents of both the neighborhood and community at large.⁴ Neighborhoods may have arbitrary boundaries based on changes in land-use patterns, the character of the built environment, or demographic characteristics of residents.⁵ The proposed CP Combining District is situated within and generally encompasses the entirety of the geological area mapped as Rock Tree Valley, including the flatlands in the valley floor, Rock Tree Creek, and the surrounding slopes of forests and grasslands. Considering the topography of valleys are not parcel specific, the parcels within the valley would be within CP Combining District. Each parcel within this specific area is located along Hearst Willits Road and range in slope from zero to sixty-one degrees. Historically Rock Tree Valley has been largely agricultural, with small-scale cattle grazing, horse ranching, non-commercial gardening, and residential uses. In consideration of these distinguishing characteristics the landowners and residents of the 18 parcels identified and selected for the proposed CP Combining District are likely to consider the Rock Tree Valley area as a neighborhood.

The project proposes the establishment of a Commercial Cannabis Prohibition (CP) Combining District that includes 18 parcels. All APNs with the exception of the 037-310-54 parcel are within the Rangeland land use classification. Mendocino County General Plan, Chapter 3–Development Element, Policy DE-17: Land Use Category: RL-Range Lands classification is intended to be...

“... applied to lands which are suited for and are appropriately retained- for the grazing of livestock. The classification should include land eligible for incorporation into Type II agricultural preserves, other lands generally in range use, intermixed smaller parcels, and other contiguous lands, the inclusion of which is necessary for the protection and efficient management of rangelands. The policy of the County and the intent of this classification shall be to protect these lands from the pressures of development and preserve them for future use as designated.”

General Uses: Residential uses, agricultural uses, forestry, cottage industries, residential clustering, uses determined to be related to and compatible with ranching, conservation, processing and development of natural resources, recreation, utility installation (Mendocino County General Plan, Chapter 3, Policy DE-17).

Seventeen (17) of the 18 parcels of the proposed project are within the Rangeland land use classification totaling 784± acres. Current land uses including agricultural and low-density residential uses on these 18 parcels are consistent with the prescribed General Uses from Policy DE-17. To date, none of these said properties within the RL land use classification are designated as an Agricultural Preserve or lands under Williamson Act Contract. Furthermore, these APNs share the Range Land Zoning District designation. Mendocino County Code (MCC) Chapter 20.060 provides that the intent of the RL District is to create and preserve areas for the grazing of livestock, the production and harvest of natural resources, and the protection of such natural resources as watershed lands from fire, pollution, erosion, and other detrimental effects. Though cannabis cultivation is an agricultural use, new cannabis cultivation sites (Phase 3) are not permitted on parcels within the RL Zoning District (See Attachment L).⁶

⁴ American Planning Association. Policy Guide on Neighborhood Collaborative Planning. Adopted April 6, 1998. <https://planning.org/policy/guides/adopted/neighborhoodcollaborative.htm>

⁵ American Planning Association. PAS Quicknotes No. 62: Neighborhood Planning. <https://planning-org-uploaded-media.s3.amazonaws.com/document/PAS-QuickNotes-62.pdf>

⁶ Mendocino County Code, Div. I, Sec. 20.242.060–New Cannabis Cultivation Sites

Currently one (1) parcel (APNs: 037-310-53 & 037-310-54) of the 18 parcels of the proposed project is situated within the Forestlands land use classification, totaling 108.45± acres. Mendocino County General Plan, Chapter 3–Development Element, Policy DE-18: Land Use Category: FL-Forest Lands classification is intended to...

“...be applied to lands that are suited for and are appropriately retained for the growing, harvesting and production of timber and timber-related products. The classification should include lands eligible to be zoned for Timberland Production, intermixed smaller parcels, and other contiguous lands, the inclusion of which is necessary for the protection and efficient management of timber resource lands. The policy of the County and the intent of this classification shall be to protect these lands from the pressures of development and preserve them for future use as designated.”

General Uses: Residential uses, forestry, timber processing, agricultural uses, cottage industries, residential clustering, uses determined to be related to and compatible with forestry, conservation, processing, and development of natural resources, recreation, utility installations. (Mendocino County General Plan, Chapter 3, Policy DE-18)

While agricultural uses are listed as general uses within both the Rangeland and Forestland land use classifications, the primary purpose of these classifications is to retain lands for the grazing of livestock or the growing, harvesting and production of timber and timber-related products. Prohibiting certain cannabis cultivation and facilities uses from parcels within these classifications may have the effect of assisting with the management and preservation of these resource lands. In addition, the Mendocino County General Plan emphasizes the role of the community – local residents, organizations and others, as well as the importance of self-determination in shaping communities’ future through public planning processes.⁷ The adoption of CP districts is consistent with these planning principles.

The 037-310-54 parcel is currently within the Timber Production Zoning (TPZ) District. Mendocino County Zoning Code Chapter 20.068 provides that with the intent of the TPZ District is to be applied to areas of the County which because of their general soil types, location and timber growing capabilities are suited for and should be devoted to the growing, harvesting, and production of timber and timber related products and are taxed as such. New cannabis cultivation (Phase 3) is not allowed in the TPZ District (See Attachment L).

With regards to existing cannabis cultivation sites⁸, historical application analysis provides that the following cultivation permit applications were all located within the proposed rezone: AG_2018-0042, AG_2018-0043, AG_2018-0099, AG_2018-0100, AG_2017-0299, AG_2019-0028. The Mendocino Cannabis Department has confirmed that all applications have been denied.

In addition to the cultivation of cannabis, cannabis facilities that include the manufacturing, testing, dispensing, retailing, and distributing of cannabis within the proposed CP Combining District would also be prohibited, see Attachment M. Of the listed cannabis facility types, only processing would be allowed within the RL Zoning District. A "Processing Facility" means a location or facility where cannabis is dried, cured, graded, trimmed, and/or packaged at a location separate from the cultivation site where the cannabis is grown and harvested. The Cannabis Prohibition Combining District section of this report provides more information on this Cannabis Facility Business License use type.

The potential for new permitted commercial cannabis cultivation and activities on any of the subject 18 parcels within the proposed CP Combining District is limited by current zoning requirements. As previously mentioned, new commercial cannabis cultivation sites are not permitted on parcels within the RL and TPZ zoning district. The only potential for new commercial cannabis activities on any given property within the proposed CP Combining District would be operating a Cannabis facility with a Cannabis Facility Business License for the processing of cannabis on a RL zoned parcel subject to an administrative permit.

⁷ Mendocino County General Plan. Chapter 2: Planning Principles. August 2009.

⁸ Mendocino County Code, Div. I, Sec. 20.242.040(A)–Agriculture Commissioner's determination that the cultivation site existed prior to January 1, 2016

Pursuant to MCC Section 20.119.040, all new and unpermitted cannabis cultivation sites as defined in MCC Section 10A.17.020, except as those uses identified as exempt under MCC Section 10A.17.030, and all cannabis facilities, including processing of cannabis, as defined in MCC Section 20.243.030 shall be prohibited within the CP district. Considering the establishment of the proposed CP Combining District would not restrict other agricultural and permitted uses, and the prohibitive zoning requirements for the RL and TPZ Districts, Staff finds that the project would be in compliance with the Mendocino County Code Chapter 20.060 and Chapter 20.068 or General Plan Policy DE-17 and Policy DE-18.

FIRE SERVICES ACCESS: The main access for the neighborhood is via Hearst Willits Road (CR 306), an old stagecoach route that is partially paved and now serves as a local connector. The subject parcels are accessed via private driveways. The proposed project was referred to CAL FIRE and the Department of Transportation for review. As of January 6, 2025, no responses have been received.

CANNABIS PROHIBITION COMBINING DISTRICT: The Commercial Cannabis Prohibition Combining District is intended to allow the County to designate specific areas where commercial cannabis operations are prohibited. On February 12, 2024, the Department of Planning and Building Services accepted the Rezone application requesting the establishment of a Cannabis Prohibition Combining District to prohibit commercial cannabis operations on 18 legal parcels (25 APNs total) within the Rock Tree Valley Area northeast of the City of Willits.

Pursuant to MCC Section 20.119.020, all parcels within the subject area allow residential use by right and the proposed CP Combining District would be comprised of 18 legally created parcels that are contiguous.

Pursuant to MCC Section 20.119.030(B), 67% of the affected property owners have demonstrated support for the proposed project by a signed petition at the time of the application (See Attachment P). The 12 property owners in support of the CP Combining District constitute 67% of the total 18 legal parcels contained within the CP Combining District. In addition to these signed petitions of support, the *Applicant's Project Description* provides further detail on community concerns regarding the prohibition of commercial cannabis within the proposed CP Combining District.

MCC Section 20.119.040 states the Regulations for CP Combining Districts, as follows:

- (A) *All new and unpermitted cannabis cultivation sites as defined in section 10A.17.020, except those uses identified as exempt under section 10A.17.030, and all cannabis facilities as defined in section 20.243.030 shall be prohibited within the CP district.*
- (B) *Existing permitted cannabis cultivation sites or permitted cannabis facilities located within a newly adopted CP Combining District zone shall be permitted to continue operations for three (3) years from the date of establishment of the CP district. After three (3) years following the date of establishment of the district, all previously permitted commercial cannabis cultivation sites and commercial cannabis facilities shall cease operations.*
- (C) *Nothing in this section shall be construed to extend the period of allowed cultivation as established under Mendocino County Code section 10A.17.080(B)(2)(b) (Sunset provisions).*

As previously mentioned, current zoning regulations for RL and TPZ Districts only allow cannabis cultivation sites under Phase 1 of MCC Chapter 10A.17. Phase 1 closed in 2019. Parcels in the RL and TPZ districts are not presently eligible for cannabis cultivation permits. Further, commercial cannabis facilities that include microbusinesses, manufacturing, testing, dispensing, retailing, and distributing of cannabis within the proposed CP Combining District are also prohibited.

The establishment of the proposed CP Combining District would effectively prohibit any future Cannabis Facility Business Licenses. Pursuant to MCC Section 20.243.060, processing facilities are the only cannabis facilities allowed within the RL Zoning District and require an Administrative Permit (AP). APs are under the jurisdiction of the Zoning Administrator unless specified otherwise.⁹ An AP application for a processing facility within the RL Zoning District would be subject to, but not limited to, the following:

⁹ Mendocino County Code, Div. I, Sec. 20.192.010 –Original Jurisdiction

- Review and evaluation for conformance with the standards and criteria set forth in the pertinent sections of Division I of Mendocino County Code.
- The granting or modification of any AP shall not authorize or legalize the maintenance of any private or public nuisance.
- The decision pursuant to Sections 20.192.025 (Decision and Notice) or 20.192.060 (Revocation) may be appealed as provided in Chapter 20.208 (Appeals).

Current zoning regulations already capture the review and evaluation of this single cannabis facility use type, processing, as well as provide the public with an appeal process for decisions made on the Administrative Permit. As of the date of this report, there are no applications, either Cannabis Facility Business Licenses or Administrative Permits, for the processing of cannabis on any of the 18 parcels within the proposed CP Combining District.

The applicant provides in their project description that existing cannabis regulations, permit processes, and enforcement options have not protected the neighborhood from the undesirable effects of commercial cannabis. It is also mentioned that recent and future movements to change existing regulations are uncertain and may further weaken protections. The applicant and supporting property owners wish to have commercial cannabis clearly prohibited by the establishment of the CP Combining District, as stated in the *Applicant's Project Description*.

These districts like all other zoning districts are an exercise of the County's police power over land uses and development and are intended to protect health, safety and welfare. The rezoning of property is a legislative act, and zoning regulations and decisions must bear a substantial relationship to public health, safety, morals or general welfare and not be arbitrary or irrational. In making its report and recommendation to the Board of Supervisors on this rezoning request, the Planning Commission should consider several factors:

- Consistency with the General Plan;
- Location, size and shape of the proposed CP District including if it is appropriate to include all proposed parcels in the District;
- Effect of the CP District on existing and future land uses;
- Effect of the CP District on public health, safety, morals and general welfare of the area affected;
- Given the existing zoning of the affected parcels, whether the CP District is necessary.

ENVIRONMENTAL DETERMINATION: Pursuant to Article 5, Section 15061(b)(3) of the California Environmental Quality Act (CEQA), a "common sense exemption" applies to projects "where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment". Further, CEQA only applies to projects that have the potential for causing a significant environmental effect. CEQA Section 15382 provides that:

"Significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant.¹⁰

¹⁰ Note: Authority cited: Section 21083, Public Resources Code; Reference: Sections 21068, 21083, 21100, and 21151, Public Resources Code; Hecton v. People of the State of California, 58 Cal. App. 3d 653.

The project proposes establishing a combining district that would prohibit commercial cannabis activities, including cannabis processing facilities, per Mendocino County Code Chapter 20.119 that includes 25 Assessor's Parcel Numbers (APNs) comprising 18 legal parcels. As detailed in the Commercial Cannabis Prohibition Combining District section of this report, MCC Section 20.119.040 requires that existing permitted commercial cannabis activities within the proposed CP Combining District would have a maximum of three (3) years to cease operation, and new commercial cannabis activities would be prohibited except those uses defined as exempt under Section 10A.17.030. However, there are no permitted commercial cannabis activities within the proposed CP Combining District. In addition, the prohibition of commercial cannabis activities would not affect personal cannabis activities that are in accordance with the Adult Use of Marijuana Act of 2016 (Proposition 64) as codified in California Health and Safety Code Section 11362.2.

Adoption of the proposed CP district would not have any environmental impact on the parcels within the district. The proposed CP district consists entirely of parcels zoned either RL or TPZ, neither of which are eligible for new cannabis cultivation permits pursuant to MCC Section 20.242.060, which does not provide for new cultivation sites in either the RL or TPZ districts. Because commercial-scale cannabis cultivation is already prohibited on the subject parcels, the application of the CP rezone can have no environmental impacts. In addition, these parcels could still host other agricultural uses and other uses as allowed by Mendocino County Code, which may be more or less intense than commercial cannabis cultivation or cannabis processing. Elimination of these activities from these parcels will not have a significant impact on the environment within the CP district.

The elimination of commercial cannabis operations within the proposed CP district would also not have a significant impact on the environment beyond the district's boundaries. Because these parcels are already ineligible for cannabis cultivation permits, the CP rezoning will not have the impact of heightening development demand elsewhere. Pursuant to MCC Section 20.243.060, cannabis processing facilities are allowed in the Rural Community, Agricultural, Upland Residential, Forest Lands, Range Lands, and Commercial (C-1, C-2) zoning districts with the issuance of an AP, and Industrial (I-1, I-2, PI) zoning districts with a zoning clearance. The impact of prohibiting cannabis processing facilities on the 18 parcels within the proposed CP District would not result in a reduction of available parcels for this activity to any substantive extent. Environmental impacts of cannabis processing facilities could include the potential increase of greenhouse gases due to vehicle miles traveled, which would be avoided by the proposed prohibition.

Considering the analysis contained in this report and the findings required by CEQA Guidelines Section 15061, Staff finds that the proposed project would not result in any significant environmental effect on the environment and is exempt from further environmental review within the meaning of the CEQA.

Should the Planning Commission choose to recommend that the Board of Supervisors deny the project, pursuant to CEQA Guidelines Section 15270, CEQA does not apply to projects which a public agency rejects or disapproves.

