



SONOMA COUNTY CANNABIS

Cannabis Policy Proposed Changes

*Sonoma County
Unincorporated
Areas &
Outside the
Coastal Zone*

Virtual Town Hall
Listening Session
March 2021

Panelists

Andrew Smith,
Agricultural
Commissioner

Christina Rivera,
Assistant County
Administrator

Jennifer Klein,
Chief Deputy
County Counsel

McCall Miller,
Department
Analyst

Scott Orr, Deputy
Director Planning,
Permit Sonoma

Facilitators

B.J. Bischoff,
Co-Facilitator,
Bischoff Consulting

Sarah Stierch,
Co-Facilitator,
Bischoff Consulting

**Julie Burns &
Daniel Tamayo,**
Spanish
Interpreters

Aleena Decker,
Technical Director,
EDB



Listening Session Procedures

Cannabis
@sonoma-
county.org



**PLACE ALL
COMMENTS
AND
QUESTIONS IN
THE Q&A**



**RESPONSES TO
FREQUENTLY
ASKED
QUESTIONS WILL
BE POSTED ON
THE WEBSITE AT
A LATER TIME**



**TODAY'S SESSION
IS BEING
RECORDED**



**YOUR INPUT WILL
BE SUMMARIZED
AND PRESENTED TO
THE PLANNING
COMMISSION AND
SUPERVISORS**

Please send comments by 12 noon on March 18, 2021 for consideration by the Planning Commission



**cannabis@
Sonoma-county.
org**

US Mail:

***Cannabis Program
575 Administration
Drive Ste. 104-A
Santa Rosa, CA
95403***

**Please stay
informed by
subscribing to:**

***sonomacounty.ca.gov
/Cannabis-Program***

Steps to Potential Adoption

3/18/2021
**Planning
Commission**

- 12 noon public comment period closes for Mitigated Negative Declaration (MND) Document
- Commission to consider recommending for Board of Supervisors (BOS) adoption
- Public can comment on the ordinance update until & at BOS hearing

4/13/2021
**Board of
Supervisors**

- Public hearing and action



Reminders



This meeting is being recorded

Please use the Q&A feature to submit questions and comments during the presentation

Please use respectful language & refrain from using swear words

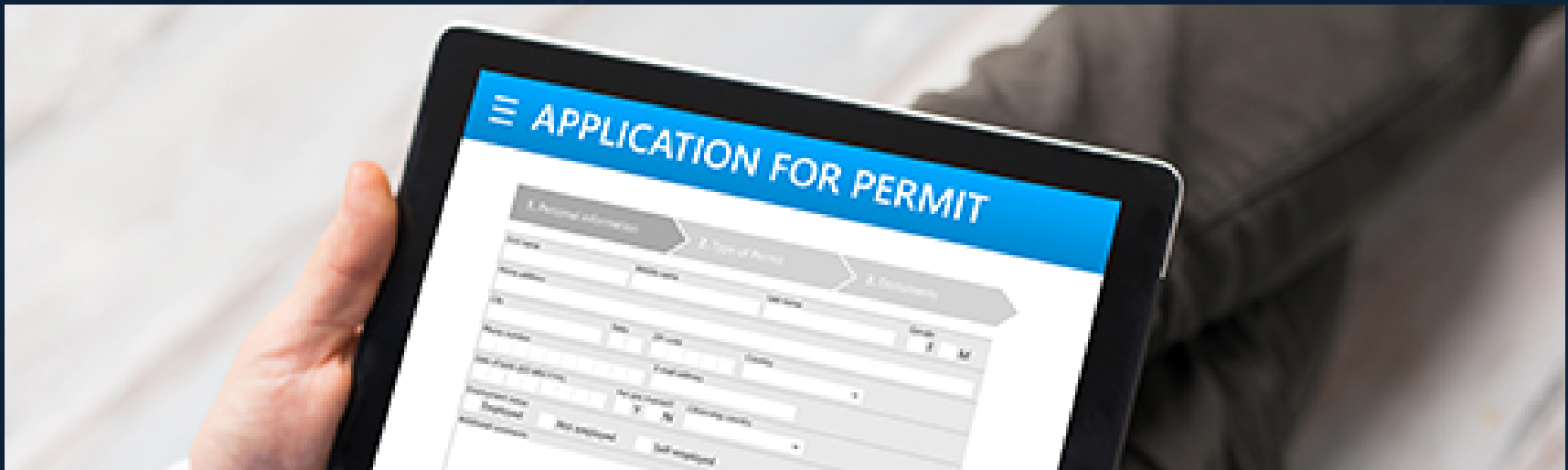
Please refrain from personal attacks on other attendees

What's the Main Change?

