

CONSULTING AND FACILITATION SERVICES

NEVADA COUNTY



CANNABIS REGULATION COMMUNITY PLANNING PROCESS

CAG Meeting #9



431 I STREET, SUITE 108, SACRAMENTO, CA 95814
(530) 753-9606 | www.migcom.com

in association with:
ECONorthwest | Sam Kamin

AGENDA

1. Welcome and Introductions
 - Agenda Overview
 - Review and Acceptance of CAG Meeting #8 Summary
2. Review Areas of Potential Agreement Related to the Development of the Revised Cannabis Ordinance
3. Review Areas Requiring Further Discussion Related to the Development of the Revised Cannabis Ordinance
4. Public Comment
5. CAG Member Closing Comments

New Ordinance Process Moving Forward ...

**CAG
Findings**

**BOS
Direction**

**Draft
Ordinance**

**Public
Review**

Rural Zoned Parcels (FYI)

Total County Parcels: 64,752

Less Incorporated (GV, NC, TRKE): -24,355

Total County Parcels Unicorp: 40,397

Total Rural Zoned Parcels Unincorp: **25,394** 63% of total unicorp

Rural Zoning Districts										
Zoning	Number of Parcels in Acres								Totals	% of Total
	0 - 2.99		3 - 4.99		5 - 9.99		10+			
AE	10	0.0%	4	0.0%	12	0.0%	119	0.5%	145	0.6%
AG	2,605	10.3%	1,549	6.1%	3,458	13.6%	4,221	16.6%	11,833	46.6%
RA	5,803	22.9%	1,712	6.7%	1,841	7.2%	579	2.3%	9,935	39.1%
FR	555	2.2%	313	1.2%	560	2.2%	2,053	8.1%	3,481	13.7%
Totals	8,973	35.3%	3,578	14.1%	5,871	23.1%	6,972	27.5%	25,394	100.0%

Source: Nevada County GIS Parcel Layer 11/3/17

Worksheet Responses

Commercial License Type I

STATE LICENSE TYPE	LAND USE	MAXIMUM CULTIVATION AREA PER STATE LICENSE TYPE (square feet or plant)	MIN PARCEL SIZE (Acres)		MAX CULTIVATION AREA ALLOWED IN NEV CO (Plant count and/or square footage)		MINIMUM SETBACK FROM PROPERTY LINE (Feet or please explain calculation method)	
			Responses	# of respondents	Responses	# of respondents	Responses	# of respondents
1	Specialty Outdoor	5,000 sq. ft. or 50 plants	3-10 acres	9 out of 14	5,000	12 out of 12	30 - 75 ft	8 out of 12
1A	Specialty Indoor	501 - 5,000	2-5 acres	7 out of 10	501 - 5,000	8 out of 10	30 - 100 ft	9 out of 11
1B	Specialty Mixed Light	2,501 - 5,000	3-5 acres	8 out of 11	2,501 - 5,000	8 out of 11	30 - 100 ft	10 out of 12
1C	Cottage Outdoor	25 plants	2-5 acres	9 out of 12	25 plants	11 out of 12	30 - 100 ft	11 out of 12
1C	Cottage Mixed Light	2,500	2-5 acres	9 out of 11	2,500	10 out of 11	30 - 100 ft	10 out of 11
1C	Cottage Indoor	500	2-5 acres	8 out of 10	500	8 out of 9	30 - 75 ft	7 out of 10

Worksheet Responses

Commercial License Type 2, 4 & 12

STATE LICENSE TYPE	LAND USE	MAXIMUM CULTIVATION AREA PER STATE LICENSE TYPE (square feet or plant)	MIN PARCEL SIZE (Acres)		MAX CULTIVATION AREA ALLOWED IN NEV CO (Plant count and/or square footage)		MINIMUM SETBACK FROM PROPERTY LINE (Feet or please explain calculation method)	
			Responses	# of respondents	Responses	# of respondents	Responses	# of respondents
2	Small Outdoor	5,001 - 10,000	5 - 10 acres	7 out of 9	5,001 - 10,000	9 out of 9	30 - 75 ft	7 out of 8
2A	Small Indoor	5,001 - 10,000	5 acres	6 out of 8	5,001 - 10,000	7 out of 8	30 - 75 ft	7 out of 8
2B	Small Mixed Light	5,001 - 10,000	5 - 10 acres	6 out of 8	5,001 - 10,000	6 out of 8	30 - 75 ft	7 out of 8

