

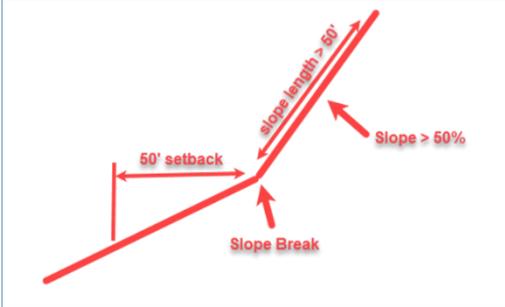
Commercial Cannabis Cultivation in Agricultural and Resource Areas Ordinance (CCCARA) Chapter 38 vs.
Ministerial Permitting under Current Cannabis Land Use Ordinance (CLUO) Secs. 26-88-250/254

SUBSTANTIAL DIFFERENCES	
MINISTERIAL PERMITTING UNDER CURRENT CLUO (CH. 26)	PROPOSED CCCARA (CH. 38)
Limitations on Canopy & Structures	
<ul style="list-style-type: none"> • Maximum outdoor cultivation area: <ul style="list-style-type: none"> ○ LIA: 25 plants ○ LEA and DA: 10,000 sq. /ft. ○ RRD: none ○ Compare: Discretionary permit limit 1 acre • Maximum mixed-light cultivation area: <ul style="list-style-type: none"> ○ LIA/LEA/DA: 2,500 sq. /ft. ○ RRD: none ○ Compare: Discretionary permit limit 10,000 sq./ft. • Maximum indoor cultivation area: <ul style="list-style-type: none"> ○ LIA/LEA/DA: 500 sq. /ft. ○ RRD: none ○ Compare: Discretionary permit limit 5,000 sq./ft. 	<ul style="list-style-type: none"> • Total cultivation site (development area) limited to 10% of parcel • Hoop houses limited to 1 acre • New limit on new or expanded structures in place of specific limit on indoor and mixed light cultivation area. • New or expanded structures (those built after 1/1/2021) limited to 1 acre or 50% of lot coverage. • Compare: No Discretionary Cannabis Cultivation Permits Authorized Under Proposed Chapter 38.
Setbacks	
<ul style="list-style-type: none"> • Sensitive use setback of 1,000 feet measured from property line of parcel with a sensitive use to property line of parcel with cultivation. • Mixed-light structure setbacks equivalent to outdoor cultivation setbacks for setbacks from property line, residences and businesses, and sensitive uses. • Sensitive uses: a school providing education to K-12 grades, a public park, childcare centers, or an alcohol or drug treatment facility. Sensitive uses includes public parks and “public park” includes Class 1 bikeways 	<ul style="list-style-type: none"> • Sensitive use setback of 1,000 feet measured from property line to outdoor or hoop house canopy. • Mixed-light structure setbacks equivalent to all other structure setbacks. • Remove Class I bikeways from sensitive uses. Require instead that outdoor and mixed light cultivation sites next to Class I bikeways not be visible and that visible fencing be screened. • No change to policy, text change only: Day care center replaces childcare center and is defined by California Health and Safety Code Section 1596.76 in line with state cannabis law.
Water Use	
<ul style="list-style-type: none"> • Water sources may include: municipal, recycled, surface, or well (groundwater). 	<ul style="list-style-type: none"> • Minor changes to clarify language regarding allowed water sources: municipal/retail, recycled water, and surface water.

