

RESOLUTION NO. 2019-54

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA SETTING CANNABIS RULES AND REGULATIONS

WHEREAS, the City of San Juan Bautista City Council passed Ordinance 2018 – 05 approving the addition of a new Chapter 5.31 “Cannabis Facilities Regulatory Permit” to Title 5 “Public Health, Safety and Welfare” of the San Juan Bautista Municipal Code, and

WHEREAS, the San Juan Bautista Planning Commission made a recommendation to City Council to approve a Zoning Text Amendment to Section 11-02-505 of the City Zoning Ordinance to allow Cannabis Facilities in Industrial Zoning Districts by Conditional Use Permit, and

WHEREAS, the City Council reviewed the staff report for the project together with findings that the proposed Rules and Regulations are categorically exempt from CEQA (California Environmental Quality Act) review, and

WHEREAS, the adopted Rules and Regulations shall reflect the following:

Section 1. APPLICATION FORM.

The City Council adopts the form Application for Cannabis Facility Regulatory Permit in the form as set forth in the Exhibit “A” to this Resolution, attached hereto and incorporated by this reference.

Section 2. APPLICATION FEES AND CHARGES

The City Council adopts Cannabis Business Application Fee schedule as set forth in the Exhibit “B” to this Resolution, attached hereto and incorporated by this reference.

1. A “Eligibility Application Fee” of \$2,536
2. A “Application Processing and Permit Issuance Fee” of \$4,280
3. A “Amended Registration and Regulatory Permit Renewal Fee” set at an hourly rate of \$95.94

Section 3. APPLICATION PROCESS – GENERAL.

The City Manager or designee shall administer the following three stage process for the screening and evaluation of Cannabis facility regulatory permit applications:

A. Stage 1 – Applicant and Facility Eligibility:

Stage 1 of the cannabis facility regulatory permit application process considers the eligibility of the application and the proposed facility according to the following procedure:

1. The application is evaluated for completeness, including the execution of any required agreements accompanying the application form and the following documentation;

- i. Copy of the applicant's Articles of Incorporation or Articles of Organization;
 - ii. Copy of the applicant's bylaws or operating agreement;
 - iii. Copy of the applicant's Certificate of Status issued by the California Secretary of State;
 - iv. Copy of the applicant's Entity Status Letter from the California Franchise Tax Board;
 - v. The applicant's Federal Employer Identification Number;
 - vi. Evidence of the legal right for the applicant to occupy and use the property for a cannabis facility. In the event that the applicant is not the owner of record of the property, the applicant must provide a notarized statement from the owner of the property acknowledging and consenting to use of the property as a medical cannabis facility by the applicant; and
 - vii. The identification of any individual with a financial interest of 10% or greater in the applicant including the address, phone number, email address, description of percentage ownership interest, and copies of government issued identification for each individual;
2. The proposed location is evaluated for conformance with the zoning and sensitive use restrictions contained in Section 5.31 of the Municipal Code; which shall include a reliable mapping of the proposed location and distances to all sensitive uses, satellite mapping is preferred;
 3. Each applicant under the application will undergo a Fingerprint-Based Criminal History Records Check; which will include Live Scan and any indicated follow-up investigation, and
 4. Government issued identification to determine that each applicant, manager, and employee of the medical cannabis facility is over twenty-one (21) years of age.

All eligible applications will be notified, in writing, that they have passed Stage 1 and will be allowed ninety (90) days to provide documentation for consideration for onto Stage 2.

B. Stage 2 – Applicant and Facility Evaluation and Scoring:

1. In the initial portion of Stage 2, applications are scored via a point system that weighs the various components of the application requirements under the City Code as follows:
 - a. Qualifications (including residency) of the applicants, managers, and employees – **50 points**
 - b. Comprehensive site plan and floor plan of the facility which includes the dimensions of the interior floor plan; location of all exist doors, width of doors and panic hardware; principal uses of the floor area including, storage areas and restricted areas. – **100 points**
 - i. Photographic evidence accurately depicting the entire interior and exterior and exterior of the proposed site(s), including entrance(s), street frontage(s), parking, front, rear and sides of the proposed site.

- c. Security plan – **200 points**
 - i. Identification of companies providing security services, including California Business Private Patrol Operator (PPO) license number, PPO.
 - ii. Identification of a security liaison
 - iii. Identification physical security measures
 - iv. Identification of surveillance system coverage and recording
 - v. Number of security personnel.
 - vi. 24-hour and off-business hour security, surveillance and monitoring.
 - vii. Detailed description of security plan including security diagrams
 - viii. Fire and emergency response plan.
- d. Business plan including financial information, revenue and expense projections, capital investment and operating reserves – **200 Points**
- e. Community benefits plan with a dedicated community liaison – **100 Points**
- f. Standard operating procedures demonstrating operational compliance – **100 points**
- g. Procedures for identifying, managing, and disposing of contaminated, adulterated, deteriorated or excess cannabis or cannabis products – **50 points**
- h. Procedures for inventory control including a detailed description of inventory tracking software and procedures – **150 points**
- i. An odor management plan, including a detailed description of the ventilation system used in the cannabis facility including but not limited to how the ventilation systems mitigate odor from and how to mitigate the noxious fumes or gases. – **100 points**
- j. Signage plan – **25 points**
- k. Proposed development agreement with no less than 1% of gross revenues dedicated to public safety funding to be provided by the City – **100 Points**
- l. On-site Renewable energy: Project will include either on-site renewable energy source or will join Monterey Bay Community Choice Energy. – **25 points**
- m. A description of water conservation measures planned to be used by operator including the dedicated and identified water source. – **25 points**

