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COMMUNITY DEVELOPMENT AGENCY
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Sean Powers, Agency Director

Agricultural Commissioner

Building Department

Environmental Health

Planning Department

Dept. of Public Works

NEVADA COUNTY BOARD OF SUPERVISORS
Board Agenda Memo

MEETING DATE: September 5, 2017

TO: Board of Supervisors

FROM: Sean Powers, Community Development Agency Director

SUBJECT: Request for Board direction to the CAG as it enters the recommendation phase of its assignment.

RECOMMENDATION: Approve a motion to provide Board direction to the CAG as it enters the recommendation phase of its assignment.

FUNDING: N/A

ATTACHMENTS:

1. Draft CAG priority topic A, B, C list
2. Summary of CAG homework #1 and #2

BACKGROUND: The Community Advisory Group was formed by the Board of Supervisors on May 9, 2017 by resolution SR 17-0296 to provide the Board with recommendations to aid in the development of a permanent cannabis ordinance for Nevada County. The County contracted with MIG to provide facilitation services during this process. To date, six CAG meetings have taken place and two more are planned. The first six meetings focused on education, information gathering and touching on key topic areas. The group will now move into the recommendation phase of its work. This is a joint meeting to provide an update to the Board on the CAG's progress to date and for the Board to provide direction to the CAG regarding its priority topics for recommendation development.

The regulation of cannabis is a very complex subject and there are numerous topics to discuss efficiently. It is necessary to prioritize the topics for discussion. The CAG will focus on each topic to make recommendations to the Board of Supervisors with ranges and options for each topic. Staff has drafted a list of priority topics for the Board's consideration. Both the Board of Supervisors and the CAG members will have an opportunity to review the topic list and comment.

The proposed list is broken down into three priority levels:

- **Priority A topics** must be addressed by the CAG
 - Allowed cultivation activities
 - Location of cultivation activities through land use
 - Amount of cultivation
 - Setbacks
 - Neighborhood security and safety
 - Nuisance mitigation requirements
- **Priority B topics** will be addressed by the CAG after the Priority A list is complete, as time allows
 - Limiting permit count
 - Personal cultivation requirements
 - Transition program
 - Permit tier/layering with zoning and parcel size
 - Residence requirement
- **Priority C topics** will be addressed by County staff. Priority C list will not be covered within the CAG recommendation meetings. All CAG input gathered thus far will be considered in County staff's recommendations to the Board regarding these areas. Some of these topics will be addressed in the ordinance.
 - Permitting requirements and process
 - Commercial activities other than cultivation (i.e. business, retail)
 - Taxation / revenue
 - Enforcement
 - Additional code requirements

This list is strictly a recommendation from staff and no policy is being set at this time. No specific details of these items will be discussed before the CAG enters into the recommendation phase. This list will help draft the syllabus for the CAG's recommendation phase. This list is not meant to include every possible topic, but help prioritize the topics for the next CAG meetings.

Also included are two comprehensive summaries prepared by MIG that CAG members completed on their own as homework assignments. These homework assignments were developed by MIG to assess the level of agreement among the CAG members on various topics at different points of the CAG process. These summaries are informational in the sense that they depict the range of ideas and opinions among the CAG members and are useful to identify areas where consensus is likely, and where it is not likely.

There are currently two meetings remaining in MIG's contract to guide the CAG through its recommendation development phase. If additional meetings are deemed necessary, the Board would need to execute an amendment to the contract with MIG.

Item Initiated By: Sean Powers, Community Development Agency Director
Approved by: Sean Powers, Community Development Agency Director