| Ordinance 2349 (May 2012) | Measure S- (Nov. 2014) | Ordinance 2405 (Jan. 2016)* | Ordinance 2416 (July 2016) | CAG Recs. (Dec. 2017) | Board Direction as of 3/6/18 for the 2018 Revised Ordinance |
|---|---|--------------------------------|--|-----------------------------|--|
| Cultivation Regulations:** | Cultivation Regulations:** | Cultivation Regulations:** | Cultivation Regulations:** | Cultivation Regulations:** | Cultivation Regulations:** |
| Parcel Type/Grow Sizes: | Parcel Type/Grow Sizes: | Parcel Type/Grow Sizes: | Parcel Type/Grow Sizes: | Parcel Type/Grow Sizes: | Parcel Type/Grow Size: |
| | | AU 7 | | D | Personal Use: |
| <u>R-1, R-2, R-3</u> : | <u>R-1, R-2, R-3:</u> | All Zones: | <u>R-1, R-2, R-3</u> : | Personal Use: R1 and RA: | R1, R2, R3, RA-Residential: |
| Less than 2 acres: max of | Less than 2 acres: | No Outdoor Cultivation | No Outdoor Cultivation | <u>Al unu na</u> . | Indoor: Max of 6 plants |
| 100 contiguous sq. ft. | - 100 sq. ft. Indoors; | | on any Parcel size. | Less than one acre: | No Mixed Light/Outdoor cultivation |
| Indoors. | - 200 sq. ft. if 2 or more | Indoor limited to 12 | Indoor of up to 6 plants | No outdoor cultivation | |
| | patients live on property. | plants in one contiguous | | | RA Rural and Estate: |
| 2 or more acre parcels: | No Outdoor | area. | | 1 acre or larger: 6 plants | |
| | | | | outdoors | 5 acres or larger: Indoor, Mixed Light and |
| -75 contiguous sq. ft., | Greater than 2 acres: | | | Setback: 30 feet from | outdoors or a combination of methods – a |
| clearly distinguished area, outdoors or 6 mature or | - 100 sq. ft. - 200 sq. ft. if 2 or more | | | property line | max of 6 plants. |
| immature plants if grown | patients live on property. | | R-A (Residential and | | AG, AE, FR, and TPZ: |
| in bags or pots of 25 | | | Estate General Plan | Must be cultivated on | <u></u> |
| gallons or smaller; OR | Outdoor: 12 immature or 6 | | Designation): | parcel with permanent | Less than 1-3 acres: |
| -100 sq. ft. indoors. | mature plants w/o | | | residence and resident | Indoor: a max of 6 plants |
| | greenhouse; 12 immature | | -No Cultivation on parcels | | No Mixed/Outdoor cultivation |
| | or 12 mature plants in | | equal to or less than 5 | <u>R2 and R3:</u> | |
| | greenhouse. | | acres. | No outdoor cultivation | More than 1-3 acres: |
| | | | 0 | | Indoor, Mixed-Light and outdoor or a |
| <u>R-A:</u> Same as R-1, R-2 and R-3: | R-A: Same as AG, AE, FR and TPZ | | -Over 5 acres up to 10 acres: Maximum of 12 | | combination of methods – a max of 6 plants |
| к- э . | | | plants per Parcel, Indoor | | All Zones (Personal Use): |
| | | | Only. | | Setback: 100 feet from the property line |
| | | | ,- | | with an option for a setback variance |
| | | | | | Must be cultivated on parcel with |
| | | | | | permanent residence and resident |

| (Ordinance 2349) | (Measure S) | (Ordinance 2405) | (Ordinance 2416) | (CAG) | (BOS direction for 2018) |
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| | | | | | |
| | | | - Over 10 acres up to 20 | Commercial: | Commercial: |
| Rural zones (AG, AE, FR, or | Rural Zones: AG, AE, FR | | acres: Maximum of 16 | | |
| <u>TPZ):</u> | and TPZ: | | plants per Parcel, Indoor | AG, AE, FR, and RA: | <u>R1, R2, R3, RA, TPZ:</u> |
| | | | or Outdoor, or | On parcels with permitted | no commercial cultivation |
| Less than 2 acres: 150 | Less than 5 acres: Indoor: | | combination of both. | residence or vacant that | |
| contiguous sq. ft. outdoors | 100 sq. ft. per qualified | | Outdoor grow area not to | are contiguous to adjacent | AG, AE, FR: |