Section 4. CANNABIS FACILITIES AND REGULATIONS.

A. Cannabis Facility Infrastructure and Security Regulations

Cannabis facilities shall comply with the following infrastructure and security regulations:

1. Alarms and closed-circuit television.

- a. A Sheriff's Department approved, 24-hour centrally monitored alarm system is required. The system shall automatically notify the Sheriff's Department dispatch and allow camera system access for dispatch to relay vital information to responding officers on alarm activations.
- b. Closed circuit television ("CCTV") video monitoring shall be installed that meets the following criteria:
 - i. Continuous 24-hour operation and recording with minimum archival period of 30 days.
 - ii. Sufficient cameras, angles of observation and lighting to allow facial feature identification of persons in interior and exterior areas where cannabis or cannabis products is present at any time.
 - iii. Sufficient cameras, angles of observation and lighting to allow facial feature identification of persons in the immediate exterior areas of doors, windows, or other avenues of potential access.
 - iv. All CCTV recordings shall be accessible to law or code enforcement officers at all times during operating hours and otherwise upon reasonable request. All CCTV recording systems shall have the capability of producing tapes, DVDs or other removable media of recordings made by the CCTV system, including still photograph images.
 - v. To prevent tampering, the recorder shall be kept in a secure, locked location and all recordings shall be date and time stamped.

2. Windows.

- a. Windows and glass panes shall have vandal-resistant glazing, shatter-resistant film, glass block, or bars installed equipped with latches that may be released quickly from the inside to allow exit in the event of emergency.
- b. Windows vulnerable to intrusion by a vehicle must be protected by bollards or landscaping grade separation reasonably sufficient to prevent such intrusion.

3. Roofs, roof hatches, sky lights, and ceilings.

- a. All means of gaining unauthorized access to the roof shall be eliminated. Exterior roof ladders shall be secured with locked ladder covers.
- b. Roof hatches and skylights shall be secured so as to prevent intrusion.

4. Visibility.

- a. Cannabis or cannabis products or graphics depicting cannabis or cannabis products within the cannabis facility shall not be visible with the naked eye from the perspective of a pedestrian immediately exterior to the property line of the cannabis facility.
- b. Exterior landscaping within 10 feet of a cannabis facility shall be free of locations which could reasonably be considered places where a person could conceal themselves considering natural or artificial illumination.
- c. Exterior building lighting and parking area lighting must be of sufficient foot-candles and color rendition, so as to allow the ready identification of any individual committing a crime on site at a distance of no less than forty feet.

5. Fire suppression system.

- a. An approved automatic fire sprinkler system fire suppression system, designed in compliance with International Fire Code is required.

6. Entrances, exits, and doors. (Fully Enclosed Sites)

- a. A cannabis facility shall have a single plainly identified primary entrance/exit site that is visible from public or common areas.
- b. Emergency exits shall be self-closing, self-locking, commercial grade locks equipped with an alarm and not used except in an emergency.
- c. Any aluminum door shall be fitted with steel inserts at the lock receptacles.
- d. Any outward opening doors shall be fitted with hinge stud kits, welded hinges or set-screw hinge pins.
- e. Panic exit hardware shall be "push-bar" design.
- f. Double doors shall be fitted with three-point locking hardware and push-bars consistent with fire agency regulations or requirements.
- g. All emergency exits shall be solid core doors featuring hinge-pin removable deterrence. Emergency exit doors shall have latch guards at least 12 inches in length protecting the locking bolt area. Latch guards shall be of minimum 0.125-inch thick steel, affixed to the exterior of the door with non-removable bolts, and attached so as to cover the gap between the door and the doorjamb for a minimum of six inches both above and below the area of the latch.
- h. All glass doors or doors with glass panes shall have shatter-resistant film affixed to prevent glass breakage.

7. Identification and access badges.

- a. Managers and employees of a cannabis facility shall wear identification badges with photo identification on breakaway style lanyards, at chest height.

- b. The identification badges shall be the means to access areas of the cannabis facility not designed for public access.
- c. The identification badge access system shall have a duress feature.
- d. The identification badge access system shall have a readily available recorded log for entry/exit time of areas of the cannabis facility not designed for public access. The electronic logs must be retained for 90 days.

