

City Council Meeting

COUNCIL CHAMBERS, 33 SOUTH MAIN STREET, COLFAX, CA

Mayor Marnie Mendoza · Mayor Pro Tem Sean Lomen
Councilmembers · Kim Douglass · Trinity Burruss · Joe Fatula

SPECIAL MEETING AGENDA

August 6, 2020

Special Cannabis Workshop Session: 10:00AM

This meeting will be performed via TELECONFERENCE

Join via ZOOM on a computer or mobile device by visiting
<https://us02web.zoom.us/j/83620965067>

Dial in by calling one of the numbers listed below and enter the Webinar ID: 836 2096 5067

1 (669) 900-6833	1 (346) 248-7799	1 (312) 626-6799
1 (929) 205-6099	1 (253) 215-8782	1 (301) 715-8592

Or join via Facebook Live on our City of Colfax page: City of Colfax California

1 OPEN SESSION

- 1A. Call Open Session to Order
- 1B. Roll Call

2 PUBLIC COMMENT

2A. Open Public Comment

Members of the audience are permitted to address the Council on matters of concern to the public within the subject matter jurisdiction of the City Council that are not listed on this agenda. Please make your comments as brief as possible; not to exceed three (3) minutes in length. The Council cannot act on items not included on this agenda; however, if action is required it will be referred to staff.

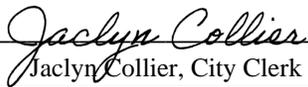
3 WORKSHOP

3A. Cannabis Application Review and Fees

Action: Discuss and direct staff

4 ADJOURNMENT

I, Jaclyn Collier, City Clerk for the City of Colfax declare that this agenda was posted at Colfax City Hall and the Colfax Post Office. The agenda is also available on the City website at www.Colfax-ca.gov.



Jaclyn Collier, City Clerk

Administrative Remedies must be exhausted prior to action being initiated in a court of law. If you challenge City Council action in court, you may be limited to raising only those issues you or someone else raised at a public hearing described in this notice/agenda, or in written correspondence delivered to the City Clerk of the City of Colfax at, or prior to, said public hearing.





City of Colfax Cannabis Workshop # 3: Application, Procedure Guidelines, and Draft Regulatory Fees

Presented by:

Kyle Tankard, SCI
August 6, 2020

4745 Mangels Blvd, Fairfield, California 94534
707-430-4300

Agenda

1. Application and Procedure Guidelines
2. Draft Regulatory Fees
3. Discussion

Application Submittal

- Fixed Application Submittal period:
 - 30 days?
 - 60 days?
 - Other?
- Late applications will not be accepted
 - No amendments to application once submitted
- Application fees due upon submittal
- Zoning Verification must be completed prior to application submittal

APPLICATION SUBMITTAL CHECKLIST

Applications failing to submit any of the following items will be determined ineligible and will not move forward to Phase 2 of the Application Process:

- Complete and signed Commercial Cannabis Business Application (pages 1-3)
- Property Owner Consent form. This shall be notarized. (page 4)
 - Proof of property ownership, proof of executed lease or purchase agreement, or a notarized letter of the owner's willingness to lease or sell the property.
- Limitations on City's Liability Waiver. This shall be notarized. (pages 5-6)
- Proof of payment of Application Fees (Phase 1-3, Zoning Verification, Owner Background Check)
- Organizational structure documents (e.g., Articles of Incorporation, bylaws, partnership agreements, etc.).
- Zoning Verification Letter
- Business Owner(s) Information:
 - Color copy of Driver's License or other valid government-issued photo identification.
 - Color copy of Social Security Card
 - Proof of address (DMV issued ID/Driver's License and/or recent utility bill under Business Owner's name)
- Business Owner(s) Background Application and Intelifi Background Waiver
- Phase 2 – Third-Party Submittal Items (outlined on Application Procedure Guideline)
 - Qualification of Owners/Managers (1.1 – 1.3)
 - Plans, Location, and Other Diagrams (2.1 – 2.4)
 - Business Plan (3.1 – 3.13)
 - Operations Plan (4.1 – 4.5)
 - Safety Plan (5.1 – 5.9)
 - Security Plan (6.1 – 6.5)
 - Neighborhood Compatibility Plan (7.1 – 7.5)
 - Community Benefits Plan (8.1)
 - Labor and Employment (9.1 – 9.3)

