

**STAFF REPORT FOR THE PLANNING COMMISSION MEETING OF OCTOBER 28, 2015**

**FILE NO.: SUP-15-093**

**AGENDA ITEM: F-6**

**STAFF AUTHOR:** Susan Dorr Pansky, AICP  
Planning Manager

**REQUEST:** To consider a request from Carson City Agency Solutions (property owner: Capital Vending Company, Inc.) for a Special Use Permit to allow a Medical Marijuana Production Facility in the General Industrial (GI) zoning district.

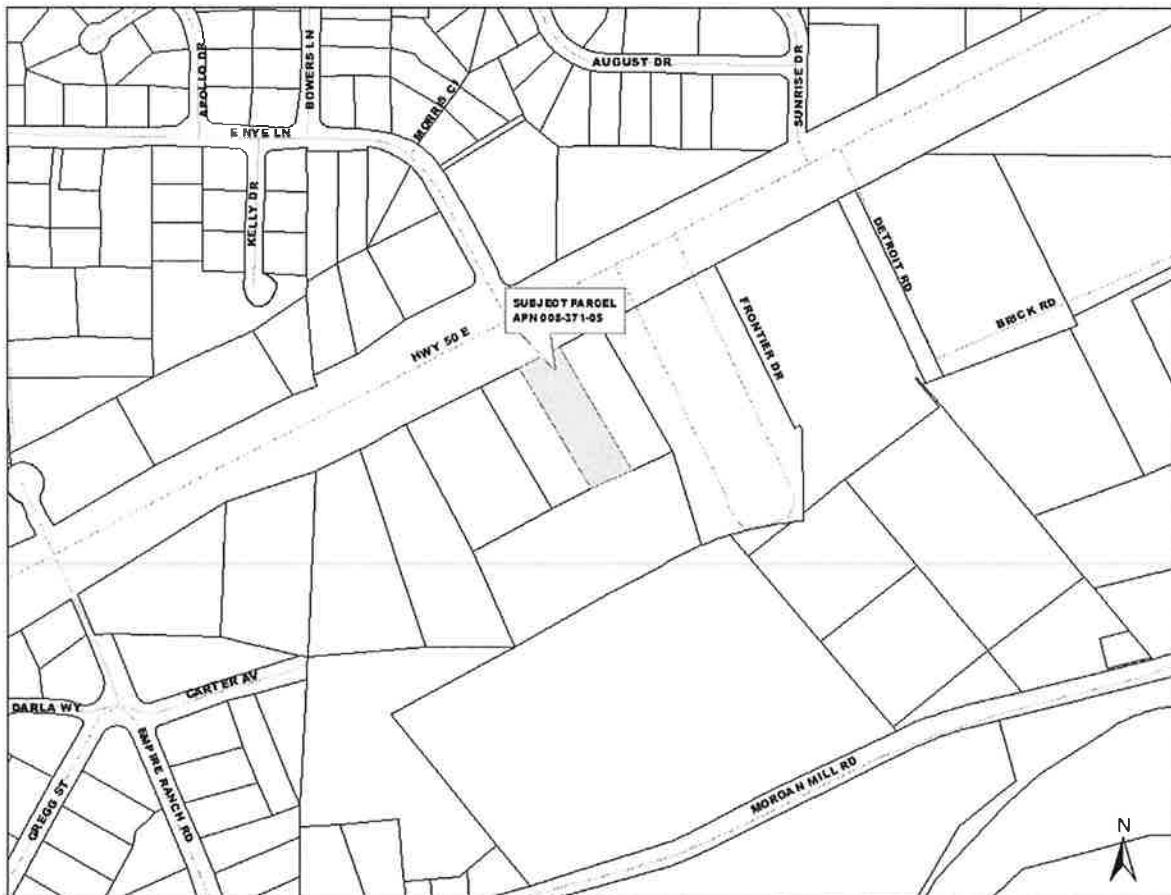
**APPLICANT:** Carson City Agency Solutions

**OWNER:** Capital Vending Company, Inc.

**LOCATION:** 4949 Highway 50 East, Suite A-4

**APN:** 008-371-05

**RECOMMENDED MOTION:** "I move to approve SUP-15-093, a Special Use Permit request from Carson City Agency Solutions (property owner: Capital Vending Company, Inc.) to allow a Medical Marijuana Production Facility on property zoned General Industrial, located at 8001 Highway 50 East, APN 008-371-05, based on the findings and subject to the conditions of approval contained in the staff report."



