

To: Mendocino County Board of Supervisors
From: **Ukiah Area Rural Residential Concerned Neighbors**
Re: Mendocino County Medical Cannabis Ordinance
Date: Feb. 14, 2017



Cultivation Ordinance (Agenda Item 8A)

Dear Members of the Board of Supervisors:

Thank you for your very thorough and thoughtful approach to this issue.

On February 7 the Board of Supervisors adopted the Planning Commission recommendation to exclude commercial marijuana cultivation from residential neighborhoods. **Supervisor Carre Brown consistently made the point that we do not allow commercial businesses in residential zoning.**

Drive through any of the residential neighborhoods in the county and you do not see gas stations, auto repair shops, or retail stores. The reason is that by their very nature they are incompatible with the quality of life and quiet enjoyment of our homes which any homeowner should be entitled to.

We appreciate that the Board of Supervisors is reviewing direction from Feb. 7, but we hope it is only to confirm what you have clearly directed and is not an effort to back away from the protections that you have just approved.

We are painfully aware that not everyone is satisfied with specific parts of the process as we move toward legalization and regulation.

Sonoma County said "No" to any commercial cultivation in Rural Residential zoning, including RR-5 and RR-10, with no sunset and no overlay zone. Many people in our neighborhood groups are still worried about the continuing impacts to our rural residential quality of life.

We strongly encourage the Board to stick with your very clear direction from February 7, as stated in the following points:

1.) Exclude commercial marijuana cultivation, both indoor and outdoor,

from all residential zoning districts of RR-2 and smaller, including R-1, R-2, R-3, SR, RC, RR-1 and RR-2 and from non-conforming lots in RR-5.

2.) Allow a two year sunset period only for those growers who were in compliance with the existing setback requirements.

3.) Unless a grower applies for a permit within 90 days, or is found to be out of compliance with the setbacks, they will not be eligible for the sunset program. We do not favor any sunset period and we certainly do not want to see these protections weakened further.

4.) Do not allow cultivation on any parcel less than 2 acres in size. We are concerned that the impacts of commercial marijuana cultivation extend far beyond the boundaries of a two acre parcel which is why we prefer a limit of 5 or 10 acres, and similar to the sunset clause, we do not want to see protections weakened further.

Item G of the *Additional Issues for Clarification*

We are concerned that **Item G** of the *Additional Issues for Clarification* on page 5 of Supervisor McCowen's Feb 10 memo could be used as an end run around board direction to exclude commercial marijuana cultivation from residential neighborhoods. The direction to create overlay zones can be used to draw a very clear line.

Allowing neighborhood grows to be approved on a case by case basis, either with an Administrative Permit or any other method, will create a patchwork of commercial activities and impacts that will ripple far beyond the individual grow house.

Please do not allow case by case approval of commercial grow operations in residential neighborhoods that do not want them.

Signed:

Ukiah Area Rural Residential Concerned Neighbors

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Cc: CEO, County Counsel

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