



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES
860 NORTH BUSH STREET • UKIAH • CALIFORNIA • 95482
120 WEST FIR STREET • FORT BRAGG • CALIFORNIA • 95437

BRENT SCHULTZ, DIRECTOR
TELEPHONE: 707-234-6650
FAX: 707-463-5709
FB PHONE: 707-964-5379
FB FAX: 707-961-2427
pbs@mendocinocounty.org
www.mendocinocounty.org/pbs

March 31, 2020

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the Mendocino County Planning Commission at its regular meeting on Thursday, April 16, 2020 at 9:00 a.m. will conduct a public hearing on the following project(s) at the time listed or as soon thereafter as the item may be heard. This meeting will be conducted virtually and not available for in person public participation (pursuant to State Executive Order N-29-20). In order to minimize the risk of exposure during this time of emergency, the public may participate digitally in meetings by sending comments to pbscommissions@mendocinocounty.org and is available for viewing on the Mendocino County YouTube page, at <https://www.youtube.com/MendocinoCountyVideo>.

CASE#: R_2019-0014

OWNER: MULTIPLE

APPLICANT: FRACCHIA RD & BISBY AVE NEIGHBORHOODS

AGENT: COLEEN MACK

REQUEST: A Rezone to create a Commercial Cannabis Prohibition Combining District that includes twenty-nine (29) separate parcels to prohibit commercial cannabis operations per Mendocino County Code Chapter 20.119.

ENVIRONMENTAL DETERMINATION: Statutory Exemption 15260 General Rule

LOCATION: 3.5± miles south of the City of Ukiah center, lying on the west side of Burke Hill Road (CR 140), extending northwest from its intersection with Bisby Avenue (Private), Ukiah (APN's: 185-050-06, 185-050-07, 185-050-08, 185-090-07, 185-100-02, 185-100-06, 185-100-07, 185-100-08, 185-100-09, 185-100-11, 185-100-12, 185-100-13, 185-100-14, 185-100-19, 185-100-20, 185-100-25, 185-100-27, 185-100-28, 185-100-29, 185-100-31, 185-100-36, 185-100-37, 185-100-39, 185-100-40, 185-100-44, 185-100-47, 185-100-48, 185-100-49, 185-100-50).

SUPERVISORIAL DISTRICT: 5

STAFF PLANNER: CHEVON HOLMES

The staff report and notice will be available 10 days before hearing on the Department of Planning and Building Services website at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/planning-commission>.

Your comments regarding the above project(s) are invited. Written comments should be submitted by mail to the Department of Planning and Building Services Commission Staff, at 860 North Bush Street, Ukiah, California, or by e-mail to pbscommissions@mendocinocounty.org no later than April 15, 2020. Individuals wishing to address the Planning Commission during the public hearing under Public Expression are welcome to do so via e-mail, in lieu of personal attendance, at pbscommissions@mendocinocounty.org. All public comment will be made immediately to the Commission, staff, and the general public as they are received and processed by the Clerk, and can be viewed as attachments under its respective case number listed at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/planning-commission>.

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 appear and present testimony in this matter.

Additional information regarding the above noted item(s) may be obtained by calling the Department of Planning and Building Services at 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.

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.

BRENT SCHULTZ, Director of Planning and Building Services



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March 31, 2020

TO: Ukiah Daily Journal

FROM: James F. Feenan, Commission Services Supervisor

SUBJECT: Publication of Legal Notice.

Please publish the following notice one time at least 1/8 page in size, on April 5, 2020 in the Legal Notices Section of the Ukiah Daily Journal

NOTICE OF PUBLIC HEARING

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CASE#: R_2019-0014

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APPLICANT: FRACCHIA RD & BISBY AVE NEIGHBORHOODS

AGENT: COLLEEN MACK

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STAFF PLANNER: CHEVON HOLMES

The staff report and notice will be available for public review 10 days prior to the hearing at 860 North Bush Street, Ukiah, California and on the Department of Planning and Building Services website at www.mendocinocounty.org/pbs.

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BRENT SCHULTZ, Director of Planning and Building Services



**PLANNING COMMISSION
STAFF REPORT- REZONE**

**APRIL 16, 2020
R_2019-0014**

SUMMARY

OWNER: TINSLEY LOUIS D
PO BOX 2316
UKIAH, CA 95482

APPLICANT: FRACCHIA RD & BISBY AVE NEIGHBORHOODS
UKIAH, CA 95482

AGENT: COLLEEN MACK
180A BISBY AVENUE
UKIAH, CA 95482

REQUEST: A Rezone to create a Commercial Cannabis Prohibition Combining District that includes twenty-nine (29) separate parcels to prohibit commercial cannabis operations per Mendocino County Code Chapter 20.119.

LOCATION: 3.5 ± miles south of the City of Ukiah center, lying on the west side of Burke Hill Road (CR #140), extending northwest from its intersection with Bisby Avenue (Private), Ukiah (APNs: 185-050-06, 185-050-07, 185-050-08, 185-090-07, 185-100-02, 185-100-06, 185-100-07, 185-100-08, 185-100-09, 185-100-11, 185-100-12, 185-100-13, 185-100-14, 185-100-19, 185-100-20, 185-100-25, 185-100-27, 185-100-28, 185-100-29, 185-100-31, 185-100-36, 185-100-37, 185-100-39, 185-100-40, 185-100-44, 185-100-47, 185-100-48, 185-100-49, 185-100-50).

TOTAL ACREAGE: 129.64 ± Total acreage for twenty-nine (29) Parcels

GENERAL PLAN: Rural Residential 10 Acre Minimum Parcel (RR10)

ZONING: Rural Residential 10 Acre Minimum Parcel (RR:10)

SUPERVISORIAL DISTRICT: 5 (Williams)

ENVIRONMENTAL DETERMINATION: Statutory Exemption 15260 General Rule Statutory Exemption

RECOMMENDATION: APPROVE WITH CONDITIONS

STAFF PLANNER: CHEVON HOLMES

BACKGROUND

PROJECT DESCRIPTION: Rezone request to create a Commercial Cannabis Prohibition Combining District pursuant to Mendocino County Code Chapter 20.119 in the southwest of the Ukiah Valley.

SITE CHARACTERISTICS: The subject district is located 3.5± miles south of the City of Ukiah center, west of California State Highway 101. Comprised of 29 diversely developed parcels, approximately 129 acres, the district is primarily residential in nature including acreage devoted to row crop agriculture. The district is accessed by Burke Hill Drive (CR 140), Fracchia Road (Private) and Bisby Avenue (Private). Water is provided by the Willow Water District and fire protection services provided by the California Department of Fire Prevention and Forestry (CALFIRE).

APPLICANT'S STATEMENT: See attachment labeled "Fracchia Road/Bisby Ave Neighborhoods concerns"

CANNABIS PROHIBITION DISTRICT BACKGROUND: On November 16, 2018 the Mendocino County Board of Supervisors adopted Ordinance No. 4420 that approved amendments to Chapter 10A.17 Mendocino Cannabis Cultivation Ordinance and Chapter 20.242 Cannabis Cultivation Sites of the Mendocino County Code. Provisions of Chapter 20.119 are intended to benefit neighborhoods that feel negatively impacted by commercial cannabis operations and are typically found in areas with a residential focus and a strong sense of community identity.

Cannabis Prohibition (CP) Districts must be comprised of at least ten parcels only separated by roads, rail lines, utility easements, or similar linear public facilities. Applicants seeking to establish Cannabis Prohibition Districts must demonstrate support of affected landowners, but once the district is established, cannabis cultivation sites and cannabis facilities would be prohibited.

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

- Ineligible for repeal by property owner request until 10 years after date of approval.
- After 10 years, a request to repeal or amend a Cannabis Prohibition Combining District could be initiated by petition of 60% or more of all current property owners within that district.
- Parcels adjacent to the CP Combining District could be added to a CP Combining District within the initial 10-year period.
- Changes to the underlying zoning of a Cannabis Prohibition District would have no effect on the prohibition of cannabis cultivation and/or facilities established through the Cannabis Prohibition Combining District.

SURROUNDING LAND USE AND ZONING:

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	Agricultural (AG40)	Agricultural (AG:40)	3.1 to 29.52 ± Acres	Agricultural
EAST	Agricultural (AG40)	Agricultural (AG:40)	0.043 to 34.93 ± Acres	Agricultural / Residential
SOUTH	Rangeland (RL160)	Range Land (RL:160)	3.82 to 30.6 ± Acres	Agricultural
WEST	Rural Residential 5 (RR5)	Agricultural (AG:40) Rangeland (RL:160)	17 to 40 ± Acres	Agricultural

PUBLIC SERVICES:

Access: FRACCHIA RD (Private), BISBY AVENUE (Private)
Fire District: UKIAH VALLEY FIRE DISTRICT
Water District: WILLOW WATER DISTRICT
Sewer District: NONE
School District: UKIAH UNIFIED SCHOOL DISTRICT

AGENCY COMMENTS: On December 18, 2019 project referrals were sent to all responsible or trustee agencies with jurisdiction over the Project. No agencies responded with requirements or conditions for the proposed request.

REFERRAL AGENCIES	COMMENT
Air Quality Management District	No Comment
Airport Land Use Commission	No Comment
Assessor's Office	No Response
Building Division (Ukiah)	No Comment
Department of Transportation (DOT)	No Response
Environmental Health (EH)	No Comment
Ukiah Valley Fire District	No Response
Russian River Flood Control	No Response
Willow Water District	No Comment
City of Ukiah - Planning	No Response
California Department of Transportation	No Response
California Department of Fish and Wildlife	No Response
Cloverdale Rancheria	No Response
Redwood Valley Rancheria	No Comment
Sherwood Valley Band of Pomo Indians	No Response

KEY ISSUES

1. General Plan and Zoning Consistency:

Policy DE-14: "The Rural Residential classification is intended to encourage local small scale food production (farming) in areas which are not well suited for large scale commercial agriculture, defined by present or potential use, location, mini-climate, slope, exposure, etc. The Rural Residential classification is not intended to be a growth area, and residences should be located as to create minimal impact on agricultural viability."¹

The majority of the subject parcels or 69% are located in the Rural Residential (RR) zoning district and allow residential use by right. They are developed with residences and additional ancillary structures including but not limited to storage sheds, swimming pools, garages and barns. The parcels zoned RR vary in nonconforming size and are primarily less than one-half acre. The farmland classification of Urban and Built up Lands for these parcels accommodates a variety of activities like residential, commercial, airports and sanitary landfills.

