

City of SACRAMENTO

DEPARTMENT OF FINANCE – REVENUE DIVISION | 915 I STREET RM 1201 SACRAMENTO, CA 95814

BUSINESS PERMIT APPLICATION GUIDELINES

Applications for Marijuana Cultivation Permit may be submitted in person at:

Revenue Division
915 I Street, Rm 1201
Sacramento, CA 95814

Or online at:

<https://aca.accela.com/sacramento>

(Please note that the online application site will not be active until April 3, 2017)

All applications for business permits require a Conditional Use Permit (CUP) application number, or Final Notice of Decision, if available. Business permits will not be issued until after the final approval of the CUP.

Cultivation Permit Types:

- **Class A: For indoor cultivation of no more than 5,000 sq. ft. of total canopy size**
- **Class B: For indoor cultivation site of up to 10,000 sq. ft. of total canopy size**
- **Class C: For indoor cultivation of up to 22,000 sq. ft. of total canopy size**

For the purposes of these guidelines, an application is considered **COMPLETE**, if it contains **ALL** items in the following this checklist:

- Completed application packet, which includes:
 - Marijuana Cultivation Business Permit Application
 - Criminal History/Background Check Forms to be completed by **ALL** interested parties
 - City of Sacramento Police Department Permit Application Form (SPD 384)
 - City of Sacramento Police Department Applicant's Descriptive Information Form (SPD 950)
 - State of California Department of Justice Request for Live Scan Service Form (BCII 8016)
- Conditional Use Permit Application Number (or Final Notice of Decision, if available)
- Neighborhood Responsibility Plan
- Business Operations Plan
 - Business Plan
 - Community Relations Plan
 - State Licenses
 - Tax Compliance
 - Insurance
 - Budget
 - Price List

- Floor Plan
- Site Plan
- Security Plan
- Water Efficiency Plan
- Lighting Plan
- Odor Control Plan
- Energy Efficiency Plan
- Owner's Statement of Consent
- Non-refundable Permit Fees

If an application is incomplete, it will be returned to the applicant and their position in the processing order will be lost. Resubmitted applications will be processed according to the date it was resubmitted, and not on the original date of submission.

A marijuana cultivation permit is valid for one (1) year from the date that the permit is issued, unless suspended or revoked sooner. A cultivation permit is valid for only one (1) cultivation site. The guidelines specified above also apply to applications for permit renewals.

CULTIVATION DURING THE APPLICATION PROCESS

Please be advised that the cultivation of marijuana on non-residential properties is prohibited without a valid Conditional Use Permit and Business Permit. With the exception of Registered Applicants (see below), marijuana cultivation may not begin on the property until both permits have been approved – even if your applications have been submitted and are being processed.

REGISTERED APPLICANTS

Until December 31, 2017, the City will not enforce the requirements for a marijuana cultivation Conditional Use Permit or a marijuana cultivation Business Permit on a Registered Applicant while their permit applications are being processed. However, a Registered Applicant must continue to comply with all the other laws and lawful orders.

For purposes of these guidelines, a "Registered Applicant" is a person who has done ALL of the following:

- (1) Prior to April 14, 2016, registered their cultivation operation with the City of Sacramento pursuant to Ordinance No. 2016-0007;
- (2) Prior to June 30, 2017, submitted a complete application for a marijuana cultivation Conditional Use Permit pursuant to section 17.108.040 of the Sacramento City Code; and
- (3) Prior to June 30, 2017, submitted a complete application for a marijuana cultivation Business Permit pursuant to chapter 5.150 of the Sacramento City Code.

Any cultivation operation that is registered, but fails to submit complete applications for both a conditional use permit and a business permit by the deadline, must cease operations on June 30, 2017. If either permit application is denied, the Registered Applicant must cease all cultivation operations at that site within 30 days. After December 31, 2017, this policy shall no longer apply and all cultivation permits will be enforced.

DESCRIPTION OF REQUIRED DOCUMENTS

If submitting an application online, these documents must be uploaded into application portal in PDF format.

