



**NYE COUNTY BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM REQUEST FORM**

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| Department: Planning/Code Compliance | Meeting Date: |
| Category: Regular Agenda Item | November 18, 2025 |
| Prepared by: Celeste Sandoval | Phone: (775) 751-4245 |
| Presented by: Celeste Sandoval | Phone: (775) 751-4245 |
| Action requested: (Include what, with whom, when, where, why, and terms) | |
| Discussion and deliberation on Cannabis Business License – CBL-25-10: A request for a new Adult Use Cannabis Cultivation License on a parcel zoned General Commercial (GC), located at 2727 W. Flamingo Rd. Pahrump, NV. Assessor's Parcel Number 036-461-13. Property Owner Maddy, LLC., Applicant/Agent - John Harp. | |

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| Complete description of requested action: (Include, if applicable, background, impact, long-term commitment, existing county policy, future goals, obtained by competitive bid, accountability measures) |
| This is a request to Approve a new Adult Use Cannabis Cultivation License for a property zoned General Commercial (GC) zoning district in Pahrump. The BOCC approved the location for a Special Use Permit ETSU-23-1 for Cultivation on March 21, 2023 |
| Pursuant to Nye County Code Title 5.32.000: "Cannabis Establishment Licensing - It is unlawful within the County, outside an incorporated city, for a cannabis establishment to acquire, possess, cultivate, manufacture, process, package, deliver, transfer, transport, supply, dispense, sell or allow the consumption of cannabis for any purpose without first making application and securing a cannabis license to do so." |

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| Recommendation: |
| Staff recommends approval of the Adult Use Cultivation cannabis license for the establishment with an expiration date of June 30, 2026. |

Financial Impact

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| Cost: | Fund Name: | Fund #: |
| Budgeted: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A | FY: | <input type="checkbox"/> One-Time <input type="checkbox"/> Recurring |
| Comments: | | |

Review & Approval

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| Legal Review Required: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Legal Approval Received: <input type="checkbox"/> | Date: |
| Financial Review Required: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Submitted to Finance: <input type="checkbox"/> | Date: |
| Administrative Manager Review: <input checked="" type="checkbox"/> | Place on Agenda: <input checked="" type="checkbox"/> | Initials: ST |

Item # 16

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

Meeting Date: November 18, 2025

AGENDA ITEMS

For Possible Action – Cannabis Business License – CBL-25-10: Discussion and deliberation on a request for a new Adult Use Cannabis Cultivation License, for Happy Cabbage, LLC., on a parcel zoned General Commercial (GC), located at 2727 W. Flamingo Rd. Pahrump, NV. Assessor's Parcel Number 036-461-13. Property Owner Maddy, LLC., Applicant/Agent - John Harp.

GENERAL INFORMATION SUMMARY

This is a request to Approve a new Adult Use Cannabis Cultivation License for a property zoned General Commercial (GC) zoning district in Pahrump. The BOCC approved the location for a Special Use Permit ETSU-23-1 for Cultivation on March 21, 2023.

The applicant currently has a waiver in with the Planning Department to waive all Landscaping requirements and offsite road improvements for their site development application. The item will be heard by the RPC December 10, 2025.

Pursuant to Nye County Code Title 5.32.000: "Cannabis Establishment Licensing - It is unlawful within the County, outside an incorporated city, for a cannabis establishment to acquire, possess, cultivate, manufacture, process, package, deliver, transfer, transport, supply, dispense, sell or allow the consumption of cannabis for any purpose without first making application and securing a cannabis license to do so."

Pursuant to Nye County Code §17.06.40; Requirement to Obtain a Special Use Permit. "Any cannabis establishment shall require the approval and be conducted in compliance with the terms and conditions, of a special use permit.

Conclusion: The property remains in good standing with Nye County Planning, Nye County Code Compliance and the State of Nevada Cannabis Board. Staff recommends approval of the Adult Use Cultivation Cannabis Business License for Happy Cabbage, LLC.

RECOMMENDATION

Recommended BoCC Motion:

"I motion to _____ (approve, deny, continue, take no action on) Adult-Use Cannabis Cultivation License CBL-25-10 for Happy Cabbage, LLC."