Expands ministerial permit options for cannabis cultivation on parcels located in agricultural and resource zoned areas, while retaining discretionary use permit options

Why the Change?

To promote agricultural diversity and a sustainable local economy by identifying more projects that qualify for staff issued permits based specific and objective ministerial standards that are protective of the public health, safety, welfare, and the environment





Proposed Policy Update Involves 3 Components

1. **General Plan Amendment:** To recognize the definition of “Agriculture” includes “Cannabis”
2. **New Chapter 38** to the County Code governing ministerial land use permits for cannabis cultivation in agricultural and resource zoned areas
3. **Companion Amendments to Chapter 26** of the County Code to align with **New Chapter 38**

Highlights of Proposed Chapter 38



Seven Sections:
Minimal
changes

Three Sections:
Moderate
changes

Five Sections:
Substantial
changes



**Minimal
changes:
Seven
sections**



Chapter 38

Parcel Requirements



No changes to
minimum lot
size

Only covers
cannabis
cultivation in
agricultural and
resource zones



**Chapter 38 parcel
Requirements:
Must be located in certain
zoning districts**

**Land Intensive
Agriculture
(LIA)**

**Land Extensive
Agriculture
(LEA)**

**Diverse
Agriculture
(DA)**

**Resources and
Rural
Development
(RRD)**



Chapter 38 Biotic Resources

**Listed species
standard**

**Riparian
corridor
setback**

**Habitat areas
standard**

**Wetlands
setback**

Chapter 38

Timberland & Farmland Protection



Prohibition on
timberland
conversion

Farmland
protection

Land
Conservation
Act contract
compliance

Addition of
protections for
trees of certain
diameter

Chapter 38

Grading & Sloping



No change:
Grading or
slope
limitations

**Minor
change:**
Addition of
Ridgetop
Protections

Chapter 38

Air Quality & Odor



No change:

Dust control

Filtration & ventilation

Renewable energy requirement

Minor change:

