

OFFICIAL ZONING CODE INTERPRETATION (No. 33)

Cannabis Processing Facilities

ZONING CODE PROVISION INTERPRETED:

Section 20-70.030, Table 2-10, Allowed Land Uses and Permit Requirements for Industrial Districts, Definitions of Specialized Terms and Phrases

At issue is what land use classifications and permit regulations apply to cannabis processing facilities, state license type “Cultivation (Processor).” This use is recognized as a state license type and the corresponding state regulations were adopted after the City’s most recent zoning code update related to cannabis.

Definitions (state regulations):

Process: “Processing,” and “Processes” mean all activities associated with the drying, curing, grading, trimming, rolling, storing, packaging, and labeling of cannabis or nonmanufactured cannabis products.

Processor: is a cultivation site that conducts only trimming, drying, curing, grading, packaging, or labeling of cannabis and nonmanufactured cannabis products.

Definitions (City of Santa Rosa Code):

Cannabis Cultivation. Any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of Medical or Adult Use Cannabis. Includes cannabis nurseries.

Cannabis Manufacturing. The production, preparation, propagation, or compounding of medical or adult use cannabis or medical or adult use cannabis products either directly or indirectly or by extraction methods, or independently by mean of chemical synthesis, or by a combination of extraction and chemical synthesis at a fixed location that packages or repackages medical or adult use cannabis or medical or adult use cannabis products or labels or relabels its container.

Cannabis Manufacturing—Level 1. The processing or manufacturing of medical or adult use cannabis products using nonvolatile solvents, or no solvents. The use of post-extraction ethanol “winterization” is allowed within Cannabis Manufacturing Level 1 only to the extent such use is permitted by the State in a Type 6 license.

Cannabis Manufacturing—Level 2. The processing or manufacturing of medical or adult use cannabis products using volatile solvents. For purposes of this section, “volatile solvents” shall include solvents described in paragraph (3) of subdivision (d) of Section 11362.3 of the Health and Safety Code, or as such section may be amended.

While the State may have reasons for defining Processor solely under the cultivation license type, locally we recognize that this use and related activities are similar to both cultivation and manufacturing uses and is generally ancillary to a larger use. The City Code definition of manufacturing encompasses the “processing” use. The City Code definition of cultivation is similar and compatible to the “processing” use. As a result, if the proposed cannabis processing use is ancillary to a cannabis cultivation or

manufacturing use it can be permitted in the same way, dependent on the parcel zoning and scale of operation.

This determination is consistent with the General Plan.

Date: July 7, 2021

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