JUSTIFICATION LETTER

The building at 2727 W. Flamingo Road, Pahrump NV 89048, covers 2.5 acres of the stated site property for a cannabis cultivation facility. The functions of this cultivation facility will be to produce indoor, hand craft cannabis.

There will be 4 members of this operation to start: Marjorie Frogoso (President / Administrator / Compliance Officer & Propagation Specialist), Chad Harp (Master Grower / Cultivation Director), Randy Nohara (Horticulture Manager), and Sergio Tinta (Post Harvest / Packaging Manager). The hours of operation will be from 7:00 a.m. to 7:00 p.m., seven days a week.

The proposed use complies with all applicable provisions of the development code, and the Master Plan Land Use Designation.

A Special Use Permit was granted in March of 2023. ESTU-23-1.

We are asking for a business license to comply with State and County requirements due to the strict and complex regulations, and taxation of the business.

SECRETARY OF STATE



STATE OF NEVADA

NEVADA STATE BUSINESS LICENSE

HAPPY CABBAGE LLC

Nevada Business Identification # NV20222492632

Expiration Date: 06/30/2026

In accordance with Title 7 of Nevada Revised Statutes, pursuant to proper application duly filed and payment of appropriate prescribed fees, the above named is hereby granted a Nevada State Business License for business activities conducted within the State of Nevada.

Valid until the expiration date listed unless suspended, revoked or cancelled in accordance with the provisions in Nevada Revised Statutes. License is not transferable and is not in lieu of any local business license, permit or registration.

License must be cancelled on or before its expiration date if business activity ceases. Failure to do so will result in late fees or penalties which, by law, cannot be waived.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of State, at my office on 06/26/2025.

FVAgilar

Certificate Number: B202506265846233

You may verify this certificate
online at <https://www.nvsilverflume.gov/home>

FRANCISCO V. AGUILAR
Secretary of State



Outlook

RE: Happy Cabbage LLC Extension Granted by the CCB is Set to Expire Soon

From Ingrid Birulin <ibirulin@ccb.nv.gov>
Date Mon 10/20/2025 11:31 AM
To Marjorie Frogoso <marjorie@happycabbagenv.com>
Cc Marilyn Gray <marilyngray@ccb.nv.gov>

1 attachment (24 KB)

FY26 Renewed Conditional License(s): Happy Cabbage LLC C035;

Marjorie,

At this time, we can only provide the original email attached that indicates Happy Cabbage LLC's license is current through June 30, 2026. This license is in a conditional status and will not receive a paper copy of its license until it becomes operational at which point you will receive instructions on how to obtain a copy of the license. You should be able to provide this information to the county.

Ingrid Birulin
Administrative Assistant III
Nevada Cannabis Compliance Board

From: Marjorie Frogoso <marjorie@happycabbagenv.com>
Sent: Monday, October 20, 2025 10:46 AM
To: Marilyn Gray <marilyngray@ccb.nv.gov>
Cc: Ingrid Birulin <ibirulin@ccb.nv.gov>
Subject: Re: Happy Cabbage LLC Extension Granted by the CCB is Set to Expire Soon

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good morning.

We're in the process of applying for our business license with Nye County, and they are asking us to provide a Medical and/or Adult use Cannabis Establishment Registration Certificate or a Provisional Certificate.

Could you possibly provide me with this certificate so I can finalize our application?

Thank you for your time.

Respectfully,



FINAL ACTION MEMORANDUM

March 23, 2023

John Harp
1403 Foothills Village Dr
Henderson , NV 89012

I, Mark Kampf, County Clerk and Clerk of the Board of County Commissioners, Nye County, Nevada, do hereby certify that, as filed with the County Clerk on this date, the Board of County Commissioners, at its March 21, 2023 meeting, took action on your Special Use Permit ETSU-23-1.

The Nye County Board of County Commissioners conducted a public hearing on an application for a Special Use Permit to allow a Cannabis Establishment (Cultivation) located at 2600 W. Nevada State Highway 372, Pahrump. Assessor's Parcel Number 036-461-13. Happy Cabbage, LLC / John Harp – Property Owner / Applicant..

