



Mendocino County

Legislation Details (With Text)

File #: 19-0304 **Version:** 1 **Name:**
Type: Ordinance **Status:** Adopted
File created: 3/29/2019 **In control:** County Counsel
On agenda: 4/9/2019 **Final action:** 4/9/2019
Title: Noticed Public Hearing - Discussion and Possible Action Including Adoption of Urgency Ordinance Extending a Temporary Moratorium on the Cultivation of Industrial Hemp Within the Unincorporated Areas of Mendocino County Pending the Study and Consideration of Land Use and Other Regulations Pertaining to Such Cultivation
(Sponsors: County Counsel and Agriculture)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance 4430, 2. Ordinance Summary, 3. Ordinance, 4. Staff Report, 5. Affidavit of Publication, 6. 04-08-19 Nowell Correspondence, 7. Previous Agenda Summary, 8. Final Ordinance - Industrial Hemp Moratorium - Extension 2019 - 4.9.19 final, 9. Affidavit of Publication

| Date | Ver. | Action By | Action | Result |
|----------|------|----------------------|--------|--------|
| 4/9/2019 | 1 | Board of Supervisors | | |

To: Board of Supervisors

From: County Counsel and Agriculture

Meeting Date: April 9, 2019

Department Contact: Matthew Kiedrowski

Phone: 234-6885

Department Contact: Harinder Grewal

Phone: 234-6830

Item Type: Noticed Public Hearing

Time Allocated for Item: 30 min.

Agenda Title:

Noticed Public Hearing - Discussion and Possible Action Including Adoption of Urgency Ordinance Extending a Temporary Moratorium on the Cultivation of Industrial Hemp Within the Unincorporated Areas of Mendocino County Pending the Study and Consideration of Land Use and Other Regulations Pertaining to Such Cultivation
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Recommended Action/Motion:

Adopt Urgency Ordinance extending a temporary moratorium on the cultivation of industrial hemp within the unincorporated areas of Mendocino County pending the study and consideration of land use and other regulations pertaining to such cultivation; and authorize Chair to sign same.

Previous Board/Board Committee Actions:

On February 26, 2019, the Board of Supervisors adopted an urgency ordinance establishing a temporary moratorium on industrial hemp cultivation.

Summary of Request:

The purpose of this urgency ordinance is to extend the temporary moratorium adopted by the Board on February 26, 2019, on the cultivation of industrial hemp for commercial purposes or by "Established Agricultural Research Institutions," as defined by California Food and Agricultural Code Section 81000(c), while County staff determines the impact of such unregulated cultivation and reasonable regulations to mitigate such impacts.

Attached to this agenda packet is the agenda summary for the original adoption of the moratorium, as well as a staff report discussing the work being proposed to develop and process permanent regulations pertaining to industrial hemp cultivation.

The current urgency ordinance is effective for 45 days and is set to expire on April 12, 2019, unless the Board acts to extend the interim ordinance. Staff is proposing an extension of 10 months and 15 days, or until February 24, 2020, or up to the point the County approves permanent regulations pertaining to industrial hemp cultivation. This extension will require a 4/5 or better vote of the Board for it to be approved. The legislative findings required by Government Code section 65858 are included in the ordinance. The County will have the ability to further extend the urgency ordinance by another 12 months, if approved by the Board after notice and public hearing.

The proposed ordinance is exempt from CEQA review for various reasons, as set forth in the ordinance. If the Board adopts the Ordinance, staff will file a Notice of Exemption.

Alternative Action/Motion:

Provide alternative direction.

Supervisory District: All

vote requirement: 4/5ths

Supplemental Information Available Online At: N/A

Fiscal Details:

source of funding: N/A

current f/y cost: N/A

annual recurring cost: N/A

budget clarification: N/A

budgeted in current f/y: N/A

if no, please describe:

revenue agreement: N/A

Agreement/Resolution/Ordinance Approved by County Counsel: Yes

CEO Liaison: Executive Office

CEO Review: Yes

CEO Comments:

FOR COB USE ONLY

Executed By: Lindsey Dunham, Deputy Clerk

Date: April 11, 2019

Final Status: **Adopted**

Executed Item Number: **Ordinance**
Number: 4430

