

Exceptions Framework

1. Proposed exceptions to Mendocino County Code SEC 10A.17.040 offer relief to applicants from certain cannabis cultivation development standards if the proposed cultivation area meets certain specific guidelines. Exceptions will be available throughout the County, including within Opt-In overlay zones.
 - a. Modify setback reductions allowed for in Sec. 20.242.060 (D). Currently, a reduction to 50 feet is allowed. Propose a reduction to 20 feet be allowed subject to Administrative Permit approval that would review the specific location of the cultivation area.
 - b. Modify additional required setback from access easements required by Section 10A.17.040(A)(5) for indoor/greenhouse/mixed light cultivation. This setback modification would not reduce setbacks to less than those required by the Corridor Preservation Setback (Section 20.152.020). Modification of the setback to access easements would be subject to an Administrative Permit that would review the specific location of the cultivation area.
 - c. A parcel that is zoned to allow commercial cultivation that is between 3.5 and 4.99 acres and that shares at least 50 percent of its boundaries with parcels 5 acres in size or larger may be issued permit types 1, 1-A and 1-B subject to Administrative Permit approval that would review the specific location of the cultivation area.
 - d. Parcels zoned RR 5 that are between 3.5 (30% reduction from 5 ac) and 4.99 acres and have been issued a permit for commercial cultivation would not be subject to Sunset.
 - e. A parcel that is zoned to allow commercial cultivation that is between 7.0 acres and 9.99 acres and shares 50 percent or more of its borders with parcels 10 acres in size or larger may be issued permit types 2, 2-A, 2-B and 4, subject to Administrative Permit approval that would review the specific location of the cultivation area.
 - f. Certain mixed light facilities may be required to only meet standard building setbacks subject to the approval of an Administrative Permit that would review the specific location of the facility as well as potential impacts to neighboring properties due to fugitive light, odors, or aesthetic concerns.
2. Exceptions shall not apply to Opt-Out overlay zone areas.