



SUMMARY REPORT

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**Agenda Date:** 3/24/2026

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**To:** County of Sonoma Board of Supervisors  
**Department or Agency Name(s):** Department of Health Services  
**Staff Name and Phone Number:** Nolan Sullivan, 707-565-4774  
**Vote Requirement:** Majority  
**Supervisorial District(s):** Countywide

**Title:**

Ordinance Amending provisions in Chapter 14 of the Sonoma County Code, including provisions concerning cannabis dispensaries and repealing obsolete provisions in Chapter 24 concerning septic bonds (First Reading), and Adoption of a Resolution Establishing Environmental Health and Safety Fees.

**Recommended Action:**

- A) Adopt a resolution introducing, reading the title of and waiving further reading of an ordinance to:
1. Amend Chapter 14 ("Health and Sanitation") of the Sonoma County Code to amend provisions concerning cannabis dispensaries, allowing consumption lounges, and to make other minor clean up amendments;
  2. Amend Article III of Chapter 24 ("Cleaning Septic Tanks, Etc.") of the Sonoma County Code to eliminate bond requirements and make other minor clean up amendments;
  3. And determine that the ordinance amendment is exempt from the California Environmental Quality Act.
- B) Adopt a resolution establishing new fees to recover the reasonable cost of providing services associated with Environmental Health and Safety for the Department of Health Services, effective July 1, 2026, pursuant to Health and Safety Code Section 101325.

**Executive Summary:**

This Board item proposes the introduction of ordinance amendments that allow Environmental Health to complete development of a protective regulatory framework that allows for permitting of cannabis consumption lounges within the unincorporated areas of the County and cities that opt into the cannabis program. These amendments will align the county land use and smoking ordinances with Department of Cannabis Control regulations.

The proposed ordinance amendments also make minor changes to Chapter 14 and 24 to clarify Environmental Health authority and eliminate the requirement for a performance bond for septic haulers, which are no longer required by State law, and which are not needed given other enforcement authority.

In addition, this item proposes the adoption of a resolution establishing new fees, effective July 1, 2026, for services associated with the Environmental Health implementation of the ordinance changes. The Board of Supervisors is authorized to establish fees to recover the reasonable cost of providing regulatory services that confer a specific benefit to permit holders, including inspections, plan review, enforcement, and compliance

monitoring. The Board may update fees associated with Environmental Health via adoption of a resolution, pursuant to Health and Safety Code Section 101325. Notice of the proposed fees was published in the newspaper, and in addition, all cannabis health permit holders were mailed a letter notifying them of the Board item and associated cannabis fees on March 10, 2026.

**Discussion:**

Changes in state law, enacted in AB 1775 (2024), authorize local jurisdictions to allow on-site cannabis consumption, including cannabis lounges, under specified conditions. The law also includes employee protections, ventilation requirements, and other health and safety considerations. Local jurisdictions must modify both zoning and public health ordinances to permit cannabis lounges.

The Department of Health Services (DHS), Environmental Health, enforces many public health requirements in the unincorporated areas of the County as well as within the cities (under the authority of the Health Officer, who is also the Health Officer for the cities). The Board recently adopted updates to the cannabis land use ordinance to allow on-site consumption of cannabis in the unincorporated areas of the county. However, on-site cannabis consumption remains prohibited under the County's health ordinances.

Chapter 14 of the Sonoma County Code, effective in both the unincorporated area of the County and within the cities, currently does not allow on-site consumption at dispensaries. Likewise, Chapter 32, the County's smoking ordinance, also prohibits indoor cannabis consumption in the unincorporated areas of the County. In sum, although zoning for the unincorporated areas of the County now allows cannabis lounges, these two ordinances would require amendment before cannabis lounges would be authorized.

**Proposed Ordinance Amendments**

**County Code, Chapter 14 - Cannabis Dispensary Ordinance**

Minor technical clarifications are proposed in various provisions of Chapter 14, but the primary effect of the amendments will be on the cannabis dispensary ordinance.

Current Provision: Chapter 14 allows retail cannabis sales but prohibits on-site consumption at dispensaries anywhere in the County.

Proposed Amendment: Authorize on-site cannabis consumption at licensed dispensaries throughout Sonoma County through issuance of a DHS Cannabis Lounge Health Permit and (where required) approval from the appropriate land use agency. On-site consumption lounges will be required to comply with Health Officer requirements. Requirements are modeled after those implemented by the Department of Cannabis Control and other jurisdictions such as San Francisco (City and County) and City of West Hollywood and include:

- Compliance with ventilation, filtration, and air-quality standards;
- Clear physical separation between retail and consumption areas;
- Employee protections from secondhand smoke exposure consistent with AB 1775 standards;
- Prohibition of alcohol or tobacco sales or consumption on premises;
- Restricted access to adults age 21+ and required age verification procedures;
- Odor control, signage, and operational standards to minimize off-site impacts.

The proposed Health Officer Requirements are found as Attachment 7. The amendments clarify that the Chapter 14 dispensary and lounge requirements do not apply to cannabis events that have a valid Department

of Cannabis Control events license and approval (where required) from the appropriate land use agency. No Environmental Health permit would be required for these types of events.

**Impact on Cities**

The enactment of AB 1775 (2024) prompted a legal discussion with the cities regarding the Health Officer’s authority to enforce county ordinances within city limits. At present, a Memorandum of Understanding is being negotiated that will clarify Health Officer authority with respect to County ordinances and ensure that the cities consent to the Health Officer authority that is being exercised within city limits. This discussion began with AB 1775, but it goes beyond cannabis issues.

