



COUNTY OF NEVADA

(Attach pages if needed)

APPEAL TO BOARD OF SUPERVISORS

(Per Article 5.12 of Chapter II of the Land Use and Development Code)

Any applicant or interested party may file an appeal with the Board of Supervisors requesting review of any final action taken by Various County Agencies. Such appeal shall be filed with the Clerk of the Board of Supervisors within **ten (10) calendar days** from the date of the Agency's Action, except amendments to the General Plan or Zoning Ordinance, which shall be filed within **five (5) calendar days**. (If the final calendar day falls on a weekend or holiday, then the deadline is extended to the next working day.) Filing shall include all information requested herein and shall be accompanied by the appropriate filing fee. The statements (required below) must contain sufficient explanation of the reasons for and matters being appealed in order to facilitate the Board of Supervisors initial determination as to the propriety and merit of the appeal. Any appeal which fails to provide an adequate statement may be summarily denied. The filing of such an appeal within the above stated time limit shall stay the effective date of the action until the Board of Supervisors has acted upon the appeal.

I. APPEAL: I/We, the undersigned, hereby appeal the decision/recommendation of the Nevada County Planning Department

Agency Name	
PLN22-0234; ADP22-0049; PFX22-039	January 10th 2024
Agency File No.	Date of Decision

PLANNING AGENCY DECISIONS:

- Environmental Impact Report
L-XIII California Environmental Quality Act; County CEQA Guidelines and Procedures, 1.20 Appeals of the Adequacy of the EIR
- Floodplain Management Regulations (Floodplain Administrator)
L-XII Floodplain Management Regulations; 1.4 Administration
- Historic Preservation Combining District
L-II Zoning Regulations; Zoning Districts; 2.7.2 HP Combining District
- Inoperable Vehicles
L-II Zoning Regulations; Administration and Enforcement, 5.20 Abatement and Removal of Inoperable Vehicles
- Land Use Applications
L-II Zoning Regulations; 5.12 Administration and Enforcement
- Negative Declaration
L-XIII California Environmental Quality Act; County CEQA Guidelines and Procedures, 1.12 Negative Declaration
- Rules of Interpretation
L-II Zoning Regulations; 1.4 Rules of Interpretation

PUBLIC WORKS DECISIONS:

- Roadway Encroachment Permit
G-IV General Regulations; 4.A Regulating Roadway Encroachments;
15.1 Appeals

CDA DECISIONS:

- Outdoor Events
G-V Revenue; 2 Outdoor Events; 2.14 Appeal Process

FIRE AGENCY DECISIONS:

- Fee Assessments (Fire Protection District)
L-IX Mitigation and Development Fees; Fire Protection Development
Fees; 2.6 Appeal from Fee Assessment
- Fire Safety Regulations; General Requirements (Fire Safety Reg. Hearing Body)
L-XVI Fire Safety Regulations; General Requirements; 2.7 Appeals
- Hazardous Vegetation Abatement (Lodal Fire Official)
G-IV General Regulations; 7.9 Appeals Process (No Fee to File Appeal)

ENVIRONMENTAL HEALTH DECISIONS:

- Sewage Disposal (Sewage Disposal Technical Advisory Group)
L-VI Sewage Disposal; 1.18 Appeals
- Water Supply and Resources (Health Officer)
L-X Water Supply and Resources; 5.1 Appeal Procedures

List All Agency Action(s) Taken That Are Being Appealed: _____

Conditional approval to operate commercial cannabis operation and exceptions for private roadways that do not meet county and fire safety regulations for subject agency file # PLN22-0234; ADP22-0049; PFX22-039

II. STATEMENT OF THE REASONS FOR THE APPEAL:

Please see attached for statement of reasons for the appeal.

III. STATEMENT OF THE SPECIFIC PROVISIONS WHICH ARE BEING APPEALED:

Please see attached for reasons for the appeal.

IV. STATEMENT OF THE CHANGES OR ACTION REQUESTED OF THE BOARD OF SUPERVISORS: _____

Please see attached for summary statement of requested action of the Board of Supervisors.

V. SUMMATION OF THE ARGUMENTS TO BE RAISED BY THE APPELLANT(S):

Please see attached for items of concerns and arguments raised by appellants and local residents.

VI. IDENTIFICATION OF THE APPELLANT(S):

Kevin and Autumn Yoder



(Name)

(Mailing Address)

(Telephone)

Please see attached for list of appellants.