CONDITIONAL USE PERMIT

If a CUP has been approved for the property, submit a copy of the Planning Division Record of Decision (Zoning Administration or Planning and Design Commission approval) or the City Council resolution approving the CUP. If a CUP has not been approved but is in the Planning application process, provide the Planning Division file number for the application with the business permit application.

If your CUP application includes the construction/placement of structures on the site or any exterior improvements to the building or site, a Planning application for Site Plan and Design Review will be required to be submitted along with your CUP application.

NEIGHBORHOOD RESPONSIBILITY PLAN

A plan to address the adverse impacts of marijuana cultivation on the surrounding area, as required for a Conditional Use Permit (CUP) for marijuana cultivation. This requirement may be satisfied with a neighborhood responsibility agreement in which the property owner agrees to either contribute 1% of the gross receipts of the marijuana cultivation businesses on the property, or agree to pay a fee that will be established by a development impact fee.

PROOF OF NON-PROFIT STATUS

A description of the statutory entity or business form that will serve as the legal structure for the applicant and a copy of its formation and organizing documents, including but not limited to articles of incorporation, certificate of amendment, statement of information, articles of association, bylaws, partnership agreement, operating agreement, and fictitious business name statement.

SECURITY PLAN

A detailed security plan outlining the measures that will be taken to ensure the safety of persons and property on the cultivation site. The security plan must be prepared by a qualified professional.

FLOOR PLAN

A scaled floor plan for each level of each building that makes up the cultivation site, including the entrances, exits, walls and cultivation areas. The floor plan must be professionally prepared by a licensed civil engineer or architect.

SITE PLAN

A scaled site plan of the cultivation site, including all buildings, structures, driveways, parking lots, landscape areas, and boundaries. The site plan must be professionally prepared by a licensed civil engineer or architect.

WATER EFFICIENCY PLAN

A detailed plan describing how the cultivation site will conform to all design guidelines, promote water conservation, and avoid or minimize any potential adverse environmental effects of operating a cultivation site.

LIGHTING PLAN

A detailed lighting plan showing existing and proposed exterior and interior lights that will provide adequate security lighting for the cultivation site.

ODOR CONTROL PLAN

A detailed plan describing how the applicant will prevent all odors generated from the cultivation and storage of marijuana from escaping from the buildings on the cultivation site, such that the odor cannot be detected by a reasonable person of normal sensitivity outside the buildings.

ENERGY EFFICIENCY PLAN

Documentation that the applicant has contacted SMUD Strategic Accounts at strategicaccounts@smud.org or 1-877-622-7683 for help finding the best way to provide reliable and efficient energy solutions for their business. The applicant must provide the date they met with SMUD and the name of the SMUD representative.

BUSINESS OPERATIONS PLAN

Items required in the Business Operations Plan include:

- a. Business Plan: A plan describing how the marijuana cultivation business will operate in accordance with this code, state law, and other applicable regulations. The business plan must include plans for handling cash and transporting marijuana and marijuana products to and from the cultivation site.
- b. Community Relations Plan: A plan describing who is designated as being responsible for outreach and communication with the surrounding community, including the neighborhood and businesses, and how the designee can be contacted.
- c. State Licenses: Copies of the state licenses relating to marijuana, including cultivation licenses, the applicant holds (when available).
- d. Tax Compliance: A current copy of the applicant's city business operations tax certificate, state sales tax seller's permit, and the applicant's most recent year's financial statement and tax returns (for first time applicants, the business operations tax account will be set up in-house after the application has been submitted).
- e. Insurance: The applicant's certificate of commercial general liability insurance and endorsements and certificates of all other insurance related to the operation of the cultivation business.

OWNER'S STATEMENT OF CONSENT

A notarized written consent form signed by the owner or landlord of the proposed site to operate a marijuana cultivation business, specifying the street address and parcel number.

SCHEDULE OF FEES:

Permit Type	Initial/Start-Up Permit	Renewal
Class A (Up to 5,000 sq. ft.)	\$9,700	\$8,240
Class B (Up to 10,000 sq. ft.)	\$20,210	\$17,230
Class C (Up to 22,000 sq. ft.)	\$28,910	\$24,630

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MARIJUANA CULTIVATION PERMIT APPLICATION

New Application Renewal

All application forms must be submitted with a City of Sacramento Police Department Permit Application Form (SPD 384), City of Sacramento Police Department Applicant's Descriptive Information Form (SPD 950) and a State of California Department of Justice Request for Live Scan Service Form (BCII 8016) to be completed by ALL interested parties* (forms are available and to be completed at Revenue Division). All interested parties must also pay a non-refundable fingerprinting fee of \$88.00 per person.

