

MAUREEN MULHEREN
DISTRICT 2
BERNIE NORVELL
DISTRICT 4



DARCIE ANTLE
CHIEF EXECUTIVE OFFICER
CLERK OF THE BOARD

CHARLOTTE E. SCOTT
COUNTY COUNSEL

**MENDOCINO COUNTY
GENERAL GOVERNMENT COMMITTEE
AGENDA
REGULAR MEETING
March 26, 2025 - 9:00 AM**

Meeting Location(s): 501 Low Gap Road, Room 1070, Ukiah, CA. 95482 (Board Chambers)

Zoom Link: <https://mendocinocounty.zoom.us/j/83042997656>

Zoom Phone Number (if joining via telephone): 1 669 900 9128 ; Zoom Webinar ID: 830 4299 7656

Listed below are some of the Board of Supervisors Public Engagement options. For streaming options and a complete list of ways to interact with agenda items (or more information on any of these listed) please visit: <https://www.mendocinocounty.org/government/board-of-supervisors/public-engagement>

Written Comment

- Submit online via the eComment platform at <https://mendocino.legistar.com/Calendar.aspx>

Verbal Comment

- Speak in person at any physical meeting location when the Chair calls for Public Comment
- Join the Zoom Webinar and use the "raise hand" feature when the Chair calls for Public Comment (if joining via telephone: press *9 to raise your hand, and *6 to unmute yourself when called)
- Leave a voicemail message, up to 3 minutes in length, by calling 707-234-6333

*Note: Voicemail comments will no longer be played back during Open Session, but are immediately available to the full Board of Supervisors upon submittal.

COMMITTEE MEMBERS: Chair/Member Mulheren and Supervisor/Member Norvell**1. CALL TO ORDER****2. COMMITTEE ACTION ITEMS**

- 2a) **Drought Task Force Discussion and Possible Action Including Acceptance of Presentation from EKI Environment and Water, Inc., on the Mendocino County Drought Resilience Plan Development and Drought Task Force Participation Project and Provide Recommendations to Staff as Appropriate (Countywide) (Sponsor: Water Agency)**

Recommended Action:

Accept presentation from EKI Environment and Water, Inc., on the Mendocino County Drought Resilience Plan Development and Drought Task Force Participation Project and provide recommendations to staff as appropriate (Countywide).

Attachments: [CDTF Presentation](#)
[Memo to GGC Re Water Tanks](#)

- 2b) **Discussion and Possible Action Including a Recommendation to the Board of Supervisors Regarding Cannabis Cultivation Limits (Sponsor: Executive Office)**

Recommended Action:

Provide recommendations to the Board of Supervisors whether the limits of cannabis cultivation should be changed from what is currently permissible.

Attachments: [MCD CCBL Density FAQ Sheet \(1\)](#)

3. OTHER BUSINESS

- 3a) **Approval of Minutes of February 26, 2025 Regular Meeting**

Recommended Action:

Approve minutes of February 26, 2025 regular meeting.

Attachments: [02-26-25 GGC Minutes](#)

3b) PUBLIC EXPRESSION

Members of the public are welcome to address the Committee on items not listed on the agenda, but within the jurisdiction of the Committee. The Committee is prohibited by law from taking action on matters not on the agenda.

Individuals wishing to address the Committee under Public Expression are welcome to do so via any method listed on the front page of this agenda or on our Public Engagement page, at: <https://rb.gy/d3p0>

For more information on any of these methods, please call the Mendocino County Clerk of the Board at (707) 463-4441

3c) ANNOUNCEMENTS**ADJOURNMENT****Additional Meeting Information for Interested Parties**

For a full list of the latest available options by which to engage with agenda items, please visit <https://www.mendocinocounty.org/government/board-of-supervisors/public-engagement>

All electronically submitted comment is immediately available to Supervisors, staff, and the general public by clicking this meeting's eComment link at <https://mendocino.legistar.com/Calendar.asp>

LIVE WEB STREAMING OF BOARD MEETINGS is available at <https://mendocino.legistar.com> or visit the Mendocino County YouTube channel. Meetings are also livestreamed from the Mendocino County Facebook page. For technical assistance, please contact the Clerk of the Board at (707) 463-4441. Please reference the departmental website to obtain additional resource information for the Board of Supervisors: www.mendocinocounty.org/bos

The Mendocino County Board of Board of Supervisors complies with the Americans with Disabilities Act (ADA) requirements and upon request, will attempt to reasonably accommodate individuals with disabilities by making meeting material available in appropriate alternative formats (pursuant to Government Code 54953.2). Anyone requiring a reasonable accommodation to participate in a meeting of the Board of Supervisors or Affiliate Meeting Body should contact the Mendocino County Clerk of the Boards Office at (707) 463-4441, not less than 48 hours prior to the meeting.

Thank you for your interest in the proceedings of the General Government Committee.



Mendocino County Board of Supervisors Agenda Summary

Item #: 2a)

To: GENERAL GOVERNMENT STANDING COMMITTEE

From: Water Agency

Meeting Date: March 26, 2025

Department Contact: Howard Dashiell

Phone: 707-463-4363

Department Contact: Amber Fisette

Phone: 707-463-4363

Time Allocated for Item: 1 Hour

Agenda Title:

Drought Task Force Discussion and Possible Action Including Acceptance of Presentation from EKI Environment and Water, Inc., on the Mendocino County Drought Resilience Plan Development and Drought Task Force Participation Project and Provide Recommendations to Staff as Appropriate (Countywide)
(Sponsor: Water Agency)

Recommended Action/Motion:

Accept presentation from EKI Environment and Water, Inc., on the Mendocino County Drought Resilience Plan Development and Drought Task Force Participation Project and provide recommendations to staff as appropriate (Countywide).

