

# Medical Marijuana Establishments

Nye County, Nevada

## Licensing

Application Packet





# MEDICAL MARIJUANA ESTABLISHMENT BUSINESS LICENSE APPLICATION

NYE COUNTY PLANNING DEPARTMENT

See Reverse for Submittal Requirements

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

<input type="checkbox"/> MEDICAL MARIJUANA ESTABLISHMENT BUSINESS LICENSE (INITIAL APPLICATION) <input type="checkbox"/> MEDICAL MARIJUANA ESTABLISHMENT BUSINESS LICENSE (ANNUAL RENEWAL)  <b>ESTABLISHMENT TYPE</b> (CHECK ONLY ONE - A SEPARATE APPLICATION IS REQUIRED FOR EACH ESTABLISHMENT):  <input type="checkbox"/> DISPENSARY <input type="checkbox"/> CULTIVATION FACILITY <input type="checkbox"/> PRODUCTION FACILITY <input type="checkbox"/> TESTING LABORATORY	DATE FILED:	APPLICATION NUMBER: <b>MM-</b>
	PROCESSED BY:	BOCC MEETING DATE:
	FEES:	<b>Dispensary:</b> <input type="checkbox"/> \$15,000.00 (Initial Application) <input type="checkbox"/> \$7,500.00 (Annual Renewal)  <b>Cultivation Facility:</b> <input type="checkbox"/> \$5,000.00 (Initial Application) <input type="checkbox"/> \$2,500.00 (Annual Renewal)  <b>Production Facility:</b> <input type="checkbox"/> \$5,000.00 (Initial Application) <input type="checkbox"/> \$2,500.00 (Annual Renewal)  <b>Testing Laboratory:</b> <input type="checkbox"/> \$2,500.00 (Initial Application) <input type="checkbox"/> \$1,250.00 (Annual Renewal)
APPROVED MME SPECIAL USE PERMIT CASE #:	RECEIPT #:	

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

NAME OF APPLICANT: \_\_\_\_\_

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO:

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

TELEPHONE/CELL: \_\_\_\_\_ E-MAIL ADDRESS: \_\_\_\_\_

BUSINESS NAME OF MEDICAL MARIJUANA ESTABLISHMENT: \_\_\_\_\_

PHYSICAL ADDRESS/LOCATION OF MEDICAL MARIJUANA ESTABLISHMENT: \_\_\_\_\_

PROPERTY OWNER: \_\_\_\_\_

ASSESSOR'S PARCEL NUMBER(S): \_\_\_\_\_

TYPE OF MEDICAL MARIJUANA ESTABLISHMENT:

DISPENSARY

CULTIVATION FACILITY

PRODUCTION FACILITY

TESTING LABORATORY

DATE BUSINESS OPENED (IF APPLICABLE): \_\_\_\_\_

**THIS APPLICATION CANNOT BE SUBMITTED UNLESS THE FOLLOWING 5 QUESTIONS ARE ANSWERED "YES":**

- HAS NYE COUNTY APPROVED A SPECIAL USE PERMIT (SUP) FOR THE ESTABLISHMENT?  YES  NO DATE OF APPROVAL: \_\_\_\_\_
- HAS A SECURITY & TRANSPORTATION PLAN BEEN APPROVED BY THE SHERIFF'S OFFICE?  YES  NO DATE OF APPROVAL: \_\_\_\_\_
- HAS A WATER IMPACT PLAN BEEN APPROVED BY THE NYE COUNTY WATER DISTRICT BOARD?  YES  NO DATE OF APPROVAL: \_\_\_\_\_
- HAS A CERTIFICATE (OR PROVISIONAL CERTIFICATE) BEEN ISSUED BY THE STATE OF NEVADA?  YES  NO DATE OF APPROVAL: \_\_\_\_\_
- HAS A SITE DEVELOPMENT PLAN APPLICATION BEEN SUBMITTED TO NYE COUNTY PLANNING?  YES  NO DATE OF SUBMITTAL: \_\_\_\_\_

PROVIDE A BRIEF SUMMARY OF YOUR REQUEST: (ADDITIONALLY PLEASE PROVIDE A DETAILED DESCRIPTION IN AN ATTACHED JUSTIFICATION LETTER)

**\* \* \* Prior to submitting this application, please call (775) 751-4249 (Pahrump Office) or (775) 482-8181 (Tonopah Office) to schedule an appointment \* \* \***

(I, We), the undersigned swear and say that (I am, We are) the owner(s) of record on the tax rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Nye County Code; that the information on the plans and drawings attached hereto, and all of the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Nye County Planning Department and its designee, to enter the premises of the property subject to this application for the purposes of gathering information for the purpose of advising the public of the proposed application.

Signature of Applicant \_\_\_\_\_

Print or Type Applicant Name \_\_\_\_\_

**Notary**

State of \_\_\_\_\_

County of \_\_\_\_\_

Signed and sworn to (or affirmed) before me on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_  
 Day Month Year

Name of person \_\_\_\_\_

Notary Public \_\_\_\_\_

**Documents Required for Submitting MME License Applications**

APPLICATION TYPE	Application	Site Development Plan	Property Owner Affidavit	Justification Letter	Approval Letters/Certificate	List of Owners	Partnership Contract	Felony Conviction Attestation	Application Fee
MME License	1	1	1	1	1 copy of each (4 total)	1	1	1	See front page

See Explanation of Document Submittal Requirements for MME License Applications on Page 3 for further details on the above documents.

**Procedures for Filing MME License Applications:**

- A. After assembling the required materials as outlined above, schedule an appointment by calling the Nye County Planning Department at (775) 751-4249 (Pahrump Office) or (775) 482-8181 (Tonopah Office). Filing an application without an appointment may delay your application processing and/or scheduled hearing(s). Only completed applications shall be accepted for filing.
- B. ATTENDANCE AT ALL SCHEDULED MEETINGS IS MANDATORY – you may assign an agent to speak on your behalf. Failure to appear at any meeting may result in delays.
- C. Staff Report: To discuss a report or recommendation, contact the Planning Department to resolve concerns prior to the hearing.
- D. A letter indicating the Board's decision and all conditions of approval will be sent to the correspondent address on the application. The Board's decision is final action unless appealed. Any person who is aggrieved by a final decision of the Board relating to a special use permit may appeal that decision to the District Court in accordance with NCC 16.36.
- E. The Board has the authority to impose conditions, restrictions, safeguards and date of expiration on any license that is granted to ensure the health, safety and welfare of the public. **The applicant is responsible for obtaining all required site development plan approvals, building permits, inspections, etc.** YOUR MME LICENSE MAY BE APPROVED PRIOR TO FINAL APPROVAL OF THE SITE DEVELOPMENT PLAN, HOWEVER, THE ISSUANCE OF THE MME LICENSE SHALL BE CONDITIONAL UPON OBTAINING FINAL APPROVAL OF THE SITE DEVELOPMENT PLAN, OBTAINING ANY REQUIRED BUILDING PERMITS, AND COMPLETION OF ALL REQUIRED SITE IMPROVEMENTS. Failure to comply with such conditions shall be deemed as a violation. Any such person who knowingly continues the violation after receiving written notification of the violation is guilty of a misdemeanor.