**RECOMMENDED CONDITIONS OF APPROVAL:**

**The following shall be completed prior to commencement of the use:**

1. The applicant must sign and return the Notice of Decision for conditions of approval within 10 days of receipt of notification. If the Notice of Decision is not signed and returned within 10 days, then the item may be rescheduled for the next Planning Commission meeting for further consideration.
2. All development shall be substantially in accordance with the development plans approved with this application, except as otherwise modified by these conditions of approval.
3. All on- and off-site improvements shall conform to City standards and requirements.
4. All on- and off-site improvements shall conform to NRS and NAC 453A and the Adopted Regulations of the Division of Public and Behavioral Health of the Department of Health and Human Services, LCB File No. R004-14, as applicable at the time of development.
5. The use for which this permit is approved shall commence within 12 months of the date of final approval. A single, one year extension of time may be requested in writing to the Planning Division thirty days prior to the one year expiration date. Should this permit not be initiated (obtain a Building Permit) within one year and no extension granted, the permit shall become null and void.
6. The applicant shall maintain a State certificate to operate a Medical Marijuana Establishment, specifically a production facility, at the subject location prior to commencement of operation. Failure to maintain this certificate will render this Special Use Permit null and void.
7. The applicant shall obtain and maintain a valid Carson City Business License for the operation of a Medical Marijuana production facility.
8. The project requires application for a Building Permit, issued through the Carson City Building Division. This will necessitate a complete review of the project to verify compliance with all adopted construction codes and municipal ordinances applicable to the scope of the project.
9. The existing parking area shall be striped to accommodate the required parking for this production facility as shown on the site plan provided with this application. Parking spaces shall meet Carson City Development Standards.
10. The applicant shall submit proposed signage to the Planning Division for review and approval prior to installation. A Sign Permit may be required depending on the nature of the proposed signage. All signage shall conform to Division 1.20 and Division 4 of the Carson City Development Standards, as applicable.
11. Health related requirements will need to meet Division of Public and Behavioral Health Medical Marijuana Establishment Program (DPBH-MME) standards and receive approval from DPBH-MME prior to operation.
12. The proposed outside storage of propane bottles shall comply with Title 18.16

Development Standards, Division 1.12 Outside Storage.

**The following conditions shall be completed with any Building Permit application:**

13. The applicant shall submit a copy of the Notice of Decision and conditions of approval, signed by the applicant and owner, with any Building Permit application.
14. All projects and improvements must be performed in accordance with Nevada Revised Statutes (NRS) 623 and 624 and Carson City Municipal Code (CCMC) 15.05.020.
15. This project is considered an F-1 industrial use. Change of use can affect restroom numbers, accessibility standards and energy efficiency requirements.
16. The 2009 IECC will change by state statute during the upcoming year. There will be an overlap time of accepting both codes. All applications received after June 2016 must be designed to the 2012 International Energy Efficient Code.
17. Any repairs, replacements and alterations must comply with 2012 International Building Codes, 2012 Uniform Plumbing Code, Uniform Mechanical Code or 2012 International Mechanical Code, 2012 Fuel Gas Code, 2011 Electrical Code, Adopted International Energy Conservation Code and 2012 Northern Nevada Amendments.
18. All contractors are required to carry State and local licenses.
19. The project must comply with the 2012 IFC and Northern Nevada Fire Code amendments.
20. While there was more detail than usual for a Special Use Permit, it was noted that there were several items related to electrical, ventilation, hazmat and appliances that did not comply with the Fire Code. Please contact Fire Marshal Dave Ruben prior to Building Permit submittal and review CCFD handouts on MMEs.
21. A new water and sewer usage form must be submitted with the application for building permit.
22. This property is in a floodway. The value of improvements and the value of the existing structure must be provided with the application for a building permit. If the value of improvements exceeds 50 percent of the value of the existing structure, the entire structure will need to be flood-proofed per FEMA requirements.
23. The facility will need to meet all applicable codes found in Title 12.06 and Appendix 18 Division 15.5 of the Carson City Municipal Code (CCMC) and all applicable codes found in the 2012 Uniform Plumbing Code (UPC). Effluent from all the processes needs to meet all discharge limits as defined in CCMC 12.06.410, as well as Federal Limits found in 40 CFP 403.
24. If chemicals are to be used as part of the production process, secondary containment will need to be provided for these chemicals per CCMC 12.06.248.
25. Please provide Safety Data Sheets for all chemicals that will be used as part of the production process at this facility.

26. Unless the facility can prove that it would be eligible for the limited food service exemption found in CCMC 12.06.245 (b) a properly sized grease interceptor will need to be installed.
27. Per CCMC 12.06.070, depending on the type, size and scale of the production processes, the following pre-treatment equipment might need to be installed prior to issuance of a Carson City Waste Water Permit or connection to the Carson City Sanitary Sewer System.
  - a. Sand/oil interceptor
  - b. End of pipe sampling manhole

**The following conditions shall be applicable throughout the life of the use:**

28. The Special Use Permit for this Medical Marijuana production facility is only valid at the location specified in this application for the operator who obtains the Nevada State certificate for this facility. The Special Use Permit approval shall expire and become null and void if the operator loses or otherwise forfeits his or her State certificate to operate this facility. Special Use Permits for Medical Marijuana Establishments are non-transferable between operators and locations within Carson City.
29. All production facility operations shall conform to NRS and NAC 453A and the Adopted Regulations of the Division of Public and Behavioral Health of the Department of Health and Human Services, LCB File No. R004-14, as may be modified from time to time.
30. Medical marijuana or medical marijuana-infused products intended for disposal shall be rendered unusable and disposed of off-site at the Carson City Landfill as medical material for immediate burial. Temporary exterior on-site storage of product for disposal shall be prohibited. This method of disposal is subject to change and may be modified by Carson City at any time.
31. No consumption of medical marijuana or medical marijuana-infused products shall occur on the premises of this production facility, including the parking lot and surrounding area.
32. The sale of medical marijuana products to the general public from this facility is prohibited.
33. Outdoor display and sales of medical marijuana merchandise is prohibited.
34. Medical marijuana products shall not be visible from outside the production facility at any time.
35. The applicant shall maintain a ventilation and filtration system at all times to prevent offensive odor discharge from the building that could impact the surrounding properties. Failure to maintain this system, as well as the detection of medical marijuana odors in the vicinity may result in citation and possible revocation of this Special Use Permit.