Previous Board/Board Committee Actions:

On April 20, 2021, the Board of Supervisors (BOS) created an Ad Hoc Committee comprised of Supervisors McGourty and Haschak to work on drought-related issues. The Mendocino Countywide Drought Task Force began as an Ad-Hoc Committee meeting with public stakeholders on July 8, 2021, and bimonthly or quarterly thereafter. On August 2, 2022, the Drought Task Force was transferred to the Public Health, Safety, and Resources (PHSR) Standing Committee. By Resolution No. 23-157 (September 12, 2023), the BOS authorized the Director of Transportation to submit a grant application to California Department of Water Resources to implement the Mendocino County Drought Resilience Plan Development (DRP) and Drought Task Force Participation Project. By Resolution Number (No.) 24-007 (January 9, 2024), the Drought Task Force was transferred to the General Government Committee (GGC). By Resolution Number (No.) 24-082 (May 21, 2024), the BOS approved BOS Agreement No. 24-077, Professional Services Agreement Between the County of Mendocino and EKI Environment and Water, Inc. (EKI), in the Amount of \$94,500, for Consulting Services for the Drought Resilience Plan Development (DRP) and Drought Task Force Participation Project. Throughout the project, the Drought Task Force has received updates on the DRP development process from staff and EKI.

Summary of Request/Referral:

Since the project's initiation in June 2024, EKI Environment and Water, Inc. (EKI), has been working with the Mendocino County Water Agency (MCWA) and the University of California Cooperative Extension (UCCE) - Mendocino to advance the development of the County's Drought Resilience Plan (DRP). Previously, the Drought Task Force has received presentations on the requirements of Senate Bill (SB) 552 requirements and the County's compliance efforts, the risk assessment process and findings, and the development of short-term

Item #: 2a)

and long-term drought mitigation actions, strategies, and implementation roadmap. In this presentation, EKI will provide a summary of the outreach efforts to date and outline the next steps in the development of the DRP, including the public review and comment period and the DRP adoption process. The GGC, serving as the County's Drought Task Force, will offer a platform for County supervisors, stakeholders, and the public to engage in meaningful discussions to guide the completion of the DRP. Additionally, as a follow up to the Committee's request at the GGC meeting on February 26, 2025, staff has included a memo from the Director of Planning and Building Services regarding required permitting for water storage tanks in the Coastal Zone.

Supplemental Information Available Online At:

<https://www.mendocinocounty.gov/departments/water-agency/drought-water-conservation/drought-resilience-plan>

Fiscal Details:

source of funding: N/A

current f/y cost: N/A

budget clarification: N/A

annual recurring cost: N/A

budgeted in current f/y (if no, please describe): N/A

revenue agreement: N/A

CEO Liaison: Steve Dunncliff, Deputy CEO

CEO Review: Yes

CEO Comments:

FOR COB USE ONLY

Executed By: Lillian Bearden, Deputy Clerk I

Final Status: Approved

Date: March 26, 2025



MENDOCINO COUNTY DROUGHT RESILIENCE PLAN

26 MARCH 2025
COUNTY DROUGHT TASK FORCE MEETING #3

AGENDA

1. Summary of Outreach Efforts
2. Public Review Period of Draft
DRP and Commenting
Process
3. DRP Adoption Process
4. Next Steps



<https://ucanr.edu/blogs/blogcore/postdetail.cfm?postnum=17090>



SUMMARY OF OUTREACH EFFORTS



PUBLIC ENGAGEMENT

SB 552 (CWC §10609.70) requires counties to:

- 1) Establish a County Drought Task Force (CDTF)
- 2) Develop a Drought Resilience Plan (DRP) to address drought impacts on state small water systems and domestic wells

While CWC §10609.70 does not set specific guidelines for public engagement, DWR encourages outreach to support DRP development.



DROUGHT RESILIENCE PLAN WEBPAGE

- Background, information, and news related to SB 552 and the DRP Development Process
- Additional Materials:
 - DRP Public Engagement Form
 - DRP Email Update Sign-up
 - DRP Commenting Forms
 - Draft DRP Document
 - DRP Factsheets (in English and Spanish)
 - Slides from previous CDTF meetings and public workshops
 - List of State and federal funding opportunities for drought-related projects

- Water Agency

- Drought & Water Conservation

Drought Funding

- Drought Resilience Plan

Drought Resilience Plan Public Engagement Form

Get DRP Email Updates

Groundwater

Mussel Prevention Program

Stormwater

Departments » Water Agency » Drought & Water Conservation »

Drought Resilience Plan

Font Size: + - + Share & Bookmark Feedback Print

About SB 552

In September 2021, Governor Gavin Newsom signed into law Senate Bill (SB) 552 (Hertzberg), which requires state and local governments to share responsibility in planning and responding to water shortage events, particularly for state small water systems and rural communities supplied by domestic wells. Through SB 552, the California State Legislature identifies counties as the best-suited government entity to provide the needed leadership to improve water resilience for state small water systems and domestic wells.

Under SB 552, all counties in California are required to prepare a County Drought Resilience Plan (County DRP) to achieve meaningful and long-term improvements in water resilience for their residents. In addition to the development of a County DRP, SB 552 directs counties to establish a long-standing County Drought and Water Shortage Task Force (Task Force) to cultivate the continued practices of drought planning and improving long-term water resilience.

County Compliance

The County and its Water Agency (MCWA) have been effectively complying with SB 552 since 2021 and throughout the recent historic drought period by holding frequent Task Force meetings, currently held under the General Government Standing Committee (GGSC). In May 2024, the County was awarded a grant from the Department of Water Resources (DWR) to facilitate the development of its County DRP, which began in June 2024 under the management and administration of the MCWA. MCWA hired a consultant that specializes in water resources planning, EKI Environment and Water, Inc. (EKI), to lead the technical development of the County DRP. MCWA and EKI are closely collaborating with relevant County Departments, University of California Cooperative Extension-Mendocino County (UCCE), stakeholders, and decision-makers to develop a comprehensive plan that complies with the requirements of SB-552 through a transparent public process.

DRP Development

The DRP development workflow consists of four main steps: data collection, vulnerability/risk assessment, development of short-term response actions and long-term mitigation strategies, and plan implementation. These steps will be conducted with effective public education and engagement, in collaboration with water suppliers and managers throughout the County.

