

The majority of text edits to the code fall into one of these categories: 1) Regulate cannabis more similarly to other uses; 2) Remove duplicative regulations to streamline permitting; and 3) Remove provisions that apply solely to ministerial cannabis permits.

The purpose of this table is to outline the proposed text edits and provide an explanation when revising text, repealing text, and removing duplicative code requirements.

CURRENT CANNABIS ORDINANCE	PROPOSED CANNABIS ORDINANCE
<p align="center">SECTION 26-88-250.</p> <p align="center">COMMERCIAL CANNABIS USES.</p>	
<ul style="list-style-type: none"> 1-year and 5-year term limits 	<ul style="list-style-type: none"> Eliminate term limits and allow permits to run with the land. Permit renewals are costly and time intensive and have shown little value beyond what could be accomplished through monitoring inspections and the existing authority to modify, suspend, or revoke a permit based on noncompliance or nuisance. All cannabis uses will require issuance of an annual County Cannabis License, Chapter 4, Article IX.
<ul style="list-style-type: none"> Tax requirement and compliance from the Cannabis Ordinance 	<ul style="list-style-type: none"> Cannabis uses are required to pay local taxes under the Sonoma County Cannabis Business Tax Ordinance, Sonoma County Code Chapter 35. Remove duplicative requirement from the Cannabis Ordinance and rely on proposed Cannabis Licensing program and tax ordinance enforcement.
<ul style="list-style-type: none"> Operator qualifications including; <ol style="list-style-type: none"> Cannabis operators and all employees must be twenty-one (21) years of age Cannabis operators shall be subject to background search by the California Department of Justice. Permits for commercial cannabis activities shall not be approved for operators with serious or violent felony convictions, as specified in subdivision (c) of Section 1192.7 of the Penal Code and subdivision (c) of Section 667.5 of the Penal Code. Cannabis operators must have authority to legally bind the person applying for and/or operating pursuant to a permit. Cannabis operators must meet the definition of a cannabis business owner. 	<ul style="list-style-type: none"> MAUCRSA and the DCC impose comprehensive regulations for cannabis license holders, including but not limited to the following: minimum age requirement for employees and customers; review of criminal history, civil judgments or violations of labor standards; business ownership; restrictions on access and location of licensed premises (e.g., cannot be directly associated with a residence or a business selling alcohol or tobacco). Remove overlapping requirements from the Cannabis Ordinance and rely on state licensing.

CANNABIS ORDINANCE UPDATE - EXISTING VS PROPOSED COMPARISON CHART

CURRENT CANNABIS ORDINANCE	PROPOSED CANNABIS ORDINANCE
<ul style="list-style-type: none"> Compliance with the Department of Cannabis Control Track and Trace program 	<ul style="list-style-type: none"> MAUCRSA and the DCC implements a robust seed to sale track and trace system (B&P § 26067-26069). DCC requires all licensees to comply with the track and trace program (4 CCR 15047.1-15051). The track and trace system requires license holders to tag individual plants or batches of plants with unique identifiers that stay connected to the plants from cultivation through the entire supply chain to sale to track all cannabis activity at every stage in the process. License holders must submit regular reports of tagged inventory (including plants and cannabis products), which are reviewed by DCC for accuracy; discrepancies must be audited and reconciled. Remove overlapping requirements from the Cannabis Ordinance and rely on state licensing.
CANNABIS CULTIVATION	
SECTION 26-88-254. CANNABIS CULTIVATION, COMMERCIAL	ARTICLE 18. AGRICULTURE AND RESOURCE BASED USE STANDARDS
<ul style="list-style-type: none"> 10-acre minimum parcel size in Agricultural and Resource zones 	<ul style="list-style-type: none"> 5-acre minimum parcel size in Agricultural and Resource zones
<ul style="list-style-type: none"> One acre cap per operator 	<ul style="list-style-type: none"> Eliminate cap per operator
<ul style="list-style-type: none"> One acre cap per parcel 	<ul style="list-style-type: none"> Limit canopy to 10% of the parcel in Agricultural and Resource zoning and by building lot coverage in Industrial zoning.
<ul style="list-style-type: none"> Prohibition on tasting, promotional activities and events related to commercial cannabis activities. 	<ul style="list-style-type: none"> Allow for limited visitor serving uses accessory to a land use permit. Allow special events involving cannabis with a Special Event Permit or under a Use Permit subject to cannabis event use standards in Section 26-18-270.
<ul style="list-style-type: none"> Prohibition on accessory retail at cultivation sites 	<ul style="list-style-type: none"> Allow for accessory retail to occur within a fully enclosed and secure building.
<ul style="list-style-type: none"> Prohibition on the use of volatile solvents 	<ul style="list-style-type: none"> Allow use of volatile solvents in Industrial zoning.
<ul style="list-style-type: none"> Prohibition on manufacturing in Agricultural and Resource zones 	<ul style="list-style-type: none"> Allow for limited accessory manufacturing in Agricultural and Resource zones: chemical extraction (carbon dioxide only), mechanical extraction, infusion of non-ingestible products.

