



# **INDUSTRIAL HEMP PILOT PROGRAM**

**Department of Agriculture**

**11/1/2022**



# Program Summary

- The pilot program would be for two years and consist of five or less licensed cultivators.
- The license will be issued for a one-year period.
- Cultivation will be limited to Planned Agriculture (PA), Limited Agriculture (LA), Agricultural Grazing (AG), Rural Lands (RL) and Residential Estate (RE) zones
- Twenty-acre minimum parcel size for RL and RE



# Program Summary continued


- The Program:
  - Identifies Sensitive Uses
  - License and Application Requirements
  - Cultivation Requirements including Signage and Setbacks
  - Inspections
  - Enforcement
  - Destruction



## Policy Differences

The Sheriff's Department recommended inclusion of items from Title 130 – Zoning Ordinance, Chapter 130.41- Commercial Cannabis


- 1) Sensitive Uses consistent with the chapter
- 2) Exclusionary Fencing consistent with the chapter
- 3) Security Plan consistent with the chapter
- 4) Setbacks consistent with the chapter



## Policy Differences continued

The Sheriffs Department also recommended in the Draft Industrial Hemp Pilot Ordinance, Section 130.43.106(B)&(C) – Inspections:

- 1) The Sheriff's Office to be included for inspections; and
- 2) The Agricultural Commissioner report promptly any THC concentration of more than 0.3% to the Sheriff's Office.



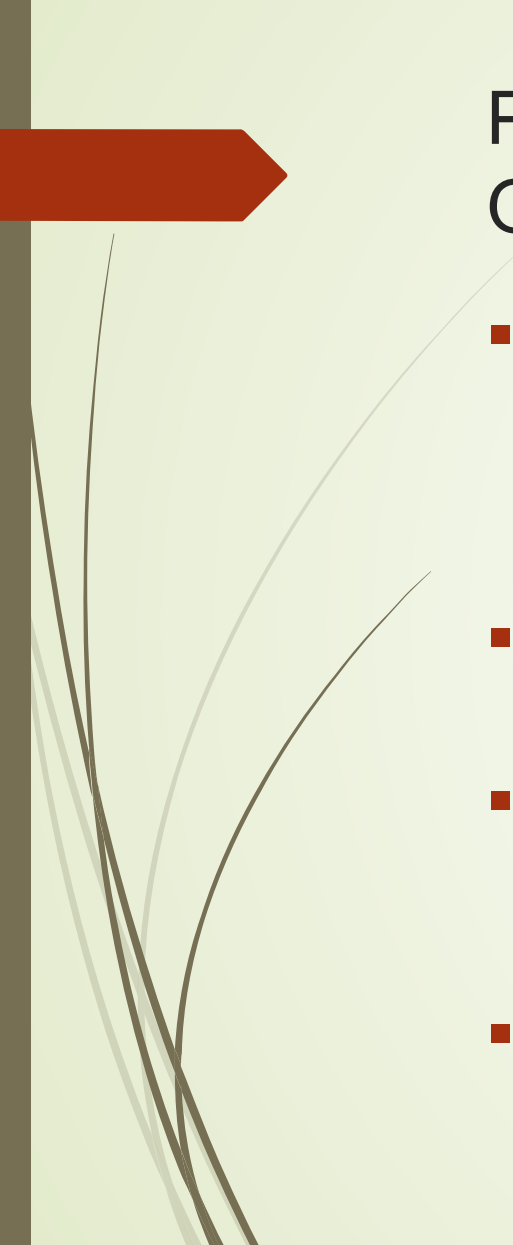
## Agricultural Commission recommendation September 30, 2022

- Agricultural Commission motion (7-0 vote for approval) recommends that the Planning Commission and Board of Supervisors approve the draft ordinance with the following changes to the Hemp Pilot Project:
- 1) Modify Section 130.43.100 - Definitions,  
Sensitive use to be modified deleting ranch marketing facilities and winery sales and tasting facilities.
- 2) Section 130.43.101(B)(6) – License Requirements,  
Remove “and that the proposed cultivation of industrial hemp will not occur on a parcel or parcels that are being used for commercial cannabis activity pursuant to Chapter 130.41(Commercial Cannabis)”



## Ag Commission recommendation continued

- 3) Section 130.43.105(B) – Cultivation Requirements,  
Remove “the use of activated carbon filtration or equivalent odor abatement control equipment on the air exhaust, a vapor-phase odor control system”
- 4) Section 130.43.106 – Inspections,  
Remove all references to the Sheriff in this code section.



## Planning Commission Recommendation, October 13, 2022

- Planning Commission motion (5-0 vote for approval) to recommend to the Board of Supervisors approval of the draft pilot program ordinance with three modifications:
  - 1) In section 130.43.101(B)(4) remove the last sentence regarding aggregating parcels;
  - 2) In section 130.43.105(H)(2) add a 600 foot setback from a residence located on a residential zoned parcel;
  - 3) In section 130.43.106(A)&(B) remove references to the Sheriff's Office.





# Staff Recommendation

Following the close of the public hearing, staff recommends the Board of Supervisors take the following actions based on the recommendation of the Planning Commission:

- 1) Find that the adoption of this Ordinance is exempt under the California Environmental Quality Act (CEQA) based on CEQA Guidelines 15307, 15308, 15060(c)(2) and 15061(b)(3); and
- 2) Adopt and authorize the Chair to sign Ordinance amending Title 130 of the County Zoning Ordinance adding Chapter 130.43, Cultivation of Industrial Hemp.
- 3) Direct staff to return to the Board one year following the effective date of the ordinance for an update on the pilot program.