<https://www.mendocinocounty.gov/departments/water-agency/drought-water-conservation/drought-resilience-plan>

EDUCATIONAL MATERIALS AND OUTREACH

- **Flyers Distribution:**
 - Posted at community locations across the county for UCCE workshops
- **Community Events and Presentations:**
 - Redwood Empire Fair and at the Round valley Blackberry Festival
 - Presentation to Hopland Municipal Advisory Council
 - Presentation to GrassRoot Institute Vision Workgroup
- **Media Engagement:**
 - Radio interview on KZYX's The Ecology Hour about the county's DRP
 - Press Release to all local Newspapers and Radio
- **Social Media Outreach:**
 - Promotion of workshops and DRP resources on social media
- **Educational Material:**
 - Factsheets about DRP in English and Spanish (available on DRP webpage)
- **Funding Material:**
 - Coordination with County Grants Unit to compile a dynamic list of federal and State funding opportunities for projects related to drought resilience (available on Drought Funding webpage: <https://www.mendocinocounty.gov/government/drought-funding/>)

The image shows a screenshot of the Mendocino County News website and a flyer. The website header includes the Mendocino County News logo and navigation tabs for NEWS, CRIME, TRAFFIC, FIRE, CANNABIS, ENVIRONMENT, and GOVERNMENT. A news article titled "MENDOCINO COUNTY LAUNCHES INITIATIVE TO STRENGTHEN WATER RESILIENCE" is visible. Below the website screenshot is a flyer titled "CONDADO DE MENDOCINO PLAN DE RESILIENCIA ANTE LA SEQUÍA". The flyer contains text in Spanish and English, a list of four steps for developing a DRP, and an illustration of people holding up a lightbulb. A yellow callout box highlights that SB 552 was signed in 2021, requiring counties to develop DRPs.

MENDOCINO COUNTY NEWS
MENDOCINO COUNTY NEWS

NEWS CRIME TRAFFIC FIRE CANNABIS ENVIRONMENT GOVERNMENT

LATEST NEWS Fire Burning Northwest of Potter Valley PG&E for Drastic Flow Cuts to Lake Me

MENDOCINO COUNTY LAUNCHES INITIATIVE TO STRENGTHEN WATER RESILIENCE

CONDADO DE MENDOCINO PLAN DE RESILIENCIA ANTE LA SEQUÍA

El Plan de Resiliencia ante la Sequía (DRP, por sus siglas en inglés) está destinado a facilitar la preparación ante la escasez de agua para sistemas de agua pequeños, comunidades rurales y pozos domésticos causado por sequías u otras emergencias.

El Grupo de Trabajo para la Sequía del Condado de Mendocino fue creado para facilitar las respuestas antes, durante y después de los desastres.

El Proyecto de Ley del Senado (SB) 552 fue firmado en 2021, exigiendo que los condados desarrollen un DRP para estar preparados ante la sequía

EL desarrollo del DRP tiene 4 pasos:

- 1. Recolección de Datos:** Identificar bases de datos y herramientas a nivel estatal y regional; realizar entrevistas y encuestas a la comunidad.
- 2. Evaluación de Vulnerabilidad y Riesgo:** Identificar las áreas del condado de Mendocino que son más susceptibles a la escasez de agua, incluyendo pozos domésticos, hogares con tomas de agua superficial privadas y pequeños sistemas estatales de agua.
- 3. Estrategias de Mitigación a Corto y Largo Plazo:** En coordinación con la comunidad y con gestores de agua, se establecerán estrategias que incluyan acciones de emergencia y medidas preventivas.
- 4. Implementación del plan:** El DRP del condado se va implementarse como un esfuerzo colectivo entre los múltiples departamentos del condado y otras agencias estatales y locales.

En mayo de 2024, el condado recibió un fondo económico para facilitar el desarrollo del DRP, que comenzó en junio de 2024.

COMMUNITY AND TASK FORCE MEETINGS

■ UCCE Public Workshops

- Held in September 2024 and February 2025
- Community groups participating:
Domestic well owners, Small Water Suppliers, Business owners, Irrigation districts, Russian River Flood Control and Water Conservation Improvement District, Mendocino County Resource Conservation District, CA Department of Fish and Wildlife, CA Department of Water Resources, Cities, News outlets, NGOs and grassroots organizations, Sherwood Valley Band of Pomo Indians and Cahto Tribe

■ CDTF Meetings

- Held in September 2024 and February 2025

■ Additional Outreach and Engagement

- Meeting with the Rural Community Assistance Corp (RCAC)
- Presentation at the March DWR California County Café Series meeting
- Meeting with Sherwood Valley Band of Pomo Indians



Concerns about water availability

Strategies and Barriers to access/manage water during droughts

Importance of community engagement

Key Takeaways

The open discussions created a valuable space for listening to the community's concerns and ideas, helping to shape the DRP moving forward.



