



October 12, 2015

Frank Lepori
Lepori Construction
1580 Hymer Avenue, Ste. 100
Sparks, NV 89431

RE: **PCN15046**, Administrative Review request to allow for the operation of a medical marijuana establishment for cultivation and/or production on a site 1.55 acres in size in the I (Industrial) zoning district located at 380 S. Rock Blvd., Sparks, NV.

Dear Mr. Lepori:

On October 7, 2015, the Plan Review Committee of the City of Sparks reviewed your Administrative Review application to allow for the operation of a Medical Marijuana Establishment for cultivation and/or production on a site 1.55 acres in size in the I (Industrial) zoning district located at 380 S. Rock Blvd., Sparks, NV.

Following careful consideration by the Plan Review Committee, your application for this project was approved subject to the six Conditions of Approval attached to this letter. The cultivation and/or production facility must operate in compliance with all applicable provisions of the Sparks Municipal Code, including Section 20.41.075, through the life of the facility. For your convenience, this section of the Title 20 is attached to this letter. Staff stated in the Plan Review meeting that they will work with the applicant to arrive to a landscaping plan that meets the intent of the landscaping code.

If you wish to appeal this decision or any condition, you may appeal to the City Council within 10 days from the date of this letter. To do so, please contact the City Clerk's Office. You may not conduct or establish the use for which this application was approved until you have received your Administrative Review Permit. If you have any questions concerning this application, please contact Karen L. Melby, Senior Planner, at 775-353-7878 or via email at kmelby@cityofspark.us.

Sincerely,

A handwritten signature in black ink, appearing to read "Armando Ornelas".

Armando Ornelas
City Planner

By: Karen L. Melby, AICP
Senior Planner

CC: Angela Fuss / CFA / 1150 Corporate Blvd., Reno, NV 89502

Enclosures: Conditions of approval for PCN15046/AR150008
Title 20 Zoning and Land Use Controls Section 20.03.026

Conditions of Approval
PCN15046/AR150008
Green Leaf Cultivation / Production Facility

1. APPROVAL:

THE ADMINISTRATIVE REVIEW IS APPROVED AS SUBMITTED AND CONDITIONED. ANY SUBSTANTIVE CHANGES SHALL REQUIRE REVIEW AND APPROVAL BY THE ADMINISTRATOR AS AN AMENDMENT TO THIS ADMINISTRATIVE REVIEW.

2. EXPIRATION DATE:

THE ADMINISTRATIVE REVIEW SHALL EXPIRE EIGHTEEN (18) MONTHS FROM THE DATE OF THIS LETTER PURSUANT TO SPARKS MUNICIPAL CODE 20.03.026(12).

3. STATE OF NEVADA CERTIFICATION OR REGISTRATION

A SPARKS BUSINESS LICENSE SHALL NOT BE CONSIDERED BY THE CITY OF SPARKS UNTIL THE CITY OF SPARKS HAS RECEIVED NOTIFICATION FROM THE STATE OF NEVADA THAT THIS LOCATION HAS BEEN ISSUED A PROVISIONAL CERTIFICATION, AND THE APPLICANT HAS RECEIVED THE CERTIFICATION OR REGISTRATION FROM THE STATE OF NEVADA TO OPERATE CULTIVATION AND/OR PRODUCTION FACILITIES AT 380 SOUTH ROCK BOULEVARD. SHOULD THE APPLICANT LOSE THEIR STATE OF NEVADA CERTIFICATION OR REGISTRATION, THIS ADMINISTRATIVE REVIEW WILL BE REVOKED.

4. PUBLIC HEARING FOR RELOCATION

PER NRS 453A.350 SECTION 26.5, THE APPROVAL OF THIS ADMINISTRATIVE REVIEW IS CONTINGENT UPON THE APPROVAL BY THE CITY COUNCIL IN A PUBLIC HEARING FOR THE RELOCATION OF THE OPERATION OF CULTIVATION AND/OR PRODUCTION FACILITIES FROM 1825 FREEPORT BOULEVARD TO 380 SOUTH ROCK BOULEVARD IN SPARKS, NEVADA.

