



SUMMARY REPORT

Agenda Date: 10/28/2025

To: Board of Supervisors

Department or Agency Name(s): Permit Sonoma

Staff Name and Phone Number: Scott Orr, Crystal Acker, Marina Herrera, 707-565-1900

Vote Requirement: Majority

Supervisory District(s): Countywide (excluding the Coastal Zone)

Title:

1:30 P.M. - Comprehensive Cannabis Program Update and Final Environmental Impact Report, Permit Sonoma
File No. ORD21-0004

Recommended Action:

Conduct a public hearing, receive public comment on, and take the following actions:

- A) Adopt a Resolution certifying the Final Environmental Impact Report for the Comprehensive Cannabis Program Update ("Project"), adopting findings of fact, a statement of overriding considerations, and the mitigation monitoring and reporting program pursuant to the California Environmental Quality Act;
- B) Adopt a Resolution (1) amending General Plan policies of the Agricultural Resources Element governing cannabis operations and amending definitions in the glossary to redefine cannabis as controlled agriculture, and (2) amending the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones to reclassify cannabis as a qualifying agricultural use and prime crop;
- C) Adopt an Ordinance amending Sonoma County Code Chapter 26 (Zoning Code) pertaining to the regulation of cannabis cultivation and accessory uses, cannabis visitor-serving uses, centralized processing, laboratories, and manufacturing and incorporating the Mitigation Monitoring and Reporting Program;
- D) Adopt a Resolution introducing, reading the title of, and waiving further reading of an Ordinance adding Chapter 4 Article X to the Sonoma County Code to establish a cannabis business license program; and
- E) Adopt a Resolution introducing, reading the title of, and waiving further reading of an ordinance amending Chapter 30, Article II of the Sonoma County Code to explicitly exclude cannabis uses from the County's Right to Farm Ordinance.

Next, receive public comment on and take the following action: [Supervisor Gore recusing]

- F) Adopt an Ordinance amending Sonoma County Code Chapter 26 (Zoning Code) pertaining to cannabis store-front retail and distribution.

Executive Summary:

The regulation of cannabis in California and Sonoma County has significantly evolved since the adoption of the first dispensary ordinance in 2007 and comprehensive cannabis land use ordinance in 2016. In response to March 2022 Board direction, Permit Sonoma staff developed the proposed Comprehensive Cannabis Program Update (Program) comprised of a General Plan Amendment, Zoning Ordinance Amendments, and an amendment to the Sonoma County Uniform Rules for Agricultural Preserves, and amendments to Sonoma County Code Chapter 4 to create a cannabis business license.

The Board directed staff to update the cannabis program in accordance with the adopted Framework and inclusive of community input and to prepare an Environmental Impact Report (EIR) in accordance with the California Environmental Quality Act (CEQA). The Comprehensive Cannabis Program Update (Program) aims to treat cannabis cultivation more like other agricultural production and permit cannabis supply chain uses consistent with comparable non-cannabis activities. These changes are intended to support economic growth of the industry while improving compatibility between cannabis uses and the neighborhoods they are located within or near. Staff has also prepared a wide range of policy options for consideration by the Board, further outlined in Attachment 7.

Discussion:

Prior Actions. A list of prior actions taken by the Board of Supervisors concerning this and earlier cannabis ordinances are outlined in Attachment 8. On June 19, 2025, the first Planning Commission hearing was held to accept public comment on the Draft EIR and the proposed Program. On August 7, 2025, the Planning Commission began deliberative hearings to review, receive public comment on, and discuss the draft ordinance. On September 17, 2025, the Planning Commission held a public hearing on the Final EIR and the Program, received public comment, and began deliberations. The meeting was continued to September 18, 2025, for further deliberations, after which the Commission adopted a resolution recommending the Board of Supervisors certify the Final Environmental Impact Report and adopt the Program, with modifications as discussed below.

Attachment 9 provides a summary of Planning Commission deliberations and an outline of specific votes by policy option.

Comprehensive Cannabis Program Update:**Cannabis Business License**

The Program proposes to establish a Cannabis Business License program through the adoption of Chapter 4, Article X, Cannabis License. Many local jurisdictions administer a form of cannabis business license program as a way of tracking cannabis operations and ensuring land use consistency. The County of Sonoma does not administer a business license program but has established a business license program in the past for vacation rentals. The cannabis license would provide the County with a mechanism for registering cannabis businesses and for tracking cannabis operations over time. It would also allow the County to provide the required local authorization to the California Department of Cannabis Control when operators apply for a state cannabis license. A business license is an efficient method for administering the Program in addition to providing a lower financial barrier of entry for operations than the current permitting program. Because the proposed land use ordinance would remove term limits, remove applicant/operator-specific information and notification, and allow cannabis uses by right in certain zones, the County would not have another mechanism for knowing which cannabis businesses were operating in the County. The proposed cannabis business license would also provide an additional mechanism for requiring monitoring and inspection to ensure cannabis land uses operate in compliance with local laws and regulations. The fee for the cannabis license cannot exceed the reasonable cost of regulation under the license ordinance. Revenue generation for general purposes could only be done under the Cannabis Business Tax Ordinance.

General Plan Amendment

The proposed General Plan Amendment would define cannabis production as “controlled agriculture,” a subset of agriculture that would be subject to unique regulations but included as agriculture in all General Plan policies unless specifically excluded.

