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NEVADA COUNTY
COMMUNITY DEVELOPMENT AGENCY POLICY
PLANNING DEPARTMENT

Subject:	Cannabis Parking Requirements	Policy #:	PLN 1
Original Policy Date:	November 2, 2020	Last Revised Date:	N/A

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1. Purpose:

This policy is intended to provide direction to staff in implementing ADA requirements for accessible parking associated with Commercial Cannabis Projects. The Department's intent is to provide clear direction to applicants as to ADA parking requirements for specific uses under Commercial Cannabis ADPs. Due to the lack of LUDC direction specific to Commercial Cannabis uses, ADA standards applied must be specific to the use/structure for which application is being made. Thus, in most cases the Building Department will be the authority in applying ADA parking regulation to specific cannabis uses.

2. Analysis:

The Nevada County Land Use and Development Code contains parking standards for different land use types in Section L-II 4.2.9. The parking requirements are based on square footages of structures and based on the use types of the structures and activities occurring onsite.

Commercial Cannabis operations are not specifically listed in the land use tables. The land uses associated with commercial cannabis cultivation and processing generally include office use, storage, processing and cultivation similar to agricultural uses. Given the rural nature of the parcels that qualify for commercial cannabis permits, permanent parking lots and wheelchair accessible (ADA) parking spaces can provide a challenge for commercial business and are generally in areas that do not provide improved access connectivity to the rest of the site and/or areas where commercial cannabis operations occur. Therefore, a use specific interpretation is required.

3. Policy:

Standard Parking Spaces: One (1) space per employee*

Wheelchair Accessible Parking Spaces: The accessible parking standards for Commercial Cannabis operations shall be in accordance with the most recently adopted version of the California Building Standards Codes. These standards will be in accordance to Public Accommodations as outlined in Chapter 11B of the California Building Code, and will be applied by the Building Department. Accessible parking is required based on the table below only when there are fully permitted commercial accessory structures such as processing structures, office buildings, and greenhouse structures. Ag exempt structures do not require disabled accessible parking facilities.

Excerpt from the California Building Code showing minimum disabled accessible parking standards related to parking facilities:

TABLE 11B-208.2
PARKING SPACES

TOTAL NUMBER OF PARKING SPACES PROVIDED IN PARKING FACILITY	MINIMUM NUMBER OF REQUIRED ACCESSIBLE PARKING SPACES
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2 percent of total
1001 and over	20, plus 1 for each 100, or fraction thereof, over 1000

*Parking spaces for non-ADA spaces may be gravel or other compacted surface capable of supporting vehicles. If employees are living onsite parking spaces required for the residence may be credited toward the total employee spaces required onsite (up to 2 spaces per legal dwelling). ADA parking spaces (if required) may be counted in the total required parking space count (i.e. 7 employees proposed, 6 regular spaces and 1 ADA space for a total of 7). Any parking spaces provided in excess of the required parking are not required to meet County standards. Driveway standards are required to be met for all cannabis projects regardless of parking requirements.

4. Policy Interpretation:

The Director of Planning Department, Director of Building and/or their designee shall have the authority for the interpretation of this policy.

Policy Initiated By: Brian Foss, Planning Director

Approved: *Brian Foss*

Date: *11/2/2020*

Brian Foss
Planning Director