



2019070431

NOTICE OF EXEMPTION

TO: X Office of Planning & Research
1400 Tenth Street, Rm.121
Sacramento, CA 95814

From: Nevada County Planning Department
950 Maidu Ave., Nevada City, CA

X County Recorder
County of Nevada

Applicant: Divine Pines Inc.
13665 Karrys Place, Grass Valley, CA 95945

Project Title:

Divine Pines Inc. Commercial Cannabis Permit

Project Location—Specific:

13665 Karrys Place, Grass Valley, CA 95945
APN: 028-020-048

Description of Nature, Purpose, and Beneficiaries of Project:

Commercial Cannabis Permit for 2,500 square feet of outdoor cannabis cultivation for medicinal purposes, and 1,013 square feet of support area in a proposed structure that will be used for the propagation of immature plants, drying, trimming, storage, and self-distribution. This operation includes approximately 4,140 square feet of ground disturbance for the proposed cultivation areas, a 1,200 square foot support structure, a 320 square foot compost area and a 120 square foot shed. The site will be accessed by an existing driveway that is used to access the existing residence. All tasks on site will be performed by residents of the parcel, who will reside on site full time for security purposes. The operation may have up to four employees for approximately six weeks from October 1 through November 15. Two to four traffic trips per day are expected by employees. There will also be some additional traffic for the delivery of compost and soil, and for the applicants to transport cannabis to distributors. No other members of the public will be allowed to enter cultivation sites or support areas. The project areas are on fairly level to slightly sloped ground that is already disturbed. Vegetation has been removed and there are no waterways or sensitive resources in the project area. The site has an existing residence and accessory structures, which are serviced by a well and a septic system for water supply and sewage disposal. No new lighting is proposed. The site has motion sensor lighting that is fully shielded and directed downward that is near the residence. Noise producing equipment will only be used one or two days per year to distribute and rototill soil, which would be comparable to other equipment on General Agricultural zoned properties. A Notice of Applicability, and the Monitoring and Reporting Program were obtained by the applicant from the Central Valley Regional Water Quality Control Board. An annual cultivation license from the California Department of Food and Agriculture shall be obtained prior to the County Annual Cannabis Permit being issued.

Name of Public Agency Approving Project:

Nevada County

Name of Person or Agency Carrying Out Project:

Divine Pines Inc., James Moe and Carl Cathey

Exempt Status: (Check One)

Ministerial (Sec. 21080(b)(1); 15268

Declared Emergency

Emergency Project [Sec. 15071 (b) and (c)]

Categorical Exemption. State type and Section number: *Section 15301, Class 1 Existing Facilities for the operation and minor alteration of an existing use; and Section 15311, Class 11 Construction, or replacement of minor structures accessory to (appurtenant to) commercial, industrial, or institutional facilities.*

Reasons why the project is exempt:

The project involves the use of developed site for commercial cannabis cultivation for medicinal purposes. The project is allowed by the zoning code and does not conflict with Land Use Policies. The Project does not create any significant impacts to biological resources including sensitive habitats or any species of concern. The project area is outside of any identified and protected resources and the required setbacks. Prime Farmlands and/or Farmlands of Statewide Importance have been avoided. Dust control measures are included in the project description/site plans and air quality standards will not be impacted. A lighting control plan has been submitted ensuring lighting will not impact neighboring properties. The commercial cannabis areas are appropriately screened from public views. The project does not create impacts to roadways or require significant roadway improvements. The project has an approved water, wastewater disposal and permanent electrical source. The project will not create a significant demand on these service systems. A hazardous materials business plan has been completed and meets Fire Department and Environmental Health requirements for storage and use. Cultural and Tribal resources will be avoided as evidenced by a cultural report and/or NCIC sensitivity letter. The project will not impact watercourses or wetlands by meeting setbacks from watercourses and/or including site specific controls to ensure watercourses are protected. Odor from the project has been mitigated due to indoor cultivation with odor control and meeting setbacks required by the ordinance for outdoor cultivation.

Contact Person: Sadie Caldas

Telephone: 530-265-1345

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the Public Agency approving the project?
Yes X No

Date Received for Filing: _____


Brian Foss, Planning Director
Nevada County Planning Department

Date 6/5/19

Governor's Office of Planning & Research

JUN 24 2019

STATE CLEARINGHOUSE