

## CAG Prioritization List

September 5, 2017

CAG will focus on each topic to make recommendations with ranges and options for each topic:

**Priority A – Must complete**

**Priority B – Complete after A list complete**

**Priority C – Additional considerations for development by County Staff for BOS review and working with State regulations**

Priority C list will not be covered within all CAG recommendation meetings and these items will be taken up by the BOS at later date. All CAG discussions and input will be made available for that discussion.

**Priority A topics:** the CAG must issue recommendations regarding the following

Topic No	Topic	Elements	Notes:
1A	Allowed cultivation activities	<ul style="list-style-type: none"><li>• Indoor vs Outdoor grows</li><li>• Cultivation parameters</li><li>• Medical access</li><li>• State license type structure</li><li>• Potential CEQA and EIR costs</li></ul>	
2A	Location of cultivation activities through land use	<ul style="list-style-type: none"><li>• Zoning</li><li>• Personal vs Commercial use in specific zones</li><li>• Impacts on neighbors</li></ul>	
3A	Amount of cultivation	<ul style="list-style-type: none"><li>• Plant count</li><li>• Square footage</li></ul>	
4A	Setbacks from sensitive sites (e.g. schools, churches, parks, active bus stops, library, child care center, etc.)	<ul style="list-style-type: none"><li>• Safety for children and youth</li><li>• Restrict access for children and youth</li><li>• Other safety measures that mitigate setbacks (locked fences, etc.)</li><li>• Visual screening</li></ul>	
5A	Setbacks from neighbors	<ul style="list-style-type: none"><li>• Impacts of odor or other nuisances on neighbors</li><li>• Unusual property shapes and topography can be challenging for compliance</li><li>• From property line</li><li>• From other structures</li></ul>	
6A	Neighborhood security and safety	<ul style="list-style-type: none"><li>• Fencing, screening, locked gates, security cameras</li><li>• Other home-based business restrictions such as traffic, solid waste disposal, hours of operation, etc.</li></ul>	
7A	Nuisance mitigation requirements	<ul style="list-style-type: none"><li>• Lighting, noise, odor control, traffic, hazardous materials, erosion</li><li>• <i>Quality of life issues</i></li></ul>	

*Italicized items reflect changes made during the September 5<sup>th</sup> BOS/CAG joint meeting*

13A	Permitting requirements and process	<ul style="list-style-type: none"> <li>• <i>Moved from C via BOS motion</i></li> <li>• Consistency with other development permit processes</li> <li>• The State’s permitting requirements and process</li> <li>• County resource needs to process permit applications</li> <li>• On-site field inspections</li> <li>• Compliance with other codes (Building, Planning, EH)</li> <li>• Appropriate fee structure to cover permit review and inspection costs</li> <li>• Permit type based on conditions</li> <li>• <i>Environmental impacts</i></li> <li>• <i>Water source amount and verification</i></li> <li>• <i>Consistency with the State</i></li> </ul>	
14A	Commercial activities other than cultivation	<ul style="list-style-type: none"> <li>• <i>Moved from C via BOS motion</i></li> <li>• Commercial (business, retail) for the growing, processing, or manufacturing of products or the provision of services for consideration and profit.</li> <li>• Any daily activity conducted with the intent of realizing a profit from the sale of goods or services</li> <li>• The state is issuing licenses for other cannabis industry businesses such as dispensaries, distribution, manufacturing, testing, etc. and will be contacting local jurisdictions to affirm or deny each applicant’s compliance with local regulations.</li> <li>• Nevada City is allowing all license types, including one dispensary</li> <li>• Borrow from existing business and zoning codes to determine if these business activities are allowable</li> <li>• Requirement of use permits</li> <li>• Product distribution and transport</li> </ul>	

**Priority B topics:** the CAG is directed to issue recommendations on these items, only after the Priority A items are addressed and as time allows.

Topic No	Topic	Elements	Notes:
8B	Limiting permit count	<ul style="list-style-type: none"> <li>• Potentially limit the amount of personal and commercial cannabis grown in Nevada County</li> <li>• Medicinal vs adult use</li> </ul>	
9B	Personal cultivation requirements	<ul style="list-style-type: none"> <li>• Permit requirements for any personal grows beyond 6 plants</li> <li>• <i>Non- remuneration</i></li> </ul>	
10B	Transition program	<ul style="list-style-type: none"> <li>• Provide grace period for non-cannabis related violations to come into compliance</li> </ul>	
11B	Permit tier/ layering with zoning and parcel size	<ul style="list-style-type: none"> <li>• Cultivate outdoors at a residence and supply a commercial / retail business elsewhere offsite</li> <li>• Low impact / light commercial activity</li> <li>• Limited to proper zoning and minimum parcel size (no R1, R2, or R3)</li> <li>• No transactions at residence</li> <li>• Distribution and transportation</li> </ul>	
12B	Residence requirement	<ul style="list-style-type: none"> <li>• Improved parcel with a permitted structure</li> <li>• Concerns over supervision and safety of grow site</li> <li>• Concerns over local ownership and presence of business operation</li> <li>• Transition period for existing sites to come into compliance</li> </ul>	

**Priority C Topics:** the CAG is not instructed to provide recommendations on these topics. County staff will provide recommendations when the ordinance is drafted or these topics will be tabled for a later discussion. CAG input on these topics has been collected and will be used by staff as applicable.

Topic No	Topic	Elements	Notes:
13C	<i>Permitting requirements and process</i>	<ul style="list-style-type: none"> <li>• <i>Moved to A via BOS motion</i></li> </ul>	
14C	<i>Commercial activities other than cultivation</i>	<ul style="list-style-type: none"> <li>• <i>Moved to A via BOS motion</i></li> </ul>	
15C	Taxation / revenue	<ul style="list-style-type: none"> <li>• Potential increased cost in code compliance and law enforcement that are not covered by permit fees</li> <li>• A tax could create a new source of revenue to cover these additional costs</li> <li>• Fund public education programs</li> </ul>	
16C	Enforcement	<ul style="list-style-type: none"> <li>• Enforcement of the ordinance is key to compliance</li> <li>• Potential additional resources in code compliance and in law enforcement departments</li> <li>• <i>Proactive versus complaint driven</i></li> <li>• <i>Cure period</i></li> </ul>	
17C	Additional Code Requirements	<ul style="list-style-type: none"> <li>• Cannabis activities may involve additional code areas such as accessory structures, electrical, plumbing, ventilation, water source, home occupancy / home based business restrictions, hazardous materials, etc.</li> </ul>	