



Legislation Details (With Text)

File #: 22-1707 **Version:** 1
Type: Agenda Item **Status:** Approved
File created: 9/13/2022 **In control:** Board of Supervisors
On agenda: 9/20/2022 **Final action:** 9/20/2022
Title: Department of Agriculture recommending the Board adopt and authorize the Chair to sign Resolution of Intention 146-2022 to amend Title 130 of the County Zoning Ordinance to enact regulations for the cultivation of industrial hemp pursuant to the Industrial Hemp Pilot Program Concept.

FUNDING: N/A

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Resolution Routing Sheet, 2. B - Resolution of Intention, 3. B - Revised Resolution of Intention

Date	Ver.	Action By	Action	Result
9/20/2022	1	Board of Supervisors	Approved	Pass

Department of Agriculture recommending the Board adopt and authorize the Chair to sign Resolution of Intention **146-2022** to amend Title 130 of the County Zoning Ordinance to enact regulations for the cultivation of industrial hemp pursuant to the Industrial Hemp Pilot Program Concept.

FUNDING: N/A

DISCUSSION / BACKGROUND

On December 7, 2021 the Board directed staff and the joint working committee on industrial hemp, comprising two members of the Community & Economic Development Advisory Committee (CEDAC) and two members of the Agricultural Commission, to 1) continue to explore if 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 2) by the end of 2022, to bring back an ordinance for an industrial hemp pilot program or an ordinance for the permanent ban on industrial hemp.

On September 13, 2022, staff presented the work of the Industrial Hemp Joint Working Committee and recommended to the Board to pursue the Industrial Hemp Pilot Program Concept, as well as to enact a ban on the cultivation of industrial hemp due to the impending expiration of the interim moratorium on industrial hemp on December 6, 2022 (Legistar 21-1516). The Board directed staff to return to the Board as soon as possible with a Resolution of Intent (ROI), as required by Zoning Ordinance Section 130.63.020, to pursue the pilot program and to return to the Board with an Industrial Hemp Ordinance as close as possible to the December 6, 2022 moratorium expiration.

The industrial hemp pilot program would be a two-year program consisting of five or fewer producers. The program concept lists zoning and setbacks, submittal requirements, notification requirements, crop testing and abatement measures.

Following adoption of the ROI, Staff will prepare an Ordinance, present the Ordinance to the

Agricultural Commission, conduct a public hearing with Planning Commission, and forward recommendations to the Board for consideration at the second reading and final adoption hearing.

ALTERNATIVES

The Board could choose to not approve this intention to proceed with an ROI to amend the Zoning ordinance addressing the Industrial Hemp Concept Program, revert to State regulations and there would be no County restrictions on farming industrial hemp.

PRIOR BOARD ACTION

June 23, 2020 (Legistar 20-0468)
September 22, 2020 (Legistar 20-1181)
December 15, 2020 (Legistar 21-0045)
May 18, 2021 (Legistar 21-0540)
October 13, 2021 (Legistar 21-1623)
December 7, 2021 (Legistar 21-1516)
September 13, 2022 (Legistar 22-1528)

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel, Sheriff's Department, and Planning and Building

CAO RECOMMENDATION / COMMENTS

Approve as recommended.

FINANCIAL IMPACT

There is no change to Net County Cost associated with this item. Funding for the staff time associated with the Zoning Ordinance amendment has been included in the FY 2022-23 Budget. Pursuit of the Pilot Program could potentially result in cultivation of hemp, which would provide an economic benefit to agriculture in the County, however, the extent of the financial impact to the County is unknown.

CLERK OF THE BOARD FOLLOW UP ACTIONS

- 1) Clerk of the Board will obtain the Chair's signature on one (1) original copy of the ROI.
- 2) Clerk of the Board will forward one electronic copy of the fully-executed ROI to Myrna Tow for further processing.

STRATEGIC PLAN COMPONENT

Good Governance

CONTACT

Charlene Carveth, Agricultural Commissioner