



County of Nevada

Nevada County Commercial Cannabis Cultivation
Ordinance Environmental Impact Report

Public Scoping Meeting

August 22, 2018

I. Introduction

- County of Nevada
 - Brian Foss, Planning Director
- Kimley Horn and Associates
 - Alex Jewell – Project Manager
 - Brad Stoneman – Environmental Analyst

II. Presentation Overview

California Environmental Quality Act

Purpose of Scoping Meeting

Project Description

Technical Studies

CEQA Process and Preliminary Schedule

Opportunities to Comment

Contact Information

III. California Environmental Quality Act (CEQA)

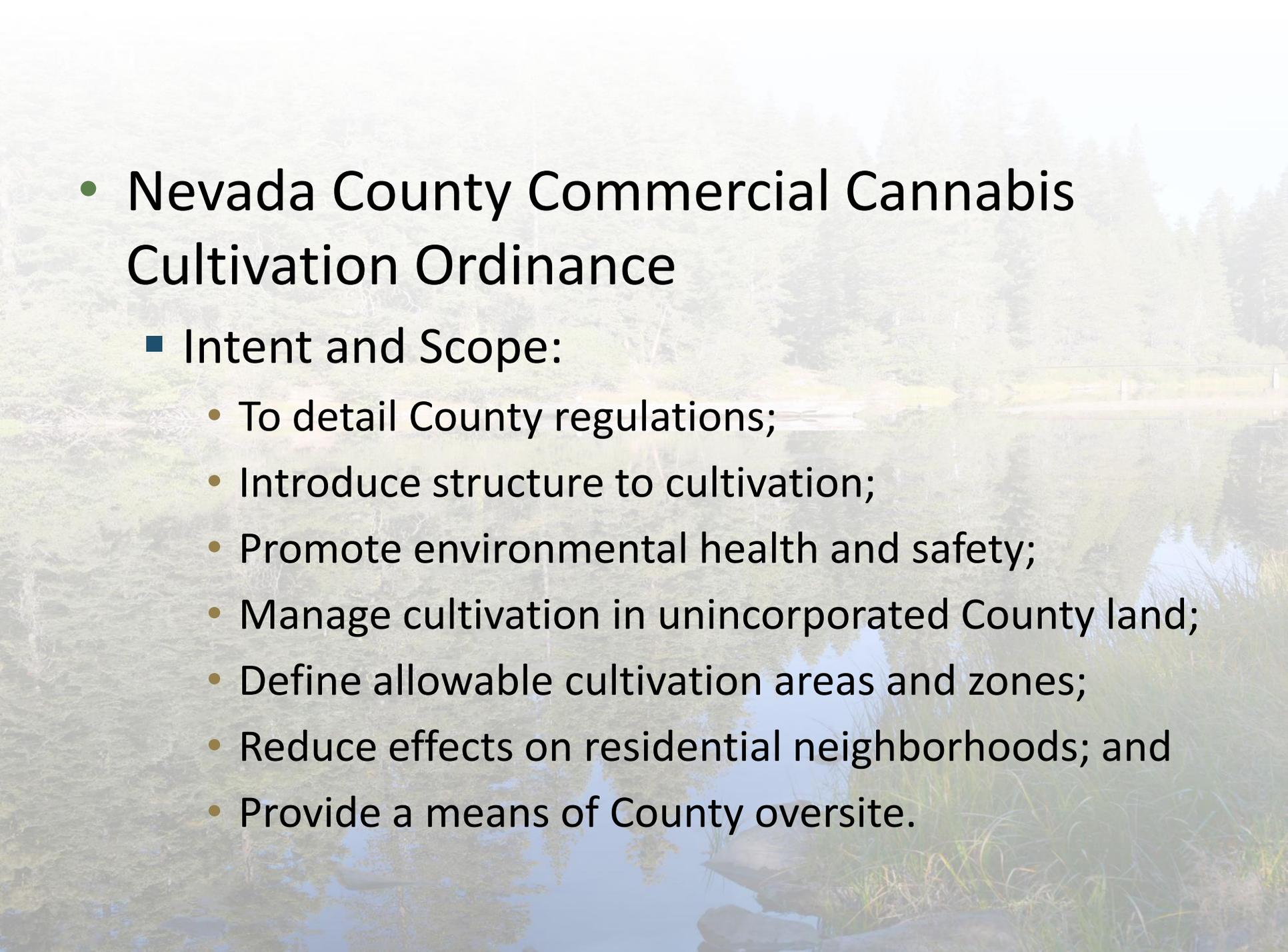
- 1970 State of California environmental law
- Purpose of CEQA:
 - Inform governmental decision makers and the public
 - Identify ways environmental impacts can reduced or avoided
 - Prevent significant environmental impacts by requiring changes, alternatives, or mitigation measures
 - Disclose to the public why a project was approved if the project involves significant impacts