Policy DE-17: "The 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 range 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."²

The largest and only parcel in the Rangeland classification in the proposed district (42.6 ± acres) has the General Plan Classification of Rangeland 160 which requires 160 acre minimum for conforming parcels. This parcel is also residential in nature and development hindered by topographical shifts in the terrain.

¹ Mendocino County General Plan Chapter 3: Development Element; Policy DE-14 pg 3-74.

² Mendocino County General Plan Chapter 3: Development Element; Policy DE-18 pg 3-76.

Due to the deviations in slope throughout the property, development has been centralized consequently minimizing unnecessary disturbance and environmental impacts. Lying on the northwestern perimeter of the district, the property is accessed via Fracchia Road (a private road) and is adjacent to the Boonville Road-Woodyglen Cannabis Prohibition District. The University of California Cooperative Extension with its' partners have determined the Farmland Classification for this parcel as Grazing Land on which the existing vegetation is suited for livestock grazing.

Policy DE-16: "The Agricultural Lands classification is intended to be applied to lands which are suited for and are appropriately retained for production of crops. The classification should include lands presently under Type I agricultural preserve contracts, land having present or future potential for significant agricultural production, and contiguous or intermixed smaller parcels on which non-compatible uses could jeopardize the agricultural use of agricultural lands. Permitted non-agricultural uses, to the greatest extent possible, should not occur on lands that might otherwise be devoted to crop production. 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.³

Many of the parcels found in the Agricultural designation (eight in total), which requires a 40 acre minimum parcel size, are all nonconforming and grouped into contiguous clusters under the same ownership. The largest parcel in the designation is approximately 13 acres. Aerial imagery accessed from the Mendocino County Geographic Information Systems (GIS) indicates that approximately 18 acres of tree and row crop agriculture currently exist within the proposed district.

Land Owner Support: The collective group of property owners known as the Fracchia Road and Bisby Ave Neighborhoods collectively initiated the application for this Rezone request to create a Cannabis Prohibition District. Together, they seek to develop a new district adjacent to the Boonville Road-Woodyglen Cannabis Prohibition District which was approved by the Mendocino County Board of Supervisors December 4, 2018. As previously discussed, establishment of a Cannabis Prohibition Combining District requires the applicant to demonstrate support from more than sixty percent (60%) of the affected property owners. Pursuant to chapter 20.119.030 (B), applications to establish these districts must be accompanied by either a petition or alternative demonstration of applicable landowner support.

Of the 29 contiguous parcels within the proposed district, 76% (22) of property owners signed the group's petition supporting creation of the prohibition district. One (1) property owner voted "no" for reasons unknown to staff and six (6) chose to abstain. Of the six abstaining votes, one property owner explained that property owners should not have to pay to protect their properties and therefore abstained from the vote. Although ineligible to formerly vote via the petition, a petition signed by ten (10) mobile home owners and residents within the proposed district was submitted with application materials demonstrating additional support for creation of the Cannabis Prohibition Combining District.

2. Environmental Determination: Article 12, Section 15061(b)(3) of the California Environmental Quality Act (CEQA) provides that the "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." Furthermore, CEQA only applies to projects that have the potential for causing a significant environmental effect.

As further detailed in Section 20.119.040 of the Mendocino County Code, Cannabis Prohibition Districts prohibit cannabis activities requiring that:

- (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.*

³ Mendocino County General Plan Chapter 3: Development Element; Policy DE-16 pg 3-75.

- (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).

RECOMMENDATION

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

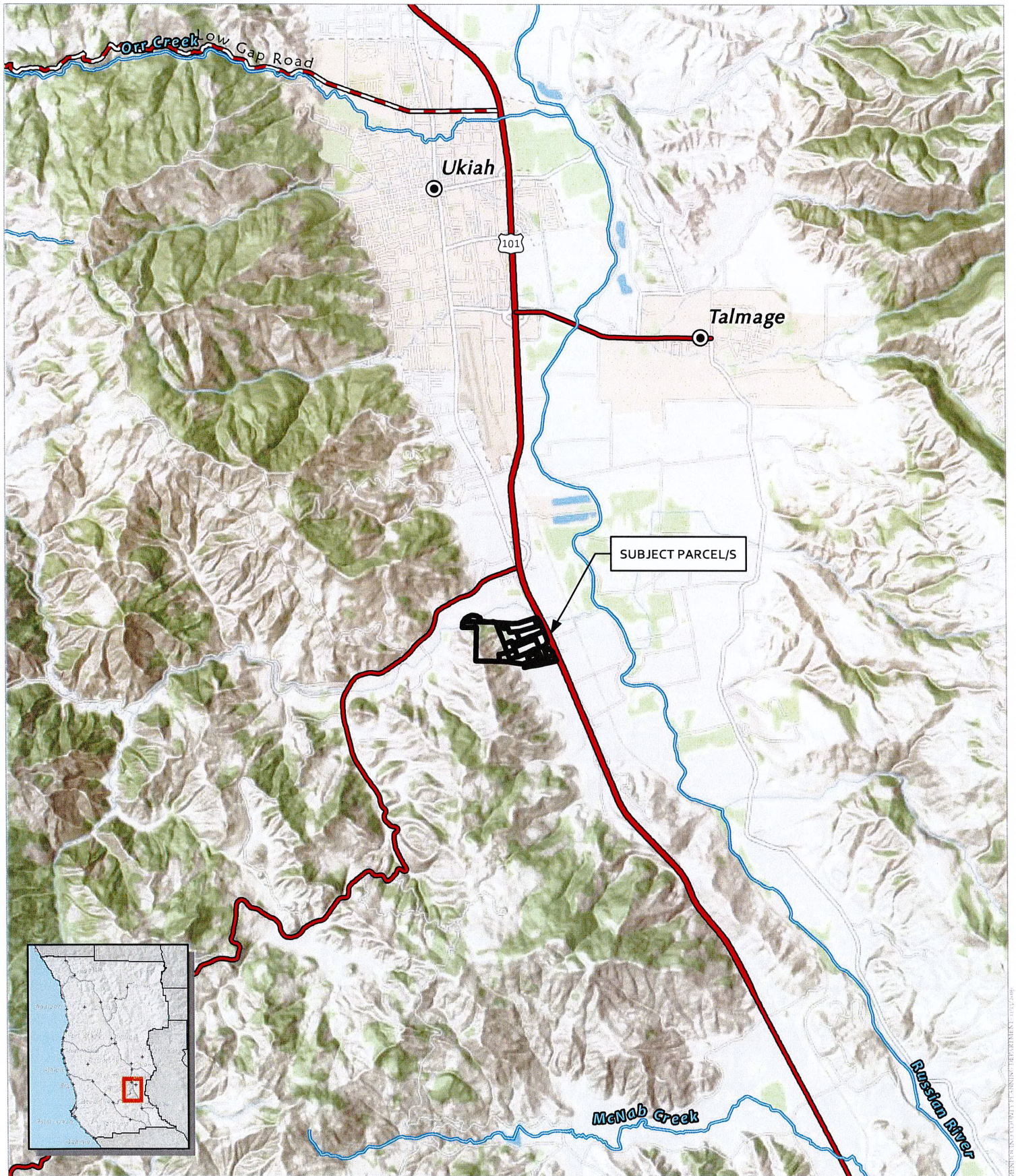
April 1 2020
DATE

Che Holmes
CHEVON HOLMES
PLANNER II

ATTACHMENTS:

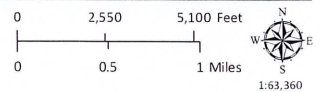
- A. Location Map
- B. Aerial Map
- C. Topographic Map
- D. Zoning Map
- E. General Plan Map
- F. Adjacent Parcels Map
- G. Water Districts Map
- H. Fracchia Road/Bisby Ave Neighborhoods concerns
- I. Letters of Support