PUBLIC REVIEW PERIOD OF DRAFT DRP AND COMMENTING PROCESS

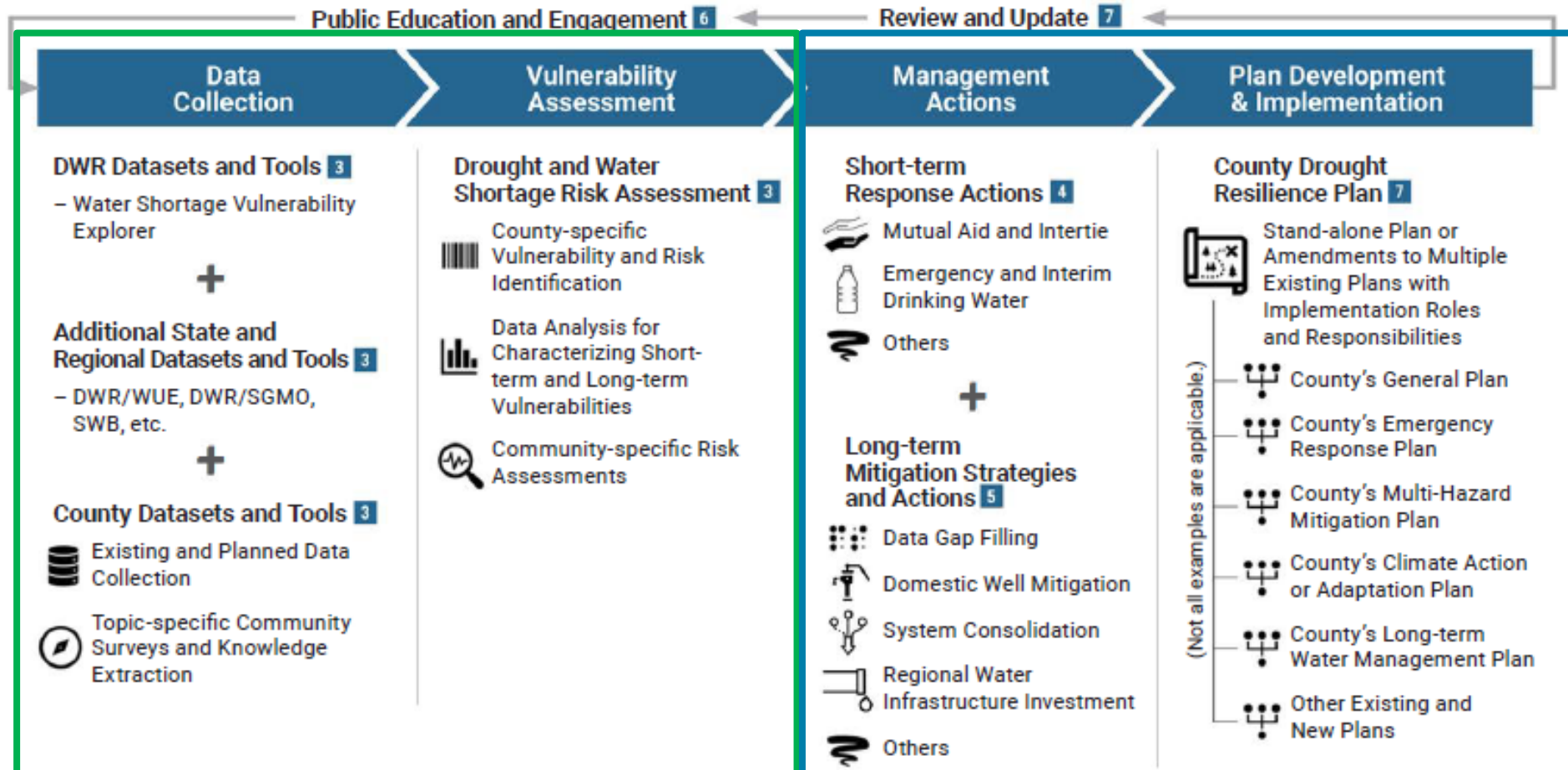
DROUGHT RESILIENCE PLAN DEVELOPMENT



State Government Technical and Financial Assistance **7**










County Drought and Water Shortage Task Force **2**



Presented and Discussed at September 2024 GGC Meeting and UCCE Public Workshop

Presented and Discussed at February 2025 GGC Meeting and UCCE Public Workshop

DRP DEVELOPMENT SCHEDULE

	2024							2025					
	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
DRP Chapter				Risk Assessment					Short- & Long-term Strategies	Implementation Roadmap	Public Review		Final DRP
CDTF Meeting													
Community Meeting											 We Are Here		

 GGC Meeting

 UCCE Workshop

 BoS Meeting

*The Final DRP will be presented for adoption at the Board of Supervisors meeting on May 20, 2025

