



RESOLUTION NO.

RESOLUTION OF INTENTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO TO AMEND THE ZONING ORDINANCE (TITLE 130)

WHEREAS, the County of El Dorado is mandated by the State of California to maintain an adequate and proper General Plan; and

WHEREAS, the County of El Dorado adopted a General Plan in 2004; and

WHEREAS, many policies, programs, and implementation measures are implemented through the Zoning Ordinance; and

WHEREAS, on December 15, 2015, the El Dorado County Board of Supervisors (Board) adopted Ordinance No. 5030, a comprehensive update to Title 130 (Zoning Ordinance); and

WHEREAS, on December 15, 2020, the Board adopted Ordinance 5137 imposing a forty-five-day moratorium on the cultivation of industrial hemp for all purposes within the unincorporated area of the County consistent with Government Code section 65858; and

WHEREAS, on January 26, 2021, the Board adopted Ordinance 5138 extending that moratorium for an additional 10 months and 15 days; and

WHEREAS, on December 7, 2021, the Board adopted Ordinance 5154 extending the interim moratorium for one last time for an additional 12 months and is set to expire on December 6, 2022; and

WHEREAS, on December 7, 2021, the Board directed county staff and the joint working committee on industrial hemp, made up of two members of the Community & Economic Development Advisory Committee (CEDAC) and two members of the Agricultural Commission, to explore all concerns raised in regards to law enforcement and safety issues, impact to neighbors, county cost to regulate, and internal county staffing capacity can be successfully addressed in an ordinance; and

WHEREAS, the Joint Working Committee met with various stakeholders on February 10, 2022, February 16, 2022, March 23, 2022, March 25, 2022, March 28, 2022, April 7, 2022, and June 30, 2022 and also held joint committee working meetings on January 19, 2022, February 4, 2022, March 8, 2022; and

WHEREAS, on July 13, 2022, the Joint Working Committee presented their Industrial Hemp Pilot Program Concept to the Agricultural Commission and the Agricultural Commission recommended sending the Concept to the Board for their consideration for a two year test ordinance; and

WHEREAS, on July 14, 2022, the CEDAC Joint Working Committee lead presented the Industrial Hemp Pilot Program to CEDAC, and the Committee voted to support the Industrial Hemp Pilot Program Concept when it will be considered by the Board; and

WHEREAS, not all concerns raised in regards to law enforcement and safety issues have been successfully addressed as directed by the Board; and

WHEREAS, Section 130.63.020 of the Zoning Ordinance requires Zoning Ordinance amendments to be initiated by a Resolution of Intention.

NOW, THEREFORE, BE IT RESOLVED, that the El Dorado County Board of Supervisors will set a public hearing to consider proposed amendments to the El Dorado County Zoning Code (Title 130) of the County Code of Ordinances, to enact a ban on the cultivation of industrial hemp for all purposes within the unincorporated area of the County for an unlimited duration; and

BE IT FURTHER RESOLVED that the Board of Supervisors hereby authorizes the Department of Agriculture to proceed with preparation of all necessary documentation and environmental review requirements pursuant to the California Environmental Quality Act; and

BE IT FURTHER RESOLVED that the Planning Commission, and Board of Supervisors will hold public hearings to consider the proposed amendments; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors hereby authorizes the Department of Agriculture to proceed with the preparation of the above stated amendment to the Zoning Ordinance.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the ____ day of _____, 20__, by the following vote of said Board:

Attest:
Kim Dawson
Clerk of the Board of Supervisors

Ayes:
Noes:
Absent:

By: _____
Deputy Clerk

_____ Chair, Board of Supervisors