Cannabis is unique from other agricultural crops due to its federal classification as a controlled substance under the federal Controlled Substances Act. The County currently considers cannabis to be a commercial use and does not consider cannabis an agricultural crop. Existing General Plan policies for agriculture and agriculture-related activities do not directly apply to cannabis. Through permitting and regulating cannabis, the County has found that cannabis production has many similarities to traditional agricultural production and is more appropriately recognized as an agricultural use. Thus, the Program proposes to redefine cannabis cultivation as an agricultural use, which staff found to be appropriate in a County that encourages the diversification of its agricultural industry. Still, due to its federal status, highly regulated State status, and evolving but polarized public sentiment, staff has recommended using the term controlled agricultural crop to align with the imposition of cannabis-specific policies that do not apply to other crop agriculture.

Land Conservation Act Program (Williamson Act, Uniform Rules). Reclassification of cannabis as an agricultural use in the General Plan would also allow it to be reclassified as a prime crop under the Land Conservation Act Program (Williamson Act). Staff are proposing to amend the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Uniform Rules) to classify cannabis as a qualifying agricultural use (prime crop) rather than a compatible use (Uniform Rules were amended in 2016 with Cannabis Ordinance No. 6189 to include cannabis as a compatible use). As a qualifying agricultural use cannabis would count toward the required agricultural acreage to qualify for a Williamson Act contract and would benefit from the tax reduction. In contrast, compatible uses do not count toward the required acreage and are limited to 5 acres total for the parcel (compatible uses may include, for example, the residence, residential accessory uses, a winery, etc.). While cannabis cultivation would be a qualifying agricultural use, due to the canopy limitations discussed below, a parcel under a Williamson Act contract would require other agricultural uses on the parcel to meet the contract requirements of the Uniform Rules for minimum agricultural acreage. Additional discussion on Williamson Act and proposed revisions to the Uniform Rules can be found in the General Plan Policy Option discussion paper included as Attachment 7.

Right to Farm. The Right to Farm Ordinance (Sonoma County Code Chapter 30 Article II) is designed to protect and promote agricultural operations by recognizing agriculture as a priority land use on parcels designated for agriculture by the General Plan and Zoning Ordinance and reducing conflicts with neighboring land uses by requiring notice to neighboring properties of the natural nuisance situations agriculture may cause. General Plan Policy AR-4d applies the provisions of the Right to Farm Ordinance to all lands designated within the agricultural land use categories: Diverse Agriculture (DA), Land Extensive Agriculture, and Land Intensive Agriculture (LIA). The Ordinance only pertains to local regulations and does not modify or abridge any federal or state law. Additional discussion on Right to Farm can be found in the General Plan Policy Option discussion paper included as Attachment 7.

The Planning Commission voted to not apply the County’s Right to Farm Ordinance to cannabis uses. Therefore, General Plan Policy AR-4d has been amended to explicitly exclude cannabis (Exhibit 2-A). Planning Commission discussion on the topic included that by imposing larger setbacks on cannabis from residential zoning, the use should not become a nuisance. If right to farm does not apply to cannabis, staff further recommends amending Chapter 30 Article II to expressly exclude cannabis operations from the definition of

agricultural operations in the ordinance (see Attachment 5).

Zoning Ordinance

Proposed changes to the Zoning Code Chapter 26 include: 1) repealing the current cannabis ordinance (Section 26-88-250 to -256); 2) changes to Articles 04, 18, 20, 22, 26 and 86 of the existing zoning code to add or modify definitions and use standards for cannabis uses; and 3) the addition of a cannabis exclusion zone combining district, Article 81, as recommended by the Planning Commission. This ordinance will apply to new and modified use permits for cannabis uses in the agricultural and resource districts (LEA, LIA, DA, RRD), industrial districts (MP, M1, M2, M3) and commercial districts (C1, C2, C3, LC). Modifications to the provisions which pertain to personal cultivation will also apply to the residential districts (RR, AR, R1, R2, R3, PC). Proposed changes to the zoning code were aimed at simplifying cannabis use standards by regulating cannabis more similarly to other uses and eliminating duplicative regulations to streamline permitting. Additionally, zoning code amendments would eliminate the existing term limit and permit renewal requirements (and instead impose the annual licensing program discussed above).

Commercial and Industrial Zones.

Under the proposed Program, cannabis uses in commercial and industrial zones would be regulated consistent with similar non-cannabis uses. Cannabis uses in these zones addressed by the program include cultivation, centralized processing, testing laboratories, manufacturing, distribution, storefront retail (dispensaries, including lounges with onsite consumption) and non-storefront retail (delivery only, i.e., direct to customer delivery by a distribution facility). Cannabis uses in these zones would be primarily permitted by right, which means no planning permit would be required, with a few exceptions (e.g., indoor cultivation where urban services (water and sewer) are not available). Where feasible, existing code sections regulating comparable uses (e.g., laboratories and manufacturing) would be amended to include cannabis, simplifying and integrating cannabis uses into the zoning code. Cannabis-specific setbacks and other locational and screening requirements would be eliminated for uses in these zones, and standard base zoning setbacks would continue to apply to all structures in Commercial and Industrial Zones.

