

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

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 Cannabis 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.