VII. NOTICE: (Multiple appellants should select one representative for purposes of notice.

All notices to appellant(s) should be mailed to: (Please Print)

Kevin and Autumn Yoder



(Name/Representative)

(Mailing Address)

(Telephone)

Appellant:

Kevin Yoder

(Sign)

Dated:

1-22-2024

KEVIN YODER

(Print)

FOR OFFICE USE ONLY

RECEIVED

\$1803.⁶¹/₁₀₀

Filing Fee

JAN 22 2024

Date Filed

Lauriana Cecchi

Received By

NEVADA COUNTY
BOARD OF SUPERVISORS

Appeal form to be returned to: Nevada County Board of Supervisors Office, Eric Rood Administrative Center, 950 Maidu Avenue, Nevada City, CA 95959-8617. (530) 265-1480

II and III. STATEMENT OF REASONS FOR THE APPEAL and PROVISIONS WHICH ARE BEING APPEALLED:

The appellants represent concerned residents of Meyer Ravine Road and other neighboring communities who are adjacent to and in the vicinity of the proposed commercial cannabis site on Meyer Ravine Road. It is very frustrating and unfortunate that the county was not able to make the proposed plans and potential county conditions available prior to the Conditional Approval. The current approval process should include and be open for public comment and negative declarations for each proposed commercial cannabis facility as these can have major adverse impacts to communities.

Below are items of concern that we believe have not been addressed and should require resolution prior to approval of project.

- It appears the roadway plans do not include accurate survey data of existing conditions.
- It appears the roadway plans do not include how the proposed roadway widening will occur at the sections of Meyer Ravine where only a 20' roadway easement exists. How can construction take place without encroachment to adjacent parcels?
- How is it safe to widen a roadway closer to power poles versus relocating pole to a safe distance from roadway?
- How is the surface drainage from the widened roadway handled within the 20' roadway easement? Is the drainage plan to drain to adjacent parcels and if so, what is the impact to those parcels? Was a hydrologic and hydraulic study provided by designer?
- How is the increased surface drainage from the widened roadway handled within the 60' roadway easement? Was a hydrologic and hydraulic study provided by designer?
- What keeps the drainage from eroding the transition between existing asphalt and proposed AB fill?
- How will the proposed use of AB fill to widen roadway carry drainage without eroding quickly?
- How will the roadway be maintained at the transition edges from the existing paving to AB fill?
- Per the roadway plans the project is proposing grading limits outside of 60' easement on APN 057-010-047. Project has not received authority from property owner.
- Soil stabilization methods are not detailed where cuts are shown.
- Why do the roadway plans call for grading beyond the access point to the proposed commercial cannabis site?
- The conditional approval states that a variance from the fire standard road shall be allowed at Station 11+10 for a pole and states that no other locations shall vary from 20' minimum. The plans provided appear by scaling that the area near the pump house and culvert South of said variance are below minimum width. Please explain or provide roadway details showing this is compliant with the fire standards.
- There is a concern that widening certain sections of the road near the pump house and culvert without support of the embankment will lead to road failure/collapse as it appears the designer did not account for depth of existing ditch. There is no call out for any type of retaining wall or guardrail for safety.
- Private driveway to APN 057-010-047 appears that the width is being reduced from existing condition. What type of design vehicle was used in the design? The proposed design will not meet the needs of the property owner. Why is the county approving plans that have adverse impacts to existing property access?

- Private driveway to APN 057-010-047 appears that existing asphalt approach to Meyer Ravine Road will be removed and replaced with AB fill. This should not be acceptable, why should property owners lose an improved paved driveway?
- By what means will the project (proposed commercial cannabis) be allowed to perform the fuel modifications? Will they be allowed to use a herbicide? This is of great concern as adjacent properties next to Meyer Ravine have livestock.
- The existing paved roadway was not built with any subgrade improvements. It was constructed for the use and needs of a residential community. What work was done to verify existing roadway will support heavy commercial traffic? Was the geotechnical information provided by the designer? Does analysis provide supporting data that the existing and proposed widened areas will meet loading criteria?
- How will the county enforce / ensure that the new portion of the roadway is maintained by the proposed commercial cannabis project to meet roadway criteria?
- Was there an environmental impact study done for the roadway construction for this project?
- It appears by the plans provided that the project did not complete a full subsurface utility engineering investigation as there are several existing underground utilities that are currently in use and are in DIRECT conflict with proposed plans. These utilities do not show on the plans.
- The roadway plans do not appear to provide any details of how the roadway will be constructed with regards to phasing, proposed road closures, limits on road closures, projected delays, projected duration, traffic control plans, projected queuing, traffic holding location, truck transfer locations, and notification to residents and other road users. Was this provided?
- Please provide the county's position on who would have the authority to approve the project's ability to restrict / limit access to Meyer Ravine property owners.
- Today the roadway is paved (no dust), with the commercial cannabis project being allowed to widen roadway without paving there will be dust, will they have an obligation to control dust beyond construction, as there is not an issue today? Why should residents lose the benefit they enjoy today of a paved road?

