



**Nevada County Cannabis Regulation  
Community Planning Process  
Summary of Community Advisory Group (CAG)  
Meeting #9, November 7, 2017**

Prepared by:



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December 2017



## Introduction

On Tuesday, November 7, 2017, Nevada County convened the ninth meeting of the Community Advisory Group (CAG). The CAG includes 16 Nevada County residents who were appointed by the Board of Supervisors. The mission and charge of the CAG is to:

- Gather and analyze input from Nevada County community members with regard to perspectives on cannabis-related activities.
- Advise the Nevada County Board of Supervisors (BOS) regarding preparation of a revised ordinance to regulate cannabis-related activities in Nevada County.
- Formulate recommendations that Nevada County staff and the BOS can use to draft a revised County ordinance which regulates cannabis-related activities.

The CAG process is led by a four-person team that includes representatives from:

- MIG, Inc.: Daniel Iacofano, Lead Facilitator, and Joan Chaplick, Project Manager
- Nevada County: Sean Powers, Director, Community Development Agency, and Mali Dyck, Program Manager, Eligibility and Employment Services

This is the ninth in a series of meetings that will be conducted between May and November. The meeting notes are intended to provide a summary of key points of information, discussion topics, questions and agreements. The summary is not intended to serve as a transcription of the meeting. Meetings have been videotaped and are posted on the County website.

## 1. Welcome and Introductions

Daniel Iacofano, MIG facilitator, opened the meeting and led the group in the Pledge of Allegiance. He welcomed the CAG members and members of the public to the meeting. Fifteen of the 16 members of the CAG were in attendance, Michael Mastrodonato was excused.

Daniel reviewed the meeting agenda and objectives, and asked the CAG for adjustments to the CAG meeting #8 summary.

Comments:

- One CAG member requested that the results of the before and after votes be included in the summaries for both meetings 7 and 8, some polling results seemed to be missing from the last two summaries.

## 2. Review Areas of Potential Agreement related to the development of the revised Cannabis Ordinance

Daniel then led a discussion on areas of potential agreement related to the development of the revised Cannabis Ordinance. Daniel reviewed the CAG's responses to the worksheet, summarized in tables by license type. He then reviewed general areas of agreement concerning different elements of the ordinance, including: general considerations, allowable activities, permitting, inspections, monitoring and enforcement, and process.

Daniel then asked the CAG for comments regarding the information presented. Comments included:

- Many CAG members appreciated how the worksheet results highlighted central tendencies, believing that these tendencies will be a good basis for further discussion, possibly in the context of a blue-ribbon committee. Several CAG members acknowledged how far the conversation has gone in clarifying what a regulated process might look like.
- Many CAG members expressed concern about the statement on minimum setback, suggesting that bus stops be included in the minimum setback regulation. Others requested additional information about setbacks around bus stops, such as an official map of bus stops.
  - Response from Daniel: Daniel reminded the group that prior conversations had identified other ways of achieving the security of children at bus stops, such as fencing and other security measures.
  - Response by other CAG members: Several CAG members expressed opposition to including bus stops in the setback regulation, explaining that they are only used at specific times of day and of the year and that growers can provide strong security measures.
- Many CAG members were concerned about enforcement and the lack of resources for adequate enforcement of the regulations.
- Many respondents requested a breakdown of survey results that shows results with a higher level of detail.
- Several CAG members were concerned with the length of the process, insisting on the need for a timely delivery of the new regulation.
- Several CAG members discussed the idea of requiring a legally permitted residence on all cultivation sites, others preferred requiring that growers be County residents.
- Several CAG members asked for clarification about whether permits would be required for personal outdoor grows, many expressed opposition to such a requirement but would consider easily accessible Conditional Use Permits.

