



# Mendocino County

## Legislation Details (With Text)

**File #:** 16-976      **Version:** 1      **Name:**  
**Type:** Presentations      **Status:** Approved  
**File created:** 9/7/2016      **In control:** Board of Supervisors  
**On agenda:** 9/20/2016      **Final action:** 9/20/2016  
**Title:** Discussion and Possible Action Regarding a Request from the "No on Measure AF Committee" that the Board Endorse a "No" Vote on Measure AF, also known as the "Heritage Act" (Sponsor - Supervisor McCowen)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Supporting Document, 2. Public Comment 9/16, 3. Public Comment 9/19, 4. Revised Recommended Action, 5. BOS Final No on AF Endorsement

Date	Ver.	Action By	Action	Result
9/20/2016	1	Board of Supervisors	Approved and Chair is authorized to sign same;	Pass

**To:** Board of Supervisors

**From:** Supervisor McCowen

**Meeting Date:** September 20, 2016

**Department Contact:** Supervisor McCowen

**Phone:** 463-4441

**Item Type:** Regular Agenda

**Time Allocated for Item:** 30 Minutes

**Agenda Title:**

Discussion and Possible Action Regarding a Request from the "No on Measure AF Committee" that the Board Endorse a "No" Vote on Measure AF, also known as the "Heritage Act" (Sponsor - Supervisor McCowen)

**Recommended Action/Motion:**

Discuss the request and adopt a motion taking a position of "No" on Measure AF.

**Previous Board/Board Committee Actions:**

The Board has previously taken positions on selected County measures.

**Summary of Request:**

The "No on Measure AF Committee" has requested that the Board endorse a "No" vote on Measure AF. Measure AF, also known as the "Heritage Act" would repeal County Code Chapter 9.31, the Medical Marijuana Cultivation Regulation, and replace it with a new Chapter 6.22 "Lawful Cannabis Permits". Measure AF also amends the County Zoning Code to add a new Chapter 20.162 (inland) and Chapter 20154 (coastal) to allow marijuana cultivation, manufacturing, testing, distribution, transportation, deliveries, and dispensaries.

The Board of Supervisors has approved a draft cultivation ordinance that is currently undergoing public review

and comment, including review by the Planning Commission prior to final Board consideration and possible adoption. The Board has also placed Measure AI, a marijuana business tax, on the November 8 ballot, along with Measure AJ, an advisory measure that asks the voters to give direction on how a majority of the proceeds of Measure AI should be spent.

Because Measure AF is a citizen initiative, it is not required to undergo the normal process of environmental and community review. There will be no formal agency or public comment; no public hearings; and no opportunity to identify or mitigate significant impacts. If it is enacted, Measure AF will repeal existing marijuana regulations and render moot the draft cultivation ordinance currently under review. If Measure AF receives more votes, it will also invalidate Measure AI, the marijuana business tax.

Measure AF eliminates or reduces a number of setbacks that have been law in Mendocino County since 2010; allows increased cultivation in virtually every zoning district; and opens the door to a dramatic increase in the number of cultivators. Measure AF was written to insure that local permits will be available for the full range of State license types that will become available in 2018, but does so by bypassing the normal review process.

The Board of Supervisors, County staff, and numerous stakeholders (including many from the cannabis community) have invested countless hours in developing draft regulations that balance the needs of the cannabis industry with the needs of local communities and the environment. The Board of Supervisors is respectfully requested to endorse a “No” on Measure AF position so that the public process currently underway can continue.

**Alternative Action/Motion:**

Do not discuss the request or do not take a position.

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

**Fiscal Impact:**

**Source of Funding:** N/A

**Budgeted in Current F/Y:** N/A

**Current F/Y Cost:** N/A

**Annual Recurring Cost:** N/A

**Supervisory District:** All

**Vote Requirement:** Majority

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

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**CEO Liaison:** Janelle Rau, Deputy CEO

**CEO Review:** Yes

**Comments:**