

From: [Perkins, Scott](#)
To: [Gonzalez, Joanna](#)
Cc: [Jones, Marie](#)
Subject: FW: Public Comment on Cannabis Ordinance NegDec
Date: Monday, July 08, 2019 8:29:14 AM
Attachments: [image001.png](#)

Joanna,

I received the public comment below for this week's Planning Commission. Please add it to the packet, or handle in whatever way is standard for receiving comments prior to a hearing.

Thanks!
Scott

SCOTT PERKINS, PUBLIC WORKS MANAGER
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From: Jacob Patterson <jacob.patterson.esq@gmail.com>
Sent: Sunday, July 7, 2019 5:00 PM
To: Perkins, Scott <SPerkins@fortbragg.com>
Subject: Public Comment on Cannabis Ordinance NegDec

Scott,

In my opinion, the draft Planning Commission ("PC") resolution for Wednesday will require amendment because you are receiving this email public comment and will receive another on Tuesday with more detailed comments and objections to the CEQA review for the cannabis ordinance amendments. The draft resolution also contains purported findings that I believe are inadequate because they are mere assertions of unsupported conclusions concerning the required findings.

In line with my prior oral comments, the NegDec defers required CEQA analysis of the potentially significant impacts of the ordinance itself until the future reviews of project applications for cannabis dispensaries that aren't permitted under the current code but will be if and when the code changes are adopted. In my opinion, that is impermissible deferral of required CEQA analysis of the regulatory changes from the ordinance itself.

Cannabis dispensaries have unique environmental concerns relating to potential odor exposure from cannabis on site, hence the requirement for an odor control plan, as well as secondary nuisance conditions due to patrons and other visitors to the dispensaries (e.g., graffiti, property damage/deterioration, and the like that may result from crime impacting surrounding

properties). These concerns about potentially significant environmental impacts are among the reasons some jurisdictions restrict or ban dispensaries.

Moreover, this NegDec improperly segments or "piecemeals" the CEQA analysis of the overall project concerning cannabis ordinance updates. The City Council has already directed staff to develop draft ordinance amendments permitting cannabis cultivation in conjunction with microbusinesses that include cannabis retail--contrary to the assertion in the staff report and my prior public comments at the last City Council meeting highlighting this issue--so that aspect of the related ordinance update is a foreseeable consequence of the current proposed use table updates permitting cannabis retail in the identified zoning districts under review at this week's PC meeting.

For these reasons and those raised during oral public comments, I object to the City adopting the proposed code changes concerning cannabis retail without first conducting a proper CEQA review, which may require an MND or EIR but at least requires a NegDec that includes analysis of the proposed code changes. This will likely require a new public review period of a CEQA document covering a project definition that isn't (arguably) improperly segmented.

Regards,

--Jacob

July 2, 2019

Topic: Cannabis Cultivation Ordinance (8a) 19-309

Dear Fort Bragg City Council Members and Fort Bragg Planning Commission Members,

My name is Terry Clark and I am the owner of the parcel of land to the east of the site that RootOne Botanicals is proposing for a cannabis cultivation business. My APN number is 069-242-1800, and my home address is 32820 Airport Road, Fort Bragg. I would be the most impacted of all of the neighbors, if this were approved.

I have owned this property for over 17 years. When I bought my home it was a fixer upper, and I have put a great deal of time and energy into upgrading and maintaining it! I am self employed and have managed to hold on to the property through some challenging economic times. This home is my only investment for retirement.

Now, with it legal to cultivate cannabis in the city limits and with the expansion of the FAR, I have concerns about how this proposed project will affect the value of my home. My greatest concern is for water usage. Water is very fragile in this area and if they tap into our aquifer on Airport Road, many residents could be left without water in our wells. An additional concern is the smell that this facility will emit. If not kept indoors and air filtered (as was discussed at the June 24, 2019 City Council Meeting) the smell of marijuana in our neighborhood would be a great nuisance.

I realize that our town is in need of new jobs and revenue and I am glad that the Council Members are looking for new ways to support our economy. We do need this. I am very disappointed with the owners of this proposal. At the meeting they talked about building community, yet made no attempt to contact me before proposing this project. If they were, in fact, interested in building community, they would have contacted me, the closest neighbor, to discuss this proposal!

In closing, I ask that all aspects be examined very closely, for this business and especially for the residents of this area.

Thank you,
Terry Clark