## Nye County Planning Department

[www.nyecounty.net](http://www.nyecounty.net)

**PAHRUMP OFFICE**  
250 N. Highway 160, Suite 1  
Pahrump, NV 89060  
Phone: (775) 751-4249

**TONOPAH OFFICE**  
101 Radar Road  
P.O. Box 1531  
Tonopah, NV 89049  
Ph: (775) 482-8181

### Explanation of the Document Submittal Requirements for MME License Applications

#### The required documents must be submitted for the application to be accepted

- 1. Copies.** All documents accompanying applications must be legible and suitable for image reproduction, all map submittals on 24" x 36" sheets shall include one (1) reproducible copy of each sheet, and sizes suitable for reproduction are: 8.5" X 11" or 11" X 17". All applications submitted to the Planning Dept., are available to the public for inspection and copying. All plans must be accurate & drawn to a standard scale. **PLEASE NOTE THAT ALL MAPS MUST BE FOLDED SO THEY CAN BE PLACED IN A LEGAL SIZE FILE.**
- 2. Application.** A signed, notarized application must be submitted. If signing authority must be provided a corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation or provides signature in a representative capacity.
- 3. Filing Fee:** See table on the front of the application for the application type you are submitting.
- 4. Site Development Plan.** A completed site development plan application and processing fees must be submitted to the Nye County Planning Department for all proposed Medical Marijuana Establishments prior to submittal of the MME license application. If an applicant has already obtained final approval of a site development plan by Nye County for the proposed Medical Marijuana Establishment, please include a copy of the final approval memorandum. The intent of the site development plan application is to ensure the proposed establishment complies with setback requirements, open space, size and number of required parking spaces, vehicular access, driveway sizes/locations, landscaping requirements, trash enclosures, loading spaces, clear sight zones, well, septic, water, public sewer, public or private easements for streets and utilities, etc. Please see Nye County Code Article IX Site Development Plan Review and Approval Procedures for more details.
- 5. List of Owners.** If the applicant is a partnership, the application shall include the names and addresses of all partners and any other person(s) having a financial interest in the business. If the applicant is a corporation, the application shall include the names and addresses of all officers, directors and stockholders having more than five percent (5%) of the issued stock, the designated agent or resident manager, and the principal place of business of the corporation. If it is a corporation whose stock is sold to the general public, the stockholders need not be listed.
- 6. Partnership Contract.** In the case of a partnership licensee, the partnership contract must be submitted with the application. Any change in the partners or other persons with a financial interest in the business shall be reported to the planning department within thirty (30) days of the change.
- 7. Approval Letters.** Include the letters of approval from the Sheriff's Office for your Security & Transportation Plan and from the Nye County Water District Governing Board for your Water Impact Plan. Also include a copy of the approval letter for your special use permit granted by the Board of County Commissioners for the medical marijuana establishment; and include a copy of the provisional medical marijuana establishment registration certificate issued by the State of Nevada Division of Public and Behavioral Health.
- 8. Justification Letter.** A letter explaining the purpose of the license application, and providing a description of the intended use, and the reasons why the license should be issued.
- 9. Felony Conviction Attestation:** Include an attestation regarding excluded felony offenses, signed by each owner, officer and board member of the proposed medical marijuana establishment affirming that each person has not been convicted of any excluded felony offenses as defined in Nevada Revised Statutes 453A.104, and affirming that each person understands that any falsification, omission or concealment of a material fact may be cause for disqualification from consideration for the proposed medical marijuana establishment.



# Medical Marijuana Establishments Security & Transportation Plans

## Checklist

### (Minimum Requirements)

1. All Security & Transportation Plans must show the installation of security surveillance cameras that monitor all entrances of the MME, along with the interior and exterior of the premises.
2. Recordings from the security cameras must be maintained in a retrievable manner for at least 90 days from the date recorded.
3. Security camera systems must contain a network video recorder with all video and audio data stored at the physical location and monitored and controlled by on-site security staff, and must also provide web-based real time video monitoring accessibility to the Nye County Sheriff's Office and Nye County Code Compliance.
4. Building Access: Electronic access control systems must be installed to control access to buildings. Security access scan cards are required to enter each area of the building, providing for restricted access.
5. Transport Vehicles:
  - a. A minimum of two (2) cameras must be installed in all transport vehicles, and recorded to a vehicle Digital Video Recorder (DVR). Cameras must be installed to view the driver cab area and interior cargo compartment.
  - b. Transport Vehicles must have GPS tracking system for live vehicle tracking.
  - c. Vehicles must contain a secure lockbox.
  - d. All vehicles must contain an alarm system and/or anti-theft vehicle kill switch.
6. Security Guards: All establishments must utilize security guards to monitor all facilities. A minimum of one security guard must be on duty at all times in all establishments.
7. Home Deliveries: All Transport Vehicles conducting home deliveries must have GPS tracking system installed.
8. All establishments shall allow for access to buildings, facilities, and records, when requested by authorized County staff and Sheriff's Office personnel.
9. All establishments shall provide a detailed description of all Transport Vehicles, including vehicle license plate information, to the Nye County Sheriff's Office.
10. All establishments must notify the Nye County Sheriff's Office prior to each wholesale delivery.

Should you have any questions or need any additional information please contact the Planning Department in Pahrump at (775) 751-4249.

**MEDICAL MARIJUANA ESTABLISHMENT - WATER IMPACT PLAN APPLICATION**

Question 1. What is your name, mailing address and contact information?

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Question 2. The person above is the Agent  Applicant  . If agent: a.) By what authority are you making this application? b.) Provide the name and contact information for the applicant.

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Question 3. Where is the facility to be located?

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Question 4. Provide description and size of the facility. (Additional sheets may be attached)

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Question 5. What is the source of the water? Utility  On-site well  Other (describe)

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Question 6. What is the estimated water consumption? Provide peak flow in gallons per minute and total annual use in acre feet. Include a basic breakdown of consumption for irrigation, cooling, cleaning, and ponds. Provide permit numbers for water rights. (Additional sheets may be attached)

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Question 7. Provide water chemistry from an on-site well; if supplied by water from off-site, a monitor well shall be required at the facility site unless a request for waiver is granted (Additional sheets may be attached, required water chemistry constituents are attached to this form).

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Question 8. Describe plans for waste water disposal. (Additional sheets may be attached)

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Question 9. All chemicals shall be stored on secondary containment. Describe secondary containment methods to be utilized. (Additional sheets may be attached)

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*An annual report which outlines a comparison between the above information with actual practices, together with an annual report of water chemistry as outlined in Question 7 shall be required for informational purposes. As part of the annual report provide annual meter readings and explain increases/decreases in water use. Annual reporting shall be submitted to the General Manager of the Nye County Water District.*

REQUIRED WATER CHEMISTRY ANALYSIS

NDEP PROFILE I

Parameter	Reference Value (mg/L)
Alkalinity, Bicarbonate (as CaCO <sub>3</sub> )	—
Alkalinity, Total (as CaCO <sub>3</sub> )	—
Aluminum	0.2
Antimony	0.006
Arsenic	0.010
Barium	2.0
Beryllium	0.004
Cadmium	0.005
Calcium	—
Chloride	400
Chromium	0.1
Copper	1.0
Fluoride	4.0
Iron	0.6
Lead	0.015
Magnesium	150
Manganese	0.10
Mercury	0.002
Nickel	0.1
Nitrate + Nitrite, Total (as N)	10
Nitrogen, Total (as N)	10
pH (standard units)	6.5-8.5
Phosphorus, Total	—
Potassium	—
Selenium	0.05
Silver	0.1
Sodium	—
Sulfate	500
Thallium	0.002
Total Dissolved Solids	1000
Zinc	5.0

All analyses for the dissolved fraction.

Version: 09/20/09

The table below provides a list of certified labs doing business in Nevada. NDEP maintains this list on their website at [http://ndep.nv.gov/bsdw/lab\\_real\\_estate.htm](http://ndep.nv.gov/bsdw/lab_real_estate.htm) . If you have questions or concerns, please contact the NDEP Laboratory Certification Program.