Staff Report Prepared by:

1/7/2025

DATE

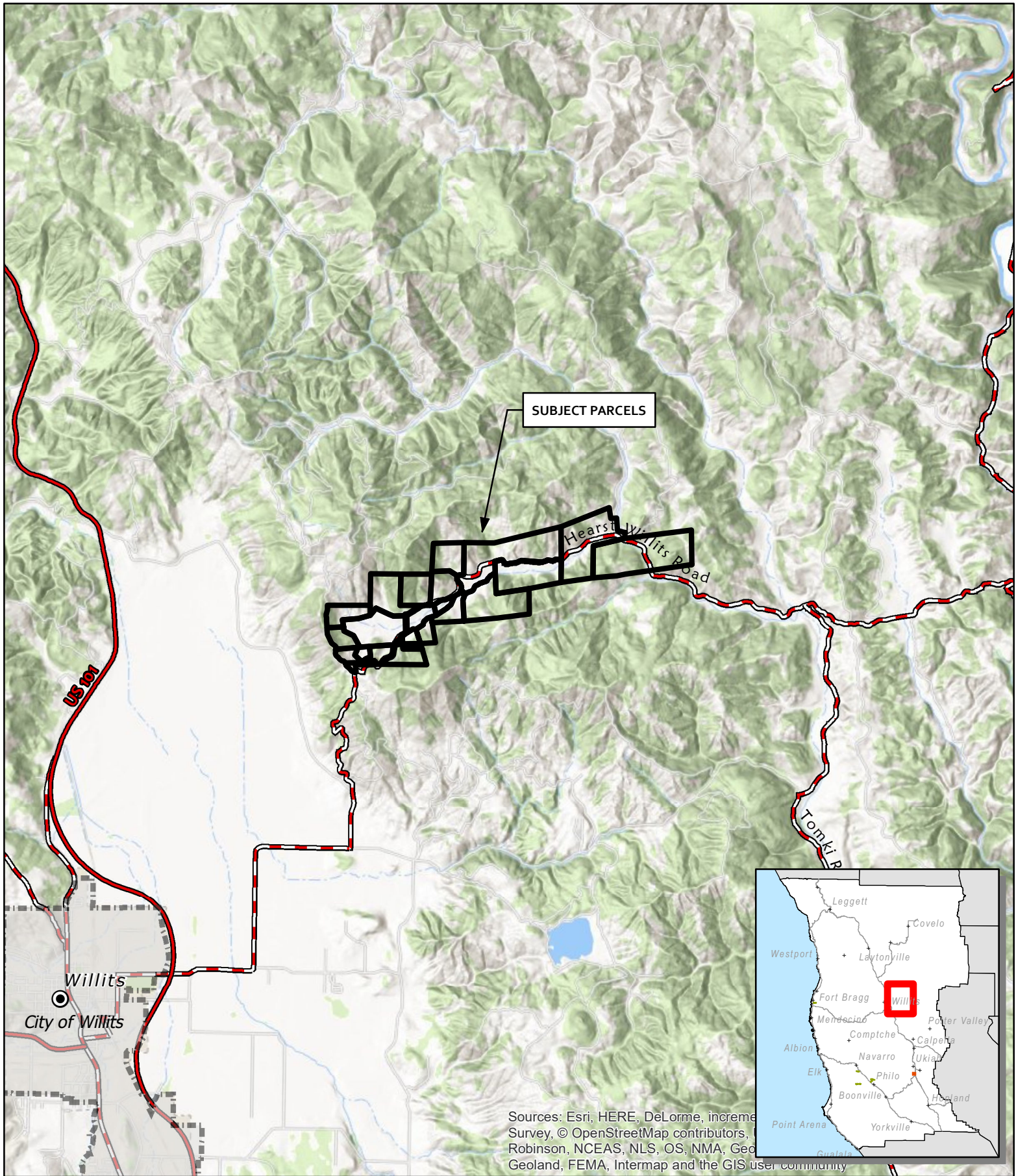


SHELBY MILLER
PLANNER II

ATTACHMENTS:

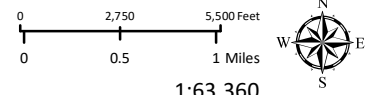
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|---|--|
| A. Location Map | J. Farmland Classifications |
| B. Aerial Imagery | K. Existing Cannabis Sites |
| C. Topography Map | L. Permit Requirements for New Cannabis
Cultivation Sites Table |
| D. Zoning Display Map | M. Permit Requirements for Cannabis Facilities
Table |
| E. General Plan Classifications | N. Parcels Within the Proposed District |
| F. Adjacent Parcels | O. Application |
| G. Fire Hazard Zones and Responsibility Areas | P. Petitions Demonstrating Support |
| H. Wildland-Urban Interface Zones | |
| I. Wetlands | |

DRAFT RESOLUTIONS AND EXHIBITS A & B



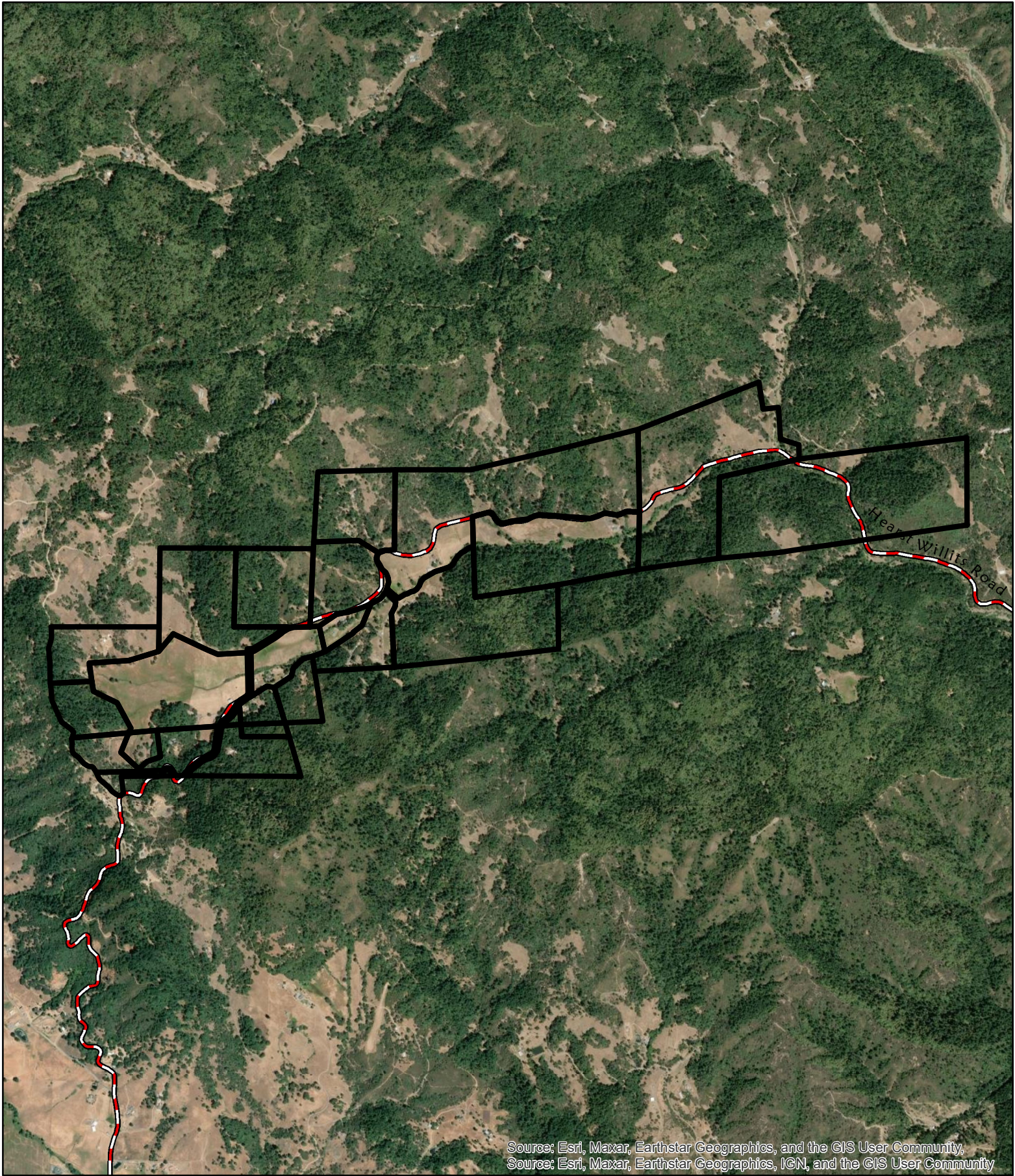
CASE: R 2024-0001
OWNER: Various
APN: Various
APLCT: Robert Cronin
AGENT: Bruce Jackson
ADDRESS: Hearst-Willits Road, Willits

Major Towns & Places
City Limits
Highways
Major Roads



LOCATION

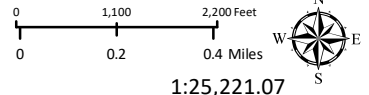
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Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community.
Source: Esri, Maxar, Earthstar Geographics, IGN, and the GIS User Community

CASE: **R 2024-0001**
OWNER: **Various**
APN: **Various**
APLCT: **Robert Cronin**
AGENT: **Bruce Jackson**
ADDRESS: **Hearst-Willits Road, Willits**

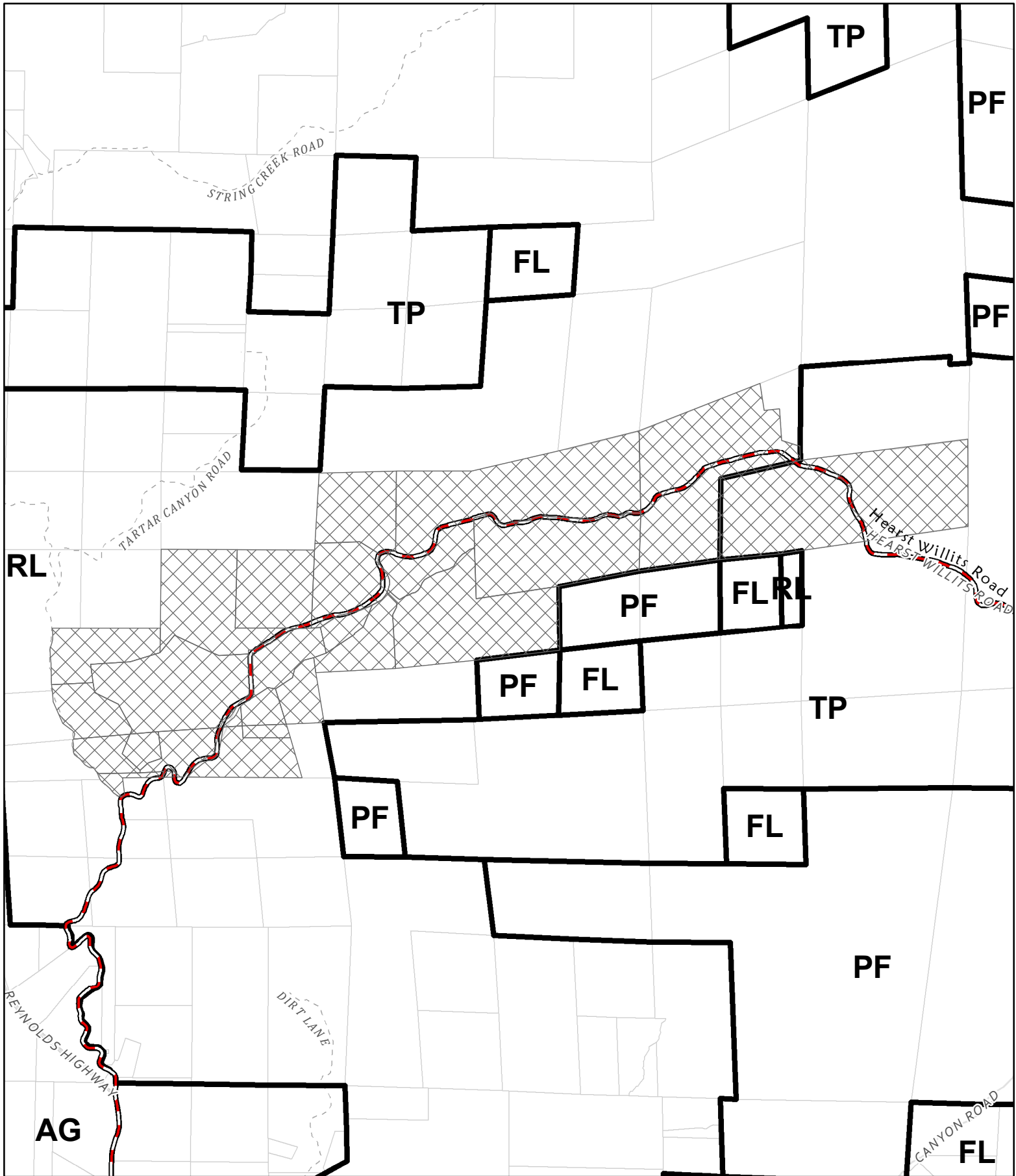
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

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AERIAL IMAGERY

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CASE: R 2024-0001
OWNER: Various
APN: Various
APLCT: Robert Cronin
AGENT: Bruce Jackson
ADDRESS: Hearst-Willits Road, Willits

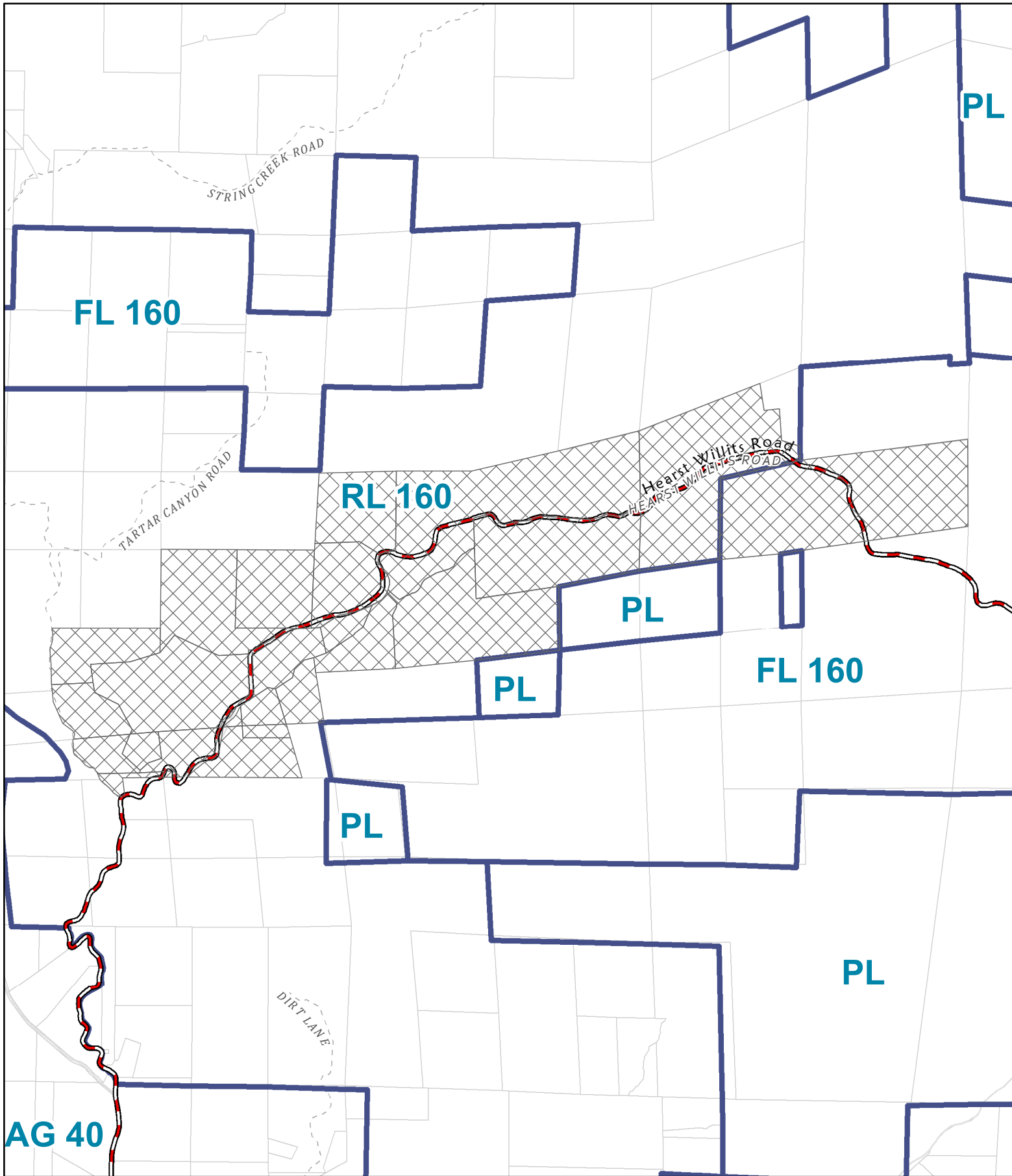
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 Zoning Districts
 Assessors Parcels
 Public Roads