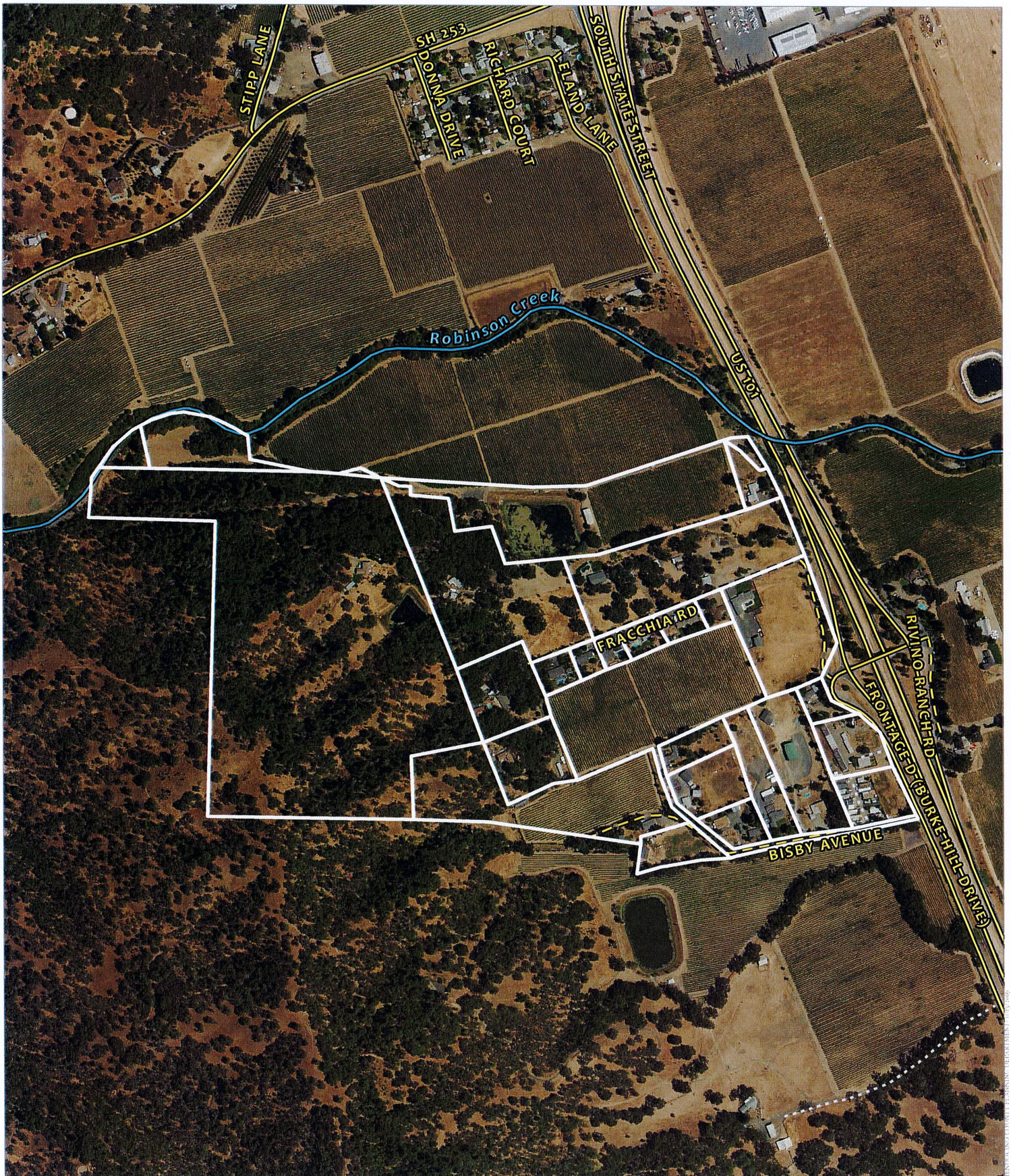
RESOLUTION AND Exhibit A:



CASE: R 2019-0014
OWNER: Various
APN: Various
APLCT: Various
AGENT: Colleen Mack
ADDRESS: Fracchia Road/Bisby Avenue, Ukiah

- Major Towns & Places
- Major Roads
- Major Rivers
- Highways





CASE: R 2019-0014

OWNER: Various

APN: Various

APLCT: Various

AGENT: Colleen Mack

ADDRESS: Fracchia Road/Bisby Avenue, Ukiah

Named Rivers

Driveways/Unnamed Roads

Public Roads

Private Roads

0 300 600 Feet

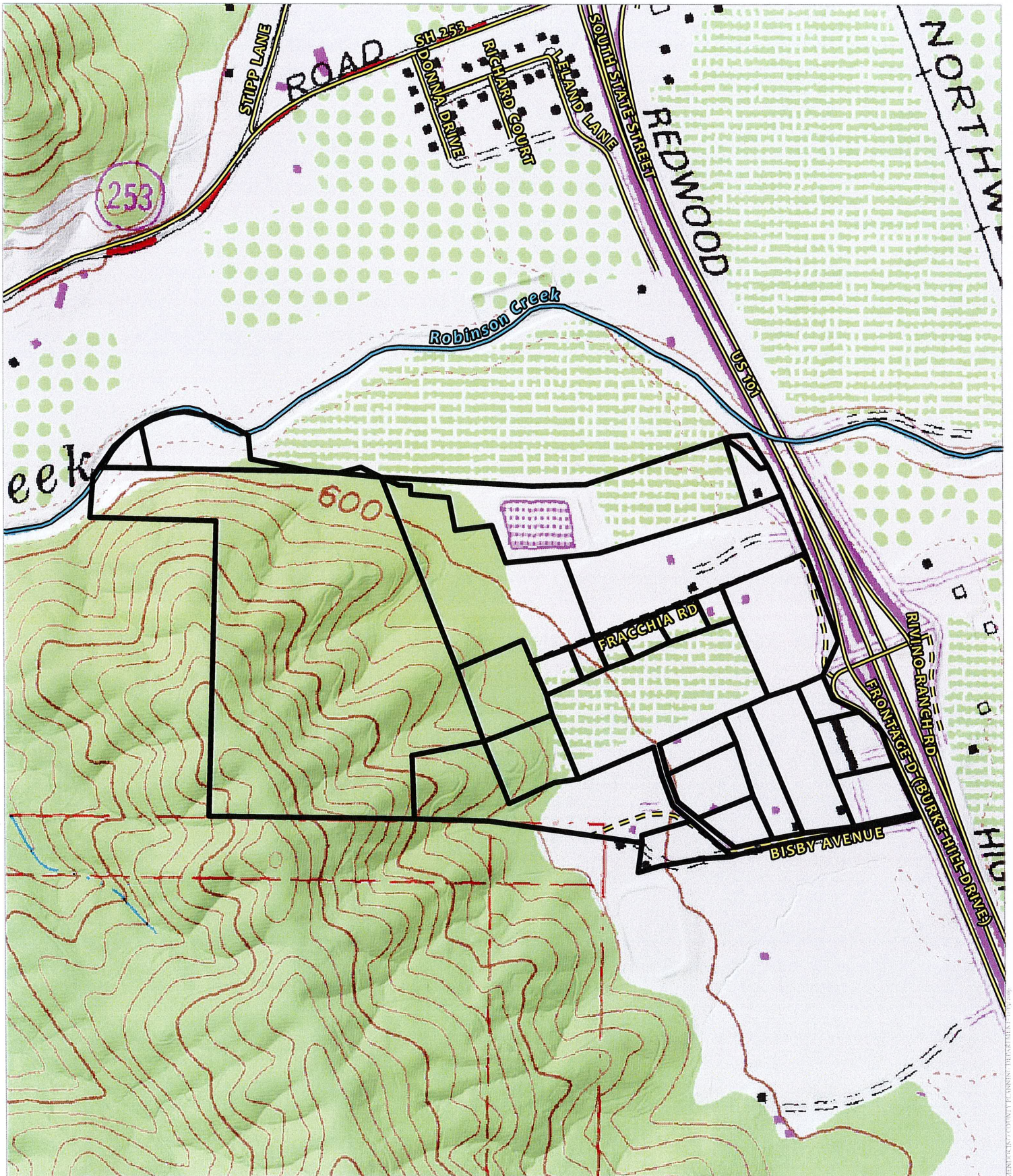
0 0.05 0.1 Miles

1:7,200

N
E
S
W

AERIAL IMAGERY

ATTACHMENT B



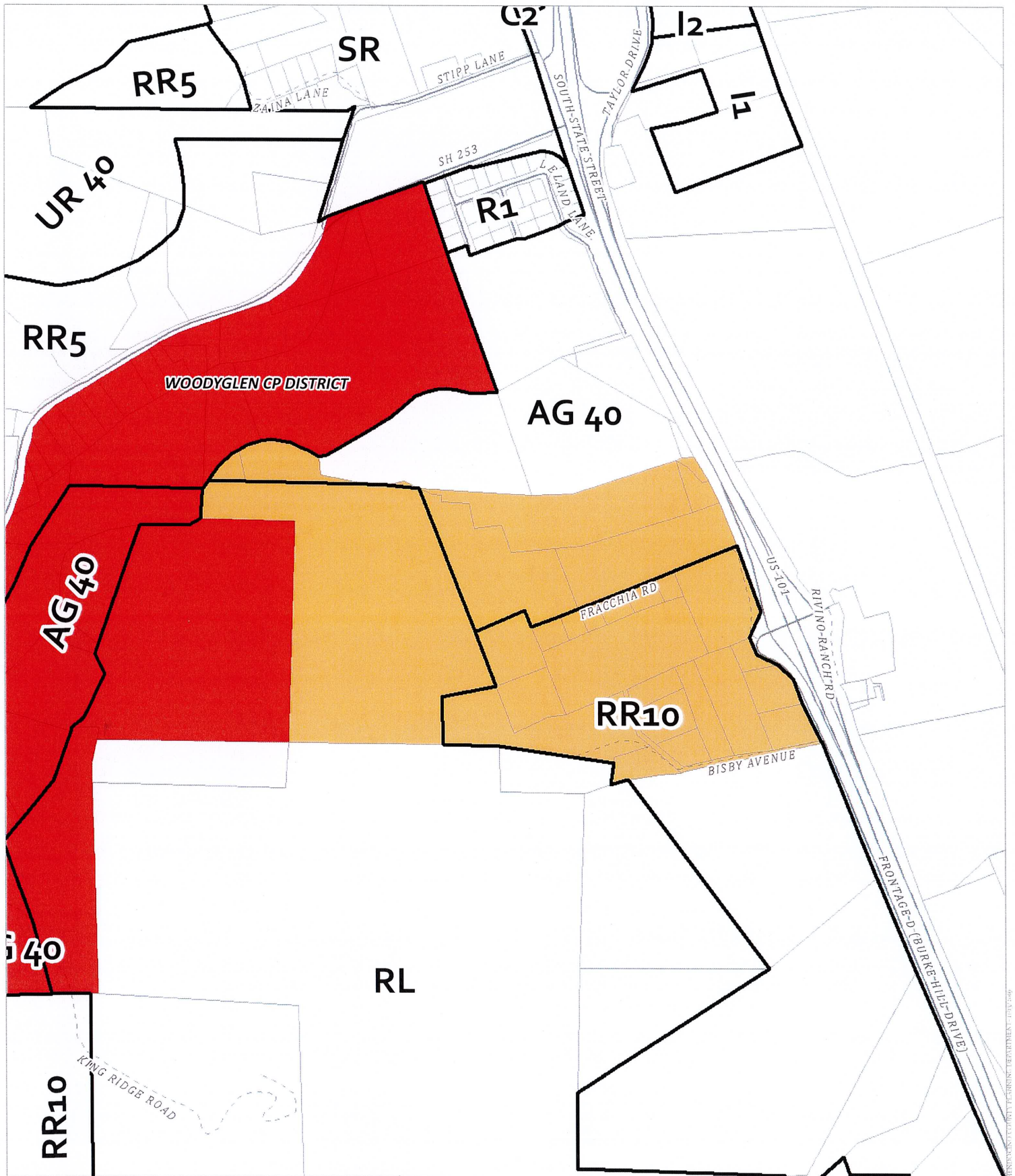
CASE: R 2019-0014
 OWNER: Various
 APN: Various
 APLCT: Various
 AGENT: Colleen Mack
 ADDRESS: Fracchia Road/Bisby Avenue, Ukiah

