

NYE COUNTY AGENDA INFORMATION FORM

Action
 Presentation
 Presentation & Action

Department: Planning		Agenda Date:	
Category: Regular Agenda Item		April 3, 2018	
Contact: Brett Waggoner		Phone: 775-751-4249	Continued from meeting of:
Return to: Brett Waggoner	Location: Planning		Phone: 775-751-4249
Action requested: (Include what, with whom, when, where, why, how much (\$) and terms) <p>Discussion and deliberation on Medical Marijuana Establishment License Annual Renewal Application MM-2018-000056: A request for annual renewal (pro-rated to June 30, 2019) of a Medical Marijuana Establishment License for a medical marijuana establishment (production) located at 301 S. Oxbow Avenue, Pahrump, NV. Assessor Parcel Number 038-244-09. Eugene & Nelda Fay Toy Trust – Property Owner. CW Nevada LLC – Applicant.</p>			
Complete description of requested action: (Include, if applicable, background, impact, long-term commitment, existing county policy, future goals, obtained by competitive bid, accountability measures) Any information provided after the agenda is published or during the meeting of the Commissioners will require you to provide 20 copies: one for each Commissioner, one for the Clerk, one for the District Attorney, one for the Public and two for the County Manager. Contracts or documents requiring signature must be submitted with three original copies.			
Expenditure Impact by FY(s): (Provide detail on Financial Form) <p style="text-align: right;"><input checked="" type="checkbox"/> No financial impact</p>			

Routing & Approval (Sign & Date)

1. Dept	Date	6.	Date
2.	Date	7. HR	Date
3.	Date	8. Legal	Date N/A
4.	Date	9. Finance	Date N/A
5.	Date	10. County Manager	Date

Place on Agenda
 WGA
 ITEM # 37

**NYE COUNTY BOARD OF COUNTY COMMISSIONERS
PLANNING DEPARTMENT STAFF REPORT**

Meeting Date: April 3, 2018

AGENDA ITEMS

For Possible Action — Medical Marijuana Establishment License Annual Renewal Application MM-2018-000056: Discussion and deliberation on a request for annual renewal (pro-rated to June 30, 2019) of a Medical Marijuana Establishment License for a medical marijuana establishment (production) located at 301 S. Oxbow Avenue, Pahrump, NV. Assessor Parcel Number 38-244-09. Eugene & Nelda Fay Toy Trust - Property Owner. CW Nevada LLC – Applicant.

GENERAL INFORMATION SUMMARY

Nye County Code requires the annual renewal of a Medical Marijuana Establishment License.

This request is for renewal (pro-rated to June 30, 2019) of a Medical Marijuana Establishment License for a medical marijuana production facility. The applicant has paid the required license renewal application fee including the additional pro-rated amount.

Quarterly Code Compliance Inspection Information: An inspection of the facility was conducted by Nye County Code Compliance and Sheriff's Department staff on January 31, 2018. No major compliance issues were noted.

Annual License Renewal Information:

- Original MME License issuance date: April 19, 2015.
- Annual Renewal approved by BOCC in 2016.
- Annual Renewal approved by BOCC in 2017.
- Annual Renewal for 2018 was due April 19, 2018 (date filed: March 5, 2018).

Monthly Business License Fee Payment Information: Every medical marijuana establishment shall pay 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.

CW Nevada (production): Past 12 months payment history: CW Nevada was late 3 times in the past 12 months. All payments have currently been paid.

RECOMMENDATION

Recommended BOCC Motion: "I motion to **approve** (options include: approve, deny, continue, take no action) the annual renewal of the Medical Marijuana Establishment License to June 30, 2019."



CONNOR & CONNOR PLLC
ATTORNEYS AT LAW

710 CORONADO CENTER DR., SUITE 121, HENDERSON, NV 89052

March 5, 2018

Ref. No. 100.092

Via Hand-Delivery

Nye County Planning Department
Pahrump Office
250 N. Highway 160, Suite 1
Pahrump, NV 89060

Re: Justification Letter for Renewal of Business License

To Whom It May Concern:

I am writing this letter on behalf of my client, CWNevada, LLC. CWNevada, LLC is applying for a renewal of its business license for a marijuana production facility located at 301 S. Oxbow Avenue, Pahrump, Nevada (APN 038-244-09). As required as a part of the renewal, CWNevada, LLC has attached a financial statement.¹

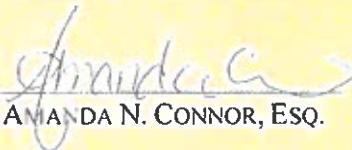
CWNevada, LLC has an approved security, transportation and waste destruction plan. The company has been compliant with all requirements and has had no security breaches to date. CWNevada, LLC has an approved Water Impact Plan and in accordance with code is submitting the water usage for the previous year.

In conclusion, CWNevada, LLC is in compliance with all requirements for renewal of a business license and meets all standards of approval. CWNevada, LLC respectfully requests that its business license for a production facility located at 301 S. Oxbow Avenue, Pahrump, Nevada be renewed.

If you have any questions, please do not hesitate to contact me.

Sincerely,

CONNOR & CONNOR PLLC

By 
AMANDA N. CONNOR, ESQ.

ANC / mlm

¹ CWNevada, LLC respectfully requests that this financial statement be kept confidential.