While the EIR studied having no caps on cannabis uses, the Planning Commission recommended retaining the storefront retail (dispensary) cap of nine and similarly capping the number of non-storefront retail (delivery only) at nine. Deliberations on the caps included discussion of the high barriers to entry that current dispensary owners faced given the use permit requirement and current profitability struggles of those businesses versus leaving it to the market to determine the correct number of retail businesses.

Agricultural and Resource Zones.

Under the proposed Program, cannabis uses in the agricultural and resource zones would be considered agricultural uses under the General Plan and zoning code. Cannabis uses in these zones would be permitted by a Zoning Permit (ministerial) or Use Permit (discretionary). Changes to the cannabis uses allowed in these zones include allowing for expanded accessory uses, including farm retail sales, cannabis events, and visitor-serving activities, and a new ministerial permitting pathway through the proposed crop swap provisions.

➤ Cultivation (Sec. 26-18-115)

- All cultivation (except for crop swaps) would be subject to a use permit to allow for discretionary site-specific environmental review and public participation
- Minimum Parcel Size: 10 acres

- Accessory uses would include but not be limited to:
 - Propagation, research and development (i.e., development of new strains)
 - Processing (site-grown cannabis)
 - Manufacturing (manufacturing is limited to chemical extraction using carbon dioxide and extraction by physical or mechanical means such as ice and water)
 - Packaging and Labeling
 - Self-distribution
 - Retail would be allowed in compliance with the standards of Farm Retail Sales (Sec. 26-18-140 & Sec. 26-88-215) in the Agricultural and Resource zones, except that food sampling and onsite cannabis consumption would be prohibited
 - Crop Swaps would be allowed by zoning permit subject to use standards intended to ensure no change in impacts, and would be defined as, *“the replacement of active cultivation of perennial crops, row crops, or other crops which are plowed, seeded, and harvested annually, with outdoor cannabis cultivation or the reuse of an existing nonresidential structure for an accessory cannabis use or indoor or mixed light cannabis cultivation, involving no or negligible expansion of use.”*
 - Setbacks
 - Property Line: 100 feet
 - Sensitive Use: 1,000 feet
 - Residential Land Use: 1,000 feet
 - Incorporated City Boundaries: 1,000 feet
 - Provisions for existing permits and applications approved or deemed complete prior to the effective date of this ordinance would be subject to the following setback requirements:
 - Property Line: New structures, the reuse of existing structures not currently used for the cannabis operation, outdoor event areas, and outdoor canopy would be required to be setback at least 100 feet from each property line.
 - Offsite Residential Setback: Outdoor canopy, mixed-light cultivation structures, and outdoor event areas would be required to be setback at least 300 feet from offsite residences on residentially zoned parcels.
 - Sensitive Use Setback: Approved permits and any amendments thereto would be subject only to the sensitive use setbacks that were applied to the original approval.
- Centralized Processing (Sec. 26-20-025) (would not be allowed in RRD)

Visitor Serving Uses.

The Program proposes to allow visitor serving activities and events as agricultural promotional activities on agricultural land. Under the winery definitions and standards ordinance (Sec. 26-18-260), visitor serving activities are those that are part of the standard daily operations and include, for example, tasting rooms and winemaker dinners. Winery events are those held for the purpose of promoting and marketing agricultural products and which exceed the permanent infrastructure capacity of the site and may be held outside normal business hours. The proposed Program similarly includes cannabis visitor serving uses and cannabis events. Cannabis visitor servings uses are intended to be similar to a tasting room by appointment only or a by invitation industry and marketing activities. While winery visitor serving uses are not limited to a certain number of days or guests, the Program proposes to cap both for cannabis visitor serving uses in order to maintain additional controls over the new use. Similarly, while the zoning ordinance does not limit the number of winery events (though it would be specified in the use permit), the Program proposes to limit the number of cannabis events to two per year.

- Under proposed Sec. 26-18-270, cannabis visitor serving uses would only be allowed with a use permit and subject to mitigation measures and conditions of approval.
- Small visitor serving activities: Up to 104 activity days per year. Each activity day could have up to 25 attendees or up to 50 with use of a shuttle.
- Large cannabis events: Up to 2 events per year with a maximum of 2 event days each (total of 4 event days, annually)
- Cannabis activities and events would need to comply with similar use standards to winery events: hours, on-site parking, food service, traffic management.
- Open “tasting rooms” would not be allowed; consumption activities would only be allowed with permitted visitor serving activities and events. Visitor serving uses would not be permitted in the very-high fire hazard severity zone. All events subject to site-specific mitigation and those not along major roads would require an evacuation analysis.
- Noise studies, site-specific mitigation, and noise monitoring required.

Cannabis Exclusion Combining District.

Additionally, the Planning Commission recommended adding a cannabis exclusion combining zone, which would be implemented by a new Article 81 in Chapter 26 (Exhibit 3-H, Article 81). The exclusion combining zone could be applied to any base zone to prohibit cannabis uses on the parcels to which it is applied. The proposed combining zone (Exhibit X) includes criteria for applying the zone related to inadequate road access, existing residential uses, intense odor from overconcentration, fire hazard, and low water supply. Rezoning to add a combining zone is a legislative process that can be initiated by the County or members of the public through an application process. Additional discussion on Exclusion Zones can be found in the Compatibility Setback discussion paper included as Attachment 7.

Periodic Specific Events.