5. ENVIRONMENTAL CONTROL:


ENVIRONMENTAL CONTROL REQUIRES CULTIVATION/PRODUCTION FACILITIES TO BE A MONITORING SITE AND MUST DEMONSTRATE INSTALLATION OF PRIOR TO ISSUANCE OF A BUSINESS LICENSES FOR CULTIVATION/PRODUCTION. IF THE OPERATION USES SOIL FOR GROWING THE MEDICAL MARIJUANA PLANTS, THERE SHALL BE CONSTRUCTED AN ENCLOSURE SIMILAR TO A TRASH ENCLOSURE WITH A BERM TO THE APPROVAL OF ENVIRONMENTAL CONTROL DIVISION PRIOR TO ISSUANCE OF BUILDING PERMIT AND INSTALLED PRIOR TO ISSUANCE OF A BUSINESS LICENSES.

6. BUSINESS LICENSE

THE APPLICANT SHALL COMPLY WITH ALL THE REQUIREMENTS OF THE SPARKS MUNICIPAL CODE TO THE APPROVAL OF THE ADMINISTRATOR PRIOR TO ISSUANCE OF THE BUSINESS LICENSE AND SHALL MAINTAIN COMPLIANCE THROUGH THE LIFE OF THE FACILITY.

Section 20.03.026 Medical Marijuana Production, Testing or Cultivation

⇔ **Use Category: Public/Civic/Institutional – Medical**

 *The Nevada State law governing medical marijuana production, testing or cultivation does not limit the number permitted to operate in the City of Sparks, however the City of Sparks has limited the use to the "I" (Industrial) zoning district.*

A. Applicability

This section applies to any Medical Marijuana Production or Cultivation which includes medical marijuana cultivation, testing and production of edible marijuana or marijuana-infused products.

B. Standards

1. The applicant must receive administrative review approval for this use prior to establishment.
2. In the case a medical marijuana establishment loses their state of Nevada certification or registration the administrative review shall be revoked.
3. The medical marijuana cultivation facility, testing laboratory and production facility of edible marijuana or marijuana-infused products shall be located within a building complying with regulations in Nevada State laws and Regulations of the Division.
4. The medical marijuana cultivation facility, testing laboratory and production facility of edible marijuana or marijuana-infused products must comply with the location criteria listed in Nevada State laws.
5. The medical marijuana cultivation facility, testing laboratory and production facility of edible marijuana or marijuana-infused products shall be located in a permanent building that meets City of Sparks building and fire codes for a commercial building, and shall not be located in a manufactured or mobile home, trailer, cargo container, motor vehicle or similar personal property.
6. The medical marijuana cultivation facility, testing laboratory and production facility of edible marijuana or marijuana-infused products must have restricted access to the site and building (e.g., gated, limited number of driveways, controlled entrance, etc.), subject to City approval.
7. The loading or unloading of medical marijuana or items associated with operations shall, if feasible, be within the building of the permitted medical marijuana cultivation facility, testing laboratory and production facility of edible marijuana or marijuana-infused products or have a secured area to the approval of City.
8. Loading and unloading of medical marijuana or items associated with operations shall only occur between the hours of 6:00 a.m. and 5:00 p.m.

9. Medical marijuana cultivation facility, testing laboratory and production facility of edible marijuana or marijuana-infused products must comply with the operating standards in Nevada State laws and Regulations of the Division.
10. Medical marijuana remnants, medical marijuana-infused products, bi-products, and other waste material shall be disposed of in a safe, sanitary and secure manner, in a location and manner approved by the Division and subject to City approval.
11. The applicant must provide a written public safety plan, subject to City approval.
12. An approved administrative review shall expire in eighteen (18) months from the date of issuance of the registration certificate issued by the Division if it is not fully operational.
13. If a marijuana cultivation facility, independent testing laboratory and facility for the production of edible marijuana products or marijuana-infused products is closing, the manager of the establishment must notify the City of Sparks of the closing at least fifteen (15) days before the closure.
14. Emission of dust, fumes, vapors or odors into the environment from the premise must comply with Washoe County District Health regulations.
15. No medical marijuana shall be smoked, eaten or otherwise consumed on the premises of the medical marijuana cultivation facility, testing laboratory and production facility of edible marijuana or marijuana-infused products.
16. No medical marijuana shall be displayed or kept in a medical marijuana cultivation facility, testing laboratory and production facility of edible marijuana or marijuana-infused products so as to be visible from the outside of the premises