

Cannabis Ordinance Multi-Tenant Permanent Modifications

June 6, 2023

DEPARTMENT OF AGRICULTURE/WEIGHTS & MEASURES
PERMIT SONOMA



SONOMA COUNTY CANNABIS



Background

- To reduce barriers to entry to small farmers, original multi-tenant provision authorized multiple ministerial permits per site when a single applicant required a use permit.
- *Sonoma County Code Sec. 26-88-254(f)(2): Multi-Tenant Operations. Multiple permits may be issued for multi-tenant operations on a single parcel provided that the aggregate cultivation area does not exceed the maximum area allowed for the cultivation type and parcel size in compliance with Table 1A-D Allowed Cannabis Uses and Permit Requirements.*



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Background

- Board adopted urgency ordinances to prohibit large-scale multi-tenant operations. Urgency Ords. Nos. 6354 (9/2021) and 6356 (10/2021)
- The proposed permanent amendment is consistent and reads:

*Sonoma County Code Sec. 26-88-254(f)(2): Multi-Tenant Operations.
Multiple zoning permits may be issued on a single parcel provided that the aggregate cultivation area does not require a use permit per Table 1A-D Allowed Cannabis Uses and Permit Requirements.*



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Emphasizing the Need for Change

- Type of permit review should be based on the location and nature of project, not the relationship between applicants.
- Administration of the provision was difficult and did not achieve original intent.
- Legal threats of CEQA noncompliance.
- Complications for state licensing because state licenses are discretionary and subject to CEQA.



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Effect on Current Permittees and Applicants

- Existing multi-tenant permits were extended for 5 years.
- If existing operators apply within 3 years, operations may continue through permit processing.
- Applicants in process were allowed to withdraw their applications and were refunded fees.



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In Conclusion: Staff Recommends

- Staff recommends the Board of Supervisors approve Zoning Code amendments to Chapter 26 of the Sonoma County Code to only allow smaller-scale multi-tenant cannabis cultivation permits.



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Planning Commission

- Presented the proposed permanent amendments to the Planning Commission on February 23, 2023.
- Planning Commission passed resolution 23-07 recommending the Board approve the Zoning Code amendments to Chapter 26 of the Sonoma County Code to only allow smaller-scale multi-tenant cannabis cultivation permits.
- The Planning Commission found the changes to be exempt from CEQA and that the Board find that the ordinance does not constitute a project under CEQA or is otherwise exempt.



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Questions?



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