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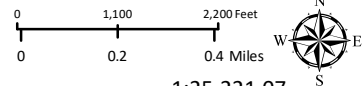
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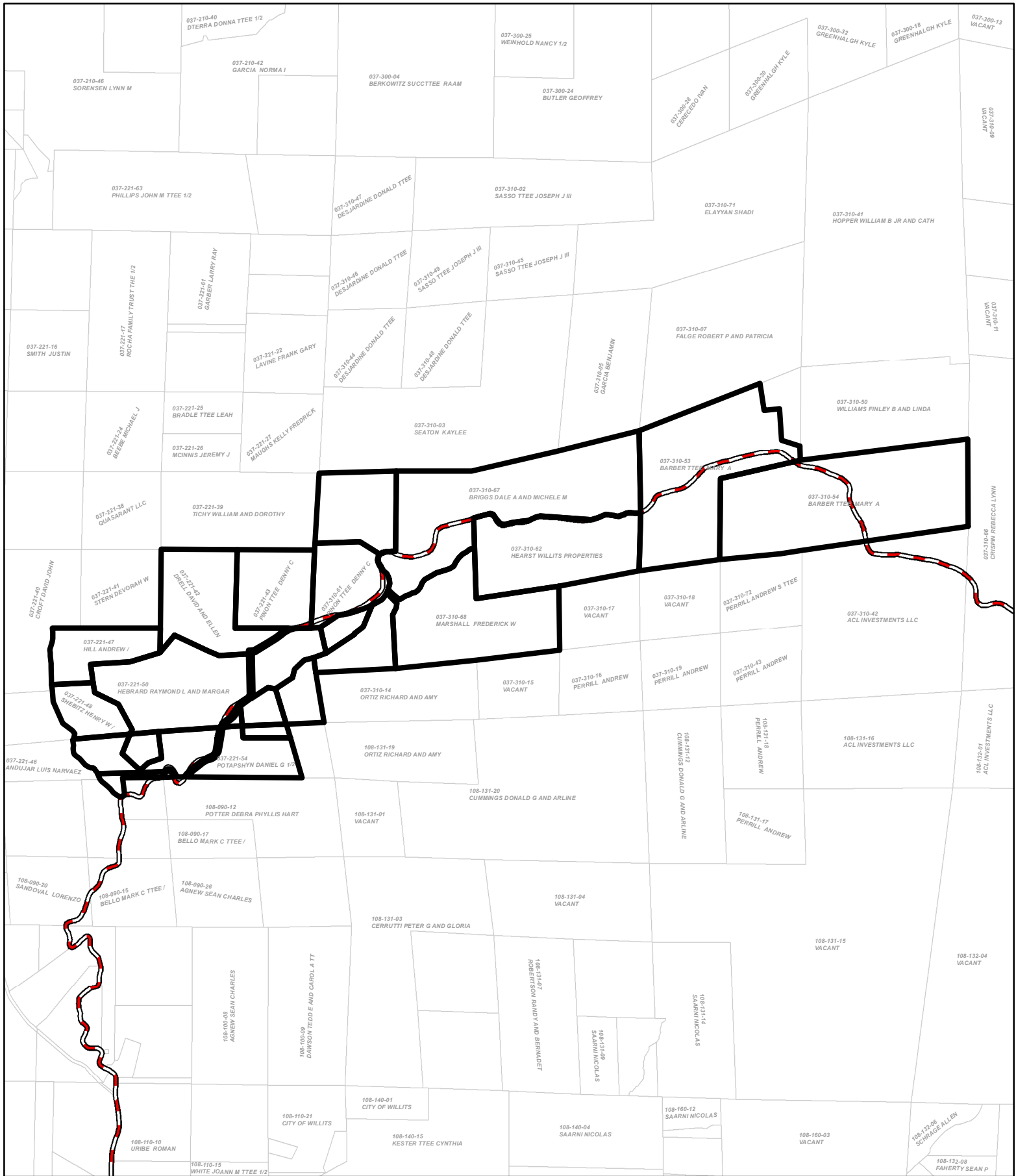
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OWNER: Various
APN: Various
APLCT: Robert Cronin
AGENT: Bruce Jackson
ADDRESS: Hearst-Willits Road, Willits

- Major Roads
- Public Roads
- Private Roads
- Assessors Parcels




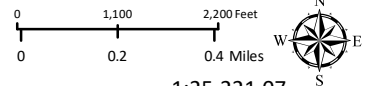
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GENERAL PLAN

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CASE: R 2024-0001
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APN: Various
APLCT: Robert Cronin
AGENT: Bruce Jackson
ADDRESS: Hearst-Willits Road, Willits

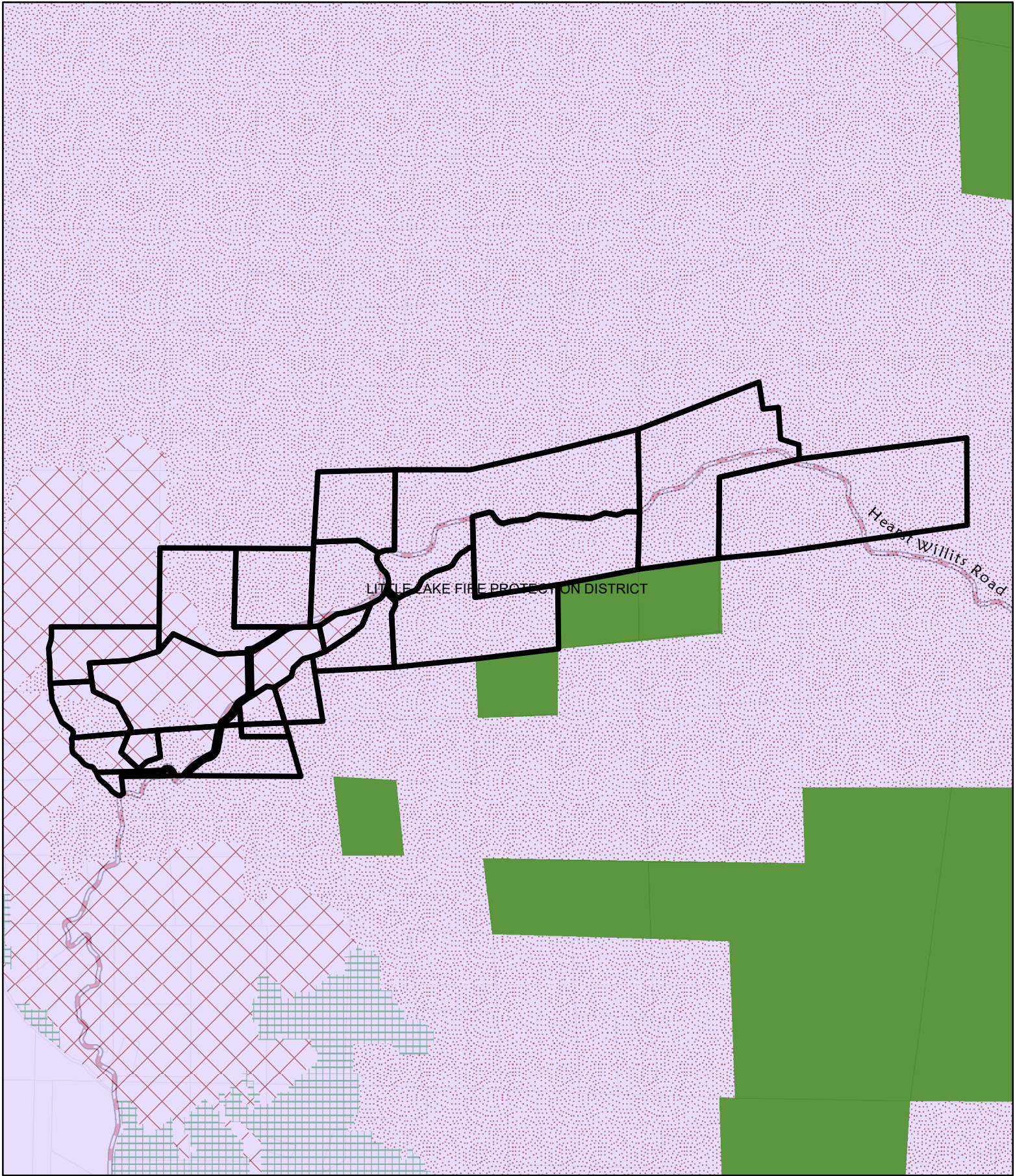
 Major Roads
 Assessors Parcels









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ADJACENT PARCELS

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CASE: R 2024-0001
OWNER: Various
APN: Various
APLCT: Robert Cronin
AGENT: Bruce Jackson
ADDRESS: Hearst-Willits Road, Willits

-  FRA
-  Very High Fire Hazard
-  High Fire Hazard
-  Moderate Fire Hazard
-  County Fire Districts
-  Major Roads

 Assessors Parcels

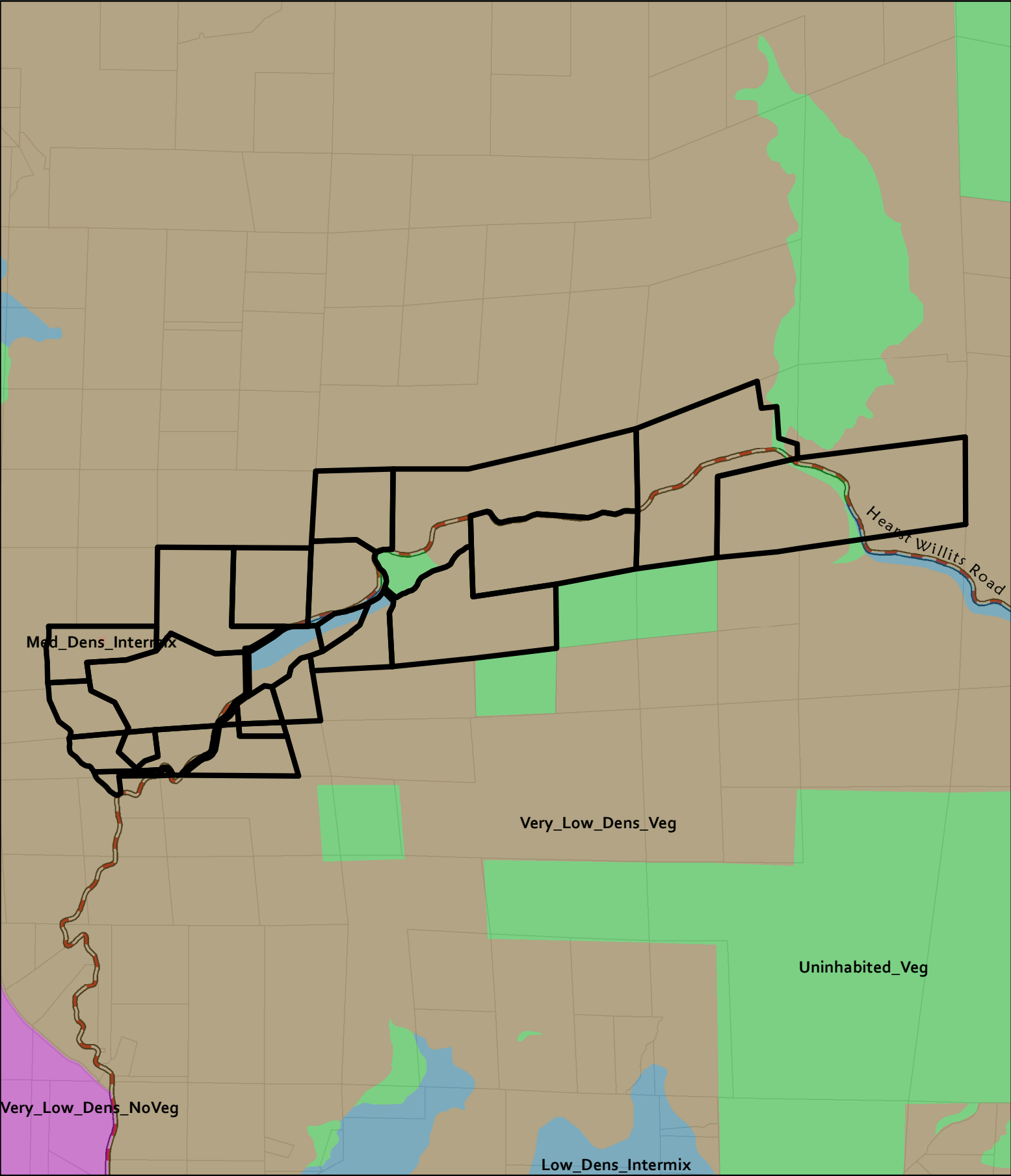
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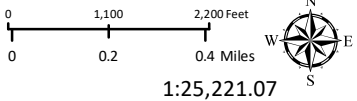
FIRE HAZARD ZONES & RESPONSIBILITY AREAS
STATE RESPONSIBILITY AREA

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CASE: **R 2024-0001**
OWNER: **Various**
APN: **Various**
APLCT: **Robert Cronin**
AGENT: **Bruce Jackson**
ADDRESS: **Hearst-Willits Road, Willits**

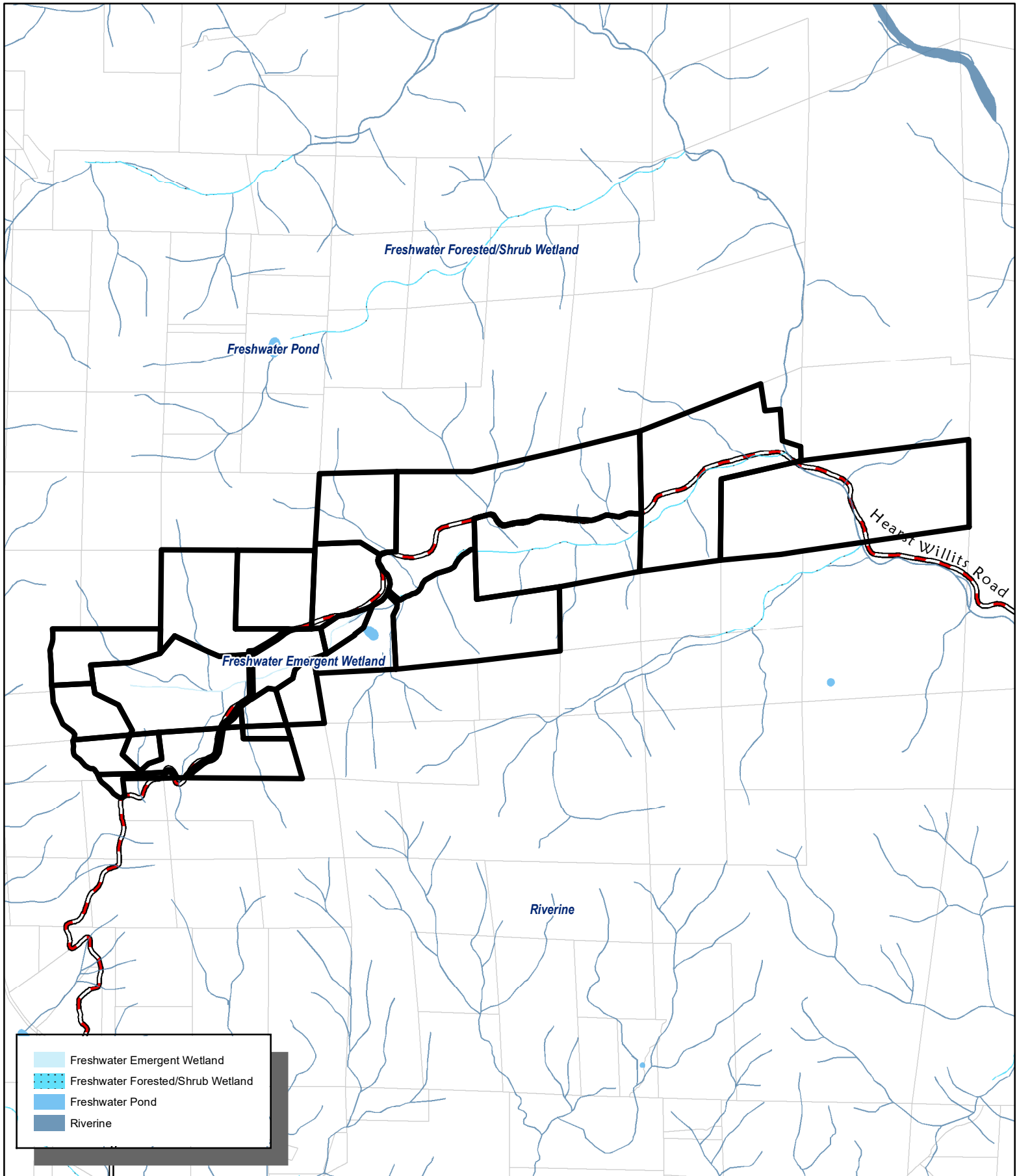
 Major Roads
 Assessor's Parcels





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WILDLAND-URBAN INTERFACE

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CASE: R 2024-0001
OWNER: Various
APN: Various
APLCT: Robert Cronin
AGENT: Bruce Jackson
ADDRESS: Hearst-Willits Road, Willits

