



CITY OF ARVIN
Community Development Department – Planning Division
141 Plumtree Drive, Arvin, CA 93203
Phone (661)854-6183 Fax (661)854-2969
mcuxum@arvin.org
Hemp Application
Ordinance 2020-463
For All Permitted Uses in the A-1, A-2, M-1, and M-2, and M-3

Section 1: Citations from Arvin Municipal Code and California Industrial Hemp Law (FAC Sections 81000 – 81015)

Section 17.65.010 Policy. It is the policy of the City to encourage responsible industrial hemp cultivation, processing, and manufacturing and to regulate such cultivation, processing, and manufacturing in a responsible manner to promote economic development, protect the health, safety, and welfare of the residents of the City of Arvin and to enforce rules and regulations consistent with state law.

Section 1a: LINK TO ZONING CODE

https://www.arvin.org/wp-content/uploads/2020/05/Ordinance-2020-463-Hemp-Ordinance_051220.pdf

Section 1b: LINK TO EXTRACTS FROM DIVISION 24 – CALIFORNIA FOOD AND AGRICULTURAL CODE:

The following sections are extracts from Division 24 the California Food and Agricultural Code. They have been prepared by the Nursery, Seed, and Cotton Program, Pest Exclusion Branch, California Department of Food and Agriculture. These extracts are provided for information purposes only. For the official text, the user should consult the California Food and Agricultural Code published by the California State Legislature – Arvin Planning has placed these extracts on the City’s web site for your use and references: :

<https://www.arvin.org/wp-content/uploads/January 2023 Division 24 California Food and Agricultural Code>

Excerpts from California Industrial Hemp Law (FAC Sections 81000 – 81015) – Full Text Attachment A:

“Established agricultural research institution” EARI means an institution of higher education, as defined in Section 101 of the federal Higher Education Act of 1965 (20 U.S.C. Sec. 1001), that grows, cultivates, or manufactures industrial hemp for purposes of agricultural or academic research.

“Premises” has the same meaning as defined in subdivision (ap) of Section 26001 of the Business and Professions Code.

“Research plan” means a strategy devised by an established agricultural research institution, or applicant established agricultural research institution, detailing its planned approach to growing or cultivating hemp for academic or agricultural research.

Section 1c: APPLICANT TYPE – REFER TO ATTACHMENT A - CALIFORNIA INDUSTRIAL HEMP LAW:

- Established Agricultural Research Institution EARI – Provide Registration from Kern County Agricultural Commissioner
- Hemp Breeder - Subject to Section 81004 – Provide Registration from Kern County Agricultural Commissioner
- Grower of Industrial Hemp – Provide Registration from Kern County Agricultural Commissioner.

Section 1d: HEMP ACTIVITY:

"Industrial hemp" or "hemp" means an agricultural product, whether growing or not, that is limited to types of the plant *Cannabis sativa L.* and any part of that plant, including the seeds of the plant and all derivatives, extracts, the resin extracted from any part of the plant, cannabinoids, isomers, acids, salts, and salts of isomers, with a delta-9 tetrahydrocannabinol concentration of no more than 0.3 percent on a dry weight basis.



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Section 2: APPLICANT’S INFORMATION

Print Name:	Signature:
Current Address:	City, State, Zip Code:
Telephone Number:	Email:

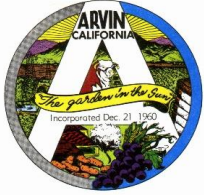
Section 3: PROPERTY OWNER(S) INFORMATION

Print Name:	Signature:
Current Address:	City, State, Zip Code:
Telephone Number:	Email:

Section 4: PROJECT DESCRIPTION/LOCATION/ASSESSOR PARCEL NUMBER/ADDRESS/GLOBAL POSITIONING SYSTEM COORDINATES

Project Description (Add Attachments if needed to fully describe the activity and operational implementation):

Assessor Parcel Number:	Address (if one does not exist – an address will be required):
Location of Property:	Global Positioning System Coordinates:



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Section 5: INDEMNIFICATION AND COST RECOVERY AGREEMENT - REQUIRED

Indemnification and Cost Recovery Agreement

In consideration by the City of Arvin of a project for a

_____ *(Identify the type of project from page 1)*

located at _____

_____ *(Address or general location)*

I/We, _____

_____ *(Print name of property owner or authorized representative/applicant)*

agree to indemnify, defend, and hold harmless the City of Arvin, its officers, agents, employees, departments, commissioners or boards (“City” herein) against any and all liability, claims, actions, causes of action or demands whatsoever against them, or any of them, before administrative or judicial tribunals of any kind whatsoever, in any way arising from, the terms and provisions of this application, including without limitation any CEQA approval or any related development approvals or conditions, whether imposed by the City or not, except for the City’s sole gross negligence whether active or not, or willful misconduct.