Application Review and Selection Overview

Four Phase Process:

- Phase 1: Completeness Review & Determination of Eligibility
- Phase 2: Third-Party Review
- Phase 3: City Manager's Recommendations and City Council's Final Approval
- Phase 4: City Permits for the Commercial Cannabis Business

Application Review and Selection (Phase 1)

Phase 1: Completeness Review & Determination of Eligibility

- City Staff/Consultant review applications for completeness
- Background checks conducted on Owners to determine eligibility
- Complete applications proceed to Phase 2, and Incomplete applications are rejected.

Application Review and Selection (Phase 2)

Phase 2: Third-Party Review

- Applications sorted by proposed cannabis activity
 - Multi-activity / Microbusiness applications will be separated, grouped by activity, and scored against applications of similar activity
 - Microbusiness applications will be scored based on the average score of all three activities
 - If a microbusiness is not selected for all three (3) activities, they will not proceed to Phase 3
- Applications reviewed and scored based on nine (9) criteria.
 - If two (2) or more applications are received for an activity, 2 highest scoring applicants are selected to proceed to Phase 3.
 - If less than two (2) applications received for an activity, applicants must receive passing score of 80% of points

Phase 2: Evaluation Criteria and Scoring

- Applications reviewed and scored based on nine (9) criteria (maximum of 240 points)
 - Each sub-criteria scored on 0-5 pt. range
- Council will add a multiplier value for each of the nine criteria (1-5 range) based on importance at the August 26th Council Meeting
- The nine criteria scores will be multiplied by the multiplier and tallied up
- **Tie Breaker Options:**
 1. In the event of a tie in scoring, applicants that score higher in the areas of: 1) Community Benefits; followed by: 2) Neighborhood Compatibility; and finally by: 3) Security Plan will proceed to Phase 4.
 2. Lottery
 3. Other?

Evaluation Criteria:

- Qualification of Owners/Managers (1.1 – 1.3)
- Plans, Location, and Other Diagrams (2.1 – 2.4)
- Business Plan (3.1 – 3.13)
- Operations Plan (4.1 – 4.5)
- Safety Plan (5.1 – 5.9)
- Security Plan (6.1 – 6.5)
- Neighborhood Compatibility Plan (7.1 – 7.5)
- Community Benefits Plan (8.1)
- Labor and Employment (9.1 – 9.3)

Application Review and Selection (Phase 3)

Phase 3: City Manager's Recommendations and City Council's Final Approval

- Highest scoring or passing applicants notified in writing
- At City Council meeting, City Manager will present recommendations to the Council
- Applicants will present to the City Council
- City Council will make a determination as to whether to approve, deny, or continue the application.

Application Review and Selection (Phase 4)

Phase 4: City Permits for the Commercial Cannabis Business

- The time needed to establish the cannabis business will vary depending on the type of cannabis licenses proposed and amount of site and/or building improvements needed.
- Prior to issuing a Commercial Cannabis Business Permit, Planning, Building, Code Enforcement, Placer County Fire staff, Placer County Public Health Department, and City Cannabis Consultant will review and inspect the property to confirm all requirements have been met.

Summary of Proposed Cannabis Fees

Fee Description	Fee ¹	Unit
Application Review - Phase 1	\$855	per application
Application Review - Phase 2	\$2,996	per application ²
Application Review - Phase 3	\$3,766	per application
Criminal Background Check	\$425	per owner
Zoning Verification	\$406	per application
Annual Commercial Cannabis Business Permit	\$7,187	per permit annually ³
Annual Commercial Cannabis Business Permit Renewal	\$904	per application
Annual Implementation Costs ⁴	\$7,752	

Notes:

¹ Proposed fees are rounded to the nearest dollar.

² Applicants will be charged a flat rate of **\$2,966** for each application submitted. If the applicant applies for more than one (1) cannabis activity, an additional **\$500** will be charged for each additional cannabis activity proposed on the application.

³ Cannabis Businesses will be charged a flat rate of **\$7,187** per permit annually. Each additional permit for the same business at the same location shall be charged **50%** of the applicable fee.

⁴ The total City Cannabis Implementation Costs are **\$38,782**. Cost recovery of the implementation fees will be spread out over 5 years. Each year, the Annual Implementation Costs of **\$7,752** will be divided equally amongst the total number of Commercial Cannabis Business permittees.

Current Fees	
Application Review - Phase 1	\$3,696
Application Review - Phase 2	\$1,466
Application Review - Phase 3	\$1,633
Application Review - Phase 4	\$1,165
Total:	\$7,960
Annual CCB Permit:	
3 compliance Inspections	\$4,500
Annual Financial Audit	\$3,500
Total:	\$8,000

Application Review (Phase 1)

General Tasks/Activities	City Administration						Other		Labor Hours	Labor Cost	Services, Supplies, & Other Expenses	Total Cost
	City Manager	City Attorney	City Planner	Building Inspector	Finance Director	City Clerk	Consultant					
<i>Fully Burdened Hourly Rate</i>	\$85	\$308	\$148	\$116	\$103	\$36	\$250					
Application Completeness Review	1.00	0.00	1.00	0.00	0.50	2.00	2.00	6.50	\$855	\$0	\$855	
Total	1.00	0.00	1.00	0.00	0.50	2.00	2.00	6.50	\$855	\$0	\$855	
									Proposed Fee:	\$855 per application		

The proposed Application Review – Phase 1 Fee is \$855. The Phase 1 application fee recovers the cost to review applications for completeness and to determine the eligibility of the applicant.

Application Review (Phase 2)

General Tasks/Activities	City Administration						Other	Labor Hours	Labor Cost	Services, Supplies, & Other Expenses	Total Cost
	City Manager	City Attorney	City Planner	Building Inspector	Finance Director	City Clerk	Consultant				
<i>Fully Burdened Hourly Rate</i>	\$85	\$308	\$148	\$116	\$103	\$36	\$250				
Application Review and Scoring	1.00	1.00	0.00	0.00	1.00	0.00	10.00	13.00	\$2,996	\$0	\$2,996
Total	1.00	1.00	0.00	0.00	1.00	0.00	10.00	13.00	\$2,996	\$0	\$2,996
									Proposed Fee:	\$2,996 per activity	

The proposed Application Review – Phase 2 Fee \$2,996. The Phase 2 application fee recovers the cost for the third-party review and scoring of applications.

Application Review (Phase 3)

General Tasks/Activities	City Administration						Other	Labor Hours	Labor Cost	Services, Supplies, & Other Expenses	Total Cost
	City Manager	City Attorney	City Planner	Building Inspector	Finance Director	City Clerk	Consultant				
<i>Fully Burdened Hourly Rate</i>	\$85	\$308	\$148	\$116	\$103	\$36	\$250				
Public Meeting Noticing	0.00	0.00	1.00	0.00	0.00	2.00	0.00	3.00	\$219	\$0	\$219
Staff Report	2.00	1.00	1.00	0.00	0.00	0.00	1.00	5.00	\$876	\$0	\$876
Public Meeting	2.00	2.00	2.00	0.00	0.00	2.50	6.00	14.50	\$2,671	\$0	\$2,671
Total	4.00	3.00	4.00	0.00	0.00	4.50	7.00	22.50	\$3,766	\$0	\$3,766

Proposed Fee: \$3,766 per application

The proposed Application Review Phase 3 Fee is \$3,766. The Phase 3 application fee recovers the cost to bring the proposed application to City Council for City Manager's recommendation and City Council Approval.

Criminal Background Check

General Tasks/Activities	City Administration						Other		Labor Hours	Labor Cost	Services, Supplies, & Other Expenses	Total Cost
	City Manager	City Attorney	City Planner	Building Inspector	Finance Director	City Clerk	Consultant					
<i>Fully Burdened Hourly Rate</i>	\$85	\$308	\$148	\$116	\$103	\$36	\$250					
Background Check	0.00	0.00	0.00	0.00	0.00	0.00	1.50	1.50	\$375	\$50	\$425	
Total	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.50	\$375	\$50	\$425	
									Proposed Fee:	\$425 per owner		

The proposed Criminal Background Check Fee is \$425 per owner. The Criminal Background Check fee recovers the cost to run criminal background checks on each owner..

Zoning Verification Fee

General Tasks/Activities	City Administration						Other	Labor Hours	Labor Cost	Services, Supplies, & Other Expenses	Total Cost
	City Manager	City Attorney	City Planner	Building Inspector	Finance Director	City Clerk	Consultant				
<i>Fully Burdened Hourly Rate</i>	\$85	\$308	\$148	\$116	\$103	\$36	\$250				
Zoning Verification	0.50	0.00	2.00	0.00	0.00	0.50	0.00	3.00	\$356	\$50	\$406
Total	0.50	0.00	2.00	0.00	0.00	0.50	0.00	3.00	\$356	\$50	\$406
									Proposed Fee:	\$406 per application	

The proposed Zoning Verification Fee is \$406 per owner. The Zoning verification fee recovers the cost to verify that the proposed cannabis location meets the requirements relating the City's zoning and cannabis locational requirements.

Annual Commercial Cannabis Business Permit Fee

General Tasks/Activities	Planning						Other	Labor Hours	Labor Cost	Services, Supplies, & Other Expenses	Total Cost
	City Manager	City Attorney	City Planner	Building Inspector	Finance Director	City Clerk	Consultant				
<i>Fully Burdened Hourly Rate</i>	\$85	\$308	\$148	\$116	\$103	\$36	\$250				
Preparation	0.00	0.00	0.00	0.00	0.00	0.00	0.50	0.50	\$125	\$0	\$125
Facility Inspection	0.00	0.00	0.00	0.00	0.00	0.00	3.50	3.50	\$875	\$0	\$875
Oversight and Reporting	0.00	0.00	0.00	0.00	0.00	0.00	2.00	2.00	\$500	\$0	\$500
Total	0.00	0.00	0.00	0.00	0.00	0.00	6.00	6.00	\$1,500	\$0	\$1,500
Proposed Annual Inspections: 2											
Proposed Annual Inspection Fee: \$3,000											
Financial Audit	1.00	0.00	0.00	0.00	1.00	0.00	16.00	18.00	\$4,187	\$0	\$4,187
Total	1.00	0.00	0.00	0.00	1.00	0.00	16.00	18.00	\$4,187	\$0	\$4,187
Estimated Annual Cost Recovery:									\$7,187 per permit annually		

Annual CCB Permit Fee:

- 2 Compliance Inspections: \$ 3,000
 - 1 Financial Audit: \$ 4,187
- Total: \$7,187**

The Annual Commercial Cannabis Business Permit Fee recovers the cost of providing two (2) compliance inspections, one (1) financial audit per year, and permit renewal fees.

Annual Commercial Cannabis Business Permit Renewal

General Tasks/Activities	Planning						Other	Labor Hours	Labor Cost	Services, Supplies, & Other Expenses	Total Cost
	City Manager	City Attorney	City Planner	Building Inspector	Finance Director	City Clerk	Consultant				
<i>Fully Burdened Hourly Rate</i>	\$85	\$308	\$148	\$116	\$103	\$36	\$250				
Permit Renewal	1.00	0.00	0.00	0.00	0.50	0.50	3.00	5.00	\$904	\$0	\$904
Total	1.00	0.00	0.00	0.00	0.50	0.50	3.00	5.00	\$904	\$0	\$904
Estimated Annual Cost Recovery:									\$904 per application		

The Annual Commercial Cannabis Business Permit Renewal Fee recovers the cost of processing and reviewing commercial cannabis business permit renewal applications.

Cannabis Implementation Fee

City/Department	Total Cost
City Administration	\$15,762
Contracted Services (SCI Consulting Group)	\$23,000
Total Cost¹	\$38,762
Total Cost Recovery Per Year (5 Years)²	\$7,752

¹The Total Cost is based on the time spent by City personnel based on hourly rates provided by the City as well as the cost of contracting with professions to provide services.

²Implementation Costs will be divided equally amongst the total number of Commercial Cannabis Business permittees.

