



CONSULTING AND FACILITATION SERVICES

NEVADA COUNTY

CANNABIS REGULATION COMMUNITY PLANNING
PROCESS

CAG MEETING #4



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(530) 753-9606 | www.migcom.com

in association with:
ECONorthwest | Sam Kamin

CAG #4 AGENDA

1. Welcome and Introductions
2. Review of Basic County Permitting Concepts
3. Review of Permitting Issues Related to Cannabis Cultivation in the County Today
4. Review and Discussion of Current Land Use and Zoning Parameters for Cultivation Areas
5. Summary and Next Steps
6. Public Comment

CAG Process Update: Phased Discussions

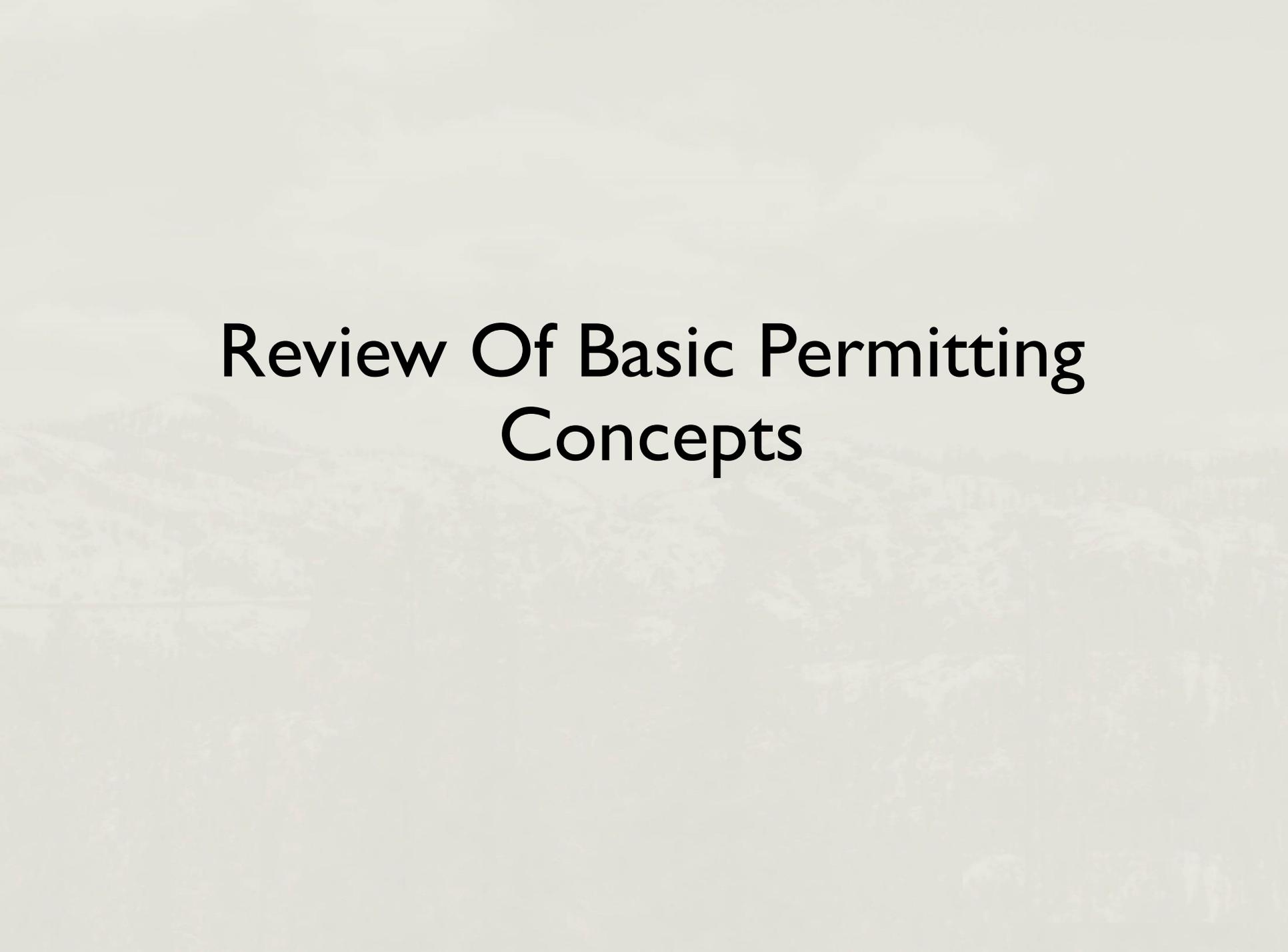
1. Potential Allowable Activities at Cultivation Sites