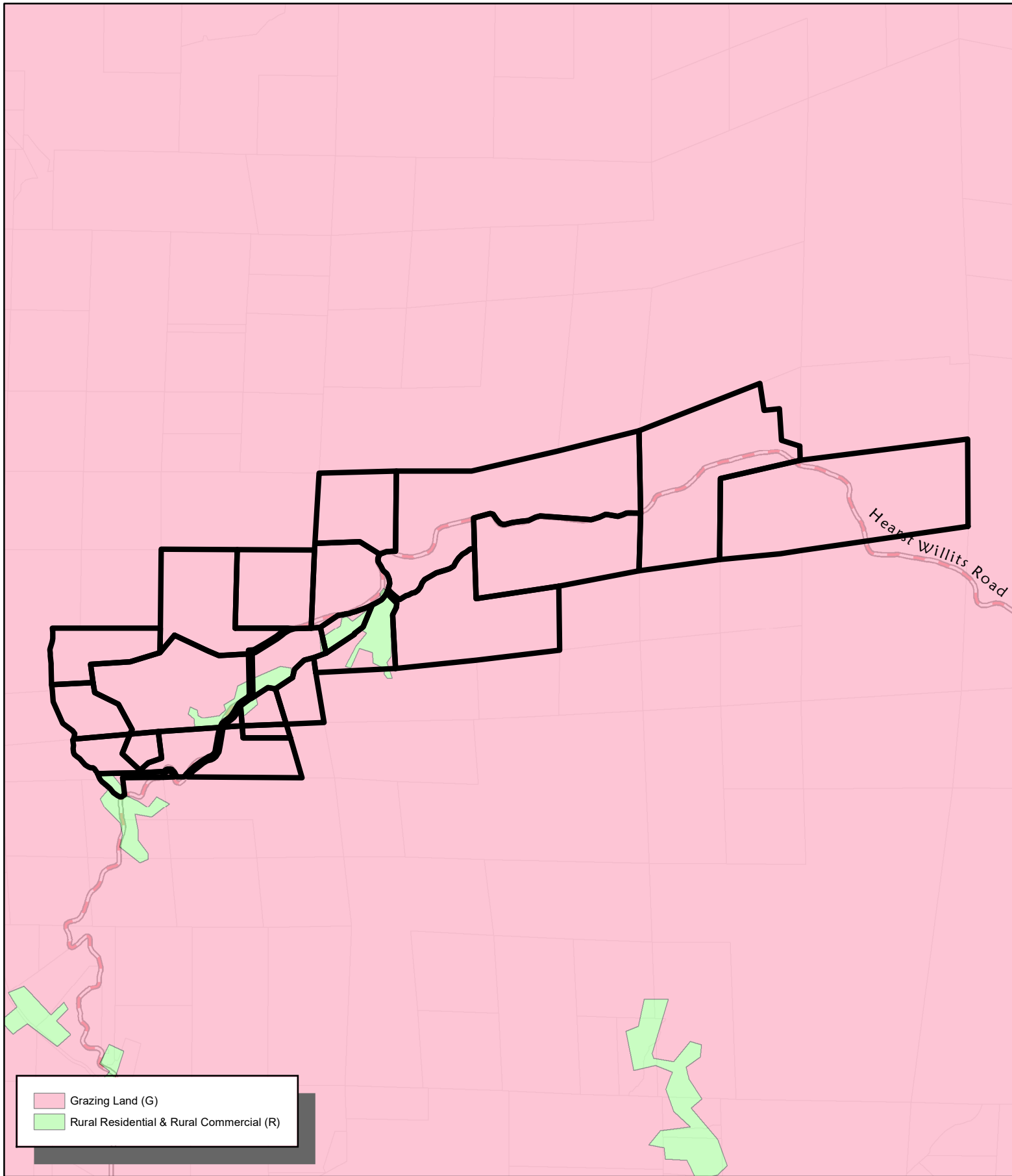
 Major Roads
 Assessors Parcels

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WETLANDS

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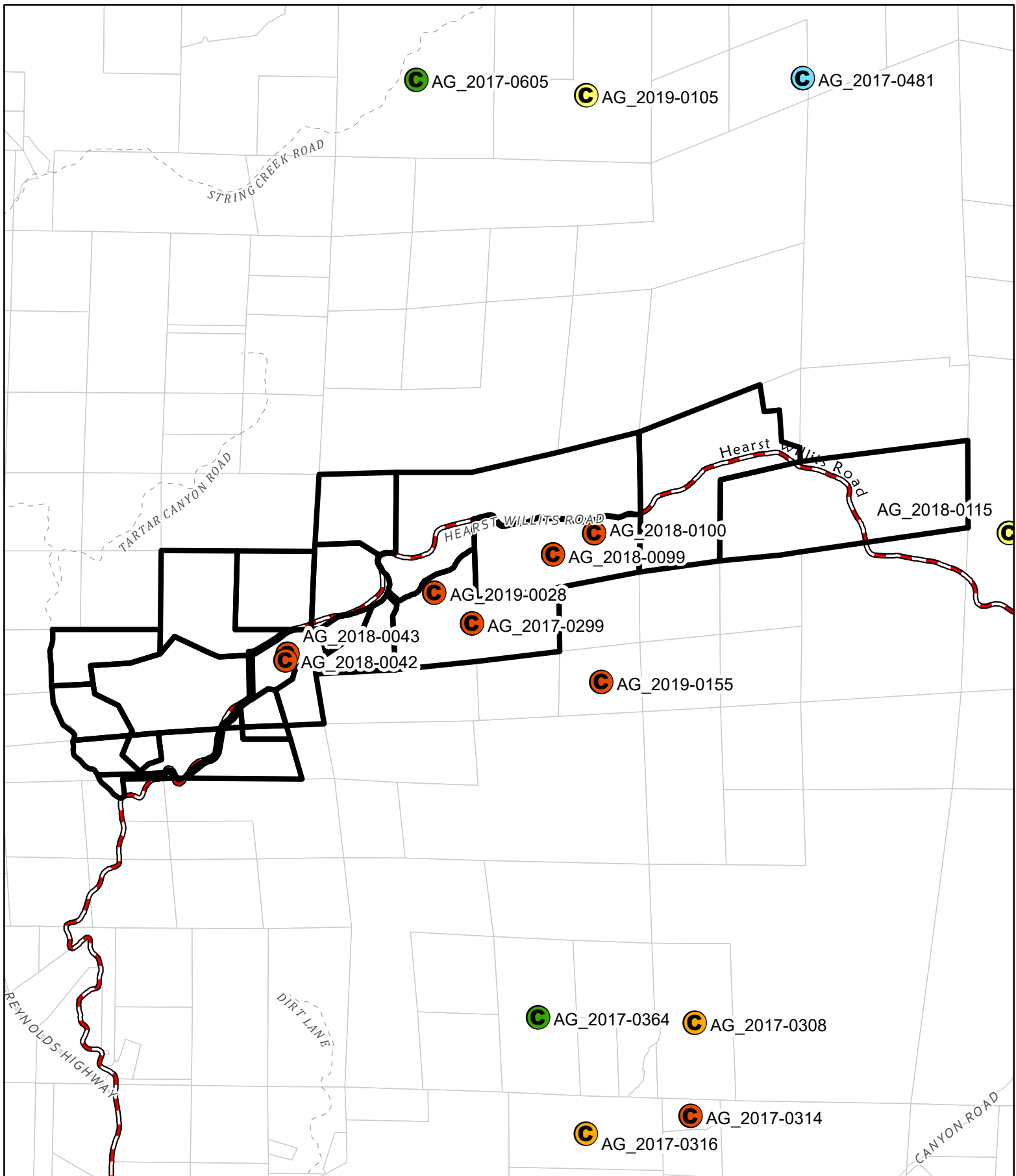
CASE: R 2024-0001
OWNER: Various
APN: Various
APLCT: Robert Cronin
AGENT: Bruce Jackson
ADDRESS: Hearst-Willits Road, Willits

 Major Roads
 Assessors Parcels

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FARMLAND CLASSIFICATIONS

**THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
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CASE: R 2024-0001
OWNER: Various
APN: Various
APLCT: Robert Cronin
AGENT: Bruce Jackson
ADDRESS: Hearst-Willits Rd., Willits

Major Roads
 Public Roads
 Private Roads
 Assessors Parcels
 DENIED
 RENEWAL INCOMPLETE

RENEWAL ISSUED
 UNDER REVIEW
 WITHDRAWN

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CANNABIS SITES

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Sec. 20.242.060 - New Cannabis Cultivation Sites.

- (A) Except as provided in Section 20.242.050, on or after January 1, 2020, new cannabis cultivation sites may be permitted in accordance with this section.
- (B) All new cannabis cultivation sites shall be consistent with the General Limitations on Cultivation of Cannabis, Section 10A.17.040; provided, however, that an applicant may seek a reduction in the setback requirements as stated in paragraph (D) of this section.
- (C) Cultivation sites, operated in conformance with the MCCO, may be allowed on a legal parcel with an approved Zoning Clearance, Administrative Permit or Minor Use Permit, as required for the zoning district in which the cultivation site is located and listed in Table 2.

TABLE 2
Zoning Permit Requirement for New Cannabis Cultivation by Zoning District
and Cannabis Cultivation Ordinance Permit Type

MCCO Permit Type		C Sm Outdoor	C-A Sm Indoor, Artificial Light		C-B Sm, Mixed Light	1 Med Outdoor	1-A Med Indoor, Artificial Light	1-B Med Mixed Light	2 Lg Outdoor	2-A Lg Indoor, Artificial Light	2-B Lg Mixed Light	4 Nursery
Min Parcel Area (ac)		2	2		2	5	5	5	10	10	10	10
Cultivation Area Limit (sf)		2,500	500	501— 2,500	2,500	2,501— 5,000	2,501— 5,000	2,501 — 5,000	5,001— 10,000	5,001— 10,000	5,001— 10,000	22,000
Zoning District	RR 5*	ZC	AP	UP	ZC	ZC	—	ZC	—	—	—	—
	RR 10	ZC	AP	UP	ZC	ZC	—	ZC	ZC	—	ZC	ZC
	AG	ZC	AP	UP	ZC	ZC	—	ZC	ZC	—	ZC	ZC
	UR	ZC	AP	UP	ZC	ZC	—	ZC	ZC	—	ZC	ZC
	I1* ²	ZC	ZC	ZC	ZC	—	ZC	ZC	—	ZC	ZC	ZC
	I2* ²	ZC	ZC	ZC	ZC	—	ZC	ZC	—	ZC	ZC	ZC
	PI* ²	ZC	ZC	ZC	ZC	—	ZC	ZC	—	ZC	ZC	ZC

— = Not Allowed, ZC = Zoning Clearance, AP = Administrative Permit, UP = Minor Use Permit

*1 Parcels in the RR-5 zoning district must have a minimum parcel size of five (5) acres.

*2 Parcels in Industrial zoning districts are not subject to a minimum parcel area.

- (D) Setback Reduction. A reduction in the setback from a legal parcel line required by Section 10A.17.040 may be allowed with an Administrative Permit, approved according to Section 20.242.070(C), provided that the approved setback reduction is fifty (50) feet or greater from an adjoining property under separate ownership or access easement, whichever is most restrictive and the location of the cannabis cultivation site continues to comply with the required setback from an occupied legal residential structure.

(Ord. No. 4381, § 2, 4-4-2017; Ord. No. 4408, § 20, 4-28-2018; Ord. No. 4420, § 7, 12-4-2018)

Table 1 Permit Requirements for Processing, Manufacturing, Testing, Retailers, Distribution, and Microbusiness by Zoning District and Cannabis Facilities Code Permit Type								
Permit Type			6-A and 6-M	7-A and 7-M	8-A and 8-M	10-M and 10-A	11-A and 11-M	12-A
		Processing	Manufacturing Level 1 (Non-volatile) **	Manufacturing Level 2 (Volatile)	Testing	Retail/Dispensary	Distribution	Microbusiness
Zoning District	RR 2	—	—	—	—	—	—	—
	RR 5	—	—	—	—	—	—	—
	RR 10	—	—	—	—	—	—	—
	R3	—	—	—	—	—	—	—
	RC	AP	AP	UP	UP	UP	UP	UP
	SR	—	—	—	—	—	—	—
	AG	AP	—	—	—	—	—	—
	UR	AP	—	—	—	—	—	—
	RL	AP	—	—	—	—	—	—
	FL	AP	—	—	—	—	—	—
	TPZ	—	—	—	—	—	—	—
	C1	AP	—	—	—	ZC	—	—
	C2	AP	UP	—	ZC	ZC	UP	AP
	I1	ZC	ZC	AP	ZC	UP	ZC	AP
	I2	ZC	ZC	AP	ZC	UP	ZC	AP
	PI	ZC	ZC	AP	ZC	UP	ZC	AP
— = Not Allowed, ZC = Zoning Clearance, AP = Administrative Permit, UP = Minor Use Permit, MUP = Major Use Permit								
* See Section 20.243.040(A)(2) regarding processing of cannabis grown on site. ** See Section 20.243.040(B)(2) regarding home manufacturing exception.								



DO NOT USE THIS MAP TO DETERMINE PROPERTY BOUNDARIES.



Application for Commercial Cannabis Prohibition Combining District
Rock Tree Valley CP District
February 12, 2024, page 1 of 2

To: Mendocino County Planning and Building Services

We have worked with our district supervisor, John Haschak, and with his support we are submitting this application for a Commercial Cannabis Prohibition Combining District.

Hereby, we are amending our previous application and resubmitting it for approval. Our prior application included, within the proposed district, a parcel with a cannabis cultivation application under review. This property owner is no longer pursuing a cultivation permit and supports the formation of the proposed CP District. The property owner wishes to be included in the CP district and has signed the attached petition as evidence of their support. No other legal growers or applicants are within the proposed district.

All other aspects of our application remain the same, which should minimize staff time and simplify the required hearings. The application form, the map and the properties included in the proposed district remain unchanged.

We paid the standard project fee of \$5,804.00 with our original application. As our project is small we believe the original fee should be sufficient to cover the cost of this straightforward re-application and an abbreviated review relying largely on the staff work done on our original application.

Our application is in full compliance with the intent and all provisions of the CP district ordinance as enacted by the Board of Supervisors with wide support from the county's residents.

The layer of protection provided by a CP district is important to us due to the continued pressure from the cannabis lobby to expand commercial cannabis within our county. Allowing cannabis in our neighborhood would be a land use change that we do not want. The proposed CP District provides that protection without diminishing any existing property rights.

Thank you for your consideration of our application.


_____,
Robert Cronin - applicant

2-12-2024
date

Attachments

Application for Commercial Cannabis Prohibition Combining District

Rock Tree Valley CP District

February 12, 2024, page 1 of 2

This application consists of:

1. *This letter, 2-12-2024*
2. Application Form, 9-21-2021 *(unchanged)*
3. Attachment A - Parcels Within the Proposed District *(unchanged)*
4. Attachment B - Project Description *(unchanged)*
5. Map - Proposed Rock Tree Valley CP District, 7-15-2021 *(unchanged)*
6. Attachment C - Petitions Demonstrating Support *(2-12-2024: added one petition for APN 037-310-68)*



PLANNING & BUILDING
SERVICES

CASE NO:	R 2024-0001
DATE FILED:	2.12.2024
FEE:	\$ 7,869.00
RECEIPT NO:	PRJ 060842
RECEIVED BY:	STEVENS SWITZER
Office Use Only	

APPLICATION FORM

APPLICANT:

Name: Robert Cronin Phone: 707.459.3353
Mailing Address: 6201 Hearst Willits Road
City: Willits State/Zip: CA Email: nomof ungiwillits@gmail.com

PROPERTY OWNER:

Name: Various Phone:
Mailing Address:
City: State/Zip: Email:

AGENT:

Name: NA Phone:
Mailing Address:
City: State/Zip: Email:

ASSESSOR'S PARCEL NUMBER/S: See Attachment A.

TYPE OF APPLICATION:

- | | | |
|---|--|---|
| <input type="checkbox"/> Administrative Permit | <input type="checkbox"/> Flood Hazard Development Permit | <input type="checkbox"/> Reversion to Acreage |
| <input type="checkbox"/> Agricultural Preserve: New Contract | <input type="checkbox"/> General Plan Amendment | <input checked="" type="checkbox"/> Rezoning |
| <input type="checkbox"/> Agricultural Preserve: Cancellation | <input type="checkbox"/> Land Division - Minor | <input type="checkbox"/> Use Permit - Cottage |
| <input type="checkbox"/> Agricultural Preserve: Rescind & ReEnter | <input type="checkbox"/> Land Division - Major | <input type="checkbox"/> Use Permit - Minor |
| <input type="checkbox"/> Airport Land Use | <input type="checkbox"/> Land Division - Parcel | <input type="checkbox"/> Use Permit - Major |
| <input type="checkbox"/> Development Review | <input type="checkbox"/> Land Division - Re-Subdivision | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Exception | <input type="checkbox"/> Modification of Conditions | <input type="checkbox"/> Other |

I certify that the information submitted with this application is true and accurate.

Signature of Applicant/Agent: [Signature] Date: 9-21-2021 Signature of Owner: [Signature] Date: 2-12-2024

SITE AND PROJECT DESCRIPTION QUESTIONNAIRE

The purpose of this questionnaire is to relate information concerning your application to the Department of Planning and Building Services and other agencies who will be reviewing your project proposal. Please remember that the clearer picture that you give us of your project and the site, the easier it will be to promptly process your application. Please answer all questions. Those questions which do not pertain to your project please indicate "Not applicable" or "N/A".

THE PROJECT

1. Describe your project. Include secondary improvements such as wells, septic systems, grading, vegetation removal, roads, etc.

The designation of a Commercial Cannabis Prohibition Combining District in the neighborhood of Rock Tree

Valley as provided for by Chapter 20.119 of the Mendocino County Code. See Attachment B for a full description.

Also, see Attachment C for the petitions demonstrating support for the proposed district signed by over 60% of the affected property owners as required by Chapter 20.119.

