

GreenspoonMarder

www.gmlaw.com

cc: ALBOS
CEO
Counsel
CDA

Sarah Smale
Associate Attorney
Cannabis Law Practice
116 Union Alley
Nevada City, CA 95959
Direct: 530-470-8509
sarah.smale@gmlaw.com

February 13, 2018

RECEIVED

Supervisor Heidi Hall, District 1
950 Maidu Avenue
Nevada City, CA 95959
By email to Heidi.Hall@co.nevada.ca.us

FEB 13 2018

NEVADA COUNTY
BOARD OF SUPERVISORS

Supervisor Hall,

As a cannabis attorney who has worked in downtown Nevada City for over two years, I urge you to adopt a commercial cannabis ordinance allowing for all license types (in appropriate zones) as soon as practicable. The state has implemented a regulatory framework for cannabis businesses, and the defeat of Measure W indicates Nevada County residents do not want a sweeping cannabis ban in the County. People want a path to compliance—they want to pay their taxes, protect the environment, and provide safe cannabis products within a legal market.

Having attended the final CAG meeting, I was encouraged by the group's reasonable and moderate recommendations, and encourage the Board to give serious weight to those proposals. In addition to the CAG recommendations, I add the following:

1. **Setbacks:** In light of the number of oddly shaped parcels located throughout the County, setbacks are a serious issue. Even large parcels will be rendered ineligible if inflexible setback rules are instituted. To that end, I suggest the Board understand the primary purpose of setbacks is to protect neighbors and, to that end, any new ordinance should implement a variance option or 'neighbor waivers.' Protect individual property rights by allowing neighbors to communicate and waive setback disqualifiers if both parties agree.
2. **Non-Remuneration (gifting for medical purposes):** The CAG recommendations include a blanket disqualification of felons for anyone engaging in non-remunerative cultivation. This is stricter than the state requirements, and will knock out many non-violent offenders. I encourage the County to follow state guidelines related to felony disqualifications – prohibit violent felons, sex offenders, crimes involving fraud or deceit, and other crimes specified in 3 C.C.R. § 8113. However, other felonies should act as disqualifiers only to the extent they are “substantially related to the qualifications, functions, or duties of the business for which the application is made.” This will be the test when a local permit holder applies for a state license, and I encourage the Board to provide a path for non-violent felons to cultivate medicinal cannabis for others.
3. **Provide a Registry or Other Mechanism Allowing Immediate Application for State Licensure:** To obtain a state license, applicants must have local approval, defined as “a written statement or reference that clearly indicates the local jurisdiction intended to grant permission for the commercial cannabis activity or to the person to conduct commercial

cannabis activity at the premises.” 16 C.C.R. § 5001 (12) (Bureau licensees), 3 CCR § 8100(b)(6) (CDFA licensees). The County should quickly provide some form of documentation reflecting an applicant’s ability to engage in cannabis activity for the purpose of beginning the complex path towards state licensure. Pursuing state licensure and local permitting simultaneously will encourage applicants to incorporate both state and local requirements into their operations, prepare necessary documents and plans to the stricter of state versus local standards, and come into full regulatory compliance sooner. Immediately obtaining a temporary state license will also allow local canna-businesses to operate on the state-wide regulated market, subject to regulation and in the daylight.

4. **Allow a Reasonable Time to Come into Building Code Compliance.** Our office has seen first-hand that coming into local code compliance takes time. It is anticipated that the demand for engineers and other necessary consultants will surge if and when permits become available and many of these professionals will book out weeks, if not months, in advance. Further, code compliance requires pulling permits, scheduling inspections, addressing minor deficiencies, etc. Allow canna-businesses to operate in the regulated economy while they come into full code-compliance.

Thank you for your considering this important issue for Nevada County. Please do not hesitate to contact me if I or my office can provide any further information.

Sincerely,

Sarah L. Smale
SARAH L. SMALE

RECEIVED

FEB 13 2018

NEVADA COUNTY
BOARD OF SUPERVISORS

February 12, 2018

Nevada County Board of Supervisors
950 Maidu Avenue
Nevada City CA 95959

RE: Commercial Cannabis Permits

cc: All BOS
CEO
Counsel
CDA

To whom it may concern:

I am a resident of District 1 and I strongly support a commercial cannabis permitting system. I ask you to vote in favor of reasonable commercial regulations in Nevada County.

