

Comment #1

**pbscommissions - Fwd: Cannabis Accommodation District Applications #R\_2019-0012 and R\_2019-0013**

**From:** PBS PBS  
**To:** pbscommissions; Julia Krog  
**Date:** 1/25/2022 2:40 PM  
**Subject:** Fwd: Cannabis Accommodation District Applications #R\_2019-0012 and R\_2019-0013

Mendocino County

JAN 26 2022

Planning & Building Services

Planning & Building Services Staff

County of Mendocino

Main Office:

860 N. Bush St, Ukiah CA 95482

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>>> Linda Rosengarten <tolinda@mcn.org> 1/25/2022 1:30 PM >>>

**To: Marie Jones, 4th District Planning Commissioner**

**Re: Cannabis Accommodation District Applications #R\_2019-0012 and R\_2019-0013**

**For: The Record and Appropriate Agenda**

I understand the Planning Commission will review for approval Cannabis Accommodation District Applications - Case #'s R\_2019-0012 and R\_2019-0013.

Please know that I continue to be opposed to Cannabis Accommodation Districts in our established RR2 Zone areas of Simpson Lane/Mitchell Creek Drive and **urge you to reject these applications.**

On August 18, 2018 (<https://www.mendocinocounty.org/Home/Components/News/News/3445/>), The Board of Supervisors determined that strong community support must be demonstrated before a Cannabis Combining District be established in the Simpson Lane/Mitchell Creek area. The County proceeded to conduct a survey and found that 90% of responding property owners in the Simpson Lane/Mitchell Creek area are opposed to including a commercial zone with this established Rural Residential Two Acre Minimum zone.

On November 19, 2018, the BOS established four Cannabis Accommodation Combining Districts in the [Covelo Core](#), [Covelo Fairbanks](#), [Laytonville](#), and [South Leggett](#) areas. The Simpson Lane/Mitchell Creek and other areas were not included because of the overwhelming opposition of property owners. The Simpson Lane/Mitchell Creek Drive area remains a Rural Residential Two Acre Minimum and is NOT a Commercial Zone.

These applications include extending indefinitely the attending Sunset clause. As you know, the Sunset of 2021 was already extended by the BOS to 2022.

What is it that classifies the cannabis operations in these two applications differently from any other Rural

Residential Two Acre Minimum parcel in the Simpson Lane/Mitchell Creek area – which by the 2019 ordinance is *not designated* a CA district in Mendocino County?

To approve Case #'s R\_2019-0012 and R\_2019-0013 applications, or any CA Combining District applications one after the other, is Spot Zoning plain and simple. Spot Zoning is legal in California *only* if it is in the public interest. I see no public interest in a for-profit commercial industry that increases carbon emissions and is suspect in its use of a neighborhood reliant watershed. In the past year neighbors next door to growers' **wells have run dry!** Cannabis cultivation demands water the rest of us must monitor. Growers essentially appropriate water from their neighbors!

When will this end? How many times must property owners be "on our toes," study ordinances and agendas, learn the hard way about how to appropriately express our concerns and opposition in a timely manner to simply be recorded *and* even heard by our county's administrators and elected officials?

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In no way is this RR2 Zone suitable for a commercial accommodation.

Also, **once again, please** consider the impact and conflicts inherent in commercial water use and residential water use. Commercial water usage prioritizes profit.

Properties in this neighborhood rely on wells for water. Although we have enjoyed rain so far this year, we are not out of this drought. Plus, we are subject to and endangered by droughts every few years. Many of our wells have become alarmingly low or gone dry during the various droughts over the years. Many of us are or are attempting to store water in case of wildfire.

Not only do these applications beg questions offered by California' Sustainable Groundwater Management Act of 2014, but your approval would worsen conflicts between neighbors, and continue property owner's search for remediation.

I will not address in further detail, but hope you consider:

- CEQA and the environmental impact on an RR2 Zone,
- Carbon release from the excessive electricity used for indoor grows and the noise for neighboring residents,
- Public safety,
- Loss in property value,
- The unmitigated odors,
- Etc.

Thank you for your time and consideration.