2. Structures/Lot Coverage	NO. OF UNITS		SQUARE FOOTAGE		
	EXISTING	PROPOSED	EXISTING	PROPOSED	TOTAL
<input type="checkbox"/> Single Family <input type="checkbox"/> Mobile Home <input type="checkbox"/> Duplex <input type="checkbox"/> Multifamily <input type="checkbox"/> Other: <input type="checkbox"/> Other:					
GRAND TOTAL (Equal to gross area of Parcel): NA					

3. If the project is commercial, industrial or institutional, complete the following:

Estimated No. of Employees per shift: NA

Estimated No. of shifts per day: _____

Type of loading facilities proposed: _____

4. Will the project be phased?

☐ YES ☒ NO If yes, explain your plans for phasing:

5. Will vegetation be removed on areas other than the building sites and roads?

☐ YES ☒ NO If no, explain:

6. Will the project involve the use or disposal of potentially hazardous materials such as toxic substances, flammables, or explosives?

☐ YES ☒ NO If yes, explain:

7. How much off-street parking will be provided?

	Number	Size
No. of covered spaces:	NA	
No. of uncovered spaces:		
No. of standard spaces:		
No. of accessible spaces:		
Existing no. of spaces:		
Proposed additional spaces:		
Total:		

8. Is any road construction or grading planned? If yes, grading and drainage plans may be required.

☐ YES ☒ NO Also, please describe the terrain to be traversed. (e.g., steep, moderate slope, flat, etc.)

9. For grading or road construction, complete the following:

Amount of cut: NA cubic yards

Amount of fill: cubic yards

Max. height of fill slope: feet

Max. height of cut slope: feet

Amount of import/export: cubic yards

Location of borrow or disposal site:

10. Does the project involve sand removal, mining or gravel extraction? If yes, detailed extraction, reclamation and monitoring plans may be required.

☐ YES ☒ NO

11. Will the proposed development convert land currently or previously used for agriculture to another use?

☐ YES ☒ NO

12. Will the development provide public or private recreation opportunities?

☐ YES ☒ NO If yes, explain how:

NA

13. Is the proposed development visible from State Highway 1 or other scenic route?

☐ YES ☒ NO

14. Is the proposed development visible from a park, beach or other recreational area?

☐ YES ☒ NO

15. Does the development involve diking, filling, dredging or placing structures in open coastal water, wetlands, estuaries or lakes?

Diking: ☐ YES ☒ NO

Filling: ☐ YES ☐ NO

Dredging: ☐ YES ☐ NO

Structures: ☐ Open Coastal Waters ☐ Wetlands ☐ Estuaries ☐ Lakes

If so, what is the amount of material to be dredged/filled?: _____ cubic yards

Location of dredged material disposal site?: _____

Has a U.S. Army Corps of Engineers permit been applied for? ☐ YES ☐ NO

16. Will there be any exterior lighting?

☐ YES ☒ NO If yes, describe below and identify the location of all exterior lighting on the plot and building plans.

17. Utilities will be supplied to the site as follows:

Electricity: ☐ Utility Company (service exists to parcel)
☐ Utility Company (requires extension of service to site): _____ feet _____ miles
☐ On Site Generation – Specify:

Gas: ☐ Utility Company/Tank
☐ On Site Generation – Specify:
☐ None

Telephone: ☐ YES ☐ NO

18. What will be the method of sewage disposal?

- ☐ Community Sewage System (specify supplier): NA
- ☐ Septic Tank
- ☐ Other (specify): _____

19. What will be the domestic water source:

- ☐ Community Water System (specify supplier): NA
- ☐ Well
- ☐ Spring
- ☐ Other (specify): _____

20. Are there any associated projects and/or adjacent properties under your ownership?

- ☐ YES ☒ NO If yes, explain: (e.g., Assessor's Parcel Number, address, etc.)

21. List and describe any other related permits and other public approval required for this project, including those required by other County departments, city, regional, State and Federal agencies:

None

22. Describe the location of the site in terms of readily identifiable landmarks: (e.g., mailboxes, mile posts, street intersections, etc.)
See attached Proposed Rock Tree Valley CP District map, dated 15 July 2021.

23. Are there existing structures on the property? If yes, describe below and identify the use of each structure on the plot plan or tentative map if the proposal is for a subdivision.

- ☐ YES ☐ NO

NA

24. Will any existing structure be demolished or removed? If yes, describe the type of development to be demolished or removed, including the relocation site, if applicable.

- ☐ YES ☐ NO

NA

25. What is the maximum height of all structures?

Existing: NA feet

Proposed: _____ feet

26. What is the gross floor areas of all structures, including covered parking and accessory buildings?

Existing: NA square feet

Proposed: _____ square feet

27. What is the total lot area within property lines?

Total Lot Area: NA ☐ acres ☐ square feet

28. Briefly describe the project site as it exists before the project, including information on existing structures and their uses, slopes, soil stability, plants and animals, and any cultural, historical or scenic aspects. Attach any photographs of the site that you feel would be helpful:

See Attachment B.

29. Briefly describe the surrounding properties, including information on plants, animals and any cultural, historic or scenic aspects. Indicate the type of land use (use chart below) and its general intensity. Attach any photographs of the vicinity that you feel would be helpful.

See Attachment B.

30. Indicate the surrounding land uses:

	Vacant	Residential	Agriculture	Commercial	Industrial	Public Facility	Timberland	Other
North:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
East:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
South:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
West:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

CERTIFICATION AND SITE VIEW AUTHORIZATION

1. I hereby certify that I have read this completed application and that, to the best of my knowledge, the information in this application, and all attached appendices and exhibits, is complete and correct. I understand that the failure to provide any requested information or any misstatements submitted in support of the application shall be grounds for either refusing to accept this application, for denying the permit, for suspending or revoking a permit issued on the basis of such misrepresentations, or for seeking of such further relief as may seem proper to the County.
2. I hereby grant permission for County Planning and Building Services staff and hearing bodies to enter upon and site view the premises for which this application is made in order to obtain information necessary for the preparation of required reports and render its decision.

NA [Signature] 9-21-2021
Owner/Authorized Agent Date
Mr 2-12-2024

NOTE: IF SIGNED BY AGENT, OWNER MUST SIGN BELOW.

AUTHORIZATION OF AGENT

I hereby authorize _____ to act as my representative
and to bind me in all matters concerning this application.

Owner Date

MAIL DIRECTION

To facilitate proper handling of this application, please indicate the names and mailing addresses of individuals to whom you wish correspondence and/or staff reports mailed if different from those identified on Page 1 of the application form.

Name Robert Cronin	Name Maude Honemann	Name
Mailing Address 6201 Hearst Willits Road Willits, CA 95490	Mailing Address 6800 Hearst Willits Road Willits, CA 95490	Mailing Address

Attachment A

Proposed Rock Tree Valley CP District, 15 July 2021

Parcels Within the Proposed District

The proposed district is comprised of the following parcels:

	<u>APN's</u>	<u>Street Address</u>
1	037-221-42	6150 Hearst Willits Road
2	037-221-43 & 037-310-61	6170 Hearst Willits Road
3	037-221-47	5100 Hearst Willits Road
4	037-221-48 & 037-221-49	24250 String Creek Road
5	037-221-50	5500 Hearst Willits Road
6	037-221-51 & 037-221-52	5200 Hearst Willits Road
7	037-221-53 & 037-221-54	(1)
8	037-221-55 & 037-221-57	5501 Hearst Willits Road
9	037-221-58	5701 Hearst Willits Road
10	037-221-59	5721 Hearst Willits Road
11	037-310-53 & 037-310-54	8500 Hearst Willits Road
12	037-310-62	7501 Hearst Willits Road
13	037-310-64	6800 Hearst Willits Road
14	037-310-67	7001 Hearst Willits Road
15	037-310-68	6651 Hearst Willits Road
16	037-310-73	6201 Hearst Willits Road
17	037-310-74	6501 Hearst Willits Road
18	108-090-24	5000 Hearst Willits Road

(1) Address not posted and not known to the Assessor

Attachment B

Proposed Rock Tree Valley CP District

Project Description

Project: The designation of a Commercial Cannabis Prohibition Combining District in the neighborhood of Rock Tree Valley as provided for by Chapter 20.119 of the Mendocino County Code.

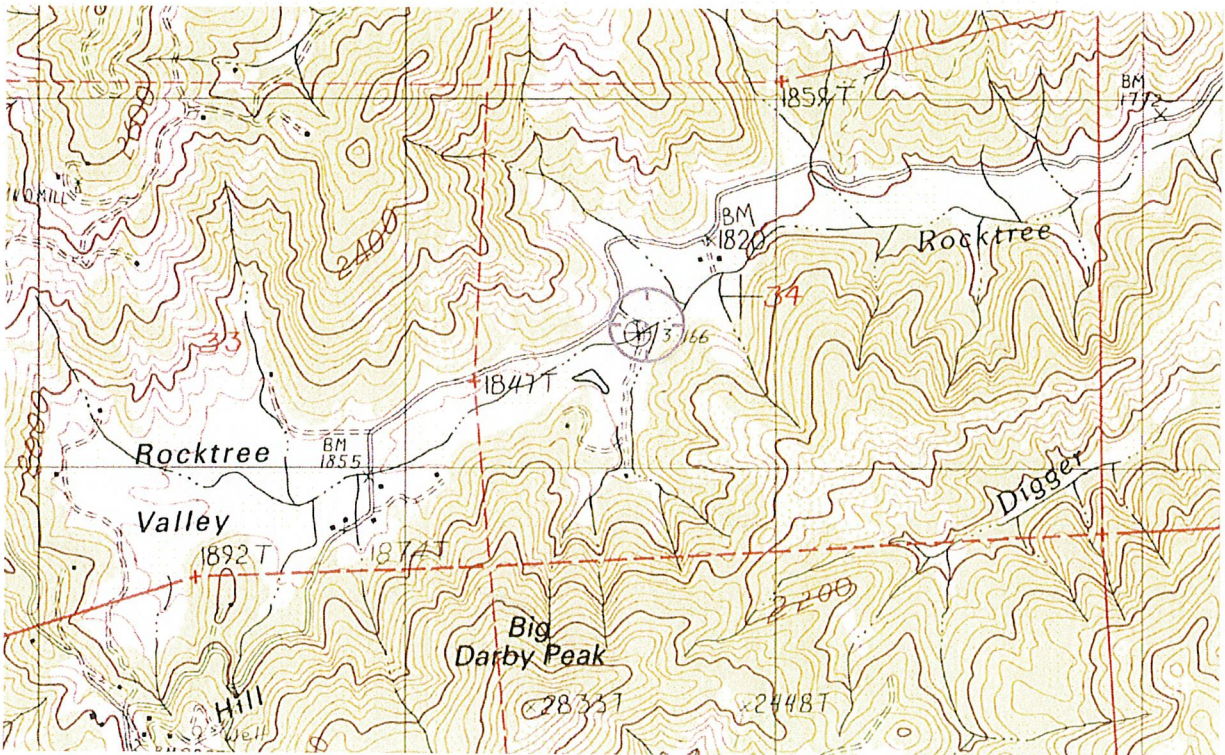
The neighborhood is located east of Willits in a small, isolated, pocket valley along Rock Tree Creek and Hearst-Willits Road. The parcels within and bordering the proposed district are currently zoned as rangeland, forestland and TPZ. The proposed district comprises 18 contiguous legally-created parcels which exceeds the minimum of ten parcels required by Chapter 20.119. As required, over 60% of the affected property owners have demonstrated support for the proposed district by petition.



Current and recent historical use of the neighborhood has been residential with small-scale cattle grazing, horse ranching, and non-commercial gardening. The parcels within the proposed district allow residential use by right and most are in fact currently in such use. Many of the residents settled and built their homes in the neighborhood for the very reason that it was free of commercial and industrial operations and was protected by county codes from the degrading impacts of commercial cannabis.

Attachment B, page 2

The proposed district includes the flatlands in the valley floor which are predominantly meadows, pastures and wetlands as well as some of the surrounding slopes of forests, oak woodlands, chaparral and grasslands. A prominent feature of the neighborhood is Rock Tree Creek, a salmon and steelhead-bearing creek that runs the length of the proposed district and is part of the Eel River drainage. The watershed supports diverse plant and animal communities including bear, mountain lion, bobcat, fox, coyote and eagle.



The neighborhood is accessed from the Willits valley via a narrow and tightly winding county road, Hearst-Willits Road. The road is an old stage coach route that has been partially paved over which serves the needs of light residential use but is very unsuitable for commercial traffic. Within the proposed district this road transitions from aged pavement to chip seal to unpaved dirt, and in places is only a single lane in width.

Privately developed by each property owner, water for homes and livestock in the neighborhood comes from wells in the small aquifer beneath the valley floor and a few springs in the surrounding hills. The available water is limited but sufficient for the current modest usage. Due to the small, finite size of the watershed, the valley's available water could easily be depleted if used for commercial cannabis and with no public water supply or alternative sources available, the current residents would be adversely affected. In addition, any increased water

Attachment B, page 3

usage for commercial cannabis would harm the fragile salmon and steelhead habitat in the valley. Commercial water usage would jeopardize the dry-season pools in the creek bed whose existence is tenuous at best, and which are essential for the reproductive cycle of the endangered fish.

The neighborhood is located in a Wildfire Risk Exposure area rated “Very High” (data from Cal Fire, CPUC) due to the dense vegetation and rugged terrain surrounding the valley floor, and to the arid microclimate of the valley. This risk-rating is significantly higher than the risk-ratings for the majority of the county, in part because of the extreme low humidity during the fire season that is characteristic of inland valleys located east of the coastal marine influence. Further, with the neighborhood’s distance from firefighting resources and the steep and narrow access road, the predicted firefighting response time is accordingly long. As with any increase in human activity in a dry, fire-prone area, commercial cannabis operations would further increase the already high wildfire danger.



The applicant and the supporting property owners wish to preserve the character of the neighborhood which has remained essentially unchanged for decades and is notable for its beauty and tranquility. They wish to have all commercial cannabis operations prohibited in the proposed district to avoid undesirable traffic, dust, noise, visual impact on the landscape, environmental degradation, increased water consumption, and increased risk of wildfire.

Attachment B, page 4

To date, with three exceptions, the proposed district has avoided the impact of any significant commercial operations of any kind. The three exceptions have been commercial cannabis operations:

1. In 2018 a commercial cannabis operation located on rangeland within the proposed district caused over 700 gallons of diesel fuel to spill and flow into Rock Tree Creek. Cleanup was court-ordered but has never been completed. At some point, under a provisional county application, commercial cannabis activities resumed but were ended by the California Department of Fish & Wildlife and the county application was cancelled. Nonetheless, cannabis operations resumed yet again. Then in the spring of 2021 Fish & Wildlife once more raided the now illegal operation and shut it down. No signs of any active cleanup activities are apparent.
2. Fencing for a second commercial cannabis operation, provisionally allowed by the county, was begun on another rangeland parcel within the proposed district. Ultimately the permit was cancelled but the unused, collapsing fencing remains as a visual blight.
3. An illegal commercial cannabis operation was established this year on a third parcel within the proposed district and remains active. A forested area has been cleared without a timber harvest plan, cannabis growing supplies have been hauled in, and a large hoophouse/greenhouse structure, which can be clearly seen on aerial photos taken in 2021 and available on Google Maps, has been constructed.

Despite their intent, the existing cannabis regulations, permit processes and enforcement options have not protected the neighborhood from the undesirable effects of commercial cannabis. Recent and future movements to change the regulations are uncertain and may further weaken protections. The applicant and supporting property owners wish to have any such commercial cannabis activity clearly prohibited by the designation of a Commercial Cannabis Prohibition Combining District.

Attachment C

Proposed Rock Tree Valley CP District, 15 July 2021

Petitions Demonstrating Support

*RV
2/12/2024*

Owners of ^{67%}~~61%~~ of the parcels within the district have signed petitions.

There are 18 parcels within the district and owners of ¹²~~11~~ of these parcels have signed petitions.

~~11/18 = 61%~~

12/18 = 67%

Signed petitions for the parcels listed below are enclosed:

<u>APN's</u>	<u>Street Address</u>
1 037-221-42	6150 Hearst Willits Road
2 037-221-43 & 037-310-61	6170 Hearst Willits Road
3 037-221-47	5100 Hearst Willits Road
4 037-221-48 & 037-221-49	24250 String Creek Road
5 037-221-51 & 037-221-52	5200 Hearst Willits Road
6 037-221-58	5701 Hearst Willits Road
7 037-310-53 & 037-310-54	8500 Hearst Willits Road
8 037-310-64	6800 Hearst Willits Road
9 037-310-73	6201 Hearst Willits Road
10 037-310-74	6501 Hearst Willits Road
11 108-090-24	5000 Hearst Willits Road
<i>12 037-310-68</i>	<i>6651 Hearst Willits Road</i>

Petition for Designation of a Commercial Cannabis Prohibition Combining District in Rock Tree Valley

I do hereby state that I am an owner of the legal parcel identified below and that I support the establishment of a Commercial Cannabis Prohibition Combining District in Rock Tree Valley which would prohibit all commercial cannabis operations within the district as provided by Chapter 20.119 of the Mendocino County Code.

