



NOTICE OF EXEMPTION

TO: Office of Planning & Research
1400 Tenth Street, Rm.121
Sacramento, CA 95814

From: Nevada County Planning Department
950 Maidu Ave., Nevada City, CA

County Recorder
County of Nevada

Applicant: Nevada County
950 Maidu Avenue
Nevada City, CA 95959
(530) 265-1222

Project Title:

Nevada County Commercial Cannabis Ordinance Amendments

Project Location – Specific:

Unincorporated Areas of Nevada County

Description of Nature, Purpose, and Beneficiaries of Project:

The current commercial cultivation ordinance would be amended to add a definition of “processing” and to define “offsite processing” restrictions. The County of Nevada's current ordinance does not allow for any offsite processing of cannabis product. The current ordinance allows for the processing of cannabis product grown onsite, however, cannabis product cannot be transported to another cultivation location to be processed. Therefore, some cultivators may not be able to process the cannabis product due to lack of employees, space or equipment necessary for these activities. This would thereby preclude Nevada County cannabis cultivators from properly processing cultivated cannabis product and engaging in the commercial cannabis market during the upcoming harvest season. In recent months, the cannabis community has expressed concern about the lack of processing facilities within the County and the need for a location that a cultivator can bring their harvested product to for proper processing. Due to the need for offsite processing of cannabis product at a properly permitted and equipped facility it is necessary that the County include for the allowance of offsite processing in the current ordinance.

Name of Public Agency Approving Project:

County of Nevada

Name of Person or Agency Carrying Out Project:

County of Nevada

Exempt Status: (Check One)

Ministerial (Sec. 21080(b)(1); 15268

Declared Emergency

Emergency Project [Sec. 15071 (b) and (c)]

Categorical Exemption. General Exemption – Sections 15060(c)(2) and 15061(b)(3) and Categorical exemptions Sections 15301, 15303, 15304, 15307, 15308 and 15321.

Reasons why project is exempt:

The proposed project only adds a definition of “processing” cannabis product to an existing ordinance and allows for limited offsite processing for cannabis product grown offsite. The amendments are limited to five permits only and the offsite product processing would be required to meet all of the existing ordinance requirements including cultivation area sizes, parcel sizes, support areas sizes, zoning, setbacks, odor control, and noise restrictions. The proposed amendments would include a limitation in the hours of operation for offsite processing and a limitation of 6 vehicle trips per day. There would be no new disturbance created as a result of the proposed project since all cannabis operations including offsite processing would be required to be located within the defined size restrictions in the existing ordinance and would be required to meet existing setbacks. Furthermore, a maximum of five locations throughout the unincorporated area of the County would be allowed to conduct offsite processing activities, therefore significantly limiting any potential cumulative impacts.

No new disturbance would not be created, increase in traffic would be negligible and all noise and odor restrictions would apply to offsite processing activities and locations. Therefore, the County finds that these Amendments are not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15061(b)(3) (there is no possibility the activity in question may have a significant effect on the environment). In addition to the foregoing general exemptions, the following categorical exemptions apply: Sections 15301 (permitting, leasing and minor alterations to existing facilities), 15303 (construction and location of new, small structures), 15304 (minor alterations to land), 15307 (actions taken as authorized by local ordinance to assure protection of natural resources), 15308 (actions taken as authorized by local ordinance to assure protection of the environment) and 15321 (action by agency for enforcement of a law, general rule, standard or objective administered or adopted by the agency, including by direct referral to the County Counsel as appropriate for judicial enforcement).

Contact Person: – Brian Foss

Telephone: (530) 265-1256

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the Public Agency approving the project?
Yes X No

Date Received for Filing: _____

Date _____

Brian Foss, Planning Director
Nevada County Planning Department