IV. STATEMENT OF CHANGES OR ACTIONS REQUESTED OF THE BOARD of SUPERVISORS

The appellants request that the Board of Supervisors revoke the conditional approval for the proposed commercial cannabis site on Meyer Ravine Road.

V. SUMMATION OF THE ARGUMENTS TO BE RAISED BY THE APPELLANTS.

The appellants believe that conditional approval was provided without due diligence. The project, if constructed as proposed, would be detrimental to the existing infrastructure and the serenity of the Meyer Ravine community. The proposed roadway widening method will last less than a year without significant maintenance. In addition, the appellants believe that because of the current approval process, significant concerns are not heard or considered as part of the process. There was no outreach done to discover what takes place within the Meyer Ravine community. Meyer Ravine Road is a residential community that is not conducive to a commercial cannabis site. The adjacent parcels have and will continue to hold 4H meetings, Nevada County Fair show practice (Cattle, goats, sheep, chickens and horses). This is a not a location for commercial cannabis site.

VI. LIST OF APPELLANTS

Name	Address	City	State	Zip
Laura Barhydt		Grass Valley	CA	95949
Jeanne Franklin		Grass Valley	CA	95949
Georgann Alioto		Grass Valley	CA	95949
Jenny Rice		Grass Valley	CA	95949
Kevin and Autumn Yoder		Grass Valley	CA	95949
Sean and Lori Long		Grass Valley	CA	95949
Brian and Treece McCutcheon		Grass Valley	CA	95949
Scott Pepper		Grass Valley	CA	95949
Lisa Hamilton		Grass Valley	CA	95949
Gus Notas		Grass Valley	CA	95949
Donna Zacamy		Grass Valley	CA	95949
Inez Rodriguez		Grass Valley	CA	95949
Roger Scheevel		Grass Valley	CA	95949
Robin McManaman		Grass Valley	CA	95949
Court and Megan Worden		Grass Valley	CA	95949
Bob & Ruthanne Free		Grass Valley	CA	95949
Vinney and Angela DiNicola		Grass Valley	CA	95949
Cal and Barbara Rowland		Penn Valley	CA	95946
Willie and Deb Disselhoff		Grass Valley	CA	95949
Orren and Cindy Sage		Grass Valley	CA	95949

Listed below are signatures gathered through change.org that are against the proposed commercial cannabis site on Meyer Ravine Rd.

LINKs

<https://www.change.org/NoCommercialGrow>

LIST OF PETITION SIGNATURES FOR CHANGE.ORG

Name	City	State	Postal Code
Jeanne Franklin	Grass Valley	CA	
Treece McCutcheon	Grass Valley	CA	95949
Lori Picardi	Novato	CA	94947
Georgann Alioto	Grass Valley	CA	95736
Delphi Whittle	Roseville	CA	95747
Lisa Hamilton	Grass Valley	CA	95949
Julia Hamilton	Casey Corner	CA	95946
Jenny Rice	Grass Valley	CA	95949
McKenna Wertzler	Rutland		5701
Kay Omar			
Jacqueline Rizo	Los Angeles		90009
Donna Weger	Grass Valley	CA	95949
Danny Weger	Grass Valley	CA	95949
Autumn Yoder	San Francisco	CA	94107
Austin Ward	Corvallis	OR	97330
Stephanie golden	New Port Richey	FL	34652
Rosemary Sheward	Grass Valley	CA	95949
Mark Shew			
Michelle Prechter	Grass Valley	CA	95949
Thomas Holden	Grass Valley	CA	95949
Heath Mullen	Grass Valley	CA	95949
Connie Leonard	Grass Valley	CA	95949
Julia Yoder	Grass Valley	CA	95949
Janet Riley	Grass Valley	CA	95949
Barbara Rowland	Penn Valley	CA	95946
Kelly Zimmermann	Thousand Oaks	CA	91360
Misty Cork	Walnut Creek	CA	94597
Ryann Riley	Auburn	CA	95603
Maggie Garcia	TO	CA	91330
Gregg Mitchell	Grass Valley	CA	95949
Della Mitchell	Kansas City	MO	64109
Breanne Johnson	Grass Valley	CA	95949
Jayne Swearingen Swearingen	Fairfield	CA	94533
Vickie Terruso	San Jose	CA	95126
Jake Cammon	Grass Valley	CA	95949
Sierra Gardner	Gardner	KS	66030
Sharan Gradek	San Mateo	CA	94403
H Wilcox Corbett	Grass Valley	CA	95949
Audra Koopmans	Auburn	CA	95602
Renee Boice	Auburn	CA	95602
Rebekah Gregory	Auburn	CA	95603
Sharon Rounds	San Jose	CA	95141
Angelina Gerster	Grass Valley	CA	95945