Periodic special events are currently permitted by zoning permit under Sec. 26-22-120 and are allowed in most zoning districts in the County. Examples of periodic special events include weddings, festivals, etc. A site may hold no more than four in a two-year period before being required to obtain a use permit. Current code prohibits the inclusion of cannabis in any type of event. Under the proposed Program, periodic special events may incorporate cannabis sales and consumption provided it is incidental to the primary purpose of the event.

Personal Cultivation.

The proposed Program would modify the limits allowed for personal cultivation. Currently, the ordinance allows personal cultivation of up to 6 plants for adult use and up to 100 square feet for medical use. The purpose of the 100-foot limit for medical cannabis was intended to provide patients flexibility to grow multiple strains; however, department has found the square foot standard difficult to enforce because plants grown in pots can be moved. Thus, the Program proposes to allow up to 6 plants per residence for both adult use and medical use.

Cannabis Consumption.

The Program proposes cannabis consumption at storefront retailers, large cannabis events, and visitor serving activities, and periodic special events. This Cannabis Program Update focuses on land use permitting and regulations, while the County Department of Health Services (DHS) - Environmental Health Division issues health permits, provides inspection services, and conducts enforcement activities for cannabis uses subject to Chapter 14, Article VI, Cannabis Dispensary and Edible Cannabis Product Manufacturing premises.

Permit Sonoma has met with DHS during this process, in particular, to discuss allowing consumption at storefront retail (lounges) and events. Under Chapter 14, Article VI, a dispensary permit is required for any establishment that sells cannabis, including lounges and events. Currently, Chapter 14 prohibits consumption, therefore, no consumption at lounges, visitor serving activities, or events would be allowed unless or until that ordinance is amended. The land use ordinance includes a paragraph clarifying that no cannabis consumption will be allowed unless expressly permitted under Chapter 14.

DHS is currently reviewing potential health ordinance amendments for consideration by the Board of Supervisors. They intend to bring forward an option that would allow indoor and outdoor consumption at events and dispensaries consistent with what is allowed under State cannabis law and that would include maximum protection for workers. Based on the Board of Supervisors' decisions for the Cannabis Program Update, it is anticipated that proposed environmental health permits will correspond to the allowed land uses that include consumption, including events, dispensaries, farm retail sales, and rural visitor serving activities. Amendments to County health ordinances continue to follow a separate pathway because Chapter 14 governing dispensaries and edible manufacturers applies in incorporated cities as well as the unincorporated County, thus requiring additional considerations, outreach, and study.

Policy Options.

Staff has developed a range of policy options for the proposed Program, focusing on the most prominent issues identified to date (see Attachment 7, Policy Option Discussion papers for issue-specific analysis and more details on the various policy options prepared by staff). Program alternatives evaluated by the EIR are incorporated throughout the discussion papers. Ministerial versus discretionary permitting is specifically discussed in the Ministerial Cultivation Permitting discussion paper (Attachment 7). Staff developed the Cannabis Program Update Map Viewer as a resource for decision makers and the public to view setbacks and parcel eligibility data associated with policy options, linked [here](https://sonomacounty.maps.arcgis.com/apps/webappviewer/index.html?id=bf01fa9d2f30432c910cb8054ca5975f)

[<https://sonomacounty.maps.arcgis.com/apps/webappviewer/index.html?id=bf01fa9d2f30432c910cb8054ca5975f>](https://sonomacounty.maps.arcgis.com/apps/webappviewer/index.html?id=bf01fa9d2f30432c910cb8054ca5975f).

California Environmental Impact Report

Environmental Determination. Pursuant to the California Environmental Quality Act (CEQA), an Environmental Impact Report (EIR) was prepared to address the potential impacts of the proposed Program on the environment and identifies measures that would mitigate impacts.

On May 16, 2025, the County released the Draft Environmental Impact Report (DEIR) for circulation and public comment. On September 3, 2025, the County published a Final Environmental Impact Report (FEIR) which includes: minor project modifications (Chapter 2), County responses to comments received on the DEIR during the public review period (Chapter 3), and revisions to the DEIR (Chapter 4). Additionally, on October 22nd the County published an errata to FEIR that address project changes recommended by the Planning Commission and includes technical corrections to the FEIR.

The FEIR reaffirms the environmental analysis completed for the DEIR, which addresses environmental impacts associated with the proposed programmatic update that were raised during the Notice of Preparation

process or identified during the preparation of the DEIR.

Mitigation Measures. The DEIR discusses significant and potentially significant impacts in terms of several environmental categories including, but not limited to, aesthetics, biological resources, cultural resources, energy, geology soils and mineral resources, hazards and hazardous materials, hydrology and water quality, tribal cultural resources, utilities and service systems, wildfire, and cumulative impacts. The DEIR determined that there were no impacts or less than significant impacts in the following environmental categories: agriculture and forestry resources, land use and planning, and public services and recreation.

