

Cannabis Program Update

Permit Sonoma File ORD21-0004



Board of Supervisors
October 28, 2025



Meeting Overview

- Project Objectives
- General Plan Amendment
- Zoning Code Amendments
 - Cultivation & accessory uses, visitor-serving uses, centralized processing, testing labs & manufacturing
- Environmental Impact Report (EIR)
- Zoning Code Amendments
 - Store-front retail and distribution





Summary of Environmental Impact Report

DEIR

- Discloses information about the effects a project could have on the environment
- Identifies mitigation measures
- Describes feasible alternatives to the proposed project
- Public comment period for agency and public input

FEIR

- Project Updates
- Responses to Comments
- Revisions to DEIR
- Errata





Project Objectives

- Protect environmental resources and minimize environmental impacts.
- Ensure cannabis uses are compatible with areas of concentrated residential uses.
- Ensure compatibility between cannabis and existing non-residential uses.
- Regulate cannabis located on agricultural lands more similarly to other agricultural uses, while recognizing its Federal classification, legal history, crop value, transaction security, distinct odor, and energy and water requirements.





Project Objectives

- Regulate cannabis supply chain uses more similarly to other industrial and commercial uses.
- Reduce barriers to entry by allowing by right uses and eliminate duplicative regulations to streamline permit processes.
- Increase business opportunities for the cannabis industry and supporting industries by allowing an expansion in cannabis uses including cultivation, supply chain, additional support and accessory uses. Allow for multiple cannabis uses within a single operation i.e., vertical integration.
- Recognize competing and evolving community values and interests related to the cannabis industry.
- Consider the protection of public health and safety and racial and socio-economic equity.







General Plan Amendment

Re-define cannabis as “controlled” agriculture

- Allow for expansion of cannabis uses on agricultural land
- Eliminate need for another non-cannabis agricultural use
- Differentiate cannabis from other agricultural uses
 - Setbacks
 - Limitations on agricultural promotional visitor-serving uses
 - Land use permits
 - Cannabis license
- Allow cannabis to integrate into agricultural landscape over time





General Plan Amendment

Re-define cannabis as “controlled” agriculture

- Consider cannabis a qualifying agricultural use under the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones
 - Parcels could not qualify for contract with cannabis alone
- Right to Farm – Not applicable to Cannabis uses
 - EIR considered Right to Farm applicable to cannabis uses





Zoning Code Amendments

- County-wide
- Personal Cultivation
- Industrial & Commercial Zones
- Agricultural and Resource Zones
- Crop Swaps
- Setbacks - Agricultural and Resource Zones
- Cannabis Visitor Serving Activities
- Periodic Special Events





Zoning Code Amendments

Zoning Code Amendments applying County-wide

- Eliminate term limits and permit renewals
- Eliminate 1-acre cap per operator
- Eliminate duplicative regulations already addressed by DCC
 - e.g., Track & Trace requirements, operator qualifications, security plan
- Require a Cannabis License (Ch 4)
 - County does not have a general business license program





Personal Cultivation

- Modify the 100-sq ft maximum to 6 plants
- Eliminate distinction between medical and adult use
- Outdoor Cultivation Standards:
 - Subject to Agriculture / Weights & Measures BMPs
 - Outdoor cultivation prohibited in Medium (R2) & High Density (R3) Residential Zones







Industrial and Commercial Zones

- Permit cannabis uses in Industrial and Commercial zones consistent with similar non-cannabis uses
- Allow most uses by right
- Eliminate 22,000 sq ft cultivation cap per parcel (rely on lot coverage)
- Eliminate prohibition on volatile solvent manufacturing





Agricultural and Resource zones

- Change per-parcel cultivation cap from 1 acre to 10% of parcel
- Eliminate centralized processing cap of 9
- Retain 10-acre minimum parcel size
 - EIR studied a 5-acre minimum parcel size
- Allow accessory uses including:
 - Propagation, Research & Development, Processing, Manufacturing (limited), Packaging & Labeling, Self-Distribution, Farm Retail Sales
- Allow limited visitor-serving activities and events
- Require use permit for discretionary review of site-specific environmental impacts (e.g., water use, biological & cultural resources)
 - Excluding crop swaps





Crop Swaps

- Crop Swaps: replacement of active cultivation with cannabis or reuse of nonresidential structure (no expansion)
- Allowed by Zoning Permit, subject to use standards intended to ensure no change in impacts including:
 - 5 years of active cultivation of crops
 - Grazing land which is not plowed, seeded & harvested annually does not qualify
 - Soil protection (no grading, deep ripping or new hard packed surfaces)
 - Roads cannot be added, expanded, or relocated
 - Limited to 2 additional employees and 10 average daily trips
 - Water use (Net Zero for groundwater, annually and May-October)
 - Tribal Cultural Resource Protection
 - Focused Species Assessment in Critical Habitat