2. Land Use and Zoning Requirements

3. Permitting Process

4. Inspections, Monitoring and Enforcement

5. Other: Public Health, Tax Revenue, etc.

An aerial photograph of a mountain range with a winding road, serving as the background for the title text.

Review Of Basic Permitting Concepts

Building Department Roles

- Review Construction Projects
- Process & Issue Building Permits
- Complete Building Inspections
- Complete Fire & Life Safety Investigations
- Central Hub of Construction Permitting



Building Department Roles

State Mandated Requirements

New Construction

Additions, Improvements, Accessory Structures

Mechanical, Electrical, Plumbing, Roofs, Decks, Grading, etc.

Not Specific to Cannabis



Permitting 101

- Submittal
- Review by Applicable Agencies/Departments
- Approval
- Verification (Inspections)
- Finalization



Plans Routed to Departments & Agencies for Review



Building Department

Approval or Comments



Revise & Resubmit

Permit Issued



Yep!

Inspections



Finalization

**CERTIFICATE OF OCCUPANCY
COUNTY OF NEVADA**

This is to certify that the following described structure has been inspected and found to be in compliance with the various codes and ordinances of Nevada County and the California Building Code regulating building construction and occupancy

Site/Building Address:
Assessor's Parcel Number:
Building Permit Number:
Occupancy:
Use:
Description:
Zoning:
Type of Construction:
Occupant Load:
Fire Sprinklers Required:
Code Editions:
Owner Name:
Owner Address:
Occupant Name:
Occupant Address:

Chief Building Official

Date

Parcel Improvements

Existing Parcel Improvements in Compliance?



As-Built Process

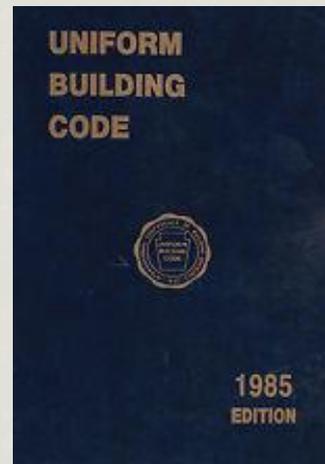
As-Built:

Construction of a structure, building or grading without the benefit of inspections.



As-Built Process

- **Overall process normal to regular building permit process**
- **Projects are allowed to use codes that were in effect at time of construction**
- **Fees are similar to that of normal permitting process (*if not a code compliance case*)**



Why should I get a Building Permit?