Several mitigation measures place restrictions and limit the siting, location, or design of future cannabis operations. These mitigation measures, which apply to by-right, ministerial, and discretionary uses, have been incorporated into the draft Zoning Ordinance, included as Attachment 3. The Cannabis Program Update Map Viewer contains environmental data layers associated with some mitigation measures ([linked here <https://sonomacounty.maps.arcgis.com/apps/webappviewer/index?id=bf01fa9d2f30432c910cb8054ca5975f>](https://sonomacounty.maps.arcgis.com/apps/webappviewer/index?id=bf01fa9d2f30432c910cb8054ca5975f)). The following is a summary of mitigation measures that may apply to cannabis uses:

- 3.1. Aesthetics. Impose additional lighting and glare-related standards and prohibit reflective plastics for ground cover and hoop houses to protect scenic resources.
- 3.3. Air Quality. Require dust control measures. Require odor control and filtration systems for structures containing unpackaged cannabis, such as carbon filtration. Impose requirements related to outdoor smoking.
- 3.4. Biological Resources. Require pre-approval biotic resource assessment, impose additional survey requirements, and implement specific mitigation measures depending on the species or habitat identified.
- 3.5. Cultural and Historic Resources. Require pre-approval architectural evaluations and require conformance to Secretary of the Interior's standards for historic buildings. Require cultural/archeological resource surveys and implement avoidance measures and additional mitigation measures if resources are identified.
- 3.6. Energy. Implement energy conservation and renewable energy measures.
- 3.7. Geology and Soils. Implement protective measures for paleontological resources.
- 3.9. Hazards and Hazardous Materials. Implement soil investigation measures for sites listed on the Cortese List.
- 3.10. Hydrology and Water Quality. Implement measures to protect groundwater resources and require groundwater monitoring.
- 3.15. Tribal Cultural Resources. Require pre-approval site evaluations, review of known resources, tribal consultation, and implement avoidance measures and additional mitigation measures if resources are identified.
- 3.16. Utilities and Service Systems. Require proof of municipal water supply (i.e., will serve letter).

3.17. Wildfire. Implement measures that limit allowable uses in Very High Fire Hazard Severity Zones to outdoor cultivation and accessory processing only, impose defensible space requirements, require non-combustible building construction, impose event standards, and require implementation of a site-specific fire protection and prevention plan including evacuation analysis.

Significant Effects. The DEIR identified five impact areas where one or more impacts are considered significant and unavoidable, meaning there is no feasible mitigation available to reduce the Program's impacts or the Program's contribution to cumulative impacts to a less than significant level. The following have been identified as significant and unavoidable.

3.3. Air Quality. Implementation of the proposed program would expose a substantial number of people to odors considered objectionable due to lack of feasible odor mitigation for outdoor cultivation and smoking.

CUM-7. Cumulative Operational Criteria Air Pollutants. Implementation of the proposed program would result in an increase in VMT with no feasible mitigation and as a result could affect the cumulative air quality conditions of the San Francisco Bay Area Air Basin.

3.8 and CUM-22. Greenhouse Gas Emissions. Implementation of the proposed program would conflict with applicable policies for the purpose of reducing the emissions of greenhouse gases due to the lack of feasible mitigation to require projects to be all electric and to reduce vehicle miles traveled.

3.12. Noise and Vibration. Implementation of the proposed program would result in short term construction noise impacts due to the uncertainty and infeasibility of reducing construction noise under all scenarios.

3.14 and CUM-34. Transportation. Implementation of the proposed program would conflict with CEQA Guidelines Section 15064.3(b) related to Vehicle Miles Traveled (VMT) due to lack of feasible mitigation for addressing VMT.

CUM-38. Utilities and Service Systems. Implementation of the proposed program would contribute to cumulative impacts on water supply sufficiency due to the uncertainty in public water infrastructure improvements.

Alternatives Comparison. A DEIR also studies what would happen if the project were not adopted, known as No Project, as well as project alternatives that have the potential to lessen environmental impacts. Table 5-2 of the DEIR (Attachment 11, DEIR) provides a summary comparison of the alternatives and the proposed program by impact category.

For the No Project Alternative there would be no change to the existing cannabis program.

Alternative 1 (No Project) would reduce impacts related to aesthetics, air quality, greenhouse gas emissions, hydrology, noise, transportation, and utilities due to less development and reduced cannabis cultivation compared to the Program. However, it could result in greater impacts to agricultural and forestry resources and noise due to potential conflicts with agricultural zoning and smaller setback requirements.

Alternative 2 (Commercial and Industrial Zones Only) would reduce impacts related to aesthetics, agriculture and forestry resources, biological resources, greenhouse gas emissions and climate change, hydrology and water quality, and wildfire. Impacts related to air quality would be reduced and the alternative would eliminate a significant and unavoidable odor impact as cannabis would be grown indoors only. However, impacts would be greater for energy and utilities and service systems due to the increased development of indoor cannabis facilities and their greater energy consumption compared to the proposed Program. This impact would require significantly more building development than that of the proposed Program.

Alternative 3 (Ministerial Only) would reduce impacts related to agricultural and forestry resources, greenhouse gas emissions and climate change, noise and vibration, transportation, and wildfire because there would be less developed uses constructed on agricultural land, no new development in commercial and industrial zones, and no cannabis events would be allowed. However, the impacts associated with air quality, specifically odor, would be greater than that of the proposed Program. In all other respects, impacts would be similar to those of the proposed Program.

Alternative 4 (Reduced Scope) would reduce impacts related to air quality (odors), noise and vibration, transportation, and wildfire by requiring setbacks, prohibiting cannabis events, and restricting development in designated fire hazard severity zones, despite having the same overall development potential as the Program. For all other environmental topics, impacts would be similar to those of the proposed Program.

Alternative 5 (No New Development: Crop Swap and Shop Swap Only) would eliminate significant and unavoidable impacts related to greenhouse gas emissions, noise, and transportation. This would lessen the impact for air quality (odor) but finds that odor would still qualify as a significant and unavoidable impact. This alternative also reduces impacts to all other resource areas, apart from land use and planning, public services, and recreation which remain the same as the proposed Program.