IV. Purpose of CEQA Scoping Meeting

- Inform the public of the proposed project.
- Disclose the preparation of an Environmental Impact Report (EIR) and the potential impacts being reviewed
- Solicit guidance from the public and agencies on environmental issues via comments on the Notice of Preparation
- Public Comment Period – 30 Days
 - August 10, 2018 to September 10, 2018

V. Project Description

- Project Background
 - Estimated to be approximately 3,500 commercial cannabis operations currently in Nevada County
 - Board of Supervisors began gathering community input on April 11, 2017
 - Community Advisory Group (CAG) was formed
 - Community Meetings were held and community outreach from May 2017 to December 2017
 - In 2017, State regulations including (SB-94) and the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) changed regulations
 - In January 2018 the Board reviewed CAG recommendations
 - In May 2018 County Staff began the EIR process for the Proposed Ordinance

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- Nevada County Commercial Cannabis Cultivation Ordinance
 - Intent and Scope:
 - To detail County regulations;
 - Introduce structure to cultivation;
 - Promote environmental health and safety;
 - Manage cultivation in unincorporated County land;
 - Define allowable cultivation areas and zones;
 - Reduce effects on residential neighborhoods; and
 - Provide a means of County oversight.

Definitions:

- Indoor Cultivation – Cultivation using exclusively artificial light within a fully enclosed structure.
- Mixed-light Cultivation – Cultivation in an accessory structure using light deprivation and artificial light.
- Outdoor Cultivation – Cultivation that is not indoor or mixed-light with no artificial light.

Zoning Classifications:

Personal Use Cultivation

- R-1 (Single Family)
- R-2 (Medium Density)
- R-3 (High Density)
- R-A (Residential Agriculture)
- General Agriculture (AG)
- Agriculture Exclusive (AE)
- Forest (FR); and
- Timber Production Zone (TPZ)

Commercial Cultivation

- Agriculture Exclusive (AE)
- General Agricultural (AG)
- Forest (FR)

Table 1: Cannabis Cultivation for Personal Use

Zoning	Parcel Acreage	Cultivation Method		
		<i>Indoor</i>	<i>Mixed-Light</i>	<i>Outdoor</i>
R1 R2 R3 RA (Residential Designation)	Parcel of Any Size	Maximum of six plants, mature or immature.	Cultivation is Prohibited	Cultivation is Prohibited
R-A (Rural and Estate Designation)	5.00 Acres or greater	Maximum of Six Plants, mature or immature		
AG AE FR TPZ	1.99 or less	Maximum of Six Plants, mature or immature	Cultivation is Prohibited	Cultivation is Prohibited
	Parcels 2.00 acres or greater	Maximum of Six Plants, mature or immature		
Source: Nevada County, 2018 Abbreviations: R-1 (Single Family); R-2 (Medium Density); R-3 (High Density); R-A (Residential Agriculture); AG (General Agriculture), AE (Agriculture Exclusive), FR (Forest), TPZ (Timber Production Zone).				

Table 2: Cannabis Cultivation for Commercial Use

Zone	Parcel acre	Cultivation Method		
		<i>Indoor</i>	<i>Mixed-Light</i>	<i>Outdoor</i>
R1 R2 R3 RA (Regardless of Zone Designation)	Parcel of Any acreage	Commercial Cultivation is Prohibited		
AG AE FR	2.0 acres or less	Commercial Cultivation is Prohibited		
	Parcels 2.00 acres to 4.99 acre	Maximum of 500 sf canopy	Commercial Cultivation is Prohibited	
	Parcels 5.00 acres to 9.99 acres	Up to a maximum of 2,500 sf of canopy for any method or combination thereof.		
	Parcels 10.00 acres to 19.99 acres	Up to a maximum of 5,000 sf of canopy for any method or combination thereof.		
	Parcels 20 acres or greater	Up to a maximum of 10,000 sf of canopy for any method or combination thereof.		
Source: Nevada County, 2018 Abbreviations: R-1 (Single Family); R-2 (Medium Density); R-3 (High Density); R-A (Residential Agriculture); AG (General Agriculture), AE (Agriculture Exclusive), FR (Forest), TPZ (Timber Production Zone).				