CANNABIS ORDINANCE UPDATE - EXISTING VS PROPOSED COMPARISON CHART

CURRENT CANNABIS ORDINANCE	PROPOSED CANNABIS ORDINANCE
<ul style="list-style-type: none"> Cap on number of centralized processing facilities in Agricultural and Resource zones (9) 	<ul style="list-style-type: none"> Eliminate the cap on centralized processing facilities in Agricultural and Resource Zones.
<ul style="list-style-type: none"> Compliance with the Comprehensive Airport Land Use Plan 	<ul style="list-style-type: none"> All projects located within the Comprehensive Airport Land Use Plan (CALUP) area must comply with the applicable standards for development. Remove duplicative requirement from Cannabis Ordinance.
<ul style="list-style-type: none"> Require Building Code compliance 	<ul style="list-style-type: none"> All structures must comply with the California Building Code. Remove duplicative requirement from Cannabis Ordinance.
<ul style="list-style-type: none"> Biotic Resource Assessment requirement 	<ul style="list-style-type: none"> Any site located within a Biotic Habitat Combining Zone must comply with Article 66 of the Zoning Code. Any use which requires review under the California Environmental Quality Act (CEQA) requires Biotic Assessment of the site. Remove duplicative requirement from Cannabis Ordinance.
<ul style="list-style-type: none"> Compliance with Riparian Corridor combining zone 	<ul style="list-style-type: none"> Any site with a Riparian Corridor Combining Zone must comply with Article 65 of the Zoning Code. Remove duplicative requirement from Cannabis Ordinance.
<ul style="list-style-type: none"> Conversion of Timberland compliance 	<ul style="list-style-type: none"> Timberland Conversions must comply with Section 26-88-140 and Section 26-88-150 of the Zoning Code. Remove duplicative requirement from Cannabis Ordinance.
<ul style="list-style-type: none"> Cultural and Historic Resource compliance requirement 	<ul style="list-style-type: none"> Any use which requires review under the California Environmental Quality Act (CEQA) requires assessment of the site’s cultural, historical, and Tribal resources and/or referral to the Northwest Information Center. Any site within a Historic District Combining Zone must comply with Article 68 of the Zoning Code. Remove duplicative requirement from Cannabis Ordinance.

CANNABIS ORDINANCE UPDATE - EXISTING VS PROPOSED COMPARISON CHART

CURRENT CANNABIS ORDINANCE	PROPOSED CANNABIS ORDINANCE
<ul style="list-style-type: none"> Farmland Protection requirement: compliance with General Plan Policy AR-4a, compliance with the Williamson Act Contract, protection of lands designated as Important Farmlands. 	<ul style="list-style-type: none"> Any use which requires review under the California Environmental Quality Act (CEQA) requires assessment of potential impacts to farmland. Compliance with the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones is required for any project located on a site which is under a Williamson Act Contract. Compliance with General Plan Agricultural Resources Element policies is required for any project within an Agricultural Zone District. As part of this project a General Plan Amendment is proposed to allow cannabis cultivation as ‘controlled’ agriculture to provide consistency with the General Plan Agricultural Resources Element. Remove duplicative requirement from Cannabis Ordinance.
<ul style="list-style-type: none"> Compliance with the Fire Code 	<ul style="list-style-type: none"> All uses must comply with Chapter 13 of the Sonoma County Code. Remove duplicative requirement from the Cannabis Ordinance.
<ul style="list-style-type: none"> Hazardous Materials requirement; cannabis sites rest 	<ul style="list-style-type: none"> Operations will be required to comply with permit requirements and maintain applicable permits from the Fire Prevention Division, certified unified program agency (CUPA) and the Department of Agriculture/Weights and Measures. Remove duplicative requirement from Cannabis Ordinance.
<ul style="list-style-type: none"> Grading: limit slopes to 15% without a use permit and require compliance with grading ordinance. 	<ul style="list-style-type: none"> Remove ministerial slope limitation because all cultivation permits will be discretionary. All development must comply with Chapter 11 of the Sonoma County Code. Remove duplicative requirement from Cannabis Ordinance.
<ul style="list-style-type: none"> Runoff and stormwater control: require storm water management plans and erosion and sediment control plans and compliance with the grading ordinance and the Department of Agriculture/Weights and Measures. 	<ul style="list-style-type: none"> Compliance with the Department of Agriculture/Weights & Measures Best Management Practices is required in Sec. 26-18-115.