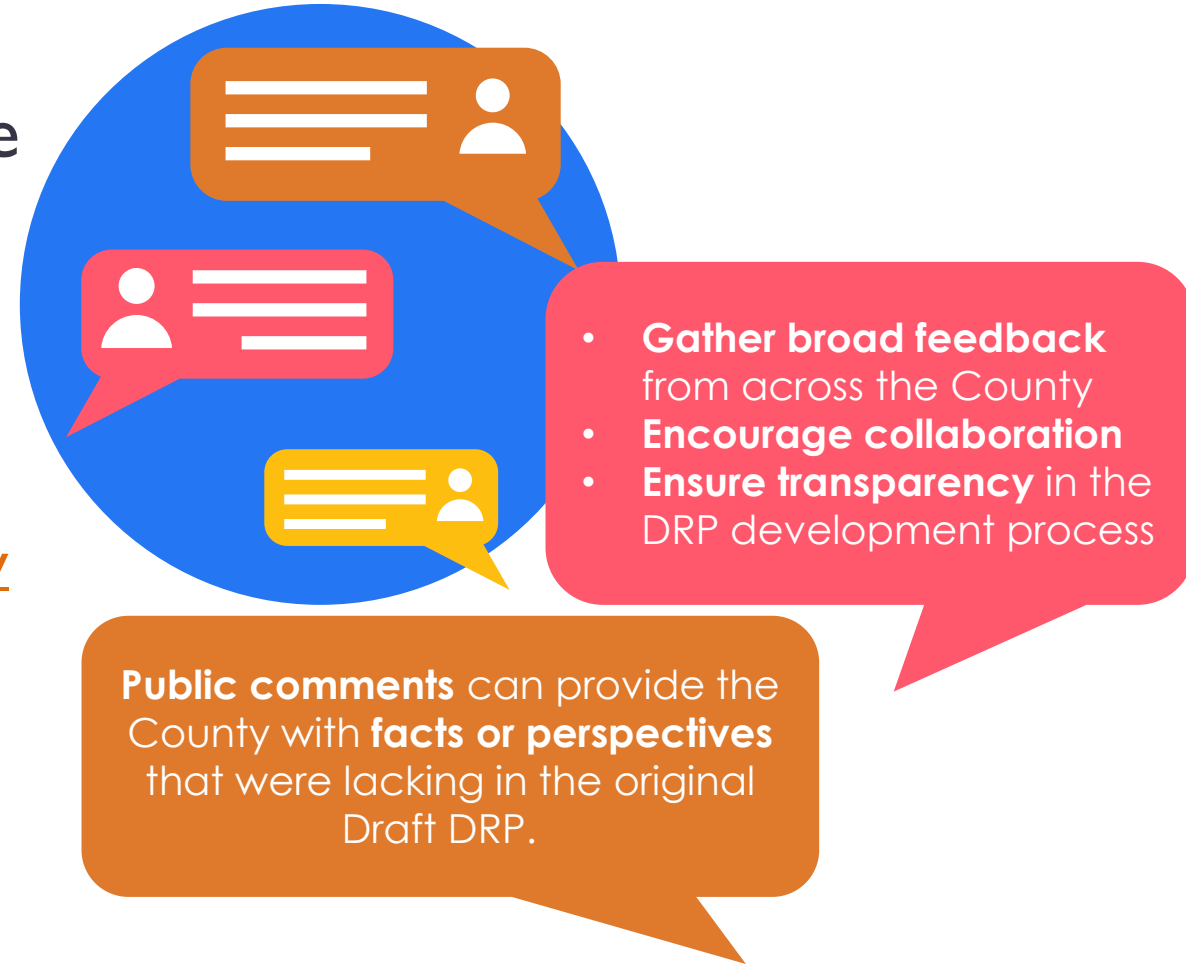
PUBLIC REVIEW PERIOD

- Although CWC §10609.70 does not require a public comment process, the County considers it a vital part of the DRP development process to gather valuable input from County stakeholders.
- The Draft DRP is available on the [County DRP webpage](https://www.mendocinocounty.gov/departments/water-agency/drought-water-conservation/drought-resilience-plan) for public review.

<https://www.mendocinocounty.gov/departments/water-agency/drought-water-conservation/drought-resilience-plan>

- The public commenting period will be open for a 31-day period from:

March 26, 2025 - April 25, 2025



DRP DOCUMENT STRUCTURE

Mendocino County DRP

*Not explicitly included in CWC regulation but suggested by DWR

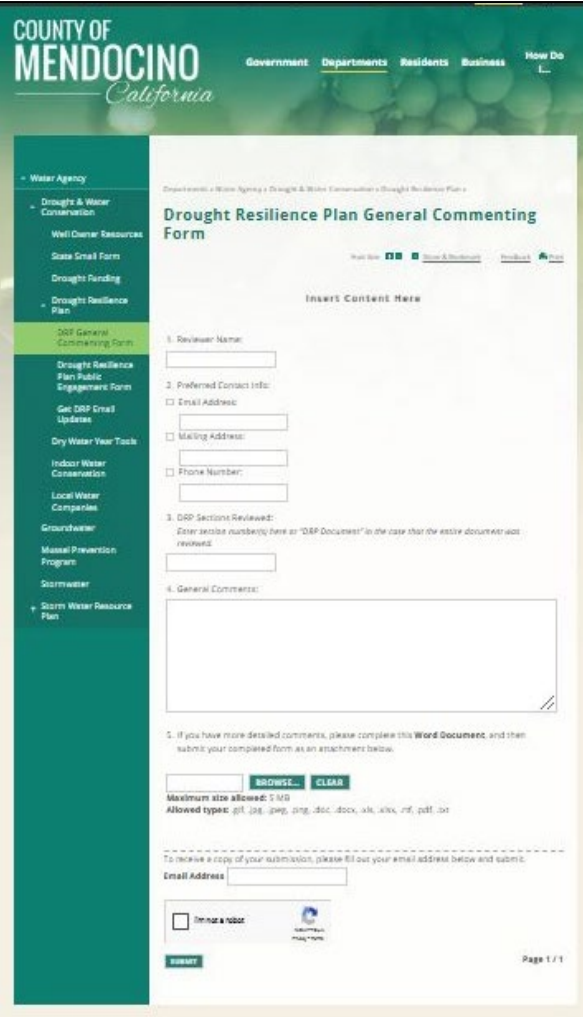
ES	Executive Summary	
Section 1	Introduction	*
Section 2	County Drought and Water Shortage Task Force	CWC §10609.70(a)(1)-(3)
Section 3	Drought and Water Shortage Risk Assessment Defining hazards and County assets, risk assessment methodology and results	CWC §10609.70(b)
Section 4	Existing Drought Response Actions Summary of past and existing actions within the County	*
Section 5	Short-Term Response Actions Drought stages, drought response triggers, and short-term response actions	CWC §10609.70(b)(3)
Section 6	Long-Term Mitigation Actions and Strategies Summary of long-term mitigation actions (e.g. funding, domestic well mitigation, and consolidation opportunities)	CWC §10609.70(b)(1)-(2)
Section 7	Implementation Considerations Discussion of agencies responsible for implementation, as well as funding and adaptive management	CWC §10609.70(b)(4)-(5)
Section 8	References	

PUBLIC COMMENTING PROCESS

- Comments will be accepted:
 - For general comments: By completing the “General Commenting Form” on the [County DRP webpage](#)
 - For more detailed comments: By completing the “Review and Commenting Form” and submitting the file through the “General Commenting Form”
- Comments must be received no later than **April 25, 2025**.
- Comments can be submitted anonymously by leaving the "Reviewer Name" field blank.

General Commenting Form

Review and Commenting Form



Mendocino County
Review And Commenting Form
Mendocino County Drought Resilience Plan

Dear Reviewer,

Per Senate Bill 552 requirements, a Drought Resilience Plan (DRP) is under development for the County of Mendocino (County). As part of this process, the County welcomes feedback on draft sections of the DRP from the broad interests and perspectives of the public.