**LEGAL REQUIREMENTS:** CCMC 18.02.080 (Special Use Permits), CCMC 18.04.150 General Industrial (GI), CCMC DS 1.20 Development Standards for Medical Marijuana Establishments

**MASTER PLAN DESIGNATION:** Mixed Use Commercial (MUC)

## **PRESENT ZONING:** General Industrial (GI)

**KEY ISSUES:** Will the proposed Medical Marijuana Production Facility be compatible with the surrounding neighborhood and be in keeping with the standards of the Carson City Municipal Code?

## **SURROUNDING ZONING AND LAND USE INFORMATION:**

- EAST: General Industrial/Vacant Parcel, then Mobile Home Park
- WEST: General Industrial/Warehouse Uses
- NORTH: General Commercial/Commercial Large Equipment Sales
- SOUTH: General Industrial/Concrete Mixing Plant

## **ENVIRONMENTAL INFORMATION:**

- FLOOD ZONE: Floodway
- EARTHQUAKE FAULT: Zone II
- SLOPE/DRAINAGE: Site has been previously developed and is relatively flat

## **SITE DEVELOPMENT INFORMATION:**

- LOT SIZE: 1.00 Acre
- EXISTING STRUCTURE SIZE: 8,300 square feet, applicant proposes to occupy 2,100 square foot tenant space
- EXISTING PARKING: Estimated at four spaces
- SETBACKS: Existing building
- VARIANCES REQUESTED: None

## **PREVIOUS REVIEWS:**

- SUP-13-025: Special Use Permit for a 65-foot wireless telecommunication monopole
- SUP-05-134: Special Use Permit for a billboard (never erected)
- M-00/01-2: Appeal of 10-foot landscaping requirement adjacent to an arterial (withdrawn)

## **HISTORY:**

Senate Bill (SB) 374, commonly referred to as the “Medical Marijuana Act,” was adopted by the Nevada Legislature and signed into law in 2013, authorizing Medical Marijuana Establishments in Nevada. In July 2014, the Carson City Board of Supervisors adopted zoning regulations to allow Medical Marijuana Establishments in the General Commercial and General Industrial zoning districts in certain locations in Carson City with the approval of a Special Use Permit and subject to specific development standards.

In addition to the Special Use Permit requirements set forth by Carson City, any Medical Marijuana Establishment applicants are also required to apply to the State of Nevada for a certificate to operate a Medical Marijuana Establishment in Nevada. All applications for Medical Marijuana Establishments for 2014 were submitted and provisional certificates were issued by the State on November 3, 2014. A provisional certificate is a preliminary certificate issued by the State that is contingent on applicants receiving all local zoning and business license approvals. Once those approvals have been verified, the State will issue an official certificate to successful Medical Marijuana Establishment operators.

The applicant for this Special Use Permit to operate a Medical Marijuana Establishment, in this case a production facility, has received a provisional certificate from the State. As a result, a condition of approval has been recommended as a part of this staff report that the applicant must maintain their certificate to operate a Medical Marijuana Establishment in Carson City in order for this Special Use Permit to remain valid. The failure to maintain a certificate to operate from the State would result in the Special Use Permit becoming null and void.

**DISCUSSION:**

The applicant is proposing to operate a medical marijuana production facility in a 2,100 square foot tenant space within an existing 8,300 square foot building on Highway 50 East. The production facility will use medical marijuana trim that is purchased from licensed cultivators for the purpose of extracting cannabinoids for use in edibles manufacturing, or further refined for other cannabis products. The production facility will consist of an intake room, extraction area, refinement area, edibles manufacturing area, packaging area, shipping/receiving area, storage room and office as shown on the floorplans included in the application. The facility is proposed to employ approximately 10 employees.

The applicant did not provide estimated water usage for the proposed facility with the application. However, estimates from other recently approved medical marijuana production facilities of a similar size indicate that water usage should not be more than 1,000 gallons per day. This estimate is well below the threshold of 15,000 gallons per day that would require Growth Management Review. The applicant also did not provide estimated sewer flow for the production facility but similar facilities are estimated to produce between 100-200 gallons per day. The Engineering Division has reviewed the proposed facility and does not have objections to its operation.

Traffic volumes are estimated to be relatively low, with daily trips for deliveries estimated at three to five trips per day. This is in addition to daily trips made by employees, which is generally between two and three trips per day per employee. The applicant notes that the proposed traffic is not likely to be more than that of previous businesses in this tenant space. There is no parking space striping near the facility, but the applicant has proposed four new spaces at the south end of the site to accommodate this use. Staff will require that the applicant stripe the new parking spaces, and that they are in compliance with Carson City Development Standards.

Staff notes that minimal landscaping is present on the property. However, because the applicant is occupying only one tenant space at the rear of a site that has two existing buildings, staff does not believe it is necessary to require landscaping as a part of this application.

The applicant proposes a security plan that includes security cameras installed on the interior and exterior of the building, as well as secured access for all employees and visitors.

The applicant's proposed hours of operation are 6am to 8pm, Monday through Saturday as needed based on demand. Staff notes that the limitation on hours of operation set forth in the Carson City Development Standards is for dispensaries only and that the applicant could operate outside of their proposed hours if they choose to do so.