<b>Lab Name</b>	<b>Contact</b>	<b>Phone Number</b>	<b>Location of Lab</b>	<b>Address</b>
Alpha Analytical-Sparks		(775) 355-1044	Reno	255 Glendale Ave. Suite 21
Nevada State Public Health Lab	Vernon Miller	(775) 688-1335	Reno	1660 North Virginia St.
Sierra Environmental Monitoring, Inc.	Joe Nava	(775) 857-2400	Reno	1135 Financial Blvd.
Silver State Analytical Labs	Tim	(775) 825-1127	Reno	4587 Longley Lane
Western Environmental Testing	Andy	(775) 355-0202	Reno	
Alpha Analytical-Elko		(775) 355-1044	Eastern NV	1250 Lamoille Hwy. Unit 310
City of Ely	Ron	(775) 289-2150	Eastern NV	
City of West Wendover	Raul	(775) 664-2593	Eastern NV	
Sierra Environmental Monitoring, Inc.	Liz King	(775) 778-9828	Eastern NV	1250 Lamoille Hwy, Suite 629, Elko
Western Environmental Testing	Phaedra	(775) 340-8947	Eastern NV	
ATL Inc.	Glen	(702) 307-3248	Las Vegas	
EFFEX Analytical Services	Xavier	(702) 367-1187	Las Vegas	
Sierra Environmental Monitoring, Inc.	David Faircloth	(702) 617-7867	Las Vegas	6280 S. Valley View, Suite 230
Silver State Analytical Labs	John Sloan	(702) 873-4478	Las Vegas	3638 E. Sunset Road, Suite 100
Western Environmental Testing		(702) 475-8899	Las Vegas	

Version: Oct. 2014

**SITE DEVELOPMENT PLAN APPLICATION  
PAHRUMP REGIONAL PLANNING DISTRICT**

*AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY  
FOR SUBMITTAL REQUIREMENTS, PLEASE SEE REVERSE*

DATE FILED:	APPLICATION NUMBER: SD –	COMMUNITY PANEL#: 320018- P
PROCESSED BY:	REVIEWED BY:	PRESENT ZONE CLASSIFICATION:
FEE:	FLOOD ZONE:	IMPACT FEE ITE CODE:
RECEIPT #:	REFERENCE FILES:	
APPLICATION APPROVED: <input type="checkbox"/> YES <input type="checkbox"/> NO ZONING ADMINISTRATOR APPROVAL SIGNATURE: _____	COMMERCIAL WELL: <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A PUBLIC WATER: <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	COMMERCIAL SEPTIC: <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A PUBLIC SEWER: <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
(STAFF NOTES:)		

**CONTACT INFORMATION (CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)**

PROPERTY OWNER: \_\_\_\_\_

APPLICANT/AUTHORIZED AGENT: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_ MOBILE: \_\_\_\_\_ FAX: \_\_\_\_\_

**PROPERTY INFORMATION**

ASSESSOR'S PARCEL NUMBER(S): \_\_\_\_\_

LEGAL DESCRIPTION: \_\_\_\_\_

PROPERTY ADDRESS AND NEAREST CROSS STREETS: \_\_\_\_\_

GROSS ACREAGE: \_\_\_\_\_ NET ACREAGE: \_\_\_\_\_

DESCRIBE ANY EXISTING DEVELOPMENT ON THE PROPERTY: \_\_\_\_\_

\_\_\_\_\_

DESCRIBE THE PROPOSED DEVELOPMENT OF THE PROPERTY: \_\_\_\_\_

\_\_\_\_\_

**SUBMITTAL REQUIREMENTS:** All submittals shall be legible, printed in ink and suitable for reproduction. **Original signatures are required.**

**Approval of a Site Development Plan is required prior to the issuance of building or other construction permits in all zoning districts for all commercial/industrial development and multi-family development in excess of four (4) units.**

- **Size required for Site Plans is 24"x36"**. Attach a separate sheet for your Site Development Plan. Site Development Plans shall be drawn to scale and must show the following: title of the project, name of the developer, date, north arrow, property dimensions, existing and proposed buildings/structures/uses, setbacks, driveways/sizes and locations, clear-sight zones, well, septic or public water and sewer, public or private easements for utilities and streets, names of adjoining streets, proposed landscaping, screening, walls/fences, refuse collection areas, vehicle parking and loading areas, the location and description of all uses within 300 feet of the project boundaries, and any other information that is necessary for the Planning Department to evaluate the request.

**SITE DEVELOPMENT PLAN APPLICATIONS MAY BE ACCEPTED OVER THE FRONT COUNTER**

**Documents Required for Submitting a Site Development Plan Application**

Application	# Site Plan Copies	Will Serve Letter	Deed	Project statement	Proof of Commercial Well/Septic	Application Fee	Assessor's Parcel Book Page
Yes <sup>1</sup>	4 <sup>7</sup>	Yes <sup>2</sup>	Yes <sup>3</sup>	Yes <sup>5</sup>	Yes <sup>4</sup>	\$.20 sq. ft / \$.10 sq. ft	1 Copy <sup>5</sup>

<sup>1</sup> Corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation or provides signature in a representative capacity.  
<sup>2</sup> Required only if located within a Utility's water and/or sewer service area.  
<sup>3</sup> If ownership has recently changed and the property ownership is not the same as shown on the assessor's records, a copy of the grant bargain/sale or quitclaim deed shall be required.  
<sup>4</sup> If the project is not going to be on central water or sewer service, the applicant must attach proper information indicating commercial water rights and an engineered, commercial septic system.  
<sup>5</sup> The most recent copy of the Assessor's Parcel Book page is required (a CD of the Assessor's map pages is available from the Assessor's Office, and the page may be found on the county's website).  
<sup>6</sup> A project statement letter is required fully explaining in detail the proposed development, activity and intended use including the estimated construction schedule for the project.  
<sup>7</sup> Site Development Plan must be printed/plotted on 24" X 36" paper.

**PROCEDURES AND STANDARDS For Site Development Plan Applications:**

1. **Approval of a Site Development Plan is required prior to the issuance of building or other construction permits in all zoning districts for all commercial/industrial development and multi-family development in excess of four (4) units.**
2. To file a Site Development Plan Application, assemble the required documents (a handout is included with the application at the Planning Department detailing the submittal requirements) and submit them to the Nye County Planning Department at the address listed below. Office hours are Monday - Friday, 8 am to 12 noon and 1 pm to 4 pm. **Filing an application without the required documents may delay your approval(s).** Only completed applications shall be accepted for filing. A pre-submittal meeting with Planning and all relevant participants can be arranged and is strongly urged to ensure any issues can be addressed.
3. If the property is a corner lot and the proposed plan of development would change the property's currently assigned address (addresses are based on the building's street frontage), the property owner must complete a change of address form and pay the filing fee of \$5.00 to the Planning Department and have the address reassigned prior to submitting the Site Development Plan Application with the Nye County Planning Department.
4. The Planning Department and the Public Works Department shall review the Site Development Plan. Public Works assess plan check fees in addition to Planning's application fee. The review shall not exceed 21 work days. The following criteria shall be considered:
  - a. Conformance with the Master Plan, Zoning Reference Map, Nye County Consolidated Code, and Zoning Ordinance.
  - b. Completeness of the submittal.
  - c. Conformance with the Standard Details and Specifications for Public Improvements within the Pahrump Regional Planning District.
5. The Planning Department, in conjunction with the Public Works Department, shall take one of the following actions:
  - a. Approval of the application.
  - b. Approval with conditions attached.
  - c. Denial of the application.
6. **Affected County Agencies:** The Planning Department will notify affected agencies or officials of the proposed development and solicit their comments and/or suggestions. These comments may affect the development plan.
7. **Following Decisions on Site Development Plan Applications:** Planning Department will notify the applicant within five (5) working days in writing of the decision to approve or deny the application..
8. **Appeal:** Any applicant may appeal a decision of the Planning Department in writing to the Pahrump Regional Planning Commission within 10 days of the decision.
9. **Approved Permit Applies to Property:** When granted, an approved Site Development Plan, together with any conditions attached thereto, shall apply to the land, structure(s), and use for which it was issued, and shall not apply to a particular person.