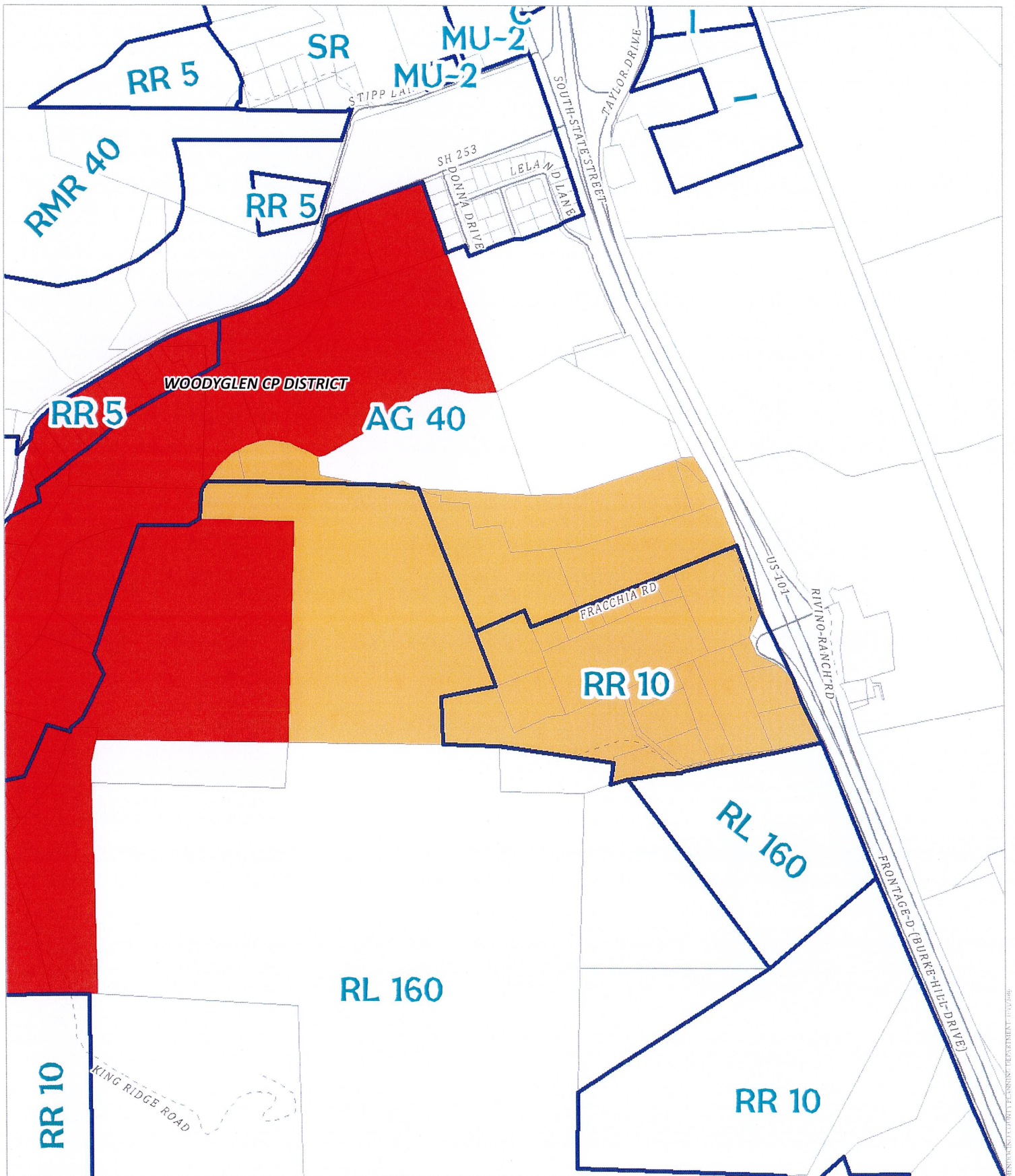
Named Rivers
 Driveways/Unnamed Roads
 Public Roads
 Private Roads

0 300 600 Feet
 0 0.05 0.1 Miles
 N
 W
 E
 S
 1:7,200

TOPOGRAPHIC MAP
 CONTOUR INTERVAL IS 40 FEET

ATTACHMENT C

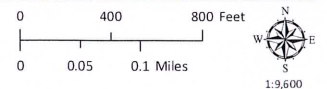




CASE: R 2019-0014
 OWNER: Various
 APN: Various
 APLCT: Various
 AGENT: Colleen Mack
 ADDRESS: Fracchia Road/Bisby Avenue, Ukiah

- General Plan Classes
- Cannabis Prohibition Districts
- Public Roads

R 2019-0014

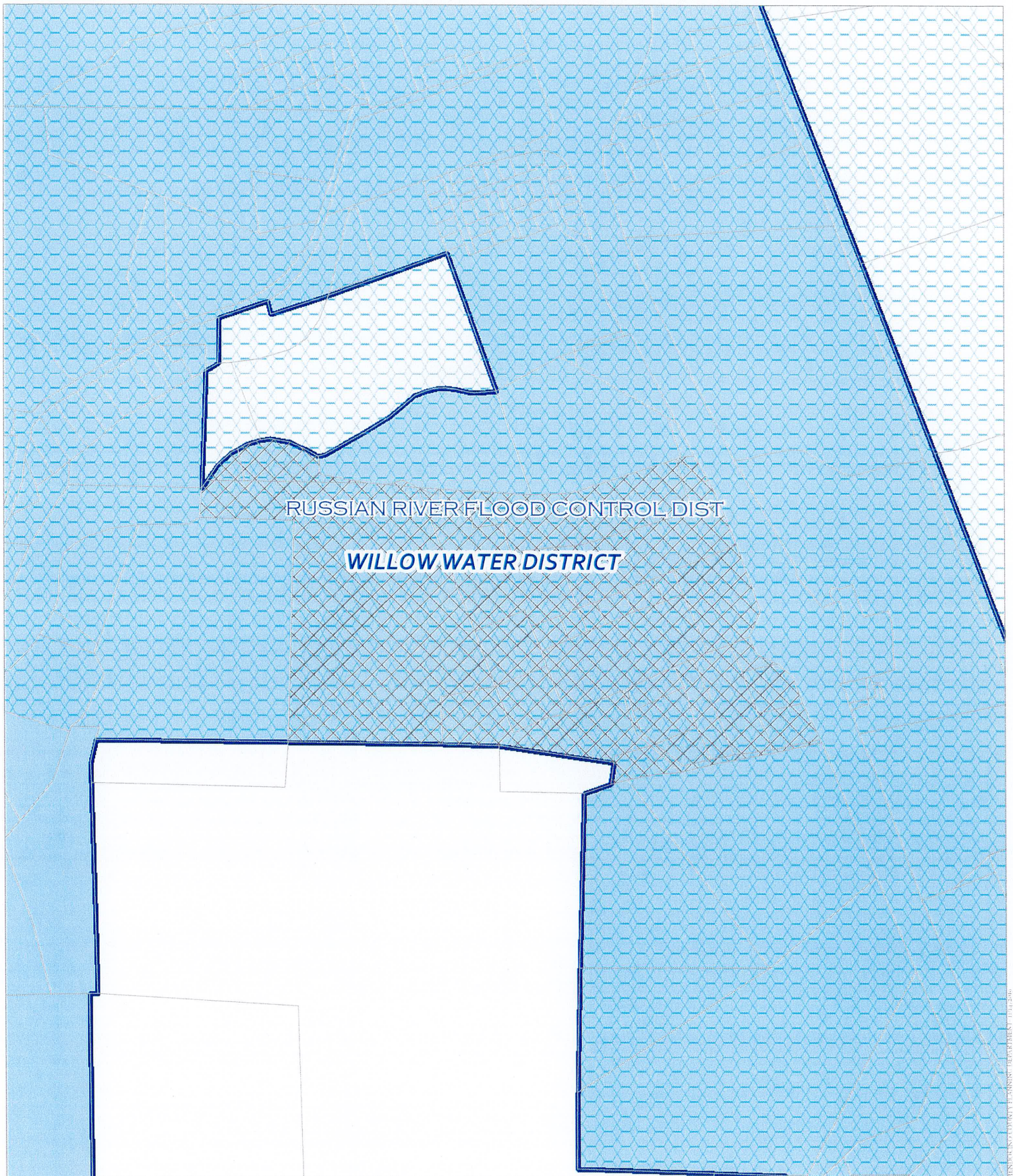


GENERAL PLAN CLASSIFICATIONS




ATTACHMENT E




ADJACENT PARCELS
ATTACHMENT F



CASE: R 2019-0014
 OWNER: Various
 APN: Various
 APLCT: Various
 AGENT: Colleen Mack
 ADDRESS: Fracchia Road/Bisby Avenue, Ukiah

 Russian River Flood District
 County Water Districts
 R 2019-0014

0 400 800 Feet
 0 0.05 0.1 Miles

 1:9,600

WATER DISTRICTS
 ATTACHMENT G

"Fracchia Road/Bisby Ave Neighborhoods concerns"

Fracchia Rd / Bisby Ave neighbors site the following concerns that would negatively impact our quality of life, safety, health and sanctity of our lives and our neighborhood.

