



**MENDOCINO COUNTY BOARD OF SUPERVISORS**  
**ONLINE AGENDA SUMMARY**

**BOARD AGENDA # 6(b)**

- Arrangements for public hearings and timed presentations must be made with the Clerk of the Board in advance of public/media noticing
- Agenda Summaries must be submitted no later than *noon* Monday, 15 days prior to the meeting date (along with electronic submittals)
- Send 14 complete sets (original, single-sided+13 copies) – Items must be signed-off by appropriate departments and/or County Counsel
- Transmittal of electronic Agenda Summaries and associated records must be emailed to: [bosagenda@co.mendocino.ca.us](mailto:bosagenda@co.mendocino.ca.us)
- Electronic Agenda Transmission Checklist:  Agenda Summary  Records  If applicable, list other online information below
- Executed records will be returned to the department within one week. Arrangements for expedited processing must be made in advance

TO: Board of Supervisors DATE: March 8, 2016  
 FROM: Supervisors McCowen and Woodhouse MEETING DATE: March 15, 2016  
 DEPARTMENT RESOURCE/CONTACT: Sarah Dukett PHONE: 463-6086 Present  On Call   
 Consent Agenda  Regular Agenda  Noticed Public Hearing  Time Allocated for Item: 1.5 hrs.

■ **AGENDA TITLE:** Discussion and Possible Direction to Staff Regarding Potential Changes to Mendocino County’s Medical Marijuana Cultivation Regulation and Additional Recommendations Related to the State Medical Marijuana Regulation and Safety Act

■ **PREVIOUS BOARD/BOARD COMMITTEE ACTIONS:** October 26, 2015: the Board held a Special Meeting on the 2015 State legislative medical marijuana regulatory package; November 3, 2015: the Board appointed Supervisors McCowen and Woodhouse to an ad hoc committee to review Mendocino County’s 9.31 Medical Marijuana Cultivation Regulation Ordinance and report to the Board with recommended changes; December 15, 2015: the Board adopted a 9.31 Ordinance Revision Timeline.

■ **SUMMARY OF REQUEST:** The State Medical Marijuana Regulation and Safety Act, adopted in 2015, provides for a comprehensive regulatory framework, including license categories for cultivation; nursery; manufacturer; testing; dispensary; distribution; and transportation. When fully implemented, except for limited exceptions for qualifying patients and primary caregivers, the above marijuana related activities will be defined as “commercial cannabis activity” and will require state licenses which will be issued beginning on or after January 1, 2018. State licensees operating in Mendocino County must first obtain a license or permit from the County. Mendocino County currently has regulations in place for cultivation but does not otherwise have formal regulations for related activities. In order to protect the general public health, safety and welfare; limit harmful environmental impacts; and to encourage the transition to a legally compliant and regulated cannabis industry; it is recommended that the Board give direction on appropriate amendments to Mendocino County’s existing Medical Marijuana Cultivation Regulation and development of additional regulations as deemed necessary.

Supervisors McCowen and Woodhouse met with County staff, representatives of several stakeholder organizations, numerous individual stakeholders, and held one well attended town hall meeting. Some stakeholders encouraged the County to adopt the maximum cultivation allowed under state law while others expressed concern for the impact to small cultivators. Humboldt County has embraced the full range of permit types that will be allowable under State law beginning in 2018, while other counties attending the recent North Coast Regional Summit (agenda attached) are adopting a wait and see attitude. The attached recommendations reflect a balance between the different approaches that have been recommended. It is important to remember that we are in a transition period and that whatever is adopted today can be modified by future Board action.

BOARD ACTION (DATE: \_\_\_\_\_):  Approved  Referred to \_\_\_\_\_  Other \_\_\_\_\_  
 RECORDS EXECUTED:  Agreement: \_\_\_\_\_  Resolution: \_\_\_\_\_  Ordinance: \_\_\_\_\_  Other \_\_\_\_\_



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Instead of detailed ordinance revisions, Supervisors McCowen and Woodhouse have submitted a memorandum (attached) outlining their proposed recommendations. Mendocino County Agricultural Commissioner Chuck Morse has also submitted a memorandum (attached) and will be making a presentation to the Board. UC Cooperative Extension Director Greg Giusti will also be submitting information relating to the possible impact of marijuana production on prime agricultural land. The Board is asked to consider public comment; review and discuss the recommendations; accept, reject or modify them as the Board deems appropriate; and direct staff to return with updated and/or new ordinances as appropriate.

■ **SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT:** N/A

■ **ADDITIONAL INFORMATION ON FILE WITH THE CLERK OF THE BOARD (CHECKED BY COB IF APPLICABLE):**

FISCAL IMPACT:			
Source of Funding	Current F/Y Cost	Annual Recurring Cost	Budgeted in Current F/Y
			Yes <input type="checkbox"/> No <input type="checkbox"/>

■ **SUPERVISORIAL DISTRICT:** 1  2  3  4  5  All  ■ **VOTE REQUIREMENT:** Majority  4/5ths

■ **RECOMMENDED ACTION/MOTION:** Provide direction to staff regarding potential changes to Mendocino County's Medical Marijuana Cultivation Regulation and additional recommendations related to the State Medical Marijuana Regulation and Safety Act.

■ **ALTERNATIVES:** Review and discuss the recommendations and/or modify them as appropriate

■ **CEO REVIEW (NAME):** Janelle Rau, Deputy CEO **PHONE:** 463-4441

**RECOMMENDATION:** Agree  Disagree  No Opinion  Alternate  Staff Report Attached

**BOARD ACTION**

Approved \_\_\_\_\_

Records Executed \_\_\_\_\_

**Date of Meeting** \_\_\_\_\_

Referred to \_\_\_\_\_

Other \_\_\_\_\_