

Public Comment Regarding Cannabis Ordinance and
Program Update

Received October 2023

From: Richard R. Rudnansky <rrudnansky@sonic.net>

Sent: October 17, 2023 1:55 PM

To: Cannabis <Cannabis@sonoma-county.org>; Crystal Acker <Crystal.Acker@sonoma-county.org>; Scott Orr <Scott.Orr@sonoma-county.org>; Tennis Wick <Tennis.Wick@sonoma-county.org>

Cc: Susan Gorin <Susan.Gorin@sonoma-county.org>; David Rabbitt <David.Rabbitt@sonoma-county.org>; Lynda Hopkins <Lynda.Hopkins@sonoma-county.org>; Chris Coursey <Chris.Coursey@sonoma-county.org>; district4 <district4@sonoma-county.org>

Subject: Preparation of EIR re Cannabis / Neighborhood Enclaves

EXTERNAL

Crystal

I am one of the neighbors in the Bennett Ridge Neighborhood

I have heard that staff is currently looking into certain areas in the County that may be considered Exclusion Zones or Neighborhood Enclaves where commercial cannabis cultivation would be prohibited. The last I heard is that the public hearings on this issue may be in December. Is that still the case?

I and others in the Bennett Ridge Neighborhood have previously provided information and petitions on this topic but wanted to be sure that Bennett Ridge is being considered for such a designation.

Below and attached is some of the information and petitions previously provided on this topic relative to the Bennett Ridge Neighborhood.

Please call me at 707-843-6712 at your convenience to discuss.

Thank you in advance for your anticipated consideration.

Best Regards

Rich

Richard R. Rudnansky
rrudnansky@sonic.net
707-843-6712

On 2023-03-21 15:41, Richard R. Rudnansky wrote:

| Crystal and Scott

I am resubmitting the email below dated March 5, 2023, and the attached petition from the Board of Directors of the Bennett Ridge Community Association with respect to the Notice of Preparation of the EIR re Cannabis.

I would also add the following reasons why cannabis cultivation should be prohibited in the Rural Residential Zoning Districts but if allowed why the Bennett Ridge neighborhood should be studied as an exclusion overlay zone. Please include these comments in the public record.

COMMERCIAL CANNABIS CULTIVATION IN RURAL RESIDENTIAL NEIGHBORHOODS INCONSISTENT WITH THE COUNTY GENERAL PLAN, THE COUNTY ZONING CODE, THE BENNETT VALLEY AREA PLAN AND THE BENNETT RIDGE CC&RS

Bennett Ridge (which includes Old Bennett Ridge Road, Rollo Road, Bardy Road, and Bennett Ridge Road) is above Bennett Valley and is zoned Rural Residential. In 2018 the Board of Supervisors decided to not allow commercial cannabis cultivation in the Rural Residential Zoning District. This decision should not change.

Under the terms of the County's current General Plan and Zoning Code, the purpose of Rural Residential Zone District is to "preserve the rural character and amenities in areas best used for low-density residential development. Rural residential uses are intended to take precedence over the agricultural uses." Cannabis cultivation is not consistent with this purpose and is simply not compatible with our rural neighborhoods.

However, if the Board decides to allow commercial cannabis cultivation and operations in Rural Residential, zones, an Exclusion Combining District would be in order for Bennett Ridge. In 2018 the Planning Commission that Exclusion Combining Districts are appropriate where road access is inadequate, where concentration of cannabis cultivation would be detrimental to the character of the area or where there is a significant fire hazard. Bennett Ridge clearly fits within these Exclusion Zone criteria.

Bennett Ridge is within the boundaries of the Bennett Valley Area Plan ("BVAP"). That plan emphasizes the protection of scenic resources such as Bennett Ridge and Bennett Valley. A proliferation of hoop houses or greenhouses and other structures with their attendant lighting, even if limited in scale, would violate the scenic resource protection policies in the BVAP.

The Bennett Ridge CC&Rs state "No lot shall be used except for residential purposes. Without limiting the foregoing, it is specifically provided that no portion of the property shall be used for any commercial or industrial activity of any nature whatsoever." While we understand that the County does not enforce private CC&Rs, we believe that the exclusion of even commercial agricultural activity within our neighborhood strongly supports our request for an exclusion zone.