8. Biometric access system.

- a. Entrances to areas of a cannabis facility where cannabis or cannabis products are cultivated, manufactured, processed, stored, tested, or labeled must have biometric scanners for individual unmistakable identifying access.
- b. The biometric access system shall have a duress feature.
- c. The biometric access system shall have a readily available recorded log for entry/exit time for to the secured areas. The electronic logs must be retained for 90 days.

9. Security personnel.

- a. A cannabis facility shall utilize adequate security personnel and patrols to ensure the safety of persons and to protect the facility from theft during business hours at all times.
- b. All security personnel utilized by the cannabis facility shall be licensed and possess a valid Department of Consumer Affairs "Security Guard Card" at all times.

10. Security liaison.

- a. A cannabis facility shall provide the City Manager or designee with the name, telephone number, and email address of a security liaison to whom the City can provide notice if there are security problems associated with the cannabis facility or refer members of the public who may have any concerns or complaints regarding the security of the cannabis facility. Each cannabis facility shall also provide the above information to all businesses and residences located within 1000-foot radius of the cannabis facility premises.
- b. The security liaison shall be reasonably available to meet with the City Manager, County Sheriff, or their designees, regarding any security related measures or and operational issues.
- c. Any other infrastructure and security condition included in the development agreement between the cannabis facility and the City pursuant to Title 5.31 of the Municipal Code.

11. Cannabis Facility General Operating Requirements

In addition to the operating requirements applicable to cannabis facilities contained in the Municipal Code, cannabis facilities shall comply with the following general operating requirements:

1. A cannabis facility shall post, in a prominent location within the facility, a copy of its cannabis facility regulatory permit and a document that provides (a) the name, telephone number, and address of a person(s) authorized to accept service of process on behalf of the facility, (b) the name, telephone number, and address of the facility's community relations liaison required pursuant to Section 5.31 of the Municipal Code, and (c) the name, telephone number, and address of the facility's security liaison required pursuant to this Resolution.
2. There shall be at least one responsible person at the cannabis facility to act as manager and supervise employees at all times during business hours. Such responsible person shall undergo a Fingerprint-Based Criminal History Records Check and shall not have been convicted of an offense listed in Title 5.31 of the Municipal Code.
3. No recommendations or approvals by a physician to use medical cannabis or medical cannabis products shall be issued at a cannabis facility.
4. All finished cannabis shall be secured and locked in a room, safe, or vault in a manner as to prevent diversion, theft, and loss. No outdoor storage of cannabis or cannabis products is permitted at any time.
5. A cannabis facility shall utilize an inventory and tracking system to track and report on all aspects of the facility's business including, but not limited to, such matters as cannabis tracking, inventory data, and gross sales (by weight and by wholesale). The system must have the capability to produce historical transactional data for review by the City Manager or designee.
6. All cannabis or cannabis products sold by a cannabis facility shall be cultivated by licensed facilities that maintain operations in full conformance with the State and local regulations.
7. Signage and notices.
 - a. In addition to the requirements otherwise set forth in this section, business identification signage for a cannabis facility shall conform to the requirements of the City Code, including, but not limited to, seeking the issuance of a sign permit.
 - b. No signs placed on the premises of a cannabis facility shall obstruct any entrance or exit to the building or any window.
 - c. Each entrance to a cannabis facility shall be visibly posted with a clear and legible notice indicating that smoking, ingesting, or otherwise consuming cannabis on the premises or in the areas adjacent to the cannabis facility is prohibited.
 - d. Business identification signage shall be limited to that needed for identification only, and shall not contain any logos or information that identifies, advertises, or lists the services or the products offered or retail locations.
 - e. Signage shall not be directly illuminated, internally or externally.
8. Odor control for Indoor. (Fully Enclosed Sites Only)

a. Odor control devices and techniques shall be incorporated in all cannabis facilities to ensure that odors from cannabis are mitigated to the maximum extent reasonably possible so as to minimize off-site detection. Cannabis facilities shall provide a sufficient odor absorbing ventilation and exhaust system so that odor generated inside the cannabis facility that is distinctive to its operation is mitigated to the maximum extent reasonably possible so as to minimize off-site detection, anywhere on adjacent property or public rights-of-way, on or about the exterior or interior common area walkways, hallways, breezeways, foyers, lobby areas, or any other areas available for use by common tenants or the visiting public, or within any other unit located inside the same building as the cannabis facility. As such, cannabis facilities must install and maintain the following equipment, or any other equipment which the City Manager or designee determine is a more effective method or technology:

i. An exhaust air filtration system with odor control that prevents internal odors from being emitted externally.

ii. An air system that creates negative air pressure between the cannabis facility's interior and exterior, so that the odors generated inside the cannabis business are not detectable on the outside of the cannabis business.

