



COUNTY OF HUMBOLDT

Legislation Details (With Text)

File #: 21-762 **Version:** 1 **Name:**
Type: Zoning Ordinance **Status:** Passed
File created: 6/2/2021 **In control:** Planning and Building
On agenda: 6/22/2021 **Final action:** 6/22/2021
Title: Adoption of an Urgency Ordinance Establishing a Temporary Moratorium on the Cultivation of Industrial Hemp in the Coastal Zone (4/5 Vote Required). Case # PLN-2021-17163

Sponsors:

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Attachment 1 - Draft Ordinance IH temp ordinance_mdr nad.pdf, 3. Attachment 2 - Post Adoption Summary temp moratorium IH in CZ 6-22-2021-2.pdf, 4. Ordinance 2677.pdf

Date	Ver.	Action By	Action	Result
6/22/2021	1	Board of Supervisors	approved	Pass

To: Board of Supervisors

From: Planning and Building Department

Agenda Section: Public Hearing

SUBJECT:

Adoption of an Urgency Ordinance Establishing a Temporary Moratorium on the Cultivation of Industrial Hemp in the Coastal Zone (4/5 Vote Required). Case # PLN-2021-17163

RECOMMENDATION(S):

That the Board of Supervisors:

1. Adopt the Interim Urgency Ordinance extending the temporary moratorium on the cultivation of industrial hemp (Ordinance 2674) by “Established Agricultural Research Institutions” and any growers of industrial hemp in the Coastal Zone of Humboldt County based on the findings set forth within the Interim Urgency Ordinance under the provisions contained in California Government Code sections 25123(d) and 65858 (4/5 vote required); and
2. If adopted, direct the Clerk of the Board to publish a summary of the Ordinance amendments within 15 days after adoption by the Board, along with the names of those Supervisors voting for and against each ordinance (Attachment 2) and to post in the Office of the Clerk of the Board of Supervisors a certified copy of the full text of the adopted ordinance along with the names of those Supervisors voting for and against the ordinance.

SOURCE OF FUNDING:

The salary funding for preparing this staff report is included in the General Fund contribution to the

Long-Range Planning unit, 1100-282.

DISCUSSION:

This item follows up the Board of Supervisor's action on Item # J-1 of the May 18, 2021, meeting when the Board adopted a 45 day temporary moratorium on the cultivation of industrial hemp by "Established Agricultural Research Institutions" and any growers of industrial hemp in the Coastal Zone of Humboldt County by Ordinance 2674. Staff recommends extending for a six-month period the temporary moratorium of cultivation of Industrial Hemp in the Coastal Zone to provide adequate time for the Commission to review, evaluate, and approve the permanent prohibition for the Coastal areas of the unincorporated County. No action is needed to prohibit Industrial Hemp cultivation outside the Coastal Zone because a permanent ban is already in place for that area. This Ordinance is only needed to account for Coastal Commission processing time to approve the permanent ban in the Coastal Zone.

Environmental Review

This project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 15308. Actions by Regulatory Agencies for Protection of the Environment, which applies to actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment.

FINANCIAL IMPACT:

Staff costs and other expenses related to preparation and review of this agenda item total approximately \$1,000.

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework by enforcing laws and regulations to protect residents.

OTHER AGENCY INVOLVEMENT:

Coastal Commission, Agricultural Commissioner, County Counsel, and the California Department of Food and Agriculture.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board may choose to not extend the urgency ordinance which would lead to near term approval of Industrial Hemp cultivation in the Coastal Zone without consideration of the potential impacts. Staff is not recommending this alternative because conflicts with the Board's action to adopt Ordinance 2666 adding section 313-55.5 to Chapter 3 of Division I of Title III of the County Code, Coastal Zoning Code, which makes permanent the existing temporary prohibition of Industrial Hemp cultivation.

ATTACHMENTS:

1. Urgency Ordinance Extending a Moratorium on Industrial Hemp Cultivation in the coastal zone for six months. 2. Post Adoption Summary

PREVIOUS ACTION/REFERRAL:

Board Order No.: J-1

Meeting of: May 18, 2021

File No.: 21-510