REVIEWER INSTRUCTIONS:

Given the large number of reviewers, accommodating track changes or other editing options within the original draft sections distributed to all public reviewers can be challenging. As an alternative to tracked changes editing, comments on the DRP will be accepted:

- For general comments: By completing the [General Commenting Form](#) on the County DRP webpage; or
- For more detailed comments: By completing this Word Document and submitting the file as an attachment to the [General Commenting Form](#) on the County DRP webpage.

As stated above, for more detailed comments, please complete and submit this review form with the following instructions:

Mendocino County

Reviewer Name	Submission Date	DRP Sections Reviewed
Click or tap here to enter text.	Click or tap to enter a date.	Enter section number(s) here or “DRP Document” in the case that the entire document was reviewed.

Page Number Suggested revision (please delete example text in red below once you submit)

DRP Page #	DRP Section	Suggested Revision
3-11	3.3.1.1	However, it is difficult to estimate how many existing domestic and public supply wells are screened in fractured rock aquifers. MC-CSD is a notable example of a community that is known to have individual supply wells screened in fractured rock and may be more susceptible to household water outages during drought conditions.





DRP ADOPTION PROCESS AND NEXT STEPS

FUTURE MEETINGS

Meeting	Date	Planned Topic
BoS Meeting	May 20, 2025	Presentation on: <ul style="list-style-type: none">- Summary of comments received and how they were addressed- Resolution to authorize County staff to upload final DRP to DWR portal

NEXT STEPS

- Review and address comments received through the public commenting process
- Finalize DRP

DRP ADOPTION PROCESS

1. Finalization of the DRP

- a) Review comments submitted through the public commenting process
- b) Incorporate applicable comments into the Final DRP
- c) Summarize comments received by the public, as well as the County's responses to these comments as an appendix to the Final DRP

2. Present Final DRP at BoS Meeting on May 20, 2025

- a) Present a summary of DRP and previous efforts at BOS meeting
- b) Address questions and comments on Final DRP
- c) Adopt the DRP adoption resolution recommended by MCWA
- d) Upload Final DRP to DWR's [County Drought Resilience Planning Assistance Program Portal](#) and submit to DWR.



END



COUNTY OF MENDOCINO
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www.mendocinocounty.gov

MEMORANDUM

DATE: March 7, 2025
TO: General Government Standing Committee
FROM: Julia Krog, Director
SUBJECT: **Required Permitting for Water Storage Tanks in the Coastal Zone**

During the February 26, 2025 General Government Standing Committee meeting, a public comment was made as part of agenda item 2a regarding the Drought Task Force by Ishvi Aum expressing concern regarding the permitting requirements for water storage tanks in the Coastal Zone. An assertion was made in the public comment that the County is not interpreting the provisions of the Local Coastal Program accurately and is unnecessarily requiring Coastal Development Permits for water storage tanks of all sizes. The General Government Standing Committee requested an update regarding the public comment at the next meeting.

This memorandum provides background on the permitting requirements of water storage tanks in recent years and an overview of the Planning and Building Services permitting requirements as it relates to water storage tanks in the Coastal Zone.

BACKGROUND

On April 20, 2021, the Mendocino County Board of Supervisors adopted Resolution No. 21-051 declaring a local emergency due to drought conditions.

On July 13, 2021, the Mendocino County Board of Supervisors adopted Ordinance No. 4494, an urgency ordinance which allowed and established requirements for temporary installation and use of water tanks during the 2021 drought emergency. This Ordinance was proposed at the direction of the Drought Ad Hoc and waived certain zoning requirements for all properties related to the installation of 5,000-gallon or smaller water tanks that have a height to diameter or width ratio of no greater than 2:1. The ordinance exempted residents and businesses who pursued installation of a 5,000-gallon or smaller water tank from certain County Zoning Code provisions related to lot coverage, corridor preservation setbacks, yard setbacks (with some exceptions), and discretionary review. The ordinance provided that these water tank installations must still comply with certain health and safety related requirements, including the potential to comply with any requirements of a water district or company with jurisdiction over the property. The ordinance also established procedures for property owners who wished to maintain the water tanks after the expiration of the ordinance.

On April 25, 2023, the Mendocino County Board of Supervisors adopted Resolution No. 23-077 terminating the existence of a local emergency due to drought conditions. As a result, Ordinance No. 4494 expired pursuant to the term language in section 9 of the Ordinance.

COASTAL ZONE PERMIT REQUIREMENTS

Mendocino County has a certified Local Coastal Program for the majority of areas within the Coastal Zone of the County. There are areas of retained jurisdiction and deferred certification where authority is retained by the California Coastal Commission in administering Coastal Development Permits. Areas of retained jurisdiction are generally tidelands, submerged lands and areas within the mean high tide. Areas of deferred certification are areas containing pygmy forest.

[Mendocino County Code section 20.532.010](#) provides that any person, partnership, corporation, state or local agency or special district proposing to undertake development as defined in [Mendocino County Code](#)

[Section 20.308.035\(D\)](#) shall obtain a coastal development permit in accordance with Chapter 20.532. "Development" is defined as:

"Development" means on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511).

As used in this section, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.

As used in this section, removal or harvesting of major vegetation is further defined in Section 20.308.080.

[Mendocino County Code Section 20.532.020](#) provides limited exemptions from the need to obtain a coastal development permit for specific types of development with some exclusions based upon resources present and location. The exemptions contained in Mendocino County Code Section 20.532.020 reference exemptions provided for under the California Coastal Act (specifically sections 13250-13253 of the California Code of Regulations) and activities of public utilities as specified in the Repair, Maintenance and Utility Hookup Exclusion adopted by the Coastal Commission on September 5, 1978. The County cannot create more exemptions than exist in the California Coastal Act.

Most commonly our office receives requests to install water storage tanks on residential use properties. Mendocino County Code section 20.532.020(C) provides for exemptions from the need to obtain a coastal development permit for "improvements to single family residences except as otherwise specified in Subchapter 6, Title 14, California Administrative Code and any amendments thereafter". This exemption links to [California Code of Regulations section 13250](#).

