

ZONING COMPLIANCE REVIEW HEMP (ZCRH)

FEMALE HEMP

MALE/HERMAPHRODITE HEMP

Hemp Establishment* is only permitted:

in the A-1/A-2, Agricultural Zone Districts in a greenhouse, building, or outside farming as a use-by-right; in the I-1/I-2/I-3 Industrial Zone Districts in a greenhouse or building as a use-by-right. Male hemp plants and hermaphrodite hemp plants shall only be grown in an enclosed building, which does not include a greenhouse, with a proper filtration system and clothing/footwear preventative measures (i.e., clean room mat) to prevent escape of pollen/seed/or other product that might be detrimental to a hemp and/or marijuana crop.

*Definition contained in this Application Document

PLEASE READ NOTE AND SIGN BELOW:

THE SUBMITTED APPLICATION PACKAGE REQUIRES SPECIFIC REPORTS/INFORMATION WHICH MAY NOT BE ADEQUATE AS DETERMINED THROUGH THE REVIEW PROCESS. ADDITIONAL INFORMATION MAY BE REQUIRED. ALSO, THE ACCEPTANCE OF THE APPLICATION PACKAGE DOES NOT MEAN THE SPECIFIC INFORMATION HAS BEEN APPROVED AND IN FINAL FORM. REVISIONS TO THE MAP AND/OR REPORTS MAY BE REQUIRED. YOUR SIGNATURE BELOW INDICATES ACCEPTANCE OF THESE CONDITIONS.

Date: _____ Type of Application: _____

Zoning Compliance Review Hemp No.

Business Owner's Signature

NOTICE: All information, including emails, submitted to Pueblo County Department of Planning and Development is considered public record and is therefore available for public review.

Assessor's Tax Parcel No. _____

- Please list the name, address, and telephone number(s) of the following (some may not be applicable): (Print legibly)**

Business Owner(s) _____

Address/Zip: _____

Telephone Number(s): _____

Email Address: _____

Property Owner(s): _____

Address/Zip: _____

Telephone Number(s): _____

Email Address: _____

Signed letter/lease agreement/purchase agreement from owner allowing the Hemp Establishment

2. Zone district _____
3. Legal Description of the property _____
(If lengthy, please attached as a separate page)
4. Address of the property _____
5. Please list any previous applications (e.g., map amendments, zoning variances, special use permits, subdivision variances) in connection with this property:

APPLICATION CHECKLIST

The Following Information Must Be Included With The ZCRH Application:

One (1) Map May Contain All The Following Information (1-5)

Maps are to be 11"x17" or smaller with no PDF required.

Larger than 11"x17" requires a PDF to be submitted.

Google Aerial May Be Used For the Map With The 5 Mile Buffer Shown

- _____ 1. Commercial Industrial Hemp Permit or Research and Development Permit from the State of Colorado Department of Agriculture.
- _____ 2. Proof of processing either on-site or the name of the processing company
 _____ On-site processing; drawn on map (item 3.)
 _____ Letter from Processing company stating it will process for Hemp Establishment
- _____ 3. Map drawn to scale (north arrow and scale) identifying location of Hemp Establishment and location of processing building, if applicable.
- _____ 4. Map drawn to scale (north arrow and scale) identifying location of Hemp Establishment with a 5 mile perimeter buffer shown and location of any Marijuana Establishment as measured from property lines of the Hemp Establishment to the property lines of the Marijuana Establishment using a direct line.
 No Hemp Establishment shall be located within 5 miles of any Marijuana Establishment with the following EXEMPTIONS:
 _____ Hemp Establishment that contains only hemp plants that are confirmed female and documentation of female only hemp plants
 _____ Hemp Establishment who submits waiver of the distance requirement that is signed by all Marijuana Establishments within the 5 mile buffer
 _____ A location where the Department of Planning and Development previously approved a ZCRH and a permitted Hemp Establishment has existed in continuous operation since the time of original permitting.
- _____ 5. Documentation of Female Hemp plant designation.
- _____ 6. Proof of property ownership by recorded deed.

- _____ 7. Signed letter from owner of the property allowing the Hemp Establishment.
- _____ 8. Signed lease agreement/purchase agreement, with Hemp Establishment named in the lease agreement/proposed property owner in the purchase agreement.
- _____ 9. Signed Operating Agreement for LLC.
- _____ 10. Acknowledgement the Hemp Establishment will submit Quarterly and Year End harvest data to the Pueblo County Department of Planning and Development.