Setbacks - Agricultural and Resource Zones

- Property Line (100 ft): Apply to the entire operation (i.e., premises)
- Sensitive Use (1,000 ft): Apply to premises instead of property line
- Residential Zoning & Incorporated Cities (1,000 ft): Apply to premises
 - EIR studied a 600-ft setback
- Eliminate 300-ft setback from offsite individual residences





Setbacks - Agricultural and Resource Zones Existing Operations

- **Property Line Setback.** New structures, the reuse of existing structures not currently used for the cannabis operation, outdoor event areas, and outdoor canopy must be setback at least 100 feet from each property line.
- **Offsite Residential Setback.** Outdoor canopy, mixed-light cultivation structures, and outdoor event areas must be setback at least 300 feet from offsite residences on residentially zoned parcels.
- **Sensitive Use Setback.** Approved permits and any amendments thereto are only subject to the sensitive use setbacks that were applied to the original approval.





Cannabis Visitor Serving Activities

Agricultural and Resource Zones Only

- Use Permit required for all
- Open “tasting rooms” not allowed
- Visitor Serving Activities (regular promotional activities)
 - 25 attendees or up to 50 with a shuttle
 - Up to 104 activity days per year
- Large Events
 - 2 events with up to 2 event days per year
 - Similar use standards to winery events: hours, on-site parking, food service, traffic management
- Noise monitoring required for outdoor amplified live music
 - Activities and events (EIR Mitigation Measure)





Periodic Special Events

Countywide

- Zoning Permit required for all (max of 4 over 2-year period)
- Remove prohibition on cannabis sales and consumption
- Allow cannabis sales and consumption as secondary and incidental to primary purpose of the event





Environmental Impact Report

Key Topic Areas



Mitigation Measures

Hydrology & Water Quality

- Proof of groundwater availability
- Proof of municipal water supply
- Groundwater monitoring
- Crop Swap
 - Net groundwater use
 - Annual and dry season net zero requirements



Mitigation Measures

Wildfire

- Limit allowable uses in VHFHSZ to outdoor cultivation and accessory processing only
- Impose defensible space requirements beyond current requirements
- Require non-combustible building materials
- Impose event standards
- Site specific fire protection & prevention plan, including evacuation analysis for sites depending on access





Summary of DEIR & Significant Effects

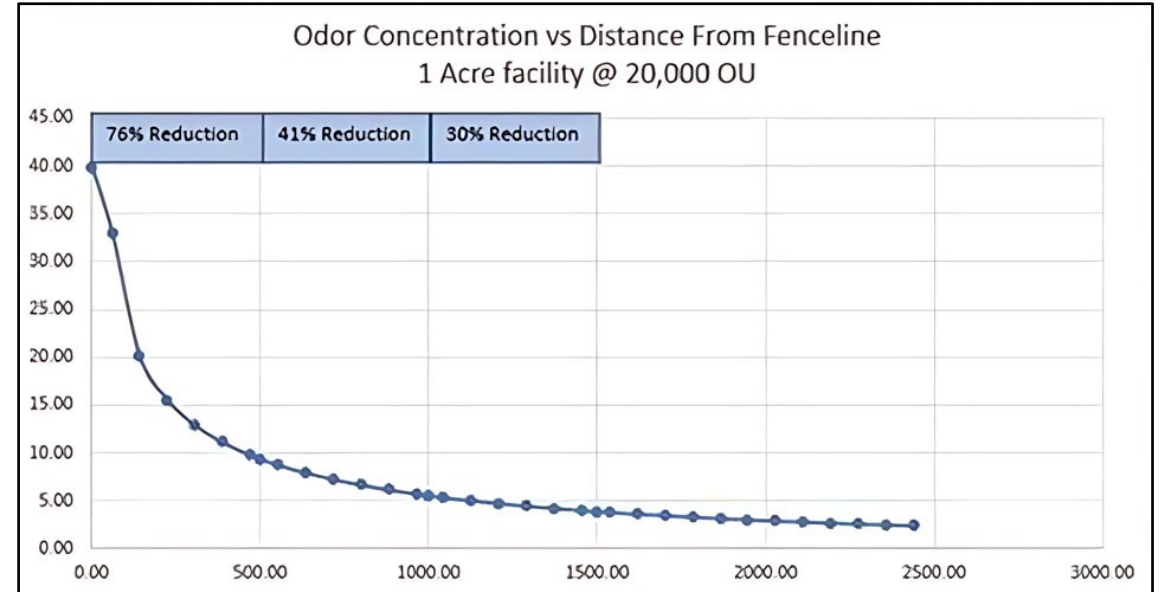
- Air Quality.
 - Expose substantial number of people to odors considered objectionable.
 - Cumulative impacts to operational criteria air pollutants (due to VMT increase)
- Greenhouse Gas Emissions.
 - Conflict with policies for reducing GHG emissions (due to VMT and not all electric). (Project-level & Cumulative)
- Noise & Vibration.
 - Short-term construction noise.
- Transportation.
 - Vehicle Miles Traveled (VMT). (Project-level & Cumulative)
- Utilities & Service Systems.
 - Cumulative impacts on public water supply sufficiency.





