



Trisha Tillotson
Community Development Agency Director

Matt Kelley
Director of Code and Cannabis Compliance

**COMMERCIAL CANNABIS DISPENSARY
APPLICATION EVALUATION COMMITTEE
Staff Memorandum**

MEETING DATE: January 15, 2026
TO: Commercial Cannabis Dispensary Application Evaluation Committee
FROM: Matt Kelley, Code & Cannabis Compliance Director
SUBJECT: Commercial Cannabis Dispensary Application Evaluation Committee Bylaws and Committee Process & Duties

BACKGROUND:

As directed by the Board of Supervisors during the January 2023 Board Workshop, the Planning Department and the Code & Cannabis Compliance Department jointly completed comprehensive updates to the Cannabis Cultivation Ordinance (Nevada County Code, Section 12.03.300 – Cannabis Cultivation). These updates included the formal establishment of the Nevada County Commercial Cannabis Dispensary Application Evaluation Committee (“Evaluation Committee”).

These amendments were approved by the Nevada County Board of Supervisors at their regular meeting on November 12, 2024, through the adoption of Ordinance No. 2538 and Resolution No. 24-594.

SUMMARY OF ADOPTED ORDINANCE AMENDMENTS:

The adopted amendments to Nevada County Code, Section 12.03.300 include the following key policy changes:

A. Retail Cannabis Activities

Authorization of limited Retail Storefront and Non-Storefront (mobile delivery) cannabis activities within commercial and/or industrial zoning districts, subject to approval of a discretionary Use Permit and participation in a competitive selection process.

B. M1 (Light Industrial) Zoning

Allowance of limited commercial cannabis activities within the M1 (Light Industrial) zoning district, subject to approval of an Administrative Development Permit or Development Permit. Permitted activities include indoor cultivation, testing laboratories, and both non-volatile and volatile manufacturing.

C. Temporary Cannabis Events

Authorization of Temporary Cannabis Events, subject to approval of an Administrative Development Permit, within M1 (Light Industrial), BP (Business Park), C1 (Neighborhood Commercial), or C2 (Community Commercial) zoning districts.

D. CC&R Disclosure Requirements

Requirement for upfront disclosure regarding compliance with any applicable Covenants, Conditions, and Restrictions (CC&Rs).

PURPOSE AND STRUCTURE OF THE EVALUATION COMMITTEE:

The Evaluation Committee was established to implement a competitive, merit-based process for identifying the most qualified applicants eligible to apply for a discretionary Use Permit through the Nevada County Planning Department.

This process will allow for the establishment of up to two (2) Retail Storefront Commercial Cannabis Dispensaries within M1, BP, C1, or C2 zoning districts. No more than one (1) dispensary may be approved within each of the following Rural Centers, as designated by the Nevada County General Plan:

- North San Juan
- Soda Springs

The Evaluation Committee consists of seven (7) members appointed by the Board of Supervisors, allocated as follows:

- One (1) member appointed by each Supervisor representing Districts I, II, and III; and
- Two (2) members appointed by each Supervisor representing Districts IV and V.

EVALUATION COMMITTEE PROCESS:

Following appointment of committee members by the Board of Supervisors, County staff will convene publicly noticed meetings with the Evaluation Committee to develop and refine the competitive application and review process.

The Evaluation Committee will be responsible for developing final selection criteria and corresponding point weighting. These criteria must be reviewed and approved by the Board of Supervisors prior to initiation of the application screening process.

Current anticipated milestones include:

- **Winter 2026:** Presentation of draft Retail Storefront Selection Criteria to the Evaluation Committee.
- **Winter 2026 / Early Spring 2026:** Consideration and approval of final criteria by the Board of Supervisors at a regular meeting.
- **Spring / Early Summer 2026:** Opening of the initial application window for Retail Storefront Commercial Cannabis Dispensary selection applications.

Following Board of Supervisors' approval, an initial 30-day screening period is anticipated. This screening process will occur annually until two (2) qualified applications have been successfully selected.

PRELIMINARY EVALUATION CRITERIA:

Resolution No. 24-594 (*Attachment 2*) identifies the following general criteria for evaluating and ranking applications. These criteria are preliminary and will be further refined by the Evaluation Committee prior to approval by the Board of Supervisors:

- A. Demonstrated experience operating a regulated cannabis business (retail, medical-use dispensing, or cultivation) or experience in a similarly regulated industry (e.g., alcohol sales).
- B. Demonstrated quality of cannabis strains and derivative product offerings.
- C. Employee training programs, standard operating procedures, online ordering systems, and accommodations for disadvantaged or disabled individuals.
- D. Commitment to social equity, including payment of a living wage, provision of employee benefits, and compliance with local, state, and federal non-discrimination laws.
- E. Comprehensive and enforceable security program.
- F. Status as a pre-existing Nevada County cannabis business in good standing, with no outstanding code violations and full compliance with local and state requirements.
- G. Ability to meet applicable Nevada County Western or Eastern Design Standards.
- H. Additional information demonstrating the applicant's ability to operate in a safe, responsible, and community-focused manner, including the quality and completeness of application materials, connection to Nevada County, familiarity with the local business environment, and innovative business practices aligned with local economic goals.

APPLICATION SCREENING AND RANKING PROCESS:

Prior to formal scoring, County staff will conduct an initial review of all submitted applications for general compliance with the Nevada County Code, the Nevada County General Plan, and all other applicable laws and regulations. Applications that fail to meet minimum eligibility requirements or contain false or misleading information will be deemed incomplete and rejected. Rejected applications will not advance to scoring but will remain available for Evaluation Committee review.

For applications that meet minimum requirements:

- Each Evaluation Committee member will independently score eligible applications based on the approved criteria.
- Individual scores will be totaled and averaged to establish a final ranked list from highest to lowest.