9. A cannabis facility shall (i) prohibit loitering by individuals outside the cannabis facility, whether the loitering is occurring immediately outside the cannabis facility or anywhere else on the property or parcel; (ii) on-site consumption of cannabis or alcohol; and (iii) loud car stereos or activities disruptive to the neighboring businesses or residences outside the cannabis facility, whether the disruption is occurring immediately outside the cannabis facility or anywhere else on the property or parcel.

10. A cannabis facility shall notify the City Manager or designee within twenty-four (24) hours after discovering any of the following:

a. Discrepancies identified during inventory.

b. Diversion, theft, loss, or any criminal activity involving the cannabis business or any agent or employee of the cannabis business.

c. The loss or unauthorized alteration of records related to cannabis, registering qualifying patients, primary caregivers, or employees or agents of a medical cannabis facility.

d. Any other breach of security.

13. Agents or employees of the City requesting access to a cannabis facility or the records required to be maintained by a cannabis facility shall be given unrestricted access.

14. A cannabis facility shall implement and monitor procedures for cash management, security, and storage.

15. A cannabis facility shall secure worker's compensation insurance covering employees of the cannabis facility.

C. Cannabis Cultivation Facility Operating Requirements

In addition to the operating requirements applicable to cannabis facilities, cannabis cultivation facilities shall comply with the following operating requirements:

1. A cannabis cultivation facility shall not use pesticides or insecticides prohibited by federal, State, or local law for fertilization or production of edible produce.
2. A cannabis cultivation facility shall comply with all applicable federal, State, and local laws regarding use and disposal of pesticides and fertilizers.
3. A cannabis cultivation facility shall send cannabis cultivated by the facility for batch testing to a cannabis testing center that maintains operations in full conformance with the State and local regulations prior to distribution.
4. Prior to distribution, a cannabis cultivation facility shall package and seal all cannabis in tamper-evident packaging and use a unique identifier, such as a batch and lot number or bar code, to identify and track the cannabis.
5. Any other operating requirement included in the development agreement between the cannabis cultivation facility and the City.

----- END -----

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of San Juan Bautista hereby establishes Rules and Regulations addressing Cannabis Facilities.

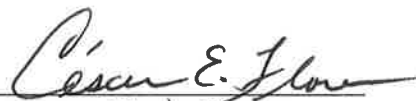
PASSED AND ADOPTED this 19th day of November 2019 at a regular meeting of the City Council of the City of San Juan Bautista by the following vote:

AYES: DeVries, Freeman, Jordan, Edge, Flores

NOES: None

ABSENT: None

ABSTAIN: None


César E. Flores, Mayor

ATTEST:


Laura Cent, City Clerk

Exhibit A to San Juan Bautista City Council Resolution 2019-54

CITY OF SAN JUAN BAUTISTA CANNABIS FACILITY APPLICATION

APPLICATION FOR CANNABIS FACILITY PERMIT

(Please Print All Information – Incomplete Applications Will Not Be Accepted)

- (1) Applicant's Name (Legal Ownership Structure): _____
- (2) Business Name (DBA): _____ Business Phone: (____) _____
- (3) Applicant/ Business Email: _____
- (4) Business Site Address: _____
- (5) Date Business Proposes to Open: _____
- (6) Days & Times Premises Are Open For Inspection: _____
- (7) Proposed Use (Select One Only):
Note: You must submit a separate application for each cannabis business.
- ☐ Dispensary Facility ☐ Laboratory Testing ☐ Other (explain) _____
- ☐ Cultivation Facility ☐ Cannabis Delivery
- ☐ Distribution Facility ☐ Manufacturing Facility
- (8) Community Relations Liaison Name: _____
- Community Relations Liaison Phone Number: _____
- Community Relations Liaison Email: _____
- (9) Type of Organizational Structure:
- ☐ Corporation ☐ Partnership ☐ Individual ☐ Unincorporated Association or Club
- ☐ Trust ☐ LLC ☐ Other, explain: _____

OFFICE USE ONLY

- ☐ Building ☐ Fire ☐ _____ (Check Inspecting Department) Date Received: _____
- ☐ Building/Location meets Department Requirements for the proposed use.
- ☐ Building/Location meets Department Requirements for the proposed use subject to the following conditions:

- ☐ Building/Location does not meet Department requirements for the proposed use.

Inspection Completed On (date): _____ By: _____

City Manager

- ☐ CMO finds no basis for denial ☐ CMO finds basis for denial
- ☐ CMO finds no basis for denial with conditions

Conditions or Basis for Denial Request: _____

By: _____

Title: _____

Date: _____

Note: This is NOT a Cannabis Facility Permit. Do not operate until a valid permit is issued.