Additional requirement to control and prevent off-site odor

Chapter 38

Waste Management



No change:
Waste
Management
Plan
requirements

Chapter 38

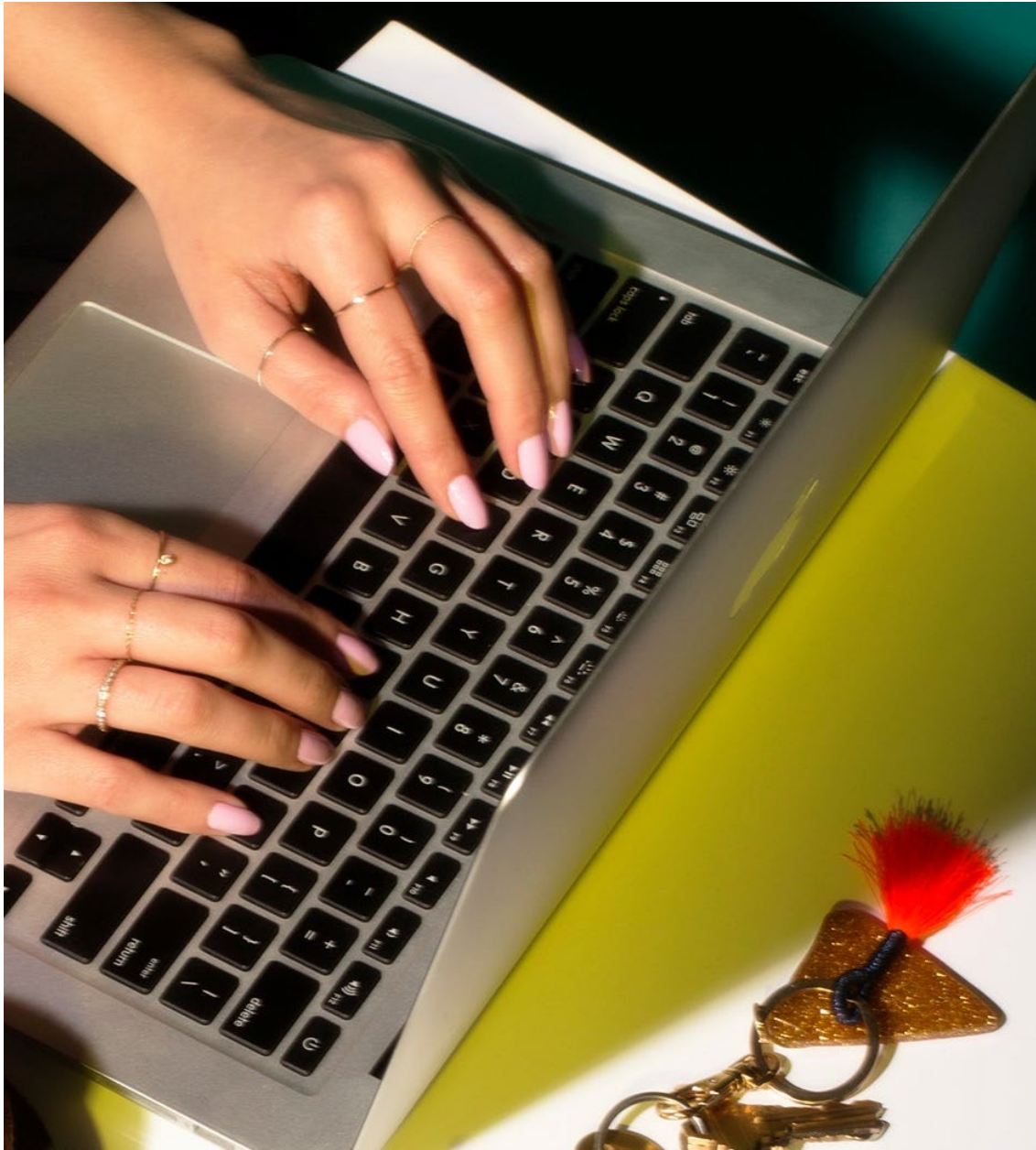
Wastewater & Runoff



No change:
Wastewater
management
requirements

Stormwater
control
requirements

Minor change:
Erosion and
sediment control
included in
requirements



Comments & Questions on Ordinance Sections with **Minimal Changes**



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**Moderate
changes:
Three
sections**



Chapter 38 Cultural & Historic Resources



Expansion of protections for cultural and historic resources

Cultural resource survey always required for ground disturbance activities

Historic resource survey required when 45+ year structure is involved

Accidental discovery provisions expanded to include cultural resources

Chapter 38 Fire Prevention



Clarifies requirements for fire prevention plan to show compliance with Chapters 13 and 13A, and all other applicable local and state standards