The applicant did not provide specific information regarding equipment to mitigate concerns of medical marijuana odor from the facility. However, staff notes that State regulations require that medical marijuana facilities do not emit odors that are detectable from outside of their facilities.

Additionally, staff has recommended a condition of approval to address odor concerns as a part of this report.

A Special Use Permit is required for the proposed project for the following reason:

- Pursuant to Carson City Municipal Code, Section 18.04.150, General Industrial Conditional Uses, a Medical Marijuana Establishment requires the approval of a Special Use Permit subject to Carson City Development Standards, Section 1.20, Medical Marijuana Establishments.

As stated above, Medical Marijuana Establishments are subject to specific criteria outlined in the Carson City Development Standards, Section 1.20 – Medical Marijuana Establishments. These development standards and how the proposed production facility meets them are addressed below:

## **1.20 Medical Marijuana Establishments.**

The following standards are intended to establish minimum standards and Special Use Permit review criteria for Medical Marijuana Establishments, including Cultivation Facilities, Dispensaries, Production Facilities, and Testing Laboratories, as defined in Title 18 and NRS, in addition to other standards for commercial and industrial development.

1. The following standards apply to all Medical Marijuana Establishments.

- a. All Medical Marijuana Establishments (MMEs) require approval of a Special Use Permit. Special Use Permits for MMEs are only valid at a given location for the operator who obtains the Nevada State certificate for that facility. The Special Use Permit approval shall expire and become null and void if the MME operator loses or otherwise forfeits his or her State certificate to operate that facility. Special Use Permits are non-transferable between operators and locations within Carson City.

*Staff has recommended a condition of approval outlining these requirements.*

- b. No consumption of Medical Marijuana products shall occur on the premises of any MME.

*Consumption on the premises of the production facility is not proposed. Staff has recommended a condition of approval to address this requirement.*

- c. All business activities related to MMEs, including cultivation, shall be conducted indoors, within a permanent building. The use of office trailers or other temporary structures is prohibited. All MMEs shall have an appearance, both as to the interior and exterior, which is professional, orderly, dignified, and consistent with the traditional style of pharmacies and medical offices.

*The business activities for the production facility are proposed to be conducted inside an existing permanent building. Production activities are in line with industrial-type activities, in buildings that are not accessible by the public. Therefore, a building such as the one proposed is appropriate for this use, rather than a building that is consistent with the traditional style of pharmacies and medical offices. The building is required to be professional, orderly and dignified nonetheless.*

- d. Outside display or sales of MME merchandise shall be prohibited.

*Outside display and sales is not proposed with the production facility. Staff has recommended a condition of approval to address this requirement.*

- e. Accessory outside storage for MMEs shall comply with Title 18.16 Development Standards, Division 1.12 Outside Storage.

*Outside storage of extra propane bottles is proposed with this facility. The applicant has indicated that these bottles will be stored in a locked storage unit that will comply with Title 18.16 Development Standards, Division 1.12 Outside Storage. Staff has recommended a condition of approval to address this requirement.*

- f. Access to the MME shall be restricted in compliance with State regulations.

*A condition of approval has been recommended that the production facility maintain compliance with all State regulations.*

- g. No MME-related products shall be visible from outside the building.

*Based on the nature of this production operation, MME-related products are not anticipated to be visible from outside the building. Staff has recommended a condition of approval to address this requirement.*

- h. Sign Requirements. All MME signage shall be discreet, professional, and consistent with the traditional style of signage for pharmacies and medical offices. All MMEs shall follow the sign regulations for Office Uses in the Development Standards, Division 4, except that freestanding sign height for Cultivation Facilities, Production Facilities, and Testing Laboratories shall be limited to 10 feet consistent with sign height requirements for industrial uses.

*The applicant indicates that they intend to have discreet signage on their front door stating the company name and suite number only. Staff has recommended a condition of approval that will require that signage be reviewed and approved by the Planning Division prior to installation.*

- i. Parking Requirements. Parking shall be provided for MMEs as follows:

- (1) Production Facilities. One space per 500 square feet of gross floor area.

*The production facility is proposed to be 2,100 square feet, which would require four parking spaces. The applicant has proposed striping for four spaces on their site plan to meet this requirement.*

- j. No more than two Dispensaries shall be permitted in Carson City.

*This item is not applicable to medical marijuana production facilities.*

k. A MME shall not be located within 1,000 feet of a public or private school that provides formal education traditionally associated with preschool or kindergarten through grade 12 or within 300 feet of a facility that provides day care to children, a public park, a playground, a public swimming pool, a center or facility, the primary purpose of which is to provide recreational opportunities or services to children or adolescents, that existed on the date on which the application for the proposed MME was submitted to the State Health Division, measured on a straight line from the nearest school or community facility property line to the front door or primary entrance of the MME.

*Staff has verified that the proposed production facility meets the minimum distance requirements outlined in this standard. This is further substantiated with the zoning letter provided by staff to the applicant on August 13, 2014 for submission with their State application. The zoning letter is included in the application for reference.*

2. The following standards apply to all Medical Marijuana Dispensaries.

- A single point of secure public entry shall be provided and identified.

*Not applicable to medical marijuana production facilities.*
- Hours of operation shall be limited to 7:00 a.m. to 8:00 p.m., seven days per week.