Signature:

Fred Marshall

Name (printed):

FRED MARSHALL

Address of parcel:

6651 Hearst Willits Road

Assessor's Parcel Number(s): 037-310-68

Date signed:

11 / 20 / 23

Petition for Designation of a Commercial Cannabis Prohibition Combining District in Rock Tree Valley

I do hereby state that I am an owner of the legal parcel identified below and that I support the establishment of a Commercial Cannabis Prohibition Combining District in Rock Tree Valley which would prohibit all commercial cannabis operations within the district as provided for by Chapter 20.119 of the Mendocino County Code.

Signature:

David Drell

Name (printed):

David Drell

Address of parcel:

6150 Hearst Willits Road

Assessor's Parcel Number(s):

037-221-42

Date signed:

7/18/21

Petition for Designation of a Commercial Cannabis Prohibition Combining District in Rock Tree Valley

I do hereby state that I am an owner of the legal parcel identified below and that I support the establishment of a Commercial Cannabis Prohibition Combining District in Rock Tree Valley which would prohibit all commercial cannabis operations within the district as provided for by Chapter 20.119 of the Mendocino County Code.

Signature:

Denny C. P. N. N.

Name (printed):

DENNY C. P. N. N.

Address of parcel:

6170 Hearst Willits Road

Assessor's Parcel Number(s):

037-221-43 + 037-310-61

Date signed:

8-8-21

Petition for Designation of a Commercial Cannabis Prohibition Combining District in Rock Tree Valley

I do hereby state that I am an owner of the legal parcel identified below and that I support the establishment of a Commercial Cannabis Prohibition Combining District in Rock Tree Valley which would prohibit all commercial cannabis operations within the district as provided for by Chapter 20.119 of the Mendocino County Code.

Signature: Pauline Halper

Name (printed): PAULINE HALPER

Address of parcel: 5100 Hearst Willits Road

Assessor's Parcel Number(s): 037-221-47

Date signed: 7/23/21

Petition for Designation of a Commercial Cannabis Prohibition Combining District in Rock Tree Valley

I do hereby state that I am an owner of the legal parcel identified below and that I support the establishment of a Commercial Cannabis Prohibition Combining District in Rock Tree Valley which would prohibit all commercial cannabis operations within the district as provided for by Chapter 20.119 of the Mendocino County Code.

Signature:

Rosalie Anchor Doguy / Henry Shebitz

Name (printed):

Rosalie Anchor Doguy / Henry Shebitz

Address of parcel:

24250 String Creek Road

Assessor's Parcel Number(s):

037-221-48 & 037-221-49

Date signed:

7/22/21

Petition for Designation of a Commercial Cannabis Prohibition Combining District in Rock Tree Valley

I do hereby state that I am an owner of the legal parcel identified below and that I support the establishment of a Commercial Cannabis Prohibition Combining District in Rock Tree Valley which would prohibit all commercial cannabis operations within the district as provided for by Chapter 20.119 of the Mendocino County Code.

Signature:



Name (printed):

GEORGE JAMES DOOLEY

Address of parcel:

5200 Hearst Willits Road

Assessor's Parcel Number(s):

037-221-51 & 037-221-52

Date signed:

8/6/21

Petition for Designation of a Commercial Cannabis Prohibition Combining District in Rock Tree Valley

I do hereby state that I am an owner of the legal parcel identified below and that I support the establishment of a Commercial Cannabis Prohibition Combining District in Rock Tree Valley which would prohibit all commercial cannabis operations within the district as provided for by Chapter 20.119 of the Mendocino County Code.

Signature:

Stephen A. Anderson

Name (printed):

Stephen A Anderson

Address of parcel:

5701 Hearst Willits Road

Assessor's Parcel Number(s):

037-221-58

Date signed:

8 8 21

Petition for Designation of a Commercial Cannabis Prohibition Combining District in Rock Tree Valley

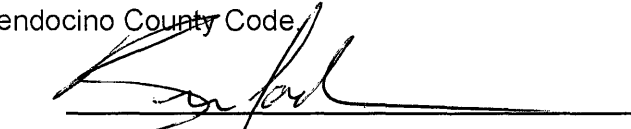
I do hereby state that I am an owner of the legal parcel identified below and that I support the establishment of a Commercial Cannabis Prohibition Combining District in Rock Tree Valley which would prohibit all commercial cannabis operations within the district as provided for by Chapter 20.119 of the Mendocino County Code.

Signature: Mary Ann Amy Barber (widow of David Barber)
Name (printed): LARRY BARBER
Address of parcel: 8500 Hearst Willits Rd
Assessor's Parcel Number(s): 037-310-53 & 037-310-54
Date signed: 7/23/21

Petition for Designation of a Commercial Cannabis Prohibition Combining District in Rock Tree Valley

I do hereby state that I am an owner of the legal parcel identified below and that I support the establishment of a Commercial Cannabis Prohibition Combining District in Rock Tree Valley which would prohibit all commercial cannabis operations within the district as provided for by Chapter 20.119 of the Mendocino County Code

Signature:


Bruce Jackson

Name (printed):

Address of parcel:

6800 Hearst Willits Road

Assessor's Parcel Number(s):

037-310-64

Date signed:

18 July 2021

Petition for Designation of a Commercial Cannabis Prohibition Combining District in Rock Tree Valley

I do hereby state that I am an owner of the legal parcel identified below and that I support the establishment of a Commercial Cannabis Prohibition Combining District in Rock Tree Valley which would prohibit all commercial cannabis operations within the district as provided for by Chapter 20.119 of the Mendocino County Code.

Signature:

RAH

Name (printed):

ROBERT P CRONIN

Address of parcel:

6201 Hearst-Willits Road

Assessor's Parcel Number(s):

037-310-73

Date signed:

8-17-2021

Petition for Designation of a Commercial Cannabis Prohibition Combining District in Rock Tree Valley

I do hereby state that I am an owner of the legal parcel identified below and that I support the establishment of a Commercial Cannabis Prohibition Combining District in Rock Tree Valley which would prohibit all commercial cannabis operations within the district as provided for by Chapter 20.119 of the Mendocino County Code.

Signature: Jon Patton & Lorraine Patton
Name (printed): JON PATTON & LORRAINE PATTON
Address of parcel: 6501 Hearst Willits Road
Assessor's Parcel Number(s): 037-310-74
Date signed: July 22, 2021

Petition for Designation of a Commercial Cannabis Prohibition Combining District in Rock Tree Valley

I do hereby state that I am an owner of the legal parcel identified below and that I support the establishment of a Commercial Cannabis Prohibition Combining District in Rock Tree Valley which would prohibit all commercial cannabis operations within the district as provided for by Chapter 20.119 of the Mendocino County Code.

Signature:

Clifford Rhode

Name (printed):

CLIFFORD RHODE

Address of parcel:

5000 Hearst Willits Road

Assessor's Parcel Number(s):

108-090-24

Date signed:

7-23-21

Resolution Number _____

County of Mendocino
Ukiah, California

JANUARY 30, 2025

R_2024-0001 - (VARIOUS OWNERS)

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF MENDOCINO, STATE OF CALIFORNIA, MAKING ITS REPORT AND RECOMMENDATION TO THE MENDOCINO COUNTY BOARD OF SUPERVISORS REGARDING REZONING CERTAIN PARCELS TO CREATE A COMMERCIAL CANNABIS PROHIBITION COMBINING DISTRICT IN THE ROCK TREE VALLEY AREA.

WHEREAS, the applicant, Robert Cronin, filed an application with the Mendocino County Department of Planning and Building Services to establish a Commercial Cannabis Prohibition Combining District to include the following Assessor's Parcels: 037-221-42; 037-221-43; 037-310-61; 037-221-47; 037-221-48; 037-221-49; 037-221-50; 037-221-51; 037-221-52; 037-221-53; 037-221-54; 037-221-55; 037-221-57; 037-221-58; 037-221-59; 037-310-53; 037-310-54; 037-310-62; 037-310-64; 037-310-67; 037-310-68; 037-310-73; 037-310-74; 108-090-24 in the Rock Tree Valley Area. Located 3.5± miles northeast of Willits City center, at the intersection of Hearst Willits Road (CR 306) and String Creek Road (private), and 1± miles west of Hearst Willits Road (CR 306) intersection with Tomki Road (CR 237D), between mile post MEN 4.19 and MEN 7.95. Range Lands (RL) and Forest Lands (FL) General Plan designations, Rangeland (RL) and Timberland Production Zoning (TPZ) Zoning designations; Supervisorial District 3; (the "Project"); and

WHEREAS, the California Environmental Quality Act (Public Resources Code Section 21000 *et seq.*; "CEQA") and the Guidelines Implementing the California Environmental Quality Act (Title 14, Cal. Code Regs. Section 15000 *et seq.*; "CEQA Guidelines") provide that certain types of projects are exempt from review under CEQA because they have been found not to have a significant impact on the environment; and

WHEREAS, Section 15061(b)(3) of the CEQA Guidelines provides that a "common sense exemption" applies to projects "where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment"; and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on January 30, 2025, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Project. All interested persons were given an opportunity to hear and be heard regarding the Project; and

WHEREAS, the Planning Commission has had an opportunity to review this Resolution and finds that it accurately sets forth the intentions of the Planning Commission regarding the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission, based upon the evidence in the record before it, makes the following report and recommendation to the Mendocino County Board of Supervisors regarding the proposed Project:

1. The above recitals are true and correct and incorporated herein by this reference.
2. **CEQA Determination:** The Planning Commission recommends that the Board of Supervisors find the proposed Project categorically exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) of the CEQA Guidelines, as restricting the ability to cultivate

cannabis for commercial purposes by adopting a Commercial Cannabis Prohibition (CP) Combining District has no possibility of having a significant effect on the environment.

3. The Planning Commission recommends that the Board of Supervisors approve Rezone application R_2024-0001 to create a CP Combining District over 18 parcels, as shown in Exhibit "A" to this Resolution and as listed in Exhibit "B" to this Resolution, and find the following:
 - a. **General Plan Finding:** The proposed CP Combining District is appropriate for the parcels upon which it is proposed and consistent with the intentions of the Rangeland and Forestland General Plan land use classifications. The subject parcels are located within the Rangeland and Forestlands designations. Prohibiting certain cannabis cultivation and facilities uses from parcels within these classifications may have the effect of assisting with the management and preservation of these resource lands. The CP Combining District is intended to allow the County to designate specific areas where commercial cannabis operations are prohibited. As provided by community petition, this Project seeks to prohibit commercial cannabis activities on the subject parcels. The Mendocino County General Plan emphasizes the role of the community – local residents, organizations and others, as well as the importance of self-determination in shaping communities' future through public planning processes, and the adoption of CP districts is consistent with these planning principles.
 - b. **Zoning District Finding:** The proposed CP Combining District meets the requirements of Chapter 20.119 of the Mendocino County Code. The proposed Project is situated within the Rangeland and Timberland Production Zoning Districts. The CP Combining District is intended to allow the County to designate specific areas where commercial cannabis operations are prohibited. Sixty-seven percent of landowners of the Rock Tree Valley neighborhood have signed a petition to demonstrate support for the proposed CP Combining district. The proposed CP Combining District would be applied to an area where a majority of the parcels allow residential use by right. The proposed CP Combining District would comprise of eighteen contiguous legal parcels. **[INSERT ADDITIONAL FINDINGS REGARDING APPROPRIATENESS OF DISTRICT]**. As a combining district, aspects related to the underlying districts, include Chapter 20.060 (Rangeland) and Chapter 20.068 (Timber Production Zone) remain applicable.

BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary as the custodian of the documents and other material which constitutes the record of proceedings upon which the Planning Commission decision herein is based. These documents may be found at the office of the County of Mendocino Planning and Building Services, 860 North Bush Street, Ukiah, CA 95482.

I hereby certify that according to the Provisions of Government Code Section 25103 delivery of this document has been made.

ATTEST: JAMES FEENAN
Commission Services Supervisor

By: _____

BY: JULIA KROG
Planning & Building Services Director

CLIFFORD PAULIN, Chair
Mendocino County Planning Commission

EXHIBIT A: Rezone Exhibit Map
EXHIBIT B: List of Assessor Parcel Numbers (APNs)

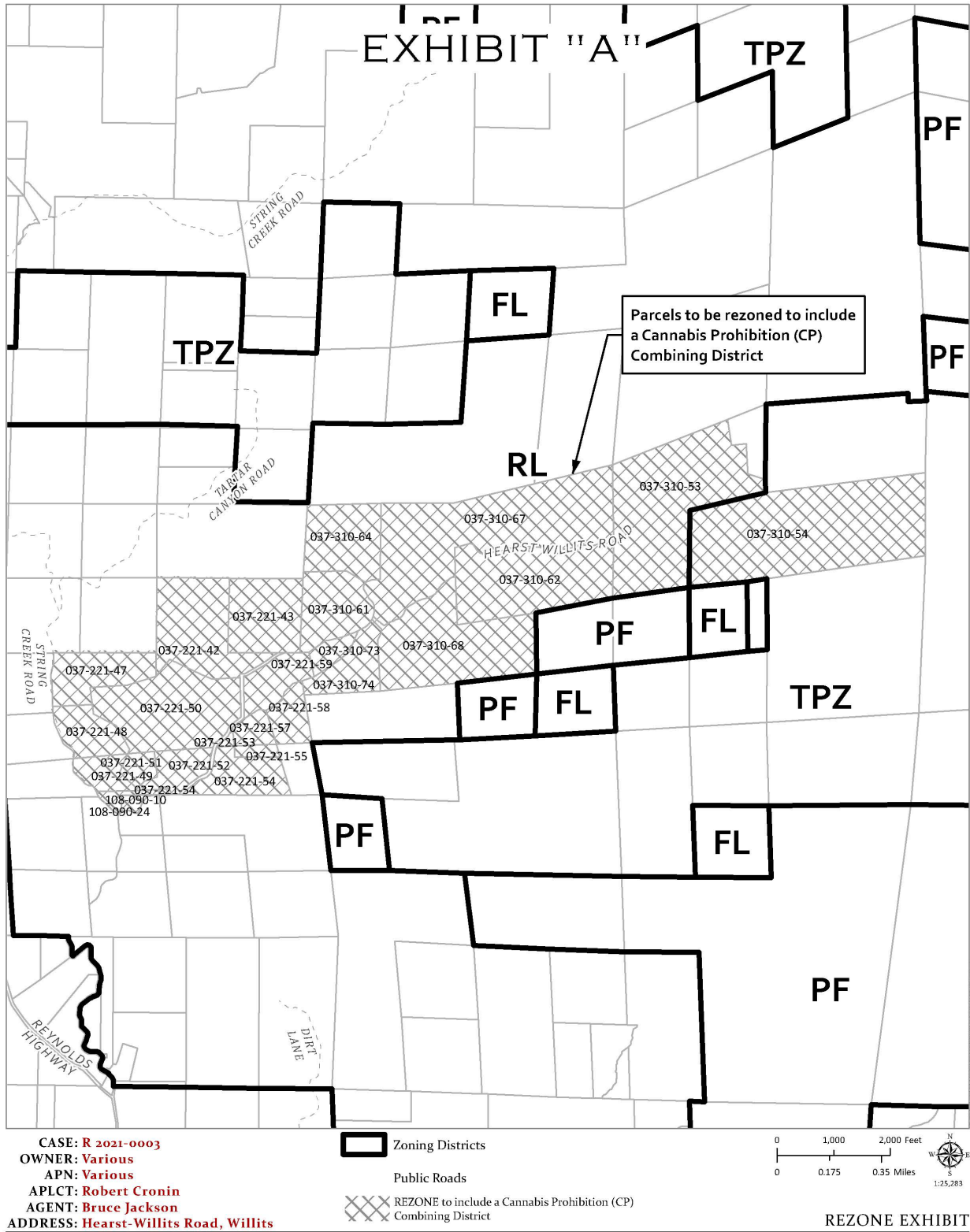


EXHIBIT “B”

LIST of APNs in the CP COMBINING DISTRICT

03722158

03731053

03731054

03731067

03731073

03722151

03722152

03722142

03731062

03722150

03722147

03731064

03731068

03722159

03731074

03722143

03731061

03722153

03722154

10809024

03722155

03722157

03722148

03722149

CLIFFORD PAULIN
1ST DISTRICT
COMMISSIONER
VICE-CHAIR

ELORA BABBINI
2ND DISTRICT
COMMISSIONER
CHAIR

3RD DISTRICT
COMMISSIONER
VACANT

MARIE JONES
4TH DISTRICT
COMMISSIONER

DIANA WIEDEMANN
5TH DISTRICT
COMMISSIONER



JULIA KROG, DIRECTOR
PLANNING AND BUILDING SERVICES

MATTHEW KIEDROWSKI
DEPUTY COUNTY COUNSEL

COUNTY ADMINISTRATION CENTER
501 Low Gap Road, Room 1070
Ukiah, CA 95482
(707) 234-6650 (t)
(707) 463-5709 (f)

pbscommissions@mendocinocounty.gov

MENDOCINO COUNTY PLANNING COMMISSION

ACTION MINUTES – February 20, 2025

**BEFORE THE PLANNING COMMISSION
COUNTY OF MENDOCINO – STATE OF CALIFORNIA
FAIR STATEMENT OF PROCEEDINGS
(PURSUANT TO CALIFORNIA GOVERNMENT CODE §25150)**

AGENDA ITEM NO. 1 – OPEN SESSION AND ROLL CALL 10:00 A.M.