(I, We), the undersigned swear and say that (I am, We are) the owner(s) of record on the tax rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Nye County Code; that the information on the plans and drawings attached hereto, and all of the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) understand that falsification of any information contained hereon may cause all permits to be revoked. (I, We) also authorize the Nye County Planning Department and its designee, to enter the premises of the property subject to this application for the purposes of gathering information for the purpose of advising the public of the proposed application.

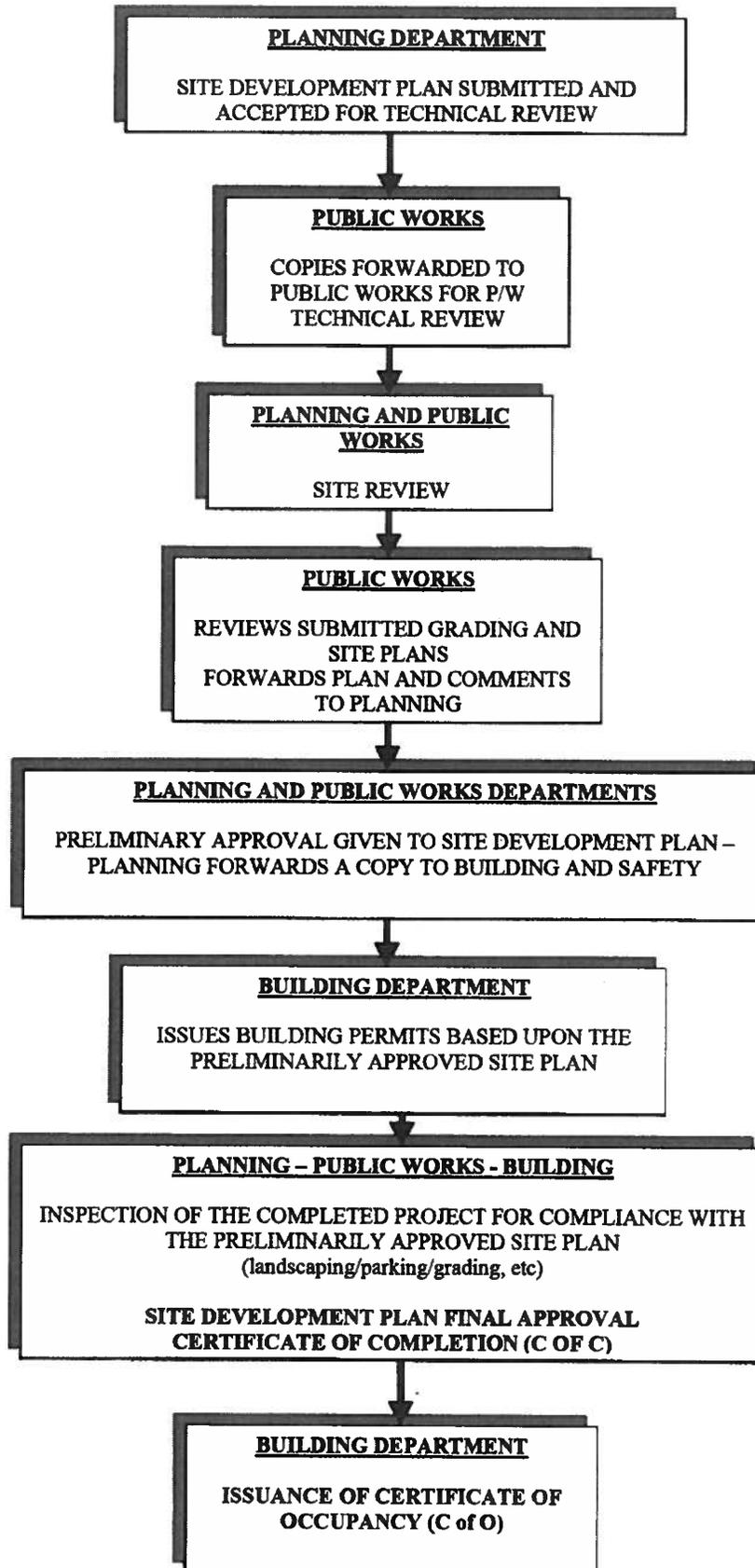
\_\_\_\_\_  
Property Owner/Agent (Signature)

\_\_\_\_\_  
Property Owner/Agent (Print Clearly)

\_\_\_\_\_  
Property Owner/Agent (Signature)

\_\_\_\_\_  
Property Owner/Agent (Print Clearly)

## SITE PLAN REVIEW PROCESS



Information on this flow-chart is for illustrative use only and is not intended as a legal process flow.

## **SITE DEVELOPMENT PLAN APPLICATION REQUIREMENTS**

Approval of a Site Development Plan application is required prior to the issuance of building or other construction permits for most developments other than single family residential. Please check with The Nye County Planning Department to find out what your requirements are before submitting any applications. Nye County Code Development Standards can be viewed on-line at <http://www.nyecounty.net/index.asp?NID=462>

While we understand that each site development plan application is unique, all Site Development Plan Applications will need to address the same basic issues, and are as follows.

### **SITE DEVELOPMENT PLAN REQUIREMENTS (must conform to NCC 17.04.950)**

**1) “Site Plan” shall include:**

- Title of the project.
- Name of the developer.
- Date of preparation.
- North arrow.
- Property dimensions.
- Vicinity Map (not drawn to scale).
- Exact locations of all existing buildings and structures.
- Exact location of all proposed buildings and structures.
- Proposed setback dimensions.
- Existing and proposed driveways/dimensions and locations.
- Proposed vehicle parking & loading areas including proposed type of surfacing, stall sizes and parking bumpers. NCC 17.04.730
- Proposed clear-sight zones. NCC 17.04.740.D.2
- Existing and proposed well, septic or public water and sewer locations.
- Existing public or private easements for utilities and streets.
- Names of adjoining streets.
- Proposed screening, buffer areas, walls/fences.
- Refuse collection areas (approval letter from Pahrump Valley Disposal may be required).
- Proposed public street or roadway improvements.
- Proposed private street or roadway improvements.
- Proposed signage locations (Sign Permit approval required). NCC 17.04.770
- Location and description of all uses within 300 feet of the project boundaries.

**2) “Grading Plan” must include:**

- Existing and proposed grading.
- Proposed storm water retention and/or drainage improvements.
- See the attached Nye County Public Works Department check list for additional requirements.

**3) “Landscaping Plan” must include: (NCC 17.04.740)**

- Locations and extent of proposed landscaping.
- Plant list showing common names and sizes at time of planting as well as size at maturity.
- Type of irrigation to be used, and name of party responsible for maintenance.

**4) “Lighting Plan” must include: (NCC 17.04.750)**

- The number, location, height and luminance of each light.
- Lighting plan should show the building elevations in relation to the illuminated areas.

**5) Before you submit your application:**

- Do you have the correct zoning?
- Have you addressed in this application ALL conditions of approval for your Zone Change?

**6) After Site Development Plan application approval, but before development:**

- Do you need any other applications approved (i.e. Dust Control, Sign Permit)?