Adds provision regulating use of hazardous materials

Chapter 38

Design & Security

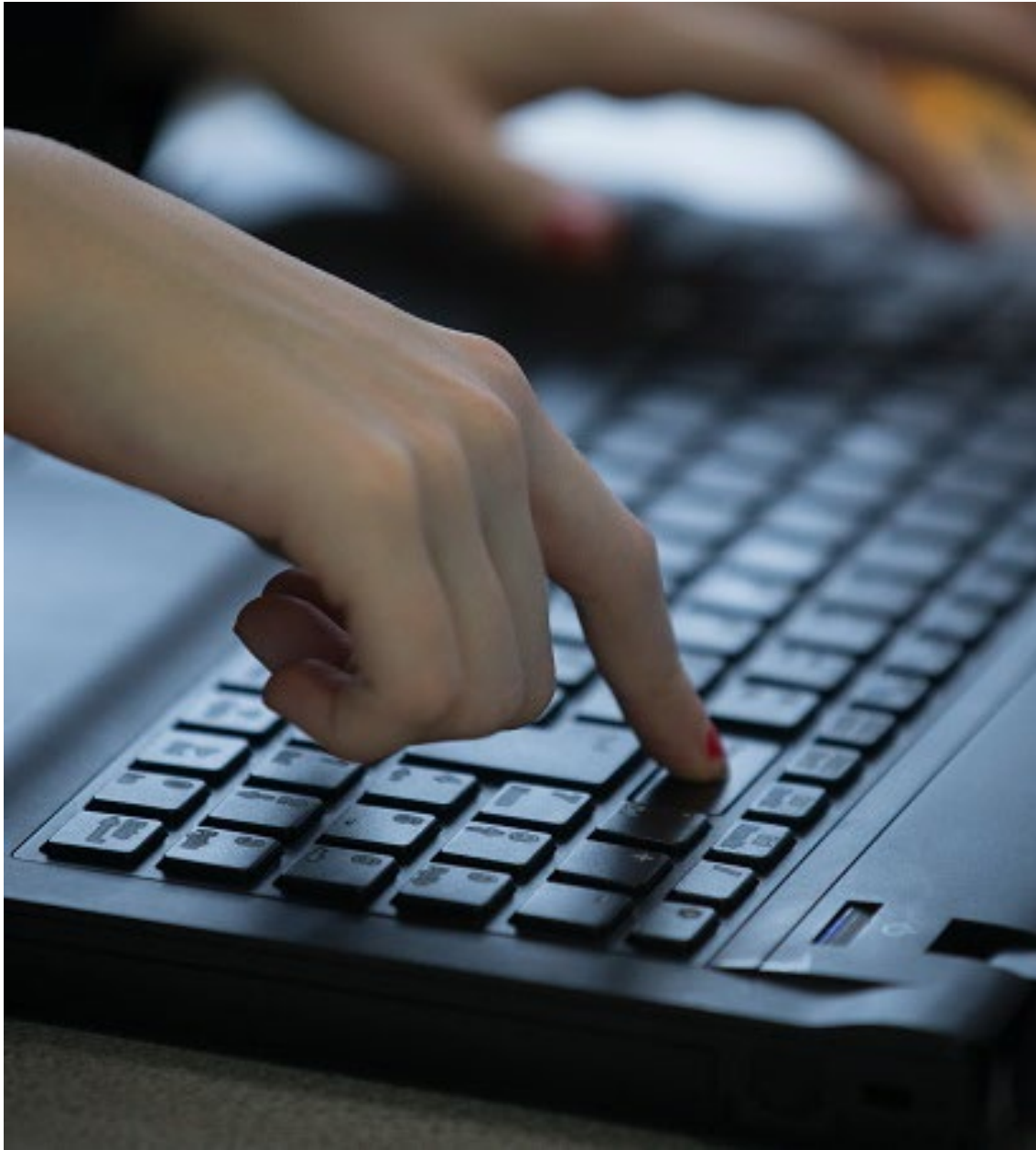


No change to night sky lighting controls

Establishment of objective ministerial design standards to ensure new, reconstructed, or expanded structures conform to the natural and agricultural setting

Required security plan unchanged except motion sensor lighting not required

Screening: Fencing is only required to screen outdoor and hoop house cultivation (indoor cultivation is already screened by the building or greenhouse structure)



Comments &
Questions on
Ordinance
Sections with
**Moderate
Changes**



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**Substantial
Changes:
Five
sections**



Chapter 38

Limitations on Canopy & Structures



Maximum outdoor cultivation area per parcel increases from 1 acre to 10% of the parcel.

Cultivation in temporary structures like hoop houses is classified as outdoor canopy area calculation

Indoor canopy limitations:

- > 43,560 sq ft (1 acre) limit on use of new or expanded permanent structures, like greenhouses, for cannabis cultivation, for parcels between 10 and 20 acres in size.
- > 50% of maximum lot coverage limit on use of new or expanded structures for parcels over 20 acres
- > No limit on use of existing structures for cannabis

New buildings are those legally constructed after January 1, 2021



Comments & Questions

Chapter 38 Limitations on Canopy & Structures



Chapter 38

Setbacks

(Slide 1 of 2)



Sensitive use setback to be measured from sensitive use's property line to the boundary of the outdoor cultivation area

Definition of certain sensitive uses clarified:
Class I Bikeway,
Parks, Daycare
Center