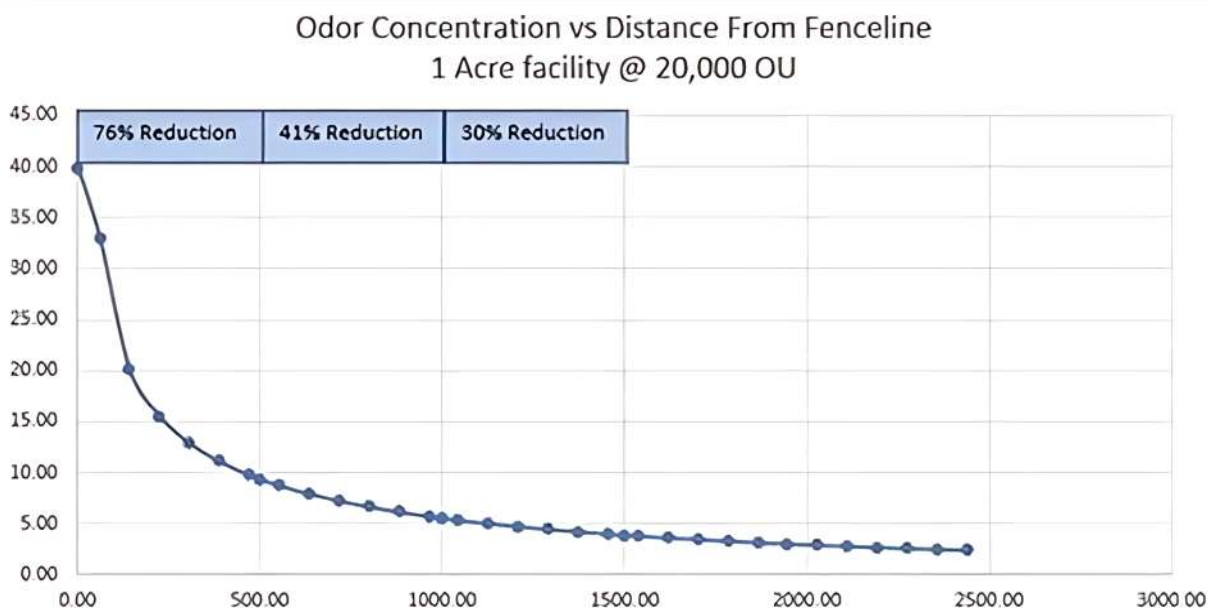
Alternatives 2 and 5 would eliminate significant and unavoidable impacts. Alternative 2 would likely result in greater building development than the proposed Program but would eliminate the significant and unavoidable impacts related odor. Alternative 5 would likely result in a smaller development potential than that of the proposed Program, with stricter reuse limitations on structures. Alternative 5 would also eliminate the significant and unavoidable impacts related to greenhouse gas emissions, noise, and transportation and thus has been identified as the environmentally superior alternative. However, this alternative would not support key project objectives related to increased business opportunities for the cannabis industry, allowing the expansion of cannabis uses, reducing the barrier to entry, and regulating cannabis on agricultural lands more similarly to other agricultural uses.

Additional Topics

Odor. The proposed program addresses odor by applying setbacks using an objective approach to determine their distance. Odor has been determined to be a significant and unavoidable impact as the proposed program would expose a substantial number of people to odors considered objectionable. Mitigation measures would reduce potential odor impacts through air filtration requirements for cultivation or supply chain uses within structures, and requirements for consumption. However, impacts related to outdoor cultivation odors as well as outdoor smoking cannot be feasibly mitigated to a less than significant level.

The Draft EIR includes odor dispersion modeling prepared by Trinity Consultants for the Trinity County

Cannabis EIR. During the public comment period on the Draft EIR, several commenters questioned the adequacy of the Draft EIR odor dispersion modeling. The FEIR addresses these concerns in Section 3.2 Master Responses (Exhibit 1-A, FEIR, 3.2.1 Master Response 1: Evaluation of Cannabis Odor Impacts and Associated Modeling). Because the labels on the Trinity Consultants dispersion model graphs have been confusing to many commenters, the table below has been extrapolated from the graph to display and clarify the results. The modeling demonstrates that setbacks provide substantial decreases in odor concentrations, with increases in setback distances resulting in diminishing odor reductions. At 100 feet from a 1-acre outdoor cultivation site, there is an approximate 48 percent reduction in odor concentration; at 600 feet, there is an approximate 83 percent reduction in odor concentration. Beyond 600 feet, the slope of the model curve begins to flatten, resulting in comparatively less odor reduction with additional distance. At 1,000 feet, an approximate 86 percent reduction is achieved (an additional 3% over 600 feet).



(FEIR, Figure 3-1, Source: Trinity Consultants 2020. Adapted by Ascent in 2025)

Odor Dispersion Reduction from a 1-acre cultivation site				
Distance (Feet)	Odor Units	% Total Reduction	% Additional Reduction of Total Odor	% Reduction of Remaining Odor
100	21	48%	48%	48%
600	7	83%	35%	67%
1,000	5.7	86%	3%	19%
1,500	4.4	89%	3%	22%
2,000	3.6	91%	2%	18%

Odor Complaints from Existing Sites. The Department of Agriculture Weights and Measures investigates

complaints related to permitted cannabis sites and is assisted by Permit Sonoma's Code Enforcement Division. For permitted cannabis sites, one odor complaint was received in 2021 (District 1); two odor complaints were received in 2022 (District 1 and District 5); one odor complaint was received in 2023 (District 5); and no odor complaints have been received in 2024 or 2025. Note that these statistics are for formal complaints submitted.

