

# Ukiah Daily Journal

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MENDOCINO COUNTY EXECUTIVE OFFICE  
501 LOW GAP RD  
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## PROOF OF PUBLICATION (2015.5 C.C.P.)

### STATE OF CALIFORNIA COUNTY OF MENDOCINO

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer of the Ukiah Daily Journal, a newspaper of general circulation, printed and published daily in the City of Ukiah, County of Mendocino and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Mendocino, State of California, under the date of September 22, 1952, Case Number 9267; that the notice, of which the annexed is a printed copy (set in type not smaller than non-pareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

03/10/2017

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Dated at Ukiah, California,  
March 10th, 2017



Molly E. Lane, LEGAL CLERK

Legal No. **0005917170**

2570-17

3-10/17

#### NOTICE OF PUBLIC HEARING AND SUMMARY OF PROPOSED ORDINANCE REGARDING MEDICAL CANNABIS CULTIVATION AND RELATED PROPOSED AMENDMENTS TO WILLIAMSON ACT POLICIES AND PROCEDURES

NOTICE IS HEREBY GIVEN THAT the Mendocino County Board of Supervisors at its regular meeting on Tuesday, March 21, 2017, at 9:00 a.m., to be held in the Board of Supervisors Chambers, 501 Low Gap Road, Ukiah, California, will conduct a public hearing and consider taking action on the following ordinance and related items at the time listed or as soon thereafter as the items may be heard.

ORDINANCE ADOPTING CHAPTER 10A.17 - MEDICAL CANNABIS CULTIVATION ORDINANCE AND CHAPTER 20.242 - MEDICAL CANNABIS CULTIVATION SITE

**SUMMARY:** It is proposed to add two new chapters to the Mendocino County Code: (1) Chapter 10A.17, Medical Cannabis Cultivation Ordinance, to the Agriculture Code (Mendocino County Code Title 10A), which will be administered by the Agricultural Commissioner's Office; and (2) Chapter 20.242, Medical Cannabis Cultivation Site, to the Inland Zoning Ordinance (Mendocino County Code, Title 20, Division I), which will be administered by the Department of Planning and Building Services. Together, these two regulations (referred to as the "Medical Cannabis Cultivation Regulation") will govern agricultural activities related to the cultivation of medical cannabis and establish limitations on the location and intensity of cannabis cultivation in the unincorporated area of Mendocino County, not including the Coastal Zone. The Medical Cannabis Cultivation Regulation is intended to complement a variety of actions by the State of California to establish a legal framework for the cultivation of medical cannabis.

The Medical Cannabis Cultivation Regulation establishes an annual permit program, to be issued by the Agricultural Commissioner's Office, that will regulate how and where cannabis may be cultivated in Mendocino County, including limits on what zoning districts may be used for cannabis cultivation. For certain zoning districts and cultivation permit types, administrative permits or use permits may also be required. The Medical Can-

nabis Cultivation Regulation exempts from the permit requirement cultivation of cannabis for medical use by qualified patients, persons with an identification card, and primary caregivers consistent with state law, though such cultivators are still subject to complying with certain requirements. Persons who are granted a permit will be subject to inspections and permits may be terminated for non-compliance. Persons cultivating cannabis who do not comply with the provisions of the Medical Cannabis Cultivation Regulation may be subject to nuisance abatement, administrative penalties and any other applicable legal remedy.

**LOCATION:** Unincorporated Mendocino County, outside the Coastal Zone, as defined by the County's Local Coastal Program.

**ENVIRONMENTAL DETERMINATION:** Adoption of a mitigated negative declaration pursuant to the California Environmental Quality Act is proposed and will be considered at the public hearing. A copy of the Draft Initial Study and Mitigated Negative Declaration is available at 860 North Bush Street, Ukiah, California, and at 120 West Fir Street, Fort Bragg, California.

**RELATED AMENDMENTS TO WILLIAMSON ACT POLICIES AND PROCEDURES:** Amendments to the County's Policies and Procedures for Agricultural Preserves and Williamson Act Contracts related to the cultivation of cannabis are also proposed and will be considered at the public hearing. These amendments are being proposed to satisfy mitigation measure AG-3 of the Mitigated Negative Declaration (State Clearinghouse Number 2016112028). The amendments would state that the cultivation of cannabis is a use compatible with a Williamson Act contract, but cannot be used to qualify for a Williamson Act contract.

**LOCATION:** All unincorporated areas within Mendocino County, excluding the city limits of Ukiah, Fort Bragg, Willits and Point Arena.

Copies of the proposed ordinance adopting the Medical Cannabis Cultivation Regulation, the proposed resolution adopting the mitigated negative declaration, the proposed resolution adopting amendments to the County's Williamson Act Policies and Procedures, and a staff report related thereto will be available 10 days prior to the date of the hearing, at the Office of the Clerk of the Board of Supervisors, 501 Low Gap Road, Room 1010, Ukiah, California, the Agricultural Commissioner's Office, 890 North Bush Street, Ukiah, California, the Department of Planning and Building Services, 860 North Bush Street, Ukiah, California and on the Department of Planning and Building Services website at [www.co.mendocino.ca.us/planning](http://www.co.mendocino.ca.us/planning).

Your comments regarding the

above actions are invited. Written comments should be submitted to the Clerk of the Board of Supervisors, at 501 Low Gap Road, Room 1010, Ukiah, California, 95482, no later than Monday, March 20, 2017. Oral comments may be presented to the Board of Supervisors during the public hearing.

The Board of Supervisors' action on the ordinance, the mitigated negative declaration and amendments to the Policies and Procedures shall be the final decision of the County. If you challenge the project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Clerk of the Board of Supervisors or the Board of Supervisors at, or prior to, the public hearing. All persons are invited to appear and present testimony in this matter.

Additional information regarding the above noted items may be obtained by calling the Clerk of the Board of Supervisors at 463-4441, Monday through Friday, 8:00 a.m. through 5:00 p.m. Should you desire notification of the decision of the Board of Supervisors, you may do so by requesting notification in writing and providing a self-addressed stamped envelope to the Clerk of the Board of Supervisors.

CARMEL J. ANGELO  
Clerk of the Board