


AP_2025-0004, McGinty Setback Reduction

From John March <jmarchpv@gmail.com>
Date Wed 11/12/2025 11:52 AM
To pbscommissions <pbscommissions@mendocinocounty.org>

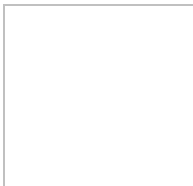
 1 attachment (42 KB)
McGinty Setback Reduction.pdf;

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To whom it may concern,

Please find the attached document as public comment for the public hearing on 11/13/25 in regards to AP_2025-0004.

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John March

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To the Zoning Administrator for the County of Mendocino,

I am writing to you today in regard to AP_2025-0004, McGinty Setback Reduction application. I, along with my brother, own adjacent property on the north side of the property in question and would like to formally oppose the approval of this application as is written. I would like to point out that our relationship with Mr. McGinty has always been amicable and very respectful. He is a good neighbor and has addressed concerns and any issues with diligence. This opposition is not necessarily based on any discrepancies with him or his business.

With currently 63 cannabis greenhouses and roughly 2 acres of outdoor cannabis within 1,000 feet of our property, we believe that adding an additional indoor growing operation is too much. Along with that, the setbacks set forth in the latest iteration of our counties cannabis regulations was put there for a reason and currently as written this application wants to revert back to previous regulatory setbacks. Allowing this setback reduction, unless already approved elsewhere, could set precedent across the county and open up additional setback reduction applications by cannabis growers on AG land. This would in turn negate the work previously set forth in regulation.

Concerns over water quality /availability, excess waste, air quality, traffic and safety are also high on our list of reasons why we would like to formally oppose this. In this area of our county, residential wells are shallow, and water quality becomes a very important concern. The constant smell from surrounding cannabis operations is another concern as well as the excess waste of additional operations. An added indoor operation could also lead to added employees which would add, not only more waste, but more traffic in the area and can likely increase the potential for crime. Since the addition of cannabis operations in the area, we have had cannabis related crimes in the area with one directly affecting our property. We believe that the county, prior to making any decisions regarding this application, should conduct site evaluations to look into the locations of proposed operations in regard to neighboring wells, septic/waste systems, as well as the community and neighborhood as a whole.

There are also additional questions that need to be clarified by the county in general. With indoor cultivation being classified as Commercial use, are there additional use permits that should go along with this and does that affect the amount of setback required? If there is indoor cultivation year-round, does that increase the amount of traffic, power and waste on the property? Again, does this constitute additional use permits or pre inspections?

I believe that the county itself needs to clearly define, for all parties involved, what constitutes AG use versus Commercial use and what due diligence or pre-inspections are

necessary. I, a few years ago on another property in Potter Valley, got permitted to use rock to retrofit my creekbank to protect existing structures and land. Prior to being approved for this I was required to meet with and be signed off by CDFW, Army Corps of Engineers and State Water Resource Control Board, all with on-site inspections and all before our county would sign off. Additionally, I had to be inspected daily by a biologist from the NRCS before we could start work to, again, add rock to a creek bank. Additionally, I had to report on the progress of the rock and creek bank, to the State of California, for five years following this job. Adding additional commercial infrastructure on agricultural land in a rural residential area with shallow wells, potential runoff to the Russian River, narrow properties and families around should at least have more due diligence than a public hearing. I strongly urge the Zoning Administrator to do their due diligence and have a site evaluation prior to the decision on this matter.

Respectfully submitted,

John March

Mary March-John March Trust of 2012, Trustee

On behalf of

Erin Powis

Mary March-Erin Powis Trust of 2012, Trustee