Odor

- Odor = Significant and Unavoidable Impact
- Setbacks lessen odor impacts
- Unable to achieve a less than significant impact for odor



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



Beta Myrcene

- Prop 65 listing based on its use as a refined component in essential oils to produce aroma and flavor chemicals
 - Studies conducted on rodents resulted in tumors (oral gavage – concentrated extract fed through tube directly to stomach)
 - Listing does not apply to naturally occurring beta myrcene
- No evidence of health risk associated with beta myrcene from cannabis plants
 - Safebridge (Toxicology Consultants)
 - Conducted literature review and developed Occupational Exposure Limit (OEL) Monograph for beta-myrcene (DEIR)
 - Beta myrcene causes a type of cancer in rats by a mechanism specific to rats and not found in humans
 - US Environmental Protection Agency (US EPA), Food & Drug Administration (FDA), International Agency for Research on Cancer (IARC) and European Food Safety Authority (EFSA) all concluded that the Prop 65 studies inducing tumors in rodents is not relevant for human risk assessment





Alternatives

1. No Project
 - Continue with current Ordinance
2. Commercial and Industrial Only
 - Indoor cultivation and supply chain uses only
 - Eliminates the significant and unavoidable odor impact
3. Ministerial Only
 - Allows cultivation in AR and RR zones; limited new development and no visitor serving uses
 - Does not eliminate any significant and unavoidable impacts
 - Greater odor impacts
4. Reduced Scope
 - No visitor serving uses; only outdoor cultivation/accessory processing in H/VHFHSZ; no hoop houses; 600-ft setback from property lines
 - Does not eliminate any significant and unavoidable impacts
5. No New Development: Crop Swap and Shop Swap Only
 - No new development; outdoor cultivation that meets crop swap only
 - Eliminates significant and unavoidable impacts related to greenhouse gas emissions, noise (no visitor serving activities or new construction), and transportation (trip generation and employees are limited)
 - Environmentally Superior Alternative





Policy Options – Topic Areas

- Designation of Cannabis under the General Plan
- Compatibility Setbacks
- Minimum Parcel Size in the Agricultural and Resource Zones
- Cannabis Cultivation and Cannabis Uses in the Agricultural and Resource Zones
- Cannabis Events
- Storefront Retail (Dispensaries)
- Permit Streamlining, Ministerial vs Discretionary Permitting Approaches
- Code Requirements which pertain to all Cannabis Uses
- Personal Cultivation





Recommendation

1. Adopt a Resolution certifying the Final Environmental Impact Report for the Comprehensive Cannabis Program Update (“Project”), and adopting findings of fact, and a statement of overriding considerations, and the mitigation monitoring and reporting program pursuant to the California Environmental Quality Act ;
2. 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;





Recommendation Continued

3. 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;
4. 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;
5. 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.





Public Comment



Non-Storefront Delivery

- Allow cannabis distribution and non-storefront delivery (i.e., delivery only) in Industrial and C3 Zones
- Allowed by right
- Apply county-wide cap of 9 for non-storefront retail
 - EIR did not include a cap





Storefront Retail (Dispensaries)

Commercial zones

- Allow most uses by right
 - Use Permit required for regular live music (EIR Mitigation Measure)
- Allow consumption lounges
 - No cannabis consumption would be allowed unless expressly permitted under Chapter 14 (Cannabis Health Ordinance)
- Eliminate existing setbacks for dispensaries
 - Residential Zoning: 100 ft; Sensitive Use: 1,000 ft; Smoke Shop: 500 ft
- Retain county-wide cap of 9 for storefront retail
 - EIR did not include a cap





Policy Options – Topic Areas

- Storefront Retail
- Non-Storefront Retail





Recommendation

6. Adopt an Ordinance amending Sonoma County Code Chapter 26 (Zoning Code) pertaining to cannabis storefront retail and distribution.





Public Comment



End of Presentation