| OR 100 contiguous sq. ft. | patient; 200 sq. ft. AND | | exceed 800 square feet, | parcel under same | |
| Indoor | Outdoor: max 24 immature | | one contiguous staked | ownership. | 2 acres or less: |
| | or 18 mature plants | | area. Max 12 plants | | No commercial cultivation |
| 2 but less than 5 acres: 300 | | | Indoors. | <u>2 acre min:</u> | |
| contiguous sq. ft. Outdoor | 5-10 acres: Indoor: 100 sq. | | | | More than 2 acres, up to 5 acres: |
| OR 100 contiguous sq. ft. | ft. per qualified patient; | | - Over 20 acres: | Spec. Cottage (ID) | Indoor: max of 500 square feet of canopy |
| Indoor | 300 sq. ft. AND | | Maximum of 25 plants | 500 sf | No Mixed-Light or Outdoor cultivation |
| | Outdoor: max 36 immature | | per Parcel, Indoor or | | |
| 5 but less than 10 acres: | or 24 mature plants | | Outdoor, or combination | Specialty (ID) | More than 5 acres, up to 10 acres: |
| 400 contiguous sq. ft. | | | of both. Outdoor grow | 501-5000 sf | Indoor, Mixed-Light, Outdoor or a |
| | 10-20 acres: Indoor: 100 | | area not to exceed 1000 | | combination: max of 2,500 square feet of |
| Outdoor OR 100 sq. ft. | sq. ft. per qualified patient; | | square feet, one | Small (ID) | <mark>canopy</mark> |
| Indoor | 400 sq. ft. | | contiguous staked area. | 5001-1000 sf | |
| | | | Max 12 plants Indoors. | | More than 10 acres, up to 20 acres: |
| 10 but less than 20 acres: | AND | | | <u>3 acre min:</u> | Indoor, Mixed-Light, Outdoor or a |
| 600 contiguous sq. ft. of | Outdoor: max 48 immature | | <u>Rural zones (AG, AE, FR,</u> | Spec. Cottage (OD) | combination: max of 5,000 square feet of |
| Outdoor OR | or 36 mature plants | | TPZ and RA, Rural | 25 plants | <mark>canopy</mark> |
| 100 contiguous sq. ft. | | | Designation): | | |
| Indoor | 20-30 acres: Indoor: 100 | | | Spec. Cottage (ML) | More than 20 acres: |
| | sq. ft. per qualified patient; | | Equal to or less than 2 | 2500 sf | Indoor, Mixed-Light, Outdoor or a |
| 20 ore more acres: 1000 | 500 sq. ft. AND | | acres: No cultivation, | | combination: max of 10,000 square feet of |
| contiguous sq. ft. of | Outdoor: max 60 immature | | Indoor or Outdoor | Specialty (ML) | <mark>canopy</mark> |
| outdoor OR 100 | or 48 mature plants 30 | | | 2501-5000 sf | |
| contiguous sq. ft. indoor | acres+ | | More than 2 acres up to 5 | | |
| | | | acres: Max 6 plants, | | |
| | | | Outdoor only. | | |

| (Ordinance 2349) | (Measure S) | (<u>Ordinance 2405)</u> | (Ordinance 2416) | <u>(CAG)</u> | (BOS direction for 2018) |
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| | Indoor: 100 sq. ft. per qualified patient; 600 sq. | | Outdoor or combination of both. Outdoor grow | Small (ML) 5001-10000 | Additional Commercial Requirements: |
| | ft. AND | | area not to exceed 300 | | Must be cultivated on parcel with |
| | Outdoor: max 99 immature | | square feet, one | <u>5 acre min:</u> | permanent residence and resident, or on a |
| | or 60 mature plants | | contiguous staked area. | Specialty (OD) | contiguous parcel with residence under |
| | | | | 5000 sf or 50 plants | common ownership. |
| | All Other Zones: All | | More than 5 acres up to | | |
| | Allowed, No limitations | | 10 | Specialty (ML) | Must have all applicable licenses and |
| | | | acres: Maximum of 12 | 2501-5000 sf | permits from the State |
| | | | plants per Parcel, Indoor | | |
| | | | or Outdoor or | <u>10 acre min:</u> | Must have legal and permitted water |
| | | | combination of both. | Small (OD) | source. |
| | | | Outdoor grow area not to | 5001-10000 sf | |
| | | | exceed 600 square feet, | | A maximum of 3 cannabis related permits |
