



Mendocino County

Legislation Details (With Text)

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File created: 11/24/2020 **In control:** Planning and Building Services

On agenda: 12/8/2020 **Final action:**

Title: Discussion and Possible Direction to Staff Regarding the Cannabis Cultivation Permitting Program Priorities from September 22, 2020 and Direction to Staff to Review Additional Options for the Program Including Potential Consideration of Cannabis Cultivation as an Agricultural Activity (Sponsor: Planning & Building Services)

Sponsors: Planning and Building Services, Steve Dunicliff

Indexes:

Code sections:

Attachments: 1. 12-04-20 Sobrero Correspondence, 2. 12-06-20 Bennett Correspondence, 3. 12-06-2020 MCA Correspondence, 4. 12-07-20 CCAG Correspondence, 5. 12-07-20 Chaitanya Correspondence, 6. 12-07-20 Pellar Correspondence (2), 7. 12-07-20 Wheeler Correspondence, 8. 12-07-20 CBAMC Correspondence, 9. 12-07-20 Pellar Correspondence (1), 10. 12-08-20 MCFB Correspondence, 11. 12-08-20 Tran Correspondence

Date	Ver.	Action By	Action	Result
12/8/2020	1	Board of Supervisors		

To: Board of Supervisors

From: Planning and Building Services

Meeting Date: December 8, 2020

Department Contact: Brent Schultz	Phone: 234-6650
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Department Contact: Megan Dukett	Phone: 234-6650

Item Type: Regular Agenda **Time Allocated for Item:** 30 Mins

Agenda Title:
 Discussion and Possible Direction to Staff Regarding the Cannabis Cultivation Permitting Program Priorities from September 22, 2020 and Direction to Staff to Review Additional Options for the Program Including Potential Consideration of Cannabis Cultivation as an Agricultural Activity (Sponsor: Planning & Building Services)

Recommended Action/Motion:
 Discuss the recommendations and provide direction to staff.

Previous Board/Board Committee Actions:
 Adoption of Ordinance No. 4381, adopting Chapters 10A.17 and 20.242 to the Mendocino County Code. Adoption of Ordinance No. 4392, making certain amendments to Chapter 10A.17. Adoption of Ordinance No. 4405, making modifications to Chapter 20.242. Adoption of Ordinance No. 4408, making additional

amendments to Chapters 10A.17 and 20.242. Adoption of Ordinance No. 4411, making additional amendments to Chapter 10A.17. Adoption of Ordinance No. 4413, making additional amendments to Chapter 10A.17. Adoption of Ordinance No. 4420, making additional amendments to Chapters 10A.17 and 20.242 as well as adding Chapters 20.118 and 20.119 to County Code. Adoption of Ordinance No. 4422, making additional amendments to Chapters 10A.17 and 6.36. Adoption of Ordinance No. 4438, making additional amendments to Chapters 10A.17 and 20.242. Adoption of Ordinance No. 4463, making additional amendments to Chapter 10A.17.

In addition to the Ordinances noted above, the Board has previously given direction to staff on the Cannabis Cultivation Permitting Priorities on September 22, 2020.

Summary of Request:

The Board provided direction to staff on September 22, 2020 regarding ten different priorities for the Cannabis Cultivation Permitting Program including: (1) County Counsel Analysis of State California Environmental Quality Act request, (2) Digital Portal, (3) Cost Recovery for Work Outside of Application Scope, (4) CDFW Interagency Agreement, (5) Publication of Cannabis Cultivation Guide, (6) Plan for Staffing Increase or Consultant Request for Proposal (RFP), (7) Equity Grant Program Update, (8) Notices to Correct Applications, (9) Request Provisional License Extension from California Department of Food and Agriculture, and (10) Schedule Special Board of Supervisors Meeting for Cannabis Cultivation Phase 3 Zoning Table and Permitting Model.

Staff has been working on and completed many of the priorities as directed by the Board. However, staff believes it is appropriate to pause on certain priorities to give time to explore additional options beyond a discretionary permit model including the potential of considering Cannabis an agricultural activity. The request to pause these items is the result of on-going discussions with the Cannabis Cultivation Ad Hoc, CDFA and discussion regarding other potential options for resolving concerns with the California Environmental Quality Act challenges that the program has faced. staff requests to pause on the following items from the September 22, 2020 direction: (1) Digital Portal, (2) Cost Recovery for Work Outside of Application Scope, (3) CDFW Interagency Agreement, and (4) Publication of Cannabis Cultivation Guide.

Staff continues to work on all other priorities as directed by the Board on September 22, 2020.

Alternative Action/Motion:

Provide alternate direction.

Supervisory District: All

vote requirement: 4/5ths

Supplemental Information Available Online At: N/A

Fiscal Details:

source of funding: N/A

current f/y cost: N/A

annual recurring cost: N/A

budget clarification: N/A

budgeted in current f/y: No

if no, please describe:

revenue agreement: N/A

Agreement/Resolution/Ordinance Approved by County Counsel: N/A

CEO Liaison: Steve Dunningcliff, Deputy CEO

CEO Review: Yes

CEO Comments:

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Executed By: Atlas Pearson, Deputy Clerk I

Final Status: Direction Given to Staff

Date: **DECEMBER 10, 2020**