Sincerely,

Linda Rosengarten  
16650 Mitchell Creek Drive  
Fort Bragg, CA 95437

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*Comment #2*

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>>> Linda Rosengarten <tolinda@mcn.org> 1/25/2022 1:03 PM >>>

**To: Marie Jones, 4th District Planning Commissioner**

**Re: Cannabis Accommodation District Applications #R\_2019-0012 and R\_2019-0013**

**For: The Record and Appropriate Agenda**

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Please know that I continue to be opposed to Cannabis Accommodation Districts in our established RR2 Zone areas of Simpson Lane/Mitchell Creek Drive and **urge you to reject these applications.**

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These applications include extending indefinitely the attending Sunset clause. As you know, the Sunset of 2021 was already extended by the BOS to 2022.

What is it that classifies the cannabis operations in these two applications differently from any other Rural

Residential Two Acre Minimum parcel in the Simpson Lane/Mitchell Creek area – which by the 2019 ordinance is *not designated* a CA district in Mendocino County?

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When will this end? How many times must property owners be “on our toes,” study ordinances and agendas, learn the hard way about how to appropriately express our concerns and opposition in a timely manner to simply be recorded *and* even heard by our county's administrators and elected officials?

As you know, the Simpson Lane-Mitchell Creek Drive section of the county has only one ingress and one egress, which are the same. Although currently, some emergency vehicles can arrive toward the southern end of Mitchell Creek Drive through a restricted access road at the east end of Gibney Lane, Simpson Lane remains only one way in and one way out for all residents of this over-developed neighborhood. There is no other emergency access for residents.

As exemplified by the County's recognition of our perilous ingress and egress issues, Simpson Lane/Mitchell Creek Drive area is already overdeveloped for residential security. Not only does a commercial accommodation impact the quality of roads and lanes, but it also impacts efficient ingress and egress during emergencies. Consequently, if allowed to proceed, even one of these Cannabis Accommodation Districts will exacerbate an already perilous and possibly deadly transportation quagmire and is a direct slap in the face of these established transportation concerns and apprehensions for safety.

In no way is this RR2 Zone suitable for a commercial accommodation.

Also, **once again, please** consider the impact and conflicts inherent in commercial water use and residential water use. Commercial water usage prioritizes profit.

Properties in this neighborhood rely on wells for water. Although we have enjoyed rain so far this year, we are not out of this drought. Plus, we are subject to and endangered by droughts every few years. Many of our wells have become alarmingly low or gone dry during the various droughts over the years. Many of us are or are attempting to store water in case of wildfire.

Not only do these applications beg questions offered by California' Sustainable Groundwater Management Act of 2014, but your approval would worsen conflicts between neighbors, and continue property owner's search for remediation.

I will not address in further detail, but hope you consider:

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- Carbon release from the excessive electricity used for indoor grows and the noise for neighboring residents,
- Public safety,
- Loss in property value,
- The unmitigated odors,
- Etc.

Thank you for your time and consideration.

Sincerely,  
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Comment #3

**pbscommissions - Fwd: Cannabis Accommodation District Applications #R\_2019-0012 and R\_2019-0013**

**From:** PBS PBS  
**To:** pbscommissions  
**Date:** 1/25/2022 12:59 PM  
**Subject:** Fwd: Cannabis Accommodation District Applications #R\_2019-0012 and R\_2019-0013

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>>> Linda Rosengarten <tolinda@mcn.org> 1/25/2022 12:55 PM >>>

**To:** Staff Members of Mendocino County's Department of Planning & Building Services

**Re:** Cannabis Accommodation District Applications #R\_2019-0012 and R\_2019-0013

**For:** The Record, and Attached to the Appropriate Agenda for Planning & Building Commissioners

I understand the Planning Commission will review for approval Cannabis Accommodation District Applications - Case #'s R\_2019-0012 and R\_2019-0013.

Please know that I continue to be opposed to Cannabis Accommodation Districts in our established RR2 Zone areas of Simpson Lane/Mitchell Creek Drive and **urge you to recommend the Planning & Building Commissioners reject these applications.**

On August 18, 2018 (<https://www.mendocinocounty.org/Home/Components/News/News/3445/>), The Board of Supervisors determined that strong community support must be demonstrated before a Cannabis Combining District be established in the Simpson Lane/Mitchell Creek area. The County proceeded to conduct a survey and found that 90% of responding property owners in the Simpson Lane/Mitchell Creek area are opposed to including a commercial zone with this established Rural Residential Two Acre Minimum zone.

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*Comment #4*

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**Date:** 1/25/2022 12:59 PM  
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>>> Linda Rosengarten <tolinda@mcn.org> 1/25/2022 12:58 PM >>>

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