| | | | one contiguous staked | AG/AE: | will be issued per person or entity in Nevada |
| | | | area. | Allow nurseries | County. No person or entity may have a |
| | | | | | <mark>financial interest in more than 3 cannabis</mark> |
| | | | More than 10 acres up to | Caregivers: | <mark>businesses in Nevada County.</mark> |
| | | | 20 acres: Maximum of 16 | For up to 5 patients, 20 | |
| | | | plants per Parcel, Indoor | plants and 500 sf per | Annual Cannabis Permit allows cultivators to |
| | | | or Outdoor or | patient. (apply commercial | transport own product off cultivation site |
| | | | combination of both. 12 | zoning/land use | premise if licensed to do so by the State. |
| | | | plant maximum Indoor. | requirements) | |
| | | | Outdoor grow area not to | | Caregivers: |
| | | | exceed 800 square feet, | <u>AG, AE, M1:</u> | Non-remuneration cultivation allowed for |
| | | | one contiguous staked | Microbusinesses with CUP | up to 5 patients, 500 square feet per |
| | | | area. | AG/AE: | patient. Commercial land use regulations |
| | | | | 5 acre min: 5000sf | apply and Annual Cannabis Permit and ADP |
| | | | More than 20 acres: | 10 acre min: 10000 | required. |
| | | | Maximum of 25 plants | | |
| | | | per Parcel, Indoor or | | |
| | | | Outdoor or combination | | |

| (Ordinance 2349) | (Measure S) | (Ordinance 2405) | (Ordinance 2416) | <u>(CAG)</u> | (BOS direction for 2018) |
|--|---|--|--|---|--|
| | | | of both. 12 plant maximum Indoor. Outdoor grow area not to exceed 1000 square feet, one contiguous staked area. | <u>M1:</u> Extractions Infusions Packaging/Labeling Testing Distribution/Transport | |
| | | | | <u>C2:</u> Testing Retailer and Non-storefront Retailer | |
| | | | | <u>CH:</u> Retailer and Non-storefront Retailer Distrib/Transport | Commercial Setback: |
| <u>Setbacks:</u> | <u>Setbacks:</u> | Setbacks: | <u>Setbacks:</u> | <u>Setbacks:</u> | All Zones: |
| <u>R-1, R-2, R-3 or R-A</u> : | <u>R-1, R-2, R-3 or R-A</u> : | <u>All Zones:</u> | All Zones: | <u>All Zones:</u> | 100 feet from the grow to the property line for all commercial grow sites with an option |
| Less than 2 acres: 100 ft. from any Legal Residence or Outdoor Living area on adjacent property | 100 ft. from any legal residence located on an adjacent separate Legal | 100 ft. from any Legal Residence or Outdoor Living Area on adjacent property. | More than 2 acres up to 5 acres: 100 ft. More than 5 acres up to | 100 ft from grow to property line for all commercial grow sites | for a setback variance for cultivation in accessory structures (indoor or mixed-light) |
| 2 or more acres: 200 ft. from any Legal Residence or Outdoor Living area on | Parcel measured from the edge of the cannabis garden to the closest exterior wall of the primary | μομειτγ. | More than 10 to 20 acres: 200 ft. | 600 ft from schools | 1000 feet from <mark>sensitive sites</mark> (need clarification on what qualifies as a sensitive site) |
| adjacent property | residence next door. | | | | Consider lesser setback from state or federal undeveloped park land. |

| (Ordinance 2349) | (Measure S) | (Ordinance 2405) | (Ordinance 2416) | <u>(CAG)</u> | (BOS direction for 2018) |
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| <u>Rural Zones (AG, AE, FR, or</u> <u>TPZ):</u> | <u>Rural Zones: (RA, AG, AE, FR, or TPZ):</u> | | More than 20 acres: 300 ft. | | |
