

CANNABIS PROGRAM UPDATE FRAMEWORK

1. Zoning Ordinance. Amend the Zoning Code, as needed, to allow for comprehensive changes to the existing Cannabis Program, hereafter referred to in this document as the “cannabis land use ordinance.”
2. Transparency. Include transparency at all levels throughout the ordinance update process, such as: hosting outreach sessions online, monthly posting of public comments received, distribution of a newsletter to subscribers of the Sonoma County Cannabis Email Updates listserv group (subscribe at the project webpage below), and frequent updates to the project webpage: (<https://sonomacounty.ca.gov/Cannabis/Comprehensive-Cannabis-Program-Update-and-Environmental-Impact-Report>).
3. Community Engagement. Continue public engagement and community input throughout the ordinance update process. Outreach strategy shall focus on meeting with interest groups, including targeted engagement of Spanish-speaking communities. All outreach meetings held online (i.e., via the Zoom platform) shall be made available for public viewing on the project webpage.
4. Allowed Activities. Evaluate allowing activities under all state license types currently offered or likely to be offered by the California Department of Cannabis Control (DCC): <https://cannabis.ca.gov/applicants/license-types/> and evaluate all General Plan Land Use categories and corresponding Zoning Districts to determine which designations and zones are suitable for which activities. The cannabis land use ordinance shall clearly define allowed and excluded activities per Zoning District:
 - a. Activities which are allowed by right.
 - b. Activities which are allowed by right, but require a business license.
 - c. Activities which are allowed by ministerial permit.
 - d. Activities which are allowed by discretionary permit.
 - e. Activities which are excluded.
5. General Plan Amendment. Consider General Plan Amendments, as necessary, to ensure the new ordinance remains consistent with the General Plan. This will involve evaluating, among other policies, whether to include cannabis within the meaning of “agriculture” and “agricultural use” as used in the Sonoma County General Plan.
6. Administrative Adaptability. Staff recognize that the industry, environment, and state and federal regulations will continue to evolve over time. Therefore, the cannabis land use ordinance shall clearly outline the process and authority to create and implement code interpretations, Best

Management Practices, or other guidance documents to streamline continuing implementation of the cannabis program.

7. Neighborhood Compatibility. Evaluate options to increase compatibility between cannabis land uses and the neighborhoods they are located within or near. The following polices shall be developed and informed by data, factual analyses, and results from the programmatic EIR:
 - a. Neighborhood separation criteria intended to ensure sufficient separation of a cannabis operation from a residential type neighborhood shall consider, at minimum, odor, groundwater, visual, safety (including road access and wildfire), and noise impacts.
 - b. Criteria to determine what constitutes a “rural neighborhood enclave” shall be developed and shall consider, at minimum, residential density and community character. If designated rural neighborhood enclaves are adopted, the cannabis land use ordinance shall include maps of all such enclaves.
 - c. Criteria to establish Exclusion Zones shall consider, at minimum, groundwater availability, topography, infrastructure (e.g., road access, lack of electrical/other utilities), safety concerns (including wildfire risk and emergency response times), and biological habitat protection. If designated Exclusion Zones are adopted, the cannabis land use ordinance shall include Exclusion Zone maps.
8. Permit Streamlining. Evaluate methods to streamline cannabis permitting. The following polices shall be developed and informed by data, factual analyses, and results from the programmatic EIR:
 - a. Site development and operating standards for ministerial permits shall be developed and clearly defined;
 - b. Criteria to establish Inclusion Zones shall consider, at minimum, groundwater availability, infrastructure (e.g., road access, availability of electrical/public water/sewer/ stormwater facilities), safety concerns (including wildfire risk and emergency response times), biological habitat protection, and proximity/density of sensitive uses. If designated Inclusion Zones are adopted, the cannabis land use ordinance shall include Inclusion Zone maps and clearly defined requirements and processes for permits within Inclusion Zones; and
 - c. Other permit streamlining options shall be explored, such as development of a CEQA streamlining checklist for discretionary permits. The checklist would outline the scope of what was already studied under the programmatic EIR, so that applications which meet the checklist could be approved without additional project-specific environmental review or with only minimal additional environmental review.
9. Development Standards. Establish regulatory limits for the cannabis land use ordinance (e.g., parcel size, setback distances, cultivation size limits) informed by factual analyses and results of the programmatic EIR.