*Not applicable to medical marijuana production facilities.*
- Drive-through service is prohibited.

*Not applicable to medical marijuana production facilities.*
- A Dispensary shall not be located on property or within a shopping center with frontage on the same street on which a residentially-zoned property is located unless the Dispensary is located more than 300 feet from the residential property, measured on a straight line from the nearest residential property line abutting the street right-of-way to the front door of the Dispensary.

*Not applicable to medical marijuana production facilities.*

3. Special Use Permit review standards. The following shall be considered in the review of any Dispensary located within the General Industrial zoning district in addition to the required Special Use Permit findings:

- That the proposed Dispensary is located where sufficient, convenient and safe access is provided to the public.

*Not applicable to medical marijuana production facilities.*
- That the proposed location has adequate lighting and street improvements for a use providing public access.

*Not applicable to medical marijuana production facilities.*

Staff finds that the proposed production facility meets the applicable development standards required. With the recommended conditions of approval and findings provided by the applicant, staff is in support of this Special Use Permit application. Staff recommends that the Planning Commission approve SUP-15-093 based on the required findings as noted on the following pages.

**PUBLIC COMMENTS:** Public notices were mailed to 70 adjacent property owners within 300 feet of the subject site on October 9, 2015. As of the writing of this report, staff has received one phone call from the owner of the mobile home park to the east, Donna Fuller, in opposition of the medical marijuana production facility. No additional comments in support or in opposition of the proposed project have been received. Any comments that are received after this report is completed will be submitted to the Planning Commission prior to or at the meeting on October 28, 2015, depending on the date of submission of the comments to the Planning Division.

**OTHER CITY DEPARTMENTS OR OUTSIDE AGENCY COMMENTS:** The following comments were received by various city departments. Recommendations have been incorporated into the recommended conditions of approval, where applicable.

**Building Division:**

1. All projects and improvements must be performed in accordance with Nevada Revised Statutes (NRS) 623 and 624 and Carson City Municipal Code (CCMC) 15.05.020.
2. This project is considered an F-1 industrial use. Change of use can affect restroom numbers, accessibility standards and energy efficiency requirements.
3. The 2009 IECC will change by state statute during the upcoming year. There will be an overlap time of accepting both codes. All applications received after June 2016 must be designed to the 2012 International Energy Efficient Code.
4. Any repairs, replacements and alterations must comply with 2012 International Building Codes, 2012 Uniform Plumbing Code, Uniform Mechanical Code or 2012 International Mechanical Code, 2012 Fuel Gas Code, 2011 Electrical Code, Adopted International Energy Conservation Code and 2012 Northern Nevada Amendments.
5. All contractors are required to carry State and local licenses.

**Fire Department:**

1. The project must comply with the 2012 IFC and Northern Nevada Fire Code amendments.
2. While there was more detail than usual for a Special Use Permit, it was noted that there were several items related to electrical, ventilation, hazmat and appliances that did not comply with the Fire Code. Please contact Fire Marshal Dave Ruben prior to building permit submittal and review CCFD handouts on MMEs.

**Engineering Division:**

1. A new water and sewer usage form must be submitted with the application for building permit.

2. This property is in a floodway. The value of improvements and the value of the existing structure must be provided with the application for a building permit. If the value of improvements exceeds 50 percent of the value of the existing structure, the entire structure will need to be flood-proofed per FEMA requirements.

**Health and Human Services:**

Carson City Health and Human Services has no concerns with this project as submitted. Health related requirements will need to meet Division of Public and Behavioral Health Medical Marijuana Establishment Program (DPBH-MME) standards and receive approval from DPBH-MME prior to operation.

**Environmental Control Authority:**

1. The facility will need to meet all applicable codes found in Title 12.06 and Appendix 18 Division 15.5 of the Carson City Municipal Code (CCMC) and all applicable codes found in the 2012 Uniform Plumbing Code (UPC). Effluent from all the processes needs to meet all discharge limits as defined in CCMC 12.06.410, as well as Federal Limits found in 40 CFP 403.
2. If chemicals are to be used as part of the production process, secondary containment will need to be provided for these chemicals per CCMC 12.06.248.
3. Please provide Safety Data Sheets for all chemicals that will be used as part of the production process at this facility.
4. Unless the facility can prove that it would be eligible for the limited food service exemption found in CCMC 12.06.245 (b) a properly sized grease interceptor will need to be installed.
5. Per CCMC 12.06.070, depending on the type, size and scale of the production processes, the following pre-treatment equipment might need to be installed prior to issuance of a Carson City Waste Water Permit or connection to the Carson City Sanitary Sewer System.
  - a. Sand/oil interceptor
  - b. End of pipe sampling manhole

**FINDINGS:** Staff's recommendation is based upon the findings as required by CCMC Section 18.02.080 (Special Use Permits) enumerated below and substantiated in the public record for the project.