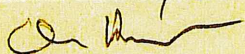
- Safety of our children is our #1 concern. There are 2 bus stops that will be impacted by more frequent traffic, attractive nuisance of cannabis related commercial activities and concern for our children's welfare.
- Hazards of processing / selling cannabis and related products on site impacting our daily lives through noise, air pollution, fire concerns.
- Environmental impacts including overburdening of water resources, water table, air and water pollution and garbage/waste issues. Additional wells and commercial usage will impact residential water supply.
- Safety concerns arising from an increased flow of people into residential neighborhoods including but not limited to home invasions, violence, potentially dangerous guard dogs and increased crime. Attached news article supports recent cannabis related crime that occurred within a 5 mile radius of our properties on El Roble Rd on Sept 26, 2019 and McNab Ranch Sept 21, 2019
- Conversion of our neighborhood into a 24 hour commercial zone with possibility of green houses/hoop houses, lights, generators creating light and noise pollution.
- Devaluation of our property should cannabis operations be allowed in a residential zone.
- Health concerns which may arise due to allergies, the smell of cannabis during harvest and processing as well as the impact that continuous operations would have on our neighborhoods -factors that are inevitable with cannabis farming/operations.
- Loss of natural beauty and wildlife that has attracted us to a rural living environment. Not only should we feel safe in our environment - attention needs to be directed also toward protecting the homes of the animals who co-habit our neighborhoods, including opossums, fox, geese, deer, raccoons, bobcats, turkey and countless other animals, birds and reptiles that call our neighborhood their home.
- Property owner with vineyard is concerned that his contracts with wineries could be cancelled after hearing of a recent lawsuit allowed to go forward in Oregon that sites the loss of sales of a vineyard's crop because the contractor was concerned the grapes could be tainted from the stench of cannabis growing nearby. (Please see attached article and letter from vineyard owner.

As constituents of your district, county and state, we urge you to protect our right to live in a residential neighborhood free of fear, commercialism and the unwanted traffic, crime and nuisance that commercial cannabis operations would bring to our neighborhood. Two other neighborhoods (Deerwood and Boonville Rd/Woodyglen) worked hard to help establish with you the ordinance that would protect neighborhoods from such unwanted commercialism right in the midst of our lives. We deserve to enjoy the peacefulness of our neighborhood and we applaud your/their efforts to establish guidelines that would protect our homes, lives, safety and well being.

10-6-19

To - Mendocino County Planning Dept.

This is a letter strongly opposing the cultivation of Cannabis on Fractura Rd. I am the owner of 9050 and 9080 Burke Hill Drive. Cannabis cultivation would destroy all the hard work we have done in bringing these properties into the modern world. All drug ~~and~~ resellers have been expelled from the park. It is a true family park. We have over 14 children residing here as well as babies. The Apts at 9050 contains more children. It is absolutely unacceptable to bring Narcotic Cultivation into this neighborhood. We will fight this destruction of our community with all our resources, including suing Mendocino County in Federal Court.

Thank you for your Attention to this matter


Chris Browne

owner 9050 & 9080 Burke Hill Dr. Ukiah, CA

707 684 1048

937 6272

To: Mendocino County
Planning Department
Board of Supervisors

From: Colleen and Ralph Mack
180 A Bisby Ave
Ukiah, Ca. 95482

Re: Personal experience of living next door to cannabis cultivation

Awakening to groups of people, silently making their way up a rural road at 2 am; watching them stand outside a locked gate - waiting for a guard to unlock the gate and let them in; unable to sleep night after night due to worry about what would happen next - these are some of the negative effects having a marijuana grow site existing next door to us in rural Mendocino county. We endured loss of privacy ; if we sat in our backyard, we could hear a person stand opposite us on the other side of the fence - smoking, occasionally coughing to let us know he was still there. We endured the stench when the marijuana was ripe. We endured the countless guard dogs that were brought in and chained, left to sit in the sun and if lucky, were able to escape. We were saddened by the presence of 3 small children who lived on the property. We were outraged by the times the farm was reported to authorities but it seemed nothing was done. When the home owner was finally brought to justice 6 years later, we were devastated to see the toxins, plants and rubbish left behind.

We object to the realtors who are promoting property on Fracchia rd for "cannabis cultivation " as well as the neighboring property on Bisby Ave as a "horticulture, packing and processing food items"

We realize there are now regulations on cannabis cultivation but having experienced the adverse effects of having marijuana grown in our neighborhood, we strongly encourage the planning department and board of supervisors to hear our pleas and provide our community with the distinction of a CANNABIS PROHIBITION DISTRICT. There are many untapped areas of land in our county that would provide the cannabis farmer with open land to cultivate which would not impact neighborhoods.

Please visit Bisby Ave and Fracchia Rd - speak to the neighbors, bask in the beauty created by the oak lined roads, the neighboring vineyards and the ambiance of the quiet neighborhoods. There are children, gardens, animals including horses, chickens, and goats who have been rescued and live happily here. We have lived near the vineyards for years - with minimal disruption to our lives. However, we are not equipped for industrial growth in these small rural neighborhoods.

We just want to continue living here as we have for many years; having raised our children, welcomed our grandchildren and now contemplating retirement. Please hear our plea and accept Bisby and Fracchia Rd as a CANNABIS PROHIBITION DISTRICT.

Thank you
Colleen and Ralph (Mickey) Mack
180 A Bisby Ave
Ukiah, Ca. 95482

707-972-9872

Dave and Sharon Butler
4006 Fracchia Road
Ukiah, CA 95482

October 16, 2019

Board of Supervisors
County of Mendocino
501 Low Gap Road
Ukiah, CA 95482

Re: Support for the Cannabis Prohibition combining District at
Fracchia Road/Bisby Lane

Dear Members of the Board of Supervisors:

We, Dave and Sharon Butler, are the owners of 4006 Fracchia Road. We have owned this property since the beginning of the development some 40 years ago. We feel very strongly that this area is absolutely in no way a good area to allow a big scale cannabis operation. We have seen many generations of kids grow up in this neighborhood and do not want to have the negative impact around us that commercial growing would bring. We did not ask to have it changed to allow this type of thing to take place, and now we are having to plead our case and pay a fee to protect ourselves and our home.

Help us keep commercial cannabis in areas that are more suitable and ones that will not disrupt so many different parcels and people. This is not the area. As a neighborhood, we have come together to agree that we want to create a Cannabis Prohibition District. We feel that any type of commercial cannabis operations in this area will have a hugely negative impact to our residential focus and sense of community identity.

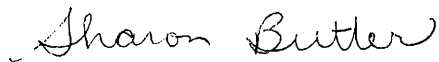
We are all in agreement that commercial cannabis in this area creates a huge safety risk for many different things such as: public safety, tributaries to Robinson Creek that directly feeds the Russian River, and air quality. As a group, we would like to thank the County involvement to create these Combining Districts that will help protect our lands and properties from situations that will create a negative impact on our community. Thank you for your time and assistance.

Respectfully submitted,

Dave Butler



Sharon Butler



To: Board Of Supervisors
Mendocino County

From: Don & Mary Doeding
100 Bisby Avenue
Ukiah, CA 95422
(707) 328-6567

RE: Bisby & Fracchia Cannabis Prohibition District Application

We were very disturbed to hear the news of a Pot Farm being established in our neighborhood. We bought this property in 2016 with our younger son with the intent of building a second home to form a small family living area in the country. We recently completed the second home on the back half of the property and are enjoying the vineyard and mountain views. Now we are hearing our grape vine view is turning into a Pot Farm. This is not what we moved to the country for. We are expecting our first grandchild and have been told by our older son and his wife that we will have to come see them in Windsor as they will not subject their family to this type of environment.

A Pot Farm will decrease our property value drastically and will make it harder to sell in the future if need be. We are concerned that the chemical run off from the Pot Farm would flow through our drainage ditch that runs the entire length of our property. We are enjoying the country air now and know that will change to a nauseating skunk-type smell. And this type of business will create the possibility of unwanted people traffic and crime to our neighborhood.

Update to CP District Rezoning 11-12-19

To : **Planning Department of Mendocino County**

Brent Schultz

Jesse Davis

Board of Supervisors

Carre Brown, chair

John McCowen

Ted Williams

Dan Gjerde

John Haschak

Request for Board action to establish a "CP" Commercial Prohibition Combining District under Section 20.119.20 which allow the Board of Supervisors to designate specific areas where commercial cannabis operations are prohibited.

Dear Planning and Building Commissions , Board of Supervisors

We, the undersigned **Fracchia Rd/Bisby Ave** property owners affected by, directly adjacent to and surrounding the properties located at **4016 Fracchia Rd / 304 Bisby Ave, Ukiah Ca** are unanimously and vehemently opposed to the use of these properties for a commercial cannabis cultivation operation, as is being advertised by realtors to potential buyers. We respectfully request that the Board carefully consider the following concerns that our neighborhoods share relative to the possibility of a commercial cannabis site within the very heart of our neighborhoods.

Section 20.119.020 (A, B) allows a neighborhood to apply for a **CP PROHIBITION COMBINING DISTRICT** if they meet the requirements and our supporting documents will attest to requirements met. In addition, our petition demonstrates that we exceed the required "10 legally created legal parcels" as outlined in part C of this Section.

Section 20.119.030 We have circulated petitions which have been signed by the majority of the legal property owners in both **Fracchia / Bisby** neighborhoods - the petitions will demonstrate that more than sixty percent of the affected property owners are overwhelmingly in favor of creating a **CP Commercial Cannabis Prohibition District**.

Section 20.119.50 (C) Fracchia Rd /Bisby Ave are contiguous with the existing **Boonville Rd/Woodyglen** district which was granted CP status in 2018. Our petition clearly demonstrates that the property owners are in favor of inclusion into the already existing **Boonville Rd/Woodyglen CP district if possible. *PLEASE SEE ATTACHED MAP**

Section 20.119.060 requires fees that have been established by the board for the processing of this one application. While we have been able to to raise the funds required, it has been at great cost to some property owners who are retired or have families to support. Every single person spoken to raised concern. We respectfully ask that the fees be waived because there should be no need for environmental studies, impact studies or fish/game involvement - we are not asking to make changes - on the contrary - we are asking that our neighborhood and environment REMAIN INTACT AS IS. We do NOT want to make changes to our neighborhood. Please do not penalize the neighborhood in their request to protect the quality of life within their neighborhood.