10. Environmental Analysis. Evaluate all environmental impact categories from the California Environmental Quality Act (CEQA) Guidelines in the programmatic EIR: Aesthetics, Agriculture and Forestry Resources, Air Quality, Biological Resources, Cultural Resources, Energy, Geology/Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology/Water Quality, Land Use /Planning, Mineral Resources, Noise, Population/Housing, Public Services, Recreation, Transportation, Tribal Cultural Resources, Utilities/Service Systems, Wildfire, and cumulative impacts. The following key issues shall be specifically considered:
- a. Aesthetics analysis shall consider, at minimum, fencing, lighting, stockpiles of equipment used in outdoor cultivation operations such as containers and growth media, temporary hoop houses, and permanent structural development;
 - b. Agriculture analysis shall consider, at minimum, compatibility of cannabis operations with traditional agriculture and potential conversion of agricultural lands to non-agricultural uses;
 - c. Air quality analysis shall consider potential impacts from cannabis plant odors;
 - d. Biological resources analysis shall consider, at minimum, potential impacts to special status species, Critical Habitat, and to regionally-sensitive and locally-important watersheds, including fish-bearing streams, riparian habitat, the Laguna de Santa Rosa, and other wetland areas;
 - e. Energy analysis shall consider, at minimum, potential impacts from indoor and mixed light cultivation activities;
 - f. Hydrology analysis shall consider, at minimum, potential impacts from groundwater overdraft, well interference, streamflow depletion, and water quality related to cannabis water use and agricultural chemical use, and shall consider current drought conditions and future drought scenarios;
 - g. Noise analysis shall consider, at minimum, potential impacts related to emergency generator use, air filtration and ventilation equipment, transportation noise, activities associated with cannabis tourism, and special events;
 - h. Utilities/Service Systems analysis shall consider, at minimum, potential impacts related to cultivation waste products, including hoop house membrane materials, growth media and containers, and green waste.
 - i. Wildfire analysis shall consider, at minimum, potential impacts related to road access (i.e., physical road condition and configuration to support concurrent emergency access by first responders and evacuation by residents), wildfire risk (i.e., site characteristics which influence fire likelihood and fire behavior), emergency response times, and availability of water for fire-fighting purposes; and
 - j. Cumulative analysis will consider, at minimum, potential impacts related to multiple cannabis operations in specific geographical areas (i.e., over-concentration).

11. Transitional Pathway. Consider the impact of proposed changes on existing permitted operations and permit applications already in process prior to adoption of the new ordinance, and consider transitional pathway options for existing permittees and applicants.
12. Equity. Staff acknowledge that certain communities within the county have been substantially and adversely affected by poverty and the criminalization of cannabis, and further, that the greatest disparities occur along racial and socio-economic lines. Therefore, the cannabis land use ordinance shall consider equity throughout all policy decisions.
13. Enforcement. Consider how the new ordinance would be enforced through existing code enforcement regulations and procedures in Chapter 1 of Sonoma County Code, and consider changes to code to clarify and simplify enforcement procedures related to cannabis.
14. Jurisdictional Comparison. Conduct a comprehensive review of other county and city cannabis ordinances and programs and consider the best regulations and management practices from other agencies.
15. Mapping. Any geographical information systems (GIS) data layers developed by the programmatic EIR shall be added to the County's online ActiveMap viewer collection for public use.
16. Economic Analysis. Conduct an economic analysis concurrent with the programmatic EIR to help inform relevant policy decisions. The analysis could include, but would not be limited to: evaluation of cannabis tax collection revenue and method(s); staffing costs to implement the program, including permitting, compliance inspection, and code enforcement; permit and inspection fees and other applicant costs to obtain permits and run permitted operations; and civil penalties.