1. **Will be consistent with the master plan elements.**

**Chapter 5: Economic Vitality, Goal 5.1d – Industrial Specializations**

*The addition of a medical marijuana production facility meets the Master Plan goal of promoting a variety of industrial specializations. The proposed production facility will provide medical marijuana products to retail dispensary outlets in the region and will help to support the needs of current and future medical marijuana patients.*

2. **Will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood; and will cause no objectionable noise, vibrations, fumes, odors, dust, glare or physical activity.**

*The proposed production facility will be located in an existing building. The nature of the business is in line with general industrial uses and is not expected to cause objectionable noise, vibrations, fumes, dust, glare or physical activity. The production facility does have the potential to produce medical marijuana plant odors that may be detected from outside the facility. Staff has recommended a condition of approval to address potential odor concerns.*

3. **Will have little or no detrimental effect on vehicular or pedestrian traffic.**

*The proposed production facility is anticipated to generate very low levels of vehicular traffic and essentially no additional pedestrian traffic. The applicant indicates that the facility will employ up to 10 employees. Staff estimates that up to 35 average daily trips will be generated per day between employees and deliveries. The proposed traffic level is lower than what is generally anticipated for general industrial uses and is not expected to have a detrimental impact.*

4. **Will not overburden existing public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public improvements.**

*The proposed production facility is located in an existing building and should not have impact on existing public services such as water, sanitary sewer, storm drainage or other public improvements. Staff estimates the water usage for the project to be up to 1,000 gallons per day and estimates sewage flow to be between 100 – 200 gallons per day. These estimates are not in excess of what would be expected for a use in the General Industrial zoning district and existing infrastructure can accommodate the proposed usage. Storm drainage will be unaffected, but Engineering Division staff notes that the existing building is in a floodway. If proposed improvements as a result of this project exceed 50 percent of the value of the structure, the structure will be require flood-proofing consistent with FEMA requirements.*

*There is no anticipated impact on schools and the impacts on police and fire protection are unknown at this time as this is a new use in Nevada. The applicant has proposed security measures that are intended to supplement police services so that impacts to such services would be minimal.*

5. **Meets the definition and specific standards set forth elsewhere in this title for such particular use and meets the purpose statement of that district.**

*Medical Marijuana Establishments are a conditional use in accordance with Title 18.04.135 General Industrial Conditional Uses and require a Special Use Permit. With the approval of this Special Use Permit and recommended conditions of approval, the project will meet the definition and specific standards required to support this use in the General Industrial zoning district.*

**6. Will not be detrimental to the public health, safety, convenience and welfare.**

*The proposed production facility will be located in an inconspicuous, secure space with limited access by only those employed by the facility or authorized to enter it. This facility will not be open to the public and is not anticipated to be detrimental to the public health, safety, convenience and welfare.*

**7. Will not result in material damage or prejudice to other property in the vicinity.**

*The production facility is proposed in an existing building within the General Industrial zoning district. The operation will not be accessible by the public and is intended to be inconspicuous and unobtrusive as all operations will be conducted inside. It is not anticipated to result in material damage or prejudice to other property in the vicinity.*

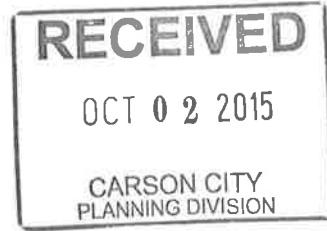
Attachments:

Aerial Photo of Site  
Building Division Comments  
Fire Department Comments  
Engineering Division Comments  
Health and Human Services Comments  
Environmental Control Division Comments  
Revised Fire Protection Report  
Application (SUP-15-093)



October 2, 2015

SUP-15-093:



1. All projects and improvements must be performed in accordance with Nevada State Revised Statute (NRS) 623 & 624 and Carson City Municipal Code (CCMC) 15.05.020.
2. This products is considered a F-1 Industrial use. Change of use can effect restrooms numbers, accessible standards, and energy efficient requirements.
3. The 2009 IECC will change by state statue during the upcoming year. There will be an overlap time of accepting both codes. All applications received after June 2016 have to be design to the 2012 International Energy Efficient Code.
4. Any Repairs, Replacement, and Alterations must comply with 2012 International Building Codes, 2012 Uniform Plumbing Code, Uniform Mechanical Code or 2012 International Mechanical code, 2012 Fuel Gas Code, 2011 Electrical Code, Adopted International Energy Conservation Code, and 2012 Northern Nevada Amendments.
5. All Contractors are required to carry State and local license.

Shawn Keating CBO  
Building Official  
Carson City Community Development Department  
Web page <http://www.carson.org/index.aspx?page=172>  
[skeating@carson.org](mailto:skeating@carson.org)  
Office 775-887-2310 X 7052  
Fax 775-887-2202  
Cell 775-230-6623

RECE

OCT 01 2015

CARSON CITY  
PLANNING DIVISION

October 1, 2015

SUP-15-093

We have the following comments for SUP 15-093:

1. Project must comply with the 2012 IFC and Northern Nevada Fire Code amendments.
2. While there was more detail than usual for a Special Use Permit, it was noted that there were several items relating to electrical, ventilation, hazmat, and appliances that did not comply with the Fire Code. Please contact Fire Marshal Dave Ruben prior to building permit submittal and review CCFD handouts on MMEs.

**Dave Ruben**  
Fire Marshal  
Carson City Fire Department  
777 S. Stewart Street  
Carson City, NV 89701

Direct 775-283-7153  
Main 775-887-2210  
FAX 775-887-2209

RECEIVED

SEP 30 2015

CARSON CITY  
PLANNING DIVISION

**Engineering Division Planning  
Commission Report File  
Number SUP 15-093**

**TO:** Planning Commission

**FROM:** Stephen Pottéy, P.E.

**DATE:** September 30, 2015 **MEETING DATE:** October 28, 2015

**SUBJECT TITLE:**

Action to consider an application for a special use permit for a Medical Marijuana Production Facility, apn 008-371-05.