Fracchia Rd / Bisby Ave neighbors site the following concerns that would negatively impact our quality of life, safety, health and sanctity of our lives and our neighborhood.

- Safety of our children is our #1 concern. There are 2 bus stops that will be impacted by more frequent traffic, attractive nuisance of cannabis related commercial activities and concern for our children's welfare.
- Hazards of processing / selling cannabis and related products on site impacting our daily lives through noise, air pollution, fire concerns.
- Environmental impacts including overburdening of water resources, water table, air and water pollution and garbage/waste issues.

Additional wells and commercial usage will impact residential water supply.

- Safety concerns arising from an increased flow of people into residential neighborhoods including but not limited to home invasions, violence, potentially dangerous guard dogs and increased crime. Attached news article supports recent cannabis related crime that occurred within a 5 mile radius of our properties on **El Roble Rd on Sept 26, 2019 and McNab Ranch Sept 21, 2019**
- Conversion of our neighborhood into a 24 hour commercial zone with possibility of green houses/hoop houses, lights, generators creating light and noise pollution.
- Devaluation of our property should cannabis operations be allowed in a residential zone.
- Health concerns which may arise due to allergies, the smell of cannabis during harvest and processing as well as the impact that continuous operations would have on our neighborhoods -factors that are inevitable with cannabis farming/operations.
- Loss of natural beauty and wildlife that has attracted us to a rural living environment. Not only should we feel safe in our environment - attention needs to be directed also toward protecting the homes of the animals who co-habit our neighborhoods, including opossums, fox, geese, deer, raccoons, bobcats, turkey and countless other animals, birds and reptiles that call our neighborhood their home.
- Property owner with vineyard is concerned that his contracts with wineries could be cancelled after hearing of a recent lawsuit allowed to go forward in Oregon that sites the loss of sales of a vineyard's crop because the contractor was concerned the grapes could be tainted from the stench of cannabis growing nearby. (Please see attached article and letter from vineyard owner.

As constituents of your district, county and state, we urge you to protect our right to live in a residential neighborhood free of fear, commercialism and the unwanted traffic, crime and nuisance that commercial cannabis operations would bring to our neighborhood. Two other neighborhoods (**Deerwood and Boonville Rd/Woodyglen**) worked hard to help establish with you the ordinance that would protect neighborhoods from such unwanted commercialism right in the midst of our lives. We deserve to enjoy the peacefulness of our neighborhood

and we applaud your/their efforts to establish guidelines that would protect our homes, lives, safety and well being.

We are not opposed to cannabis operations in areas of Mendocino that are NOT in established neighborhoods. There are properties in the county which meet this criteria. We do, however, need to send a message to realtors who are advertising properties as cannabis appropriate in the middle of neighborhoods that **cannabis does NOT belong in neighborhoods**. The message needs to be loud and clear that there are ordinances created to protect citizens who just want to remain safe and secure in their neighborhoods.

In summary, **Fracchia Rd/Bisby Ave** residents stand united in their request for the Board of Supervisors to **approve our request for establishment of a CP CANNABIS PROHIBITION COMBINING DISTRICT to prohibit cannabis operations in our neighborhood**.

We respectfully request that you grant us the **CP CANNABIS PROHIBITION COMBINING DISTRICT** status that we, as property owners and constituents of your county deserve under the ordinance that was created for the express purpose of preserving the quality of life within our neighborhoods from nuisance, commercialism and the inherent dangers that cannabis operations would bring to our lives and neighborhoods.

Documentation supporting this application are attached :

- Application for rezoning for an **OVERLAY FOR CANNABIS PROHIBITION COMBINING DISTRICT**
- Fee of \$5804.00. (hopefully refundable)
- map- **Boonville Rd/Woodyglen CP District** and link to **Fracchia Rd/Bisby Ave** neighborhoods.
- Environmental impacts including overburdening of water resources, water table, air and water pollution and garbage/waste issues
- neighborhood maps
- News articles concerning of violence, air pollution, safety concerns
- Letters from affected property owners
- Signed petitions from property owners of **Fracchia Rd / Bisby Ave**

- Signatures of residents of Mobile Home estates who requested to be put on record in opposition of cannabis being grown in their neighborhood (most have children who use the bus stop on **Bisby**)

Thank you for listening to and being responsive to our concerns. We hope to hear from you in a timely manner with a decision that supports the integrity of our neighborhoods.

Respectfully,

Fracchia Rd Property Owners

Jessica Fracchia	2051 Fracchia Rd
Phil / Barbara Ponzo	4010 Fracchia Rd
Jim / Masumi O'Brien	4020 Fracchia Rd
Jim / Katie Brown	3901 Fracchia Rd
Salvador Moreno	4008 Fracchia Rd
Dave Butler	4006 Fracchia Rd
Rick/Martha Simons	4004 Fracchia Rd
Miles Oswald	4002 Fracchia Rd
Nate/Jenny Vagt	3994 Fracchia Rd
Marvin/Anita Wells	3900 Fracchia Rd
Mike/Susan Hildreth	3750 Burke Hill Rd
<u>Sean Bennett (11/12/19)</u>	<u>3850 Burke Hill Rd</u>

Bisby Ave Property Owners

Colleen /Ralph Mack	180 Bisby Ave
Dave / Joanie Dunn	140 Bisby Ave
Mike Weslowski / Nadine Bowles	200/210 Bisby Ave
Gary/Tina Sellars	265 Bisby Ave
Don/Mary Doeding	102 Bisby Ave
Marian Williams	300 Bisby Ave
Julio Pardini	4040 Burke Hill Drive
Chris Browne	4050/4080 Burke Hill Dr

From: Jesse Davis
To: Julia Acker; Brent Schultz
CC: Chevon Holmes
Date: 1/21/2020 9:44 AM
Subject: Fwd: Cannabis prohibition application R_2019-0014 in process (BOS)

FYI Brent & Julia,

Please let Chevon or I know if you receive any questions and would like additional information. Staff is progressing this application to 'Hearing' as quickly as possible. Thank you in advance.

Best,
Jesse

Jesse Davis

Senior Planner
County of Mendocino
Planning & Building Services
860 N Bush Street
Ukiah, CA 95482
Main Line: (707) 234-6650
davisj@mendocinocounty.org

>>> Colleen Mack <micoshy4@gmail.com> 1/19/2020 5:46 PM >>>
Board of Supervisors,

My name is Colleen Mack. I applied as agent on behalf of the neighborhoods of **Fracchia Rd/ Bisby Ave Neighborhoods** for a cannabis prohibition application in regard to 2 parcels that are for sale right in the middle of the neighborhoods of **Fracchia Rd/ Bisby Ave**. The coalition of 20+ property owners who are comprised of families, retired persons and working citizens applied to "opt out" to protect our combined neighborhoods from a commercial cannabis operation and the increased traffic and nuisances that a commercial production would bring to families. This property has been promoted by realtors as prime property for a commercial grow site. I am writing to you today on behalf of the coalition of neighbors who comprise the **Fracchia Rd/ Bisby Ave Neighborhood**.

Last week, I was called by a prospective buyer who presented himself as a "winemaker" then quickly turned the conversation into a debate about why I and the neighborhood should support a cannabis production in the neighborhood. I was as polite as I could be but ended the conversation. Approximately 30 minutes later, a man showed up at my front door -wanting to talk to me about the property. I certainly did not open my door but immediately knew who he was. Apparently my information is "fair game" because my name, phone #, address are on the application. (I seriously believe public information should be better protected) After a brief conversation, I asked him to leave but not before he became confrontational. Knowing what I do now, I will call the sheriff if he comes on my property again. He also approached a neighbor on Fracchia Rd and tried to engage him in the same conversation. I have since found out that he is an attorney from Willits and is listed as being part of 7 hoop houses in the Willits area. He is under contract to buy the property on Bisby and wanted to sway the neighborhood to pull out of the petition so he could put a commercial grow site in the middle of our neighborhoods.

The purpose of this message to you is to please be aware that this application is in process and we are waiting for a public hearing soon and that the you, as a board, should know that we sincerely ask that you vote to prohibit a commercial cannabis grow that would severely and detrimentally affect the lives of more than 20 families who have chosen to live and raise families in a rural, close knit neighborhood. A commercial cannabis operation with the daily intrusion into our lives could disrupt the lives of our children and loved ones in so many ways.

It is our understanding that the purpose of Ordinance Sec. 20.119.010 is to establish a CP Combining District to protect an "area where a majority of the parcels allow residential use by right." We applaud your decision to establish an ordinance that is to protect the integrity of neighborhoods exactly like ours.

We respectfully ask that when our application and recommendations come before you - that you **grant us the CP CANNABIS PROHIBITION COMBINING DISTRICT** the we, as property owners and constituents of your county deserve under the guidelines of the ordinance expressly created for this purpose. We are not opposed to commercial cannabis production - just not in our neighborhood.

Fracchia Rd / Bisby Ave Neighborhood coalition would like to thank Jesse Davis and the staff at the Planning/Building Department for assisting us in understanding the ordinance and the application process. We would also like to thank you, the Board of Supervisors for being responsive to our concerns.

Feel free to call any one of us listed on the petition if you have questions or would like to discuss these issues. We look forward to meeting with you at the public hearing that will hopefully put this matter to rest. Until then, no one in our neighborhoods has peace of mind.

On behalf of the combined neighborhoods, I respectfully thank you for listening and being responsive to our concerns.