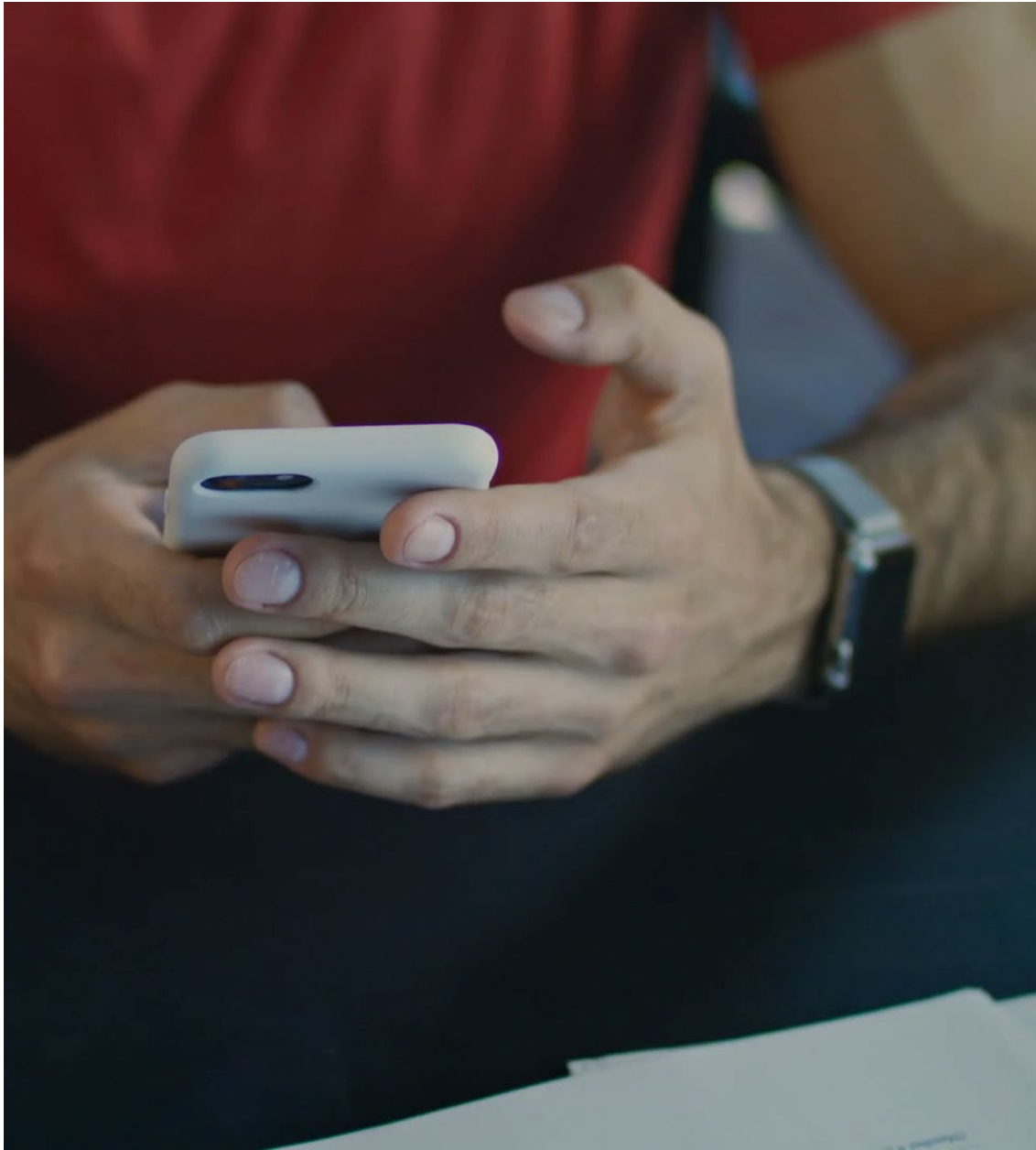
Chapter 38

Setbacks

(Slide 2 of 2)



- Minimum Setbacks for Outdoor/
- Hoophouses:
 - 100 ft: From property line of the parcel on which the outdoor/hoophouse cultivation is located
 - 300 ft: From residences and business structures on other parcels
 - 1,000 ft: From property line of a parcel with a sensitive use



**Comments &
Questions**

**Chapter 38
Setbacks**



Chapter 38

Water Use

(Slide 1 of 2)



Onsite water supply must be adequate and sustainable.

Can be satisfied via Retail, Recycled, Surface, or Groundwater

Use of trucked water only during declared emergency when other supplies not adequate

Groundwater monitoring required

Chapter 38

Water Use

(Slide 2 of 2)



Groundwater protections:

- Net zero water plan
- Not located in Priority Ground Water Basin unless compliance with certain criteria
- Grant of access for well monitoring required but not recorded

Additional protections:

