



# COUNTY OF NEVADA

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## Legislation Details (With Text)

**File #:** SR 23-0047

**Type:** Presentation **Status:** Scheduled Item

**In control:** Planning Department

**On agenda:** 1/10/2023

**Title:** Public Hearing to consider the Nevada County Planning Commission's December 8, 2022, 3-1 (1 absent) recommendation that the Nevada County Board of Supervisors adopt the Addendum to the Certified Final Environmental Impact Report (SCH# 2018082023) and a 4-0 (1 absent) recommendation that the Nevada County Board of Supervisors approve a Zoning Ordinance amendment to Section L-II 3.30 of Chapter II Zoning Regulations to amend the County's Commercial Cannabis Cultivation Ordinance. The draft ordinance proposes the following general changes in addition to other minor changes, clarifications, and clean-up: 1) Allow adult use cultivation in addition to medical use cultivation. 2) Combine Commercial Cannabis Permit (CCP) and Administrative Development Permit (ADP) application/permitting process. 3) Add standards and requirements for additional license types for distribution, non-volatile manufacturing, microbusinesses, and retail sales. 4) Remove onsite residence requirement for adjacent parcels included in common ownership or control of overall Premises. 5) Allow a percentage of Support Area to be used for additional Canopy Area and/or manufacturing/distribution operations. 6) Allow aggregate parcel sizes of multiple parcels to be used to calculate allowed maximum canopy sizes. 7) Modification to setback requirements to increase setbacks for larger cultivation sites, modify setbacks to sensitive sites to be consistent with State requirements, and modify setbacks for shared property lines of a Premises. 8) Add parking requirements.

**Sponsors:**

**Indexes:** Community Development Agency (61), Ordinances or anything pertaining to Ordinances (20), Planning Agency (Board of Zoning Admin, Subdivisions, etc.) (46)

**Code sections:**

**Attachments:** 1. Staff Memo - Cannabis Ordinance Amendment ORD22-2, 2. 1. Reso CEQA Addendum, 3. 1A. Final NCCCO FEIR Addendum, 4. 2. Ordinance - Cannabis Cultivation, 5. 2A. Exhibit A L-II 3.30 Clean Version-Final, 6. 3. 2022 REDLINE Cannabis Cultivation Ordinance, 7. 4. HOA Acknowledgement, 8. 5. Planning Commission 12-8-22 Staff Report, 9. 6. 2022-12-08 Draft Planning Commission Minutes, 10. 1-10-2023-Cannabis Ordinance public hearing notice, 11. 37.Cannabis Powerpoint BOS Final, 12. Cannabis Cultivation Ordinance public comment-redacted, 13. Public Comment Comercial Cannabis Cultivation-redacted, 14. 37.Public Comment-redacted, 15. 37.More Public Comment-redacted

| Date      | Ver. | Action By            | Action               | Result |
|-----------|------|----------------------|----------------------|--------|
| 1/10/2023 | 1    | BOARD OF SUPERVISORS | Public hearing held. | Pass   |

Public Hearing to consider the Nevada County Planning Commission's December 8, 2022, 3-1 (1 absent) recommendation that the Nevada County Board of Supervisors adopt the Addendum to the Certified Final Environmental Impact Report (SCH# 2018082023) and a 4-0 (1 absent) recommendation that the Nevada County Board of Supervisors approve a Zoning Ordinance amendment to Section L-II 3.30 of Chapter II Zoning Regulations to amend the County's Commercial Cannabis Cultivation Ordinance. The draft ordinance proposes the following general changes in addition to other minor changes, clarifications, and clean-up: 1) Allow adult use cultivation in addition to medical use cultivation. 2) Combine Commercial Cannabis Permit (CCP) and Administrative Development Permit (ADP) application/permitting process. 3) Add standards and requirements for additional license types for distribution, non-volatile manufacturing, microbusinesses, and retail sales.

4) Remove onsite residence requirement for adjacent parcels included in common ownership or control of overall Premises. 5) Allow a percentage of Support Area to be used for additional Canopy Area and/or manufacturing/distribution operations. 6) Allow aggregate parcel sizes of multiple parcels to be used to calculate allowed maximum canopy sizes. 7) Modification to setback requirements to increase setbacks for larger cultivation sites, modify setbacks to sensitive sites to be consistent with State requirements, and modify setbacks for shared property lines of a Premises. 8) Add parking requirements.