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James A. Jackson

September 7, 2018

Zoning Administrator
County of Mendocino
Department of Planning and Building Services
800 North Bush Street
Ukiah, CA 95482

E-mail and U.S. Mail

Re: Case No. U 2017-0030 (Buttrick)
Hearing Date: September 13, 2018

Dear Sir or Madam:

I received the Notice of Public Hearing regarding the captioned application, and have briefly reviewed the staff report for the proposed commercial cannabis operation across the street from my home. I have a number of questions and concerns regarding the proposed project.

1. Zoning: This is a residential neighborhood. It has been my understanding that the County was dissuading applicants from proposing commercial cannabis operations in residential neighborhoods unless there is a cannabis overlay. To the best of my knowledge there is no cannabis overlay on this neighborhood nor any proposal for one. The subject property is an undeveloped parcel zoned RR-10. The proposed project is a medium sized indoor artificial light project. I do not believe such projects are permitted in the RR-10 zoning. Mendocino County Code § 20.242.040, .060.
2. There are no residences on the property: The staff report notes that there is no residence on the property. It is my understanding that a residential parcel proposing a commercial cannabis operation is required to have a dwelling unit. Mendocino County Code § 10A.17.070 (E). Growing cannabis is an accessory use and you cannot have accessory uses to a residence when no residence exists. The staff report suggests requiring an application for a building permit; this is an empty requirement as anyone can apply for a building permit yet never proceed with the proposed building. I would suggest that no accessory uses such as are proposed can be permitted unless and until a residence has been completed and finalled. Moreover, given the housing shortage in this County I

seriously question the use of a residential property for commercial cannabis operations when there is plenty of non-residential property available for such purposes.

3. Absentee owner: Apparently neither the owner of the property nor his agent actually reside on the property. Who then will be in charge of the proposed commercial cannabis operation? Is it going to be run remotely by nonresident workers? Who is going to be in charge here?
4. Utilities: This property is not served with an electrical connection, water or septic system. Instead, the applicant is proposing to power the operation entirely by generator despite the fact that PG&E power is available on the Comptche-Ukiah Road. County regulations specifically prohibit reliance on a generator when standard electrical power is available. Mendocino County Code § 10A.17.070(F). Is this otherwise quiet residential neighborhood to be subjected to the continuous drone of generators for years (or forever) if the applicant does not want to pay the cost of a standard electrical connection? A standard electrical connection should be required prior to any proposed cannabis operations.
5. Waste disposal: In the absence of a septic system, where will the cannabis workers relieve themselves? Where will they obtain water? What is the "waste area" near the road? Is it a midden, a compost heap, a disposal site for pesticides and used oil?
6. Traffic: There is no discussion of traffic impacts from this project. How many persons are expected to be employed in the cultivation of cannabis at this commercial operation? Should not the traffic impact and sight distances be analyzed as part of the staff report?
7. Park: Directly adjacent to my property to the west is a portion of Van Damme State Park. It is my understanding that commercial cannabis operations are not permitted within 1,000 feet of a park. Mendocino County Code § 10A.17.040. I believe the subject property also borders Big River State Park to the north. I do not see any analysis of this issue in the staff report.

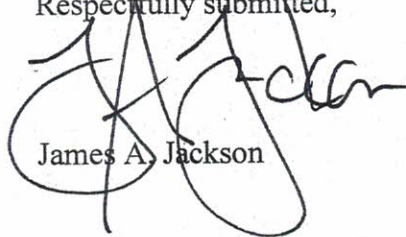
It appears to me that the proposed project is a non-compliant commercial operation using the subterfuge of a proposed residential development that may or may not ever be built. If the County is going to allow commercial cannabis cultivation everywhere in the County that should be a policy decision made by the County Board of Supervisors. My understanding of the Supervisors' position is that they intend to limit cannabis cultivation so that it does not intrude into residential neighborhoods. The proposed project would be a serious intrusion into this

County of Mendocino
Department of Planning and Building Services
September 7, 2018
Page 3

neighborhood and based on the many issues I have identified on my first reading of the staff report I strongly recommend that the project be denied.

I have no general objection to cannabis, nor do I care if my neighbors want to plant a few marijuana plants among their tomatoes, but this commercial cannabis project is the wrong project in the wrong place. Thank you for your consideration.

Respectfully submitted,



James A. Jackson

JAJ: cs

cc: Planner Jesse Davis