A. Information on Cultivation Site

Cultivation Site/Business Name: _____

Property Location: _____

Assessor Parcel Number: _____ Zoning Designation: _____

Characteristics of the neighborhood or surrounding area:

Canopy Size of Indoor Cultivation Site: _____ Class A (No more than 5,000 sq. ft.)

_____ Class B (Up to 10,000 sq. ft.)

_____ Class C: (Up to 22,000 sq. ft.)

B. Information on Applicant

Name of Person Completing the Application: _____

Title: _____ DOB: _____

If applicant is a not for profit, corporation or other business entity, please identify:

Name of Business Entity: _____

Type of Ownership: _____

Mailing Address: _____

Primary Phone No: _____ Alt. Phone No. _____

Email address: _____

Preferred method of contact (check one): Mail _____ Phone _____ Email _____

**Interested parties, as defined under section 5.150.410 of the Sacramento City Code, are all persons with at least 10% interest in the marijuana cultivation business, which includes partners, officers, directors, and stockholders of every corporation, limited liability company, or general limited partnership that owns at least 10% of the stock, capital, profits, voting rights, or membership interest of the marijuana cultivation business or that is one of the partners in the marijuana cultivation business; the managers of the marijuana cultivation business; and the staff of the marijuana cultivation business.*

C. Information on Co-Applicant(s)

Name: _____

Title: _____ DOB: _____

Mailing Address: _____

Primary Phone No: _____ Alt. Phone No. _____

Email address: _____

Preferred method of Contact (check one): Mail _____ Phone _____ Email _____

Please attach additional sheets if there are more than 2 applicants.

D. Information on Property Owner or Landlord

Name: _____

Mailing Address: _____

Telephone Number: _____

If the applicant is not the legal owner of the property, the application must be accompanied by a notarized Owner's Statement of Consent to operate a marijuana cultivation business on the property.

E. Conditional Use Permit

Conditional Use Permit Application Number: _____

Final Notice of Decision received: Yes _____ No _____

(if Final Notice of Decision has been received, please attach a copy with application)

- Neighborhood Responsibility Plan:** A plan to address the adverse impacts of marijuana cultivation on the surrounding area, as required for a Conditional Use Permit (CUP) for marijuana cultivation. This requirement may be satisfied with a neighborhood responsibility agreement in which the property owner agrees to either contribute 1% of the gross receipts of the marijuana cultivation businesses on the property or agree to pay a fee that will be established by a development impact fee.

(Submit copy of the Neighborhood Responsibility Plan submitted with CUP application.)

F. Required Submissions

Please attach the following documents to your application.

- Proof of Non-Profit Status:** A description of the statutory entity or business form that will serve as the legal structure for the applicant and a copy of its formation and organizing documents, including but not limited to articles of incorporation, certificate of amendment, statement of information, articles of association, bylaws, partnership agreement, operating agreement, and fictitious business name statement.

Security Plan: A detailed security plan outlining the measures that will be taken to ensure the safety of persons and property on the cultivation site. The security plan must be prepared by a qualified professional.

Floor Plan: A scaled floor plan for each level of each building that makes up the cultivation site, including the entrances, exits, walls and cultivation areas. The floor plan must be professionally prepared by a licensed civil engineer or architect.

Site Plan: A scaled site plan of the cultivation site, including all buildings, structures, driveways, parking lots, landscape areas and boundaries. The site plan must be professionally prepared by a licensed civil engineer or architect.

Lighting Plan: A detailed lighting plan showing existing and proposed exterior and interior lights that will provide adequate security lighting for the cultivation site.

Water Efficiency Plan: A detailed plan describing how the cultivation site will conform to all design guidelines, promote water conservation, and avoid or minimize any potential adverse environmental effects of operating a cultivation site.