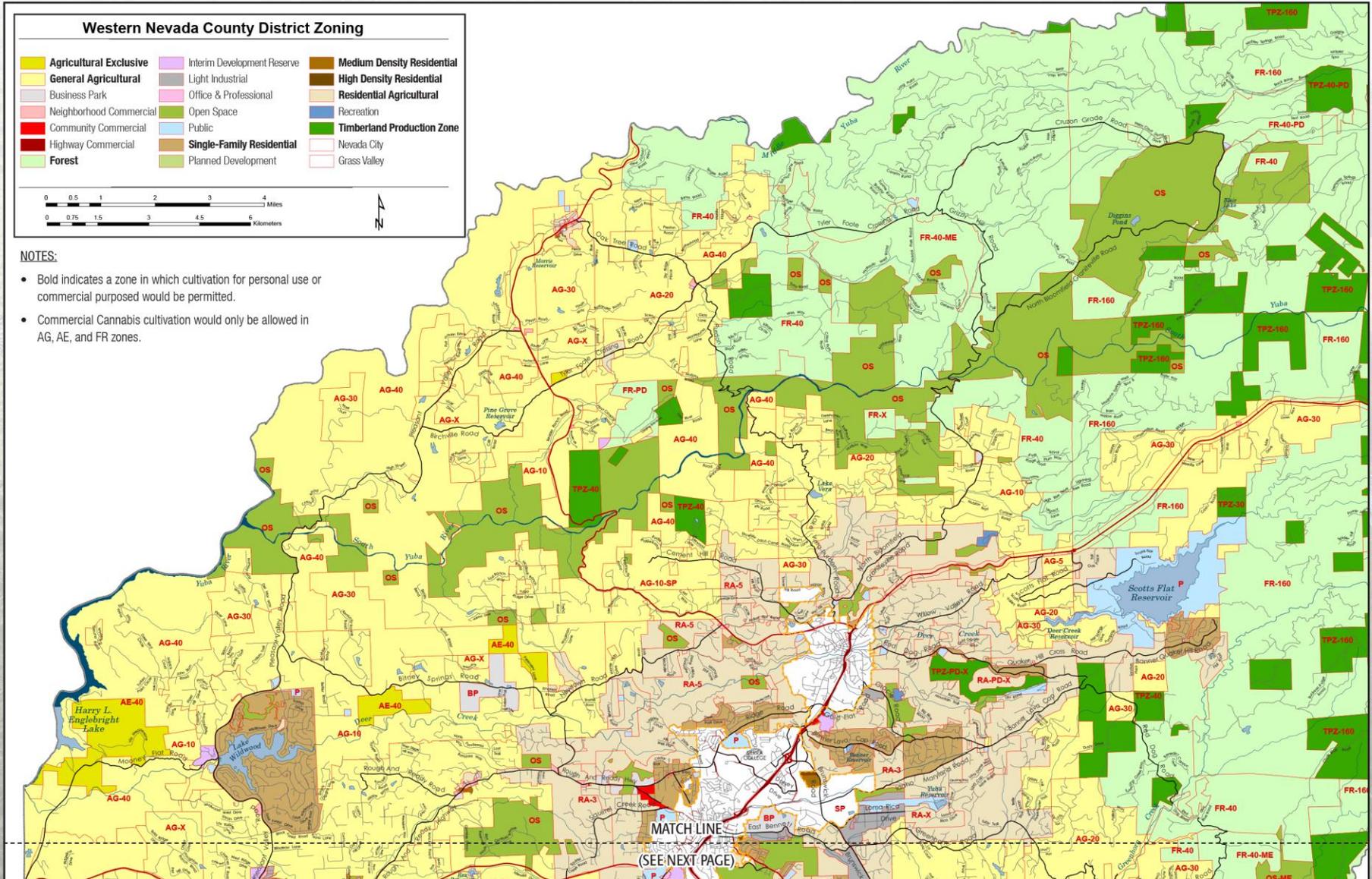
Cultivation requirements

- Adequate Site Security
- Not adversely affect health, safety, welfare
- Conform to applicable codes
- Conform to Hazardous Materials regulations
- Conform to all applicable County Ordinances
- Be legal owner of parcel
- Obtain required permits
- Permitted wastewater disposal system

