



# Mendocino County

## Legislation Details (With Text)

**File #:** 19-1021      **Version:** 1      **Name:**

**Type:** Resolution      **Status:** Agenda Ready

**File created:** 10/23/2019      **In control:** Planning and Building Services

**On agenda:** 11/5/2019      **Final action:**

**Title:** Noticed Public Hearing - Discussion and Possible Action Including (1) Adoption of Resolution Authorizing Submittal of a Local Coastal Program Amendment to the California Coastal Commission, Consisting of an Amendment of the Mendocino County Coastal Zoning Code (Title 20-Division II of Mendocino County Code) (OA\_2019-0001) to Establish a Coastal Cannabis Cultivation Ordinance (Chapter 20.537) to Govern the Cultivation of Cannabis and a Coastal Cannabis Facilities Ordinance (Chapter 20.538) to Govern the Commercial Processing, Manufacturing, Testing, Dispensing, Retailing, and Distributing of Cannabis in the Unincorporated Areas of the Coastal Zone of Mendocino County and (2) Review of Proposed Corresponding Changes to Mendocino County Code Chapters 10A.17 and 6.36 to Add References to the Proposed New Chapters 20.537 and 20.538 (Sponsor: Planning and Building Services)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Resolution 19-377, 2. PC Packet, 3. Resolution No. PC 2019-0021, 4. Attachment C - Chapter 20.537 - Coastal Cultivation (Redline), 5. Staff Memo, 6. Attachment D - Chapter 20.538 - Coastal Facilities (Redline), 7. Attachment E - Chapter 10A.17 - Cannabis Cultivation - CZ Amendments (Redline), 8. Attachment F - Chapter 6.36 - Cannabis Facilities - CZ Amendments (Redline), 9. Attachment G - Resolution (with Exhibit A), 10. Attachment H - OA\_2019-0001 (CCC Pre-Submittal Letter), 11. Coastal BOS Hearing Presentation, 12. BOS Legal Notice (Newspaper Only), 13. Proof of Pub (ICO), 14. Proof of Pub (FBA), 15. Proof of Pub (UDJ), 16. 11-4-19 Trouette Correspondence, 17. 11-4-19 Coleman Correspondence, 18. 11-4-19 Nelson Correspondence, 19. REVISED Resolution

Date	Ver.	Action By	Action	Result
11/5/2019	1	Board of Supervisors		

**To:** Board of Supervisors

**From:** Planning and Building Services

**Meeting Date:** November 5, 2019

**Department Contact:** Brent Schultz

**Phone:** 234-6650

**Department Contact:** Julia Acker Krog

**Phone:** 234-6650

**Item Type:** Noticed Public Hearing

**Time Allocated for Item:** 1 hr

**Agenda Title:**

Noticed Public Hearing - Discussion and Possible Action Including (1) Adoption of Resolution Authorizing Submittal of a Local Coastal Program Amendment to the California Coastal Commission, Consisting of an Amendment of the Mendocino County Coastal Zoning Code (Title 20-Division II of Mendocino County Code) (OA\_2019-0001) to Establish a Coastal Cannabis Cultivation Ordinance (Chapter 20.537) to Govern the

Cultivation of Cannabis and a Coastal Cannabis Facilities Ordinance (Chapter 20.538) to Govern the Commercial Processing, Manufacturing, Testing, Dispensing, Retailing, and Distributing of Cannabis in the Unincorporated Areas of the Coastal Zone of Mendocino County and (2) Review of Proposed Corresponding Changes to Mendocino County Code Chapters 10A.17 and 6.36 to Add References to the Proposed New Chapters 20.537 and 20.538  
(Sponsor: Planning and Building Services)

**Recommended Action/Motion:**

Adopt Resolution authorizing submittal of a Local Coastal Program amendment to the California Coastal Commission, consisting of an amendment of the Mendocino County Coastal Zoning Code (Title 20-Division II of Mendocino County Code)(OA\_2019-0001) to establish a Coastal Cannabis Cultivation Ordinance to govern the cultivation of cannabis and a Coastal Cannabis Facilities Ordinance to govern the commercial processing, manufacturing, testing, dispensing, retailing, and distributing of cannabis in the unincorporated areas of the Coastal Zone of Mendocino County; and authorize Chair to sign same.

**Previous Board/Board Committee Actions:**

The Board of Supervisors adopted a Local Coastal Program (LCP) as a Coastal Element of the General Plan on November 5, 1985, which was subsequently certified by the California Coastal Commission on November 20, 1985. In 1991, the Board adopted Division II of Title 20 of Mendocino County Code through Ordinance No. 3785. On April 4, 2017 the Board adopted Ordinance No. 4381, adding Chapter 10A.17 - Mendocino Cannabis Cultivation and Chapter 20.242 - Cannabis Cultivation Sites to the County Code regarding the cultivation of medical and adult-use cannabis in Mendocino County to create a permit program for cultivation in the unincorporated areas of inland Mendocino County. On October 17, 2017, the Board adopted Ordinance No. 4394 adding Chapter 20.243 - Cannabis Facilities and Chapter 6.36 - Cannabis Facilities Businesses to the County Code regarding the processing, manufacturing, testing, dispensing, retailing, and distributing of medical and adult-use cannabis in Mendocino County to create a permit program for cannabis facilities in the unincorporated areas of inland Mendocino County. Following the adoption of Ordinance No. 4381 and No. 4394, direction was given to staff to draft Ordinances to cover cannabis cultivation sites and facilities in the unincorporated areas of the Coastal Zone of Mendocino County.

**Summary of Request:**

On July 18, 2019, the Planning Commission conducted a public hearing and reviewed a Local Coastal Program (LCP) amendment to establish a Coastal Cannabis Cultivation Ordinance to govern the cultivation of cannabis and a Coastal Cannabis Facilities Ordinance to govern the commercial processing, manufacturing, testing, dispensing, retailing, and distributing of cannabis in the unincorporated areas of the Coastal Zone of Mendocino County, consisting of an Ordinance amendment (OA\_2019-0001). The Planning Commission adopted a resolution making a formal recommendation to the Board of Supervisors that the LCP amendment be submitted to the Coastal Commission for certification. OA\_2019-0001 amends Mendocino County Code, Title 20, Division II, by adding two new chapters: Chapter 20.537 - Coastal Cannabis Cultivation Ordinance and Chapter 20.538 - Coastal Cannabis Facilities Ordinance. The LCP Amendment establishes regulations for the cultivation of cannabis and the commercial processing, manufacturing, testing, dispensing, retailing, and distributing of cannabis in the unincorporated areas of the Coastal Zone of Mendocino County. See attached Resolution, Staff memo, and Planning Commission Hearing Packet with Signed Resolution.

**Alternative Action/Motion:**

Provide direction to staff.

**Supervisory District:** District 4 & 5

**vote requirement:** Majority

**Supplemental Information Available Online At:** [www.mendocinocounty.org/pbs](http://www.mendocinocounty.org/pbs)

**Fiscal Details:**

source of funding: N/A  
current f/y cost: N/A  
annual recurring cost: N/A

budgeted in current f/y: N/A  
if no, please describe:  
revenue agreement: N/A

budget clarification: N/A

Agreement/Resolution/Ordinance Approved by County Counsel: Yes

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CEO Liaison: Steve Dunicliff, Deputy CEO

CEO Review: Yes

CEO Comments:

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**FOR COB USE ONLY**

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Executed By: Lindsey Dunham, Deputy Clerk I

Date: November 6, 2019

Final Status:**Adopted**

Executed Item Number: **Resolution** Number:  
19-377