**7) Development:**

- Please be aware that when your Site Development Plan application is preliminarily approved, you may commence the building permit process. However a Certificate of Occupancy (C of O) will not be issued until all of the elements of your Site Development Plan are completed, inspected, and found to be in accordance with the Nye County Code.
- <http://www.nyecounty.net/index.asp?NID=462>

**A Site Development Plan Application will normally be made up of at least four (4) separate plans, the Site Plan, Grading Plan, Landscaping Plan and the Lighting Plan, although the lighting plan can be incorporated into the Site Plan. Four (4) copies of a Site Development Plans must be submitted at the time of application. Must be drawn to scale, and shall be 24" x 36" in size.**

**Also, utility companies and other agencies may need to be contacted and coordinated with in the preparation and development of your project.**



**NYE COUNTY  
PUBLIC WORKS**

David Fanning, Interim Public Works Director

Pahrump Office  
250 N Hwy 160 # 2  
Pahrump NV 89060

(775) 751-6855 / Office  
(775) 751-6856 / Fax

---

**To:** Whom It May Concern

**From:** Interim Public Works Director

**Date:** September 2009

**Re:** Site Development Fees-Reminder, pursuant to NCC 17.04.060 & Ord.229, 2000

Please be reminded that all Site Plan Development submissions forwarded to Public Works without paying the required review fees at the time of submission will be put on hold and not processed until review fees have been paid in full. The amount of fees submitted must be accompanied and supported by completing the Engineer's Estimate Data Sheet Template. The Engineer's Estimate Data Sheet Template is available on-line, on the Nye County website: <http://www.nyecounty.net/>

Drainage Study and Traffic Impact Analysis and review fees may be submitted separately from the Site Development Plans. If drainage study is required, the Grading Plans will be put on hold until the study has been approved.

In order for the submission to proceed without any delays, please have the certified check payable to Public Works submitted to this Department no later than one day after your Site Development Plan submission to the Nye County Planning Department.

We thank you for your co-operation in this issue. If you have any questions please contact Public Works.

# PUBLIC WORKS SITE DEVELOPMENT CHECK LIST

- ✓ Must conform to Guidelines for Design and Review of Development Engineering Submittals
- ✓ Supply submitted plans on 24" X 36" sheets, folded to 8½x11"
- ✓ Provide Engineer's Estimate Data Sheet and Fee Calculation Template individually for on and off-site improvements. Available on-line at: <http://www.nyecounty.net/DocumentCenterii.aspx?FID=23>
- ✓ Show ADT with back up on site plans. ADT's over 100 require Traffic Impact Analysis, contact PW for submittal requirements
- ✓ ≥100 ADT or ≥45,000 s.f. of building and paved area require drainage study, contact PW for submittal requirements
- ✓ Show encroachment to roadway (shows all driveways with radii)
- ✓ Grading plan must be wet stamped by licensed Engineer
- ✓ Structural (e.g. retaining wall) plan wet stamped by licensed Engineer
- ✓ Show driveways being paved
- ✓ Show driveway flow grades (either thru culvert or low water crossing)
- ✓ Show spot elevations & drainage off of property to ROW
- ✓ Show grades of flow line along property ROW, 100' beyond
- ✓ No parking spots that allow backing into ROW
- ✓ Show location, elevations, name (s) and surface type of roadway(s)
- ✓ Show vehicular and parking areas paved or surface treated
- ✓ Show elevations around property limits, parking & building
- ✓ Show Top of curbing and wall elevations
- ✓ Use acceptable scale (1"= 10', 20', 30', 40' or 50')
- ✓ Show Building down spouts and flow path
- ✓ Valley gutters show detail when connecting



FIGURE #2

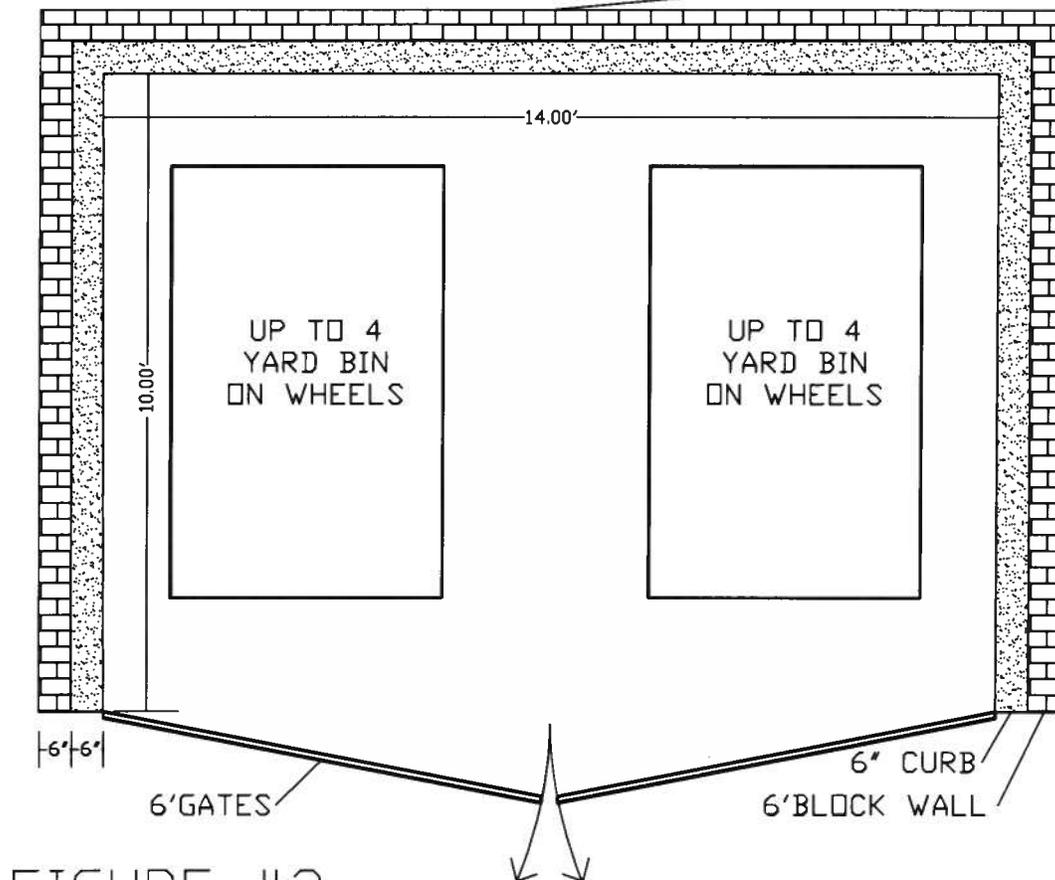
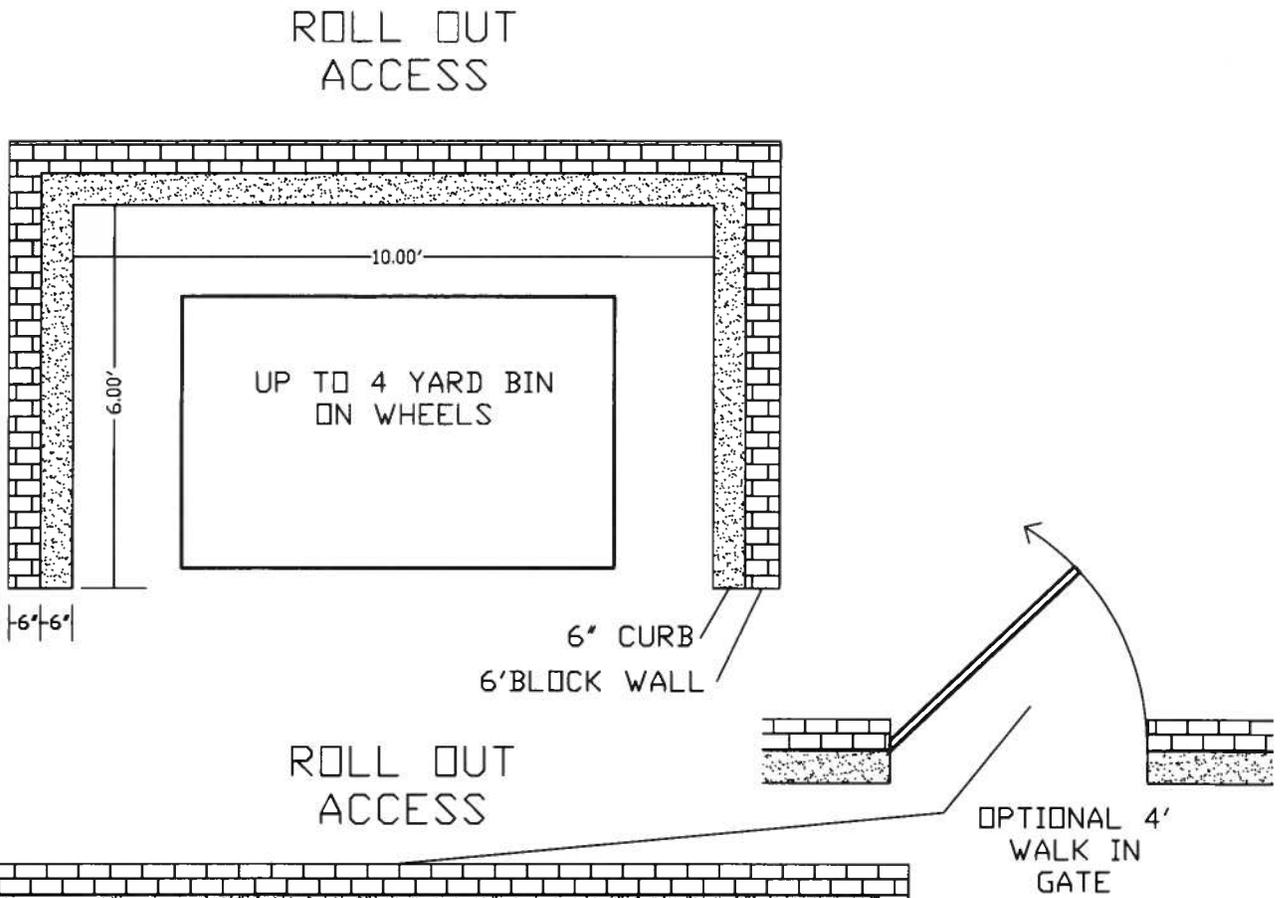