CANNABIS ORDINANCE UPDATE - EXISTING VS PROPOSED COMPARISON CHART

CURRENT CANNABIS ORDINANCE	PROPOSED CANNABIS ORDINANCE
<ul style="list-style-type: none"> Security requirements; site security plan, security camera and alarm systems, prohibition on firearms at cultivation site, fencing requirements, screening requirement of outdoor and mixed light cultivation. 	<ul style="list-style-type: none"> The DCC enforces comprehensive regulations for cannabis license holders, including but not limited to the following: requires and verifies controlled access to licensed premises, sign-in logs, alarms, video surveillance, secured loading and unloading and delivery requirements. Remove duplicative requirements from the Cannabis Ordinance. Rely on state licensing and DCC security requirements (CCR Title 4, Division 19, Sec. 15042-15047).
<ul style="list-style-type: none"> Compliance inspection requirement 	<ul style="list-style-type: none"> Compliance inspection required under the proposed Cannabis License program. Additionally rely on Sonoma County Code Enforcement Division’s standard enforcement procedures and DCC inspections and enforcement (CCR Title 4, Division 19, Sec. 17800-17817).
<ul style="list-style-type: none"> Energy use requirement; on- grid power 100% renewable, on-site zero net energy renewable source; purchase of carbon offsets 	<ul style="list-style-type: none"> Energy impacts of the proposed ordinance will be evaluated in the CEQA EIR process in the Energy and Greenhouse Gas Emissions sections. Defer to Chapter 7, Building Code requirements.
<ul style="list-style-type: none"> Hours of Operation requirements which currently allows for cultivation activities to occur 24 hours a day, 7 days a week as needed and limits deliveries, shipping and outdoor processing activities to 8:00am – 5:00pm unless a Use Permit is obtained 	<ul style="list-style-type: none"> Cultivation will be permitted on a discretionary basis in the Agricultural and Resource Zones; the discretionary permit process can limit Hours of Operation to reduce site-specific impacts.
<ul style="list-style-type: none"> Compliance with General Plan Noise Standard, Table NE-2 	<ul style="list-style-type: none"> All uses are required to comply with the General Plan Noise Standard, Table NE-2 Remove duplicative requirement from the Cannabis Ordinance.
<ul style="list-style-type: none"> Occupational Safety requirements; compliance with all applicable federal, state and local laws and regulations governing California Agricultural Employers. 	<ul style="list-style-type: none"> Commercial uses are required to comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, including, federal and state wage and hour laws, CAL/OSHA, OSHA, and the California Agricultural Labor Relations Act. Remove duplicative requirement from the Cannabis Ordinance.

CURRENT CANNABIS ORDINANCE	PROPOSED CANNABIS ORDINANCE
<p><u>Setbacks (Cultivation)</u></p> <p>Agricultural and Resource Zones:</p> <ul style="list-style-type: none"> • Outdoor: 100 ft from property lines; 300 ft from offsite residences; 1,000 ft from sensitive uses • Indoor: Comply with the Base Zone District; 600 ft from Schools (K-12) • Mixed Light: 100 ft from property lines; 300 ft from offsite residences; 1,000 ft from sensitive uses • Park Setback Exception <p><u>Sensitive Use(s):</u> Schools (K-12), public parks; childcare centers; and alcohol/drug treatment facilities</p> <ul style="list-style-type: none"> • Measured from property line to property line. <p>Industrial Zones:</p> <ul style="list-style-type: none"> • Indoor: Comply with the Base Zone District; 600 ft from Schools (K-12) 	<p><u>Setbacks (Cultivation)</u></p> <p>Agricultural and Resource Zones:</p> <ul style="list-style-type: none"> • Outdoor: 100 ft from property lines; 1,000 ft from sensitive uses • Indoor: 100 ft from property lines; 1,000 ft from sensitive uses • Mixed Light: 100 ft from property lines; 1,000 ft from sensitive uses • Eliminate the Park Setback Exception <ul style="list-style-type: none"> • 600 ft setback from all Residential Zones (RR, AR, R1, R2, R3, PC) and incorporated City boundaries • <u>Sensitive Use(s):</u> Schools (K-12); public parks; day care centers; alcohol/drug treatment facilities • Measured from property line of the sensitive use to the cannabis premises. <p>Industrial Zones:</p> <ul style="list-style-type: none"> • Comply with the Base Zone District