Present: Commissioner Marie Jones, Commissioner Elora Babbini; Commissioner Diana Wiedemann; Commissioner Clifford Paulin

Absent:– None

Staff Present: Mark Cliser; Senior Planner; Keith Gronendyke, Planner III, Shelby Miller, Planner II; James Feenan, Commission Services Supervisor; Jocelyn Gonzalez-Thies, Administrative Assistant; Matthew Kiedrowski, Deputy County Counsel; Scott Spears, IT

Meeting was called to order by the Commission Services Supervisor.

AGENDA ITEM NO. 2 - PLANNING COMMISSION ADMINISTRATION.

2a. Election of Officers, Chair

Upon motion by Commissioner Wiedemann, Seconded by Commissioner Jones and carried by a roll call vote of (4-0), IT IS ORDERED that Commissioner Babbini be appointed as Chair.

AYES: JONES, WIEDEMANN, PAULIN, BABBINI
NOES: NONE
ABSENT: NONE

2a. Election of Vice Chair

Upon motion by Commissioner Babbini, Seconded by Commissioner Jones and carried by a roll call vote of (4-0), IT IS ORDERED that Commissioner Paulin be appointed as Vice Chair.

AYES: JONES, BABBINI, PAULIN, WIEDEMANN
NOES: NONE
ABSENT: NONE

2b. Determination of Legal Notice – The Clerk advised the Commission that all items on the agenda had been properly noticed.

AGENDA ITEM NO. 3 – DIRECTOR AND ASSISTANT DIRECTOR REPORT

Senior Planner Mark Cliser appeared for Director Krog. Mr. Cliser announced that Commissioner Alison Pernell has resigned from the Planning Commission.

AGENDA ITEM NO. 4 – MATTERS FROM THE PUBLIC

None

Public Comment: None

AGENDA ITEM NO. 5 – CONSENT CALENDAR

5a. Approval of December 19, 2024, Planning Commission Minutes.

Upon motion by Commissioner Jones seconded by Commissioner Wiedemann and carried by a roll call vote of (4-0), IT IS ORDERED that the Consent Calendar is approved without revisions.

AYES: WIEDEMANN, JONES, PAULIN, BABBINI
NOES: NONE
ABSENT: NONE

AGENDA ITEM NO. 6 – REGULAR CALENDAR

6a. Noticed Public Hearing

CASE#: UM_2024-0006

DATE FILED: 7/16/2024

OWNER: Brunhilde Funke

APPLICANT/AGENT: Sac Wireless/Angela Newberry

REQUEST: Coastal Development Use Permit Modification of existing communications facility to remove sixteen (16) antennas and six (6) radio units and install eleven (11) new antennas and eight (8) radio units along with installing new cables on the tower and additional equipment in the existing lease area along with a renewal of original use permit, U_2012-0010 for a period not to exceed (10) ten years..

ENVIRONMENTAL DETERMINATION: Categorically Exempt

LOCATION: In the Coastal Zone, 1.06± miles south of the Town of Albion, lying on the east side of State Route 1 (SR 1) 1,523± feet north of its intersection with Navarro Ridge Road (CR 518), located at 2335 North Highway 1, Albion; APN: 123-370-03.

SUPERVISORIAL DISTRICT: 5 (Williams)
STAFF PLANNER: Keith Gronendyke

The public hearing was declared open.

Staff Presentation: Keith Gronendyke, Planner III

Applicant/Agent: None

Public Comments: None

Telecomments: No telecomments requested.

The public hearing was declared closed.

Upon motion by Commissioner Jones, seconded by Commissioner Wiedemann and carried by a roll call vote of (4-0), IT IS ORDERED, By Resolution, the Planning Commission approves coastal development use permit modification UM_2024-0006 subject to the findings and Conditions of Approval in the Resolution.

AYES: WIEDEMANN, JONES, PAULIN, BABBINI
NOES: NONE
ABSENT: NONE

6b. Noticed Public Hearing

CASE#: R_2024-0001

DATE FILED: 2/12/2024

OWNER: Various Property Owners

APPLICANT: Robert Cronin

REQUEST: Rezone to establish a Commercial Cannabis Prohibition (CP) Combining District to prohibit commercial cannabis operations per Mendocino County Code Chapter 20.119 that includes 24 Assessor's Parcel Numbers (APNs) comprising 18 legal parcels.

ENVIRONMENTAL DETERMINATION: Exempt [CCR Section 15061(b)(3)]

LOCATION: 3.5± miles northeast of Willits City center, at the intersection of Hearst Willits Road (CR 306) and String Creek Road (private), and 1± miles west of Hearst Willits Road (CR 306) intersection with Tomki Road (CR 237D), between mile post MEN 4.19 and MEN 7.95. APNs: 037-221-42; 037-221-43; 037-310-61; 037-221-47; 037-221-48; 037-221-49; 037-221-50; 037-221-51; 037-221-52; 037-221-53; 037-221-54; 037-221-55; 037-221-57; 037-221-58; 037-221-59; 037-310-53; 037-310-54; 037-310-62; 037-310-64; 037-310-67; 037-310-68; 037-310-73; 037-310-74; 108-090-24.

SUPERVISORIAL DISTRICT: 3 (Haschak)

STAFF PLANNER: Shelby Miller

The public hearing was declared open.

Staff Presentation: Shelby Miller, Planner II; Matthew Kiedrowski, County Counsel.

Applicant/Agent: Bruce Jackson, Robert Corrin

Public Comments: Maude Honeyman, Ellen Drell, David Drell

Telecomments: No telecomments requested.

The public hearing was declared closed.

[Break: 10:45 a.m. - 10:55 a.m.]

[Break: 11:01 a.m. - 11:14 a.m.]

Upon motion by Commissioner Jones, seconded by Commissioner Wiedemann and carried by a roll call vote of (3-1), IT IS ORDERED By Resolution, the Planning Commission recommends that the Board of Supervisors find the project Exempt from CEQA and approve the requested Rezone, as proposed by the applicant, based on the facts and findings with the proposed revisions as presented during the public hearing and as recorded on the resolution.

AYES: WIEDEMANN, JONES, BABBINI
NOES: PAULIN
ABSENT: NONE

6c. Nomination of one member of the Planning Commission to sit on the Airport Land Use Commission.

Upon motion by Commissioner Jones, seconded by Commissioner Wiedemann and carried by a roll call vote of (4-0), IT IS ORDERED, that Commissioner Babbini be appointed to serve as one of the Planning Commission representative on the Airport Land Use Commission.

AYES: WIEDEMANN, JONES, PAULIN, BABBINI
NOES: NONE
ABSENT: NONE

AGENDA ITEM NO. 7 – MATTERS FROM STAFF

7a. None

AGENDA ITEM NO. 8 – MATTERS FROM COMMISSION

8a. Commissioner Jones discussed possibly cutting the Planning Commission meetings to once a month. Commission Paulin and Commission Babbini did not agree.

Commissioner Jones stated on the record that she would not be attending the meeting if only one matter was on the agenda in the future. She stated a three-hour drive for a one hour meeting was not practical.

Senior Planner Cliser stated that they would try to have more than one hearing item on each agenda.

AGENDA ITEM NO. 9 – ADJOURNMENT

THERE BEING NOTHING FURTHER TO COME BEFORE THE PLANNING COMMISSION, THE MENDOCINO COUNTY PLANNING COMMISSION ADJOURNED AT 11:23 AM.

Attest: Jocelyn Gonzalez-Thies
Commission Services Supervisor

ELORA BABBINI, CHAIR

NOTICE: PUBLISHED MINUTES OF THE MENDOCINO COUNTY PLANNING COMMISSION MEETINGS.

- Effective March 1, 2020, Planning Commission minutes will be produced in “action only” format. As an alternative service, public access to recorded Commission proceedings will be available on the Planning and Building website.

-
- - LIVE WEB STREAMING OF COMMISSION MEETINGS is now available via the County's YouTube Channel. If technical assistance is needed, please contact Mendocino County Planning & Building Services at (707) 234-6650.
 - Minutes are considered draft until adopted/approved by the Planning Commission.
 - The Planning Commission action minutes are also posted on the County of Mendocino website at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/planning-commission>.
 - To request an official record of a meeting contact the Mendocino County Planning and Building Department at (707) 234-6650.
 - Please reference the departmental website to obtain additional resource information for the Planning Commission at: [Public Hearing Bodies | Mendocino County, CA](#)

Thank you for your interest in the proceedings of the Mendocino County Planning Commission.

Resolution Number PC 2025-0001

County of Mendocino
Ukiah, California

JANUARY 30, 2025

R_2024-0001 - (VARIOUS OWNERS)

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF MENDOCINO, STATE OF CALIFORNIA, MAKING ITS REPORT AND RECOMMENDATION TO THE MENDOCINO COUNTY BOARD OF SUPERVISORS REGARDING REZONING CERTAIN PARCELS TO CREATE A COMMERCIAL CANNABIS PROHIBITION COMBINING DISTRICT IN THE ROCK TREE VALLEY AREA.

WHEREAS, the applicant, Robert Cronin, filed an application with the Mendocino County Department of Planning and Building Services to establish a Commercial Cannabis Prohibition Combining District to include the following Assessor's Parcels: 037-221-42; 037-221-43; 037-310-61; 037-221-47; 037-221-48; 037-221-49; 037-221-50; 037-221-51; 037-221-52; 037-221-53; 037-221-54; 037-221-55; 037-221-57; 037-221-58; 037-221-59; 037-310-53; 037-310-54; 037-310-62; 037-310-64; 037-310-67; 037-310-68; 037-310-73; 037-310-74; 108-090-24 in the Rock Tree Valley Area. Located 3.5± miles northeast of Willits City center, at the intersection of Hearst Willits Road (CR 306) and String Creek Road (private), and 1± miles west of Hearst Willits Road (CR 306) intersection with Tomki Road (CR 237D), between mile post MEN 4.19 and MEN 7.95. Range Lands (RL) and Forest Lands (FL) General Plan designations, Rangeland (RL) and Timberland Production Zoning (TPZ) Zoning designations; Supervisorial District 3; (the "Project"); and

WHEREAS, the California Environmental Quality Act (Public Resources Code Section 21000 *et seq.*; "CEQA") and the Guidelines Implementing the California Environmental Quality Act (Title 14, Cal. Code Regs. Section 15000 *et seq.*; "CEQA Guidelines") provide that certain types of projects are exempt from review under CEQA because they have been found not to have a significant impact on the environment; and

WHEREAS, Section 15061(b)(3) of the CEQA Guidelines provides that a "common sense exemption" applies to projects "where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment"; and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on January 30, 2025, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Project. All interested persons were given an opportunity to hear and be heard regarding the Project; and

WHEREAS, the Planning Commission has had an opportunity to review this Resolution and finds that it accurately sets forth the intentions of the Planning Commission regarding the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission, based upon the evidence in the record before it, makes the following report and recommendation to the Mendocino County Board of Supervisors regarding the proposed Project:

1. The above recitals are true and correct and incorporated herein by this reference.
2. **CEQA Determination:** The Planning Commission recommends that the Board of Supervisors find the proposed Project categorically exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) of the CEQA Guidelines, as restricting the ability to cultivate

cannabis for commercial purposes by adopting a Commercial Cannabis Prohibition (CP) Combining District has no possibility of having a significant effect on the environment.

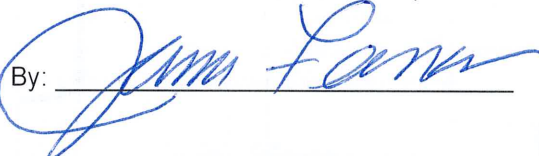
3. The Planning Commission recommends that the Board of Supervisors approve Rezone application R_2024-0001 to create a CP Combining District over 18 parcels, as shown in Exhibit "A" to this Resolution and as listed in Exhibit "B" to this Resolution, and find the following:
 - a. **General Plan Finding:** The proposed CP Combining District is appropriate for the parcels upon which it is proposed and consistent with the intentions of the Rangeland and Forestland General Plan land use classifications. The subject parcels are located within the Rangeland and Forestlands designations. Prohibiting certain cannabis cultivation and facilities uses from parcels within these classifications may have the effect of assisting with the management and preservation of these resource lands. The CP Combining District is intended to allow the County to designate specific areas where commercial cannabis operations are prohibited. As provided by community petition, this Project seeks to prohibit commercial cannabis activities on the subject parcels. The Mendocino County General Plan emphasizes the role of the community – local residents, organizations and others, as well as the importance of self-determination in shaping communities' future through public planning processes, and the adoption of CP districts is consistent with these planning principles.
 - b. **Zoning District Finding:** The proposed CP Combining District meets the requirements of Chapter 20.119 of the Mendocino County Code. The proposed Project is situated within the Rangeland and Timberland Production Zoning Districts. The CP Combining District is intended to allow the County to designate specific areas where commercial cannabis operations are prohibited. Sixty-seven percent of landowners of the Rock Tree Valley neighborhood have signed a petition to demonstrate support for the proposed CP Combining district. The proposed CP Combining District would be applied to an area where a majority of the parcels allow residential use by right. The proposed CP Combining District would comprise of eighteen contiguous legal parcels. As a combining district, aspects related to the underlying districts, include Chapter 20.060 (Rangeland) and Chapter 20.068 (Timber Production Zone) remain applicable. The Planning Commission makes the following findings and recommendations:
 - i. The proposed CP Combining District is consistent with the General Plan for the reasons stated in the Memorandum prepared for this Project.
 - ii. The location, size, shape and current zoning designations are compatible with the CP Combining District as defined in Mendocino County Code Chapter 20.119, and the size and shape of the proposed CP Combining District generally encompass the entirety of the geological area mapped as Rock Tree Valley, including the flatlands in the valley floor, Rock Tree Creek, and the surrounding slopes of forests and grasslands.
 - iii. The proposed CP Combining District would provide additional environmental protection for Rock Tree Creek and String Creek to protect Steelhead and Chinook Salmon populations.
 - iv. The proposed CP Combining District would protect the public health, safety and morals of the Rock Tree Community.
 - v. The dedication of the applicant shows deep community interest in protecting the natural resources and the character of the community.

BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary as the custodian of the documents and other material which constitutes the record of proceedings upon which

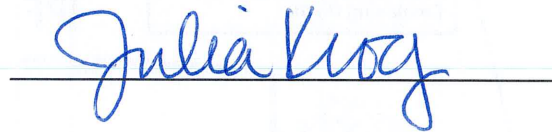
the Planning Commission decision herein is based. These documents may be found at the office of the County of Mendocino Planning and Building Services, 860 North Bush Street, Ukiah, CA 95482.

I hereby certify that according to the Provisions of Government Code Section 25103 delivery of this document has been made.

