

17.120.280 Hemp Establishments.

- A. Prior to the operation of any Hemp Establishment, a Commercial Industrial Hemp Permit or Research and Development Permit shall be obtained from the State of Colorado Department of Agriculture. Said Permit shall be submitted to the Pueblo County Department of Planning and Development as part of the Zoning Compliance Review Hemp application.
- B. Prior to the operation of any Hemp Establishment, proof of processing either on-site or the name of the processing company shall be submitted to the Pueblo County Department of Planning and Development as part of the Zoning Compliance Review Hemp application.
- C. Prior to the operation of any Hemp Establishment, a Zoning Compliance Review Hemp application shall be submitted for review by the Pueblo County Department of Planning and Development and only upon approval shall the operation be permitted.
- D. Uses established pursuant to this Section shall at all times be in complete compliance with the terms and conditions of its Hemp Establishment permit for Permits issued by the State of Colorado Department of Agriculture and Pueblo County.
- E. No Hemp Establishment shall be allowed as a Home Occupation use.
- F. Distances are measured from the property line upon which the Hemp Establishment is located using a direct line. If part of a larger parcel of land as described as one property by legal description in a recorded deed upon which several Hemp Establishments are to be located, the distances are measured from the fence line of each Hemp Establishment or if no fences, from the outside boundary of the grow area or from the greenhouse and/or building in which the Hemp Establishment is located. (Res. P&D 15-013, app. 3-18-2015)
- G. Except as provided in subsection H. below, no Hemp Establishment shall be located within five (5) miles of any Marijuana Establishment as measured from the property line of the Hemp Establishment to the property line of the Marijuana Establishment using a direct line.
- H. The restriction in subsection G shall not apply to: 1) any Hemp Establishment that contains only plants that are confirmed female and documentation of female only plants shall be submitted to the Pueblo County Department of Planning and Development; or 2) any Hemp Establishment who submits a waiver of the distance requirement that is signed by all Marijuana Establishments within the five (5) mile radius; or 3) any Hemp Establishment where hemp plants are grown or processed entirely within an enclosed building, other than a greenhouse, which is equipped with a proper filtration system and where documented clothing/footwear preventative measures (i.e., clean room mat) are taken to prevent escape of pollen/seed/or other product that might be detrimental to a hemp and/or marijuana crop; or 4) a location where the Pueblo County Department of Planning and Development previously approved a Zoning Compliance Review Hemp application and a permitted Hemp Establishment has existed in continuous operation since the time of original permitting.
- I. 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.
- J. No Hemp Establishment shall be located in:

1. a building containing residential units,
 2. a movable or mobile structure.
- K. Permitted Zone District. 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. (Res. P&D 16-014, app. 2-10-2016)
- L. Any transporting of Industrial Hemp shall be accompanied by a copy of the Department of Agriculture Hemp Permit.
- M. Quarterly and year end harvest data shall be provided to Pueblo County Department of Planning and Development. (Res. P&D 19-043, 10-10-2019, amended G. - M.)
- N. 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, Pueblo Department of Public Health and Environment, have the right to inspect the Hemp Establishment for compliance with their respective regulations. (Res. P&D 15-013, app. 3-18-2015)