

COUNTY OF NEVADA

STATE OF CALIFORNIA

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Ed Scofield, 2nd District
Dan Miller, 3rd District
Susan Hoek, 4th District
Richard Anderson, 5th District (Chair)

Julie Patterson Hunter, Clerk of the Board
Alison Lehman, County Executive Officer
Alison Barratt-Green, County Counsel



BOARD OF SUPERVISORS

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AGENDA

<u>Date</u>	<u>Time</u>	<u>Location</u>
Tuesday, May 7, 2019	9:00 AM	Board Chambers, First Floor Eric Rood Administrative Center 950 Maidu Avenue Nevada City, California

SPECIAL MEETING

This meeting is broadcast live on NCTV Channel 17 in the Western County and on Truckee-Tahoe Community TV (TTCTV) Channel 18 in the Eastern County and can be viewed live through the web at <https://nevco.legistar.com/Calendar.aspx>

Video Conferencing for public comment regarding items appearing on the agenda will be available during the morning session, located at the District V Board of Supervisors Conference Room, Nevada County Sheriff's Substation, 10879A Donner Pass Road, Truckee, California

There will be no public comment period for items not appearing on the agenda.

The Board of Supervisors welcomes you to its Special Meeting. Your interest is encouraged and appreciated.

ANY MEMBER OF THE AUDIENCE DESIRING TO ADDRESS THE BOARD ON A MATTER ON THE AGENDA: Please approach the rostrum and, after receiving recognition from the Chair, give your name and comments or questions as all meetings are recorded. In order that all interested parties have an opportunity to speak, please limit your comments to the specific item under discussion. Time limitations are explained on the last page of the agenda.

The meeting room is accessible to people with disabilities. Anyone requiring reasonable accommodation to participate in the meeting should contact the Clerk of the Board's office by calling (530) 265-1480 at least four days prior to the meeting. TTY/Speech-to-Speech users may dial 7-1-1 for the California Relay Service.

The agenda and all supporting documents are available for review during regular business hours at the Clerk of the Board office, 950 Maidu Avenue, 2nd Floor, Suite 200, Nevada City, California. This agenda and certain supporting documents may be obtained on the Clerk of the Board's website at <http://www.mynevadacounty.com/nc/bos/cob>. To view the supporting documents on this agenda for a particular item, click on the SR number to the left of the item. Please note that the on-line agenda may not include all related or updated documents.

Proposed actions and supporting documents are considered draft until acted upon by the Board. All items listed on the agenda may be acted upon by the Board of Supervisors.

SPECIAL MEETING: 9:00 AM

STANDING ORDERS:

Call the meeting to order.

Pledge of Allegiance.

SCHEDULED ITEM: 9:01 A.M.

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Planning Director: Brian Foss

1. [SR 19-0319](#) Public hearing to consider (1) an Ordinance adding Section L-II 3.30 to Chapter II of the Land Use and Development Code and related amendments to Land Use Tables for the Nevada County Commercial Cannabis Cultivation Ordinance (NCCO) and (2) adoption of the Final Environmental Impact Report, Mitigation Monitoring Program and Findings and Statement of Overriding Considerations (EIR18-0001, SCH No. 2018082023). The proposed NCCO would replace and repeal the existing cannabis regulations in Article 5 of the Nevada County General Code.
- 1a. [SR 19-0349](#) Resolution of the County of Nevada certifying the adequacy of the Final Environmental Impact Report for the Nevada County Commercial Cannabis Cultivation Ordinance Project (EIR18-0001, SCH No. 2018082023) in accordance with the California Environmental Quality Act and making certain findings concerning environmental impacts, mitigation measures and alternatives to the project, adopting a mitigation monitoring and reporting program and adopting a statement of overriding considerations, in connection with approval of the project contemplated by the Final Environmental Impact Report.
- 1b. [SR 19-0348](#) (Introduce/Waive Further Reading/Adopt) An Urgency Ordinance adding Section L-II 3.30 to Article 3 of Chapter II and amending Tables L-II 2.2.1.B, L-II 2.2.2.B, L-II 2.3.D, L-II 2.4.D, L-II 2.5.D, And L-II 2.6.F in Article 2 of Chapter II of the Nevada County Land Use and Development Code regarding Cannabis Cultivation. (4/5 affirmative vote required)

Recess for lunch:

AFTERNOON SESSION: 1:30 P.M.**Planning Director: Brian Foss**

Continued discussion if necessary.