- Safety



- Investment Protection

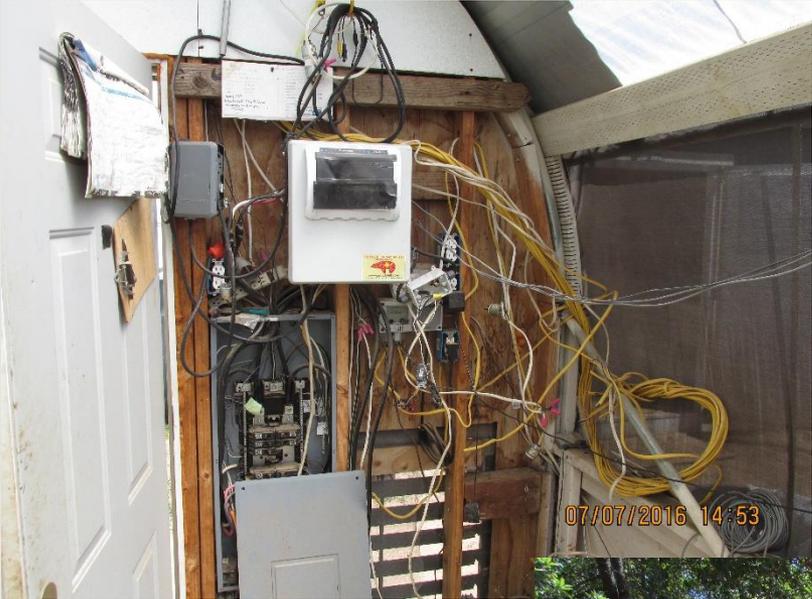


- Property Value



- Future Real Estate Transactions

We Want to Avoid



We Want to Avoid



We Want to Avoid



We Want to Avoid



Unpermitted Activity at Grows



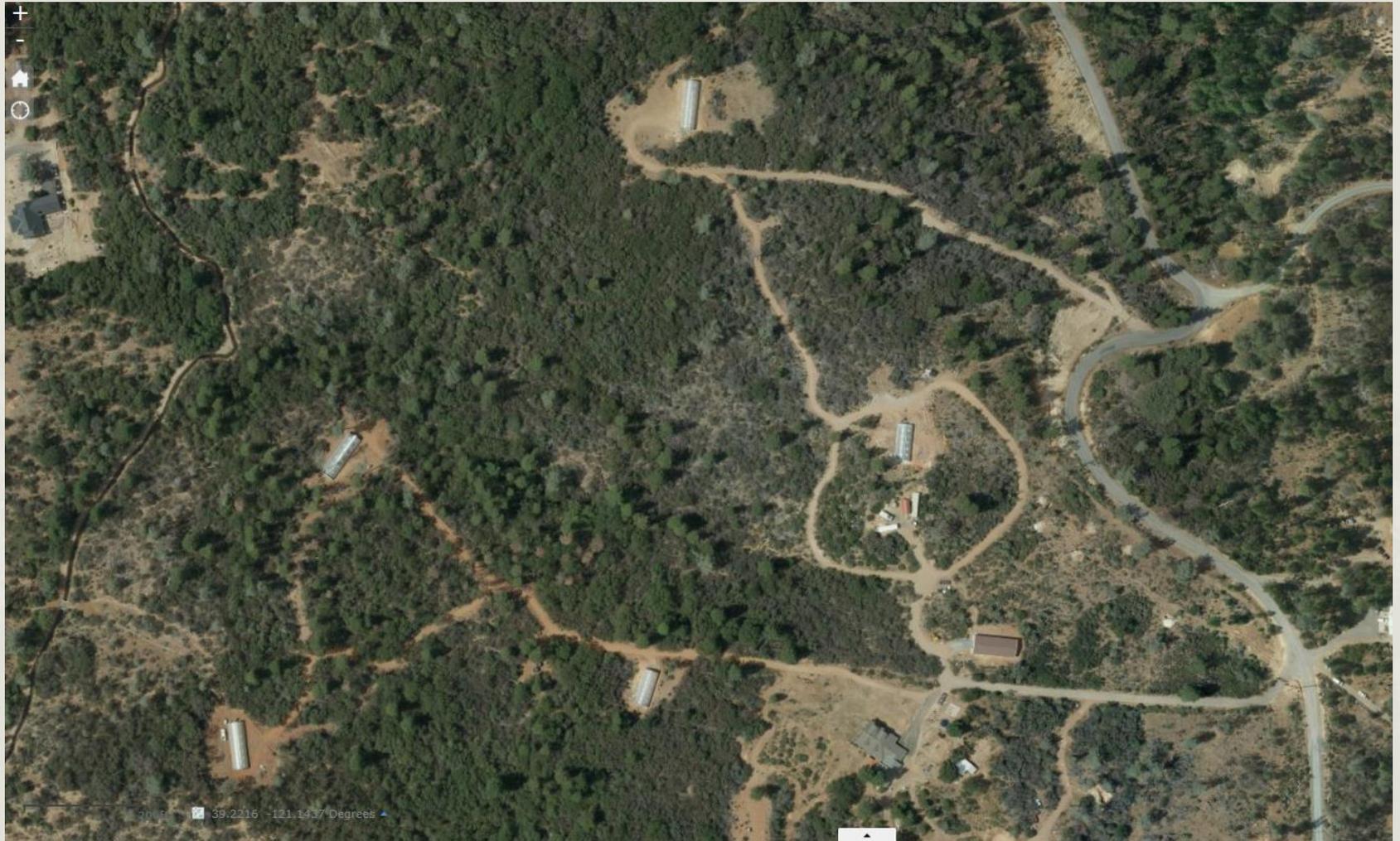
Unpermitted Activity at Grows



Rough and Ready 2014



Rough and Ready 2016



Rough and Ready 2016



East of Nevada Co. Airport 2010



East of Nevada Co. Airport 2016



East of Nevada Co. Airport 2016



You Bet Road 2010



You Bet Road 2016



You Bet Road 2016



North of Rollins Reservoir 2010



North of Rollins Reservoir 2016



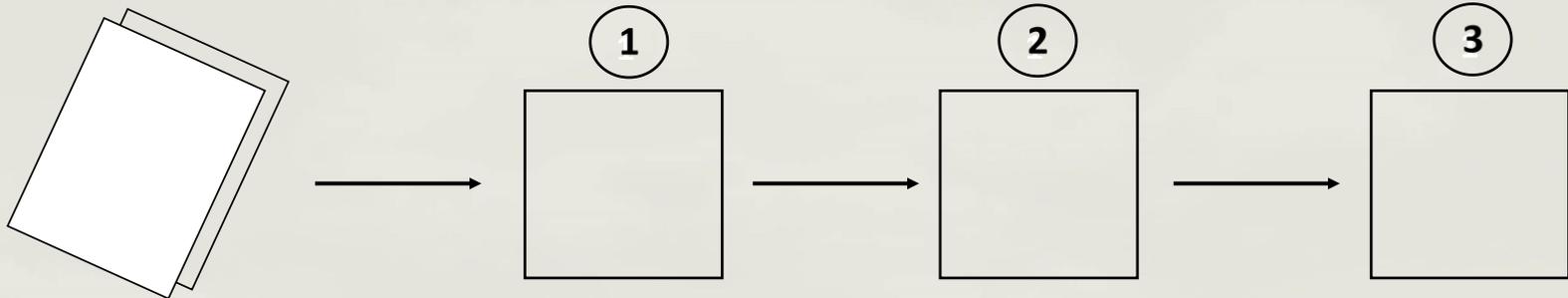
North of Rollins Reservoir 2016



Hayfork, Trinity County 2015



Review Of Proposed Permitting Process



Application for Cultivation

A complete application must include the following:

- A. Site plan with detailed area, plant count, and description of activities
- B. Irrigation water service verification (NID, County Well, SWRCB)
- C. Access verification
- D. Sewer/septic service verification
- E. Electrical service verification
- F. Security plan
- G. Notarized landlord authorization
- H. Confirmation of legal dwelling on-site
- I. Confirmation of zoning and setbacks
- J. Acknowledgement of standards set forth in Ordinance
- K. Consent to inspection
- L. Lease information
- M. Indemnification
- N. Copy of approved identification
- O. Live Scan – criminal history check, felonies, substance or possession convictions
- P. Description of accessory structures (if applicable)
- Q. Additional information that may be required by the State

