

FINDINGS

Ordinance amending Title 130 of the County Zoning Ordinance to enact regulations for the cultivation of industrial hemp pursuant to the Industrial Hemp Pilot Program Concept Planning Commission/October 13, 2022

1.0 CEQA FINDINGS

- 1.1 The adoption of this Ordinance is exempt under CEQA based on CEQA Guidelines 15307, 15308, 15060(c)(2), and 15061(b)(3) as it can be seen with certainty that there is no possibility that the actions authorized by this limited term pilot program will have a significant effect on the environment, these actions will not result in a direct or reasonable foreseeable indirect physical change in the environment as compared to other agricultural crops, and these actions will assure the maintenance, restoration, or enhancement of natural resources and the environment as compared to existing state laws governing hemp.
- 1.2 The Ordinance is also exempt under CEQA Guideline 15306 because this ordinance establishes a limited term pilot program for the purposes of information collections regarding hemp cultivation, applies to lands that allow agricultural uses as a principal use, is limited to only 5 licensees, and will not result in a serious or major disturbance to an environmental resource as compared to any other existing agricultural crop.

2.0 GENERAL PLAN FINDINGS

2.1 The ordinance is consistent with General Plan Policy 8.2.2.1.

General Plan Policy 8.2.2.1 identifies that agricultural operations allowed by right on agricultural lands shall include, but not be limited to, cultivation and tillage of the soil, cultivation, growing, harvesting, irrigation, and processing of any agricultural commodity.

Rationale: The cultivation of industrial hemp is consistent with this policy.

2.2 The ordinance is consistent with General Plan Policy 8.2.2.4.

Agricultural activities shall be protected from the encroachment of incompatible land use by the Right to Farm Ordinance, which recognizes that nuisances such as noise, odors, dust, fumes, smoke, and chemical usage are a part of recognized acceptable agricultural practices and production.

Rationale: Cultivation of industrial hemp consistent with the ordinance cultivated on Agricultural Land is an agricultural operation within the meaning of Section 130.40.290 (Right to Farm), and will be subject to the

protections and procedures set out in Section 130.40.290 (Right to Farm) in the zoning ordinance.

2.3 The ordinance is consistent with General Plan Policy 8.2.4.1.

General Plan Policy 8.2.4.1 requires programs be developed that provide tax benefits and enhance competitive capabilities of farms and ranches thereby ensuring long-term conservation, enhancement, and expansion of viable agricultural lands.

Rationale: The ordinance would allow for the farming of industrial hemp, which allows farms to further diversify crops, ensuring conservation of farm lands.

3.0 ZONING FINDINGS

3.1 The ordinance is consistent with Title 130 of the County Ordinance Code (Zoning Ordinance)

Rationale: Industrial Hemp cultivation would be allowed on zones PA, LA, AG, RL and RE. All these zones allow agricultural crop production as an allowed use. Industrial hemp is a federally recognized agricultural crop.