



## COUNTY OF MENDOCINO

### DEPARTMENT OF PLANNING AND BUILDING SERVICES

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## MEMORANDUM

**DATE:** February 27, 2018

**TO:** Board of Supervisors

**FROM:** Mary Lynn Hunt, Chief Planner  
Matthew Kierdrowski, Deputy County Counsel

**SUBJECT:** OA\_2018-0001- AMENDMENT TO THE MENDOCINO COUNTY CODE  
MEDICAL CANNABIS CULTIVATION SITE REGULATIONS OF THE INLAND  
ZONING ORDINANCE TO AMEND CHAPTER 20.242.040(B) TABLE 1 AND  
20.242.040(D)

The Mendocino County Board of Supervisors has directed staff to amend the Mendocino County Code Chapter 20.242.040(B) Table 1, and (D) of the Zoning Ordinance (Mendocino County Code, Title 20, Division I), which is administered by the Department of Planning and Building Services. The amendment would apply to all unincorporated inland areas within Mendocino County. The areas not included are, the city limits of Ukiah, Fort Bragg, Willits and Point Arena, and is not applicable to those areas within the designated Coastal Zone Areas of the County.

Planning Staff addressed the Board directives in the Planning Commission staff report for Planning Commission review. The staff report prepared for the Planning Commission is attached to this agenda packet. The Planning Commission held a public hearing on February 1, 2018. At that hearing the Planning Commission solicited public comments and made recommendations to the Mendocino County Board of Supervisors regarding Ordinance Amendment OA\_2018-0001 and the related CEQA addendum.

**ENVIRONMENTAL DETERMINATION:** Section 15164 of the California Environmental Quality Act (CEQA) provides that the lead agency shall prepare an addendum to a previously adopted Negative Declaration (ND) if some changes or additions are necessary but none of the conditions described in Section 15162 calling for a subsequent ND have occurred. Section 15162 states that when an ND has been adopted for a project, no subsequent ND shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, that one or more of several circumstances have occurred.

Staff has prepared an addendum pursuant to Section 15164, which is attached to this report. The analysis of the addendum concludes that the addendum alone is appropriate to address the requirements under CEQA for the proposed ordinance changes and that no additional subsequent environmental review is needed to review the impact of the proposed ordinance changes. The proposed ordinance makes findings related to the approval of the addendum.

**RECOMMENDED MOTION FOR THE BOARD OF SUPERVISORS:** Adopt Ordinance Amendment No. OA 2018-0001, in the form attached to this agenda packet which will modify the inland zoning ordinance of Chapter 20 of the Mendocino County Code specifically section 20.242.040, to eliminate reference to the Rangeland zoning district, finding that the Addendum to the adopted Mitigated Negative Declaration is appropriate to address the requirements under CEQA for the proposed ordinance changes and that no

additional subsequent environmental review is needed to review the impact of the proposed ordinance changes.

**ATTACHMENTS:**

1. OA\_2018-0001 Planning Commission Staff Report
2. OA\_2018-0001 Ordinance Redline Version
3. OA\_2018-0001 CEQA Addendum
4. OA\_2018-0001 Planning Commission Resolution
5. OA\_2018-0001 Ordinance Final Version