| Less than 2 acres: 100 ft. from any Legal Residence or Outdoor Living area on adjacent property 2 but less than acres 5: 150 ft. from any Legal Residence or Outdoor Living area on adjacent property 5 but less than 10 acres: 200 ft. from any Legal Residence or Outdoor Living area on adjacent property 10 but less than 20 acres: 250 ft. from any Legal Residence or Outdoor Living area on adjacent property | 200 ft. from any legal residence located on an adjacent separate Legal Parcel measured from the edge of the cannabis garden to the closest exterior wall of the primary residence next door. | | Measured from the border of an Outdoor staked grow area or Indoor cultivation area to the property line of an adjacent Legal Parcel under separate ownership. | Permitting: Three-step permitting: Inspection, enforcement process which includes app. compliance inspection, final compliance inspection, and annual compliance inspection | Permitting:Annual Cannabis Permit required in addition to Land Use permit as follows:Annual Cannabis Permit: (Cultivator) Three-step permitting: Inspection, enforcement process which includes app. compliance inspection, final compliance inspection, and annual compliance inspectionLand Use Permit: (Land Owner)Administrative Development Permit (ADP): Required for canopy up to 2,500 square feet expires after two years and can be renewed through streamlined process for additional two year periods. |
| 20 or more acres: 300 ft. from any Legal Residence or Outdoor Living area on | | | | | <u>Conditional Use Permit (CUP):</u> Required for canopy totaling 2,501 – 10,000 square feet expires after two years and can |
| adjacent property | | | | | be renewed through a streamlined process for additional two year periods if operation conditions do not significantly change. |

| (Ordinance 2349) | (Measure S) | (Ordinance 2405) | (Ordinance 2416) | <u>(CAG)</u> | (BOS direction for 2018) |
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| Enforcement: | Enforcement: | Enforcement: | Enforcement: | Enforcement: | Enforcement: |
| Abatement hearings with costs/fees associated with abatement. If abated before hearing, no fees/costs Timeline: 5 calendar days to appeal Hearing set between 5- 30 days from appeal request Service of notice deemed complete 3 days from date placed in mail, if not personally served | No change | Abatement hearings with costs/fees associated with abatement. If abated before hearing, no fees/costs Timeline: 5 cal days to Appeal Hearing set between 5-30 days from appeal request Service of notice deemed complete 3 days from date placed in mail, if not personally served | <u>Abatement costs/fees</u>: no change <u>Timelines</u>: 5 bus days to appeal Hearing set between 5-20 days from appeal request Service of notice deemed complete on date placed in mail <u>Administrative Penalties</u>: \$100 per day/per violation \$200 per day/per violation \$500 per day/per violation Each plant=separate violation Each day nuisance continues= separate violation Building/Safety Violations: \$100 per day/per violation Penalties subject to appeal process. Penalty provisions effective 1/1/2017. | Transition Period: Allow for compliance grace period through March 1, 2020. | Transition Period: Allow for compliance grace period for non- cannabis related code violations for two years from when ordinance is adopted. Abatement costs/fees: no change Timelines: Allows for 7 days to abate/correct before civil penalties applied. Administrative Penalties: Increase to 3X permit fee or \$1000/day with a max of \$25,000 per year per violation. Building/Safety violations: No change other than transition period above. Enforcing officer definition adds "Code Compliance Program Manager" to list of county staff authorized as enforcing officers. |