

## Hemp Legal Status in California Counties

### **Moratorium**

Placer, Tuolumne, Calaveras, Tulare, Tehama, Mendocino, Nevada, Amador, Santa Clara, Yolo (Yolo allows indoor seed breeding and nursery stock only), Sonoma, Mariposa, San Luis Obispo, Shasta, Siskiyou, Modoc, Trinity, Sacramento, Napa, Yuba, Glenn

### **No current moratorium or local regulations**

Riverside, Del Norte, Sierra, Marin, Mono, San Mateo, Santa Barbara, San Bernardino, Los Angeles, San Diego, Imperial, Santa Cruz, Fresno, Butte, Sutter, El Dorado, Alpine, Contra Costa, Alameda, Lake

### **Local regulations on hemp**

- **Inyo** – requires a conditional use permit, subject to odor, noise, pollen escape and visual resource mitigation requirements and must be three hundred feet from all parcel lot lines.
- **Colusa** – One-year revocable hemp licenses. Limited to specified zones with 1.5-mile setback from cities and residentially zoned property. Requires an odor management plan detailing how any odor will be neutralized so as not to be detectable on an adjoining property. Graduated setback from off-site residences as follows: 500 foot setback for less than 10 acres cultivated, 750 foot setback for 10-20 acres of cultivated area and 1,000 setback for 20 acres or more of cultivated area. Must have landowner consent, an approved security plan, signage and a \$2,500 deposit to cover time to process license applications and any Sheriff time to respond to calls.
- **Ventura** – cultivation is banned within one-half mile of specified uses: (i) any land within a city zoned for residential use, (ii) any existing residential community in the unincorporated area of Ventura County or (iii) any school. (Items (ii) and (iii) are further defined as, respectively, “any area designated as ‘urban,’ ‘existing community’ or ‘existing community-urban reserve’ on the Ventura County General Plan land use maps” and “any licensed day care center, public and private schools, colleges and universities.”)
- **Kern** – requires a “hemp permit” issued by the County, but not a conditional use permit. Must have landowner consent, be located on agriculturally zoned land, provide a deposit sufficient to cover the cost of crop destruction and pay fees to cover all county costs. Cultivation for research or educational purposes is limited to one acre. Cultivation sites that abut residentially zoned parcels with a residence must have a 100 foot agricultural buffer. Permit holders must allow inspections by the Sheriff’s Office and county staff.
- **Monterey** - cultivation must be located in a zone where the commercial cultivation of cannabis is allowed and cultivation must occur inside a legally established greenhouse or building. Must obtain an administrative permit in the inland zone and a coastal development permit in the coastal zone.

- **San Joaquin** – requires a one-year, revocable license issued by the county. Must have landowner consent and grow on land zoned general agriculture. Must minimize impacts, including odor and pollen drift, to surrounding areas. Setbacks include: 100 feet from parcel boundary line, 1,000 feet from a sensitive receptor and, 200 feet from a residence or residential uses. Indoor cultivation limited to transplants or seed production, with lesser setbacks. Signage and fees are required.
- **Merced** – requires a county-issued one-year license and landowner consent. Minimum parcel size is 20 acres and must be located in general agriculture zoning district. Must submit a bond in an amount sufficient to cover crop abatement. Must minimize odor to surrounding areas. Setbacks include: 200 feet from boundary line of parcel, 1,000 feet from sensitive receptor (hospitals, schools parks) and 200 feet from a residence. Indoor cultivation is limited to transplants, with lesser setbacks. Signage and fees required.
- **Lassen** - limited to legal parcels nineteen acres in size or larger, subject to site visits and crop and/or product testing on six hours notice by county staff and must be 150 yards from any residence not in common ownership with the parcel upon which the cultivation is occurring.
- **Stanislaus** – implemented a pilot program that requires a county-issued license to cultivate and all applications had to be submitted by July 18, 2019. Parcels must be a minimum of 10 acres in size, located in the general agricultural zoning district but outside of a LAFCO Sphere of Influence or Urban Transition General Plan designation of a city. May only cultivate a cumulative total of twelve acres of land.
- **Kings** – requires a county-issued permit, but not a conditional use permit. Must have landowner consent, be located in general agricultural zone districts, be one-half mile from a sensitive receptor (church, child daycare, school, youth-oriented facility, residential zone districts) and must be located outside a LAFCO Sphere of Influence. On-site processing prohibited. All permits expire December 31, 2020.