GENERAL INFORMATION (All Applicants)

- (10) If the applicant is incorporated, attach to this application copies, certified by the Secretary of State, of the Articles of Incorporation, Certificate(s) of Amendment, Statement(s) of Information, By Laws, Restated Articles of Incorporation, and the most recent Annual Report of Officers and Directors.
- (11) If the applicant is an unincorporated association and filed a Statement By Unincorporated Association with the Secretary of State, attach copies, certified by the Secretary of State, of each Statement by Unincorporated Association, Registration of Unincorporated Nonprofit Association, and original & amended Articles of Association to this application.
- (12) If the applicant is an informal unincorporated association, provide copies of the fully executed Articles of Association (AKA Charter or Constitution).
- (13) Fictitious business names or dba's used: _____
- (14) Place and date of filing of fictitious business name statement: _____
- (15) Names and address of all agents and employees authorized to negotiate or otherwise represent individual in connection with any transaction with the City of San Juan Bautista:

- (16) Name and address of person (agent) authorized to accept service of process in California:

- (17) State whether you are licensed by any governmental agency to engage in any business. If so, list each such license held, the city in which it is held, and expiration date thereof:

- (18) Has the Cannabis Facility applicant previously operated in this City or any other county, city, or state under a similar license or permit?
- a. If "Yes," provide the license/permit issuing city, county, state, and the license and/or permit identification number(s):

- b. Please confirm whether any of these previously issued licenses or permits were revoked or suspended, and the reason(s) why:

- (19) Has any owner or business manager ever been convicted of a felony? ☐ Yes ☐ No
If yes, please list provide details of conviction.
- (20) For each Employee convicted of a crime or currently on probation or parole as set forth in Item No. (19) above, attach with this application the first and last name of the Employee, the associated criminal case number(s), the statute(s) violated, the date(s) of conviction, the date(s) of imposition of probation and/or parole, and the name and address of the sentencing court.
- (21) If the applicant owns the property listed in Item No. (4) of the application, enter date of purchase: _____

Note: This is NOT a Cannabis Facility Permit. Do not operate until a valid permit is issued.
Cannabis Facility Application

GENERAL INFORMATION (All Applicants)

- (22) If the applicant rents, leases, or is in the process of leasing and/or purchasing the property listed in Item No. (4), check the boxes below to verify that the applicant has notified the owner(s) and landlord or leasing agent of the proposed Cannabis Business property use.

- ☐ Attached is a copy of proof of ownership, lease, and/or letter of landlord's commitment to lease upon issuance of a license to the proposed business location
- ☐ Attached is an original fully executed Letter of Authorization, for each owner, landlord, and leasing agent of the property listed in Item No. (4) of the application.

NOTE: If the property is owned, rented, or leased by more than one person, a separate authorization form must be submitted for each owner, landlord, and leasing agent or equivalent.

- (23) Does the applicant have a CA Seller's Permit issued by the California State Board of Equalization for the location identified in Item No. (4) of this application? ☐ Yes ☐ No

- a. If "Yes," enter the CA Seller's Permit identification number, and attach a legible copy of the CA Seller's Permit to this application: _____

- (24) Attach photographs accurately depicting the entire interior and exterior of the proposed site(s), including entrance(s), street frontage(s), parking, front, rear and sides of the proposed site.

Note: This is NOT a Cannabis Facility Permit. Do not operate until a valid permit is issued.
Cannabis Facility Application

GENERAL INFORMATION (All Applicants)

- (25) Provide the name, address, telephone number, business license account number, and PPO number of the security company that will be used. NOTE: A copy of the security guards' CA state license must be maintained on file at the business at all times.

- (26) Will an alarm monitoring company be used?

a. If "Yes," provide the name, address, and telephone number of the alarm monitoring company:

- (27) Provide a list of all members with access to the surveillance camera system to be used (Attach additional pages if necessary):

GENERAL INFORMATION (Cont.)

CERTIFICATION OF EMPLOYMENT PRACTICES

I, _____, certify that the business will not employ any person with any
(Name of Business/Owner listed in Item No. (1) of the application)
type of violent or serious felony conviction as specified in Section 667.5 and 1192.7 of the Penal Code or any felony
conviction involving fraud, deceit, or embezzlement. The following shall become a condition of maintaining the
license.

(Signature of Owner/Management Employee)

(Printed Name & Title)

(Date)

(Signature of Owner/Management Employee)

(Printed Name & Title)

(Date)

(Signature of Owner/Management Employee)

(Printed Name & Title)

(Date)

Note: This is NOT a Cannabis Facility Permit. Do not operate until a valid permit is issued.
Cannabis Facility Application

IF APPLYING AS AN INDIVIDUAL

Last Name: _____

First Name: _____

Middle: _____

Title(s) or AKA(s): _____

Residence address: _____

Home/Business Telephone: _____

Cell Phone: _____

Email Address: _____

Race: _____ **Sex:** _____ **Hair:** _____ **Eyes:** _____ **Height:** _____ **Weight:** _____

Date of Birth (mm/dd/yyyy): _____ **Place of Birth:** _____

Social Security Number: _____

Driver's License or Identification Card Number: _____

State of Issue: _____

Federal Tax ID Number (if applicable): _____

Seller's Permit Number (if applicable): _____

Note: This is NOT a Cannabis Facility Permit. Do not operate until a valid permit is issued.

