

**ATTACHMENT 4**

**DRAFT INLAND INDUSTRIAL HEMP ORDINANCE**

## **ORDINANCE AMENDING TITLE III, DIVISION 1, CHAPTER 4 OF HUMBOLDT COUNTY CODE**

The Board of Supervisors of the County of Humboldt ordains as follows:

### **SECTION 1. PURPOSE OF ZONING REGULATION AMENDMENTS.**

Title III, Division 1, Chapter 4 of the Zoning Regulations is hereby amended to establish land use regulations for the cultivation of Industrial Hemp and registration of Industrial Hemp cultivation sites within the Inland Area of the County of Humboldt which reduce negative impacts of Industrial Hemp Cultivation on our community and environment. The ordinance adds section 314-55.5 to Chapter 4 of Division 1 of Title III of the County Code, Zoning Code For Areas Outside the Coastal Zone, relating to Industrial Hemp.

### **SECTION 2. INDUSTRIAL HEMP ORDINANCE**

Subdivision 314-55.5 regarding Industrial Hemp Cultivation is added to Title III, Division 1, Chapter 4 of the Humboldt County Code as follows:

#### **314-55.5 Industrial Hemp Land Use Regulations**

##### **55.5.1 Purpose and Intent**

The purpose of this Section is to establish land use regulations for the cultivation of Industrial Hemp and registration of Industrial Hemp cultivation sites within the Inland Area of the County of Humboldt which reduce negative impacts of Industrial Hemp Cultivation on our community and environment.

##### **55.5.2 Applicability and Interpretation**

55.5.2.1 All facilities and activities involved in the cultivation of Industrial Hemp and registration of Industrial Hemp cultivation sites within the jurisdiction of the County of Humboldt within the Coastal Zone shall be controlled by the provisions of this Section.

55.5.2.2 Severability. If any provision of this Section, or the application thereof, is held invalid, that invalidity shall not affect any other provision or application of this Section that can be given effect without the invalid provisions or application; and to this end, the provisions or application of this Section are severable.

##### **55.5.3 Definitions**

“Industrial Hemp”: A crop agricultural product, whether growing or not, that is limited to types of the plant *Cannabis sativa Linnaeus* and any part of that plant, including the seeds of the plant and all derivatives, extracts, the resin extracted from any part of the plant, cannabinoids, isomers, acids, salts, and salts of isomers, with a delta-9 tetrahydrocannabinol (THC) concentration of no more than 0.3 percent on a dry weight basis.

##### **55.5.4 General Provisions Applicable to Industrial Hemp Cultivation and Registration of Industrial Hemp Cultivation Sites**

55.5.4.1 Cultivation of Industrial Hemp by any person or entity for any purpose is expressly prohibited in all zoning districts in the unincorporated area of the County. Additionally, "Established Agricultural Research Institutions" as defined in Food and Agriculture Code section 81000, are similarly prohibited from cultivating Industrial Hemp for agricultural or academic research purposes.

55.5.4.2. Acceptance of any application for or issuance of a registration, permit or entitlement, or approval of any type, that authorizes the establishment, operation, maintenance, development or construction of any facility or use for the purpose of the cultivation of Industrial Hemp is expressly prohibited in all zoning districts in the unincorporated area of the County.

### SECTION 3. EFFECTIVE DATE.

This ordinance shall take effect 30 days after approval by the Board of Supervisors.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2021, on the following vote, to wit:

AYES: Supervisors:

NOES: Supervisors:

ABSENT: Supervisors:

\_\_\_\_\_  
Virginia Bass, Chair  
Board of Supervisors of the County of Humboldt,  
State of California

(SEAL)

ATTEST:  
Kathy Hayes  
Clerk of the Board of Supervisors of the  
County of Humboldt, State of California

\_\_\_\_\_  
By: Ryan Sharp, Deputy