California Code of Regulations section 13250(a)(2) specifies that "structures on the property normally associated with a single-family residence, such as garages, swimming pools, fences, and storage sheds; but not including guest houses or self-contained residential units..." shall be considered a part of an existing single family residential building. Subsection (b) provides that certain classes of development require a coastal development permit because they involve risk of adverse environmental effects. These classes are as follows:

- (1) Improvements to a single-family structure if the structure or improvement is located: on a beach, in a wetland, seaward of the mean high tide line, in an environmentally sensitive habitat area, in an area designated as highly scenic in a certified land use plan, or within 50 feet of the edge of a coastal bluff.*
- (2) Any significant alteration of land forms including removal or placement of vegetation, on a beach, wetland, or sand dune, or within 50 feet of the edge of a coastal bluff, or in environmentally sensitive habitat areas;*
- (3) The expansion or construction of water wells or septic systems;*
- (4) On property not included in subsection (b)(1) above that is located between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide of the sea where there is no beach, whichever is the greater distance, or in significant scenic resources areas as designated by the commission or regional commission, an improvement that would result in an increase of 10 percent or more of internal floor area of an existing structure or an additional improvement of 10 percent or less where an improvement to the structure had previously been undertaken pursuant to Public Resources Code Section 30610(a), increase in height by more than 10 percent of an existing structure and/or any significant non-attached structure such as garages, fences, shoreline protective works or docks.*
- (5) In areas which the commission or a regional commission has previously declared by resolution after public hearing to have a critically short water supply that must be maintained for the protection of coastal resources or public recreational use, the construction of any specified major*

- water using development not essential to residential use including but not limited to swimming pools, or the construction or extension of any landscaping irrigation system.*
- (6) *Any improvement to a single-family residence where the development permit issued for the original structure by the commission, regional commission, or local government indicated that any future improvements would require a development permit.*

Planning and Building Services has interpreted that water storage tanks on residential properties are considered structures on a property normally associated with a single family residence and therefore may be found to be exempt from the need to obtain a coastal development permit unless located in one of the six identified classes of development noted above that specifically require a coastal development permit. Most commonly we see that a coastal development permit is required because a property is located in a mapped highly scenic area or within 50 feet of the edge of a coastal bluff. Highly scenic areas are identified on the certified Local Coastal Program maps, which can be viewed at the following link:
<https://www.mendocinocounty.gov/departments/planning-building-services/maps>.

In addition, if “development” is proposed within the Town of Mendocino, a Mendocino Historical Review Board Permit may be required.



Mendocino County Board of Supervisors Agenda Summary

Item #: 2b)

To: GENERAL GOVERNMENT STANDING COMMITTEE

From: Executive Office

Meeting Date: March 26, 2025

Department Contact: Steve Dunncliff

Phone: 707-463-4441

Time Allocated for Item: 1.5 Hours

Agenda Title:

Discussion and Possible Action Including a Recommendation to the Board of Supervisors Regarding Cannabis Cultivation Limits

(Sponsor: Executive Office)

Recommended Action/Motion:

Provide recommendations to the Board of Supervisors whether the limits of cannabis cultivation should be changed from what is currently permissible.

Previous Board/Board Committee Actions:

On April 23, 2024, the General Government Committee received notification that a plain reading of Mendocino County Code, as had been adopted by the Board, did not limit second Commercial Cannabis Cultivation License (CCBL) types on a single eligible parcel to only that of a nursery.

On September 10, 2024, the Board directed staff to prepare an ordinance amendment so that the plain reading of MCC §10A.17.070(D) would limit all non-nursery CCBL cannabis canopy to 10,000 square feet per parcel. Additionally, the Board directed MCD to pause its review of all CCBL applications that were submitted after April 24, 2024, and which sought to obtain two (2) separate non-nursery CCBLs on a parcel with a total cannabis canopy over 10,000 square feet (the "Applications"). The Board also provided staff with direction to present options on how MCD should handle those Applications given that the ordinance amendment would prohibit the issuance of the CCBLs sought by the Applications.

On October 22, 2024, in response to Board direction, an Ordinance Amendment was brought forward which would have expressly prohibited parcels from exceeding 10,000 square feet of mature canopy and provided information for the Board to direct staff regarding the handling of the Applications. The Board declined to take action, meaning the Mendocino County Code regarding cannabis density limits was unchanged and the County must continue to apply its plain reading.

On February 11, 2025, the matter of cannabis cultivation limits was referred to the General Government Committee.

Summary of Request/Referral:

There has been recent confusion about allowable cannabis cultivation limits within Mendocino County Code Section 10A.17.070(D). The County's cannabis cultivation ordinance has been consistently understood to

Item #: 2b)

allow up to two separate CCBLs to be issued on a parcel. In most zoning districts, CCBLs have historically been issued allowing up to 22,000 square feet of cultivation area on a parcel, with one CCBL allowing up to 10,000 square foot limit of mature canopy, and a second nursery CCBL allowing up to 12,000 square feet of immature canopy.

On April 24, 2024, the General Government Committee learned that a plain reading of the County's Code did not limit the second license type to that of a nursery. The practical implication is that additional mature canopy may be permissible in areas not zoned Rural Residential:5 or "Resource Lands" (rangeland, timber production, and forestland). This is consistent with the County's existing CEQA review, and the Mitigated Negative Declaration which considered parcels having up to 22,000 sq. ft of cultivation when evaluating the potential impacts of the program.

With the Board's referral of this item, the General Government Committee will consider community comment, and make a recommendation to the full Board regarding cannabis cultivation limits. Unless or until the Board would take action to consider an ordinance amendment, the County must apply the plain reading of the ordinance, allowing for two different types of CCBLs on eligible parcels and up to 20,000 square feet of mature cannabis canopy in appropriately zoned areas.