Odor Control Plan: A detailed plan describing how the applicant will prevent all odors generated from the cultivation and storage of marijuana from escaping from the buildings on the cultivation site, such that the odor cannot be detected by a reasonable person of normal sensitivity outside the buildings.

Energy Efficiency Plan: Documentation that the applicant has contacted SMUD Strategic Accounts at strategicaccounts@smud.org or 1-877-622-7683 for help finding the best way to provide reliable and efficient energy solutions for their business. The applicant must provide the date they contacted SMUD and the name of the SMUD representative.

Business Operations Plan

- **Business Plan:** A plan describing how the marijuana cultivation business will operate in accordance with this code, state law, and other applicable regulations. The business plan must include plans for handling cash and transporting marijuana and marijuana products to and from the cultivation site.
- **Community Relations Plan:** A plan describing who is designated as being responsible for outreach and communication with the surrounding community, including the neighborhood and businesses, and how the designee can be contacted.
- **State Licenses:** Copies of the state licenses relating to marijuana, including cultivation licenses, the applicant holds (when available).
- **Tax Compliance:** A current copy of the applicant's city business operations tax certificate, state sales tax seller's permit, and the applicant's most recent year's financial statement and tax returns (for first time applicants, the business operations tax account will be set up in-house after the application has been submitted).
- **Insurance:** The applicant's certificate of commercial general liability insurance and endorsements and certificates of all other insurance related to the operation of the cultivation business.

- o **Budget:** A copy of the applicant's most recent annual budget for operations (if available).
- o **Price List:** A list of the most recent prices for all products and services provided by the applicant.
- Statement of Owner's Consent:** A notarized written consent form signed by the owner or the landlord of the proposed site to operate a marijuana cultivation business, specifying the street address and parcel number.
- Schedule of Fees as follows:**

Permit Type	Initial/Start-Up Permit	Renewal
Class A (Up to 5,000 sq. ft.)	\$9,700	\$8,240
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G. License Revocation

The applicant or any of its managers has been associated with a business that has had its cultivation permit revoked.

- Yes No (If yes, please provide the following information)

City or County: _____ Date: _____

Please attach additional sheets if necessary.

H. City Authorization

- I, the applicant, provide authorization and consent for the City Manager or his/her designee to seek verification of the information contained on this application.

I. Indemnification

- I, the applicant, release the City of Sacramento, its agents, officers, elected officials, and employees from any and all claims, injuries, damages, or liabilities of any kind arising from (a) any repeal or amendment of chapter 5.150 of the Sacramento City Code or any provision of the Planning and Development Code relating to marijuana cultivation, and (b) any arrest or prosecution of the applicant or its managers, employees, or members for violation of state or federal laws; and I will defend, indemnify, and hold harmless the city and its agents, officers, elected officials, and employees from and against any and all claims or actions: (a) brought by adjacent or nearby property owners or any other parties for any damages, injuries, or other liabilities of any kind arising from operations at the cultivation site, and (b) brought by any party for any problems, injuries, damages, or other liabilities of any kind arising out of the distribution of marijuana produced at the cultivation site.

J. Applicant's Certification

I certify under penalty of perjury under the laws of the State of California, that I have personal knowledge of the information contained in this application, and that the information contained herein is true and correct.

Signature: _____ Date: _____

The information contained on this document is subject to disclosure under the Public Records Act.



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**MARIJUANA CULTIVATION BUSINESS PERMIT APPLICATION
OWNER’S STATEMENT OF CONSENT**

If the applicant is not the owner of record of the subject site, the following Statement of Consent must be completed by the owner or the owner’s authorized representative, granting the applicant permission to apply for a marijuana cultivation business permit. This form must be notarized.

To: City of Sacramento
Department of Finance - Revenue Division
915 I Street, Rm 1201
Sacramento, CA 95814

I, the undersigned legal owner of record, hereby grant permission to:

Applicant: _____ Phone: _____

Mailing Address: _____

to operate a marijuana cultivation business on the property described below.

The subject property is located at: _____

Assessor’s Parcel Number: _____

Printed Name of Owner of Record: _____

Address of Owner of Record: _____

Phone: _____ Email address: _____

Signature of Owner of Record: _____ Date: _____