Sincerely,

Kent Ulrich
District 1

RECEIVED

FEB 13 2018

NEVADA COUNTY
BOARD OF SUPERVISORS

February 13, 2018

Supervisor Dan Miller, District 3
950 Maidu Avenue
Nevada City CA 95959

RE: Commercial Cannabis Permits

Supervisor Miller,

I have lived and worked in Nevada County for many years. I strongly support the enactment of reasonable commercial cannabis regulations. I ask you to vote in favor of cultivation permits that will allow our community to benefit from commercial cannabis.

Thank you.

Sincerely,

Katie Lester
District 3

cc: All BOS
CEO
Counsel
CDA

RECEIVED

February 13, 2018

FEB 13 2018

Supervisor Heidi Hall, District 1
950 Maidu Avenue
Nevada City CA 95959

NEVADA COUNTY
BOARD OF SUPERVISORS

cc: All BOS
CEO
Counsel
CDA

RE: Commercial Cannabis Permits

Supervisor Hall,

I have lived and worked in Nevada County for many years. I strongly support the enactment of reasonable commercial cannabis regulations. I ask you to vote in favor of cultivation permits that will allow our community to benefit from commercial cannabis.

Thank you.

Sincerely,

Karen Kline
District 1

RECEIVED

FEB 13 2018

NEVADA COUNTY
BOARD OF SUPERVISORS

February 13, 2018

Supervisor Heidi Hall, District 1
950 Maidu Avenue
Nevada City CA 95959

RE: Commercial Cannabis Permits

Supervisor Hall,

I have lived and worked in Nevada County for many years. I strongly support the enactment of reasonable commercial cannabis regulations. I ask you to vote in favor of cultivation permits that will allow our community to benefit from commercial cannabis.

Thank you.

Sincerely,

Becky Smith
District 1

cc: All BOS
CEO
Counsel
CDA

RECEIVED

FEB 13 2018

NEVADA COUNTY
BOARD OF SUPERVISORS

February 12, 2018

Supervisor Ed Scofield, District 2
950 Maidu Avenue
Nevada City CA 95959

cc: All BOS
CEO
Counsel
CDA

RE: Commercial Cannabis Permits

Supervisor Scofield,

As an active law enforcement officer living in District 2, it is important that you enact commercial cannabis regulations and block growing for commercial purposes in residential areas.

Allowing people to produce cannabis in appropriate zoning keeps them out of residential areas such as mine (Golden Oaks) which you know has been an issue for years.

Secondly, it will help curb the black market association with cultivation, which is vast.

Additionally, law enforcement officials need clear guidance which does not exist at this time. Clear concise regulations will provide this; allowing everyone to know and understand the rules.

Thank you for your consideration.

Sincerely,


Bruce Hunt
District 2

RECEIVED

FEB 13 2018

NEVADA COUNTY
BOARD OF SUPERVISORS

February 12, 2018

Supervisor Hank Weston, District 4
950 Maidu Avenue
Nevada City CA 95959

RE: Commercial Cannabis Permits

cc: All BOS
CEO
Counsel
CDA

Supervisor Weston:

I am a resident of District 4 and I strongly support a commercial cannabis permitting system. I ask you to vote in favor of reasonable commercial regulations in Nevada County.

Please contact me at the email below if you have any questions.

Sincerely,

Meghan Coyner

District 4

amethystlovelight@gmail.com

RECEIVED

FEB 13 2018

NEVADA COUNTY
BOARD OF SUPERVISORS

cc: all BOS
CEO
Counsel
CDA

February 13, 2018

Supervisor Heidi Hall, District 1
950 Maidu Avenue
Nevada City CA 95959

RE: Commercial Cannabis Permits

Supervisor Hall,

I am a long time Nevada County resident who lives in District 1. I am asking you to support a commercial cannabis permitting ordinance in Nevada County because the benefit to the community that reasonable cannabis regulations will provide is far reaching.

Thank you.

Sincerely,

Linsey Yogi
District 1

RECEIVED

February 13, 2018

FEB 13 2018

Supervisor Ed Scofield, District 2
950 Maidu Avenue
Nevada City CA 95959

NEVADA COUNTY
BOARD OF SUPERVISORS

cc: All BOS
CEO
Counsel
CDA

RE: Commercial Cannabis Permits

Supervisor Scofield,

I have lived in Alta Sierra for 14 years and I was on active duty at Beal Air Force Base for over a decade. I ask that you allow commercial *medical* cannabis delivery services in Nevada County because of the many patients who derive benefit from cannabis but cannot travel to a dispensary due to health concerns. This is particularly true in Alta Sierra and other aging communities. Please contact me with any questions or concerns.

Thank you.

Sincerely,



Tom Daniel
District 2
530-277-9844