



County of Sonoma

State of California

Date: May 18, 2021

Item Number: _____

Resolution Number: _____

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
Disapproving a General Plan Amendment to Consider Cannabis as Agriculture, a Subsequent
Mitigated Negative Declaration and Mitigation Monitoring and Reporting, and an Ordinance
Adding Chapter 38 to the Sonoma County Code to Expand Ministerial Cannabis Cultivation
Permitting in the Agricultural and Resource Zones and Amending Chapter 26 to Expand
Cannabis Cultivation Use Permits and Align with Chapter 38**

Whereas, On December 20, 2016, the Board of Supervisors adopted Ordinance No. 6189 (Cannabis Land Use Ordinance) to allow personal cultivation and establish special use regulations for commercial cannabis business and adopted a Negative Declaration prepared for the project in compliance with the California Environmental Quality Act ("CEQA"), 14 California Code of Regulations, §§15000 et seq. ("CEQA Guidelines") and County CEQA guidelines;

Whereas, On October 16, 2018, the Board Supervisors adopted Ordinance No. 6245 amending the Cannabis Land Use Ordinance to allow adult use cannabis businesses and increase the minimum parcel size for all cultivation to 10 acres, among other minor changes, and found the ordinance exempt from CEQA under California Business and Professions Code Section 26055(h), and CEQA Guidelines Sections 15307, 15308, and 15061(b)(3);

Whereas, based on direction from the Board of Supervisors, the Cannabis Ad Hoc Committee, and public input, staff drafted the following Proposed Project: 1) a general plan amendment to state that agriculture includes cannabis; 2) a new Chapter 38 governing ministerial cannabis cultivation permits in agricultural and resource zones to be administered by the Agricultural Commissioner; and 3) amendments to the Cannabis Land Use Ordinance to expand use permits for cannabis cultivation and harmonize with Chapter 38.

Whereas, an Initial Study and Subsequent Mitigated Negative Declaration ("SMND") were prepared for the Proposed Project, and on or about February 16, 2021, the SMND was posted and made available for agency and public review in accordance with the California Environmental Quality Act ("CEQA"), 14 California Code of Regulations, §§15000 et seq. ("CEQA Guidelines") and County CEQA guidelines.

Whereas, On March 15, 2021, the Planning Commission held a duly noticed public hearing on the SMND and the Proposed Project at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the SMND and the Proposed Project and all interested persons were given an opportunity to hear and be heard regarding the SMND and the Proposed Project. The Planning Commission closed the public hearing, continued deliberations to March 25, 2021, and further continued the meeting to April 15, 2021, at which it adopted Planning Commission Resolution No. 21-01 recommending the Board of Supervisors:

- a. Disapprove the General Plan Amendment;
- b. Adopt the SMND for the modified Proposed Project;
- c. Adopt the proposed Chapter 38 governing ministerial cannabis cultivation permitting with modifications;
- d. Adopt the proposed amendments to Chapter 26 governing discretionary cannabis cultivation permitting with modifications;

Whereas, on May 18, 2021, the Board of Supervisors conducted a duly noticed public hearing on the SMND and the Proposed Project. The Board received all relevant oral and written testimony and evidence filed or presented at or before the close of the hearing. All interested persons were given the opportunity to hear and be heard. At the conclusion of public testimony, the Board of Supervisors closed the hearing, considered and discussed the SMND and the Proposed Project;

Now, Therefore, Be It Resolved that the Board of Supervisors of the County of Sonoma declares and orders as follows:

1. Accept the Planning Commission's recommendation and disapprove the proposed general plan amendment;
2. Disapprove the Planning Commission's recommendation and do not adopt the SMND;
3. Disapprove the Planning Commission's recommendation and do not adopt the Ordinance Adding Chapter 38 to the Sonoma County Code to Expand Ministerial Cannabis Cultivation Permitting in the Agricultural and Resource Zones and Amending Chapter 26 to Expand Cannabis Cultivation Use Permits and Align with Chapter 38.

Be It Further Resolved that the Board of Supervisors directs staff to schedule a future public workshop, and take other necessary steps, to discuss and develop proposed revisions to the Cannabis Land Use Ordinance (Sonoma County Code Section 26-88-250 et seq.) that are to be studied under an environmental impact report;

Be It Further Resolved that the Board of Supervisors designates the Clerk of the Board as the custodian of the documents and other material which constitute the record of proceedings upon which the decision herein is based. These documents may be found at the office of the Clerk of the Board, 575 Administration Drive, Room 100-A, Santa Rosa, California 95403.

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Date:

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Supervisors:

Gorin:

Rabbitt:

Coursey:

Gore:

Hopkins:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.