TYPE 4								
4	Wholesale Nursery Outdoor	43,560	0 - 5 acres	8 out of 10	43,560	7 out of 11	30 - 100 ft	8 out of 12
4	Wholesale Nursery Indoor/GH	22,00	2 - 5 acres	6 out of 8	10,000 - 22,000	10 out of 13	30 - 100 ft	7 out of 10

TYPE 12								
12	Microbusiness	<10,000	5 - 10 acres	6 out of 10	<10,000	12 out of 14	30 - 50 ft	6 out of 8

Worksheet Responses

Personal Outdoor

LAND USE	MIN PARCEL SIZE (Acres)		MAX CULTIVATION AREA ALLOWED IN NEV CO (Plant count and/or square footage)		MINIMUM SETBACK FROM PROPERTY LINE (Feet or please explain calculation method)	
	Responses	# of responses**	Responses	# of responses	Responses	# of responses
Personal Outdoor	< 1 acre	9 out of 21	2 – 3 plants	5 out of 9	30 ft	5 out of 8
	1 – 2 acres	8 out of 21	3 – 6 plants	5 out of 8	30 ft	5 out of 7
	3 – 5 acres	4 out of 21	6 plants	3 out of 4	50 ft	2 out of 4

** Each respondent could respond up to 3 times

Worksheet Responses (n value range across the table: 9-15 respondents)

Zoning Districts

STATE LICENSE TYPE	ZONING DISTRICT									
	Rural			Residential			Commercial			Ind.
	General Agriculture Agriculture Exclusive	Forest	Timber Production Zone	Residential Agriculture	Single Family Residential	Medium Density Residential High Density Residential	Neighborhood Commercial	Community Commercial	Commercial Highway	Light Industrial
AG / AE	FR	TPZ	RA	R1	R2 / R3	C1	C2	HC	M1	
PERSONAL OUTDOOR	P/CUP	P/CUP	P/CUP	P	P/CUP	NO	NO	NO	NO	NO
TYPE 1 & 2	P/CUP	P/CUP	NO	P	NO	NO	NO	NO	NO	NO
TYPE 4	P/CUP	P/CUP	NO	P	NO	NO	NO	NO	P/CUP	P/CUP
TYPE 6, 7, 8 & 11	P/CUP	NO	NO	NO	NO	NO	NO	P/CUP	P/CUP	P/CUP
TYPE 10	NO	NO	NO	NO	NO	NO	NO	P/CUP	P/CUP	P/CUP
TYPE 12	P/CUP	NO	NO	NO	NO	NO	NO	NO	NO	P/CUP

YES * Level of agreement greater than 70%

YES * Level of agreement between 50% and 70%

NO * Level of agreement greater than 70%

NO * Level of agreement between 50% than 70%

Based on Polling Results and Discussions From Earlier Meetings

In General ...

- Conform to **State regulations** regarding water quality, water supply and environmental protections.
- Make no distinction in the ordinance for the regulation of cannabis grown for medical or adult use.

Allowable Activities

- Allow for a testing lab(s) in a compatible nonresidential (e.g., industrial) zone.
- Develop a standard for safe product distribution and transport.

Setbacks from Sensitive Sites

- Conform to **State regulations** regarding setbacks, requiring 600 ft. setbacks from cultivation sites to any active school, park, child care center or youth-oriented facility.

Permitting

- Develop a permit application process following the three-step permitting, inspection and enforcement process recommended by County staff at CAG meeting #3.
- Give preference to small scale farms owned by County residents.

Inspections, Monitoring and Enforcement

- Provide a cure or grace period to allow time for grows with code violations to be corrected and brought into compliance.
- Ensure that the ordinance is enforceable and that the County has ample resources to enforce it.

Process

- Form a Blue Ribbon Committee (BRC) comprised of a small group of CAG members to support the process as it moves forward.



Public Comments ...



CAG Member Comments

Next Steps . . .

- Present CAG Findings to BOS in January 2018
- Receive Board direction for drafting revised ordinance
- Determine appropriate level of required environmental review
- Evaluate potential revenue sources to defray administrative costs associated with implementation of the new ordinance (including a potential tax measure)
- Prepare draft ordinance and circulate for public review and comment

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