FIGURE #3

FIGURE #4

DRIVE IN  
ACCESS

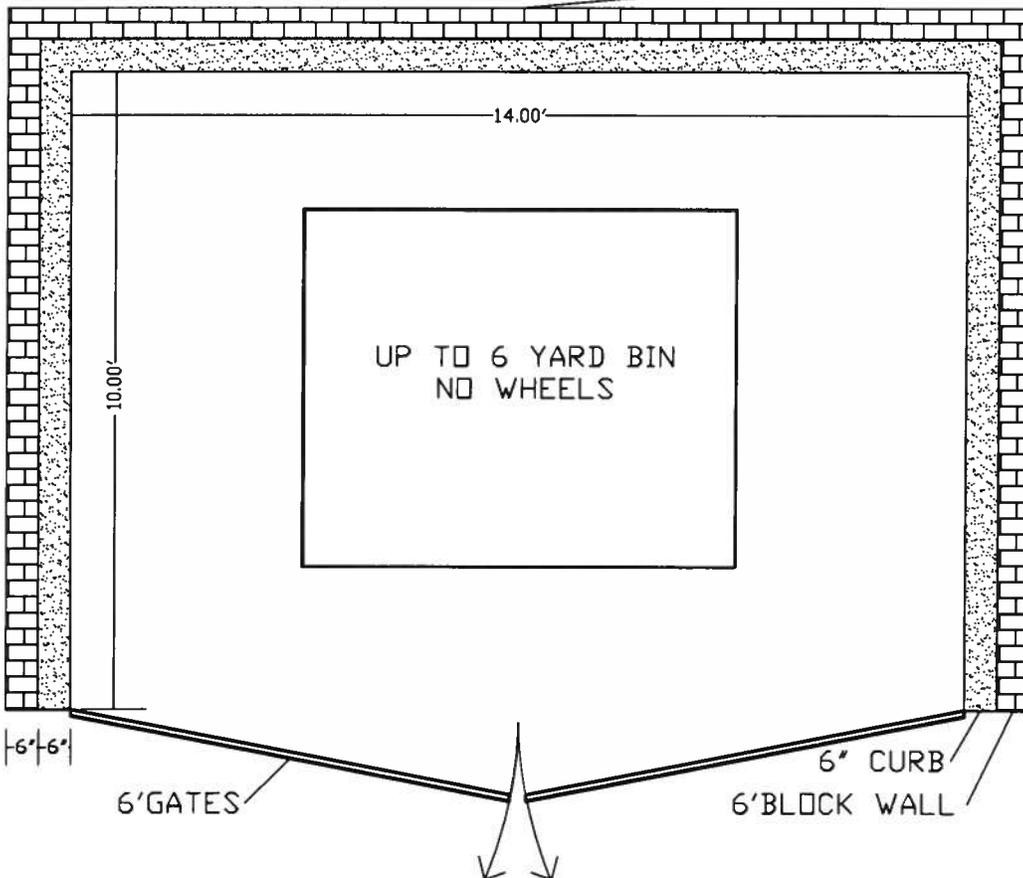
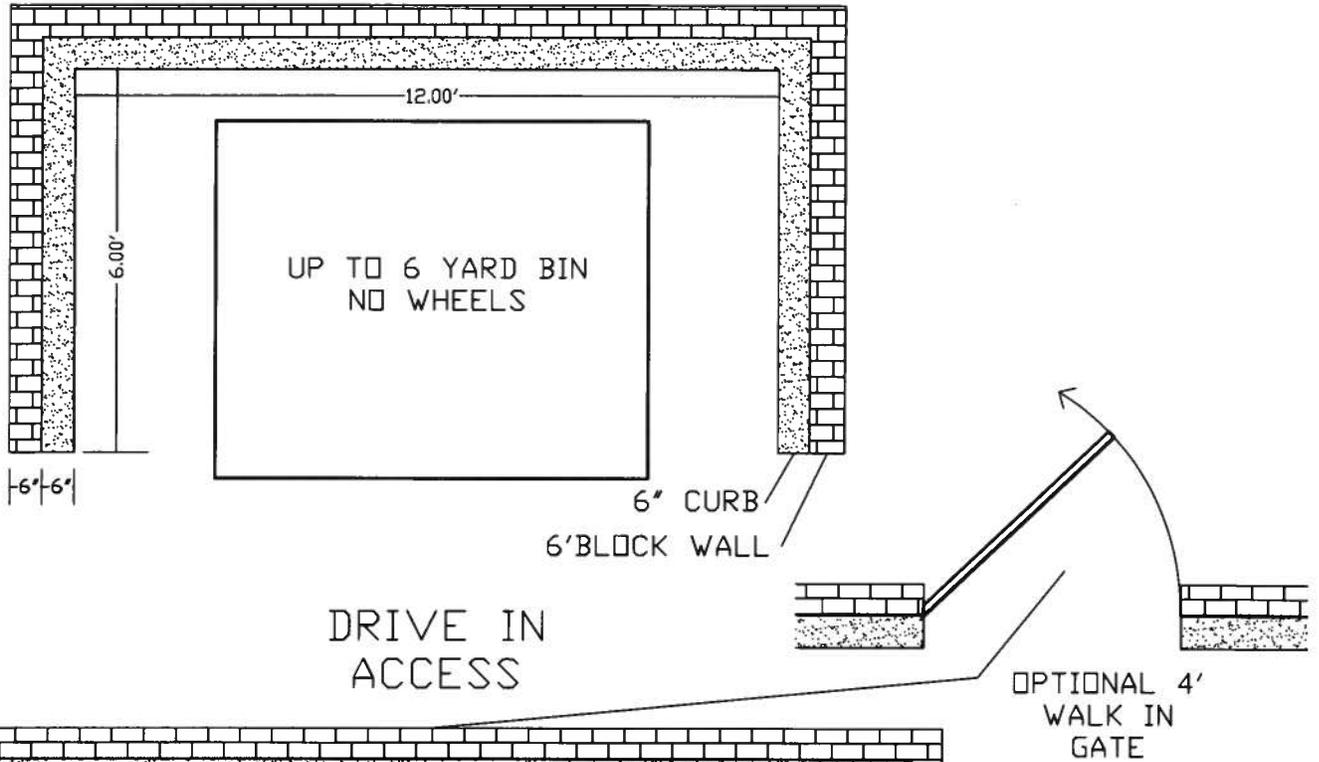


FIGURE #5

*Disclaimer: This is provided for informational purposes only. The formatting of this ordinance may vary from the official hard copy. In the case of any discrepancy between this ordinance and the official hard copy, the official hard copy will prevail.*

BILL NO. 2014-24

NYE COUNTY ORDINANCE NO. 480

### **5.32 MEDICAL MARIJUANA LICENSING**

A. Any license required by this chapter is a separate and distinct license from all other county licenses, and is in addition to any other license required for conducting or carrying on any other business in connection with or separate from the activities licensed by this chapter.