- Several CAG members were disappointed that the CAG had not discussed the caregiver/patient model and recommended that the County create a system for non-remuneration arrangements cultivation that do not require a permit for the cultivation of cannabis for medical use for up to 5 patients.
- One CAG member reminded the group that there is a difference between medical and adult use of cannabis and we should clarify that the statement about not distinguishing the two only applies to taxes and regulation.
- One CAG member insisted that the ordinance needs to be reviewed within a year.
- One CAG member expressed concern with the worksheet results for R1, insisting that most lots are small and outdoor cultivation should not be permitted.
- One CAG member thought the CAG should discuss larger grows in order to include a recommendation specific to larger cultivation sites.
- One CAG member raised the issue of balancing permitting fees to allow growers to come into compliance while collecting sufficient funds to for enforcement.
- One CAG member insisted that the idea of the industry self-policing and encouraging compliance is an important part of the process, and that the process should encourage organizations that can support self-compliance.
- One CAG member reminded the group that the ordinance does not need to fit the needs of each individual grower, but instead growers have the responsibility to fit with the new ordinance. The process shouldn't be interpreted the other way around.
- One CAG member insisted that the trust issue between the County and the growers needs to be addressed with the new ordinance.
- One CAG member encouraged the County to allow collective growing arrangements for patients, and recommended using the CUP process to accommodate exceptions for smaller acreages or larger grows.
- One CAG member cautioned the group about allowing cultivation in industrial zones because of the real estate pressure caused by the cannabis industry.

### 3. Public Comment

The following comments were contributed by members of the public:

- The state has created a structure already onerous for a grower, we need to support growers that want to move ahead and provide local outlets for quality products. The County should concentrate on quality merchandize instead of quality.
- CAG should suggest a reasonable pathway to help growers come into compliance, including a grace period.
- Type 2 cultivation is the minimum needed for a small cultivation to succeed. It would be helpful to allow non-contiguous cultivation and to allow and regulate the entire supply chain, especially transport and manufacturing.

- According to a specific regulation, if personal outdoor grows are allowed the county can receive grants for enforcement. Highlights research about the impact of legalization on cannabis consumptions by teens.
- Hopes the CAG's work will result in a reasonable ordinance, encourages the public to talk to their supervisors. Insists that the purpose of regulation is to encourage growers to enter the regulated market place.
- Insists on the odor problems associated with outdoor grows, from personal experience of an 8 plant grow 250 ft from their house. A permit needs to be issued for any plants grown outdoors, and none should be allowed in R1.
- Thanks to the CAG for their evolution through the process, insists that there are many areas in the county where large grows would be appropriate. The tax revenue from such grows could help with the cost of enforcement.
- Maybe the sheriff doesn't need to be fully responsible for enforcement. Encourages the county to approve licenses for all the steps of the supply chain.
- Encourages allowing agriculture cooperatives to operate on some larger parcels, and exploring other solutions for increased neighborhood safety and security.
- Explains that a 5000 sq ft grow on a 1 acre property represents 1/8<sup>th</sup> of the property. Encourages the development of an ordinance that is stable and sustainable.
- Explains need for cannabis in the county as a solution for the opiate crisis.
- Need to consider lot line adjustments in the ordinance.
- Outdoor grows need to be allowed, the odor should not be a concern.
- Need to realize that most farms represent people's livelihoods and their investments.
- As a grower and business owner, wants to collaborate with the county in his business activities, with social responsibility at the heart of his work.
- The need for manufacturing and distribution is very important to the whole process, especially considering the needs of patients that cannot smoke a joint.
- In terms of enforcement, the ordinance needs to encourage growers to comply. Also bus stops should not be included in the setback regulation.
- Recommendations concerning residential areas are too strict, especially for those growing for medical use. The ordinance needs to respect the patients' rights.
- Has a lot of faith in small businesses looking for opportunities in the county, it is important that the county recognizes the many opportunities that can branch off of these initial activities.
- Compliance means having all growers become responsible members of the business community. Many resources exist to help the county with enforcement. The blue-ribbon commission should be selected by the CAG members themselves.
- In favor of the neighbor waiver idea for outdoor grows because many growers have good relations with their neighbors.

## 4. Closing Remarks

Daniel then invited the CAG to make closing remarks.

