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**COUNTY OF MENDOCINO  
BOARD OF SUPERVISORS**

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**Cannabis Ad Hoc Proposed Recommendations and Discussion Points**

On July 10, 2018 the Board of Supervisors appointed an Ad Hoc Committee to make recommendations to streamline the county cultivation ordinance. The Ad Hoc Committee met with and heard from a diverse cross section of stakeholders and county staff. The Ad Hoc, as such, has no role regarding the “opt in” or “opt out” process or the other cannabis business types, which will be considered separately by the full Board of Supervisors. The discussion points and recommendations listed below include the current list of substantive changes the Ad Hoc intends to present for Board discussion and possible action.

**Major Discussion Points**

1. **10A.17.080 (A)** – Should Use Permits, which require site specific environmental review, be required for all Phase Three (1/1/2020) permit applications?
2. **10A.17.080 (A)** – Should new permit applications be allowed in RL (Rangeland) subject to a Use Permit?
3. **10A.17.060 Permit Types** – Should permit size be increased to one acre for conforming parcels in RL, AG (Agriculture) and UR (Upland Residential) but only for Outdoor Cultivation to limit the proliferation of hoop houses and greenhouses? Should this require a Use Permit?
4. **10A.17.060 (10) – Nurseries** – Should the minimum parcel size be reduced to 5 acres? Or should a tiered permit system be adopted?
5. **10A.17.070 (D)** - Subject to a Major Use Permit should more than two permits per parcel be allowed? Should the total square footage be allowed to exceed an acre, perhaps up to four acres, provided no single permit exceeds an acre? Should this be limited to specific zones or geographical areas?
6. **10A.17.070 (K) Non-Transferability of Permits** – Should existing cultivators (Phase One) have the option to apply for a Use Permit to allow for Transferability of their Agricultural Permit? A Use Permit, if granted, would entitle a new owner to continue cultivation provided they comply with all terms of the Use Permit and apply for, obtain and comply with all conditions of a cultivation permit.

## Additional Recommendations

1. **10A.17.020 Definitions** – Modify cultivation, cultivation site, immature plant, indoor cultivation, mature plant, mixed light cultivation, nursery, outdoor cultivation and processing to align more closely with the State. (Continue to advocate for state to revise “canopy” definition).
2. **10A.17.020 Definitions** – The Board previously directed that the definition of “Legal Parcel” be amended to include “...a lot of real property which was created...or for which an application for subdivision was on file prior to January 1, 2016...”
3. **10A.17.040 (A) (1) – Limitations** – Delete “church” and “treatment center.”
4. **10A.17.040 (A) (4) – Limitations** – Should the prohibition on visibility from the public right of way be deleted or modified? Should it apply only to parcels that are in a sunset zone or less than a specified minimum parcel size?
5. **10A.17.040 (D), 10A.17.070 (F) & 10A.110 (E) – Generators** – Align more closely with state requirements.
6. **10A.17.040 (H)** – Delete the requirement for a wildlife exclusionary fence provided a prohibition on killing wildlife associated with the cannabis cultivation site may be enacted and the applicant is in conformance with Sec. 10A.17.110 (N) which requires secure storage of materials that could be harmful to wildlife or the environment.
7. **10A.17.050 Medical Marijuana Collectives** – Delete this section.
8. **10A.17.060 – Nursery** – Revise to more closely match the state; include description of seed producer activities, if any, as part of the nursery permit, but clarify that a separate application or approval is not required.
9. **10A.17.070 – Track and Trace (G)** – Clarify that once it is online only the state approved system will apply.
10. **10A.17.070 (H) Fees & (I) Inspections** – Revise to clarify that first time permit applicants are subject to an initial inspection and an annual compliance inspection; that the compliance inspection forms the basis for next year’s permit renewal; that additional inspections are only required if needed to address compliance issues; adjust fees accordingly.
11. **10A.17.080 (A) (1)** – After adoption of the Ad Hoc recommendations and Cannabis Overlay Districts re-open the application submission process for six months.
12. **10A.17.080 (A) (2)** – Allow mixed light permits in industrial zoning but only in greenhouses with odor control, not in hoop houses.
13. **10A.17.080 (B) (4)** – Delete the requirement for a separate habitable dwelling unit for each tenant in common.
14. **10A.17.080 (B) (6)** – Allow any permitted cultivator to file a Notice of Non-Cultivation.
15. **10A.17.090 (M)** – Revise to conform to state language regarding prior criminal activity; incorporate the District Attorney’s recommendations.
16. **10A.17.100 Permit Review and Issuance** – Include criteria for permit denial.