Maddie Prechter	Los Angeles	CA	90060
Mark Prechter	Los Angeles	CA	90060
Edie Kodet	Grass Valley	CA	95949
Gary Rice	Grass Valley	CA	95949
Jay Hannan	Grass Valley	CA	95949
Melissa Knudsen	Los Angeles	CA	90060
Terri Klauer	Grass Valley	CA	95949
Adron Klauer	Grass Valley	CA	95949
Angela Rowland	Sacramento	CA	94203
Brooke Kelley	Crestline	CA	92325
Gordon Rowland	Sacramento	CA	94203
Cheyenne Klauer	Grass Valley	CA	95949
Samantha Tracy	Auburn	CA	95602
Julia Wildenradt	Sacramento	CA	94203
Cheryl LaCoste	Roseville	CA	95661
Eve Mello	Lincoln	CA	95648
Carrie Ramsour	Grass Valley	CA	95949
Tim Rice	Grass valley	MA	95949
Diana Osborne	Auburn	CA	95602
Carlos Mendoza	Auburn	CA	95602
Suzanne Carrington	Grass Valley	CA	95949
Amanda Messlein	Auburn	CA	95602
Linette Rubidoux	Sacramento	CA	94203
Brad Fowler	Sacramento	CA	94203
Wayne Klauer	Grass Valley	CA	95949
Brett Green	Sacramento	CA	95842
Susan Street	Oakland	CA	94603
Michael Street	Oakland	CA	94603
Elaine Tuoto	Auburn	CA	95603
Cheryl Powers	Grass Valley	CA	95949
Angela Neeb	Meadow Vista	CA	95722
Rylee Prechter	Sacramento	CA	94203
Dyan Hogan	Meadow Vista	CA	95722
Lori Long	Grass Valley	CA	95949
Jadyn Hull	Grass Valley	CA	95949
Katia Hull	Grass Valley	CA	95949
Chad Young	Grass Valley	CA	95949
Roxanne Young	Auburn	CA	95604
Emily Ventura	Roseville	CA	95747
Mellissa Pierce	Huntsville	AL	35806
Linda Mitchell	San Jose	CA	95111
Jeremy Johnson	Roseville	CA	95678
dena corey	Auburn	CA	95604
Laura Barhydt	Sacramento	CA	94203
Sean Long	Grass Valley	CA	95949
Jeff Beaubier	Lincoln	CA	95648
Jeannie Vranes	Grass Valley	CA	95667

Christina Menth	Grass Valley	CA	95949
Tanya Beaubier	Lincoln	CA	95648
Marianne Boll-See	Grass Valley	CA	95945
Jeanette Derobertis	San Francisco	CA	94124
Brian McCutcheon	Grass Valley	CA	95949
Roger Scheevel	Grass Valley	CA	95949
David BARHYDT	Sacramento	CA	94203
Deborah Disselhoff	Grass Valley	CA	95949
Lee G			
Nadra Mohamed	Minneapolis		55443
Debra Johnson	Duluth		
Grace Duffy	Hingham		2043
Tenzin Dolkar	Cranford	NJ	7016
Kiara Hampton	Lake Elsinore		92530
Kaya jensen	Hastings		49058
Humberto Giraldo	Orlando		32818
Andrea vargas Vargas	Richardson		75081
Alice Zeiger	Ballston Spa		12020
Nevaeh Henderson	New Middletown		44442
Lindsey Yonich	Pittsburgh		15212
Ariel Salgado			
Hamid Mohammad	Syracuse		13210
cayla M	Ann Arbor		48103
kadin romine	st.pete		33614
cindy laverde	Houston		77063
Kari Woodral	Sacramento		95825
Andrew Floyd			
G. Diane Matthews-Marcelin	Carson		90746
Joshua Curphey	Peterborough	PE7	
Gil Ahmad	San Francisco		85202
Dawson Abbitt	Evergreen Park		60805
William J. Valmont	Jonesboro		30238
Audrey Luan	Aptos		95003
Atigan Peter	Harris		77084
Annaliese Dasari			
Valentina Magri			
James Rice	Acworth		30102
Emanuel Santana	Clermont		34714
Oumar Ba	Pickerington		43147
Ethan Coe	Newnan		30265
Ann Rhomberg	Evanston		60201
Gary Ware	Grass Valley	CA	95949
Dana Behlmer	Clayton	CA	94517
Mario Valenzuela	Grass Valley	CA	95949
Monique Valenzuela	Grass Valley	CA	95949
Kirsten Pickford	Grass Valley	CA	95949
Denell Nawrocki	Sacramento	CA	94203