Upon notification from the Evaluation Committee, the top-ranking applicant for each Rural Center will have twelve (12) months to submit a Use Permit application to the Nevada County Planning Department, pursuant to Nevada County Code, Section 12.05.060 – Use Permits. Failure to submit a Use Permit application within the twelve-month period will result in termination of eligibility.

Final approval to operate a Retail Storefront Commercial Cannabis Dispensary is contingent upon the applicant obtaining all required state licenses and all applicable local and state permits prior to commencing operations.

CONCLUSION:

The Evaluation Committee plays a critical role in ensuring that Nevada County's limited Retail Storefront Commercial Cannabis Dispensary opportunities are awarded through a transparent, objective, and merit-based process. Staff look forward to working collaboratively with the Committee to develop final selection criteria, uphold the intent of the adopted ordinance amendments, and advance responsible, well-regulated cannabis retail operations that align with County policies and community values.

ATTACHMENTS:

1. Bylaws of the Commercial Cannabis Dispensary Application Evaluation Committee
2. Resolution No. 24-594 – Selection Process and Establishment of the Commercial Cannabis Dispensary Application Evaluation Committee



RESOLUTION No. 25-244

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION RATIFYING THE BYLAWS OF THE COMMERCIAL CANNABIS DISPENSARY APPLICATION EVALUATION COMMITTEE

WHEREAS, at their regular meeting of November 12, 2024, the Nevada County Board of Supervisors adopted Ordinance No. 2538 amending Section 12.03.300 – Cannabis Cultivation making amendments to the Section to allow additional cannabis cultivation uses and to allow for Commercial Cannabis Dispensaries; and

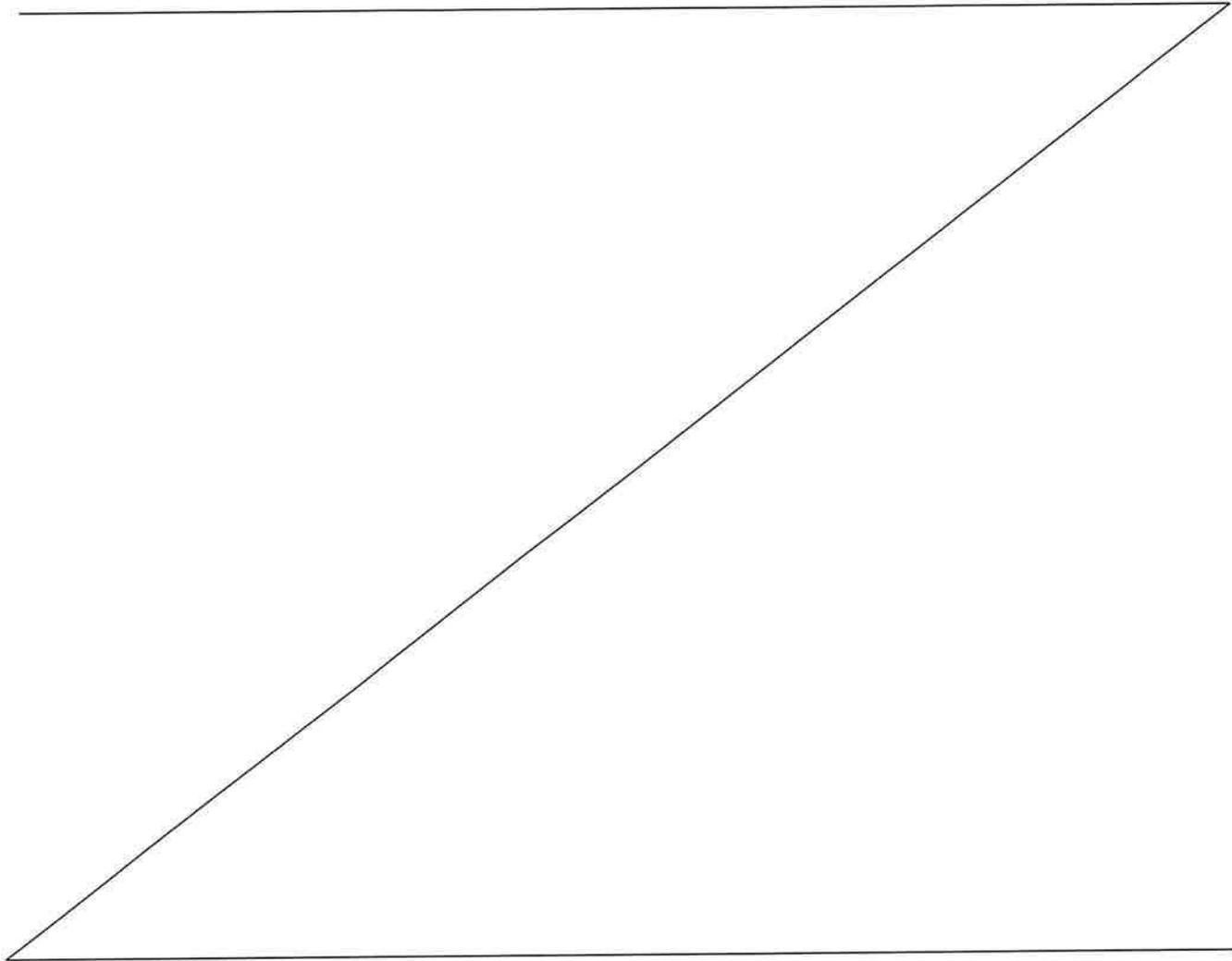
WHEREAS, Nevada County Code Section 12.03.300 Cannabis Cultivation authorizes the establishment of a competitive application selection process for up to two (2) Cannabis Dispensaries to be located in M1, BP, C1 or C2 Zoning Districts and only in the North San Juan Rural Center and/or the Soda Springs Rural Center as identified by the General Plan, with a maximum of one (1) Cannabis Dispensary being allowed per area / region; and

WHEREAS, the purpose of the Commercial Cannabis Dispensary Application Evaluation Committee is to implement a competitive, merit-based process for selecting the most qualified applicants to apply for a discretionary Use Permit for a Retail Storefront Commercial Cannabis Dispensary through the Nevada County Planning Department for up to two (2) Retail Storefront Commercial Cannabis Dispensaries, to be located within either the M1 – Light Industrial, BP – Business Park, C1 – Neighborhood Commercial or C2 – Community Commercial Zoning Districts; and

WHEREAS, also the purpose of the Commercial Cannabis Dispensary Application Evaluation Committee is to ensure that a maximum of only one (1) Retail Storefront Commercial Cannabis Dispensary is located within the North San Juan Rural Center and/or the Soda Springs Rural Center as identified by the Nevada County General Plan and in accordance with Nevada County Code Section 12.03.300 – Cannabis Cultivation; and

WHEREAS, the Commercial Cannabis Dispensary Application Evaluation Committee shall consist of seven (7) members appointed by the Board of Supervisors with one (1) member appointed by each Supervisor for Supervisorial Districts I, II, III and with two (2) members being appointed by each Supervisor for Supervisorial Districts IV and V.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Supervisors of the County of Nevada, State of California, that the Bylaws of the Commercial Cannabis Dispensary Application Evaluation Committee, as attached hereto as Exhibit A, are hereby ratified.



PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 3rd day of June 2025, by the following vote of said Board:

- Ayes: Supervisors Heidi Hall, Robb Tucker, Lisa Swarthout, Susan Hoek, and Hardy Bullock.
- Noes: None.
- Absent: None.
- Abstain: None.
- Recuse: None.

ATTEST:

TINE MATHIASSEN
Chief Deputy Clerk of the Board of Supervisors

By: *Lauraana Cecchi*

Heidi Hall
Heidi Hall, Chair

EXHIBIT A

BYLAWS OF THE COMMERCIAL CANNABIS DISPENSARY APPLICATION EVALUATION COMMITTEE

I. STATEMENT OF PURPOSE AND AUTHORITY

- A. The purposes of the Commercial Cannabis Dispensary Application Evaluation Committee (herein referenced as “Cannabis Dispensary Evaluation Committee”) shall be:
1. To establish a competitive merit-based approach to selecting the most qualified applicants to apply for a discretionary Use Permit to the Nevada County Planning Department, for up to two (2) Retail Storefront Commercial Cannabis Dispensaries, to be located within either the M1 – Light Industrial, BP – Business Park, C1 – Neighborhood Commercial or C2- Community Commercial Zoning Districts.
 2. To ensure that a maximum of only one (1) Retail Storefront Commercial Dispensary is located within the North San Juan Rural Center and/or the Soda Springs Rural Center as identified by the Nevada County General Plan and in accordance with Nevada County Code Section 12.03.300 – Cannabis Cultivation.
- B. This Cannabis Dispensary Evaluation Committee has been authorized to operate in accordance with Nevada County Code, Section 12.03.300 – Cannabis Cultivation and Resolution No. 24.594, as adopted by the Nevada County Board of Supervisors.
- C. County Staff available to the Cannabis Dispensary Evaluation Committee, as applicable, shall be as follows:
1. Nevada County Code & Cannabis Compliance Department.

II. DEFINITIONS

The following words shall have the following definitions for the purpose of these Bylaws.

- A. “Board of Supervisors” is the Nevada County Board of Supervisors.
- B. “Cannabis Dispensary Evaluation Committee or Committee” is the Commercial Dispensary Evaluation Application Committee.
- C. “Staff” refers to staff members of the Nevada County Code & Cannabis Compliance Department.
- D. “Officers” is the Chairperson and Vice Chairperson.
- E. “Term” refers to a single 12-month calendar-year.

III. POWERS, RESPONSIBILITIES AND DUTIES

In accordance with the responsibilities assigned by Nevada County Board of Supervisors, the Cannabis Dispensary Evaluation Committee shall have the following responsibilities and duties:

- A. The Cannabis Dispensary Evaluation Committee shall respond to all Board of Supervisors communications and board orders and minute orders, as well as comply with all Federal, State and local regulations, including but not limited the Brown Act, California Fair Political Practices Commission regulations and all applicable noticing requirements related to the review and recommendations regarding land use issues.
- B. Establish the application process by which applicants shall submit their competitive application for a Retail Storefront Commercial Cannabis Dispensary, including the specific application and scoring criteria. The specific criteria and weighting (points per criteria) will be ratified by the Board of Supervisors prior to the commencement of the initial screening application period and posted publicly.
- C. Establish the specific scoring criteria that will be used to rank applications, for consideration by Cannabis Dispensary Evaluation Committee, including as outlined in Resolution No. Resolution No. 24.594, as adopted by the Nevada County Board of Supervisors, but not limited to the following:
 1. Previous cannabis business retail, medical-use dispensing, or cannabis cultivation operation experience that was subject to state cannabis regulation, or experience in a similarly state- regulated activity (by way of example and not limitation, alcohol sales).
 2. Ability to demonstrate the quality of cannabis strains and derivative product offerings.
 3. Employee training, standard operating procedures, online ordering systems and procedures for providing medical cannabis to disadvantaged or disabled persons.
 4. Security program.
 5. Pre-existing Nevada County Cannabis Business that has no outstanding code violations with the County and is in compliance with local and state laws.
 6. Ability to meet County of Nevada Western or Eastern Design Standards.
 7. Additional information demonstrates the ability to operate in a safe and responsible manner in the County, including without limitation a review of the quality and thoroughness of application materials, connection to Nevada County, ability to serve Nevada County, familiarity with the County, and innovative business models consistent with the Nevada County business community.

- D. The Cannabis Dispensary Evaluation Committee may establish additional bonus scoring criteria for those Commercial Cannabis Dispensaries applications which include business that are a women or minority owned, veterans owned or a local Nevada County owned business.
- E. The Cannabis Dispensary Evaluation Committee shall ensure that all competitive applications for consideration for a Retail Storefront Commercial Cannabis Dispensary are located within the North San Juan Rural Center and/or the Soda Springs Rural Center as identified by the Nevada County General Plan and in accordance with Nevada County Code Section 12.03.300 – Cannabis Cultivation.
- F. The Cannabis Dispensary Evaluation Committee shall notify the Clerk of the Board of Supervisors of any resignations and maintain a current membership roster.
- G. Such other functions, powers and duties as the Board of Supervisors shall be designated by Resolution and allowed by state law.

IV. Organization

- A. The Cannabis Dispensary Evaluation Committee shall consist of seven (7) members appointed by the Board of Supervisors with one (1) member being appointed by each Supervisor for Supervisorial Districts I, II, III and with two (2) members being appointed by each Supervisor within Supervisorial District IV and Supervisorial District V.
- B. Officers of the Cannabis Dispensary Evaluation Committee shall be chosen from and by current members of the Cannabis Dispensary Evaluation Committee and shall consist of the following:
 - 1. A Chairperson who shall be elected at the first meeting by majority vote of the members of the Cannabis Dispensary Evaluation Committee and preside at Cannabis Dispensary Evaluation Committee meetings, represent the Cannabis Dispensary Evaluation Committee and its position before County bodies, including the Planning Commission and Board of Supervisors and perform other tasks as necessary for the conduct of Cannabis Dispensary Evaluation Committee business.
 - 2. A Vice Chairperson who shall be elected at the first meeting by a majority vote of the members of the Cannabis Dispensary Evaluation Committee and who shall assume the duties of the Chairperson in their absence.
 - 3. The Chairperson and the Vice Chairperson shall serve at the will of the Committee for a one calendar year term, or until replaced by a majority vote of the Committee. No Cannabis Dispensary Evaluation Committee member shall be eligible for selection as Chairperson if they have served as the elected Chairperson for the two preceding fiscal years.

V. MEMBERSHIP

A. COMPOSITION OF CANNABIS DISPENSARY EVALUATION COMMITTEE AND QUALIFICATIONS OF MEMBERS

1. The Cannabis Dispensary Evaluation Committee shall consist of seven (7) members appointed by the Board of Supervisors with one (1) member being appointed by each Supervisor for Supervisorial Districts I, II, III and with two (2) members being appointed by each Supervisor within Supervisorial District IV and Supervisorial District V.
2. Each Cannabis Dispensary Evaluation Committee member shall serve at the pleasure of the appointing Supervisor and acknowledged by the Board of Supervisors.
3. All members shall reside in the Supervisorial District of their appointing Supervisor.
4. Members of the Cannabis Dispensary Evaluation Committee shall be of diverse / unique perspectives with a wide breadth of experience in but not limited to the following industries: cannabis, hospitality, local government licensing, social justice, drug policy reform, along with familiarity with Nevada County.
5. All members must be able to dedicate the time to attend meetings, actively participate in Cannabis Dispensary Evaluation Committee matters and otherwise perform duties enumerated in these Bylaws and assigned by the Cannabis Dispensary Evaluation Committee and/or the Board of Supervisors.
6. All Cannabis Dispensary Evaluation Committee members shall notify the Chairperson and Vice Chairperson within a reasonable period of time if they will not be in attendance of regular or special meetings to allow for the Chairperson to determine and approve the absence as an Excused Absence. Should a Cannabis Dispensary Evaluation Committee Member fail to notify the Chairperson and Vice Chairperson of their absence before a regular or special meeting within a reasonable period of time or the Chairperson determines and declines to approve the absence, then the absence shall be considered an Unexcused Absence and shall be notated within the meeting's records.
7. The Cannabis Dispensary Evaluation Committee shall always maintain a current membership roster available for inspection at its regular meetings.
8. All Cannabis Dispensary Evaluation Committee members shall be required, as required by State law, to complete and submit Proof of Participation Certificate of training that satisfies AB 1234 Ethics Education training every two years.

B. REMOVAL OF MEMBERS

1. For the following reasons, the Cannabis Dispensary Evaluation Committee may, by a Two-Thirds (2/3) majority vote at a properly noticed meeting, make a recommendation to the Board of Supervisors that a member be removed from the Cannabis Dispensary Evaluation Committee:
 - a. Unexcused absences of two (2) consecutive meetings or more than half the meetings in any 12-month period; or
 - b. For no cause by a Two Thirds (2/3) majority vote by the Cannabis Dispensary Evaluation Committee.
2. The Board of Supervisors may remove any Cannabis Dispensary Evaluation Committee member at their sole discretion at any time.
3. Upon resignation, Cannabis Dispensary Evaluation Committee members shall provide written notification to the Board of Supervisors, the Clerk of the Board of Supervisors Office and the Cannabis Dispensary Evaluation Committee of their resignation and its effective date.

VI. CONDUCT OF BUSINESS

A. QUORUM

1. Four (4) members of the Cannabis Dispensary Evaluation Committee present in person shall constitute a quorum and the actions of this quorum shall stand as the actions of the Cannabis Dispensary Evaluation Committee.
2. If there is not a quorum at any meeting of the Cannabis Dispensary Evaluation Committee, the Chairperson may adjourn the meeting or continue the meeting and refrain from discussion or action on items that require a vote. Items requiring a vote will automatically be placed on the agenda at the next regularly scheduled meeting.

B. MEETINGS

1. On not less than a yearly basis, beginning no sooner than 2025 and then continuing on a yearly basis, as needed, until two (2) competitive applications for Commercial Cannabis Dispensaries have been selected, the Cannabis Dispensary Evaluation Committee shall convene regular meetings.
2. Regular meetings of the Cannabis Dispensary Evaluation Committee may be established by Committee, and all meetings of the Cannabis Dispensary Evaluation Committee shall be at 6:00 p.m. on the third Thursday of the month, on an as needed basis. All meetings will be held in the Board of Supervisors Chambers at the Eric

Rood Administrative Center, 950 Maidu Avenue, Nevada City, California, unless otherwise noted or stated in written notice of meeting.

3. A Special Meeting may be called by the Chairperson or by a majority of the members of the Committee. Written notice of the Special Meeting shall be made either by personal delivery or mail and shall be received at least seventy-two (72) hours prior to the special meeting, by each member of the Committee and each local newspaper of general circulation, radio and television station requesting such notice in writing. Such written notice shall be posted at least seventy-two (72) hours prior to the special meeting on the public notice board at the Eric Rood Administrative Center, 950 Maidu Avenue, Nevada City, California.
 - a. The notice shall specify the time and place of the Special Meeting as well as the business to be transacted or discussed.
4. Members of the Cannabis Dispensary Evaluation Committee shall vote by roll call vote on any vote that requires action by the Committee, including, but not limited to voting on the establishment of the application process for a Commercial Cannabis Dispensary, specific scoring criteria and weighting (points per criteria) of the application and applicant to be selected to apply for a Use Permit for a Retail Commercial Cannabis Dispensary to the Nevada County Planning Department.
5. The Cannabis Dispensary Evaluation Committee shall abide by and comply with the Nevada County Board of Supervisors' Order and Decorum Policy when conducting themselves during meetings including but not limited to be prompt at meeting times, speaking when called upon by the Chair, not using e-communication devices during meetings (i.e. smartphones), not talking over on another, adhering to the Chair's requests, and being respectful on the public, Cannabis Dispensary Evaluation Committee members and County staff.
6. All Cannabis Dispensary Evaluation Committee regular and special meetings shall be open to the public and shall provide an opportunity for members of the public to directly address the Committee on any item of interest of the public which appear on the agenda and are under the purview of the Cannabis Dispensary Evaluation Committee.

C. OPEN MEETING LAW AND AGENDA

1. This Cannabis Dispensary Evaluation Committee is subject to the provisions of Government Code Sections 54950 – 54963 (Ralph M. Brown Act) and the Political Reform Act, Government Code Sections 81000, et. seq.
2. Notices and Agendas shall be published and distributed at least 72 hours before all regularly scheduled or special meetings.

3. All meetings shall allow for a public comment period to address the Committee on any items not on the Agenda. Individuals shall be allotted a three (3) minute time period and individuals representing an organization, entity or group of people shall be allotted five (5) minutes. For any item on the Agenda, a public comment period shall be allotted at the time the item is heard by the Committee. For any item that is not on the Agenda, public comment period shall be allotted as decided by the Chair and outlined in the Agenda for any given meeting.
4. The Cannabis Dispensary Evaluation Committee shall hold a public hearing if it is reviewing and selecting a proposed competitive application for a Retail Storefront Commercial Cannabis Dispensary, pursuant to Nevada County Code. The notice of the time and place, thereafter, including a general description of the locations of the proposed Retail Storefront Commercial Cannabis Dispensary, shall be given at least 10 days before the hearing. Such notice shall be given by publication once in the newspaper of general circulation published and circulated within the County. In addition to the notice by publication, the Committee may give notice of the hearing in such other manner as it may deem necessary or desirable. Any interested person may appear at such hearing and shall be heard.

D. CONFLICT OF INTEREST

1. In accordance with the Political Reform Act and other County policies, Commercial Cannabis Dispensary Evaluation Committee members shall disclose and recuse themselves from discussion and vote on any matter that they have a vested personal or financial interest in the recommendation outcome.
2. All Cannabis Dispensary Evaluation Committee members shall be required upon taking office, leaving office, and annually every in-year office, to submit a completed and signed Statement of Economic Interests – Form 700 either in hardcopy or electronically to the Nevada County Clerk of the Board, as required by State law.

E. COMPENSATION

1. All officers and members of this Cannabis Dispensary Evaluation Committee shall serve without compensation.

F. BOARD OF SUPERVISORS / COMMITTEE COMMUNICATION

Communication from the Cannabis Dispensary Evaluation Committee shall be accomplished as expeditiously, clearly and completely as reasonable. Available means for communication are as follows and shall be used as time and circumstances require, but typically in the following order:

1. Minutes prepared by staff, provided to the Nevada County Clerk of the Board of Supervisors upon approval by the Committee.

2. Periodic verbal and/or written reports to the Nevada County Clerk of the Board of Supervisors.
3. Ad-Hoc information exchange meetings between a Committee representative(s) and a Board of Supervisors representative(s).

G. AD-HOC COMMITTEES

1. There are not standing Ad-Hoc Committees of the Cannabis Dispensary Evaluation Committee. If constituted, Ad-Hoc Committees shall be advisory to the Cannabis Dispensary Evaluation Committee and operate under the same provision of these Bylaws unless otherwise noted. The Chairperson of the Cannabis Dispensary Evaluation Committee may appoint no more than two (2) members to serve on an Ad-Hoc Committee. Committee members shall be selected and serve on subcommittees on a voluntary basis.

VII. AMENDMENTS

A. Amendments to these Bylaws may be made as follows:

1. The proponent shall send the text of any proposed amendment to the Cannabis Dispensary Evaluation Committee Chairperson at least 10 days prior to any regularly scheduled meeting. The Chairperson may agendize the Bylaw amendment to the upcoming meeting or a future Committee meeting. The proponent shall have a scheduled time to present arguments followed by discussion and shall distribute copies of the Bylaw amendment to Committee members. The Committee may, by majority vote, refer the amendment to a subcommittee of the Cannabis Dispensary Evaluation Committee. Upon adoption, the Bylaws shall be submitted to the Board of Supervisors for approval.
2. Once the Bylaws amendment has been approved and ratified by the Board of Supervisors, a copy of the executed Bylaws shall be provided to the Cannabis Dispensary Evaluation Committee members.
3. Notwithstanding the above process and procedure, the Bylaws may be amended by the recommendation of the Board of Supervisors and/or County Counsel and approval and ratification by the Board of Supervisors.

VIII. APPROVAL OF BYLAWS

- A. These Bylaws may be approved or amended by the recommendation of the Board of Supervisors of the Committee and shall be approved and ratified by the Board of Supervisors.

- B. Upon ratification of these Bylaws by the Board of Supervisors, an original and signed copy shall be filed with the Clerk of the Board of Supervisors of Nevada County.

IX. APPROVAL AND RATIFICATION

Matthew Kelley
Director
County of Nevada Code & Cannabis
Compliance Department

Dated: _____

Katharine Elliott
County of Nevada County Counsel

Dated: _____

Heidi Hall, Chair
County of Nevada Board of Supervisors

Dated: _____



RESOLUTION No. 24-594

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION APPROVING THE ADOPTION OF A COMPETITIVE APPLICATION SELECTION PROCESS FOR UP TO TWO COMMERCIAL CANNABIS DISPENSARIES AND THE ESTABLISHMENT OF COMMERCIAL CANNABIS DISPENSARY APPLICATION EVALUATION COMMITTEE

WHEREAS, the Nevada County Board of Supervisors adopted Ordinance No. 2467 to add Section L-II 3.30 to Article 3 of Chapter II of the Nevada County Land Use and Development Code regarding Cannabis Cultivation at their regular meeting of May 14, 2019; and

WHEREAS, the Nevada County Board of Supervisors adopted Ordinance No. 2156 at their regular meeting of January 10, 2023 to amend Article 3 of Chapter II of the Nevada County Land Use and Development Code, Section L-II 3.30 – Cannabis Cultivation; and

WHEREAS, the Nevada County Board of Supervisors adopted Ordinance No. 2535 at their regular meeting of April 23, 2024, to amend and renumber all sections of the Nevada County Administrative, General and Land Use Codes and renumbered Article 3 of Chapter II of the Nevada County Land Use and Development Code Section L-II 3.30 – Commercial Cannabis Cultivation to be known as Nevada County Code, Title 12 - Zoning Regulations, Chapter 3 – Specific Land Uses, Section 12.03.300 – Cannabis Cultivation; and

WHEREAS, at their regular meeting of November 12, 2024, the Nevada County Board of Supervisors adopted Ordinance No. 2538 amending Section 12.03.300 – Cannabis Cultivation making amendments to the Section to allow additional cannabis cultivation uses and to allow for Commercial Cannabis Dispensaries; and

WHEREAS, Nevada County Code Section 12.03.300 Cannabis Cultivation authorizes the establishment of a competitive application selection process for up to two (2) Cannabis Dispensaries to be located in M1, BP, C1 or C2 Zoning Districts and only in the North San Juan Rural Center and/or the Soda Springs Rural Center as identified by the General Plan, with a maximum of one (1) Cannabis Dispensary being allowed per area / region.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Nevada County Board of Supervisors establishes the Commercial Cannabis Dispensary Application Evaluation Committee, and the competitive application selection process as outlined in Exhibit A attached hereto.

Exhibit A

Commercial Cannabis Dispensary Application Evaluation Committee

1. A Commercial Cannabis Dispensary Application Evaluation Committee is established consisting of seven (7) members; one (1) to be appointed by each Supervisor for his or her Supervisorial District, with two (2) members being appointed by each Supervisor within Supervisorial District IV and Supervisorial District V. Each Commercial Cannabis Dispensary Application Evaluation Committee appointee shall serve at the pleasure of the appointing Supervisor. The Commercial Cannabis Application Evaluation Committee appointee shall be of diverse / unique perspectives with a wide breadth of experience in cannabis, hospitality, design, local government licensing, social justice, drug policy reform, as well as familiarity with Nevada County.
2. The Commercial Cannabis Dispensary Application Evaluation Committee shall meet on an as needed basis to review submitted competitive Commercial Cannabis Dispensary applications and shall establish a merit-based approach to selecting the most qualified applicants to apply for a Use Permit for a Cannabis Dispensary. All meetings of the Commercial Cannabis Dispensary Application Evaluation Committee shall be open to the public.

Application Period, Scoring, and Review:

1. There shall be an initial 30-day Commercial Cannabis Dispensary screening application period to be determined by the Community Development Agency Director, or designee. Subsequent Commercial Cannabis Dispensary screening application periods would commence upon determination by the Community Development Agency Director, or designee, that additional Commercial Cannabis Dispensary applications are available and would close 30 days after such determination.
 - a. The Commercial Cannabis Dispensary Application Evaluation Committee as appointed by the Nevada County Board of Supervisors shall establish the application process by which applicants shall submit their competitive application for a Commercial Cannabis Dispensary and scoring criteria. The specific criteria and weighting (points per criteria) will be ratified by the Board of Supervisors prior to the commencement of the initial screening application period and posted publicly. Each application will be independently scored by the evaluation committee members.
 - b. An application review fee for the review of each competitive application for a Commercial Cannabis Dispensary shall be established as allowed by the most recent Fee Schedule of the Nevada County Board of Supervisors and as may be amended from time to time by Resolution of the Nevada County Board of Supervisors.

On not less than a yearly basis, beginning no sooner than 2025 and then continuing on a yearly basis, until two (2) competitive applications for Commercial Cannabis Dispensaries have been selected, the 30-day competitive application period, shall be opened, as determined by the Community Development Agency Director, or their designee.

- c. A competitive application for a Commercial Cannabis Dispensaries, shall only be considered for evaluation by the Evaluation Committee within the locations outlined in Nevada County Code Section 12.03.300 – Cannabis Cultivation.
2. The following general criteria would be used to rank applications, for consideration by the Commercial Cannabis Dispensary Application Evaluation Committee, or as established by the Evaluation Committee, as outlined above:
 - a. Previous cannabis business retail, medical-use dispensing, or cannabis cultivation operation experience that was subject to state cannabis regulation, or experience in a similarly state- regulated activity (by way of example and not limitation, alcohol sales).
 - b. Ability to demonstrate the quality of cannabis strains and derivative product offerings.
 - c. Employee training, standard operating procedures, online ordering systems and procedures for providing medical cannabis to disadvantaged or disabled persons.
 - d. Security program.
 - e. Pre-existing Nevada County Cannabis Business that has no outstanding code violations with the County and is in compliance with local and state laws.
 - f. Ability to meet County of Nevada Western or Eastern Design Standards.
 - g. Additional information that demonstrates the ability to operate in a safe and responsible manner in the County, including without limitation a review of the quality and thoroughness of application materials, connection to Nevada County, ability to serve Nevada County, familiarity with the County, and innovative business models consistent with the Nevada County business community.
 - h. The Application Evaluation Committee may establish additional bonus scoring criteria for those Commercial Cannabis Dispensaries applications which include business that are a women or minority owned, veterans owned or a local Nevada County owned business.
3. Prior to scoring applications County staff shall review applications for general compliance with the County's Land Use and Development Code or any other applicable laws and shall reject any application which does not meet such requirements. Rejected applications shall not be scored. The County shall also disqualify any application that contains any false or misleading information.
4. The scores awarded by the application evaluation committee shall be totaled and averaged for each applicant. The applicants shall then be ranked from highest to lowest based on their scores.
5. The top scoring application within each evaluation period, based on total points awarded, will be invited to apply for Use Permit, for a Commercial Cannabis Dispensary as outlined in Nevada County Code Section 12.03.300 – Cannabis Cultivation and Section 12.05.060 – Use

Permits from the Nevada County Planning Department after being notified that their application has been accepted and ranked as the top scoring application.

6. If any of the top-ranking applicants have not applied for a Use Permit to the Nevada County Planning Department within 12 months of the County notifying them, they are the top scoring application, their ability to obtain a Use Permit, shall terminate.
7. Applicants that have an approved Use Permit for a Retail Commercial Cannabis Dispensary issued by the County shall obtain a license from the state, as well as any other required local permits from the County (i.e. building permits) or other local agencies prior to operating a retail dispensary cannabis business in the County.
8. Request for an appeal of the top scoring applicant, as selected by the Retail Commercial Cannabis Application Evaluation Committee, shall be made in writing as outlined in Nevada County Code Section 12.05.220.N - Request for Administrative Hearing and the Administrative Hearing shall be conducted in accordance with the requirements of Nevada County Code Section 12.05.220.O - Administrative Hearing.



RESOLUTION No. 24-594

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION APPROVING THE ADOPTION OF A COMPETITIVE APPLICATION SELECTION PROCESS FOR UP TO TWO COMMERCIAL CANNABIS DISPENSARIES AND THE ESTABLISHMENT OF COMMERCIAL CANNABIS DISPENSARY APPLICATION EVALUATION COMMITTEE

WHEREAS, the Nevada County Board of Supervisors adopted Ordinance No. 2467 to add Section L-II 3.30 to Article 3 of Chapter II of the Nevada County Land Use and Development Code regarding Cannabis Cultivation at their regular meeting of May 14, 2019; and

WHEREAS, the Nevada County Board of Supervisors adopted Ordinance No. 2156 at their regular meeting of January 10, 2023 to amend Article 3 of Chapter II of the Nevada County Land Use and Development Code, Section L-II 3.30 – Cannabis Cultivation; and

WHEREAS, the Nevada County Board of Supervisors adopted Ordinance No. 2535 at their regular meeting of April 23, 2024, to amend and renumber all sections of the Nevada County Administrative, General and Land Use Codes and renumbered Article 3 of Chapter II of the Nevada County Land Use and Development Code Section L-II 3.30 – Commercial Cannabis Cultivation to be known as Nevada County Code, Title 12 - Zoning Regulations, Chapter 3 – Specific Land Uses, Section 12.03.300 – Cannabis Cultivation; and

WHEREAS, at their regular meeting of November 12, 2024, the Nevada County Board of Supervisors adopted Ordinance No. 2538 amending Section 12.03.300 – Cannabis Cultivation making amendments to the Section to allow additional cannabis cultivation uses and to allow for Commercial Cannabis Dispensaries; and

WHEREAS, Nevada County Code Section 12.03.300 Cannabis Cultivation authorizes the establishment of a competitive application selection process for up to two (2) Cannabis Dispensaries to be located in M1, BP, C1 or C2 Zoning Districts and only in the North San Juan Rural Center and/or the Soda Springs Rural Center as identified by the General Plan, with a maximum of one (1) Cannabis Dispensary being allowed per area / region.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Nevada County Board of Supervisors establishes the Commercial Cannabis Dispensary Application Evaluation Committee, and the competitive application selection process as outlined in Exhibit A attached hereto.

Exhibit A

Commercial Cannabis Dispensary Application Evaluation Committee

1. A Commercial Cannabis Dispensary Application Evaluation Committee is established consisting of seven (7) members; one (1) to be appointed by each Supervisor for his or her Supervisorial District, with two (2) members being appointed by each Supervisor within Supervisorial District IV and Supervisorial District V. Each Commercial Cannabis Dispensary Application Evaluation Committee appointee shall serve at the pleasure of the appointing Supervisor. The Commercial Cannabis Application Evaluation Committee appointee shall be of diverse / unique perspectives with a wide breadth of experience in cannabis, hospitality, design, local government licensing, social justice, drug policy reform, as well as familiarity with Nevada County.
2. The Commercial Cannabis Dispensary Application Evaluation Committee shall meet on an as needed basis to review submitted competitive Commercial Cannabis Dispensary applications and shall establish a merit-based approach to selecting the most qualified applicants to apply for a Use Permit for a Cannabis Dispensary. All meetings of the Commercial Cannabis Dispensary Application Evaluation Committee shall be open to the public.

Application Period, Scoring, and Review:

1. There shall be an initial 30-day Commercial Cannabis Dispensary screening application period to be determined by the Community Development Agency Director, or designee. Subsequent Commercial Cannabis Dispensary screening application periods would commence upon determination by the Community Development Agency Director, or designee, that additional Commercial Cannabis Dispensary applications are available and would close 30 days after such determination.
 - a. The Commercial Cannabis Dispensary Application Evaluation Committee as appointed by the Nevada County Board of Supervisors shall establish the application process by which applicants shall submit their competitive application for a Commercial Cannabis Dispensary and scoring criteria. The specific criteria and weighting (points per criteria) will be ratified by the Board of Supervisors prior to the commencement of the initial screening application period and posted publicly. Each application will be independently scored by the evaluation committee members.
 - b. An application review fee for the review of each competitive application for a Commercial Cannabis Dispensary shall be established as allowed by the most recent Fee Schedule of the Nevada County Board of Supervisors and as may be amended from time to time by Resolution of the Nevada County Board of Supervisors.

On not less than a yearly basis, beginning no sooner than 2025 and then continuing on a yearly basis, until two (2) competitive applications for Commercial Cannabis Dispensaries have been selected, the 30-day competitive application period, shall be opened, as determined by the Community Development Agency Director, or their designee.

- c. A competitive application for a Commercial Cannabis Dispensaries, shall only be considered for evaluation by the Evaluation Committee within the locations outlined in Nevada County Code Section 12.03.300 – Cannabis Cultivation.
2. The following general criteria would be used to rank applications, for consideration by the Commercial Cannabis Dispensary Application Evaluation Committee, or as established by the Evaluation Committee, as outlined above:
 - a. Previous cannabis business retail, medical-use dispensing, or cannabis cultivation operation experience that was subject to state cannabis regulation, or experience in a similarly state- regulated activity (by way of example and not limitation, alcohol sales).
 - b. Ability to demonstrate the quality of cannabis strains and derivative product offerings.
 - c. Employee training, standard operating procedures, online ordering systems and procedures for providing medical cannabis to disadvantaged or disabled persons.
 - d. Security program.
 - e. Pre-existing Nevada County Cannabis Business that has no outstanding code violations with the County and is in compliance with local and state laws.
 - f. Ability to meet County of Nevada Western or Eastern Design Standards.
 - g. Additional information that demonstrates the ability to operate in a safe and responsible manner in the County, including without limitation a review of the quality and thoroughness of application materials, connection to Nevada County, ability to serve Nevada County, familiarity with the County, and innovative business models consistent with the Nevada County business community.
 - h. The Application Evaluation Committee may establish additional bonus scoring criteria for those Commercial Cannabis Dispensaries applications which include business that are a women or minority owned, veterans owned or a local Nevada County owned business.
3. Prior to scoring applications County staff shall review applications for general compliance with the County's Land Use and Development Code or any other applicable laws and shall reject any application which does not meet such requirements. Rejected applications shall not be scored. The County shall also disqualify any application that contains any false or misleading information.
4. The scores awarded by the application evaluation committee shall be totaled and averaged for each applicant. The applicants shall then be ranked from highest to lowest based on their scores.
5. The top scoring application within each evaluation period, based on total points awarded, will be invited to apply for Use Permit, for a Commercial Cannabis Dispensary as outlined in Nevada County Code Section 12.03.300 – Cannabis Cultivation and Section 12.05.060 – Use

Permits from the Nevada County Planning Department after being notified that their application has been accepted and ranked as the top scoring application.

6. If any of the top-ranking applicants y have not applied for a Use Permit to the Nevada County Planning Department within 12 months of the County notifying them, they are the top scoring application, their ability to obtain a Use Permit, shall terminate.
7. Applicants that have an approved Use Permit for a Retail Commercial Cannabis Dispensary issued by the County shall obtain a license from the state, as well as any other required local permits from the County (i.e. building permits) or other local agencies prior to operating a retail dispensary cannabis business in the County.
8. Request for an appeal of the top scoring applicant, as selected by the Retail Commercial Cannabis Application Evaluation Committee, shall be made in writing as outlined in Nevada County Code Section 12.05.220.N - Request for Administrative Hearing and the Administrative Hearing shall be conducted in accordance with the requirements of Nevada County Code Section 12.05.220.O - Administrative Hearing.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 12th day of November 2024, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward C. Scofield, Lisa Swarouth, Susan Hoek, and Hardy Bullock.

Noes: None.

Absent: None.

Abstain: None.

Recuse: None.

ATTEST:

TINE MATHIASSEN
Chief Deputy Clerk of the Board of Supervisors

By: 


Hardy Bullock, Chair