- When well is within 500 ft of a blue-line stream
- Against well interference

Addition of standards governing minimum yield for groundwater



Comments & Questions

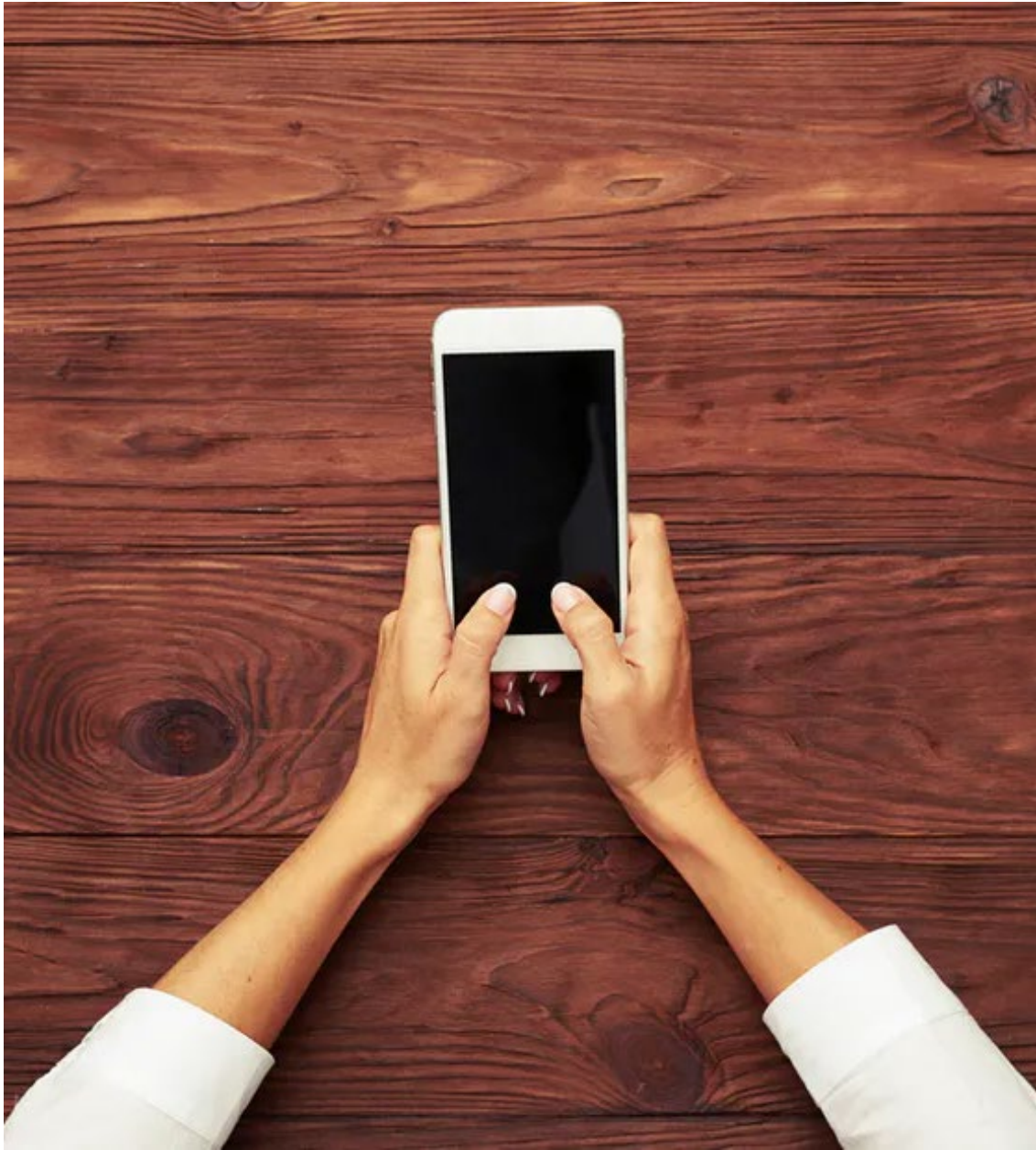
Chapter 38 Water Use



Chapter 38 Operating Requirements



Permit term increasing from 1 year to 5 years with annual review & inspections



Comments & Questions

Chapter 38 Operating Requirements



Chapter 38

Allowable Activities

(Slide 1 of 2)



Self-distribution allowed so business can transport the product off the property

Note: cannabis farm stands remain prohibited

Allows propagation and vegetative production to serve onsite needs

Limited by allowable lot coverage instead of 25% of the canopy

Multiple tenants may operate under one permit instead of multiple nearly identical permits

Chapter 38

Allowable Activities

(Slide 2 of 2)



Cannabis-related events and activities would not be specifically prohibited and instead regulated the same as other agricultural events and activities (through zoning permit or use permit process and if state licensing has been secured)

1 acre per-person cap removed

Removed distinction between medical and adult use cannabis businesses



Comments & Questions

Chapter 38 Allowable Activities



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