

Draft Medical Cannabis Facility Business License Table

Cannabis Facility Business License Type	*Proposed Zoning & Setback	General Requirements	State License Type
Dispensary (including a store front nursery dispensary and mobile delivery)	C1, C2 – Permitted RC, I1, I2 – Minor UP PI – Major UP <hr/> 1,000 feet from a youth-oriented facility, a school, a park, or any church or residential treatment facility	✓ Application ✓ Background Check ✓ Site Plan ✓ Security Measures	Type 10 & 10A
Distribution	I1, I2, PI – Permitted RC – Minor UP C2 – Major UP <hr/> 1,000 feet from a youth-oriented facility, a school, a park, or any church or residential treatment facility	✓ Application ✓ Background Check ✓ Site Plan ✓ Security Measures	Type 11
Processing	I1, I2, PI – Permitted AG, RL, FL – Minor UP RC – Major UP <hr/> 1,000 feet from a youth-oriented facility, a school, a park, or any church or residential treatment facility	✓ Application ✓ Background Check ✓ Site Plan ✓ Security Measures ✓ Waste Disposal Protocols	Licensed cultivator or Type 6
Testing Laboratory	C2, I1, I2, PI – Permitted RC – Minor UP <hr/> 1,000 feet from a youth-oriented facility, a school, a park, or any church or residential treatment facility	✓ Application ✓ Background Check ✓ Site Plan ✓ Security Measures ✓ Waste Disposal Protocols	Type 8
Manufacturing	I1, I2, PI – Permitted <hr/> 1,000 feet from a youth-oriented facility, a school, a park, or any church or residential treatment facility	✓ Application ✓ Background Check ✓ Site Plan ✓ Butane Prohibited ✓ Security Measures ✓ Waste Disposal Protocols	Type 6 & 7
Transportation	I1, I2, PI – Permitted RC – Minor UP C2 – Major UP <hr/> 1,000 feet from a youth-oriented facility, a school, a park, or any church or residential treatment facility	✓ Application ✓ Background Check ✓ Security Measures ✓ CA Motor Carrier Permit	Type 12

***Proposed zonings are tentative – staff is currently considering language for new use types which would be specific to cannabis.**

Proposed Ordinance – Chapter 6.36 Mendocino Medical Cannabis Facilities Code & Zoning Regulation

Purpose of Chapter 6.36 is to regulate the dispensing, distribution, processing, testing, manufacturing, delivery and transportation of cannabis intended for medical use within the unincorporated areas of Mendocino County in a manner that is consistent with current State law and establish a local licensing mechanism in coordination with the State of California's implementation of the Medical Cannabis Regulation and Safety Act (MCRSA).

The purpose of the zoning amendment is to regulate cannabis land uses consistent with MCRSA and County land use regulations.

Cannabis Facility Business License Type Overview

Dispensary

A facility where cannabis, cannabis products, or devices for the use of cannabis or cannabis products are offered, either individually or in any combination, for retail sale, including an establishment that delivers cannabis and cannabis products as part of a retail sale. Dispensary will include nursery retail sale. Those wishing to open a nursery only dispensary would be required to hold a nursery permit with the County Agriculture Department. Dispensaries are allowed to deliver cannabis to medical cannabis consumers off-premises via mobile delivery service. Dispensaries that engage in mobile deliveries will be required to keep complete and appropriate financial records enabling audit of all transactions accomplished via mobile delivery, and will need to be able to distinguish between, and account for, sales between the categories of on-site sales versus mobile delivery sales for accounting purposes.

Special Requirements

- ✓ Site Plan
- ✓ Background Check
- ✓ Security measures
- ✓ Participation in Track and Trace
- ✓ Hours of operation limited between 6:00 am – 8:00 pm
- ✓ 21 age requirement
- ✓ Signage provisions
- ✓ Paraphernalia provisions
- ✓ Onsite consumption prohibited

Distribution Facility

Facility involved in the procurement, sale, and/or transport of cannabis and cannabis products between permitted or licensed entities.