Colleen Mack
972-9872

From: PBS PBS
To: James Feenan
Date: 2/18/2020 2:23 PM
Subject: Fwd: 2-20-2020 Planning meeting Fracchia Road and Bisby Lane Vinyard

Planning & Building Services Staff

County of Mendocino

Main Office:

860 N. Bush St, Ukiah CA 95482

Phone: (707) 234-6650

Coast Office:

120 W. Fir St, Fort Bragg CA 95437

Phone: (707) 964-5379

Web: www.co.mendocino.ca.us/planning/

>>> Rick Simons <simonsmfg@gmail.com> 2/18/2020 8:00 AM >>>

Hello, please find the article below concerning a Pot farm that went bad in So. Cal.

We do not want to see this happen here in our neighborhood, or county.

Please read before our planning meeting on 2-20-2020.

Thank you for your time and efforts.

Sincerely,

Rick Simons

<http://www.msn.com/en-us/news/us/cannabis-farm-was-a-model-for-californias-legal-industry-then-came-a-sheriffs-raid/ar-BB100dOs?ocid=ientp>

From: PBS PBS
To: Chevon Holmes
Date: 2/18/2020 2:22 PM
Subject: Fwd: Letter in support of R_2019-0014 Fracchia Rd/Bisby Ave CP District
Attachments: Mendo Co Board of Sup 2020-02-16.pdf

Planning & Building Services Staff

County of Mendocino

Main Office:

860 N. Bush St, Ukiah CA 95482

Phone: (707) 234-6650

Coast Office:

120 W. Fir St, Fort Bragg CA 95437

Phone: (707) 964-5379

Web: www.co.mendocino.ca.us/planning/

>>> Katie <browns15@hotmail.com> 2/16/2020 5:52 PM >>>

Dear Administrative Staff,

Please submit the attached letter and photos to both the Planning Dept., Planning Commissioners, and Board of Supervisors. I would like this letter to be considered at the meeting set for **February 20, 2020**. Unfortunately, my husband and I are unable to attend due to pre-planned travel arrangements. If you have questions, please feel free to contact me by telephone or email.

Thank you for your time.

Sincerely,

Katie Brown

(707) 272-4322

January 31, 2020

To: Planning Department and Planning Commission
Board of Supervisors

From: Colleen Mack, agent for **Fracchia Rd/Bisby Ave**
R_2019-0014

Dear Planning Commissioners and Board of Supervisors

We respectfully bring your attention to a vital decision we ask you to make to establish a "CP" commercial Prohibition Combining District under Section 20.119.20 which allows the governing bodies to designate specific areas where commercial cannabis operations are prohibited to protect the integrity of a neighborhood - specifically the FRACCHIA RD/ BISBY AVE NEIGHBORHOODS in this case.

We appreciate the value you placed on the integrity of neighborhoods and families when you created and passed the ordinance which would limit commercial cannabis production in the midst of neighborhoods.

This ordinance will be put to the test soon as it applies to **Fracchia Rd/ Bisby Ave**. The vineyard in question is apparently being bought by an individual who has emphatically stated he wants to grow cannabis in our neighborhood, despite knowing we have an application to prohibit commercial cannabis production in process. We have been told it will close escrow in 2-3 weeks.

Knowing that our application should soon reach your desks for review and consideration, I implore you on behalf of our families, children and economical needs to grant our request of establishment of a **CP CANNABIS PROHIBITION COMBINING DISTRICT**.

On a personal note, some of our property owners are so upset - they don't want the anger and dismay they feel to affect an outcome negatively so they are reluctant to say anything. Others are talking of moving or selling their properties and are saddened to think they may have to do just that. Without exception, the 20+ property owners sincerely feel that, as property owners and constituents of the county, this ordinance was drafted to protect our neighborhood - just as it protected Boonville Rd/Woodyglen and Deerwood.

Please don't take my word for it - see for yourselves. Drive south to Rivino Ranch exit and turn right toward Fracchia Rd. You can stop and view the property in question to your left as you turn on Fracchia Rd. A small vineyard nestled between the houses - Bisby neighborhood to the south and Fracchia Rd to the north. We have grown up with this vineyard in our midst - it has been part of the tapestry of our lives here. I will attach a picture of this view as well as views from back yards - where children play. **Our neighborhood is adjacent to the Woodyglen/Boonville Rd neighborhood that already has a CP District in place.**

Given the public statements of the potential buyer to move forward with a cannabis operation, please grant us the protection that all families and homeowners deserve to preserve the quality of life from nuisance, commercialism and the inherent dangers that this operation would bring into our neighborhoods. We have collectively created a safe haven for our families throughout the many years we have resided here. Cannabis does not belong in our back yards.

Thank you for listening to our concerns. We hope to hear from you very soon with a decision that supports the integrity of our neighborhoods.

Respectfully,

Colleen Mack
Agent for **Fracchia Rd/Bisby Ave Neighborhoods**
707-972-9872

Dear Mendocino County Board of Supervisors,

My wife and I were recently notified by a neighbor that an 11 acre vineyard to the east of our property, known as 4016 Fracchia road, was in the process of being purchased with the intent of converting it into a commercial cannabis operation. We were both very shocked and quite concerned with this prospect. We were unaware that this could even be a possibility as the vineyard is completely surrounded on all sides by a residential neighborhood.

We understand that commercial cannabis is now a State approved business, but we don't believe this is an appropriate location for it. Unlike a vineyard, cannabis produces a finished product that is considered a controlled, dangerous substance by both the State of California and the Federal government and does not belong where children live and play. We believe there are many negative aspects to a commercial cannabis operation in our residential neighborhood, the eyesore of a vineyard that has been replaced by hoop houses and the objectionable odor of cannabis would negatively affect both our quality of life and the value of our property. There is no denying cannabis attracts a criminal element, no one comes armed and dangerous trying to steal grapes but we have heard and read many local news reports over the years about cannabis growers being robbed and even killed, sometimes by the very people they hire to work for them. As residents of Fracchia road our property borders the vineyard as do many residences on both Fracchia and Bisby roads. We do not wish to be the security buffer for a commercial cannabis operation. Based on a petition we signed we believe our community is united in wanting to protect our families and property from the undesirable effects and inherent hazards of an operation of this nature.

For these reasons we ask you to approve our application to designate our neighborhood a Cannabis Prohibition District. Looking at the County CPD website information it seems the existing Woodyglen CPD could be extended east to include our neighborhood. If this is not possible we ask you to create a new CPD that protects the properties of Fracchia and Bisby roads from commercial cannabis operations.

Sincerely,

James O'Brien and Masumi O'Brien

James O'Brien, Masumi O'Brien

4020 Fracchia Rd.

Ukiah, CA 95482

10/4/2019

ATTACHMENT I

Mendocino County
NOV 08 2019
Planning & Building Services

2051 Fracchia Rd
Ukiah, CA 95482
707-391-6042
10/7/19

Mendocino County Board of Supervisors

Dear Members of the Board,

My name is Jessica Fracchia and I own property on Fracchia Road where I live with my husband and two young children. Fracchia Road is a private road that borders a vineyard put up for sale and is being advertised as zoned for cannabis. This spurred our neighborhood into taking action to ensure that our neighborhood is protected from cannabis zoning. While I realize we live in Mendocino County and I will eventually have to explain to my kids that no one hit a skunk, I by no means think they should be exposed to it every time we go outside. The beauty of where we live is that it is rural and private. It is a wonderful place to raise a family and allow kids to ride bikes and play outside as kids should. If a business of this sort comes into our neighborhood my concern is we will lose this. While I understand the permitting process will result in environmental protections, I remain concerned about the odor and risk of theft of a high value product. These types of high-risk activities should be prohibited from neighborhoods because they increase the risk of theft and violent crime. We live in a place that we can feel safe and proud to raise our children in, I would like to see it stay that way.

Regards,



Jessica Fracchia

Jim & Katie Brown
3901 Fracchia Road
Ukiah, CA 95482
(707) 462-9072
e-mail: browns15@hotmail.com

Mendocino County
NOV 08 2019
Planning & Building Services

October 7, 2019

Board of Supervisors
County of Mendocino
501 Low Gap Road
Ukiah, CA 95482

Re: Support for the Cannabis Prohibition combining District at
Fracchia Road/Bisby Lane

Dear Members of the Board of Supervisors:

We, Jim and Katie Brown, are the owners of 3901 Fracchia Road. This property has been in the Fracchia family dating back to almost the turn of the century. We feel very strongly that this area is absolutely in no way a good area to allow a big scale cannabis operation. A commercial cannabis grow even being a possibility in this area is appalling to us. We honestly cannot grasp why the County has made it this way. We did not ask to have it changed to allow this type of thing to take place, and now we are having to plead our case and pay a fee to protect ourselves and our home.

Please review this with some common sense, and help us keep commercial cannabis in areas that are more suitable and ones that will not disrupt so many different parcels and people. This is not the area. As a neighborhood, we have come together to agree that we want to create a Cannabis Prohibition District. We feel that any type of commercial cannabis operations in this area will have a hugely negative impact to our residential focus and sense of community identity. We are proposing that we create the District of approximately 21 parcels that are all contiguous to each other at this time. This would create the boundary for the Cannabis Prohibition Combining District (Opt-Out Area). This area could be tied into the Boonville Road/Woody Glen Cannabis Prohibition District that is already in place, also by contiguous parcels.

We are all in agreement that commercial cannabis in this area creates a huge safety risk for many different things such as: public safety, tributaries to Robinson Creek that directly feeds the Russian River, and air quality. As a group, we would like to thank the County involvement to

ATTACHMENT I

Board of Supervisors
County of Mendocino
Page Two
October 7, 2019

create these Combining Districts that will help protect our lands and properties from situations that will create a negative impact on our community. Thank you for your time and assistance.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'JB' with a long horizontal stroke extending to the right.

JIM BROWN

A handwritten signature in black ink, appearing to be 'Katie Brown' in a cursive style, with a long horizontal stroke extending to the right.

KATIE BROWN

October 7, 12019

To whom it may concern:

This letter is being written to show some of the negative impact to us if cannabis planting/growing is allowed on property adjacent to ours.

