



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.



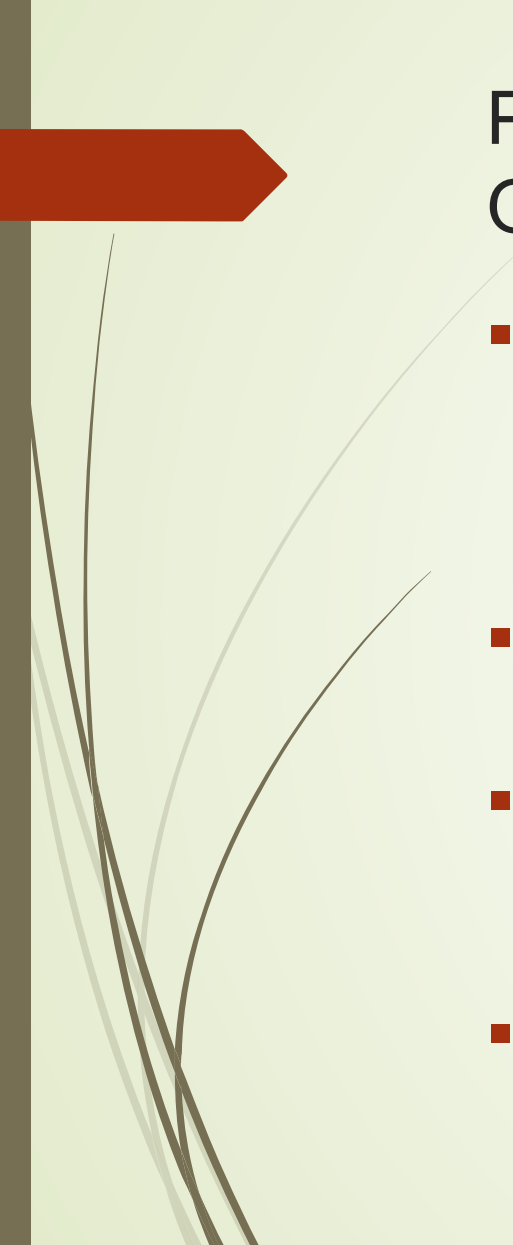
Agricultural Commission recommendation September 30, 2022

- 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.