1. [SR 19-0319](#) Public hearing to consider (1) an Ordinance adding Section L-II 3.30 to Chapter II of the Land Use and Development Code and related amendments to Land Use Tables for the Nevada County Commercial Cannabis Cultivation Ordinance (NCCO) and (2) adoption of the Final Environmental Impact Report, Mitigation Monitoring Program and Findings and Statement of Overriding Considerations (EIR18-0001, SCH No. 2018082023). The proposed NCCO would replace and repeal the existing cannabis regulations in Article 5 of the Nevada County General Code.

ADJOURNMENT:

*(The Board of Supervisors can discuss these items at any time during the meeting.)

This agenda was posted on bulletin boards 72 hours in advance of the meeting at the following locations: 1. Eric Rood Administrative Center; outside Board office, outside Board Chambers, and outside main entrance. 2. Madelyn Helling Library. 3. Truckee Joseph Center.

Posted May 2, 2019.

Notice was also posted at the District V Board of Supervisors Conference Room, Truckee Joseph Center, Truckee Library and the Grass Valley Library.

PERSONS DESIRING TO ADDRESS THE BOARD**CONTROL OF MEETING:**

The Board Chairperson shall first caution any person at the meeting who is abusive, disruptive, or out of order, and then ask that person to leave if the person will not stop; additionally, the Chair reserves the right to recess the meeting until the person leaves or is escorted out and order is restored.

PUBLIC COMMENT:

Matters on the Agenda: The Board shall allow public comment on items appearing on the agenda when the agenda item is considered by the Board. The Chair may limit the total amount of time for comment on any agenda item and may limit any individual desiring to address the Board to no less than three (3) minutes. Comments by the public must be relevant to the item on the agenda being considered by the Board.

The Chair of the Board may limit the total amount of time allocated for public comment; provided, however, the Board will allocate at least fifteen (15) minutes for receiving public comment during any Board meeting. The Chair of the Board may limit any individual desiring to address the Board to no less than three (3) minutes. Time to address the Board will be allocated on the basis of the order in which the requests were received.

SPECIAL MEETINGS:

At special meetings of the Board, public comment will only be allowed on matters appearing on the agenda.

ORDER AND DECORUM:

Individuals or organizations desiring to address the Board shall: 1) Address the Board from the podium. Speakers are encouraged but not required to give their name and city of residence before addressing the Board. Speakers shall direct their comments to the Board, not the audience or staff. 2) Comment on the specific matter before the Board with reasons for the position taken. 3) The Chair may, at his or her discretion, allow up to five (5) minutes for those who are serving as a spokesperson for a group or organization. 4) A speaker may not yield time to another speaker. 5) No individual may speak more than once during the Public Comment period or on an item on the agenda unless recognized by the Chair as having new information. 6) In the interest of civil discourse, the rules specified in this Order and Decorum of Board Business and Robert's Rules of Order, to the extent such Rules are not in conflict with the Brown Act, shall apply at all Board meetings. It shall be the responsibility of the Chair to ensure public comments are conducted in such a manner that avoids disruptive activity, promotes mutual respect, keeps comments focused on issues, and avoids personal attack. 7) Applicants, applicant representatives and appellants desiring to speak shall be permitted to speak first during the public comment portion of a public hearing for not more than ten (10) minutes (or fifteen (15) minutes at Appeal Hearings), unless different rules for conducting the hearing are provided by County code. Time limits may be modified at the Chair of the Board's discretion.

ORDINANCES:

- 1) By statute, an ordinance may be passed immediately upon introduction only after notice and a public hearing.
- 2) An urgency ordinance may be passed immediately upon introduction.
- 3) Ordinances shall not be passed within five days of their introduction, nor at other than a regular meeting or at an adjourned regular meeting unless authorized by statute as indicated above. The Board of Supervisors will address ordinances at first readings. The public is urged to address ordinances at first readings; as passage of ordinances will be held at second readings, after reading the title.
- 4) Adoption of the ordinance is made by majority vote.
- 5) The Board reserves the right to amend any proposed ordinances and to hold a first reading in lieu of a second reading. (Gov. Code Section 25131, et seq.)

INFORMATIONAL CORRESPONDENCE:

The Board may direct any item of informational correspondence to a department head for appropriate action.

REFERENCES:

- Nevada County Resolution 17-084 (Public comment)
Ralph M. Brown Act, California Government Code Sec. 54950, et. seq. (Open meetings law)
Nevada County Land Use Code Sec. L-II 5.12 (Appeals)