Application Compliance Inspection

An inspection will be conducted following application submittal:

- 1. Tour the site and all structures with applicant(s)
- 2. Verify submitted site plan matches site conditions
- 3. Verify existing site improvements (buildings, utilities, drainage, access, and grading) are in compliance
- 4. Inspect approved water service
- 5. Inspect approved sewer/septic service
- 6. Inspect approved electrical service
- 7. Confirm setbacks
- 8. Review and confirm conditions in conformance with Ordinance
- 9. Confirm that there are no prior unresolved code case violations
- 10. Confirm that there are no existing code violations
- 11. Provide list of corrections before final compliance inspection
- 12. Route application through Ag, Building, Planning, Code Compliance, PW, etc.

Final Compliance Inspection

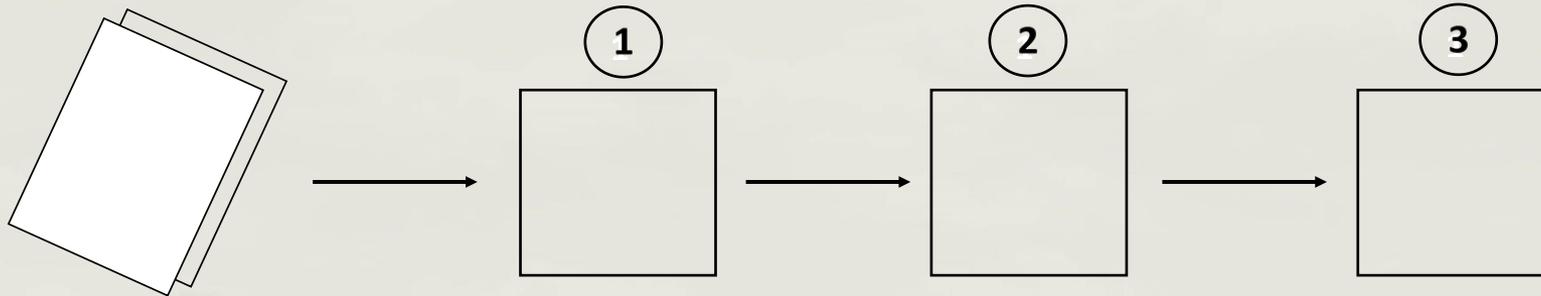
An inspection will be conducted prior to the start of cultivation activities:

- 1. Tour the site and all structures with applicant(s)
- 2. Confirm any revised site plan conditions
- 3. Verify completion of any application compliance inspection conditions/corrections
- 4. View security improvements match security plan
- 5. Confirm storm water erosion and drainage control measures in place
- 6. Confirm setbacks
- 7. Perform final check for conformance with Ordinance prior to start of cultivation activities
- 8. Confirm that there are no existing code violations
- 9. Issue permit after inspection

Annual Compliance Inspection

An annual inspection will be conducted during the grow season:

- 1. Tour the site and all structures with applicant(s)
- 2. Confirm maintenance of:
 - o Security measures
 - o Water service
 - o Sewer/septic service
 - o Electrical service
 - o Setbacks
 - o Cultivation materials
 - o Erosion control
- 3. Confirm continued conformance with Ordinance
- 4. Confirm that there are no existing code violations
- 5. Provide 24-hour notice of inspection for M-F 8-5 inspection



