

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 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

Sean Bennett (11/12/19) 3850 Burke Hill Rd

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