Special Requirements

- ✓ Site Plan
- ✓ Background Check
- ✓ Security measures
- ✓ Participation in Track and Trace
- ✓ 21 age requirement
- ✓ Signage provisions
- ✓ Paraphernalia provisions

Processing Facility

Location or facility where medical cannabis is dried, cured, graded, trimmed, and/or packaged by or under the control of one or more licensed cultivators, at a location separate from the cultivation site where the medical cannabis is grown and harvested.

Special Requirements

- ✓ Site Plan
- ✓ Background Check
- ✓ Security measures
- ✓ Waste disposal protocols
- ✓ Participation in Track and Trace
- ✓ 21 age requirement
- ✓ Signage provisions
- ✓ Paraphernalia provisions

Testing Laboratory

A facility, entity, or site in the state that offers or performs testing of cannabis or cannabis products and that is both of the following:

1. Accredited by an accrediting body that is independent from all other persons involved in the cannabis industry in the state; and
2. Registered with the California State Department of Public Health.

Special Requirements

- ✓ Site Plan
- ✓ Background Check
- ✓ Security measures
- ✓ Waste disposal protocols
- ✓ Participation in Track and Trace
- ✓ 21 age requirement
- ✓ Signage provisions

Manufacturing Facility

A facility that conducts the production, preparation, propagation, or compounding of cannabis products either directly or indirectly or by extraction methods, or independently by means of chemical synthesis at a fixed location that packages or repackages cannabis or cannabis products or labels or relabels its container.

Special Requirements

- ✓ Site Plan
- ✓ Background Check
- ✓ Security measures
- ✓ Waste disposal protocols
- ✓ Participation in Track and Trace
- ✓ 21 age requirement
- ✓ Signage provisions
- ✓ Paraphernalia provisions
- ✓ Prohibited use of the volatile solvent butane

Transportation Facility

A cannabis transportation facility transfers cannabis or cannabis products from the permitted business location of one permittee or licensee to the permitted business location of another permittee or licensee, for the purposes of conducting commercial cannabis activity authorized pursuant to state law.

Special Requirements

- ✓ Site Plan
- ✓ Background Check
- ✓ Security measures
- ✓ CA Motor Carrier Permit
- ✓ Participation in Track and Trace
- ✓ 21 age requirement
- ✓ Signage provisions
- ✓ Paraphernalia provisions

Proposed Application Process Overview

1. Application submitted to the Treasure Tax Collector.
2. LiveScan background check completed by applicant at the Sheriff's Office.
3. Treasure Tax Collector reviews application for completeness and routes to appropriate department for review including: Planning and Building, Environmental Health, Sheriff and Fire District.
4. Appropriate departments provide a recommendation on the application to the Treasure Tax Collector after its review and after applicable physical inspections are completed.
5. Reviewing County department or other public agency may include conditions for the operation of the medical cannabis facility with its recommendation.
6. Treasurer – Tax Collector will verify that the applicant has valid County license(s), permit(s) and/or other approvals, as required, prior to issuing any County business license.
7. Treasurer – Tax Collector will issue medical cannabis facility business licenses to applicants meeting the requirements of Chapter 6.36.
8. All County medical cannabis facility business licenses are provisional until valid state required license under MCRSA is verified.
 - a. A copy of the State license issued pursuant to MCRSA must be filed with the Treasurer – Tax Collector within 5 days of issuance.
 - b. If a medical cannabis facility is denied a state license under MCRSA the local County business license will become invalid.
9. As of January 1, 2019, the Medical Cannabis Facility Business License will be immediately revoked upon one or more of the following events occurring:
 - a. Notification to the County that the State of California has revoked a State license issued pursuant to California Business & Professions Code Sections 19300, et seq. or other applicable state law for a medical cannabis facility.
 - b. Failure to maintain a valid and current state license pursuant to California Business & Professions Code Sections 19300, et seq. or other applicable state law.