CAG member closing comments:

- Thanked the CAG members and County staff, recognizing that it has been a steep learning curve.
- Hopes the CAG will be able to review any recommendation that will be presented to the Board of Supervisors. Expressed being impressed with the public attendance and input received throughout the entire process.
- Thanks to everyone who participated in the process. Highlights on the importance of allowing a vertically integrated supply chain, but insists that this should not be allowed in industrial zones because of the economic challenge it could cause. Every product that comes in to the county should be tested to avoid bringing diseases into the county.
- Applauded the rationality of most members, recognizing that it's been a respectful process. The CAG has the responsibility to review the report that will go forward to the board and there should be another meeting to discuss the report.
- Pleased that the process has brought the community together through dialogue and shared knowledge. Hopes a comprehensive ordinance will come out of the process and that the CAG can review recommendations that will be brought to the Board of Supervisors.
- Thanked everyone for the positive learning experience. Believes the supervisors will listen to the recommendations from the CAG.
- Thanked the CAG, acknowledging that it's been an important experience, especially by learning about other concerns. Referred to a study that demonstrates that teen and child use of cannabis has dropped every year since legalization in other states. Encouraged the County to veer away from restriction for restriction's sake, and look at how Nevada County can be leader in simultaneously addressing nuisance and the growers' needs. Explained that bus stops were left out of the state regulations for a good reason: the difficulty to check between active and non-active bus stops, and vulnerability to law suits. Highlighted the need for testing labs and the whole supply chain.
- Thanked everyone, appreciates the knowledge gained through the process. Encouraged all members of the CAG to continue the discussion freely to hash out some details. Recommended focusing on the growers that aren't ready to comply rather than those that want to come into compliance. We should rely and trust the respectful growers to regulate the industry and encourage the other growers to come into compliance.
- Encouraged by the process and by the work done by the alliance to reach out to the community and hear concerns. Believes the County is showing leadership in its approach to drafting the ordinance. Struck by the business mentors that have come to speak at public comment looking for a professional way forward and recognizing the need to change certain practices. Would like to see more mentoring and more opportunities to build trust between the community and growers. Agrees that a final review of recommendations would be beneficial.

- Highlights the importance of bringing rivers and water into the discussion, and the County should not simply rely on the state for those regulations. Encourages good communication with neighbors as they can be allies in the process and recommends a transition period of 3 to 5 years. Thanked the young growers that came to speak during public comment. Also, insisted on the importance of considering the needs of patients.
- Thanked all participants. Reminds the CAG that there are some very bad actors in the County and that the reality on the ground is not well understood by the CAG. Many violations to the regulation in other areas such as Sacramento are getting worse and are very problematic. Insists that adequate enforcement tools are needed, including large fines, to protect the neighborhoods. Acknowledges that allowing cultivation in certain areas is necessary to put the pressure off the neighborhoods.
- Thanked the CAG and the community for sharing their public comments which have been very helpful. Thankful to have heard the positive stories through the community comments, but doesn't understand why the anti-cannabis folks did not come to make public comment. Believes the worksheet should have been at the beginning of the process as a basis for further discussion to come up with a more specific recommendation.
- Wished there had been more critical dialogue between CAG members. Insists on the importance of supporting anyone that needs cannabis for medical use and encourages allowing collaboratives for the cultivation of cannabis for medical use. Still concerned about not distinguishing between medical and recreational cannabis, and would like to better understand reason for not distinguishing. Thankful to have learnt to become non-judgmental and be open-minded through this process and would like to keep connection with other CAG members in the future.
- Recommends that the CAG reviews the recommendations in an open meeting setting in order not to be in violation of the Brown Act.
- Applauds everyone for their wonderful job defending and explaining their positions. Appreciates having been able to talk through disagreements but believes there are still elements that deserve further discussion.