After conducting the public hearing, the Board voted 3 - 2 to approve application subject to the conditions of approval below:

MANDATORY CONDITIONS OF APPROVAL

1. The special use permit grantee must provide to the planning director a copy of the approval document issued by the State of Nevada prior to commencing operations.
2. The establishment must continue to meet all requirements for a marijuana establishment to qualify for and maintain its State approval as set forth by state law.
3. The establishment must comply with all operating procedures required by state law.
4. The establishment must prohibit anyone from consuming marijuana on the premises.
5. For production and cultivation establishments: If the establishment has on-site signage, the signage shall be limited to one wall sign not to exceed two (2) square feet in size. On-site signs for dispensaries shall not exceed 25 square feet in size. All signage must obtain approval from the State.
6. The establishment must prohibit anyone under the age of eighteen (18) years on the premises.
7. The establishment must prohibit marijuana activities including, without limitation, cultivating, growing, processing, displaying, selling or storage from being conducted outdoors.
8. All cultivation or production of marijuana that a cultivation facility carries out or causes to be carried out must take place in an enclosed facility.
9. The establishment must prevent marijuana or paraphernalia from being displayed or kept in a manner that is visible from outside the facility.
10. The establishment must install security surveillance cameras that monitor all entrances, along with the interior and exterior of the premises. Recordings from these cameras must be maintained in a retrievable manner for at least thirty (30) days from the date recorded. Surveillance systems shall include a lighting system. The system must be available to the Nye County Sheriff's Office for real time surveillance and response.
11. The establishment must install and maintain in good working condition robbery and burglary alarm systems.
12. The establishment must install a properly designed, sized, and maintained ventilation and air quality control system appropriate for the square footage of the facility and number of plants to control air quality and odor from the establishment.
13. The establishment must post a legible sign inside the facility stating that:
 - a. The use or distribution of marijuana is a violation of federal law.
 - b. Consumption of marijuana on the premises is prohibited.
 - c. No one under the age of eighteen (18) years is permitted on the premises.
14. The special use permit grantee shall record a notarized affidavit in which the grantee acknowledges that the operation of a marijuana establishment is a violation of federal law.
15. The special use permit grantee shall record a notarized statement in which the grantee agrees to hold Nye County harmless against any federal law enforcement actions that may result from the activities of the marijuana establishment that is the subject of the special use permit.
16. Security: The special use permit grantee shall submit a Security and Transportation Plan compliant with NRS 453A and the Nye County Security Checklist detailing the proposed security for the site, buildings, and transportation vehicles, including proposed security cameras, fencing, building access and security policies and procedures for review and comment by the Nye County Sheriff, for consideration by the Board of County Commissioners, prior to issuance of the initial marijuana license; and grantee shall provide annually a written security report to the Board of County Commissioners for consideration prior to approval of any annual license renewal.
18. Waste Disposal:
 - a. The proposed method and procedures of marijuana waste disposal shall be described in the Security and Transportation Plan.
 - b. A description and process for separation, storage and disposal of product lots which do not meet the requirements for marijuana (i.e., failed test product) must be developed, monitored and approved. The location of the area where the failed test products will be stored, such as quarantine rooms, shall be specified in the Security Plan.

SPECIAL CONDITIONS OF APPROVAL

1. If the State of Nevada does not grant a license for operation of the establishment for which the special use permit is granted within 18 months from the date of BOCC approval, then the special use permit(s) will expire.
2. Property owner/applicant/grantee shall obtain all required local and state approvals, building permits, plan reviews, inspections, etc., for the establishment.
3. The special use permit grantee shall provide to the Planning Department prior to commencement of the establishment a copy of the recorded notarized affidavit in which the grantee acknowledges that the operation of the marijuana establishment is a violation of federal law.
4. The special use permit grantee shall provide to the Planning Department prior to commencement of the establishment a copy of the recorded notarized statement in which the grantee agrees to hold Nye County harmless against any federal law enforcement actions that may result from the activities of the marijuana establishment.
5. Grantee shall comply with all site development standards and requirements of the Pahrump Regional Planning District for commercial/industrial development projects.

Any person who is aggrieved by a final decision of the board may appeal that decision to the district court by filing a petition for judicial review within twenty-five (25) calendar days after the date of filing of notice of the decision with the clerk of the board.

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

Mark Kampf
Nye County Clerk and
Clerk of the Board of Nye County Commissioners