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<ul style="list-style-type: none"> • Groundwater use in Groundwater Zones 3 and 4: <ul style="list-style-type: none"> ○ Net zero water use <u>or</u> ○ Hydrogeological report showing use will not cause overdraft in basin/aquifer, reduction in critical streamflow, or well interference. 	<ul style="list-style-type: none"> • No groundwater use in Groundwater Zones 3 and 4.
Operating Requirements	
<ul style="list-style-type: none"> • 1 year permit term limit 	<ul style="list-style-type: none"> • 5 year permit term limit
Allowable Activities	
<ul style="list-style-type: none"> • Events prohibited • 1 acre per-person cap on cultivation 	<ul style="list-style-type: none"> • No specific event prohibition. Agricultural Commissioner does not permit events. Any events would be subject to existing provisions of Ch. 26 and require permitting through Permit Sonoma and state licensure. • No per-person /entity limit on cultivation

MODERATE DIFFERENCES	
CURRENT ORDINANCE	PROPOSED CHANGE
Timberland Protection	
<ul style="list-style-type: none"> • No tree removal without a use permit. • Prohibits timberland conversion. 	<ul style="list-style-type: none"> • Tree removal allowed only in the case of death or disease, hazard to life, safety, or property, or to maintain defensible space. • No other changes to timberland protections.
Cultural Resource Protection	
<ul style="list-style-type: none"> • Cultivation sites must avoid impacts to significant cultural and historic resources. Cultural resource survey required if requested by Northwest Information Center. • Use Permit required if mitigation is recommended by cultural resource survey or local tribe • Stop work upon discovery of human remains or archeological resources. 	<ul style="list-style-type: none"> • Require all applicants proposing ground disturbance to submit a cultural resource survey to show no impacts to cultural resources. • No change: Use Permit required if mitigation is recommended by cultural resource survey or local tribe • Addition of requirement that applicant submit a Historic Resources Survey when any modification to structures over 45 years old proposed.

	<ul style="list-style-type: none"> Extends stop work requirements to tribal cultural resources.
Ridgetop Protection	
<ul style="list-style-type: none"> No current ridgetop protection standard 	<ul style="list-style-type: none"> Addition of Ridgetop protection setback:  <p>The diagram shows a red line representing a slope. It starts with a shallow slope, then has a sharp upward change labeled 'Slope Break'. A horizontal double-headed arrow indicates a '50' setback' from the start of the slope break to the start of the next, steeper slope. A red arrow points to the steeper section with the label 'slope length > 60''. Another red arrow points to the steeper section with the label 'Slope > 50%'.</p>
Air Quality, Odor, & Energy	
<ul style="list-style-type: none"> Odor control required through filtration and ventilation for permanent mixed light and indoor cultivation Renewable energy required 	<ul style="list-style-type: none"> Clarify requirement that odor from permanent structures not be detectable offsite Clarify requirements for offsets to ensure enforceability. Clarify emergency circumstances for generator use.
Waste Management Plan	
<ul style="list-style-type: none"> Waste Management Plan 	<ul style="list-style-type: none"> Add requirement that plastic sheeting be specifically addressed in waste management plan.
Design, Lighting, Security and Screening	
<ul style="list-style-type: none"> Design standards for ministerial outdoor cultivation sites. Structures usually subject to design review through use permit process. Fencing required for outdoor and mixed-light cultivation areas. Security plan requires lighting. 	<ul style="list-style-type: none"> Design standards expanded for structures to ensure conformance to agricultural setting. Fencing only required for outdoor and hoop house cultivation, but not around secure mixed-light structures. Lighting not required because it may cause impacts to wildlife. No other changes to security requirements.
Allowable Activities	
<ul style="list-style-type: none"> No additional propagation area allowed Self-distribution only with use permit 	<ul style="list-style-type: none"> Allows for by-right propagation to meet on-site cultivation needs (subject to overall 10% limit). Self-distribution allowed: operators may transport product offsite rather than requiring third party transport.

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NO DIFFERENCES / CONTINUED ENVIRONMENTAL PROTECTIONS		
<ul style="list-style-type: none">• 10 acre minimum lot size• Property line setbacks• Residential/business setbacks• Biotic resource protections• Riparian corridor setbacks• Farmland protections• Fire prevention plan required	<ul style="list-style-type: none">• 15 percent maximum slope• Prohibition on hazardous materials sites• Lighting standards• Runoff and storm water control• Noise limits	<ul style="list-style-type: none">• Hazardous materials regulations• Waste water management plan required• Groundwater monitoring required• Cannabis farm stand prohibited