Kristen Ganskie	Los Angeles	CA	90013
Gail Carmone	Grass Valley	CA	95949
Peggie Hartig	Grass Valley, CA	CA	94203
Justine Martin	Grass Valley	CA	95949
Mary Taylor	Grass Valley	CA	95949
michael martin	Sacramento	CA	94204
Frank Hartig	Grass Valley	CA	95949
Ella Nawrocki	Grass Valley	CA	95949
Sharon Hapai	Sacramento	CA	94203
Tara Stewart	Grass Valley	CA	95949
David Stewart	Grass Valley	CA	95949
Lonna Morrissey	Grass Valley	CA	95949
Thomas Morrissey	Grass Valley	CA	95949
Bill Pickford	Grass Valley	CA	95949
Melanie Franklin	Grass Valley	CA	95949
Everett Mathews	Grass Valley	CA	95949
Peeman Franklin	Roseville	CA	95678
Susan Evans	Sacramento	CA	94203
robin mcmanaman	grass valley	CA	95949
Colin Light	Andover		67002
Logan Winston	Fleming Island		32003
Sonic Son	Oroville		95966
Cooper Schmidt	Phoenix		85014
Megan Hudek	Kansas City		66103
Jody Shelton	Saint Joseph		64506
Matthew Gray	Mississauga		L5G 2R9
Kelly Glomson	Sacramento	CA	94203
Ruthanne Free	Los Angeles	CA	90060
Bob Free	Grass Valley	CA	95949
Court Worden	Los Angeles	CA	90060
Lynn Forbes	Gras Valley	CA	95949
Lana Corless	Grass Valley	CA	95949
Elena Leibowitz	Greenville		29607
Megan Worden	Sacramento	CA	94203
Sara Noah	Grass Valley	CA	95949
alexis VON ZIMMER	Grass Valley	CA	95949
Michael Riley	Grass Valley	CA	95949
Jenna Barnard	Sacramento	CA	95842
Thomas MacRunnel	Sacramento	CA	95819
Marilyn Smith	Grass Valley	CA	95949
William Burns	Grass Valley	CA	95949
Judy Wilson	Meadow Vista	CA	95722
Sonya Graham	Grass Valley	CA	95945
Johnnie Graham	Grass Valley	CA	95945
Jeanne Wilson	Fort Collins	CO	80528-4529
Dora Cividino	Penn Valley	CA	95946
Jayson Wedge	Auburn	CA	95602

Vinny DiNicola	Grass Valley	CA	95949
jill angelichio	charlotte		28204
Melissa Clark	Auburn	CA	95602
Kristen Whitehead	Grass Valley	CA	95949
Angela Dinicola	Grass valley	CA	95949
Justine Smith	Grass Valley	CA	95949
TOM OConnell	Grass Valley	CA	95949
Michael Orton	Lincoln	CA	95648
John Barnes	Auburn	CA	95602
Craig Uithoven	Los Angeles	CA	90060
Connie Collier	Grass Valley	CA	95949
Steve Pietrobono	Grass Valley	CA	95949
Anne Knox	Grass Valley	CA	95949
Donna Abreu	Grass Valley	CA	95945
Michelle Green	Grass Valley	CA	95949
Lisa Doenecke	Grass Valley	CA	95949
Adam Brodel	Grass Valley	CA	95945
Sean Tener	Auburn	CA	95602
Stephanie Moellman	Grass Valley	CA	95945
Elizabeth Arvonen	Auburn	CA	95603
Elizabeth Rehkop	Auburn	CA	95602
Susan Logoluso	Sacramento	CA	95822
Beki Ramos	Riverside		92506