



# Mendocino County

## Legislation Details (With Text)

**File #:** 23-0324      **Version:** 1      **Name:**  
**Type:** Approval      **Status:** Agenda Ready  
**File created:** 3/2/2023      **In control:** Board of Supervisors  
**On agenda:** 3/14/2023      **Final action:**  
**Title:** Discussion and Possible Action Including Direction to Staff to Prepare Environmental Document and Ordinance to Remove or Streamline the Requirement for Issuance of Local Permit for Cannabis Cultivation While Retaining All Substantive Legal Restrictions and Environmental Protection Measures for State Licensed Operators  
(Sponsors: Supervisor Williams and Supervisor McGourty)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 03-14-23 DCC letter to Mendocino County BOS

Date	Ver.	Action By	Action	Result
3/14/2023	1	Board of Supervisors		

**To:** Board of Supervisors

**From:** Supervisor Williams and Supervisor McGourty

**Meeting Date:** March 14, 2023

**Department Contact:** Ted Williams      **Phone:** 707-937-3500

**Department Contact:** Glenn McGourty      **Phone:** 707-391-3003

**Item Type:** Regular Agenda

**Time Allocated for Item:** 45 Minutes

**Agenda Title:**

Discussion and Possible Action Including Direction to Staff to Prepare Environmental Document and Ordinance to Remove or Streamline the Requirement for Issuance of Local Permit for Cannabis Cultivation While Retaining All Substantive Legal Restrictions and Environmental Protection Measures for State Licensed Operators  
(Sponsors: Supervisor Williams and Supervisor McGourty)

**Recommended Action/Motion:**

Direct staff to prepare environmental document and ordinance to remove or streamline the requirement for issuance of local permit for cannabis cultivation while retaining all substantive legal restrictions and environmental protection measures for state licensed operators.

**Previous Board/Board Committee Actions:**

Numerous.

**Summary of Request:**

Mendocino County adopted a Cannabis Cultivation ordinance (10A-17) prior to the state completing its program licensing requirements. The County program is duplicative and poorly aligned with the requirements of the state program. The state proposed "Appendix G" to bridge the county's ministerial permit approach with the site-specific discretionary review required by the state license. While it's possible for the Mendocino Cannabis Department to create Appendix G for applicants, it's a huge undertaking, even with state grants. Given the uncertainty of the expense of and fund availability for this task, The Board should decide whether a simplified approach would better protect public money, bolster code enforcement and safeguard cultivation applicants by removing the bottleneck of the county permitting program. Under this proposal, our present permitting process would be suspended. The same zoning, setbacks, and environmental regulations will apply for cannabis producers if they wish to produce this crop. They would apply directly to the state for a cannabis license and submit their own Appendix G document. Mendocino County would conduct inspections and code compliance and enforcement. Noncompliant cannabis producers would be reported to the State for potential sanctions up to and including license suspension.

**Alternative Action/Motion:**

Provide alternate direction to staff.

**Does This Item Support the General Plan?** Yes

**Strategic Plan Priority Designation:**A Thriving Economy

**Supervisorial District:** All

**vote requirement:** Majority

**Supplemental Information Available Online At:** N/A

**Fiscal Details:**

**source of funding:** Series 1000

**current f/y cost:** potential savings

**annual recurring cost:** potential savings

**budget clarification:** Series 1000

**budgeted in current f/y:** Yes

**if no, please describe:**

**revenue agreement:** N/A

**Agreement/Resolution/Ordinance Approved by County Counsel:** No

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**CEO Liaison:** Darcie Antle, CEO

**CEO Review:** Yes

**CEO Comments:**

**FOR COB USE ONLY**

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Executed By: Atlas Pearson, Senior Deputy Clerk

Date: March 14, 2023

Final Status: Approved with Direction