_____ 11. Proof of water source:

- _____ a. Municipal supply
 - Written approval from municipal supplier stating the hemp use is permitted and water will be supplied for the hemp use; stating the amount of water to be used for the cultivation facility (grow) can be supplied.

_____ b. Hauled water

_____ Identify a water supplier with a legal source of water:

(Name of water supplier)

_____ Copy of documents submitted to water hauler.

_____ Written approval from the water supplier stating the hemp use is permitted; stating the amount of water to be used for the hemp use can be supplied.

_____ If water hauler business is used, name of business

_____ and letter from water supplier the water hauler business is approved to purchase water from that water supplier.

_____ Letter from the Division of Water Resources for water types for which haul water will be the sole source, including irrigation, commercial or both. This letter will also identify any wells that exist on the property and clarify any use limitations. Applicant must also comply with all cistern and meter installation and reporting as identified in the Division of Water Resource letter.

_____ c. Well water

_____ Copy of existing well permit

- _____ Letter from the Division of Water Resources stating the hemp use is allowed to be served water from the existing well permit; stating the amount of water to be used for the hemp use can be supplied by the well.
- _____ Copy of documents submitted to Division of Water Resources.
- _____ Written approval from the augmentation water supplier with the amount of water approved, if applicable.
- _____ 12. Letter from the Pueblo City-County Health Dept., if required – processing facility with bathroom(s).
- _____ 13. Letter from the sanitation district for centralized wastewater (sewer), if required – processing facility with bathroom(s).
- _____ 14. Fire District _____
- _____ 15. Planning & Development Staff Initials
- _____ 16. Application Fee (\$150)

NOTE: Maps may be created through **Google** www.maps.pueblo.org
See the “Create a Map” supplement instructions.

Pueblo County Code - Title 17 - Chapter 17.04 GENERAL PROVISIONS AND DEFINITIONS B. Specific. For the purpose of this resolution certain words and terms are defined as follows:

Industrial Hemp means a plant of the genus Cannabis and any part of the plant, whether growing or not, containing a delta-9 tetrahydrocannabinol (THC) concentration of no more than three-tenths of one percent (0.3%) on a dry weight basis.

Hemp Establishment means

- 1) *any Establishment which has been issued a Research and Development (R & D) Industrial Hemp Registration or Commercial Industrial Hemp Registration by the Colorado Department of Agriculture, pursuant to the Industrial Hemp Regulatory Program Act, Title 35, Article 61, C.R.S., including outdoor farming, greenhouse farming and indoor (building; excludes residential structures) farming; greenhouse and building shall be permitted by Pueblo Regional Building Department and obtain zoning authorization from Pueblo County Department of Planning and Development;*
- 2) *any Establishment which processes Industrial Hemp as defined herein as Hemp Processing.*

Hemp Establishments shall follow and abide by rules and regulations issued by Department of Agriculture in accordance with the Industrial Hemp Regulatory Program Act and shall also follow and abide by Pueblo County’s regulations regarding Industrial Hemp.

Hemp Processing means the refinement of Industrial Hemp to create products derived from hemp. Hemp Processing shall only be conducted in a greenhouse and/or building, excluding residential structures, that are permitted by Pueblo Regional Building Department and Pueblo City-County Health Department and have obtained zoning authorization from Pueblo County Department of Planning and Development.

Delta-9 tetrahydrocannabinols has the same meaning as “tetrahydrocannabinols” as set forth in section 27-80-203(24), C.R.S.

Additional Information

Applicant shall provide the following information:

_____ Square footage of cultivation greenhouse

_____ Square footage of cultivation building

_____ Square footage of processing building

_____ Square footage of office area

_____ Number of main shift employees

_____ Number of Shifts

_____ Number of employees per shift

Zoning Compliance Review Hemp normally requires 10 to 14 Working days for staff to complete the review process.

Additional Information

Any transporting of Industrial Hemp shall be accompanied by a copy of the Department of Agriculture Hemp Permit. Pueblo County Department of Planning and Development has the right to inspect the Hemp Establishment and request paperwork from the Department of Agriculture. Other Governmental Agencies whether State or Local, such as Colorado Division of Water Resources, Pueblo Regional Building Department, City-County Health Department, have the right to inspect the Hemp Establishment for compliance with their respective regulations.

Construction of any building on the property may require a building permit from the Pueblo Regional Building Department.

Onsite Wastewater Treatment System (OWTS) will require approval from the Pueblo City-County Health Department.

Prior to zoning authorization approval for a building permit, remodel, or change of occupancy from the Pueblo Regional Building Department the ZCRH shall have already been approved by the Department of Planning and Development.

No Hemp Establishment shall be allowed as a Home Occupation use.