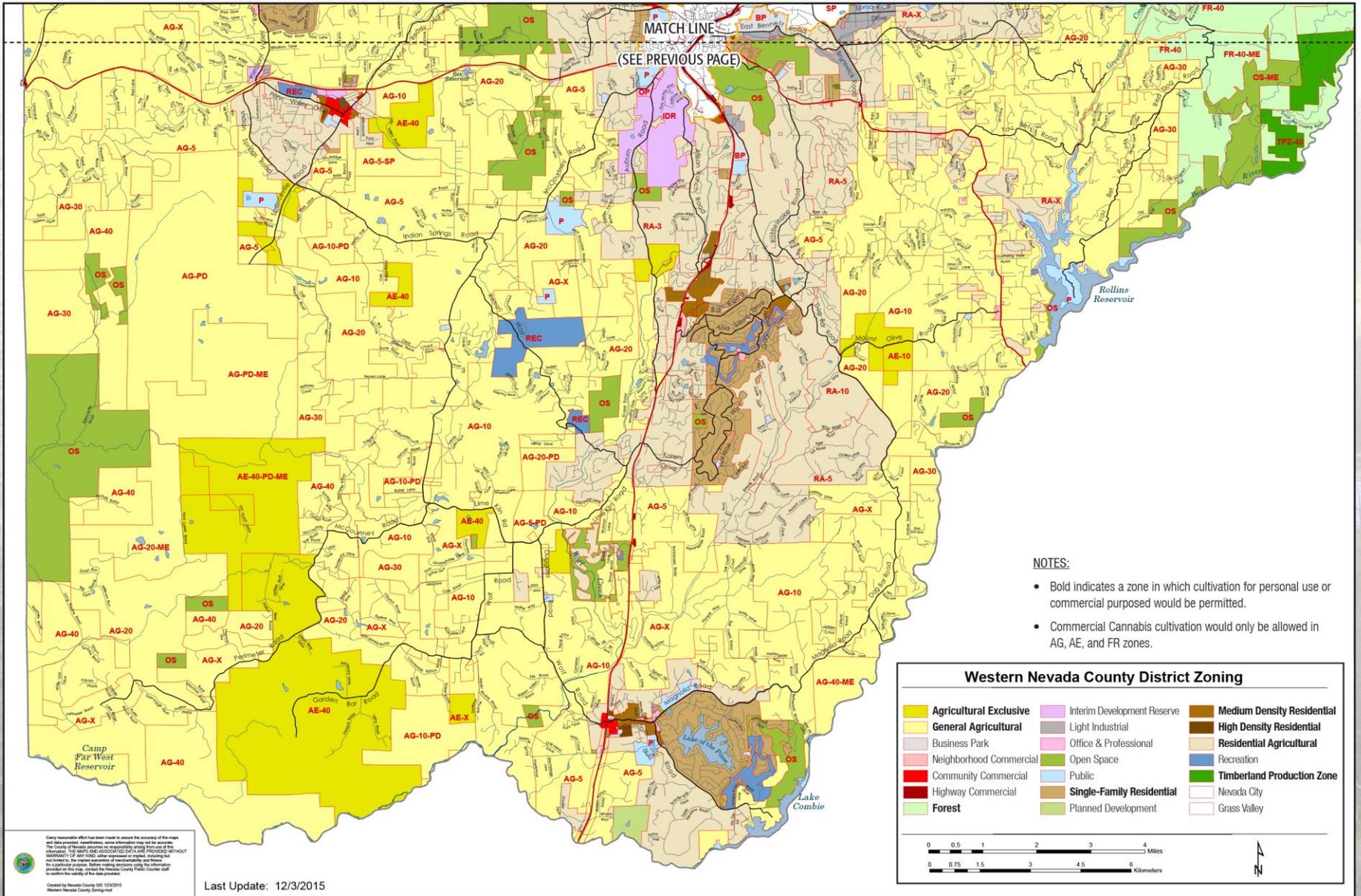
Required Permits

- Administrative Development Permit – For cultivation with canopy sizes up to 2,500 sf for indoor, mixed-light, or outdoor; or
- Conditional Use Permit – For cultivation with canopy sizes between 2,501 to 10,00 sf for indoor, mixed-light, or outdoor; and
- Annual Cannabis Permit – For the individual or entity engaging in the commercial cannabis activity or non-remuneration cultivation and must be renewed annually