B. It is unlawful within the county, outside an incorporated city, for a medical marijuana establishment to acquire, possess, cultivate, manufacture, deliver, transfer, transport, supply or dispense marijuana for any purpose without first making application and securing a medical marijuana license to do so.

#### **5.32.005: DEFINITIONS**

For the purposes of this chapter, the following words shall have the meanings set out in this section, unless the context otherwise clearly indicates:

Agent. A person authorized by the applicant or licensee to act and speak for him or her.

Board. The Nye County Board of County Commissioners.

"Cultivation facility" has the meaning ascribed to it in NRS 453A.056.

"Edible marijuana products" has the meaning ascribed to it in NRS 453A.101.

"Facility for the production of edible marijuana products or marijuana-infused products" has the meaning ascribed to it in NRS 453A.105.

"Independent testing laboratory" has the meaning ascribed to it in NRS 453A.107.

"Marijuana" has the meaning ascribed to it by NRS 453.096.

"Marijuana-infused products" has the meaning ascribed to it by NRS 453A.112.

"Medical marijuana cooperative" means an association of persons who voluntarily cooperate to cultivate or distribute medical marijuana to its members, including any non-profit community organization or collective owned and managed by the people who use its services to facilitate or coordinate transactions between members.

"Medical marijuana dispensary" has the meaning ascribed to it by NRS 453A.115.

"Medical marijuana establishment" has the meaning ascribed to it by NRS 453A.116.

"Medical use of marijuana" has the meaning ascribed to it in NRS 453A.120.

"Physician" has the meaning ascribed to it in NRS 0.040.

#### **5.32.010: APPLICATION**

A. Application for a license provided by this Chapter shall be made to the Board in writing, on the forms provided by the Nye County Planning Department.

B. Each application shall:

1. Be filed with the Planning Department;
  2. Be accompanied by the present annual license fee;
  3. Include the name and address of the applicant, and of any other person having an interest in the business to be licensed. If the applicant is a partnership, the application shall include the names and addresses of all partners and any other person(s) having a financial interest in the business. If the applicant is a corporation, the application shall include the names and addresses of all officers, directors and stockholders having more than five percent (5%) of the issued stock, the designated agent or resident manager, and the principal place of business of the corporation. If it is a corporation whose stock is sold to the general public, the stockholders need not be listed;
  4. Include the name, address and telephone number of the individual(s) who will actively manage the business for which the license is sought. At least one such manager must reside within the County;
  5. Specify the location of the premises for which the license is sought, and the name of the owner(s), agents, lessee or assignee of the premises where the business is to be operated;
  6. Specify which type of medical marijuana establishment license is being requested. The Board may issue licenses for the following types of establishments:
    - a. Cultivation facility;
    - b. Production facility for edible marijuana products or marijuana-infused products;
    - c. Dispensary; or
    - d. Independent testing laboratory.
  7. Include a copy of the Special Use Permit granted by the Board of County Commissioners for the medical marijuana establishment.
  8. Include a copy of the provisional medical marijuana establishment registration certificate issued by the State of Nevada Division of Public and Behavioral Health.
  9. Be signed by all persons who shall conduct or have an interest in the business activities for which a medical marijuana license is required. In the case of corporations, clubs or organizations with members, the application shall be verified by the president or secretary or the person who shall actively manage or conduct the business or activity for which a medical marijuana license is required;
  10. Include an attestation regarding excluded felony offenses, signed by each Owner, Officer and Board Member of the proposed medical marijuana establishment affirming that each person has not been convicted of any excluded felony offenses as defined in NRS 453A.104, and affirming that each person understands that any falsification, omission or concealment of a material fact may be cause for disqualification from consideration for the proposed medical marijuana establishment.
  11. Be sworn to as to the truthfulness of the information contained therein.
- C. There shall be a minimum processing time of thirty (30) days for any application for a medical marijuana license.
- D. In the case of a corporate licensee, any and all changes in the officers, directors or stockholders, or stockholders owning in the aggregate more than five percent (5%) of the stock of such corporation, shall be reported to the Planning Department within thirty (30) days of the appointment or election of such officers and directors, or acquisition by such stockholder(s), as the case may be, and such officers, directors and stockholder(s) shall be required to qualify for a license as required in this Chapter. A list of all shareholders shall be submitted to Nye County on an annual basis.

F. In the case of a partnership licensee, the partnership contract must be submitted with the application. Any change in the partners or other persons with a financial interest in the business shall be reported to the Planning Department within thirty (30) days of the change, and if the change involves the addition of a person not previously investigated, that person shall be required to qualify for a license as required by this Chapter.

G. An audited financial statement shall be submitted annually to Nye County along with a list of any persons receiving more than 5% of the disbursements from the entity.

#### **5.32.020: DENIAL CONDITIONS**

A. In conformity with the policies of this Chapter, the following persons are declared not to be qualified to hold a medical marijuana establishment license under the provisions of this Chapter:

1. A person who does not possess, or who does not have a reputation for possessing a good moral character;
2. A person under the age of twenty one (21) years;
3. A person who has ever been convicted of a crime involving moral turpitude or any crime involving unlawful possession, use or sale of a controlled substance, sexual abuse or assault, violence, or who has been convicted within the past ten (10) years of any other felony, unless the Board finds, upon examination of the circumstances of the crime and the applicant's criminal history, that the applicant does not present, and is not likely to present in the future, a threat to County safety, morals and welfare, and will likely operate a lawful medical marijuana establishment in compliance with the letter and intent of all county ordinances;
4. A person who the Board determines is not a suitable person to receive or hold a license, after due consideration for the protection of the public health, safety, morals, good order and general welfare of the inhabitants of the County, outside an incorporated city;
5. A person whose license issued under this Chapter has been revoked for cause;
6. A person who, at the time of application for renewal of any license issued under this Chapter, would not be eligible for such license upon a first application;
7. A co-partnership, unless all of the members of such co-partnership, and any other person having a financial interest in the business, are qualified to obtain a license;
8. A publicly held corporation, if the designated agent or resident manager would not be eligible to receive a license under this Chapter; and a non-publicly held corporation, if any of its officers would not be eligible to receive a license under this Chapter, for any reason other than citizenship and residence or its designated resident manager would not be eligible to receive a license under this Chapter;
9. A corporation, unless it is incorporated in the State, or unless it is a foreign corporation which is qualified under the State laws to transact business in the State;
10. A person whose place of business is conducted by a manager or agent, unless the manager or agent possesses the same qualifications required of an individual licensee;
11. A person who does not beneficially own the premises for which a license is sought, or who does not have a lease thereof for the full period for which the license is to be used; or
12. A person who, in the previous year, has failed to comply with any applicable local ordinance, including, but not limited to, a town or city's business license ordinance.
13. A person who has not obtained a Special Use Permit for the operation of a medical marijuana establishment.

### **5.32.030: BOARD DETERMINATION PROCEDURE**

- A. After submittal of the application, the Planning Director shall cause the application to be placed upon the agenda for consideration by the Board.
- B. The applicant or applicants or their agent(s) shall appear before the Board at the appointed time.
- C. The Board may act upon the application or defer action until the next meeting of the Board.

