

TO: Board of Supervisors

FROM: Planning and Building Services Choose an item.

MEETING DATE: April 19, 2021

DEPARTMENT CONTACT: Sam Vandy Vandewater

PHONE: 707-234-6650

DEPARTMENT CONTACT: Ignacio Nash Gonzalez

PHONE: 707-234-6650

ITEM TYPE: Noticed Public Hearing

TIME ALLOCATED FOR ITEM: 60 minutes

AGENDA TITLE:

Noticed Public Hearing – Discussion and Possible Action to Introduce and Waive First Reading of an Ordinance Amending Mendocino County Code Chapter 6.36 and Chapter 20.243 Regarding Cannabis Facilities.

RECOMMENDED ACTION/MOTION:

Introduce and waive first reading of an ordinance amending Mendocino County Code Chapter 6.36 and Chapter 20.243 regarding cannabis facilities.

PREVIOUS BOARD/BOARD COMMITTEE ACTIONS:

Adoption of Ordinance 4394 (Cannabis Facilities Ordinance) adding Chapters 6.36 and 20.243 to the Mendocino County Code on October 17, 2017 followed by the adoption of Ordinance 4410 on March 27, 2018 amending the Cannabis Facilities Ordinance to its current language. On September 17, 2019, Planning & Building staff were directed to further amend the Cannabis Facilities Ordinance, which was reiterated at the Board of Supervisor's January 25, 2021 meeting.

SUMMARY OF REQUEST:

Through the Non-Cultivation Working Group (NCWG), a number of issues regarding the Cannabis Facilities Ordinance, including both Chapter 6.36 and Chapter 20.243, were identified for discussion amongst the group. The recommendations of the NCWG were presented to the Board of Supervisors for consideration and who subsequently provided direction for County Staff to make some of the recommended changes. While working to incorporate said direction from the Board regarding the Cannabis Facilities Ordinance, Planning & Building Services (PBS) Staff identified additional language in the County Code for revision to provide a more streamlined approach to cannabis facilities permit processing. The Ordinance Amendment includes changes recommended by the Planning Commission, as well as a recommendation to the Board of Supervisor to further discuss farm tours of parcels without frontage on a public road.

Proposed amendments include the removal of church as a sensitive receptor, revisions to the manufacturing use type to allow for shared-use facilities, revisions to the retail use type to clarify existing regulations and add regulations for cannabis tourism, lodging, farm tours and farmer's markets, revisions to the zoning table for manufacturing and distributor uses, the addition and modification of definitions to better align with State regulations, and the elimination of obsolete sections.

ALTERNATIVE ACTION/MOTION:

Provide direction to staff.

SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT:

<https://www.mendocinocounty.org/government/planning-building-services/public-notice>

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

SUPERVISORIAL DISTRICT: ALL

VOTE REQUIREMENT: MAJORITY

AGREEMENT/RESOLUTION/ORDINANCE APPROVED BY COUNTY COUNSEL: Yes

CEO LIAISON: Steve Dunicliff, Deputy CEO

CEO REVIEW: Choose an item.

CEO COMMENTS:

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Executed By: DEPUTY CLERK

Date: DATE EXECUTED.

Final Status: ITEM STATUS

Executed Item Number: ITEM