



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES

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MEMORANDUM

Date: July 11, 2017

To: The Honorable Board of Supervisors

**From: Trent Taylor, Interim Code Enforcement Manager,
Planning and Building Services**

**Subject: Update on Cannabis Code Enforcement for July 11, 2017 Presentation to the
Board of Supervisors**

The Code Enforcement Division is now staffed with 4 Code Enforcement Officers, 1 Code Enforcement Supervisor, 1 Interim Division Manager and 1 full-time attorney from the County Counsel Office. 2 of the 4 Officers were recently hired in mid-June and are currently being trained. 1 Officer position is still not filled as the person declined the day before they were to start in the Fort Bragg Office. Our Officers working the Coastal area regularly and will continue to do so until we can hire an Officer for that office. Each Officer is assigned a caseload for Cannabis and General code enforcement.

The Code Enforcement Division continues to refine our case management and incoming complaint management systems and both are working very well. Incoming complaints are assigned for investigative response almost immediately upon receipt resulting in voluntary compliance or the formal opening of a case for strategic enforcement action, within weeks instead of months. We continue to work on follow-up and completion of old cases that existed prior to ordinance updates and implementation of our new strategies over the last year. We are seeing a fair amount of voluntary compliance as a result of the improved enforcement response strategy, thus resolving long-standing and new cases in a more timely manner.

Facts related to Cannabis Enforcement as of 7/1/17:

- The Code Enforcement Division has received 106 complaints related to Cannabis since we began fielding complaints on May 4, 2017. The majority of the complaints came in to the Cannabis Hotline.
- During this same time period, in addition to cannabis complaints, we have received 20 traditional nuisance/code complaints.
- 82% of our incoming code enforcement complaints since the Cannabis Ordinance became operative are Cannabis related.
- 61 different Cannabis grow locations county-wide have received complaints to date.

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- 16 locations county-wide have more than one complaint. 2 locations have “petition like” group complaints in addition to individual complaints and both of these locations are in the application process for a Medical Cannabis Permit.
- 31% of the total number of Cannabis complaints received are related to 20 site locations that are in the County Medical Cannabis Permit Process. This is a little less than 5% of the total cannabis permit applications the County has received to date.
- The primary complaints about both applicant sites and non-applicant sites are visibility from public or private roads, unpermitted structures and development, tree removal and grading, other environmental concerns such as water sourcing, erosion and environmental contamination, unpermitted cultivation generally, cultivation sizes larger than possibly permissible and cultivation in new locations previously not under cultivation.
- In the last several weeks Code Enforcement has obtained voluntary compliance by self-abatement of Cannabis for 6 locations that were clearly not eligible for an exemption or permitting for outdoor cultivation for any reason; medical or adult use. These were primarily within residential locations that were impacting community quality of life for the surrounding residents.
- The Code Enforcement Division will continue with our regulatory approach to Cannabis Enforcement and we anticipate issuing notices of violations, administrative citations and abatement orders as necessary. During our response and investigation of Cannabis complaints we have been providing application packages to those that we determine may be eligible for a permit during phase 1.
- The Code Enforcement Division has been strengthening relationships and strategies working with State Fish and Wildlife, Cal Fire, Air Quality and Law Enforcement to cooperatively address violations. We recently worked with Fish and Wildlife and Law Enforcement where Law Enforcement criminally eradicated 3200 outdoor plants at a site not in the process for or eligible for a County Medical Cannabis Permit. This site had significant environmental degradation and illegal water taking that is being addressed by Fish and Wildlife and the Code Enforcement Division is pursuing code violations for unpermitted grading and structures.
- The Code Enforcement Division is including our investigative findings on complaints about applicants in the permit application process in the TrackIT database for those applicants under permit application review. Additionally we are forwarding information about these complaints and our findings to the Agriculture Department for their consideration and action related to these applicants.

Respectfully submitted:

Trent Taylor
Code Enforcement
Interim Division Manager