

Urgency Ordinance adopting an extension of the temporary moratorium on Industrial Hemp

NEVADA COUNTY BOARD OF SUPERVISORS

APRIL 23, 2019

Recent Action

- On April 09, 2019, Pursuant to Government Code Section 65858, the Nevada County Board of Supervisors adopted an Urgency Interim Ordinance prohibiting the cultivation of Industrial Hemp within the unincorporated areas of Nevada County. (Ord. #2464)
- State law only allowed for a 45-day moratorium, however, may the Board of Supervisors may extended it an additional 10-months and 15-days, after conducting a noticed public hearing.

Written Report

- Government Code Section 65858(d) requires that the legislative body issue a written report describing the measures taken to alleviate the condition which led to the adoption of the interim ordinance.

Since the enactment of the original 45-day moratorium adopted by the Board of Supervisors on April 9, 2019 staff has taken the following steps:

- Staff attended the California Cannabis Control Summit and networked with colleagues from state regulatory agencies and various municipalities on how they were regulating Industrial Hemp in their respective jurisdiction.
- Staff consulted with other county Agricultural Commissioners to learn how they are choosing to regulate Industrial Hemp within their County.

Written Report (continued)

- Staff consulted with CDFA Industrial Hemp Program and with a member of the California Industrial Hemp Advisory Board to gain clarity on further regulations needed pertaining to the cultivation of Industrial Hemp within the State of California.
- Staff reviewed pending bills in the California State Legislature (AB 228, SB 153, SB 527) for potential future impacts to the County, should they be signed into law.

Staff finds that the cultivation of Industrial Hemp continues to be an evolving and complex issue that will require more time to review. Staff is studying how potential hemp cultivation regulations could be interrelated with cannabis cultivation regulations. At some point in the future, staff will need to seek additional policy direction from the Board of Supervisors

Recommendation

After conducting a public hearing, Staff recommends that the Board of Supervisors take the following actions:

- After reviewing and considering the written report outlining the measures taken to alleviate the conditions which led to the adoption of County Ordinance 2464, approve said report.
- Adopt the attached Urgency Ordinance, extending the temporary moratorium on the cultivation of Industrial Hemp within the unincorporated areas of Nevada County for a period of 10-months and 15-days (requires a 4/5ths vote)