Our property value will decline as most families who may be interested in purchasing a home in our neighborhood don't want to have to look at or smell the plants and don't want to expose children to any of this. (Most of us enjoy being able to sit outside in our yards, looking over the vineyards and hills as it is a stress reliever after a long work day).

Also it is a known fact that this could attract unwanted and undesirable people to our quiet neighborhood. We have some young families and they don't need to feel this is an unsafe place to live and raise their children any more.

There is a possibility it may affect some of us who already have health issues such as allergies. It is bad enough to have to smell it when walking among people smoking it but we shouldn't be forced to have it next to us.

Martha & Rick Simons
4004 Burke Hill Drive/Fracchia Rd.
Ukiah, Ca. 95482

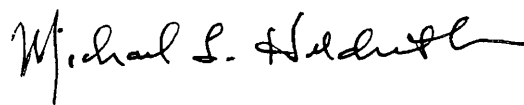
10-07-2019

To Colleen Mack,

As a grape grower, I am concerned with having any kind of cannabis grow close to my vineyard. Just as wildfires caused smoke taint in grapes, I fear the odor from a cannabis grow will be absorbed by the skins of my grapes and result in a winery rejecting the crop, and I personally find the odor very displeasing.

I also fear that cannabis grows will attract criminal elements into our neighborhood endangering ourselves, our children, our grandchildren, increase trespass, and could potentially decrease the value of our property.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael S. Hildreth". The signature is fluid and cursive, with a long horizontal stroke at the end.

MILES S. OSWALD SR.
4002 BURKE HILL DR.
UKIAH, CA 95482

10-2-19

To: Planning Commission
Mendocino County

We the residents of 4002 Burke Hill
Dr. ask that you take the right
steps in not allowing any marijuana
operation in our area.

We have seen the effects in other
areas and are very concerned.

Thank you for your attention.

Sincerely,

Miles Oswald

& Family



Resolution Number _____

County of Mendocino
Ukiah, California
April 16, 2020

R_2019-0014 LOUIS D TINSLEY

RESOLUTION OF THE Planning Commission, COUNTY OF MENDOCINO, STATE OF CALIFORNIA, ADOPTING A CEQA (Article 12 Section 15061(b)(3)) General Rule Statutory Exemption to create a Commercial Cannabis Prohibition Combining District.

WHEREAS, the applicant, Fracchia Road & Bisby Avenue Neighborhoods, filed an application for a Commercial Cannabis Prohibition Combining District to include twenty-nine (29) contiguous parcels adjacent to the Boonville Road-Woodyglen Cannabis Prohibition District with the Mendocino County Department of Planning and Building Services. All affected parcels are contained in Exhibit 'A' to this Resolution and incorporated herein by reference. Located 3.5± miles south of the City of Ukiah center, lying on the west side of Burke Hill Road (CR 140), extending northwest from its intersection with Bisby Avenue (Private), Ukiah (APN's: 185-050-06, 185-050-07, 185-050-08, 185-090-07, 185-100-02, 185-100-06, 185-100-07, 185-100-08, 185-100-09, 185-100-11, 185-100-12, 185-100-13, 185-100-14, 185-100-19, 185-100-20, 185-100-25, 185-100-27, 185-100-28, 185-100-29, 185-100-31, 185-100-36, 185-100-37, 185-100-39, 185-100-40, 185-100-44, 185-100-47, 185-100-48, 185-100-49, 185-100-50, Multiple Zoning and General Plan designations; Supervisorial District 5; (the "Project"); and

WHEREAS, the Project is Statutorily Exempt from review under the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines pursuant to Article 12, Section 15061(b)(3).

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on, April 16, 2020, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Project; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission makes the following findings;

1. **General Plan Findings:** The parcels are located with the Rural Residential, Agricultural and Rangeland General Plan designations and as such, the proposal seeks to prohibit commercial cannabis activities that could otherwise be facilitated.
2. **Rural Residential, Agricultural and Rangeland Zoning District Finding:** That the proposed districts meets the stated intent of the Commercial Cannabis Prohibition Combining District as stated in Mendocino County Code Chapter 20.119 (Cannabis Prohibition Combining District). As a combining district, aspects related to the underlying zoning districts, including 20.048 (Rural Residential), 20.052 (Agricultural) and 20.060 (Rangeland) remain applicable.

BE IT FURTHER RESOLVED that the Planning Commission recommends the Board of Supervisors grant the requested rezone as shown in Exhibit "A", attached hereto.

BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary as the custodian of the document 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:

BY: JAMES F. FEENAN

Commission Services Supervisor

By: _____

BY: BRENT SCHULTZ

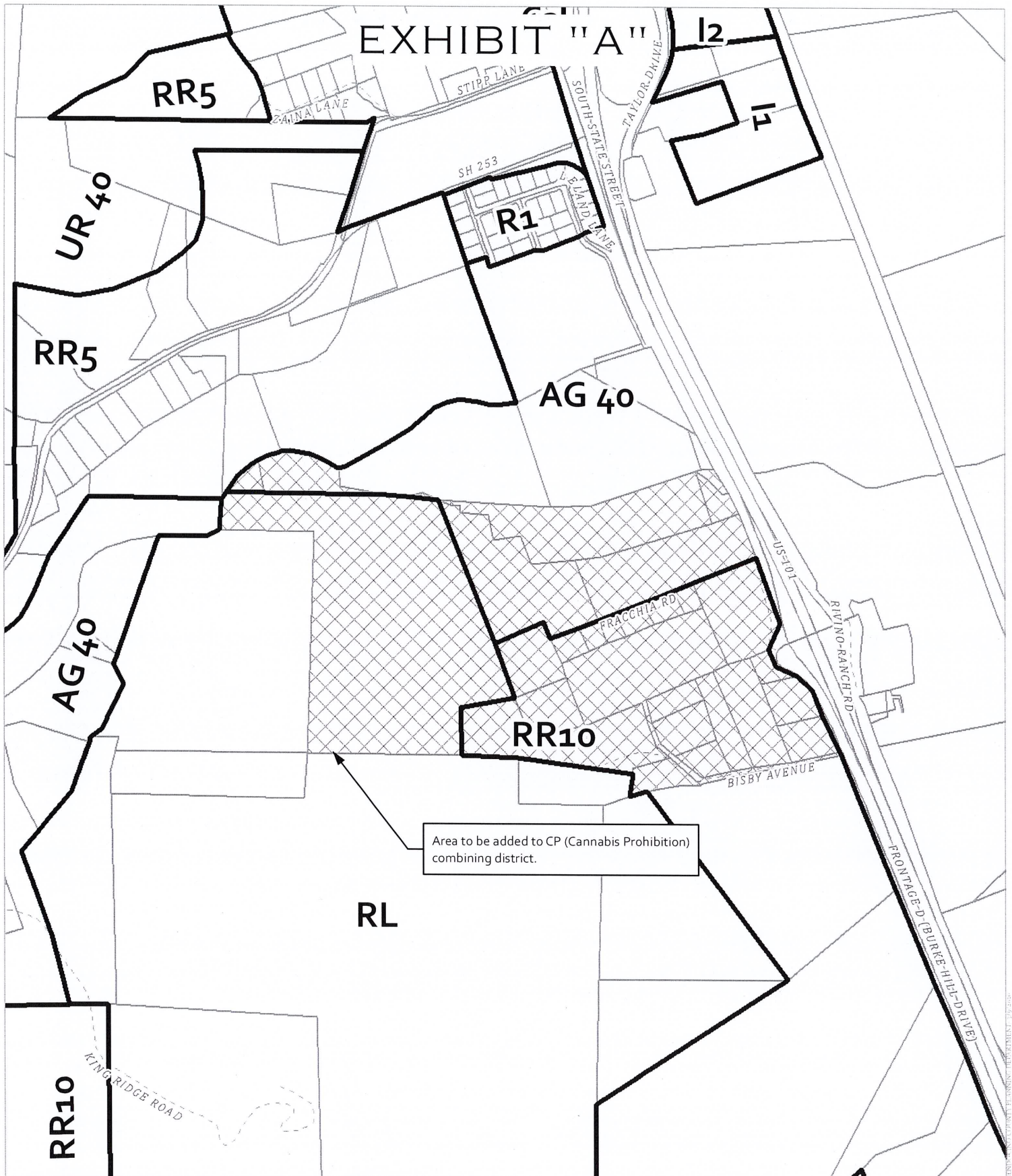
Director

MARILYN OGLE, Chair




Mendocino County Planning Commission


EXHIBIT A: REZONE EXHIBIT MAP

EXHIBIT "A"



CASE: R 2019-0014
OWNER: Various
APN: Various
APLCT: Various
AGENT: Colleen Mack
ADDRESS: Fracchia Road/Bisby Avenue, Ukiah

 Zoning Districts
 Public Roads
 Assessors Parcels

 Parcels being rezoned to add Cannabis Prohibition (CP) combining district

0 400 800 Feet
0 0.05 0.1 Miles
N
W
E
S
1:9,600

REZONE EXHIBIT

EXHIBIT A CONT.

APN	PROPERTY ADDRESS
18505006	
18505007	
18505008	
18509007	2051 FRACCHIA RD
18510002	3850 BURKE HILL DR
18510006	200 BISBY AVE
18510007	300 BISBY AVE
18510008	265 BISBY AVE
18510009	180 BISBY AVE
18510011	100 BISBY AVE
18510012	4040 BURKE HILL DR
18510013	4050 BURKE HILL DR
18510014	4080 BURKE HILL DR
18510019	3990 FRACCHIA RD
18510020	3900 FRACCHIA RD
18510025	4010 FRACCHIA RD
18510027	4008 FRACCHIA RD
18510028	4006 FRACCHIA RD
18510029	4004 FRACCHIA RD
18510031	140 BISBY AVE
18510036	3994 FRACCHIA RD
18510037	4002 FRACCHIA RD
18510039	
18510040	4020 FRACCHIA RD
18510044	3750 BURKE HILL DR
18510047	4016 FRACCHIA RD
18510048	304 BISBY AVE
18510049	4055 FRACCHIA RD
18510050	3901 FRACCHIA RD