CANNABIS CULTIVATION IS INCOMPATIBLE WITH BENNETT RIDGE NEIGHBORHOOD FOR MULTIPLE REASONS

Water Supply: The sole source of water for our homes is the Bennett Ridge Mutual Water Company (BRMWC) which has two wells. The BRMWC Bylaws state that water use, "shall be limited to water for domestic purposes, for use in a swimming pool and for irrigation of not more than ten percent (10%) of the area of a parcel". There is no allowance for use of BRMWC water for any commercial purposes, including commercial cannabis cultivation. Introduction of commercial cannabis cultivation into our neighborhood would seriously impact the long-term sustainability of our domestic water supply.

Odors: The Bennett Ridge CC&Rs state: "No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood."

Given the proximity of the properties on the Ridge, the odor from commercial cannabis cultivation would have significant nuisance impacts on neighbors. There has been ample evidence and firsthand

experiences previously presented to the Board by those who already live near cannabis cultivation as to the significant odor which in many instances do not even allow residents to comfortably sit outside their homes. To allow commercial cannabis cultivation in the Bennett Ridge neighborhood would clearly create a nuisance and affect the quality of our life on the Ridge.

Safety, Security, and Fire Risks: Bennett Ridge has only one way in and out. Allowing increased traffic from commercial cultivation would not be compatible with the neighborhood and would create safety and evacuation risks not unlike those experienced in 2017 when folks on the Ridge had to evacuate due to the Nuns Fire that swiftly engulfed the Ridge. Bennett Ridge is in a high fire hazard zone. The cannabis industry is subject to home invasions and other crimes. Given that the emergency response time is over 30 minutes to the Ridge allowing any cannabis operations on the Ridge would increase the risk to the residents.

Aesthetics/Visual Impacts: The Bennett Valley Area Plan, which includes Bennett Ridge, provides that the scenic quality of the area is to be protected. Allowing commercial cannabis cultivation with its hoop houses, lighting, fences and commercial structures will clearly have an adverse impact on the bucolic setting of the Ridge and Bennett Valley. Residents on the Ridge have already been impacted by cannabis operations allowed in Bennett Valley that are clearly visible from our neighborhood. Many of us have firsthand knowledge of how commercial cannabis cultivation has destroyed the scenic beauty in other jurisdictions. Please do not let this happen in Bennett Ridge/Bennett Valley.

Code Enforcement: The County's efforts to enforce the current ordinance and abate violations have been ineffective. Although the current ordinance nominally provides enforcement and abatement mechanisms the language is vague, provides little concrete guidance, and is subject to much interpretation, to the point that it is almost unenforceable. It does not provide sufficient incentive for cannabis operations to comply with requirements, nor sufficient consequences for violations. Further, it appears that the County simply does not have the resources to monitor and enforce requirements once a permit is issued. If the County is going to allow expansion of cannabis operations that rely on permit conditions, monitoring and resident complaints to mitigate the impacts of these operations, the County must demonstrate both the will and resources for effective enforcement and abatement of violations and nuisances. If not, then for this reason alone, the County must not allow such operations anywhere near neighborhoods like Bennett Ridge.

EXCLUSION ZONE AREAS SHOULD BE SPECIFICALLY SET OUT IN THE NEW ORDINANCE.

Residential neighborhoods should be studied during the EIR process, and those areas designated as Exclusion Zones should be specifically noted in the new ordinance. Residents should not be required to have to submit applications and incur costs to have their neighborhoods so designated. Any County expenses should come from the cannabis tax revenue, not out of the pockets of residents.

Thank you in advance for your anticipated consideration.

Richard Rudnansky

Bennett Ridge Resident

----- Original Message -----

Subject:Comment on Notice of Preparation of EIR re Cannabis / Scoping Meeting of March 8, 2023

Date:2023-03-05 13:43

From:"Richard R. Rudnansky" <rrudnansky@sonic.net>

To:cannabis@sonoma-county.org, crystal.aker@sonoma-county.org

Cc:Susan Gorin <Susan.Gorin@sonoma-county.org>, David Rabbitt <David.Rabbitt@sonoma-

[county.org](#)>, Chris Coursey <Chris.Coursey@sonoma-county.org>, Lynda Hopkins <Lynda.Hopkins@sonoma-county.org>, District4 <District4@sonoma-county.org>, Crystal Acker <crystal.acker@sonoma-county.org>

Crystal

Although it is inconceivable to me that the Board, with or without an EIR, would allow ***any type*** of commercial cannabis cultivation in the Bennett Ridge neighborhood (which is in a Rural Residential Zoning District and included in the Bennett Valley Area Plan), in an abundance of caution I am providing these comments.