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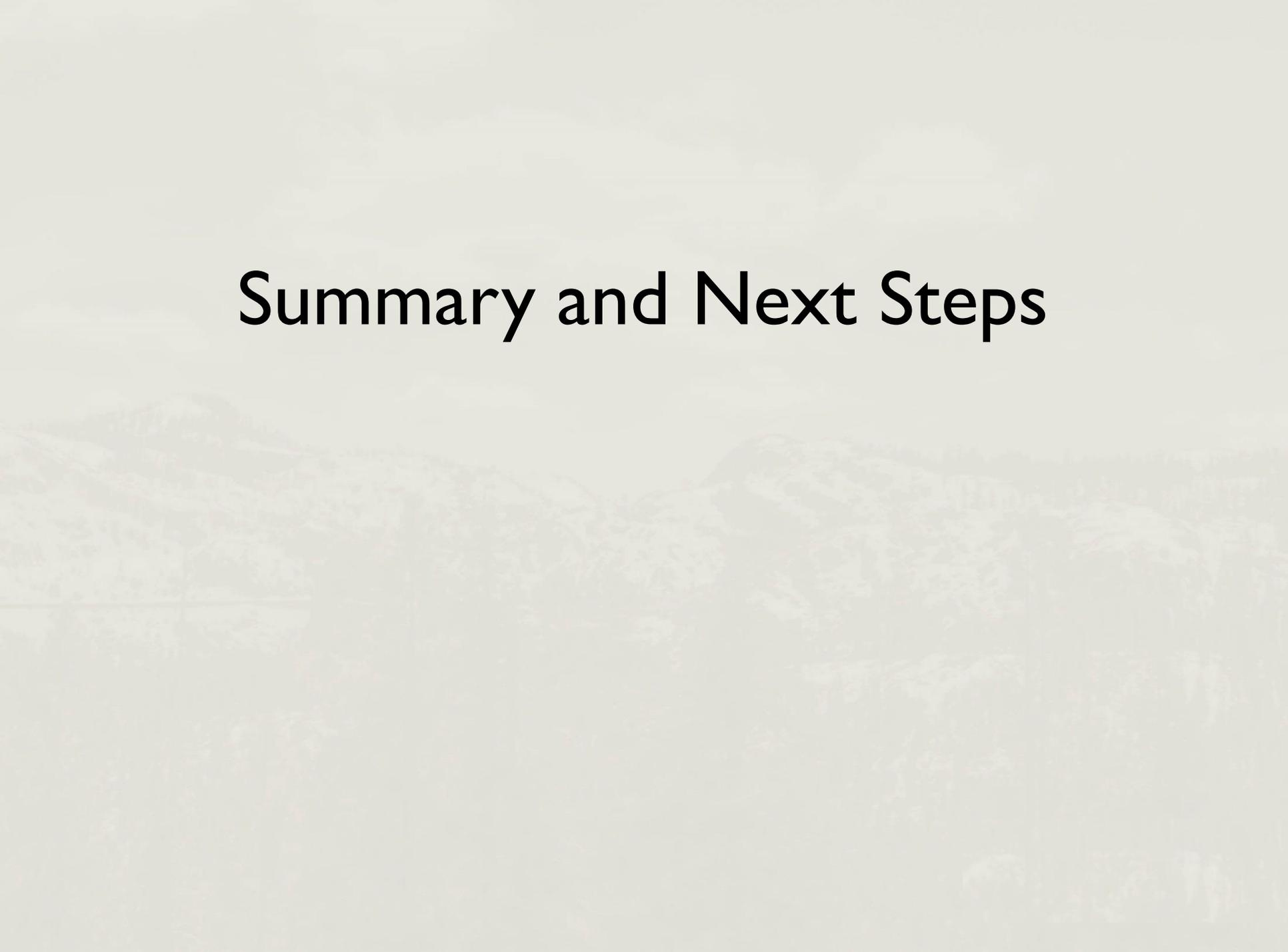
**Review and Discussion of
Current Land Use and Zoning
Parameters for Cultivation Areas
in the County and Identification
of Potential Adjustments**

Additional Code Requirements:

- Protect public health, safety and welfare
- Ensure quality site planning, building construction, infrastructure, utilities, fire prevention, etc.
- Protect sensitive environmental resources
- Draw on existing regulations that apply to all uses other than cultivation

