

Monday May 13, 2019

Reference: Opposition to Cannabis Cultivation Ad Hoc Committee extension recommendation.

Dear Mendocino County Board of Supervisors,

We are writing to you today to express our strong opposition to, and disappointment in, your proposed two-year extension to the sunset date for commercial cannabis growing permits in the Simpson Lane/Mitchell Creek area.

We have owned property in this area, which serves as our home, for over 40 years. When our neighbors Paul and Judy Tichinin brought this matter to our attention, we were incredulous and deeply concerned. While we fully supported, and continue to support, the legalization of medicinal and recreational cannabis use and cultivation, this matter is clearly an issue of zoning compliance and good faith, regardless of the merits of the commercial activity itself. We purchased property to locate our home in this neighborhood those many years ago, for a variety of reasons, one very important of those reasons being that the neighborhood was zoned **RR—rural residential**. We would reasonably speculate that whether they purchased their property 40 years ago, 4 years ago, or even within the last year, the overwhelming majority of our neighbors residing in this Simpson Lane/Mitchell Creek area likewise chose location of their future home specifically because this is an area zoned rural residential, not commercial. Any responsible property purchaser acting in good faith, chooses the location of the property he or she intends to buy that is zoned appropriately for his or her intended use of that property. This is reasonable, common sense.

The fact that 10 commercial cannabis cultivation permits have already been issued in our RR-zoned neighborhood, was in our opinion an unfortunate mistake and a breach of good faith on the part of the permit issuers vis-à-vis those of us already living in this rural residential area. Had we been better informed of this proposed commercial permitting allowance in our area at the time it was being considered, we would have voiced our heartfelt opposition at the time, for the very reasons stated above. Now that we have become more aware of this ongoing issue over the past six months, thanks to our neighbors, we have at least been consoled by the inclusion of the sunset clause in the permits, requiring the termination or relocation of those commercial operations in our neighborhood by May 4th of 2020.

The latest proposal to extend this sunset clause for yet another two years, which we were just informed of, strikes us as a repetition, even a doubling down, of the wrong-headed and bad faith decision to grant those non-conforming, commercial permits in the first place. You are elected to represent us, and your proposal to extend 10 non-conforming commercial use permits in our rural residential neighborhood demonstrates a blatant disregard to the wishes of the overwhelming majority of your representatives living in this area. Furthermore, as we have also been recently informed, the property owners who applied for those commercial permits, did so, according to county staff issuing those permits, in full and complete knowledge of the

current sunset clause date. So for those current permit holders, who represent a very small minority of property owners living in our residential neighborhood, to petition or lobby for such an extension to the existing sunset clause (which they must be doing, for why else would the Cannabis Cultivation Ad Hoc Committee propose this extension in the first place), reflects truly disingenuous and bad faith intentions on the part of those permit holders at the time of application for those permits in the first place. They knew full well what they were doing, and rather than respect the zoning laws of our county, and the good faith choices of those of us intentionally making our homes in this rural residential neighborhood, they chose to pursue commercial operations in direct violation of the spirit, if not the temporary zoning exception, of this residential neighborhood, and are now dragging their feet and stalling their compliance with the sunset clause, no doubt with the expectation to wear down the objections of their neighbors over time, by lobbying you, our representatives, to grant extensions to their non-confirming commercial permits.

We would be very disappointed in you and your lack of representation of the will of the vast majority of your representatives living in our neighborhood, if you were to vote to extend this sunset clause and thereby reward the dubious and bad faith behavior of this small minority of commercial operators in our area. Given the factors cited above, and the fact that there are indeed commercially-zoned parcels available in proximity to the Coastal Zone, which would be appropriate for commercial cannabis cultivation, and where such commercial activity would in no way disturb residential neighbors in their homes, we strongly disagree that this is a reasonable extension of this non-confirming commercial use in our residential area.

Thank you for your consideration.

Sincerely,

Chris & Tricia Kump

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