



COUNTY OF MENDOCINO
DEPARTMENT OF AGRICULTURE
890 N Bush St.
Ukiah CA 95482

MEMORANDUM

DATE: May 22, 2018

TO: Board of Supervisors

FROM: Kelly Overton, Cannabis Manager
Matthew Kiedrowski, Deputy County Counsel

SUBJECT: ORDINANCE AMENDMENT TO MENDOCINO COUNTY CODE
SECTION 10A.17.080 TO EXTEND THE DEADLINE TO APPLY FOR
A CANNABIS CULTIVATION PERMIT

BACKGROUND

The Cannabis Program is recommending that the Board of Supervisors extend the deadline for applying for a cannabis cultivation permit from June 30, 2018, to December 31, 2018.

Paragraph (A) of section 10A.17.080 currently provides that applications for a Phase One permit under Chapter 10A.17 shall only be accepted until June 30, 2018. Recent amendments to this paragraph adopted on April 24, 2018, amended paragraph (A) to extend the application deadline for Phase One permits only for areas subject to the sunset provisions of paragraph (B)(2)(b) of section 10A.17.080 until December 31, 2018.

Staff is recommending that the application deadline for Phase One permits be extended for all applicants until December 31, 2018. The local and state regulatory process has been and will remain fluid for the remainder of the year, with additional revisions to the state regulations anticipated later this year. Staff believes that providing additional time to apply for a cultivation permit is needed in order to increase the number of applicants for cultivation permits.

The proposed ordinance would remove the recent amendment to paragraph (A) of section 10A.17.080 that extended the application deadline only for areas subject to the sunset provisions of paragraph (B)(2)(b) of that section, and instead allow all applications for permits during Phase One to be accepted until December 31, 2018.

ENVIRONMENTAL DETERMINATION: In order to comply with the California Environmental Quality Act (CEQA) for the initial adoption of Chapters 10A.17 and 20.242, the County of Mendocino adopted a Mitigated Negative Declaration (State Clearinghouse Number

2016112028), pursuant to the provisions of CEQA. An addendum to the existing Mitigated Negative Declaration has been prepared to satisfy the requirements of CEQA. A resolution adopting the proposed addendum is part of the agenda packet for this item, with the addendum attached to the resolution as Exhibit A. The addendum makes findings on the level of significance the change to the application deadline entails with regards to environmental review.

RECOMMENDED MOTION: That the Board of Supervisors (1) Adopt Resolution Approving and Adopting an Addendum to the Previously Adopted Mitigated Negative Declaration, in Compliance with California Environmental Quality Act Requirements, for Amendments to Section 10A.17.080 of the Mendocino County Code; and (2) Introduce and Waive First Reading of an Ordinance Amending Section 10A.17.080 of the Mendocino County Code to Extend the Deadline to Apply for a Cannabis Cultivation Permit.

ATTACHMENTS:

1. Resolution Adopting CEQA Addendum, with Addendum attached as Exhibit A
2. Ordinance – Redline Version
3. Ordinance – Clean Version