ADDITIONAL CODE REQUIREMENTS

#	CODE	DESCRIPTION	POTENTIAL ADJUSTMENTS	CAG MEMBER COMMENTS
1.	G-IV 5.4 (H)(1)	All Cultivation areas shall be adequately secure to prevent unauthorized entry, including a secure locking mechanism that shall remain locked at all times.		
1.	G-IV 5.4 (H)(1) G-IV 5.4 (H)(2)	There shall be no exterior evidence of Cultivation in public view and/or from a public right-of-way or publicly traveled private road at all stages of growth. An obscuring fence can be used to address this requirement.		
1.	G-IV 5.4 (H)(3)	Cultivation shall not adversely affect the health, safety, or general welfare of persons at the Cultivation site or at any nearby residence by creating dust, glare, heat, noise, noxious gasses, odor, smoke, traffic, or vibration, by the use or storage of hazardous materials, processes, products or wastes, or by any other way.		
1.	G-IV 5.4 (H)(4)(5)	All new structures used or intended for Indoor Cultivation shall submit complete construction plans and obtain permits. All electrical, mechanical, and plumbing used for Indoor Cultivation shall be installed with valid electrical, mechanical, and plumbing permits.		
1.	G-IV 5.4 (H)(6)	All structures used for Cultivation shall contain adequate ventilation, air filtration and odor control filters to prevent odor, mold and mildew in any area used for Cultivation.		
1.	G-IV 5.4 (H)(7)	Indoor grow lights shall not exceed one thousand two hundred watts (1,200 W) and meet code. CO2, butane, propane and natural gas, or generators shall not be used within any structure used for Indoor Cultivation.		
1.	G-IV 5.4 (H)(8)	All lights used for the Cultivation shall be shielded and downcast or otherwise positioned in a manner that will not shine light or allow light glare to exceed the boundaries of the Parcel.		
1.	G-IV 5.4 (H)(9)	Noise levels generated by Cultivation shall not exceed the standards set forth in Table L- II 4.1.7 (Exterior Noise Limits) of the Nevada County Zoning Ordinance applicable to the Land Use Category and Zoning District for the Premises on which the Cultivation occurs.		
1.	G-IV 5.4 (H)(10)	Wherever Medical Cultivation is grown, a copy of a current and valid, State-issued Medical identification card, physician recommendation or Affidavit must be displayed.		
1.	G-IV 5.4 (H)(11)	Anyone cultivating on a parcel who is not the legal owner(s) of the parcel must give written notice to the legal owner(s) prior to cultivating by obtaining a signed and notarized letter from the legal owner(s) consenting to the cultivation and a letter of consent annually thereafter.		
1.	G-IV 5.4 (H)(12)	The use of Hazardous Materials shall be prohibited in the Cultivation except for limited quantities of Hazardous Materials that are below State of California threshold levels of 55 gallons of liquid, 500 pounds of solid, or 200 cubic feet of compressed gas. Any Hazardous Materials stored shall maintain a minimum setback distance of 100 feet from any private drinking water well, spring, water canal, creek or other surface water body, and 200 feet from any public water supply well.		
1.	G-IV 5.4 (H)(13)	All Premises used for the Cultivation shall have a legal and permitted water source on the Parcel and shall not engage in unlawful or unpermitted drawing of surface water or permit illegal discharges of water from the Parcel.		
1.	G-IV 5.4 (I)(1)(2) (3)(4)(5)	Accessory structures must be constructed meeting all permitting, setbacks, odor control, filtration, and ventilation. Greenhouse panels must be glass or polycarbonate and opaque for security and screening.		



Summary and Next Steps

Public Comment

The background of the slide is a faded, light-colored image of a mountain range. The mountains are covered in dense evergreen forests, and a road or path is visible winding through the valley between the peaks. The overall tone is soft and natural.



Thank You!



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