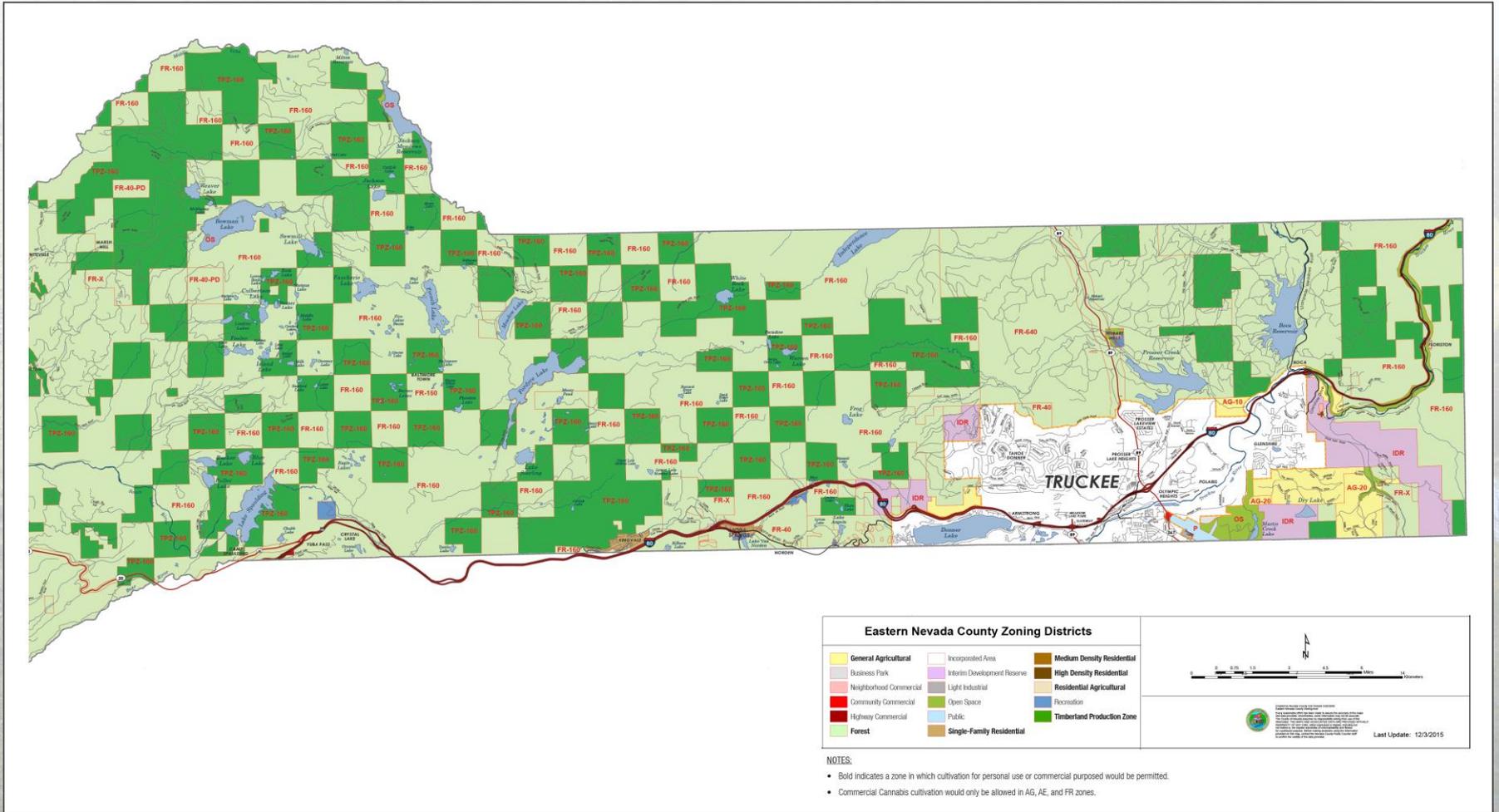
Western Nevada County District Zoning (1 of 2)



Western Nevada County District Zoning (2 of 2)



Eastern Nevada County District Zoning



Special Considerations

- Aesthetics
- Air Quality and Greenhouse Gasses
- Hydrology, Water Quality, and Water Supply
- Biological Resources
- Hazards and Hazardous Materials
- Energy
- Transportation and Traffic

VI. Technical Studies

- Studies Currently in Process:
 - Traffic and Circulation;
 - Air Quality and Greenhouse Gasses;
 - Energy Assessment;
 - Water Supply Evaluation

VII. CEQA Process & Preliminary Schedule



VIII. Opportunities to Comment

- Written comments accepted instead of or in addition to verbal comments
- Please limit comments to environmental issues to be analyzed in the EIR
- NOP Comment Period will end on ***September 10, 2018***
- 45-day Draft EIR Comment Period and Public Hearing
- Planning Commission and Board of Supervisors Hearings

IX. Contact Information

- Please submit written comments (or e-mails) to:

**Brian Foss, Planning Director
Nevada County Planning Department
Community Development Agency
950 Maidu Avenue, Suite 170
Nevada City, CA 95959**

Telephone: (530) 265-1222, Fax: (530) 265-9851

Email: planning@co.nevada.ca.us

- Please include name, address, e-mail, and contact number with your comments

THANK YOU FOR ATTENDING!!

PUBLIC COMMENTS & QUESTIONS