Cannabis Facility Application

IF APPLYING AS A PARTNERSHIP

Check One Box:

☐ General Partnership

☐ Limited Partnership/ LLP

☐ Limited Liability Corporation/ LLC

Name of Partnership: _____

Federal Tax ID Number (if applicable): _____

Seller's Permit Number (if applicable): _____

Percentage of Partnership

Name and residence addresses of **General Partners:**

Interest:

%

%

%

%

Names and residence addresses of **Limited Partners:**

Interest:

%

%

%

%

Place and date of filing Articles or Certificate of Partnership or Limited Partnership:

Please Note:

Attach certified copies of *Articles of Partnership or Limited Partnership*, or other written evidence of partnership status and all amendments thereto this application.

Note: This is NOT a Cannabis Facility Permit. Do not operate until a valid permit is issued.
Cannabis Facility Application

IF APPLYING AS A PARTNERSHIP (cont.)

PRINCIPAL PARTNER I

Name: _____ Title: _____

Residence Address: _____ Phone: _____

Business Address: _____ Phone: _____

Email Address: _____

Race: _____ Sex: _____ Hair: _____ Eyes: _____ Height: _____ Weight: _____

Date of Birth (mm/dd/yyyy): _____ Place of Birth: _____

Driver's License Number: _____ Issuing State: _____

PRINCIPAL PARTNER II

Name: _____ Title: _____

Residence Address: _____ Phone: _____

Business Address: _____ Phone: _____

Email Address: _____

Race: _____ Sex: _____ Hair: _____ Eyes: _____ Height: _____ Weight: _____

Date of Birth (mm/dd/yyyy): _____ Place of Birth: _____

Driver's License Number: _____ Issuing State: _____

PRINCIPAL PARTNER III

Name: _____ Title: _____

Residence Address: _____ Phone: _____

Business Address: _____ Phone: _____

Email Address: _____

Race: _____ Sex: _____ Hair: _____ Eyes: _____ Height: _____ Weight: _____

Date of Birth (mm/dd/yyyy): _____ Place of Birth: _____

Driver's License Number: _____ Issuing State: _____

Note: This is NOT a Cannabis Facility Permit. Do not operate until a valid permit is issued.
Cannabis Facility Application

IF APPLYING AS A CORPORATION

PLEASE ONLY PROVIDE INFORMATION FOR ALL OFFICERS, DIRECTORS, OR SHAREHOLDERS WHO OWN MORE THAN 10% OF THE ISSUED AND OUTSTANDING STOCK

Check One Box:

☐ For-Profit Corporation

☐ Non-Profit Corporation

Name of Corporation: _____

Corporation Number: _____

Date and Place of Incorporation: _____

Location Headquarters: _____

Federal Tax ID Number: _____

Seller's Permit Number: _____

Please attach certified copies of *Articles of Incorporation and By-Laws*, and all amendments to this application.

Name and Residence Address of Corporation Officers (members of the executive board):

Name	Title & Ownership %	Address	Telephone
_____	_____	_____	() _____
_____	_____	_____	() _____
_____	_____	_____	() _____
_____	_____	_____	() _____

Numbers of shares issued by Corporation: _____

Number of share retained by Corporation: _____

Name and addresses of shareholders, if ten (10) or less state also the number and type of shares:

Name, address, telephone number, and email address of agent for service of process designated by Corporation with the Secretary of State of California:

Note: This is NOT a Cannabis Facility Permit. Do not operate until a valid permit is issued.
Cannabis Facility Application

IF APPLYING AS A CORPORATION (Cont.)

CORPORATE OFFICER I

Name: _____ Title: _____

Residence Address: _____ Phone: _____

Email Address: _____ Phone: _____

Race: _____ Sex: _____ Hair: _____ Eyes: _____ Height: _____ Weight: _____

Date of Birth (mm/dd/yyyy): _____ Place of Birth: _____

Driver's License Number: _____ Issuing State: _____

CORPORATE OFFICER II

Name: _____ Title: _____

Residence Address: _____ Phone: _____

Email Address: _____ Phone: _____

Race: _____ Sex: _____ Hair: _____ Eyes: _____ Height: _____ Weight: _____

Date of Birth (mm/dd/yyyy): _____ Place of Birth: _____

Driver's License Number: _____ Issuing State: _____

CORPORATE OFFICER III

Name: _____ Title: _____

Residence Address: _____ Phone: _____

Email Address: _____ Phone: _____

Race: _____ Sex: _____ Hair: _____ Eyes: _____ Height: _____ Weight: _____

Date of Birth (mm/dd/yyyy): _____ Place of Birth: _____

Driver's License Number: _____ Issuing State: _____

CORPORATE OFFICER IV

Name: _____ Title: _____

Residence Address: _____ Phone: _____

Email Address: _____ Phone: _____

Race: _____ Sex: _____ Hair: _____ Eyes: _____ Height: _____ Weight: _____

Date of Birth (mm/dd/yyyy): _____ Place of Birth: _____

Driver's License Number: _____ Issuing State: _____

Note: This is NOT a Cannabis Permit. Do not operate until a valid permit is issued.
Cannabis Facility Application