CURRENT CANNABIS ORDINANCE	PROPOSED CANNABIS ORDINANCE
STOREFRONT AND NON-STOREFRONT RETAIL (DISPENSARY) USES	
SECTION 26-88-256. DISPENSARY USES	ARTICLE 26. RETAIL USE STANDARDS
<ul style="list-style-type: none"> Prohibition consumption at dispensaries 	<ul style="list-style-type: none"> Allow for onsite consumption at store front retailers (i.e. dispensaries) only. Dependent on County Health Ordinance and revision of Chapter 14 and/or Chapter 32 of the Sonoma County Code.
<ul style="list-style-type: none"> Delivery only allowed as accessory to a storefront operation 	<ul style="list-style-type: none"> Allow cannabis non-storefront retail (i.e. delivery) in accordance with zoning regulations for wholesale and distribution facilities. Continue to allow delivery as part of a store front retailer.
<ul style="list-style-type: none"> Cap on number of Dispensaries allowed (9) 	<ul style="list-style-type: none"> Eliminate the cap on store front retailers (i.e. dispensaries)
<ul style="list-style-type: none"> Prohibition of signage at Dispensaries from the Cannabis Ordinance 	<ul style="list-style-type: none"> Any new signage is required to comply with Article 84 of the Zoning Code. The DCC places restrictions on advertising and marketing to limit possible exposure to persons under 21.
<ul style="list-style-type: none"> Remove customer access requirements from the Cannabis Ordinance 	<ul style="list-style-type: none"> The DCC enforces comprehensive regulations for cannabis retail uses, including but not limited to the following: restrictions on access to retailer premises and customer access to retail area; restrictions on location of licensed premises (e.g., cannot be directly associated with a residence or a business selling alcohol or tobacco); daily limits on retail sales to an individual. Rely on state licensing, specifically DCC retailer requirements (CCR Title 4, Division 19, Sec. 15400-15427). Remove duplicative requirement from the Cannabis Ordinance.
<ul style="list-style-type: none"> Prohibition on a Dispensary maintaining a license from the State Department of Alcoholic Beverage Control 	<ul style="list-style-type: none"> Rely on state licensing, specifically DCC retailer requirements (CCR Title 4, Division 19, Sec. 15400-15427). Remove duplicative requirement from the Cannabis Ordinance.
<ul style="list-style-type: none"> Prohibition on accessory retail of immature plants and accessory goods or promotional items 	<ul style="list-style-type: none"> Rely on state licensing, specifically DCC retailer requirements (CCR Title 4, Division 19, Sec. 15400-15427).

CANNABIS ORDINANCE UPDATE - EXISTING VS PROPOSED COMPARISON CHART

CURRENT CANNABIS ORDINANCE	PROPOSED CANNABIS ORDINANCE
<ul style="list-style-type: none"> Hours of Operation requirements 	<ul style="list-style-type: none"> The DCC enforces comprehensive regulations for cannabis retail uses, including hours of operation requirements for storefront retailers. Rely on state licensing, specifically DCC retailer requirements (CCR Title 4, Division 19, Sec. 15400-15427). Remove duplicative requirement from the Cannabis Ordinance.
<p><u>Setbacks (Supply Chain Uses)</u></p> <p>Dispensaries – 100 ft from residential zoning, 1,000 ft from another dispensary, 500 ft from a smoke shop, 1,000 ft from sensitive uses.</p> <ul style="list-style-type: none"> Setback Waiver allowed. 	<p><u>Setbacks (Supply Chain Uses)</u></p> <p>Store Front Retailers (i.e., dispensaries) – Eliminate all setback requirements; must comply with structural setback requirements of the base zone district similar to other retail service uses, such as convenience stores.</p>
OTHER SUPPLY CHAIN USES	
SECTION 26-88-250. TABLE 1B ALLOWED CANNABIS USES AND PERMIT REQUIREMENTS FOR COMMERCIAL ZONES	
<ul style="list-style-type: none"> Use permit required for testing laboratories 	<ul style="list-style-type: none"> Testing laboratories allowed by right in Industrial Zones and by Use Permit in the General Commercial (C3) Zone consistent with use standards for Testing Laboratories, Section 26-20-040.
SECTION 26-88-250. TABLE 1C ALLOWED CANNABIS USES AND PERMIT REQUIREMENTS FOR INDUSTRIAL ZONES	
<ul style="list-style-type: none"> Use permit required for testing laboratories 	<ul style="list-style-type: none"> Testing laboratories allowed by right in Industrial Zones and by Use Permit in the General Commercial (C3) Zone consistent with use standards for Testing Laboratories, Section 26-20-040.
<ul style="list-style-type: none"> Use permit required for manufacturing operations Prohibition on use of volatile solvents 	<ul style="list-style-type: none"> Manufacturing operations allowed by right consistent with Section 26-20-080. Eliminate prohibition on use of volatile solvents.
<ul style="list-style-type: none"> Use permit required for distribution operations Use permit required for distributor/transport only 	<ul style="list-style-type: none"> Distribution operations allowed by right consistent with Section 26-20-160. Distribution allowed accessory to cultivation in all zones.