**RECOMMENDATION:**

The Engineering Division has no preference or objection to the special use request.

**DISCUSSION:**

The Engineering Division has reviewed the conditions of approval within our areas of purview relative to adopted standards and practices and to the provisions of CCMC 18.02.080, Conditional Uses.

**CCMC 18.02.080 (2a) - Adequate Plans**

- Drawings are adequate for this SUP.
- A new water and sewer usage form must be submitted with the application for a building permit.
- This property is in a floodway. The value of improvements and the value of the existing structure must be provided with the application for a building permit. If the value of improvements exceeds 50% of the value of the existing structure, the entire structure will need to be flood proofed per FEMA requirements.

**CCMC 18.02.080 (5a) - Master Plan**

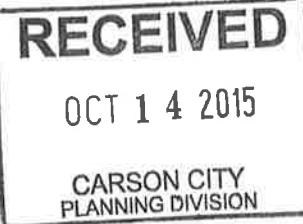
The request is not in conflict with any Engineering Master Plans for streets.

**CCMC 18.02.080 (5c) - Traffic/Pedestrians**

The request is not in conflict with pedestrian or traffic movements.

**CCMC 18.02.080 (5d) - Public Services**

No new City water, sewer or access services will be needed for this project.



October 14, 2015

Sup-15-093

Carson City Health and Human Services has no concerns with this project as submitted. Health related requirements will need to meet Division of Public and Behavioral Health Medical Marijuana Establishment Program (DPBH-MME) standards and receive approval from DPBH-MME prior to operation.

Dustin Boothe

Health and Human Services



October 12, 2015

Major Project Review Committee

Re: # SUP – 15 - 093

Dear Kathe,

After initial plan review the Carson City Environmental Control Authority (ECA), a Division of Carson City Public Works Department (CCPW), has the following requirements per the Carson City Municipal Code (CCMC) and the Uniform Plumbing Code (UPC) for the approval of SUP-15-093 MME at 4949 Hwy 50 East review:

1. Facility will need to meet all applicable codes found in Title 12.06 and Appendix 18 Division 15.5 of the Carson City Municipal Code (CCMC) and all applicable codes found in the 2012 Uniform Plumbing Code (UPC). Effluent from the all processes need to meet all the discharge limits as defined (CCMC 12.06.410, as well as Federal Limits found in 40 CFR 403.
2. If chemicals are to be used as part of the production process, secondary containment will need to be provided for these chemicals per CCMC 12.06.248.
3. Please provide Safety Data Sheets for all chemicals that will be used as part of the production process at this facility.
4. Unless facility can prove that it would be eligible for the limited food service exemption found in CCMC 12.06.245.(b) a properly sized grease interceptor will need to be installed.
5. Per CCMC 12.06.070 - Depending on type, size and scale of the production processes the following pretreatment equipment might need to be installed prior to issuance of Carson Waste Water Permit or connection to the Carson City Sanitary Sewer System.
  - a. Sand/Oil interceptor.
  - b. End of pipe sampling manhole.

Please notify Mark Irwin if you have any questions regarding these comments, I can be reached at 775-283-7380.

Sincerely;

Mark Irwin  
Environmental Control Officer 3

c: Kelly Hale, Environmental Control Supervisor

# TERPconsulting

**Agent Solutions MME Tenant Space  
4949 Highway 50E, Carson City, NV  
Fire Protection Report  
TERPconsulting Project # 2015.399**

TERPconsulting has prepared the following Fire Protection Report (FPR) at the request of Agent Solutions. A Fire Protection Report (FPR) was requested by Carson City Fire Department (CCFD) to outline the applicable fire/life safety features for the project.

## INTRODUCTION

The renovation of an existing tenant space in a single-story industrial building of approximately 8,300 ft<sup>2</sup> located at 4949 Highway 50E in Carson City, NV is proposed. The approximately 2,100 ft<sup>2</sup> space will be turned into a medicinal marijuana extraction facility.

The purpose of this report is to document the project and identify compliance with the applicable code requirements. The following codes and standards apply to the project:

- 2012 International Building Code with Northern Nevada Amendments (NNBC)
- 2012 Northern Nevada Fire Code (NNFC)
- Applicable NFPA Standards as adopted by CCFD

## FIRE-RESISTIVE ASPECTS

The existing single-story Group F-1 building is of Type IIIB construction. All remodel work will comply with Type IIIB construction in accordance with the NNBC.

For Type IIIB construction, building elements are permitted to be nonrated and interior building materials may be of any materials permitted by the NNBC. Exterior building elements are required to consist of noncombustible materials.

The tenant space will contain the following:

- Shipping/receiving
- Locked storage
- Extraction process area
- Edible manufacturing
- Refinement laboratory
- Employee breakroom

Hazardous materials (HAZMAT) will be utilized in the extraction process; however, the total quantities will be below the maximum allowable quantities (MAQ) permitted by the NNBC and NNFC. (See the attached HAZMAT Inventory Statement (HMIS) for reference.)

There will be no Group H occupancies associated with the space and the entire building will be considered a single control area.