Beta-Myrcene. Several comment letters questioned the adequacy of the Draft EIR health risk analysis regarding beta-myrcene emissions from cannabis plants, citing concerns with the document's characterization of health risk, exposure limits, and dispersion modeling. The FEIR responses to comments clarifies that there is no evidence that emissions of beta-myrcene from cannabis plants pose any health risk to neighbors. This was confirmed by the County's toxicology experts (SafeBridge Consultants) and the Sonoma County Health Officer Dr. Karen Smith, a physician and former California Department of Public Health Director (letter included as Attachment 5b to Planning Commission packet dated September 17, 2025 and as a reference to the FEIR). The modeling performed by Trinity Consultants and SafeBridge Consultants was done as a precautionary measure, despite the fact that there is no evidence demonstrating a health risk from cannabis plant emissions. The FEIR concludes that the modeling provided in the DEIR is conservative, technically sound, and further demonstrates that cannabis emissions do not pose a risk of adverse health effects.

Public Comment.

The County has received the following consolidated and prioritized policy positions from members of the public and community groups voicing opposition to many aspects of the Cannabis Program Update:

1. Approve Alternative 2 - Commercial and Industrial Only (no cannabis uses in agricultural and resource zones allowed)

If cultivation and support uses are allowed in agricultural and resources zones, then:

2. Increase minimum setbacks from individual residences on neighboring parcels in agricultural and resource zones to 1,000 feet
3. For ministerial crop swaps, apply additional criteria recommended by CDFW:
 1. No net water use, both seasonally and annually (note: this recommendation has been incorporated into revised mitigation measures).[should these cite to the specific mitigation/code section?]
 2. Infrastructure not more intense than prior ag use - i.e. in-ground, no hard surfaces, pots, soil, etc. (note: proposed code section was clarified to prohibit import of gravel for hardpacked surfaces).
 3. No imported soil.
 4. No new lighting (note: new lighting would be subject to code standards and lighting mitigation measures).
 5. Biotic resource assessments required for each project.
4. No cannabis events or visitor serving uses in agricultural lands. Limit cannabis events to commercial and industrial zones.
5. Do not reclassify cannabis as an agricultural use.

Strategic Plan:

N/A

Racial Equity:

Was this item identified as an opportunity to apply the Racial Equity Toolkit?

Yes

In 2021, the County contracted with the California Center for Rural Policy (Humboldt State University), using Type 1 Cannabis Equity Grant Funds for Local Jurisdictions from the Governor's Office for Business and Economic Development (GO-Biz), to conduct a [Cannabis Equity Assessment <https://share.sonoma-county.org/link/0cc_lqEX5a8/>](https://share.sonoma-county.org/link/0cc_lqEX5a8/) (Assessment, linked and see Attachment 13). Key findings from the Assessment include:

- Sonoma County's legacy small cultivation applicants, particularly those in the Penalty Relief Program (PRP), have been disproportionately impacted by bottlenecks, program requirements, and subsequent costs in the County's permitting process.
- State classification of cannabis as an agricultural product rather than agriculture creates a distinct and more expensive permitting process than other agricultural businesses follow. Other issues include rural neighborhood opposition, ordinance volatility, and high capital barriers to entry such as high real estate values in the County.
- Sonoma County's Latinx and low-income populations have been disproportionately impacted by pre-Proposition 64 enforcement and the war on drugs.
- As in the rest of California and across the nation, wealthy, white stakeholders increasingly own the County's licensed cannabis landscape whose investments in land and resources result in limited opportunities for small cannabis operators.

It is also believed that cannabis' illegal status at the State and Federal levels has had a disproportionately negative impact on certain individuals who were convicted of cannabis offenses as well as on their families and communities. Over the years, cannabis criminal enforcement led to residents being labelled criminals for simple possession and other cannabis-related convictions that would carry little to no criminal consequences under California's new regulations. Unfortunately, long lasting consequences combined with high capital and compliance requirements provide limited opportunities for socioeconomically disadvantaged and Latinx individuals looking to transition into Sonoma County's now legal cannabis industry.

Based on the Assessment and its findings, staff estimates the proposed Program changes to the current program provide more opportunity for entry into the legal cannabis industry:

- General Plan Amendment categorizing cannabis as "controlled agriculture" and including it as agriculture throughout the General Plan unless specifically excluded
- Eliminating term limits to allow permit to run with the land and eliminate the need for costly permit renewals
- Eliminating operator qualifications and defer to Department of Cannabis Control requirements
- Reduction in minimum parcel size so less capital is necessary to purchase land
- Allowing limited accessory uses will create opportunities for vertical integration for cannabis operators
- Eliminating per acre and per parcel cap (up to 10% of parcel size) will increase the cost-effectiveness of cannabis operations
- Adding by-right uses in certain areas of the County will eliminate the need for costly permits
- Adding a ministerial crop swap option will allow farmers to diversify crops

- Expanding the ministerial permitting pathway will decrease the financial investment needed to enter the legal cannabis industry
- Allowing non-storefront retail will increase opportunities for current distribution permittees and create a new entry point into the legal cannabis industry

Prior Board Actions:

Included as Attachment 8.

