

Summary of Draft Amendments to Hemp Ordinance

By Section of County Code with proposed changes

- **Hemp Cultivation Exclusion Zone** (Section 7.04.030 C.)
 - One mile from sphere of influence boundary of Cities of Hollister and San Juan Bautista
 - One mile from exterior boundaries of any County Service Area (rural residential subdivisions)
 - No cultivation within the San Benito Wine/Hospitality Priority Area (Wine Trail) except with a CUP for cultivation or processing sites located more than one mile from any visitor-serving wine or hospitality site (e.g. tasting room, winery with tours, restaurants, hotels, bed & breakfast). CUP for limited term of 5 years, subject to renewal and annual registration. Notice to be given to all property owners within Wine/Hospitality Priority Area and one mile radius of proposed site. (Section 7.04.050 E.)
 - Five Hundred Foot (500') setback from public roads (County Road or State Highway), possible reduced setback with 6' fence and visual barrier, distance TBD per Planning Commission recommendation
 - Limited to land zoned AP or AR
 - Indoor hemp cultivation, drying, processing, or manufacturing permitted in wine trail exclusion zone with a CUP with effective odor control
- **Research Hemp Cultivation Prohibited** (Section 7.04.030 D., plus eliminating references to research hemp throughout, other than definition)
- **Drying, Processing, Storage or Manufacturing Facilities** (Section 7.04.050 new subsection D.)
 - Must be in AP, AR, CM, M-1, or M-2 (Agricultural or Industrial) Zones
 - Obtain a CUP from Planning Commission with effective odor control
 - Business License Required
- **Written Consent of Property Owner Required for Registration** (Section 7.04.030 E.)
- **Minimum Parcel Size for cultivation Increased from 10 to 20 acres** (Section 7.04.080 C.)
- **Residential setbacks changes** (Section 7.04.080 D. 3 & 4)
 - Distance increased from 100 feet to 1,000 ft from residential property boundaries to cultivation area
 - From residentially developed parcel (regardless of residential zoning) of 10 acres or less
 - From any off-parcel permitted residence (regardless of zoning or size parcel) if hemp cultivation is on parcel 40 acres or less.
- **Signage** (Section 7.04.080 new F.)
 - Signs to have uniform size and content as determined by Agricultural Commissioner
 - Posed every 50 feet around perimeter of cultivation area
- **Transportation** (Section 7.04.080 G.)
 - Vehicle must be constructed, covered and loaded to prevent spillage
- **Post-Harvest Field Treatment** (Section 7.04.080 H.)
 - Within 30 days or less after harvest stalks or other hemp plant material must be shredded to particle size and incorporated in soil. Ag Commissioner may extend period if weather necessitates
- **Consent to entry, inspection and additional testing** (Section 7.04.100 new C.)
 - Condition of any registration, license or permit
 - Ag Commission, Sheriff's officer, Environmental Health, Code Enforcement, Building Inspectors & Official, Fire Inspectors & Marshall
 - Additional testing to verify less than .3% THC at registrant's sole cost and expense