

**City of Sacramento**  
**Marijuana Stakeholder Meeting**  
Meeting Summary Notes

March 2, 2017  
2:00 – 4:00 p.m.  
Historic City Hall Hearing Room – Historic City Hall, 915 I Street, 2<sup>nd</sup> Floor

**I. Updates**

- CULTIVATION
  - City Council will be voting on 5 items on March 7, 2017. These items are:
    - Cultivation permit term
    - Lifting of the moratorium on cultivation
    - Criminal history background
    - Distance from parks
    - Permit fees
  - To view the full staff reports and see minutes of this meeting you can go to [http://sacramento.granicus.com/viewpublisher.php?view\\_id=22](http://sacramento.granicus.com/viewpublisher.php?view_id=22) and choose the City Council meeting for March 7, 2017.
  - The City will make available the Conditional Use Permit Application as well as the Operating Permit Application our City marijuana webpage at [www.cityofsacramento.org/marijuana](http://www.cityofsacramento.org/marijuana) beginning on March 10th.
  - Conditional Use Permit applications will be filed by appointment only. Appointments will start on April 3<sup>rd</sup> and the e-mail in which to request appointments will be posted on the City's marijuana webpage on March 10, 2017.
  - Only complete applications – those with all required submittals – will be accepted.
  - Once you have submitted a complete Conditional Use Permit Application and receive a file number, you can then apply for the Operating Permit. The City is anticipating to have the Operating Permit available to submit on-line and the link will be posted to the City's webpage also at [www.cityofsacramento.org/marijuana](http://www.cityofsacramento.org/marijuana).

**II. Questions, Comments and Recommendations**

- **RECOMMENDATIONS and COMMENTS from audience with staff responses (NOTE: all responses from staff are based on research and recommendations to City Council. Answers are subject to change depending upon City Council action)**
  - Do schools that are shut down count for distance requirements?
    - If they are currently shut down during the time you file your CUP and your CUP is approved, then they won't affect your application or renewal of your Operating Permit.
  - Will the Police Department give suggestions on the security plan?
    - The Police Department will be reviewing the security plans and making recommendations.
  - If there is one parcel and multiple buildings on it, would you need to apply for more than one CUP?
    - No, just one applications for all projects on a parcel.
  - What if there are several lots or parcels next to each other all owned by the same owner – do you need more than one CUP?

- Likely only one application will be needed if these are all adjoining parcels and lots.
- If you have a background check already for a dispensary, do you need another one for cultivation?
  - Yes.
- How do you know if you need an environmental report?
  - Most will be exempt but a trigger would be a new building on open land which could impact wildlife.
- Are there any standards of cultivation conditions for approval for the Conditional Use Permit?
  - Not yet but Planning is working on developing some as the process for Conditional Use Permit applications progresses.
- Is there a choice on the Neighborhood Responsibility Plan?
  - Yes, a Neighborhood Responsibility Plan is required but you can either create one of your own, agree to pay the 1% of gross receipts or wait for the nexus study to determine the amount to pay.
- What is a nexus study?
  - The nexus study will determine the adverse impacts of marijuana cultivation on the surrounding areas where the cultivation site is located.
- Are you locked into the choice of the Neighborhood Responsibility Plan for the lifetime of the business?
  - The current presumption is that the decision will only be until the completion of the nexus study and it is determined what the impact of cultivation will be.
- For C-2 and C-4 SPD (special planning district) zones, are those the same as C-2 and C-4?
  - Special Planning Districts were not restrictions of where cultivation is allowed and so you can apply but Planning and/or community will evaluate the application and project.
- Does the CUP applicant need a Business Operating Permit also?
  - This depends upon whether or not the CUP applicant will also be the business owner/cultivator.
- When you send an e-mail to request an appointment with Planning to submit your CUP application, will you receive a confirmation e-mail that your e-mail has been received?
  - No, but there will be a given amount of time that you will receive a response with the appointment time/day.
- Is the City prepared to take cash?
  - Yes.
- When do you pay for the CUP?
  - Once you submit your application.
- If you are submitting several applications for several CUPs do you need separate appointments?
  - Yes.
- Do individual grow sites being operated by the same owner/business have to get separate operating permits?
  - Yes. If a cultivator wishes to run more than one site and different locations, they must obtain a separate Business Operating Permit for each location.
- Can you submit both the CUP and Business Operating Permit applications concurrently?
  - Applications may be reviewed concurrently; however you must have a CUP file ID number to apply for the BOP and the BOP will not be issued until a CUP has been approved.
- What about your State license?

- Once a State license has been issued, you will be required to submit this to the City to continue operating. If you do not get a State license, you will not be in compliance with State law and therefore will need to cease operations.
  - What will be included in the background checks?
    - Criteria for review for background checks can be found here [http://qcode.us/codes/sacramento/view.php?topic=5-5\\_150-iv-5\\_150\\_410&frames=on](http://qcode.us/codes/sacramento/view.php?topic=5-5_150-iv-5_150_410&frames=on). Per a recently approved ordinance, if an interested party does have a criminal history, the City Manager may determine if the person's involvement as an interested party would compromise public safety.
  - Can you get a background check before applying?
    - The City may look at this on a case by case basis. The denial of an interested party as an employee will not compromise the application, just the interested party's involvement in the cultivation business.
  - If you cannot start cultivating until after your Business Operation Permit is issued, do you still need insurance?
    - Yes. Provide what your plan is for insurance and your intent to comply with Title 5 Marijuana Business Permits.
  - Do you have to be a non-profit?
  - Yes. You must not operate as a for profit business until such time the State has changed its model.
- Would a conversion from non- to for profit business change the status of your permit?
  - No, you just need to show the change to the City.
- COMMENT: There is a difference between "not-for-profit" and "non-profit". Businesses don't have to be a "non-profit" but rather a "not-for-profit".
  - The City will have to further clarify this, however all applicants must follow State regulations.
- If you are in a location properly zoned, with no school, but then when up for a permit renewal a school opens, how will that affect the cultivation business?
  - If you are already granted a CUP, this does not need to be renewed, only the BOP. If a school opens up, and the CUP is already issued, this won't affect your CUP.
- Should the landlord get the CUP or the tenant?
  - This should be negotiated with tenant and landlord. The City does not determine who should apply and/or pay the fees, but the CUP does stay with the property, not the business.
- What is the timeframe of submitting the CUP application and getting a file number?
  - This depends on the completeness of the application. If you have a complete application and pay your fees, you will get a file number immediately.
- When will the lifting of the moratorium take effect?
  - It will take effect 30 days from the date of City Council approval on March 7, 2017.
- Where are additional marijuana businesses on the City's priority list?
  - The City plans to bring to City Council by the end of March or possibly early April with manufacturing. We will also be working on testing labs, distribution and transportation and getting these to City Council possibly by the end of the summer 2017.
- Is there a deadline to submit your CUP or BOP application?
  - Not at this time. The City will continue to accept applications and process them as resources allow.
- Is there any assistance for those who do not speak English?
  - Yes, the City is doing outreach to different cultural organizations to inform them of what the City is doing and to provide knowledge of how to move through the process.

### **III. Upcoming Public Meetings**

- Planning and Design Commission – Thursday March 21, 2017
- City Council – Tuesday April 4, 2017