



NOTICE OF EXEMPTION

TO: Office of Planning & Research
P.O. Box 3044, Room 113
Sacramento, CA 95814-3044

County Recorder
County of Nevada

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

Applicant:
DenCob LLC
Juan & Connie Paniagua
P.O. Box 65
Rough and Ready, CA 95975
(530) 451-0214

Project Title:

DenCob Cannabis Storefront Retail Microbusiness – PLN23-0037; CUP23-0003

Project Applicant

DenCob LLC – Juan & Connie Paniagua

Project Location – Specific:

The project is located at 10086 Crescenzi Place (APN 050-460-008) and 10042 Crescenzi Place (APN 050-460-009) Smartsville, CA in Western Nevada County, on the north side of Highway 20 and approximately 0.5 miles east of the Yuba County border.

Description of Nature, Purpose, and Beneficiaries of Project:

This project proposes to add storefront retail sales to an existing cannabis microbusiness operation at 10086 and 10042 Crescenzi Place, Smartsville, CA. The existing microbusiness uses previously approved by an Administrative Development Permit (PLN23-0045; ACADP23-0012) include 10,000 square feet of outdoor cannabis cultivation canopy, 9,000 square feet of support area including a 4,200 square-foot commercial building and 4,800 square feet of immature plant area in hoop houses, distribution, manufacturing, and 9 employees. These uses will continue, along with the conversion of 602 square feet within the existing commercial structure to be used for storefront retail sales, installation of landscaping, and road and driveway improvements. There will be no additional employees or structures.

Name of Public Agency Approving Project:

Nevada County

Name of Person or Agency Carrying Out Project:

DenCob LLC – Juan & Connie Paniagua

Exempt Status: (Check One)

- Ministerial (Sec. 21080(b)(1); 15268);
 Declared Emergency (Sec. 21080(b)(3); 15269(a));
 Emergency Project (Sec. 21080(b)(4); 15269(b)(c));

X Categorical Exemption. State type and section number; *Section 15303 New Construction or Conversion of Small Structures: The conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure including but not limited to a store not exceeding 2,500 square feet in flood area.*

_____ Statutory Exemption. State code number: _____

Reasons why project is exempt:

This project proposes to add storefront retail sales to an existing cannabis microbusiness operation at 10086 and 10042 Crescenzi Place, Smartsville, CA. The existing microbusiness uses previously approved by an Administrative Development Permit (PLN23-0045; ACADP23-0012) include 10,000 square feet of outdoor cannabis cultivation canopy, 9,000 square feet of support area including a 4,200 square-foot commercial building and 4,800 square feet of immature plant area in hoop houses, distribution, manufacturing, and 9 employees. These uses will continue, along with the conversion of 602 square feet within the existing commercial structure to be used for storefront retail sales, installation of landscaping, and road and driveway improvements. There will be no additional employees or structures.

All potential environmental impacts from the cannabis operation besides the storefront retail are evaluated and deemed less than significant pursuant to the Program Environmental Impact Report (EIR18-0001, SCH#2018082023) that was certified on May 14, 2019, by the Nevada County Board of Supervisors (NOD attached) and the Addendum to the Environmental Impact Report that was adopted by the Nevada County Board of Supervisors on January 10, 2023. The Program EIR (PEIR) identified mitigation measures that were incorporated into the ordinance as development standards and requirements. The Addendum determined that updates to the Nevada County Cannabis Ordinance will not result in any new or substantially more significant effects or require any new mitigation measures. The project has been reviewed for consistency with the requirements of the ordinance and the project does not present any new environmental impacts that were not thoroughly analyzed and disclosed in the Program EIR or Addendum.

The storefront retail portion of the project is exempt by Categorical Exemption Section 15303 for New Construction or Conversion of Small Structures. Within an existing structure, 602 square feet will be converted to storefront retail use. The applicant anticipates an average of five (5) additional vehicle trips per day related to the storefront retail operation. The project site is served by paved roads that meet the Nevada County code requirements, and is located approximately one quarter mile off of State Highway 20. Minor improvements will be made to the existing driveway to ensure adequate fire emergency access. Therefore, the impacts related to traffic and transportation will be less than significant.

Additional trees and shrubs will be installed adjacent to and within the existing parking area such that the project meets the requirements in Nevada County Land Use & Development Code Section L-II 4.2.7 Landscaping. The plantings will be primarily native and/or drought tolerant varieties that will have a less than significant impact on the environment.

The project does not require any new structures or substantial grading and no significant vegetation will be removed. A previously approved Management Plan (MGT23-0017) at the project site mitigates the impacts related to the removal or disturbance of five (5) oaks in landmark oak groves with greater than 33 percent canopy cover by protection, maintenance, and enhancement of fifteen (15) one-year old volunteer oak seedlings in the western portion of the parcel at 10042 Crescenzi Place. The project includes additional permanent open space beyond that required by the previously approved Management Plan and there will be no additional impacts to protected trees. The project will not result in impacts on any watercourses or riparian resources.

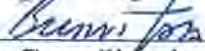
Lead Agency Contact Person – Marie Maniscalco

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

Signature: 
Brian Foss, Planning Director
Nevada County Planning Department

Date: 3/18/24

Date Received for Filing at OPR: 3/18/2024