FISCAL SUMMARY

Narrative Explanation of Fiscal Impacts:

Fiscal Impacts of this item are unknown. Possible new fees or amended fees will be evaluated and included with the FY 26-27 fee hearings.

Narrative Explanation of Staffing Impacts (If Required):

Staffing Impacts of this item are unknown. Any staffing impacts will be reviewed and included as part of Program implementation.

Attachments:

1. Resolution - Certify the Final Environmental Impact Report for the Comprehensive Cannabis Program Update and adopt findings and a statement of overriding considerations pursuant to the California Environmental Quality Act.
 - Exhibit 1-A. Final Environmental Impact Report
 - Exhibit 1-B. Errata to the Final Environmental Impact Report
 - Exhibit 1-C-D. Findings and Statement of Overriding Consideration
 - Exhibit 1-E. Mitigation and Monitoring and Reporting Program
2. Resolution - Adopt the General Plan Amendment and approve an amendment to Uniform Rules 2.0, 4.0, 7.0 and 8.0 of the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones
 - Exhibit 2-A. General Plan Amendment
 - Exhibit 2-B. Amendment to the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones
3. Ordinance - Amendments to the Zoning Code, Chapter 26 of the Sonoma County Code as it pertains to cannabis uses
 - Exhibit 3. Zoning Ordinance Key
 - Exhibit 3-A. Article 04. Sec. 26-04-020, Definitions.
 - Exhibit 3-B. Article 18. Sec. 26-18-020, Ag Crop Production and Cultivation
 - Exhibit 3-C. Article 18. Sec. 26-18-115, Cannabis Cultivation
 - Exhibit 3-D. Article 18. Sec. 26-18-270, Cannabis Events
 - Exhibit 3-E. Article 20. Industrial, Manufacturing and Processing Use Standards
 - Exhibit 3-F. Article 22. Section 26-22-120, Periodic Special Events
 - Exhibit 3-H. Article 81. CX (Cannabis Exclusion) Zone Combining District
 - Exhibit 3-I. Article 86. Parking Regulations
 - Exhibit 3-J. Mitigation and Monitoring and Reporting Program
- 3A. Ordinance - Amendments to the Zoning Code, Chapter 26 of the Sonoma County Code as it pertains to

cannabis storefront retail and distribution

- Exhibit 3-G. Article 26. Retail Use Standards
- 4. Resolution - Introducing, reading title, and waiving further reading of the Cannabis License Ordinance, Chapter 4 of the Sonoma County Code
 - Exhibit 4. Cannabis License Ordinance (Chapter 4, Article X)
 - Exhibit 4-A. Chapter 4, Article X
- 5. Resolution - Introducing, reading title, and waiving further reading of amendments to the local Right to Farm Ordinance, Chapter 30 of the Sonoma County Code
 - Exhibit 5. Right to Farm Ordinance (Chapter 30, Article II)
- 6. Residential Setback Map (Staff Proposal & Planning Commission Recommendation)
- 7. Policy Option Discussion Papers ([Link](#) [to Cannabis Program Update Map Viewer](https://sonomacounty.maps.arcgis.com/apps/webappviewer/index.html?<https://sonomacounty.maps.arcgis.com/apps/webappviewer/index.html?>to Cannabis Program Update Map Viewer))
 - General Plan Amendment (Right to Farm, Williamson Act)
 - Compatibility Setbacks (in the Agricultural and Resource Zones)
 - Minimum Parcel Size (in the Agricultural and Resource Zones)
 - Ministerial Cultivation Permitting
 - Cannabis Cultivation and Uses (in the Agricultural and Resource Zones)
 - Cannabis Events
 - Storefront Retail (Dispensary)
 - Code Requirements which pertain to all Cannabis Uses
- 8. Prior Board of Supervisor Actions related to the Project
- 9. Planning Commission Recommendation and Deliberation Summary
- 10. Planning Commission Materials
 - [Link <https://share.sonoma-county.org/link/rjgXuJTsO-k/>](#) to June 19, 2025 Materials
 - [Link <https://share.sonoma-county.org/link/6spZ7-rMObk/>](#) to August 7, 2025 Materials
 - [Link <https://share.sonoma-county.org/link/ltYz2eH5-HU/>](#) to September 17, 2025 Materials
 - [Link <https://share.sonoma-county.org/link/vwDYcZdW4d4/>](#) to September 18, 2025 Materials
- 11. [Link <https://share.sonoma-county.org/link/rjgXuJTsO-k/>](#) to Draft Environmental Impact Report
- 12. [Link <https://share.sonoma-county.org/link/ZzYl1qANuaQ/>](#) to Public Comment
- 13. [Cannabis Equity Assessment, 2021 <https://share.sonoma-county.org/link/0cc_lqEX5a8/>](#)
- 14. Staff PowerPoint Presentation

Related Items “On File” with the Clerk of the Board:

Board of Supervisors Resolution No. 22-0088 - Resolution of Intent and adoption of the Comprehensive Cannabis Program Update Framework

Bord of Supervisors Meeting Materials, April 18, 2025 (Informational only, update on the Project)