New walls and ceilings will be of materials consistent with Type IIIB construction.

## **OPERATIONS**

Agent Solutions has proposed to remodel the aforementioned tenant space for extraction and edible preparation activities. No growing activities will take place in the space.

Trim will be received at the space from outside suppliers and prepared for extraction. Extraction will occur through the use of propane and nButane which will be stored in and used from maximum 50 lb. canisters.

After extraction, the resultant THC oils are taken into the lab area for further pressing and purification through the use of the following:

- Ethanol
- Isopropyl alcohol
- Naphtha

Each of the above chemicals will be stored in maximum 1L containers and kept in a flammable liquid storage cabinet.

## **EXITING SYSTEMS**

The project will utilize the following occupant load factors per NNBC Table 1004.1.2:

<b>Occupancy</b>	<b>Occupant Load Factor</b>
Breakroom	15 ft <sup>2</sup> per person (net)
Offices/laboratory	100 ft <sup>2</sup> per person (gross)
Kitchen	200 ft <sup>2</sup> per person (gross)
Storage	300 ft <sup>2</sup> per person (gross)

• Means of egress paths will be calculated multiplying the occupant load served by the egress component by a means of egress capacity factor of 0.2" per occupant in accordance with NNBC Section 1005.3.2.

The building will be served by a single exterior exit located such that travel distance does not exceed either 250' per NNBC Table 1016.2 or common path of egress travel limitation of NNBC Section 1014.3.

Illuminated exit signs will be provided at the exit. Exit signs will not be required from rooms that only require a single means of egress as permitted by Exception 1 to NNBC Section 1011.1.

Egress doors will be operable from the egress side without the use of a key or special knowledge or effort per NNBC Section 1008.1.2. Access-controlled doors will meet the provisions of NNBC Section 1008.1.9.10.

#### **FIRE SUPPRESSION SYSTEMS**

There is no sprinkler system in the building and none is required per the NNFC.

#### **FIRE ALARM AND DETECTION SYSTEM**

There is no fire alarm system in the building and none is required per the NNFC.

#### **HAZMAT**

The extraction operations will require the use of compressed gases and flammable liquids which are classified as HAZMAT. A majority of the chemicals to be stored and utilized are classified as Irritants which are no longer regulated by the NNFC; as such, Irritants are not addressed in this report or on the HMIS.

Attached to this report is an HMIS indicating the maximum quantities expected on site at a given time. The majority of product will be maintained in storage form; however, all products will at some point be used in an open- or closed-use configuration. Maximum Allowable Quantities (MAQs) for storage and open-use will not be exceeded; therefore, a Group H classification will not apply to the building.

The following is a summary of HAZMAT quantities to be utilized. The MAQ accounts for storage cabinet allowable increases for the liquids:

	<b>Flammable Liquid 1B [gallons]</b>	<b>Flammable Gas [pounds]</b>
<b>MAQ</b>	Storage/Open Use	Storage/Closed Use
	<1	100/50
	<b>240/30</b>	<b>150/150</b>

Open use of various materials will be conducted in the production area; however, no more than one (1) gallon of open use materials is expected at any single time.

Additionally, outdoor flammable gas storage will occur.

Flammable Gas [pounds]	
	1,000
MAQ	300

Since the MAQ for outdoor storage is exceeded, the safety provisions of NFPA Sections 5001, 5003 and 5004 are applicable. There is no required minimum separation distance between outdoor storage containers and adjacent buildings or property lines.

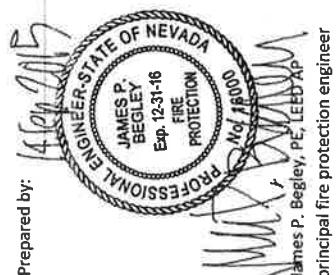
#### CONCLUSION

The proposed project has been reviewed and by following the requirements outlined above is in general compliance with the 2012 NBC and NFPA requirements. The existing building construction type and fire sprinkler system design is appropriate for the proposed application.

If you have any questions regarding the information included in the report above, please do not hesitate to contact our office.

TERP Consulting

Prepared by:



James P. Begley, PE, LEED AP  
principal fire protection engineer

Product Name/Chemical Name	Primary CAS #	Hazard Class 1	MAQ [gallons]	NFPA 704 (H-F-R)	Location	Container Type	Quantity	Open Use Total	Storage Total
Propane	74-98-6	FG	150 (lbs)	0-4-0	Extraction	50 lb. Metal	1		100 lb
N-butane	106-97-8	FG	150 (lbs)	0-4-0	Extraction	50 lb. Metal	1		
Isopropyl Alcohol	67-63-0	FL1B	240	1-3-0	Lab	1L plastic	1	1L	
Ethanol	64-17-5	FL1B	240	2-3-0	Lab	1L plastic	1	1L	
Naphtha	8030-30-6	FL1B	240	1-3-0	Lab	1L plastic	1	1L	

**OUTDOOR**

Product Name/Chemical Name	Primary CAS #	Hazard Class 1	MAQ [gallons]	NFPA 704 (H-F-R)	Location	Container Type	Quantity	MAQ	Storage Total [lbs]
Propane	74-98-6	FG	300 (lbs)	0-4-0	Outside	50 lb. Metal	10		
N-butane	106-97-8	FG	300 (lbs)	0-4-0	Outside	50 lb. Metal	10		1,000