

**CARRE BROWN**  
1st District  
Supervisor

**JOHN MCCOWEN**  
2nd District  
Supervisor  
Chair

**VACANT**  
3rd District  
Supervisor

**DAN GJERDE**  
4th District  
Supervisor

**DAN HAMBURG**  
5th District  
Supervisor  
Vice-Chair



**CARMEL J. ANGELO**  
Chief Executive Officer/  
Clerk of the Board

**KATHARINE L. ELLIOTT**  
County Counsel

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## **MENDOCINO COUNTY BOARD OF SUPERVISORS**

### **ACTION MINUTES – March 28, 2017**

### **SPECIAL MEETING**

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

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#### **AGENDA ITEM NO. 1 – OPEN SESSION (PLEDGE OF ALLEGIANCE AND ROLL CALL 9:01 A.M.)**

**Present:** Supervisor Carre Brown, Chair John McCowen, Supervisor Dan Gjerde, and Supervisor Dan Hamburg. Chair McCowen presiding.

**Staff Present:** Ms. Carmel J. Angelo, Chief Executive Officer; Ms. Katharine L. Elliott, County Counsel and Ms. Karla Van Hagen, Deputy Clerk of the Board II.

**The Pledge of Allegiance was led by:** Mr. Bob Frassinello.

#### **AGENDA ITEM NO. 3 – PUBLIC EXPRESSION**

**Presenter/s:** Mr. Ron Edwards.

**5A) DISCUSSION AND POSSIBLE DIRECTION TO STAFF ON AN ORDINANCE REGULATING THE CULTIVATION OF RECREATIONAL CANNABIS PURSUANT TO PROPOSITION 64 AND POSSIBLE CORRESPONDING CHANGES TO COUNTY CODE CHAPTER 9.31 - SPONSORS: AGRICULTURE, PLANNING AND BUILDING SERVICES AND COUNTY COUNSEL**

**Announcement:** Supervisor Hamburg stated that he is not required to recuse himself from consideration of this item.

**Presenter/s:** Mr. Matthew Kiedrowski, Deputy County Counsel; Ms. Brina Blanton, Deputy County Counsel; Mr. Randy Johnson, Undersheriff; and Mr. Nash Gonzalez, Interim Director, Planning and Building Services.

**Public Comment:** Ms. Marsha Little; Mr. Bob Frassinello; Ms. Hannah Nelson; Mr. Cyril Guthridge; Ms. Ashley Oldham; and Mr. Ron Edwards.

**Board Directive:** The Board of Supervisors gave the following direction to staff:

- Per direction from the February 14, 2017, meeting, the total number of plants shall be 25, which includes the 6 allowed as recreational;
- Exemption shall be 100 square feet; whether for patient or recreational use;
- Cannabis plants should not be visible from the public right of way;
- Board of Supervisors shall work with the Fire Safety Counsel to devise ways to educate the public as to the safety implications and potential fire dangers of high wattage usage related to indoor Cannabis grows;
- 100 square feet of cultivation shall equal total plant canopy, versus contiguous;
- Ordinance shall incorporate existing setbacks, as reflected in Chapter 10.a.17, with the understanding that enforcement is primarily complaint driven;
- Cannabis cannot be grown in indoor habitable space - unless owner occupied dwellings (referred to as an owner exemption)<sup>1</sup>; and
- Tenants shall be required to obtain written permission from their Landlord prior to growing Cannabis, as consistent with regulations in Proposition 64.

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 11:44 A.M.

Attest: Karla Van Hagen  
Deputy Clerk of the Board II

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JOHN MCCOWEN, Chair

<sup>1</sup> County Counsel staff shall research to ensure this exception is legally sustainable. If exception determined not to be legally sustainable, then staff shall return with language to incorporate into the Ordinance which prohibits cultivation in bedrooms.

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

- Effective March 1, 2009, Board of Supervisors minutes will be produced in “action only” format. As an alternative service, public access to recorded Board proceedings will be available on the Board of Supervisors’ website in indexed audio format
- LIVE WEB STREAMING OF BOARD MEETINGS is now available via the County’s YouTube Channel. If technical assistance is needed, please contact The Mendocino County Executive Office at (707) 3463-4441.
- 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: [www.co.mendocino.ca.us/bos](http://www.co.mendocino.ca.us/bos)
- To request an official record of a meeting of the Mendocino County Board of Supervisors, please contact the Executive Office at (707) 463-4441
- Please reference the departmental website to obtain additional resource information for the Board of Supervisors and Clerk of the Board: [www.co.mendocino.ca.us/bos](http://www.co.mendocino.ca.us/bos)

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