No Hemp Establishment shall be located within 1,000 feet of any existing public or private elementary, middle, junior high or high school as measured from property line of the school to the property line of the Hemp Establishment using a direct line.

No Hemp Establishment shall be located in:

1. a building containing residential units,
2. a movable or mobile structure.

**Additional Applications That MAY Be Required If Property Is
In The I-1 or I-2 or I-3 Zone District:**

- A **complete** Off-Street Parking Plan Application with appropriate application fee
- A **complete** Sign Plan Application with appropriate application fee
- A **complete** Outdoor Lighting Plan Application with appropriate application fee

Planning & Development (P&D) staff shall make the determination if these additional application submittals are required.

Prior to zoning authorization approval for a building permit, remodel, or change of occupancy from the Pueblo Regional Building Department, the parking plan, and outdoor lighting (if applicable) shall have already been approved by (P&D) staff.

HEMP ESTABLISHMENT ACKNOWLEDGEMENT

I, _____ (print name) as Business Owner, have provided the following information relative to zone district and uses on the same property **AND** established Marijuana Establishments within a 5 mile buffer of the Hemp Establishment named _____, located at (address) _____, Assessor's Tax Parcel Number _____ in the _____ Zone District.

Identify Use(s) on said property:

- _____ A-1/A-2 Cultivation Outside (female Hemp plants (confirmed & documented) only)
- _____ A-1/A-2 Cultivation Greenhouse (female Hemp plants (confirmed & documented) only)
- _____ A-1/A-2 Cultivation Building (female Hemp plants (confirmed & documented) only)
- _____ A-1/A-2 Cultivation Enclosed Building with a proper filtration system and clothing/footwear preventative measures (i.e., clean room mate) to prevent escape of pollen/seed/or other product that might be detrimental to a hemp and/or marijuana crop. (male/hermaphrodite Hemp plants) – 5 mile buffer from Marijuana Establishment
- _____ I-1/I-2/I-3 Cultivation Greenhouse (female Hemp plants (confirmed & documented) only)
- _____ I-1/I-2/I-3 Cultivation Building (female Hemp plants (confirmed & documented))
- _____ I-1/I-2/I-3 Cultivation Enclosed Building with a proper filtration system and clothing/footwear preventative measures (i.e., clean room mate) to prevent escape of pollen/seed/or other product that might be detrimental to a hemp and/or marijuana crop. (male/hermaphrodite Hemp plants) – 5 mile buffer from Marijuana Establishment
- _____ Female Hemp Plant Cultivation – confirmed & documented female hemp plant
- _____ Male/Hermaphrodite Plant Cultivation
- _____ Hemp Processing

The attached map and list identifies the zone districts, locations and names of those Marijuana Establishments (identified by letters associated with each Marijuana Establishment) within a 5 mile buffer for any Hemp Establishment whether Female Hemp plants or Male/Hermaphrodite Hemp plants

I attest that the information I have provided is true and correct to the best of my knowledge.

Business Owner's Signature, Date

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Marijuana Establishment Within 5 Miles of the Hemp Establishment (measured from property line to property line using a direct line) as shown on map for any Hemp Establishment whether Female Hemp plants or Male/Hermaphrodite Hemp plants.

A.

Name of Marijuana Establishment, if known

B.

Name of Marijuana Establishment, if known

C.

Name of Marijuana Establishment, if known

D.

Name of Marijuana Establishment, if known

E.

Name of Marijuana Establishment, if known

CREATE A MAP FROM *Pueblo county Assessor page*.

Go to pueblo county Government main webpage

On left hand side go to departments

Click on departments, and go to the Assessor's page

Under the Assessor's click on property search

Check the "I Agree" to the above Statement box and press submit in middle of page.

Search name or parcel # - enter parcel #

-Click search for property

-Click view GIS Map

Legend on top of map – click icon that looks like 2 cds - "Turn buffer selection tool on/off"

Change Buffer Parameters to Miles

Put 5 for distance

Click Buffer Selection

Click Buffer icon to get rid of Buffer Selection table

Zoom in with +; Zoom out with – To get full view of the buffer map.

Click Print

Print options, Click Print

Map Only

Maps comes up – put cursor on lower right of map and print icon will appear – click print icon to print this map for application package.

Save this map in PDF to electronically submit PDF by email.

Identify the Marijuana Establishment by letters on the parcels within the 5 mile buffer measured from property line of the Hemp Establishment to the property line of the Marijuana Establishment for Page 7 - required information. Print these maps for application package. Save maps, if created, in PDF to electronically submit PDF by email.

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