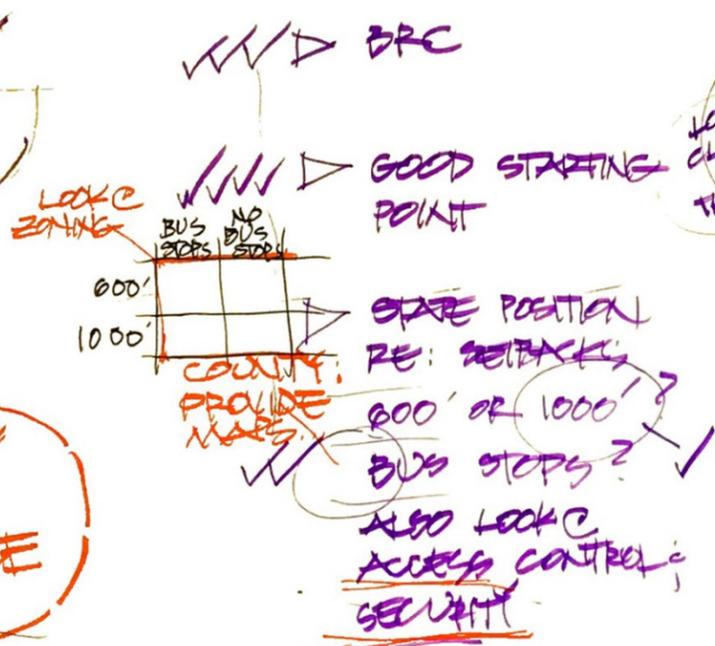
## 5. Next Steps

Daniel thanked everyone for their time and reminded everyone that although this is the last CAG meeting it is not the end of the public process to develop a new ordinance.

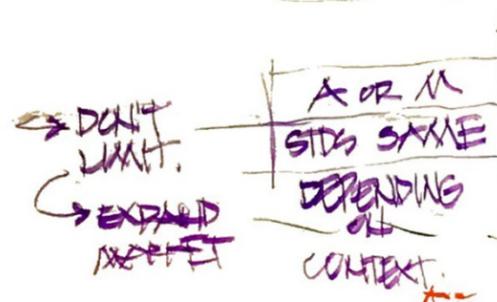
Wall graphic notes taken during the meeting are shown on the following page. Comment cards and comments submitted via email by participants are attached as Appendix A.

# CAG

## PATHWAY TO COMPLIANCE



TYPE 3-10



▷ PROVIDE F/ MEDICAL NEEDS  
 THERE IS DIFFERENCE...  
 ADDRESS NON-REMUNERATION  
 LOOK @ STATE APPROVAL SYSTEM  
 IMPLEMENT DIFFERENTIAL-BASED SYSTEM

- ▷ TYPE 1 SPECIALTY OUTDOOR SHOW INDIVIDUAL DATA
- ▷ TYPE 2
- ▷ RESIDENCE ON PROP.
- ▷ GROW - LESS SETBACK
- ▷ R1 ?
- ▷ MEDIUM S GROWS...
- ▷ SUPPLY CHAIN ?
- ▷ WHAT IS 5000 D IN RELATION TO A 3 ACRE PARCEL ?

- ▷ REVIEW IN A YEAR "ADAPTIVE AGE"
- ▷ IF NO REV, THEN WHAT? HOW TO ENFORCE? PLAN B?
- ▷ A BUDGET IS NEEDED.
- ▷ FOREST MET PLAN
- ▷ NEED A RESIDENCE ON/OR ADJACENT.
- ▷ INDUSTRIAL LAND MAY BE SHORT SUPPLY
- ▷ G.H. IND.

▷ FREQUENT INSPECTIONS  
 GRANTS? SELF-SUSTAINABLE, MUST BE  
 SEP. THOSE DOING IT RIGHT, REDUCE COST...  
 HOW DO WE ENSURE COMPLIANCE?  
 INDUSTRY SELF-COMPLIANCE  
 \*CHANGE FR L.E. TO C.D. INSPECTION.

▷ OVERALL PHILOSOPHY  
 ENC. OR NOT?  
 ELON FILE  
 LOOK @ IND. TABLES  
 TYPE 7, 10, 11 ADDRESS SUPPLY CHAIN

▷ PERSONAL GROW  
 CUP?  
 NOT THE SAME AS COMM.  
 P1 } NO PERMIT  
 P2 } F/2 PLANTS  
 P3 }  
 IF PERMIT SHOULD BE LOW OR NO COST.  
 ALLOW/NO NECESSARILY PERMIT.