This indemnification agreement does not prevent the property owner from challenging any decision by the City related to this project and the obligations of this condition apply regardless of whether any other permits or entitlements are issued.

The City will promptly notify property owner of any such claim, action or proceeding, falling under this condition within thirty (30) days of actually receiving such claim. The City, in its sole discretion, shall be allowed to choose the attorney or outside law firm to defend the City at the sole cost and expense of the property owner and the City is not obligated to use any law firm or attorney chosen by another entity or party.

The Applicant further agrees to pay all costs associated with the review and processing of the application and agrees to deposit additional monies as may be required to pay for all costs in the review and processing of the application. The Applicant also acknowledges that should additional requested deposits are not received; the City shall not be obligated to process or take action on the application.



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Section 6: PROPERTY OWNER CONSENT FOR FILING APPLICATION AND COST RECOVERY

The consent of the applicant and property owner, if the applicant is not the property owner, is required for filing an application for a HEMP Application within the City of Arvin. The signatures of the applicant and property owner(s) below constitutes consent for filing of this application. *Applicants shall be responsible for all costs and fees associated with their application.* The applicant shall be responsible for maintaining a zero balance with the Community Development Department for the City of Arvin. If a negative balance occurs, it may cause the application to become incomplete until sufficient funds are paid to the City of Arvin. The application will not be processed until additional funds are deposited. If funds are not deposited within 30 calendar days, the application shall become void and a new application will be required. **(Attached copy of a Title Report - no older than 60 days)**

1. _____
 Property Owner(s) Signature(s)

 Print Name

2. _____
 Property Owner(s) Signature(s)

 Print Name

Date: _____

 Applicants Signature

 Print Name

 Date



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**TO BE COMPLETED BY STAFF - FEE DEPOSIT – FLATE FEES – MAINTENANCE FEE(S):
HEMP APPLICATIONS – FEES CALCULATED**

DEPOSITS: Cost Recovery Review and Processing of a Application: Resolution No. 2018-45 Established full cost recovery requirements for projects. The HEMP Application is based upon Full Cost Recovery for City Staff and Consultant Services: City Staff fees are – Hourly Wage of Case handlers(s) plus 45% to cover benefits for City Employees and Consultant Services plus 15% overhead to administer consultants service.

1. Deposit for Processing and Review HEMP Application	<input checked="" type="checkbox"/>	\$2,000.00 Deposit
1. SUB TOTAL DEPOSITS:		
2. FLAT AND MAINTENANCE FEES:		
• CMF-AP-2 - \$25.00	<input type="checkbox"/>	\$25.00
• FM-CD-1 - \$20.00	<input type="checkbox"/>	\$20.00
• FM-CC-4 - \$20.00	<input type="checkbox"/>	\$20.00
• CM FEE - \$100.00	<input type="checkbox"/>	\$100.00
General Plan Maintenance Fee – MF-GP-2: \$0.005 per square foot of lot area X _____ Sq. .Ft. = \$	Calculate Fee: \$	
2. SUB TOTAL FLAT AND MAINTENANCE FEE:		
\$		
Total Flat Fee and Deposit Due(1+2)		
\$		

ACKNOWLEDGEMENT BY APPLICANT: I acknowledge that the deposit filing fee for this application may exceed the initial deposit and the City may require additional deposit of monies prior to action being taken by the City on this application. I also acknowledge and agree with, that the City will stop all efforts and processing of this application until such funds are deposited as determined by the City. Should additional funds not be deposited within 30 calendar days, the application shall become null and void. A new application and filing fees shall be required should the application become void due to lack of funds being deposited.

Applicant Print:

Applicant Sign:

Date:

Date Received	
Staff Person Name:	
Receipt No.	