### **5.32.040: BOARD DETERMINATION; DENIAL**

- A. In conformity with this chapter, the Board may deny a medical marijuana establishment license upon its discretion when:
  - 1. In the judgment of the Board, the granting of such license may tend to create or constitute a public nuisance;
  - 2. By the granting of such license, a disorderly house or place may be maintained;
  - 3. The granting of such license may seriously and adversely affect the valuation of adjoining and contiguous property;
  - 4. The Board is satisfied that the applicant is not a fit and proper person to operate the business contemplated by his application;
  - 5. In the judgment of the Board there are ample and sufficient licensees and establishments in the area or place for which the license is to be used;
  - 6. For any other good and sufficient reason.
- B. The Board may grant a license with probationary status.
- C. The Board will consider the recommendations and input from the particular town advisory board.

### **5.04.050: FEES**

- A. The license fees required to be paid to obtain or renew a medical marijuana establishment license shall be as follows:
  - 1. Fifteen-thousand dollars (\$15,000.00) for initial issuance and Seven-thousand five-hundred dollars (\$7,500.00) annual renewal fee for a medical marijuana dispensary establishment with Five-thousand dollars (\$5,000.00) non-refundable for the initial application and Two-thousand five-hundred dollars (\$2,500.00) non-refundable each year thereafter.
  - 2. Five-thousand dollars (\$5,000.00) for initial issuance and Two-thousand five-hundred dollars (\$2,500.00) annual renewal fee for a medical marijuana cultivation establishment with Two-thousand dollars (\$2,000.00) non-refundable for the initial application and One-thousand dollars (\$1,000.00) non-refundable each year thereafter.
  - 3. Five-thousand dollars (\$5,000.00) for initial issuance and Two-thousand five-hundred dollars (\$2,500.00) annual renewal fee for a medical marijuana production facility with Two-thousand dollars (\$2,000.00) non-refundable for the initial application and One-thousand dollars (\$1,000.00) non-refundable each year thereafter.
  - 4. Two-thousand five-hundred dollars (\$2,500.00) for initial issuance and One-thousand two-hundred fifty dollars (\$1,250.00) annual renewal fee for a medical marijuana independent testing laboratory with One-thousand two-hundred fifty dollars (\$1,250.00) non-refundable for the initial application and Seven-hundred and fifty dollars (\$750.00) non-refundable each year thereafter.

B. The license fees specified in subsection A of this section shall be payable in advance for at least one year. Failure to pay the medical marijuana license fee within ten (10) working days of the due date shall result in the mandatory assessment of a late fee of twenty five percent (25%) of the annual fee within thirty (30) days of the due date, or shall be grounds for revocation of the license.

C. In addition to the fees specified in subsection A of this section, every Medical Marijuana Establishment, as a condition of the granting of a medical marijuana establishment license or renewal, shall pay no later than ten (10) working days following the first day of each month, a monthly business license fee to Nye County, equivalent to two percent (2%) of the total value of all medical marijuana or medical marijuana products that were produced, manufactured, sold or distributed by the medical marijuana establishment for the previous month.

#### **5.32.060: FEES; DISBURSEMENT**

The license fees collected by virtue of this chapter shall be delivered by the Planning Department to the county treasurer, and shall be kept by the treasurer in the general fund for the sole use and benefit of the county, and shall be paid out by order of and under the direction of the Board of County Commissioners in the same manner as other general fund disbursements are made.

#### **5.04.070: PUBLIC DISPLAY REQUIRED**

During all of the period of time for which a license has been issued authorizing the operation of a medical marijuana establishment, the license shall be posted and at all times displayed in a conspicuous place in the facility where such business is carried on so that all persons visiting such place may readily see and read the same.

#### **5.32.080: RENEWAL PROCEDURE**

A. Application for renewal of licenses shall be made by petition to the Planning Department by filing the same with the Planning Department, together with all fees. Applications for renewal shall be made at least ten (10) days before the end of the calendar year in which the license expires.

B. Notwithstanding any other provisions of this chapter, the procedures set forth in this chapter for the application and issuance of medical marijuana licenses shall not apply to the renewal of licenses previously issued to the same applicant. With respect to such renewal of licenses, no formal application procedure shall be required, and the Planning Department shall cause the reissuance or cancellation of such license renewals in the manner following:

1. At the first meeting of the Board of each fiscal year, the Planning Director or his designee shall present a list of applicants for renewal, together with fees collected during the previous fiscal year, and present his recommendations for or against the renewal of each such license over the next fiscal year. No existing license required under this chapter shall lapse or be revoked when presentation to the Board of the list of applicants for renewal is delayed solely due to administrative reasons.
2. Any licensee whose license renewal has been disapproved by the Board shall be notified of such in writing, in the manner provided in this chapter. The licensee may avail himself of the procedures set forth in this chapter.
3. Renewal of licenses under this chapter must be for a minimum of one calendar year.
4. Notwithstanding any other provision of this chapter, no existing license required under this chapter shall lapse or be revoked when renewal is delayed solely due to the notice and agenda requirements of Nevada's open meetings law.

#### **5.32.090: PROHIBITED ACTS**

It is unlawful for any licensed operation; licensee or employee, agent and/or contractor of any licensee to:

- A. Acquire, possess, deliver, transfer, transport, supply, sell, or dispense any marijuana to any person, other than to or from a medical marijuana dispensary or medical marijuana establishment licensed by the State of Nevada, who does not present a valid prescription issued by for the medical use of marijuana.
- B. Acquire, possess, deliver, transfer, transport, supply, sell, or dispense any marijuana to or from any person or source located outside the State of Nevada.
- C. Do any act that violates any licensing requirement established pursuant to Chapter 453A of the Nevada Revised Statutes.
- D. Fail to comply with all requirements of the conditions of the Special Use Permit.

**5.32.100: PENALTY FOR VIOLATION**

- A. Persons found guilty of violating any of the provisions of this chapter are guilty of a misdemeanor and subject to a fine of not less than five hundred dollars (\$500.00) nor more than one thousand dollars (\$1,000.00), or by imprisonment in the county jail for not more than six (6) months, or by both such fine and imprisonment. Nothing herein contained shall be construed as limiting any prosecution for acts related to a violation of the Uniform Controlled Substances Act as set forth in Chapter 453 of the Nevada Revised Statutes.
- B. In addition to any criminal punishment as may be imposed, any violation of this chapter may result in the revocation of any license issued pursuant to this chapter and result in the forfeiture of any and all property as described in NRS 453.301. The civil penalties provided for hereunder are intended to be cumulative and in addition to any criminal fines or punishments imposed.

**5.32.110: TRANSFERABILITY**

Medical marijuana licenses shall not be in any manner transferable or assignable, nor shall any person other than as named in the license be authorized to conduct the business.

SEVERABILITY. If any provision of this ordinance or amendments thereto, or the application to any person, thing or circumstance is held to be invalid, such invalidity shall not affect the validity or provisions or applications of the ordinance or amendments thereto which can be given effect without the invalid provisions or applications, and to this end the provisions of this ordinance and amendments thereto are declared to be severable.

Constitutionality. If any section, clause or phrase of this ordinance shall be declared unconstitutional by a court of competent jurisdiction, the remaining provisions of this ordinance shall continue in full force and effect.

Effective Date. This Ordinance shall be in full force and effect from and after passage, approval, and publication as required by law, to wit, from and after the 27<sup>th</sup> day of October, 2014.

Proposed on the 2nd day of September, 2014.

Proposed by: Commissioner Wichman.

Adopted on the 7th day of October, 2014.

Vote: Ayes: Commissioners: Schinhofen, Wichman, Carbone, Cox

Nays: Commissioners: Borasky

Absent: Commissioners: ∅