

Cannabis Ordinance Multi-Tenant Urgency Moratorium

September 21, 2021

DEPARTMENT OF AGRICULTURE/WEIGHTS & MEASURES



SONOMA COUNTY CANNABIS



Background

- *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.*
- Originally adopted in 2016 to reduce barriers to entry for small cannabis farmers.



Need for change

- Level of permit review should be the same for the same size grow in the same location regardless of relationship between the applicants.
- Administration of the provision has illuminated flaws.
 - Current standards do not effectively distinguish truly multi-tenant operations.
 - The provision is not achieving the original intent.



State Licensing Impacts

- All cannabis businesses must have a license from the California Department of Cannabis Control (DCC).
- State licenses are discretionary and DCC has indicated it will require CEQA review for many multi-tenant sites, particularly those with adjacent sites.
- If State is lead agency, CEQA review may take more time and be more expensive than at the local level.



Interim Moratorium

- Proposed moratorium eliminates multi-tenant provision.
 - Outdoor zoning permits limited to 10K square feet per parcel (25 plants in LIA)
 - All cultivation over 10K square feet on one parcel will require a use permit
 - Uniform standard of permit review regardless of applicant(s)
- Interim moratorium lasts 45 days. Staff will return October 26, 2021 to consider extension to 2 years.
- Interim moratorium extends current permits for this 45 day window.



Current Multi-Tenant Permittees

- Status quo (SCC Sec. 26-88-250(e)): If an application to renew cultivation (zoning or use permit) on the site is submitted prior to permit expiration, the current permit term will continue until there is a final determination on the land use application.
- Additional policy options – more detail coming October 26, 2021
 - Remove or extend permit terms for existing multi-tenant permits
 - Limit scope of use permit renewal application to baseline operations
 - Expire multi-tenant permits and allow only 10K square feet to continue



Staff Recommendations

- Adopt multi-tenant ministerial zoning permit moratorium
- Direct staff to develop policy options for current multi-tenant permittees
- Staff intend to return on October 26, 2021 for the Board to consider an extension on the moratorium



Questions?



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