CITY OF SAN JUAN BAUTISTA

PROPERTY OWNER/ LANDLORD AUTHORIZATION FOR INSPECTION AND RIGHT TO OPERATE A CANNABIS FACILITY

I, _____, am the legal owner / landlord / lessor of real property located at
(Name of Property Owner/ Landlord) (Circle One)

_____, San Juan Bautista, California. I authorize the
(Address listed in Item No. (4) of the application)

Cannabis Business entitled _____ to operate a
(Name of Business/Owner listed in Item No. (1) of the application)

cannabis business at the property, as that term is defined in state law and the San Juan Bautista Municipal Code, for the specific use(s) of _____
(Land uses(s) set forth in the Cannabis Facility application – e.g. cultivation, manufacturing, etc.)

set forth in the Cannabis Facility License Application submitted to the City of San Juan Bautista by

_____ and allow the City of San Juan Bautista to enter the property for
(Name of Business/Owner listed in Item No. (1) of the application)

inspection of the property. I further understand that I am responsible for any violation and nuisance activity, which may occur at this property. I declare under penalty of perjury that the foregoing information is true and correct. Executed this _____ day of _____ 20____, at San Juan Bautista, California.

(Signature of legal owner/landlord/lessor)

(Printed Name & Title)

(Date)

(Signature of legal owner/landlord/lessor)

(Printed Name & Title)

(Date)

(Signature of legal owner/landlord/lessor)

(Printed Name & Title)

(Date)

Note: This is NOT a Cannabis Permit. Do not operate until a valid permit is issued.
Cannabis Facility Application

CITY OF SAN JUAN BAUTISTA

NOTARY ACKNOWLEDGEMENT FORM

The notarized signature of the majority representative owner or owners, as established by deed or contract, of the subject property or properties is required for the filing of this application.
(Additional sheets may be attached if needed.)

On _____ before me, _____ the undersigned,
DATE (WRITE NAME OF NOTARY)

a Notary Public in and for said County, duly commissioned,

personally appeared _____
NAME(S) OF SIGNER(S)

NAME(S) OF SIGNER(S)

☐ personally known to me - OR -

☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

PLACE NOTARY SEAL ABOVE

Notary Public in and for the County
of San Benito, State of California

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title of type of Document: PROPERTY OWNER/ LANDLORD AUTHORIZATION FORM

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____ Signer's Name: _____

Title(s): _____ Title(s): _____

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Cannabis Facility Application

APPLICATION ATTACHMENTS

In addition to the Cannabis Permit Application, the following list of required attachments:

1. Complete interior floor plan on paper no larger than 11" x 17" (multiple sheets allowed) to include the following information:
 - a. Dimensions of interior floor plan.
 - b. Indicate location of all exit doors, widths of doors and panic hardware.
 - c. Principal uses of the floor area including where non-patients will be permitted, private consulting areas, storage areas, retail areas, areas for cash handling and storage, and restricted areas
 - d. Show the separation of the areas that are open to persons who are not patients from those areas open to patients

NOTE: All areas of proposed business site must be disabled access compliant pursuant to Title 24 of the State of California Code of Regulations and the Americans with Disabilities Act

2. Proof of Worker's Compensation Insurance including the limits of each policy, policy numbers, name of the insurer, effective date, and expiration date of each policy.
3. Proof of Liability Insurance including the limits of each policy, policy numbers, name of the insurer, effective date, and expiration date of each policy. Insurance must have aggregate policy limits in an amount not less than \$1,000,000.
4. Copy of CA Seller' Permit (for retail businesses only)
5. Copy of your Fictitious Name Filing, if applicable.
6. Corporation, Limited Liability Companies, Limited Liability Partnerships:
 - a. Copy of your Articles of Incorporation
 - b. Copy of your Statement of Information
7. Standard Operating Plan Procedures to include the following information (as outlined in the Regulations):
 - a. General Operating Procedures
 - b. Security
 - c. Operational Security
 - d. Facility Security
 - e. Community Service
 - f. Fire Plan
 - g. Labor Relations/Employee Handbook
 - h. Business Plan / Financials
8. Proof of Ownership, lease, and/or letter of landlord's commitment to lease upon issuance of a license to the proposed business location
9. Proof Entity is Registered and in Good Standing with Secretary of State and Franchise Tax Board
10. Copy of one (1) valid government issued form of identification for each owner and managing member
11. Copy of Live Scan for each owner and business manager