ATTEST: JAMES FEENAN
Commission Services Supervisor

By: 

BY: JULIA KROG
Planning & Building Services Director



ELORA BABBINI, Chair
Mendocino County Planning Commission

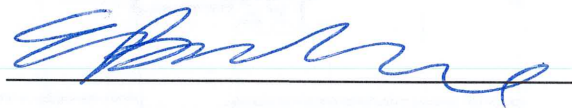


EXHIBIT A: Rezone Exhibit Map

EXHIBIT B: List of Assessor Parcel Numbers (APNs)

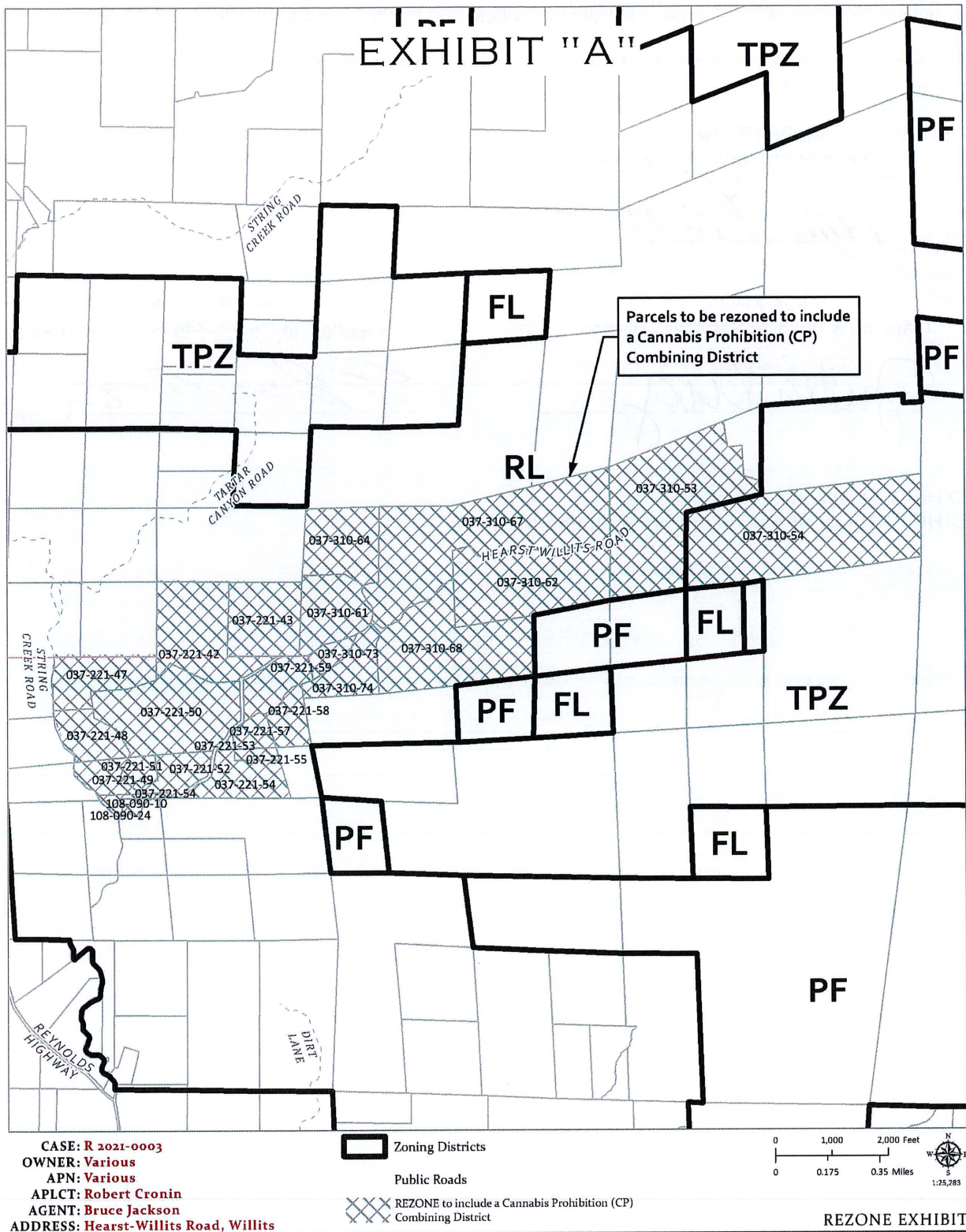


EXHIBIT “B”

LIST of APNs in the CP COMBINING DISTRICT

03722158

03731053

03731054

03731067

03731073

03722151

03722152

03722142

03731062

03722150

03722147

03731064

03731068

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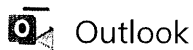
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RECEIVED

By Jocelyn Gonzalez -Thies at 12:51 pm, Jan 29, 2025

CASE# R_2024-0001

From Dale Briggs <dbranchboss@yahoo.com>

Date Tue 1/28/2025 3:31 PM

To pbscommissions <pbscommissions@mendocinocounty.gov>

 1 attachment (19 KB)

planning commission 2025.docx;

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.

ATTN: Staff Planner Shelby Miller,

This is my letter of opposition to the proposed CP District in Rock Tree Valley.

Regards,

Dale A. Briggs

January 28,2025

Department of Planning and Building Services
Commission Staff
860 North Bush St.
Ukiah, CA. 95482

Case # R_2024-0001
Applicant Robert Cronin
Staff Planner: Shelby Miller

I DON'T support this application for a CP District in Rock Tree Valley.

This CP District went before the Board of Supervisors in September of 2023 and was denied. There were different reasons. The one that resonated was that these parcels are currently zoned either rangeland or Timber Production (TPZ) and are NOT ELIGIBLE for cannabis cultivation (Phase 3) permitting. Well, here we are in the new year of 2025 and these parcels are still NOT ELIGIBLE for cannabis cultivation (phase 3) permitting.

However, that does not seem to be relevant. What is relevant is IF the zoning did change and allow cannabis cultivation on said parcels. It would seem that any CP District property owner would be denied the right that most people enjoy. That right is to be able to apply for, and qualify for a cannabis cultivation permit to grow a legal crop on their land that is zoned for just that use. The applicant stated in his letter that "The propose CP District provides that protection without diminishing any existing property rights. "That is a true statement ONLY if the zoning stays the same, its false if the zoning changes to allow cannabis cultivations and would indeed impact anybody's property rights in this district that wish to take on this endeavor.

It is apparent that some landowners feel that individual property rights are based on what they deem as appropriate. Even, if the county zones property, it is only

just if they agree with it. So, to me this raises the question as to why some property owners wish to restrict other owner's rights?

Ultimately, these parcels are currently not eligible for cannabis cultivation permits. However, if these 18 parcels were currently permitted and a parcel was licensed, they would lose their license due to it becoming a CP District. This does not make any sense and nor is it good for growing a clean industry in the county. Maybe, it would be more beneficial to get involved if, in the future the zoning was going to change to allow cultivation in these zones.

This county is always looking to increase revenue streams to support the many growing areas of county services. How would this CP District help serve that purpose? It would **deny** a basically **clean industry** that the county could regulate and receive financial benefit from. If this CP District is established it could be a deterrent for this industry. Maybe, there would be additional areas of the county wishing to establish their own CP District. This could be the beginning of the end for this industry in Mendocino County.

Thank You,

Dale A. Briggs
7001 Hearst-Willits Rd.
Willits, Ca. 95490

Dear Planning Commissioners,

I am a property owner within the proposed Rock Tree Commercial Cannabis Prohibition Combining District and I support the formation of the proposed district.

The creeks within the district are an active Chinook salmon and steelhead spawning ground. I support the formation of the proposed district in part because of the importance and the high environmental sensitivity of these creeks. Active spawning of threatened or endangered fish in Rock Tree Valley is well documented.

A portion of Rock Tree Valley and the proposed district is included in fish surveys done under a PG&E monitoring program. Biologists conduct weekly surveys when water levels allow during the annual spawning season. Significant numbers of Chinook salmon and evidence of their spawning have been regularly documented on parcels within the district that have been surveyed, including this past season and as recently as January 7, 2025 when the surveying for the season ended.

Attached is the Van Arsdale Fish Station (VAFS) report that includes the surveying done within the district on December 12, 2024. The biologists and local residents regularly observe Chinook within the proposed district.

Note, the survey hike section labeled "String Creek" on this report is the section of creek from the confluence of Rock Tree Creek and String Creek, within the opt out district, and continuing downstream eastward from the opt out district to the confluence with Tomki Creek. Attached below for reference is a topographic map of the area.

The "String Creek" hike section includes creeks on APN 037-310-53 and APN 037-310-54 within the opt out district. (Other areas of the opt out district are not surveyed as part of the PG&E program.)

In addition to the PG&E documentation, The California Department of Fish and Wildlife has documented fish within the district further upstream on APN 037-310-62. Steelhead were observed on multiple occasions by CDFW in the creek on that parcel. Attached is a July 12, 2023 email from CDFW detailing those observations.

With the attached documentation, it can be seen that threatened fish at a minimum are actively spawning in roughly half the length of the opt out district. The other half has not been surveyed, but the entire proposed district supplies the critical summertime water, when surface flows are low and intermittent, that is needed for the survival of the fry that spend a year or more in the pools in the creek beds.

Within the area covered by the VAFS surveys, the data show the creeks within the proposed district are part of perhaps the most productive spawning ground in the upper Eel River watershed. I believe Rock Tree Valley and its sensitive fish habitat deserves the added layer of protection of an opt out district to help ensure the survival and recovery of a valuable resource in the future.

Sincerely,

Bruce Jackson

RECEIVED

By James Feenan at 1:31 pm, Feb 18, 2025

From: Bruce Jackson
To: jbscommissions
Subject: Public Comment: R_2023-0001 (Rock Tree CP)
Date: Tuesday, February 18, 2025 9:38:53 AM

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.

Dear Planning Commissioners,

I am a property owner within the proposed Rock Tree Commercial Cannabis Prohibition Combining District and I support the formation of the proposed district.

The creeks within the district are an active Chinook salmon and steelhead spawning ground. I support the formation of the proposed district in part because of the importance and the high environmental sensitivity of these creeks. Active spawning of threatened or endangered fish in Rock Tree Valley is well documented.

A portion of Rock Tree Valley and the proposed district is included in fish surveys done under a PG&E monitoring program. Biologists conduct weekly surveys when water levels allow during the annual spawning season. Significant numbers of Chinook salmon and evidence of their spawning have been regularly documented on parcels within the district that have been surveyed, including this past season and as recently as January 7, 2025 when the surveying for the season ended.

Attached is the Van Arsdale Fish Station (VAFS) report that includes the surveying done within the district on December 12, 2024. The biologists and local residents regularly observe Chinook within the proposed district.

Note, the survey hike section labeled "String Creek" on this report is the section of creek from the confluence of Rock Tree Creek and String Creek, within the opt out district, and continuing downstream eastward from the opt out district to the confluence with Tomki Creek. Attached below for reference is a topographic map of the area.

The "String Creek" hike section includes creeks on APN 037-310-53 and APN 037-310-54 within the opt out district. (Other areas of the opt out district are not surveyed as part of the PG&E program.)

In addition to the PG&E documentation, The California Department of Fish and Wildlife has documented fish within the district further upstream on APN 037-310-62. Steelhead were observed on multiple occasions by CDFW in the creek on that parcel. Attached is a July 12, 2023 email from CDFW detailing those observations.

With the attached documentation, it can be seen that threatened fish at a minimum are actively spawning in roughly half the length of the opt out district. The other half has not been surveyed, but the entire proposed district supplies the critical summertime water, when surface flows are low and intermittent, that is needed for the survival of the fry that spend a year or more in the pools in the creek beds.

Within the area covered by the VAFS surveys, the data show the creeks within the proposed district are part of perhaps the most productive spawning ground in the upper Eel River watershed. I believe Rock Tree Valley and its sensitive fish habitat deserves the added layer of protection of an opt out district to help ensure the survival and recovery of a valuable resource in the future.

Sincerely,

Bruce Jackson

Upper Eel River Salmon Surveys and Van Arsdale Fisheries Station Count 2024-25 (WY 2025) Kleinfelder

NOTE: All information presented is preliminary and subject to revision.

Date	Hike Section	New Carcasses	Live Fish	Total Redds	Comments
12/8/2024	Van Arsdale Fisheries Station Cumulative to Date		871		A total of 158 Chinook salmon (female 68, male 50, unknown adult 14, jack 26) were observed moving upstream through the fishway at Cape Horn Dam. The season total for upstream migrating Chinook salmon stands at 871 (female 312, male 299, unknown adult 92, jack 168). The first steelhead were observed moving upstream through the fishway at Cape Horn Dam December 6). The season total for upstream migrating adult steelhead is four (female 3, male 1, unknown adult 0). No subadult steelhead (<40cm) have yet been observed.
	Eel R. below Tomki Cr.				No surveys conducted due to high flows.
12/3/2024	Tomki - LB to Salmon Cr.	1	11	5	Estimated flow of 41-50 cfs. H ₂ O vis. >4', H ₂ O temp. 5.5-6.5°C. Good visibility. Eleven (11) live Chinook salmon were observed (4 females, 2 males, 1 jacks, 4 unknown) and one carcass (1 female) as well as five redds. Tracks of deer, bear, bobcat, otter, canines and raccoons observed.
12/4/2024	Tomki - Cave Cr. to String Cr.	5	38	25	Estimated flow of 18 - 26 cfs. H ₂ O vis. >4', H ₂ O temp. 4.0-5.0 °C. Thirty eight (38) live Chinook salmon were observed (13 females, 17 males, 5 jacks, 3 unknown) and five carcass (3 females, 2 males) as well as 25 redds. Tracks of deer, raccoons and canines observed. A live fish and carcass were also observed in Cave Creek above the confluence.
12/4/2024	Tomki - above String Cr.	1	16	10	Estimated flow of 15-18 cfs. H ₂ O vis. 4', H ₂ O temp. 6-7°C. Sixteen (16) live Chinook salmon were observed (7 females, 3 males, 2 jacks, 4 unknown) and one carcass (1 male) as well as 10 redds. An additional partial carcass without a head was found but not counted per protocol. Bear and deer tracks, 2 bald eagles and 1 red-tailed hawk observed.
	Longbranch Cr. (LB)	0	0	0	Estimated flow of 2-5 cfs. H ₂ O vis. 2.5', H ₂ O temp. 5.0°C. No Chinook salmon or redds were observed. Tracks of deer, canines and bear were observed. High water mark was approximately 3' above current flows.
12/1/2024	String Cr.	3	51	24	Estimated flow of 5.5 to 11 cfs. H ₂ O vis. 3-4', H ₂ O temp. 3.75-4.0°C. Good visibility. Fifty-one (51) live Chinook salmon were observed (20 females, 20 males, 9 jacks, 2 unknown) and three (3) carcasses (2 females and 1 male) along String Creek, as well as at least 24 redds. Tracks of deer and canines found, and bear scat with berries in it were observed, but no signs of predation. High water mark was approximately 5' above current flows.

**Upper Eel River Salmon Surveys and Van Arsdale Fisheries Station Count
2024-25 (WY 2025)**

Kleinfelder

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Dayton, Jeff@Wildlife <Jeff.Dayton...>

Inbox - Yahoo!

July 12, 2023 at 9:38 AM

Documentation of Steelhead Presence In Rocktree Creek

To: Bruce Jackson & 2 more

[Details](#)

Hi Bruce,

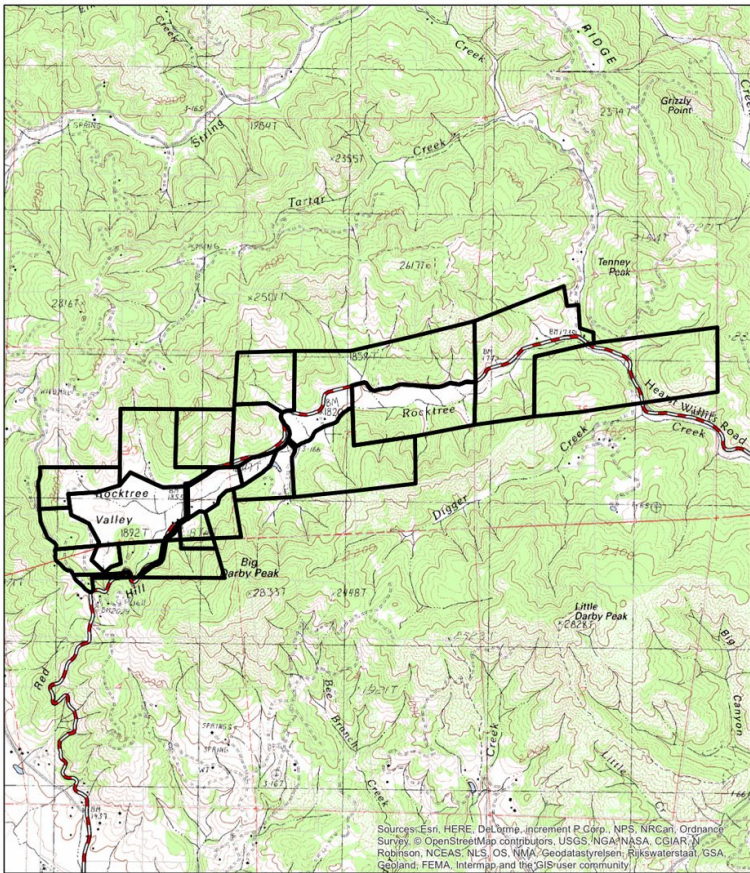
I'm confirming CDFW-OSPR observed juvenile steelhead present in Rocktree Creek at 7501 Hearst Willits Road on multiple occasions during our site monitoring of the diesel spill that occurred in December 2017 associated with an illegal cannabis grow on the property that affected the stream. While no adults were seen, juvenile steelhead were observed on multiple occasions between 2018 and 2021 indicating spawning and rearing nearby. Most recently, we confirmed juvenile steelhead presence on 8/10/2021, photos from site monitoring that day are attached.

We confirmed that the 2017 diesel spill resulted in the kill of juvenile steelhead and other aquatic species in July 2018 due to incomplete site cleanup and subsurface diesel migration into the stream. This information is included in CDFW's Investigative Report and Biological Injury Reports submitted to the Mendocino County District Attorney's Office associated with Fish and Game Code Violations and take of listed species from this spill. This case is still pending resolution.

Please let me know if you have any questions about our observations.

Thank you,

Jeffery P. Dayton
Senior Environmental Scientist (Specialist)
California Department of Fish & Wildlife
Office of Spill Prevention and Response (OSPR)
619 Second Street
Eureka, CA 95501



CASE: R 2024-0001
OWNER: Various
APN: Various
APLCT: Robert Cronin
AGENT: Bruce Jackson
ADDRESS: Hearst-Willits Road, Willits

Major Roads
Assessors Parcels

1:25,221.07
TOPOGRAPHIC MAP
CONTOUR INTERVAL IS 40 FEET

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES