

1 **NEVADA COUNTY PLANNING COMMISSION**
2 **NEVADA COUNTY, CALIFORNIA**

3
4 **MINUTES** of the meeting of December 8, 2022 1:30 p.m., Board Chambers, Eric Rood Administration
5 Center, 950 Maidu Avenue, Nevada City, California
6

7
8 **MEMBERS PRESENT:** Commissioners Greeno, Mastrodonato, Duncan and Ingram
9

10 **MEMBERS ABSENT:** Commissioner Milman
11

12 **STAFF PRESENT:** Planning Director Brian Foss, Principal Planner, Tyler Barrington, Deputy County
13 Counsel, Rhetta VanderPloeg, Administrative Assistant, Shelley Romriell
14

15
16 **PUBLIC HEARINGS:**

- 17
18 1. Cannabis Ordinance Amendment
19 PLN22-0160; ORD22-2; EIS22-0012
20

21 **STANDING ORDERS:** Salute to the Flag - Roll Call - Corrections to Agenda.
22

23 **CALL MEETING TO ORDER:** The meeting was called to order at 1:31 p.m. Roll call was taken.
24

25 **CHANGES TO AGENDA :** Chair Duncan asked if there are any corrections to the agenda.
26

27 Director Brian Foss advised there were no changes to the agenda.
28

29 **PUBLIC COMMENT:** Members of the public shall be allowed to address the Commission on items not
30 appearing on the agenda which are of interest to the public and are within the subject matter jurisdiction of
31 the Planning Commission, provided that no action shall be taken unless otherwise authorized by
32 Subdivision (6) of Section 54954.2 of the Government Code. None
33

34 Chair Duncan opened public comment at 1:31pm and with none coming forward, closed public comment
35 at 1:31pm
36

37 **COMMISSION BUSINESS:** None
38

39 **CONSENT ITEMS:**

- 40
41 1. Acceptance of the 2022-05-26 Planning Commission Hearing Minutes
42 *Approved*
43
44 2. Acceptance of the 2022-08-25 Planning Commission Hearing Minutes
45 *Approved*
46
47 3. Acceptance of the 2022-10-27 Planning Commission Hearing Minutes
48 *Approved*
49

50 **PUBLIC HEARING:**
51

52 **1:30 p.m. PLN22-0160; ORD22-2; EIS22-00012:** The project is a Zoning Ordinance amendment to
53 Section L-II 3.30 of Chapter II Zoning Regulations to amend the County's Commercial Cannabis

54 Cultivation Ordinance. The draft ordinance proposes the following general changes in addition to other
55 minor changes, clarifications, and clean-up: 1) Allow adult use cultivation in addition to medical use
56 cultivation. 2) Combine Commercial Cannabis Permit (CCP) and Administrative Development Permit
57 (ADP) application/permitting process. 3) Add standards and requirements for additional license types for
58 distribution, non-volatile manufacturing, microbusinesses, and retail sales. 4) Remove onsite residence
59 requirement for adjacent parcels included in common ownership or control of overall Premises. 5) Allow a
60 percentage of Support Area to be used for additional Canopy Area and/or manufacturing/distribution
61 operations. 6) Allow aggregate parcel sizes of multiple parcels to be used to calculate allowed maximum
62 canopy sizes. 7) Modification to setback requirements to increase setbacks for larger cultivation sites,
63 modify setbacks to sensitive sites to be consistent with State requirements, and modify setbacks for shared
64 property lines of a Premises. 8) Add parking requirements. **PROJECT LOCATION:** Countywide.
65 **RECOMMENDED ENVIRONMENTAL DETERMINATION:** Recommend adoption of the 15164
66 Addendum to Environmental Impact Report (EIR18-0001, SCH#2018082023) and CEQA Findings.
67 **RECOMMENDED PROJECT ACTION:** Recommend approval and adoption of the Nevada County
68 Commercial Cannabis Cultivation Ordinance amendments to the Board of Supervisors. **PLANNER:** Brian
69 Foss, Planning Director

70
71 Director Foss began his presentation and introduced Brad Stoneman and Alex Jewell, project consultants
72 from Kimley-Horn and Associates who prepared the Environmental document for the proposed Cannabis
73 Ordinance Amendment. Director Foss provided a background of the Cannabis Ordinance and provided a
74 detailed explained the proposed amendments to the Ordinance.

75
76 Brad Stoneman provided explanation of the California Environmental Quality Act (CEQA) and the
77 proposed Addendum. Mr. Stoneman explained the addendum is used for a previously approved project are
78 updated or modified and attached to the previously certified Final Environmental Impact Report. Mr.
79 Stoneman explained CEQA section 15162 to determine if an addendum can be used. Mr. Stoneman
80 described the specific changes to the project in relation to all the environmental issue elements such as
81 Aesthetics, Air Quality and GHG Evaluation, Biological Resources, Transportation and explained the
82 Addendum findings.

83
84 Director Foss and Brad Stoneman concluded their presentation and offered to answer any questions.

85
86 Discussion was had between the Commissioners and Staff regarding setbacks and resources that may affect
87 the setbacks along with the significant impact identified for odor of Cannabis which was accepted and
88 adopted with the original EIR.

89
90 Chair Greeno opened for public comment.

91
92 Elise Timony spoke in terms of the reduction in price for Cannabis and the need for retail sales and the
93 benefit to the Cannabis farmer, the benefit of microbusinesses and in support of the Cannabis amendment.

94
95 Andrea McKim spoke for Pat Holten, who was unable to speak, and who is representing the Sunshine
96 Valley Association. She explained their HOA recently passed CC&R's amendments which would prohibit
97 Commercial Cannabis business and asked for the amendment to be denied.

98
99 Wade Lofter spoke in terms of medicinal cannabis and the benefits it provides to cancer patients. The
100 farmers, that are obeying the rules and trying to make it work legally and the Ordinance Amendment ensure
101 that patients like himself have access to legal and safe cannabis. He explained the local dispensary provides
102 medicinal cannabis at no cost because of donations from the farmers. He strongly supports the Cannabis
103 Amendment.

104
105 Debbie Porter, who is representing the Golden Oaks Homeowners Association, spoke in opposition to the
106 amendment and stated private roads that are paid for and maintained by residents are being overused by
107 increased traffic to Cannabis grows. The increased traffic can increase the risk of fire as well as the electrical

108 load used at the Cannabis grow sites. Ms. Porter spoke of many hazards the cannabis grows are creating
109 including skin conditions, allergies, and eye issues along with neurological issues. She stated the cannabis
110 industry is not doing well and are asking for the County to save them and why the community is being
111 asked to support the Cannabis growers so they can support themselves. Ms. Porter asked for the Board and
112 Planning Commission not to approve this. There is too much cannabis, and the market is saturated.

113
114 Clarissa Rosario introduced herself as a Golden Oaks resident. She stated there are increased traffic on the
115 roads however, there has not been a road traffic studies done to indicate if the roads are truly being impacted.
116 She stated there are other environmental odors that can not be controlled such as wildfire odors. She stated
117 the State and Nevada County support the right to farm and asked that the Board of Supervisors and Planning
118 Commission approve this amendment and contrary to previous comments, she too has the support of many
119 residents in Golden Oaks.

120
121 Patrick Mason, Fire Captain with Nevada County Consolidated Fire District, stated his concerns with the
122 nonvolatile extraction process and the use of ethanol which is a Class 1B flammable liquid. His concerns
123 revolve around the use of ethanol and would like to see these types of businesses in more of an industrial
124 type of area instead of on private roads which can increase the response times of emergency services and
125 often have reduced water availability. He also stated the applications do not always indicate the amount of
126 employees/third party contractors that are on site working. For life protection, it's imperative they are aware
127 of the true number of employees and cars on the property.

128
129 Gianna Setoudeh, representing the South Yuba River Citizens League, spoke in support of the
130 Amendment and explained their participation and support of the Cannabis Cultivation Industry and their
131 work towards the application and permitting process to support a watershed friendly cultivation
132 community.

133
134 Scott Galbraith introduced himself and spoke in support of microbusinesses and cannabis cultivation
135 industry. He stated he is in support of the Cannabis amendment and to allow the ability for farmers to
136 educate on the sustainable farming practices in the Cannabis Industries. He asked for the Planning
137 Commission to recommend approval to the Board of Supervisors.

138
139 Menkin Nelson introduced herself and stated she believe the changes proposed are in line with the
140 community's needs and appreciates the awareness towards the fledgling industry and the value it adds to
141 our economy. She stated there are four areas of concern; Microbusinesses with retail allowed 1000sf outside
142 of the support area. Proposed verbiage states that 1000sf of retail space would be considered as part of the
143 support area, however the general plan already allows for retail on AG land, so why constrain it to the limits
144 of the EIR. Many operational cultivation sites have built their support buildings to the 90% limit and are
145 utilizing all the space for the support activities, as intended. Additional 1000sf retail stores would only add
146 revenue into the county, with the potential for cross county retail near county lines and revenue generating
147 construction. Additionally, retail spaces have different CA Building code requirements than storage, so
148 many of the existing cannabis support buildings would not meet those requirements. An ability to conduct
149 an independent Environmental Impact Review would move cultivation outside of AG zoning and away
150 from established neighborhoods. The definition of Support Area should not include water tanks; it forces
151 cultivators to play a square footage game that will directly reduce the amount of water accessible to local
152 fire districts and the revised set back rules should only apply to new applicants, as they directly prohibit
153 established cultivators from expanding; only giving the larger square foot benefit to new cultivators. She
154 also stated there should only be a 100' setback to support facilities that are enclosed, have filtered
155 ventilation and are non-light producing, as they do not show any exterior signs of cannabis use and already
156 have a setback distance 3 times that of other non-descript commercial structures.

157
158 Lex Corwin owns and operates a cannabis farm and spoke in support of the Cannabis Ordinance
159 Amendment and stated the increased canopy size is essential to allow farmers to continue to grow their

160 business and employ more Nevada County residents. He would also like to support the setbacks for new
161 cultivation sites and not for existing licensed farms.
162

163 Chris Hennis, Owner of Rock Creek Ranch, spoke in support of the Cannabis Ordinance Amendment as
164 Cannabis is the largest growing crop in Nevada County. Cannabis is a very efficient crop and can produce
165 approximately \$66,000 worth of product per acre as opposed to fruit and vegetables which produce
166 approximately \$13,000 per acre. With water being a major concern due to the drought, the dollar value of
167 Cannabis product produced per gallon of water is much higher than any other product. It is imperative that
168 small craft farmers can compete on a competitive level with other legal grows within the State. The state
169 setbacks are 600 feet however the County setbacks are 1000 feet which reduces the amount a farmer can
170 produce. He asked for the County to align itself with State setbacks and approve this amendment.
171

172 Todd McIntyre stated there needs to be an environmental report for the large amount of water used for
173 Cannabis grows and it doesn't make sense to increase the grow areas. How is the County going to regulate
174 illegal grows and how is the County going to distribute the revenue correctly.
175

176 Susan Street, 33-year resident of Golden Oaks, stated there is a large cannabis grow near her, another one
177 further up the road with a 3rd one going in. She stated there was an issue with the odor in her neighborhood
178 and requested they do something to mitigate that. She continued by stating the growers were able to install
179 a system that has decreased the smell. However, the odor in Nevada County, has now become a year-round
180 smell. She is concerned why special accommodations are being made for Cannabis grow or Cottage
181 Business. As a former business owner, she stated when the economy took a turn there were no special
182 accommodations for their business, so why is the County allowing these accommodations to help Cannabis
183 growers and not other businesses.
184

185 Pamela Emick spoke in opposition to the amendment and stated the County should be requesting CC&R's
186 to be considered when applications are submitted for Cannabis grows. She stated Cannabis permits should
187 not negate the CC&R's that homeowners are legally bound to. She also stated the Cannabis growers are
188 using NID water however workers are constantly using self-maintained roads and the neighborhood should
189 not have to support the public using their private roads. She is also concerned about the ingredients that are
190 toxic and require ventilation which will impact the neighbors. She recommends that the Amendment should
191 be negated, and the original Ordinance was never approved by the public.
192

193 Abraham Lewinsky, District IV resident, spoke in support of the Amendment, as the owner/operator of
194 Green Hummingbird farm. He thanked the County for all their hard work and recommended this
195 amendment be approved. He is concerned about the 150-foot setback as small farms need the increased
196 canopy size. He would like the existing businesses to be grandfathered in to keep the 100-foot setback.
197

198 David Cooper spoke in support of the Amendment, as a farmer, and owner/operator of Hillcraft Farms,
199 appreciates the pathway the County has created for Cannabis farms. He described his farm which included
200 vegetables, horses, chickens, and Cannabis. He advised many farmers take sustainability seriously and
201 requested business flexibility and the ability to continue to grow the Cannabis Industry. He also requested
202 the new setbacks to be applied to new applications only as it would cause a great deal of strain on existing
203 farmers.
204

205 Dr. Carolyn Johnson, representing the John Born Road Association, spoke in opposition to the amendment
206 due to the original ordinance being a failure and stated this amendment is a band-aid and will not solve the
207 problem. The Cannabis economy has collapsed, and the reality is, the market is owned by large growers
208 within the State, that have large industrial complexes. Our local growers can't make a living without selling
209 to out of state locations in which Cannabis is outlawed. She stated the Supervisors should be representing
210 both residents and growers instead of just the growers. She referenced a grand jury report that stated 3500-
211 4500 grows existed with a compliance rate of 2%. The enforcement of illegal grows is relied upon by
212 citizens making reports and are usually required to make 14-15 reports before action is taken. She
213 recommends the Ordinance needs to go back to the drawing board and also feels proper notification is not

214 being given to property owners. She stated her HOA is 50% of growers and will not vote to allow any
215 changes to their CC&R's. She is concerned about the heavy road usage and vehicles used.
216

217 Barbara Bashall, who works for the Nevada County Contractors Association, spoke in opposition to the
218 amendment due to large impacts to the community. She stated there needs to be provisions to reduce these
219 impacts. Her concerns include increased canopy size, manufacturing and retail licenses which are going to
220 increase traffic and odor smells in the neighborhoods. She stated there are areas in the County that are more
221 appropriate for Cannabis grows than subdivisions which will impact quality of life. She requested an
222 overlay zoning map prohibiting Cannabis in certain areas of the County. There is a large conflict in uses in
223 neighborhoods. She is concerned that the County does not enforce CC&Rs, so it places a large burden on
224 the neighborhood to take legal action against the growers.
225

226 Donna Jones, Penn Valley resident, spoke in opposition because she feels it does not address significant
227 impacts to ground water. There are areas that rely on wells and there is a large increase of failed wells not
228 only in Nevada county, but also within the State. She stated continued water issues have prohibited some
229 grows from being successful. She stated the County should also publish where the legal grows are and it
230 prohibits neighbors from knowing if the grow near them is legal or illegal. The increased setback will place
231 a burden on neighbors and code compliance to target illegal grows for compliance.
232

233 David Cundiff, Co-Owner of Sugarfoot Farms, spoke in support for the Cannabis Ordinance and
234 Amendment. He stated the current legislation mostly supports bulk wholesale where the farmers are made
235 to outsource their product to other Cannabis businesses along the supply chain and the farmer is unaware
236 of where their product ends up after leaving their farm. Farmers being able to take their own crops to market
237 is fundamental. If cultivators can manufacture and package on site will make the farms more sustainable
238 by using less packaging and countless gallons of gas for transporting product to other Cannabis businesses.
239

240 Brandon Reppond, licensed Cannabis farmer in North San Juan, spoke in support of the amendment and
241 feels the County is finally working towards making Cannabis a viable and sustainable industry. He has
242 worked with the County on so many buildings code and land use issues to become a licensed farmer. He
243 supports microbusinesses as it will help the farmers to become a complete self-sufficient Cannabis business.
244 Viability of Cannabis businesses is greatly increased when the profits are allowed to stay on the farm. He
245 stated they are only asking for and needing the same tools as every other farmer.
246

247 Sebastian Gotla, Owner/Operator of Foothill River Farms, and a long-time resident of Nevada Count
248 supports the Cannabis Ordinance and amendment. He has a small farm that takes pride in improving the
249 lives of members in the community. When the original Ordinance was created, it was with the understanding
250 it would be amended over time to include other licenses and now is the time to amend the ordinance. He
251 supports allowing flowering plants over non-flowing plants that will allow farmers to increase productivity
252 and could also add revenue to the business and to the local economy.
253

254 Barbara Johns owns a permitted Cannabis farm and is proud of the progress they have made as legal
255 farmers. They are commercial farmers with slim margins working in compliance with honesty and hard
256 labor supports the approval of the Cannabis amendment to help local farmers. She finds it would be
257 beneficial to use some of the support area for maturing and flowering plants which could allow farmers to
258 be profitable. They advocate the new setbacks for new farms only and allow current farmers to keep their
259 current setbacks, so farmers are not required to move their entire farms 50 feet.
260

261 Diana Gamzon, Executive Director of the Cannabis Alliance, stated they are a trade organization
262 representing over 200 cannabis businesses. She stated over 20% of all Organic Certified farms are located
263 in Nevada Count. She stated the changes will provide the tools necessary to modestly adjust their business
264 plans to adjust to the growing industry. In 2019, the Ordinance was passed as a cultivation only Ordinance
265 with the knowledge that certain business licenses would be allowed in the future. The Cannabis Industry is
266 not asking to be saved, or saying the industry is struggling, they are here as a continuance of the Ordinance
267 development process. She stated they are looking at ways for the Ordinance to be amended to add the tools

268 that all farmers have. Any changes to setbacks need to apply to new applications only as moving an existing
269 canopy could cause more land disturbance and environmental impacts. She stated type 6 manufacturing is
270 creating salves, tinctures, bath salts and it is not large-scale manufacturing on the farm.

271
272 John Foley, River Star Ranch Owner, is a Cannabis and Cattle farmer in South County and supports the
273 Cannabis Ordinance and amendment being presented. He stated there needs to be a commonsense approach
274 to Cannabis farming and stated its time to move forward and recommend the adoption of the Ordinance to
275 the Board of Supervisors.

276
277 Maggie Phillips Born stated the Cannabis Industry would love to be seen as any other farming industry that
278 is allowed to be seen as agriculture with access to banking, loans and tax breaks and said they are only
279 asking for tools to be able to operate just as any other business is allowed to operate. She supports the
280 approval of the Amendment.

281
282 Chair Greeno closed public comment.

283
284 Discussion was had between Commissioners and Staff to address some of the questions that were asked.
285 Director Foss advised 2/3 of the roads in the County are private roads and the County maintains
286 approximately 1/3 of the roads and the County requires the property to prove they have legal access to the
287 road, private or not, to receive a permit. He stated retail sales is applied through a Use Permit. He advised
288 the water use issue was studied in 2019, in the original EIR, The County does not regulate ground water
289 use for any type of agricultural or residential use. Water use was identified as a significant impact in the
290 original EIR and similar to the odor issue, it was disclosed and after consideration, was adopted by the
291 Board of Supervisors. He stated the fire departments are included in the review process of Use Permits and
292 the local fire departments can apply more substantial protection for life and safety, it would be enforced
293 with a licensed and permitted farm. He advised the application does ask for the farmers to disclose the
294 amount of full and part time employees however, if it is not being reported correctly, it is not a flaw in the
295 Ordinance. The intention of the new setbacks would apply to new applicants and expansions of existing
296 farms, but existing farms do not need to move their support areas. However, any new canopy or support
297 area would be required to meet the new setbacks. He stated Code Compliance is not 100% complaint driven
298 and the 3 Cannabis Compliance officers are being directed to be more proactive in recent Board of
299 Supervisor hearings. Director Foss advised the County does not enforce or ensure compliance with CC&Rs
300 and the change in language is a recommendation and disclosure to applicants to be aware that they need to
301 comply with their CC&Rs and they could be subject to a law suit. The County is not in a roll to approve or
302 deny an application based on private homeowners' association rules and guidelines. He stated the Board of
303 Supervisors meeting will be noticed on the website, mail, email and through the media. However, with
304 65,000 parcels in the County, we are unable to mail 65,000 notices.

305
306 Discussion was had between Commissioners and Staff regarding the original Ordinance and the intention
307 for the Ordinance to be amended and this is not a sudden unplanned change to the Ordinance.

308
309 Commissioner Duncan asked if the County could address the CC&R issue to give the Homeowners
310 Association more support and reduce the burden on residents to have to take legal action against other
311 residents. She asked if we could add a box to the application that they have evidence that they are meeting
312 their local CC&R's.

313
314 Deputy County Counsel Rhetta VanderPloeg stated the County has no authority to speak to CC&Rs and
315 HOA's. She stated the county can not grant or prohibit an application if they are meeting the zoning
316 regulations. She advised the Commission can make a recommendation to add an additional cross reference
317 to applications.

318
319 Chair Duncan asked if there would be an increase in businesses in the County.

320

321 Director Foss stated he could not address that as it would be speculation. It could be an incentive for a
322 farmer to become legal but there is now way to tell if there would be more applications.
323
324 Commissioner Ingram stated the Cannabis farmers do need to be allowed to operate as a regular Agricultural
325 business however the Ordinance does not address the odor smell that is affecting neighbors.
326
327 Discussion was had between Commissioners and Director Foss regarding increased traffic on private roads
328 for retail sales and if the County is allowing this increased traffic.
329
330 Director Foss advised retail at the grow sites would require a Use Permit which would require a traffic
331 study. He also stated non store front retail would prohibits public access.
332
333 Commissioner Mastrodonato asked if CC&Rs can prohibit this type of operation and amend their rules
334 internally.
335
336 Deputy County Counsel Rhetta VanderPloeg stated HOA's have their own Board to enforce their own
337 CC&Rs.
338
339 Commissioner Mastrodonato asked what changes the Board of Supervisors asked to be made in the
340 Cannabis Ordinance.
341
342 Director Foss stated the direction was to increase canopy size and license types and ways to utilize existing
343 spaces or other uses such as manufacturing along with minor administrative changes.
344
345 Commissioner Mastrodonato asked for the amount of illegal activity in the County.
346
347 Director Foss advised the recent numbers he has heard are in the thousands, but the numbers are coming
348 down.
349
350 Discussion was had between Commissioners and Director Foss on the clarification on the clarification of
351 microbusinesses.
352
353 Senior Cannabis Compliance officer Thomas Maioli stated delivery of Cannabis was not being proposed
354 but that a licensed cultivator with a distribution license can transport their own product to another qualified
355 licensed holder. There would be no door-to-door sales.
356
357 Diana Gamzon explained what a distribution license allows. She stated it allows Farmers to transport their
358 own product instead of hiring a third party to transport the product. She stated the distribution license is
359 through the State and is very strict.
360
361 Discussion was had between Commissioners and Director Foss on clarification of the setbacks, and
362 clarification on water usage and clarification that the original EIR is sufficient for the Addendum.
363
364 Commissioner Ingram asked for clarification if the County can allow a grow within a HOA that prohibits
365 grows.
366
367 Deputy County Counsel Rhetta VanderPloeg stated the County can not prohibit grows per County Codes
368 and Zonings based in individual CC&Rs. She stated the Commissioners can recommend the Planning
369 Department to have some sort of cross checking for CC&Rs but the County can not prohibit the grow based
370 on an independent HOA or CC&Rs. She stated they could recommend an affidavit or some sort of box to
371 check that states the applicant is aware they are within an HOA and must comply with their CC&Rs but the
372 County can not enforce CC&Rs.
373

374 Commissioner Ingram asked if the County could approve a Cannabis grow within a HOA with CC&Rs that
375 prohibit it.

376
377 Deputy County Counsel Rhetta VanderPloeg advised that is correct.

378
379 Commissioner Duncan stated she would like to put the onus back on the applicant to comply with their
380 CC&Rs.

381
382 Deputy County Counsel Rhetta VanderPloeg stated she will work with the Planning Department to come
383 up with some sort of acknowledgment from the applicant that they are complying with their CC&Rs
384 however the acknowledgement would not be legally binding, and she would have to check and see if HOAs
385 would have access to the acknowledgement. She stated she would caution that Planning Staff should not
386 be knowledgeable on all CC&Rs.

387
388 Discussion was had between Commissioners and Deputy County Counsel Rhetta VanderPloeg on what
389 type of acknowledgement could be used.

390
391 Chair Greeno stated he feels the Commission can make a recommendation, but this needs to be addressed
392 at the Board of Supervisors.

393
394 Deputy County Counsel Rhetta VanderPloeg asked for clarification for Staff and County Counsel to work
395 on some type of tool to be added to the application for an acknowledgement of an HOA.

396
397 Chair Greeno advised that is correct.

398
399 **Motion by** Chair Greeno to Recommend that the Board of Supervisors adopt a Resolution approving the
400 Addendum to the Certified Final Environmental Impact Report (EIS18-0001, SCH# 2018082023) pursuant
401 to Section 15162 and 15164 of the California Environmental Quality Act Guidelines

402
403 **Second by Commissioner Duncan. Motion Carried on a 3/1 vote. (Commissioner Ingram voted no)**

404
405 **Motion by** Chair Greeno to Recommend that the Board of Supervisors adopt the attached Ordinance
406 (ORD22-2) amending Chapter II of the Nevada County Land Use and Development Code Sections L-II
407 3.30.

408
409 **Second by Commissioner Duncan. Motion Carried on a 4/0 vote.**

410
411 Chair Greeno adjourned the meeting at 4:52 p.m.

412
413 There being no further business to come before the Commission, the meeting was adjourned at 4:52 p.m.
414 to the next meeting, at a date to be determined, in the Board of Supervisors Chambers, 950 Maidu Avenue,
415 Nevada City.

416
417
418 _____
419 Passed and accepted this day of , 2022.

420
421 _____
422 Brian Foss, Ex-Officio Secretary

423