At present, Chapter 14 is enforceable within city limits. Under the proposed amendments to the ordinance, however, the cities would need to opt into regulation of cannabis dispensaries within their jurisdiction. DHS has explained to the cities its position that it can regulate within the cities, or it can cease doing so, but it cannot have cannabis programs that are individually tailored for each city.

The proposed ordinance amendments do not depend upon the Memorandum of Understanding, and staff propose to bring that agreement to the Board for consideration at a future Board meeting.

**Amendments to Chapter 14 to address restrictions in Chapter 32**

Current Provision: In the unincorporated areas of the County, the County’s Smoking Ordinance prohibits smoking in enclosed public spaces and places of employment, as well as in many unenclosed areas. Outside of designated smoking areas, smoking is not allowed in unenclosed dining areas, recreational areas, public events, service areas, or in areas “within a reasonable distance from any place where smoking is prohibited.” The ordinance’s prohibition includes cannabis consumption.

Proposed Amendment: Make Chapter 32 inapplicable to consumption lounges authorized under Chapter 14 of the County Code, and also inapplicable to events that have a valid Department of Cannabis Control event license.

These amendments maintain strong protections for workers and the general public but allow for the consumption lounges permitted by AB 1775.

**Amendments to Chapter 24 (Bond Requirements)**

DHS staff also propose a cleanup amendment to Chapter 24 that is unrelated to cannabis. Environmental Health enforces state law with respect to septic hauling and tank cleaning, but independent of state law the County Code has required septic haulers to post a bond as part of their permit application. Staff’s proposed ordinance amendment eliminates this requirement as it is less effective than other enforcement measures, including penalties.

**Proposed New Fees**

Environmental Health regulates cannabis dispensaries to protect public health by ensuring compliance with sanitation, ventilation, employee safety, and consumer protection standards. These regulatory activities include plan review, routine inspections, complaint response, enforcement, and coordination with other regulatory agencies. The Department of Cannabis Control recently updated state regulations to allow licensed cannabis dispensary/storefront retailer operations to operate on-site consumption lounges. To support the oversight, permitting, and inspection needs associated with these new operations, a separate Cannabis Lounge fee is being established.

**Agenda Date:** 3/24/2026

Cannabis Lounge fees were developed through a time/task analysis utilizing the FY 2025/2026 Board approved hourly rate of \$261. Proposed fees utilize an averaged flat rate for the Cannabis Lounge Permit and hourly charges with a minimum hour deposit requirement for the Plan Review and Site Review service fees.

Fees are established to be consistent with Health and Safety Code section 101325 and Proposition 26 and do not exceed the reasonable cost of providing services.

<b>Fee Description</b>	<b>FY 26-27 Fee Amount (\$)</b>
Cannabis Plan Review - New Construction or Major Remodel (10-hour (hr) min + hourly (hrly))	\$2,610.00
Cannabis Lounge Plan Review - Minor Remodel (5 hr min + hrly)	\$1,305.00
Cannabis Lounge Site Review (2 hr min + hrly)	\$522.00
Cannabis Lounge Plan/Site Review Additional Hours	\$261.00
Cannabis Lounge Permit	\$2,483.00

**Strategic Plan:**

Not Applicable

**Racial Equity:**

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

No

**Prior Board Actions:**

On August 28, 2018, the Board adopted an Ordinance amending Chapter 14 and Chapter 35 of the Sonoma County Code.

On August 7, 2018, the Board adopted an Ordinance amending Chapter 26 of the Sonoma County Code and adopted a Resolution introducing, reading the title of, and waiving further reading of a proposed ordinance amending Chapter 14 and Chapter 35 of the Sonoma County Code.

On April 10, 2018, the Board adopted a Resolution introducing, reading the title of, and waiving further reading of a proposed ordinance amending Chapter 26 of the Sonoma County Code.

**FISCAL SUMMARY**

<b>Expenditures</b>	<b>FY 25-26 Adopted</b>	<b>FY 26-27 Projected</b>	<b>FY 27-28 Projected</b>
Budgeted Expenses	0	\$19,060	\$19,060
Additional Appropriation Requested			
<b>Total Expenditures</b>	<b>0</b>	<b>\$19,060</b>	<b>\$19,060</b>
<b>Funding Sources</b>			
General Fund/WA GF			

State/Federal			
Fees/Other	0	\$19,060	\$19,060
Use of Fund Balance			
General Fund Contingencies			
<b>Total Sources</b>	<b>0</b>	<b>\$19,060</b>	<b>\$19,060</b>

**Narrative Explanation of Fiscal Impacts:**

Department of Health Services requests approval of the above new Cannabis Fees. If approved, the fiscal impact for FY 2026-2027 is expected to be an increase of \$19,060 in new fee revenue, which will offset associated increased costs.

**Narrative Explanation of Staffing Impacts (If Required):**

None

**Attachments:**

Attachment 1 - Resolution introducing, reading the title of and waiving further reading of an ordinance

Attachment 2 - Ordinance

Attachment 3 - Redlined Exhibit A

Attachment 4 - Clean Exhibit A

Attachment 5 - Redlined Exhibit B

Attachment 6 - Clean Exhibit B

Attachment 7 - Health Officer Requirements

Attachment 8 - Pre-Adoption Summary of Proposed Ordinance

Attachment 9 - Resolution adopting new and amended fees

Attachment 10 - Fee Chart

Attachment 11 - Presentation

**Related Items "On File" with the Clerk of the Board:**

None