As you are undoubtedly aware, the current Cannabis Ordinance restricts any type of commercial cultivation in the Rural Residential Zoning District (RR District) I urge that this prohibition continue and that it be made clear from the beginning of this process that the RR districts are off limits to ***any*** type of commercial cannabis cultivation.

Short of that, I ask that the following residential neighborhood be designated as an Exclusion Zone: **Bennett Ridge Neighborhood consisting of properties located on Old Bennett Ridge Road, Bardy Road, Rollo Road, and Bennett Ridge Road.**

Also, analyze neighborhood areas and designate all neighborhood areas as exclusion zones where any residential neighborhood meets any one of the following criteria:

- (1) residential neighborhoods that relies on a mutual water system
- (2) residential neighborhoods and areas in the Rural Residential Zoning District where any parcel is less than 10 acres
- (3) neighborhoods and areas whose CC&Rs are inconsistent with or do not allow cannabis cultivation
- (4) areas where the roads are inadequate, including shared access private roads and roads so narrow that vehicles cannot safely pass each other at the same time and areas where there is only one way in and one way out.
- (5) areas where water supply is inadequate, including mutual water systems, water zones 3 and 4, and portions of water zone 2 that have experienced water shortage in drought.
- (6) areas that are in a high fire or very high severity zone designated by any competent authority such as the Board of Forestry, Sonoma County Community Wildfire Protection Plan, or the Public Utilities Commission.
- (7) areas where commercial cannabis activity is detrimental to the residential character of a neighborhood.
- (8) areas where the primary residential nature is to be preserved, especially where four or more contiguous parcels under 10 acres in size are grouped together.
- (9) areas in traditional agriculture-zoned area's that are now primarily residential in nature. • Areas where the scenic vistas or character are to be preserved.
- (10) areas where law enforcement is inadequate because average response times are more than 20 minutes.
- (11) areas where there is strong local resistance to commercial cannabis activity.

(12) areas where the Board determines that it is in the public interest to prohibit commercial cannabis activity.

For your information I have attached a petition from the Board of Directors of the Bennett Ridge Community Association that has previously been provided.

Thank you for your attention.

Richard R. Rudnansky

Bennett Ridge Resident

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From: [Bill Krawetz](#)
To: [Scott Orr](#); [Tennis Wick](#); [Crystal Acker](#); [McCall Miller](#); [Cannabis](#); ["Lynda"](#); [James Gore](#); [David Rabbitt](#); [Chris Coursey](#); [Susan Gorin](#)
Subject: Development of "Residential Enclave" for the Cannabis EIR and Bedlam at Oct 3rd BOS meeting
Date: Saturday, October 21, 2023 7:15:13 AM

EXTERNAL

Dear Permit Sonoma Staff and Sonoma County Board of Supervisors,

Thanks for your recent update on the status of the Cannabis EIR. The current work being done is the "Development of Residential Enclave Mapping for the Cannabis EIR". This effort is likely a result of the many years of contention between the commercial growers, the neighbors and the County over the appropriate places for these commercial operations. Although the criteria of "Residential Enclave" is under development, the concepts of Neighborhood Compatibility, Exclusion zones, Inclusions zones, setbacks and lot size are part and parcel to the concept. I believe this is the Number 1 issue to get right for a successful Ordinance.

The recent event at the Oct 3rd Board of Supervisors meeting drives home this point (See Press Democrat "More vitriol aimed at Sonoma County Board of Supervisors, this time in person", Oct 6th <https://www.pressdemocrat.com/article/news/more-vitriol-aimed-at-sonoma-county-board-of-supervisors-this-time-in-pers/>). A man who received your approval for a commercial cannabis grow site located in the middle of a residential neighborhood, who opened a gun shooting range on this property and regularly uses it, stormed the BOS meeting, basically takes it over, resulting in the meeting being adjourned before the supervisors had completed their business. Viewing the pictures and dialog from the meeting, the Board of Supervisors looked shaken, understandably so. Supervisor Lynda Hopkins stated "I've never seen so many deputies there before." None felt comfortable to handle the situation without law enforcement support.