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Cannabis Facility Application

CITY OF SAN JUAN BAUTISTA

ACKNOWLEDGEMENT FORM
Cannabis Facility Permit Application

- ./ I/we consent to onsite inspections of our Cannabis Facility by City of San Juan Bautista officials. Inspections will be conducted by City of San Juan Bautista Officials during regular business hours Monday-Friday 9:00a.m to 5:00 p.m., excluding holidays. The telephone number listed on my application is the number the City can call to provide notice, when possible.
- ./ I/we acknowledge that by submitting the permit application we allow onsite inspections; dogs/animals will be locked up, lock gates will be assessable.
- ./ I/we consent that all structures on parcel that are utilized for Commercial Cannabis Activities will be built in accordance with applicable City of San Juan Bautista Building Codes and permit requirements.
- ./ I/we acknowledge that the information I/we provide with this application may be released as required by law, judicial order, or subpoena, and could be used in a criminal prosecution.
- ./ I/we consent to defend, indemnify, and hold harmless the City of San Juan Bautista from any defense costs, including attorneys' fees or other loss connected with any legal challenge brought as a result of the City of San Juan Bautista's review and/or approval of this Application. I/we agree to execute a formal agreement to this effect on a form provided by the City and available for my inspection.
- ./ I/we will only employ individuals at least eighteen (18) years of age, require a Federal or State issued proof of identification be carried at all times on property, and will comply will all applicable state and federal requirements for payment of payroll taxes, including federal and state income taxes and/or contribution for unemployment insurance, state workers' compensation liability law.
- ./ I/we have reviewed the San Juan Bautista Cannabis Business Ordinance, I/we understand the requirements, will comply with the requirements, and understand the consequences of Non-Compliance.
- ./ I/we acknowledge that the application fee is non-refundable.
- ./ I will comply with Local, State and Federal regulatory agencies.

Print

Signature

Date

Indemnification Form

City of San Juan Bautista Cannabis Facility Application

I _____, hereby agree:

1. I have applied with the City of San Juan Bautista for permission to conduct _____ (state type of facility) commercial cannabis pursuant to City of San Juan Bautista Cannabis Business Ordinance (hereafter "Project").
2. Nothing in this Agreement shall be construed to limit, direct, impede or influence the City of San Juan Bautista's review and consideration of the Project.
3. I shall defend, indemnify, save and hold harmless the City of San Juan Bautista, its elected and appointed officials, officers, employees, agents, contractors and volunteers from any and all claims, actions, proceedings or liability of any nature whatsoever (including, but not limited to; any approvals issued in connection with any of the above described application(s) by City; any action taken to provide related environmental clearance under the California Environmental Quality Act ("CEQA") by City's advisory agencies, boards or commissions, appeals boards, or commissions, Planning Commissions, or City Council; and attorneys' fee and costs awards) arising out of, or in connection with the City's review or approval of the project or arising out of or in connection with the acts or omissions of the Applicant, its agents, employees or contractors. With respect to review or approve, this obligation shall also extend to any effort to attack, set aside, void, or annul the approval of the project, including any contention the project or its approval is defective because a City ordinance, resolution, policy, standard or plan is not in compliance with local, state or federal law. With respect to acts or omissions of the Applicant, its agents, employees or contractors, its obligation, hereunder shall apply regardless of whether the City of San Juan Bautista prepared, supplied or approved plans, specifications or both.
4. The obligations of the Owner and Applicant under this Indemnification shall apply regardless of whether any permits or entitlements are issued.
5. City of San Juan Bautista shall have the absolute right to approve any and all counsel employed to defend the City. To the extent the City uses any of its resources to respond to such claim, action or proceeding, or to assist the defense, the Applicant will reimburse the City upon demand. Such resources include but are not limited, staff time, court costs, City Attorney's time at its regular rate for non-City agencies, or any other direct or indirect cost associated with responding to, or assisting in defense of, the claim, action or proceedings.
6. For any breach of this obligation the City of San Juan Bautista may rescind its approval of the Project.
7. The Applicant shall not be required to pay or perform any settlement unless the Applicant, which approval shall not be unreasonably withheld, approves the settlement in writing. The City of San Juan Bautista must approve any settlement affecting the rights and obligations of the City.
8. This agreement shall be construed and enforced in accordance with the laws of the State of California.
9. In any legal action or other proceeding brought by either party to enforce or interpret this Agreement, the appropriate venue is the San Benito County Superior Court.
10. The Applicant shall pay all court ordered costs and attorney fees.
11. The defense and indemnification of the City of San Juan Bautista set forth herein shall remain in full force and effect throughout all stages of litigation including appeals of any lower court judgments rendered in the proceedings.

After review and consideration of all of the foregoing terms and conditions, Applicant, by its signature below, hereby agrees to be bound by and to fully and timely comply with all of the foregoing terms and conditions.

Print Name

Signature

Date