

Resolution Number PC\_2018-0012

County of Mendocino  
Ukiah, California  
April 5, 2018

OA\_2018-0005

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF MENDOCINO, STATE OF CALIFORNIA, MAKING ITS REPORT AND RECOMMENDATION TO THE MENDOCINO COUNTY BOARD OF SUPERVISORS REGARDING A PROPOSED AMENDMENTS TO THE MENDOCINO COUNTY CODE CHAPTERS 6.36 CANNABIS FACILITIES BUSINESSES AND 20.243 CANNABIS FACILITIES

WHEREAS, the County of Mendocino desires to amend Mendocino County Code: Chapter 6.36 Cannabis Facilities Businesses and Chapter 20.243. Cannabis Facilities Cannabis Facilities regulations within the unincorporated areas of Mendocino County;

WHEREAS, County Staff has, pursuant to the direction of the Board of Supervisors of Mendocino County, prepared amendments to the Mendocino County Code Chapter 6.36 Cannabis Facilities Businesses and Chapter 20.243. Cannabis Facilities, which are attached to this Resolution as Exhibit A and incorporated herein by this reference (the "Project"); and

WHEREAS, section 15061(b)(3) of the California Environmental Quality Act Guidelines (Title 14, Cal. Code Regs., section 15000 *et seq.*; "CEQA Guidelines") allows a General Rule Exemption to this action because, for the reasons set forth in the staff memorandum accompanying this resolution, the Project does not have the potential to cause a significant effect on the environment and is therefore not subject to CEQA; and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on, April 5, 2018, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the exemption and the Project. All interested persons were given an opportunity to hear and be heard regarding the exemption and the Project; and

WHEREAS, the Planning Commission has had an opportunity to review this Resolution and finds that it accurately sets for the intentions of the Commission regarding the exemption and the Project.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission, based on the evidence in the record before it and the findings and determinations provided in the staff report, makes the following report and recommendation to the Mendocino County Board of Supervisors regarding Ordinance Amendment OA\_2018-0005:

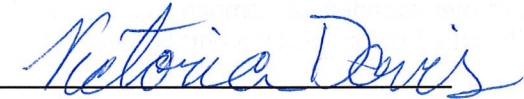
1. The Planning Commission recommends that the Board of Supervisors consider the adoption of Ordinance Amendment OA\_2018-0005 exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3).
2. The Planning Commission recommends that the Board of Supervisors find that the adoption of Ordinance Amendment OA\_2018-0005 is consistent with the General Plan.
3. The Planning Commission recommends that the Board of Supervisors adopt Ordinance Amendment OA\_2018-0005, making the changes as shown in the attached Exhibit A, with the following additional recommendations:
  - a. Making changes as necessary to Section 6.36.020 to refer to the administrative permit for a setback reduction

- b. Updating section and paragraph references as necessary
- 4. The Planning Commission recommends that the Board of Supervisors consider the following issues:
  - a. Extending the February 28, 2018, deadline for application for a temporary cannabis facility business license.
  - b. Allowing microbusinesses to operate on multiple premises.
  - c. Specifying what activities are included within the square footage of a home occupation or cottage industry microbusiness
  - d. Allowing microbusinesses to operate without cultivation.
  - e. Other issues raised in comments presented to the Planning Commission.

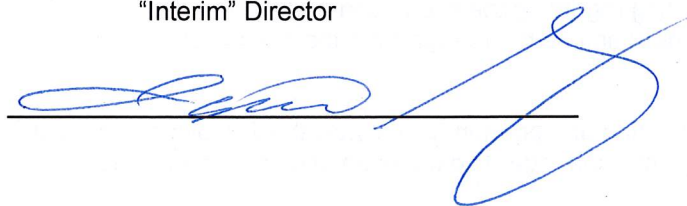
BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary as the custodian of the documents and other material which constitutes the record of proceedings upon which the Planning Commission decision herein is based. These documents may be found at the office of the County of Mendocino Planning and Building Services, 860 North Bush Street, Ukiah, CA 95482.

*I hereby certify that according to the Provisions of Government Code Section 25103 delivery of this document has been made.*

ATTEST: VICTORIA DAVIS  
Commission Services Supervisor

By: 

BY: IGNACIO GONZALEZ  
"Interim" Director



MADELIN HOLTKAMP, Chair  
Mendocino County Planning Commission