Now image the families who live next to this man's cannabis grow and gun range every single day. They don't have the luxury of having "many deputies" nearby.

I'm sure the BOS and Staff thinks of many of us who question the approval of cannabis operations near our homes as bunch of "old disgruntled, reefer madness, not in our back yard types, who don't know what we are talking about and are worried about nothing" folks. What you experienced on Oct 3rd is exactly what we are talking about AND FEAR. Some deranged lunatic, growing and smoking pot, with each toke getting more assured that his rights are being violated, armed with a gun he's convinced it's his RIGHT to use.

Finally Sonoma County and California statues are clear Firearms are prohibited at Cannabis operations. There is the law and then there is the reality of what actually occurs on the ground. As seen at the Barlow Lane property, both commercial cannabis and guns are present on the same parcel, yet County Counsel has taken the position nothing can be done. At the state level, the Unified Cannabis Enforcement Taskforce reported a 363% increase in firearms seized during the third quarter (See Oct 16th PD "Agents seize \$45 million worth of pot"). These events make it crystal clear cannabis operators feel at risk and will poison guns. And their risky business becomes a risk for any and all neighbors

Commercial Cannabis and Residential neighborhoods don't mix. The BOS experienced it firsthand. Please get this right in the updated Cannabis ordinance.

Thanks

Bill Krawetz

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From: Moira Jacobs <moiraajacobs@comcast.net>
Sent: Thursday, October 26, 2023 8:44 AM
To: Susan Gorin <Susan.Gorin@sonoma-county.org>; BOS <BOS@sonoma-county.org>
Cc: Maggie Furlong <Maggie.Furlong@sonoma-county.org>; Scott Orr <Scott.Orr@sonoma-county.org>; Tennis Wick <Tennis.Wick@sonoma-county.org>
Subject: WSJ article: Pot makes anxiety disorders worse

EXTERNAL

The charade is starting to unravel. Sonoma County should plan a much more realistic and effective long term policy regarding marijuana. Rather than the current policy, which is in effect a definitive stance promoting this completely untested, unregulated and unhealthy THC product, a policy permitting a **limited number of drug production sites far away from rural residential neighborhoods is the best path** (as SOS Neighborhoods recommended in 2017).

Sonoma County could be a force of good rather than a force of evil. Very simple: allow for only limited indoor commercial production sites in industrial areas and encourage the creation of a professional and science based R&D center that begins the much needed science based research on any harms or benefits of both THC and CBD. These are the two marketed chemical compounds from weed production. Sonoma County could be the center of a world class R&D facility for marijuana and other types of drugs. There are certainly plenty of volunteer study subjects.

The long term benefit: Sonoma County would be the center of helpful scientific professionals who either 1) help save America from incorrectly using pot and damaging millions more young human brains, and/or 2) discover actual scientific and verifiable benefits of CBD and THC, along with scientific measured dosages, thus helping the next phase of legalization. Such a R&D Center would open up much better long term economic development prospects and attract high skilled workers. It could put Sonoma County in the forefront of other helpful longterm biotech R&D.

Just as there was a push for the Telecom corridor in the 1990s here, much of the underutilized commercial space could be used for next gen biotech and healthy drug R&D. Be the SMART County, not the DUMB in a drug haze County.

Ultimately, there are only two long term paths for pot: 1) THC and CBD will likely become marketed through regulated pharma if ever taken off schedule 1 or 2) it will simply always be misused by deranged pot heads as it has since forever and go back to where it was: a misused and abused drug by about 5-10% of the population.

In the meanwhile, there is absolutely zero long term benefit to this County, and none for it's residents, to continue allowing your unelected Agriculture staff to place football field sized outdoor marijuana production sites all over this County next to rural residential neighborhoods.

Outdoor commercial pot is often damaged by mold/fungus blight due to cold/moist fall weather at harvest. Outdoor commercial production is not profitable and too risky long term. They have created nothing but constant conflict since 2017 with their nuisance of fumes and other problems resulting in litigation. There are likely years more of litigation to come if rural residents' rights to use of their property are not respected.

Please consider the reality of this drug and best long term public policies.

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