Supplemental Information Available Online At:

<https://www.mendocinocounty.gov/departments/cannabis-department/cannabis-cultivation-faq>

Fiscal Details:

source of funding: N/A

current f/y cost: N/A

budget clarification: N/A

annual recurring cost: N/A

budgeted in current f/y (if no, please describe): N/A

revenue agreement: No

CEO Liaison: Executive Office

CEO Review: Yes

CEO Comments:

FOR COB USE ONLY

Executed By: Lillian Bearden, Deputy Clerk I

Final Status: Approved

Date: March 26, 2025





COUNTY OF MENDOCINO CANNABIS DEPARTMENT

860 NORTH BUSH STREET
UKIAH, CALIFORNIA 95482

CONTACT INFORMATION

PHONE: 707-234-6680

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.



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.



Mendocino County Board of Supervisors Agenda Summary

Item #: 3a)

To: GENERAL GOVERNMENT STANDING COMMITTEE

From: Executive Office

Meeting Date: March 26, 2025

Department Contact: Atlas Pearson

Phone: 707-463-4441

Department Contact: Darcie Antle

Phone: 707-463-4441

Item Type: Regular Agenda

Time Allocated for Item: 5 Minutes

Agenda Title:

Approval of Minutes of February 26, 2025 Regular Meeting

Recommended Action/Motion:

Approve minutes of February 26, 2025 regular meeting.

CEO Liaison: Executive Office

CEO Review: Yes

CEO Comments:

FOR COB USE ONLY

Executed By: Lillian Bearden, Deputy Clerk I

Final Status: Approved

Date: March 26, 2025



Madeline Cline
1st District
Supervisor

MAUREEN MULHEREN
2nd District
Supervisor

JOHN HASCHAK
3rd District
Supervisor
Chair

Bernie Norvell
4th District
Supervisor
Vice-Chair

TED WILLIAMS
5th District
Supervisor



DARCIE ANTLE
Chief Executive Officer/
Clerk of the Board

Charlotte E. Scott
County Counsel

COUNTY ADMINISTRATION CENTER
501 Low Gap Road, Room 1070
Ukiah, CA 95482
(707) 463-4441 (t)
(707) 463-5649 (f)
cob@mendocinocounty.gov

MENDOCINO COUNTY GENERAL GOVERNMENT COMMITTEE ACTION MINUTES – February 26, 2025

BEFORE THE BOARD OF SUPERVISORS
COUNTY OF MENDOCINO - STATE OF CALIFORNIA
FAIR STATEMENT OF PROCEEDINGS
(PURSUANT TO CALIFORNIA GOVERNMENT CODE §25150)

AGENDA ITEM NO. 1 – OPEN SESSION (PLEDGE OF ALLEGIANCE AND ROLL CALL 9:00 A.M.)

Present: Committee Member/Chair Maureen Mulheren and Committee Member/Supervisor Bernie Norvell. Chair Mulheren presiding.

Staff Present: Steve Dunncliff, Deputy Chief Executive Officer; Charlotte E. Scott, County Counsel; Lillian Bearden, Deputy Clerk of the Board; and Atlas M.A. Pearson, Senior Deputy Clerk of the Board.

AGENDA ITEM NO. 2 – REGULAR CALENDAR**2A) DROUGHT TASK FORCE DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF PRESENTATION FROM EKI ENVIRONMENT AND WATER, INC., ON THE MENDOCINO COUNTY DROUGHT RESILIENCE PLAN DEVELOPMENT AND DROUGHT TASK FORCE PARTICIPATION PROJECT (COUNTYWIDE) - SPONSOR: WATER AGENCY**

Presenter/s: Amber Fisette, Deputy Director, Transportation; and Amir Mani, Consultant, EKI Environment & Water Inc.

Public Comment: Ishvi Aum; Dominic Blum-Gutierrez; and Theresa.

Committee Action: Upon motion by Supervisor Norvell, seconded by Supervisor Mulheren, IT IS ORDERED that the General Government Committee accepts presentation from EKI Environment and Water, Inc., on the Mendocino County Drought Resilience Plan Development and Drought Task Force Participation Project (Countywide). The motion carried by the following vote:

Aye: 2 – Supervisor Mulheren, and Supervisor Norvell

No: 0 – None

Absent: 0 – None

AGENDA ITEM NO. 3 – OTHER BUSINESS**3A) APPROVAL OF MINUTES OF OCTOBER 23, 2024, REGULAR MEETING - SPONSOR: EXECUTIVE OFFICE/CLERK OF THE BOARD**

Presenter/s: Chair Mulheren.

Public Comment: None.

Committee Action: Upon motion by Supervisor Norvell, seconded by Supervisor Mulheren, IT IS ORDERED that the General Government Committee approves minutes of November 13, 2024, regular meeting. The motion carried by the following vote:

Aye: 2 – Supervisor Mulheren, and Supervisor Norvell

No: 0 – None

Absent: 0 – None

3B) PUBLIC EXPRESSION

Presenter/s: None

3C) ANNOUNCEMENTS

Presenter/s: None.

THERE BEING NOTHING FURTHER TO COME BEFORE THE COMMITTEE, THE MENDOCINO COUNTY GENERAL GOVERNMENT COMMITTEE ADJOURNED AT 9:48 A.M.

Attest: ATLAS M.A. PEARSON
Senior Deputy Clerk of the Board


MAUREEN MULHEREN, Chair



NOTICE: PUBLISHED MINUTES OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS MEETINGS

- Effective March 1, 2009, Board of Supervisors minutes are produced in “action only” format
- LIVE WEB STREAMING OF BOARD MEETINGS is available via the County’s YouTube Channel, which can be found here: <https://www.youtube.com/@MendocinoCountyVideo>
- Minutes are considered draft until adopted/approved by the Board of Supervisors
- The Board of Supervisors’ action minutes are also posted on the County of Mendocino website at: <https://mendocino.legistar.com/Calendar.aspx>
- For technical assistance or any requests for official meeting records of the Mendocino County Board of Supervisors, please contact the Clerk of the Boards Office at (707) 463-4441
- Additional resource information: <https://www.mendocinocounty.org/government/board-of-supervisors>

Thank you for your interest in the proceedings of the Mendocino County Board of Supervisors