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## MEMORANDUM

**Date: September 6, 2017**

**To: The Honorable Board of Supervisors**

**From: Trent Taylor, Interim Code Enforcement Manager,  
Planning and Building Services**

**Subject: Update on Cannabis Code Enforcement for September 12, 2017 Code  
Enforcement Update to the Board of Supervisors**

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Incoming Cannabis Complaints have slowed since our last report to an average of about 11 per week. Many of the complaints coming in at this time are repeat complaints as the cultivation season has matured and few new sites are being developed at this time. Code Enforcement continues to case manage all complaints coming in by assignment for investigation and by coordinated referrals to other regulatory agencies as necessary.

### **Cannabis Enforcement as of 9/6/17:**

- The Code Enforcement Division has received 222 complaints related to Cannabis since we began fielding complaints on May 4, 2017. The majority of the complaints came in to the Cannabis Hotline. This is an increase of 57 complaints since our last update to the Board.
- 35% of the total number of Cannabis complaints received are related to 46 site locations that are in the County Medical Cannabis Permit Process. This about 6.5% of the total Cannabis permit applications the County has received to date. The complaints related to permit applicants are forwarded to the Agriculture Department for inspection and remediation as part of the application process.
- The primary complaints about both applicant sites and non-applicant sites are visibility from public or private roads, unpermitted structures and development, tree removal and grading, other environmental concerns such as water sourcing, erosion and environmental contamination, unpermitted cultivation generally, cultivation sizes larger than allowable permit types (scale up) and cultivation in new locations previously not under cultivation. Over the last month we have been receiving more odor complaints as the crops mature.

- Since our last report to the Board, Code Enforcement has obtained voluntary compliance by self-abatement of 205 Cannabis plants from 6 locations that were clearly not eligible for an exemption or permitting for outdoor cultivation for any reason; medical or adult use. These were primarily within residential locations that were impacting community quality of life for the surrounding residents. Voluntary removal was achieved after the violator was advised that they could face enforcement action by way of Administrative Citation and Administrative Abatement or both. This brings the total plants removed since the program started to 608 plants from 17 locations.
- In response to complaints, particularly in rural residential settings, Code Enforcement has seen an increase in exemptions being registered for medical and caregiver cultivation. Once a complaint recipient registers an exemption with the Department of Agriculture, Code Enforcement inspects the cultivation site to determine if the exempted grow meets the setbacks, visibility and other requirements under MCC Sec.10A.17.040. If the cultivator cannot meet these requirements they either move or remove their crop. We expect an increase in self-abatement over the next month as we continue to work with and educate cultivators on these regulations.
- The Code Enforcement Division will continue with our regulatory approach to Cannabis Enforcement. Code Enforcement has issued 12 notices of violations for cultivation sites that do not meet the requirements of MCC Sec.10A.17.030 during the last month. As a result of our response and investigations, compliance continues to be gained without the necessity of issuing administrative citations or conducting administrative abatement of Cannabis. In the past month approximately a dozen sites have applied for a Cannabis Permit or registered a medical exemption with the Department of Agriculture because of Code Enforcement's intervention.

Respectfully Submitted,

Trent Taylor  
Interim Manager  
Code Enforcement Division  
Planning and Building Services