

Section 26-18-115 Cannabis Cultivation is added as follows:

Sec. 26-18-115. Cannabis Cultivation.

- A. Definition. Planting, growing, propagating, or harvesting of cannabis plants.
1. Includes: Outdoor, mixed-light, and indoor cannabis cultivation; wholesale cannabis nursery.
 2. Excludes:
 - a. Hemp Cultivation. (Chapter 37)
 - b. Centralized cannabis processing. (See Sec 26-20-025).
- B. Permits.
1. Cannabis license (Chapter 4, Article IX) required.
 2. Use Permit required in LIA, LEA, DA, RRD.
 3. Use Permit required in MP, M1, M2, M3, where urban services (water and sewer) are not available.
 4. Exemption – Personal Cultivation. Cannabis cultivation up to 6 plants is allowed accessory to a residential dwelling unit in all zoning districts, and is exempt from the permit and license requirements and standards in this section except for (C)(5).
- C. Standards.
1. Applicable to all zone districts:
 - a. Odor control. A structure containing cannabis must be equipped with a filtration and ventilation system to control odors, humidity, and mold, provided that structures containing only packaged cannabis products may be excluded from this requirement.
 - b. Lighting. All lighting is to be fully shielded and downward casting so that it does not spill over onto neighboring properties. For operations cultivating within structures, all light is to be fully contained so that little to no light escapes at a level that is visible from neighboring parcels.
 - c. Accessory uses. Cannabis cultivation may include accessory uses that directly support the onsite cannabis cultivation, such as: propagation, research and development, processing, manufacturing, packaging and labeling, distribution, and other similar support uses as determined by the Director.
 - d. Generators. Generator use is prohibited, except for emergency back-up.
 - e. Propagation, Research and Development. Propagative and research and development plant material that is not located within the cannabis canopy cannot be distributed, manufactured, or sold.
 2. MP, M1, M2, M3 zones:
 - a. Outdoor cultivation is prohibited.
 - b. Accessory Uses. Accessory retail is prohibited.
 3. LIA, LEA, DA zones: Indoor and mixed light cultivation must be consistent with General Plan Policies AR-4g.
 4. LIA, LEA, DA, RRD zones:
 - a. Minimum lot size of 5 acres.
 - b. Canopy.

- i. Maximum canopy. Canopy is limited to 10% of the parcel. Canopy in structures is subject to development standards in Sec. 26-06-040 and Sec. 26-16-010.
 - ii. Canopy measurement. Canopy is the total area within the cannabis premises that will contain mature plants and is measured based on clearly identifiable boundaries, such as trellis netting, walls or other partitions, shelves, hedgerows, garden beds, or fencing. If mature plants are cultivated using a shelving system, the surface area of each level is included in the total canopy calculation. Canopy may be noncontiguous if each canopy area has an identifiable boundary.
 - c. Setbacks.
 - i. Property line setback. The cannabis premises must be setback at least 100 feet from each property line.
 - ii. Residential Land Use setback. The cannabis premises must be setback at least 600 feet from all properties within Residential Zoning Districts include Low, Medium, and High Density Residential (R1, R2 & R3), Rural Residential (RR), Agriculture and Residential (AR), and Planned Community (PC).
 - iii. Incorporated City boundaries. The cannabis premises must be setback at least 600 feet from incorporated City boundaries.
 - iv. Sensitive Use setback.
 - i. Distance. The cannabis premises must be setback at least 1,000 feet from each property line of a parcel with a sensitive use.
 - ii. Definition of sensitive use. Sensitive uses include, K-12 schools, public parks, day care centers, and alcohol or drug treatment facilities. In this section, a public park includes existing Federal Recreation Areas, State Parks, Regional Parks, Community Parks, Neighborhood Parks, and Class I Bikeways as designated in the Sonoma County General Plan, but not proposed public parks that have not yet been constructed.
 - d. Best Management Practices. Outdoor cultivation must comply with best management practices for cannabis cultivation issued by the Department of Agriculture/Weights & Measures for erosion and sediment control and management of wastes, water, fertilizers, and pesticides.
 - e. Hoop Houses. Outdoor cultivation may use temporary membrane-covered frame structures (i.e., hoop houses) in accordance with Section 26-18-020.
 - f. Accessory Uses.
 - i. Accessory manufacturing is limited to chemical extraction using carbon dioxide, extraction by physical or mechanical means, and infusion of non-ingestible products from cannabis grown on-site.
 - ii. Accessory retail is allowed in compliance with the standards of Farm Retail Sales (Sec. 26-18-140 & Sec. 26-88-215), except that food sampling and on-site cannabis consumption are prohibited.
5. Personal Cultivation Standards
- a. Personal cultivation must comply with best management practices for cannabis cultivation issued by the Department of Agriculture/Weights & Measures for erosion and sediment control and management of wastes, water, fertilizers, and pesticides.
 - b. Outdoor Personal Cultivation

- i. Cultivation of cannabis cannot be located within the front and side yard setback areas as required by the base zoning district and cannot be visible from a public right of way.
 - ii. Outdoor cannabis cultivation is prohibited on parcels with multi-family units or in medium and high-density residential zones (R2 and R3).
 - iii. All lighting must be fully shielded, downward casting, and cannot spill over onto neighboring properties.
- c. Personal Cultivation – Structures.
- i. All lighting must be fully contained so that little to no light escapes at a level that is visible from neighboring parcels.
 - ii. The use of generators is prohibited, except as emergency back-up systems.