



Mendocino County

Legislation Text

File #: 23-0324, Version: 1

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

Supervisory 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

CEO Liaison: Darcie Antle, CEO

CEO Review: Yes

CEO Comments:

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Executed By: Atlas Pearson, Senior Deputy Clerk

Date: March 14, 2023

Final Status: Approved with Direction

