



COUNTY OF MENDOCINO CANNABIS DEPARTMENT

860 NORTH BUSH STREET
UKIAH, CALIFORNIA 95482

CONTACT INFORMATION

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mcdpod@mendocinocounty.gov

<https://www.mendocinocounty.org/departments/cannabis-department>

Information on Cannabis Density Limits

On April 25, 2024, the Mendocino Cannabis Department ("MCD") implemented Internal Procedure # 09 – CCBL Density. This Procedure is a result of a plain reading of the already existing Mendocino County Code ("MCC") Section 10A.17.070(D), which addresses Cannabis Cultivation Business License ("CCBL") density.

10,000 square feet is the maximum amount of cannabis cultivation that can be grown to maturity per CCBL. However, per MCC Section 10A.17.070(D)(1), a person may obtain two separate CCBL types on a single legal parcel if the total square footage of the two CCBLs does not exceed the largest maximum square footage authorized on a parcel for qualified zoning districts. Internal Procedure # 09 was written to ensure clear and consistent implementation of MCC as adopted by the Board of Supervisors.

Applicants who currently own a single cannabis cultivation site on parcels zoned for Agriculture ("AG"), Upland Residential ("UR"), or Industrial ("I") may submit a new Phase III application, for a second CCBL license type that must be different from their current CCBL. Together, these two cultivation sites cannot total more than 20,000 square feet of mature canopy. If an applicant currently has one cultivation site and one nursery site, they may choose to modify their nursery site into a non-nursery cultivation site. Applicants may not have more than a total of two CCBLs on one parcel.

The Rural Residential-5 ("RR:5") zoning district must have a minimum parcel size of five acres and cannot exceed 5,000 square feet of total cultivation area.

Parcels zoned in resource land (Rangeland ("RL"), Forest Land ("FL"), or Timber Production Zone ("TPZ")) are ineligible for a new Phase III application. New cannabis cultivation sites located in resource land are strictly prohibited. If an applicant has an already existing nursery site, and would like to modify their site to a cultivation site, they may do so, but must remain within the already existing footprint.

Technical Breakdown by Zoning District

RR:5 - The largest maximum square footage authorized on an RR:5 zoned parcel is 5,000 sq. ft. and nurseries are not allowed in this zoning district. As such, all RR:5 zoned parcels are limited to 5,000 square feet of total cultivation area.

RR:10 / AG / UR / I1 / I2 / PI - May obtain two separate CCBLs of **different** cultivation types on a single parcel. For example, a single parcel may have one 10,000 square foot outdoor cultivation CCBL and one 10,000 square foot mixed light cultivation CCBL, as long as the parcel meets the requirements as noted in MCC 20.242.040 – Existing Cannabis Cultivation Sites.

If an applicant or CCBL holder currently has one cultivation site on RR:10 / AG / UR / I1 / I2 / PI, they may apply for an additional Phase III application for one additional cultivation license so long as it is a **different** cultivation type than the existing CCBL type. New cultivation applications must meet the cultivation type as defined in MCC 10A.17 in order to be issued by MCD.



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For applicants in RR:10 / AG / UR / I1 / I2 / PI with an existing cultivation application/CCBL and one Nursery application/CCBL who would like to change their license type from a Nursery to a Cultivation license type, please contact the Department with a modification request at MCDPOD@mendocinocounty.gov.

RL / FL / TPZ – These zoning districts are commonly referred to as “Resource Lands”. New CCBL applications are not allowed in Resource Lands. However, if a cultivator in these zoning districts has an active Nursery application or CCBL, the Nursery application/license may be modified into an additional cultivation license as long as it is a different license type than the existing CCBL. Modifications in these zoning districts may not expand more than 200 feet from the existing footprint. Applicants or CCBL holders must submit the Contiguous Expansion of Pre-Existing Cultivation Site Affidavit along with their modification request to the Department.

Phase III Applications and Cannabis Cultivation

Please note that the Department would like to remind applicants and CCBL holders that the submission of a Phase III application does not allow you to cultivate commercial cannabis until all County and State licenses have been acquired. Furthermore, MCD requires cultivation license types to align with the State application.

FAQs:

Q: Why is MCD allowing expansion?

A: MCD is not allowing expansion. This procedure is based on a plain reading of the existing MCC 10.A.17 and 20.242.040 and is consistent with the County Code.

Q: Has the County properly considered CEQA?

A: Yes. When the Board of Supervisors adopted the Mendocino Cannabis Cultivation Ordinance, they also adopted a Mitigated Negative Declaration (“MND”) for CEQA compliance. In considering the potential environmental impacts of cannabis cultivation, the MND contemplated that all parcels where commercial cannabis cultivation is allowed would have up to 22,000 square feet total of cultivation canopy. The cannabis density rules allowing for up to two separate CCBLs are within this limit and the potential environmental impacts of such cultivation sites were considered in the MND.

Q: Can I submit for two (2) large outdoor license types on one legal parcel?

A: No. Cultivation CCBL applications must be different license types as defined by MCC 10.A.17.

Q: Where do I find out more information about zoning, including identifying what zoning my parcel is?

A: Please visit MCD’s website here: [New Application - Phase 3 Information | Mendocino County, CA](#) to find out more information regarding zoning.

Q: How does this impact my Department of Cannabis Control (“DCC”) license?

A: Please contact the DCC directly at licensing@cannabis.ca.gov for more information.

Q: How long will it take to get my DCC license?

A: Please contact the DCC directly at licensing@cannabis.ca.gov for more information.