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 checked="" type="checkbox"/> MEDICAL MARIJUANA ESTABLISHMENT BUSINESS LICENSE (ANNUAL RENEWAL)	DATE FILED: <u>3-5-18</u>	APPLICATION NUMBER: <u>MM-2018-00056</u>
	PROCESSED BY: <u>BO</u>	BOCC MEETING DATE: <u>4-3-18</u>
ESTABLISHMENT TYPE (CHECK ONLY ONE - A SEPARATE APPLICATION IS REQUIRED FOR EACH ESTABLISHMENT): <input type="checkbox"/> DISPENSARY <input type="checkbox"/> CULTIVATION FACILITY <input checked="" type="checkbox"/> PRODUCTION FACILITY <input type="checkbox"/> TESTING LABORATORY	FEES: <ul style="list-style-type: none"> Dispensary: <ul style="list-style-type: none"> <input type="checkbox"/> \$15,000.00 (Initial Application) <input type="checkbox"/> \$7,500.00 (Annual Renewal) Cultivation Facility: <ul style="list-style-type: none"> <input type="checkbox"/> \$5,000.00 (Initial Application) <input type="checkbox"/> \$2,500.00 (Annual Renewal) Production Facility: <ul style="list-style-type: none"> <input type="checkbox"/> \$5,000.00 (Initial Application) <input checked="" type="checkbox"/> \$2,500.00 (Annual Renewal) + 486.00 Pro-rated to June 30, 2019. Testing Laboratory: <ul style="list-style-type: none"> <input type="checkbox"/> \$2,500.00 (Initial Application) <input type="checkbox"/> \$1,250.00 (Annual Renewal) <p>Total = <u>2,986.00</u></p>	
APPROVED MME SPECIAL USE PERMIT CASE #:	RECEIPT #:	

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

NAME OF APPLICANT: CWNeveda, LLC

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO:

NAME: CWNeveda, LLC

ADDRESS: 4145 W. Ali Baba Lane

CITY: Las Vegas STATE: NV ZIP CODE: 89118

TELEPHONE/CELL: (702) 420-7550 E-MAIL ADDRESS: kayann.tyssee@cwneveda.com

BUSINESS NAME OF MEDICAL MARIJUANA ESTABLISHMENT: CWNeveda, LLC

PHYSICAL ADDRESS/LOCATION OF MEDICAL MARIJUANA ESTABLISHMENT: 301 S. Oxbow Ave., Pahrump, NV 89048

PROPERTY OWNER: Eugene & Nelda Fay Toy Trust

ASSESSOR'S PARCEL NUMBER(S): 038-244-09

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: 07/06/2014
- HAS A SECURITY & TRANSPORTATION PLAN BEEN APPROVED BY THE SHERIFF'S OFFICE? YES NO DATE OF APPROVAL: 12/06/2016
- HAS A WATER IMPACT PLAN BEEN APPROVED BY THE NYE COUNTY WATER DISTRICT BOARD? YES NO DATE OF APPROVAL: 4/25/2016
- HAS A CERTIFICATE (OR PROVISIONAL CERTIFICATE) BEEN ISSUED BY THE STATE OF NEVADA? YES NO DATE OF APPROVAL: 11/03/2014
- HAS A SITE DEVELOPMENT PLAN APPLICATION BEEN SUBMITTED TO NYE COUNTY PLANNING? YES NO DATE OF SUBMITTAL: 04/18/2016

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

Marijuana Production Facility license annual renewal

*** 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.

Andy Jordan
Signature of Applicant

Andy Jordan
Print of Type Applicant Name

Notary

State of NEVADA

County of Clark

Signed and sworn to (for affirmed) before me this 27th day of FEBRUARY 2018



Notary Public, State of Nevada
Appointment No 10-2779-14
My Appt. Expires Jun 5, 2021

ANDY JORDAN
Name of person

Andy Jordan
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:

- 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.
- 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.
- Staff Report: To discuss a report or recommendation, contact the Planning Department to resolve concerns prior to the hearing.
- 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.
- 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.

CONNOR & CONNOR PLLC
710 CORONADO CENTER DR., SUITE 121
HENDERSON, NEVADA 89052
TELEPHONE: (702) 750-9139

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STATE OF NEVADA)
) ss.
COUNTY OF Nye)

The undersigned, Andy Jordan, after first being duly sworn on oath states:

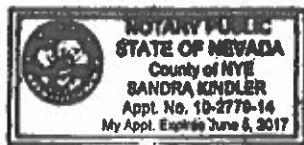
1. I am the property manager of the property located at 301 S. Oxbow Avenue, Suite 13, Pahrump, Nevada 89048.
2. The property owner is aware that the proposed use of subject property is for a Medical Marijuana Establishment.
3. Specifically, the property owner is aware that CWNevada, LLC, proposes to utilize the property located at 301 S. Oxbow Avenue for a medical marijuana production facility.



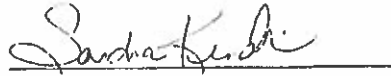
ANDY JORDAN
AUTHORIZED REPRESENTATIVE

Subscribed and sworn to before me this 31ST day of MARCH,

2016 by Andy Jordan



NOTARY PUBLIC



My Commission Expires:

JUNE 5, 2017