The City will be recovering their cannabis implementation costs associated with updating the City's ordinance and regulatory fees. The total City cannabis implementation costs are \$38,782. Cost recovery of the implementation fees will be spread out over 5 years. Each year, the Annual Implementation Costs of \$7,752 will be divided equally amongst the total number of Commercial Cannabis Business permittees, until the implementation costs are fully recovered.



COMMERCIAL CANNABIS BUSINESS PERMIT APPLICATION PROCEDURE GUIDELINES

Introduction

The application process to operate a Commercial Cannabis Business (“CCB”) in Colfax will open on **[INSERT MONTH] XX, 2020 and will close at 4:00PM on [INSERT MONTH] XX, 2020**. Applications will be available at City Hall or on the City’s Website at **[INSERT WEBSITE]**. To be considered, final applications **must** be submitted by **4:00 PM on [INSERT MONTH] XX, 2020** to the Planning Department located at 33 South Main Street, Colfax, CA, 95713. This outlines the application process, required materials, and other information necessary to operate a CCB in Colfax.

A total of eight (8) commercial cannabis business permits will be available, with a maximum of two (2) permits allocated for each of the following cannabis activities: cultivation, distribution, manufacturing, and testing. Applicants wishing to apply for a microbusiness permit (cultivation, distribution, manufacturing) must mark all three activities on their application. Applications for more than one (1) activity will be divided by activity and scored against applications of similar activity. Microbusiness applications will be scored based on the average of all three activities they are applying for. An applicant must be awarded all three (3) activities they apply for in order to receive a microbusiness permit from the City.

Information regarding the Commercial Cannabis Business application process can be found on the City of Colfax website at **[INSERT WEBSITE]** which includes the following:

- Commercial Cannabis Business Application (CCBA)
- Owner Background Application and Intelifi Background Waiver
- Zoning Verification Form
- Ordinance No. 542: Colfax Municipal Code Chapter 5.32 (Commercial Cannabis Activity) and Title 17 (Zoning – Commercial Cannabis Activities)
- Cannabis Fee schedule

The City’s Reservation of Right’s

The City reserves the right to reject any and/or all proposals, with or without any cause or reason. The City may also, modify, postpone, or cancel the request for permit applications without liability, obligation, or commitment to any party, firm, or organization. In addition, the City reserves the right to request and obtain additional information from any applicant submitting a proposal. Late or incomplete applications will be rejected. Furthermore, an application risks being rejected for the following reasons, and reserves the right to reject any application for any reason not listed below:

- The application or documents submitted are incomplete, filed late, or not responsive to the requirements of this code.
- The issuance of the permit or operation of the commercial cannabis business at the proposed location is inconsistent with State law, Chapter 5.32, Title 17 or other applicable City of Colfax Municipal Codes.

Questions Regarding the Application

Applicants will have the opportunity to submit questions regarding the application. Applicants must submit the

questions in writing to [INSERT EMAIL] by [INSERT DATE]. The City will post all questions and responses on the Colfax website on [INSERT DATE].

Amendments to the Application

Applicants will not be allowed to make amendments to their application or to supplement their application once submitted, except as otherwise specifically permitted in these procedures or as authorized in writing by the City.

Application Fees

Application fees shall be submitted as noted below in Table 1. Applications will not be accepted without payment of fees. If the applicant does not proceed to the subsequent phase(s), a full refund of the phase(s) the applicant did not progress to will be issued within 30-days. The fees below do not include other standard fees such as building plan check fees, sign permit fees, design review fees, etc.

Table 1

Phase 1: Completeness Review and Determination of Eligibility	\$855 per application
Phase 2: Third-Party Review	\$2,996 per application; \$500 per each additional activity
Phase 3: City Manager's Recommendation and City Council's Approval	\$3,766 per application
Zoning Verification	\$406 per application
Background Check (Per Owner)	\$425 per owner

Payment must be made by cash, certified check, cashier’s check or money order made payable to the City of Colfax. The City does not accept credit cards. All refunds will be issued by check to the party identified the original payment method.

Criminal Background Check:

Each owner must undergo a criminal background check demonstrating that they do not provide “good cause” for denial pursuant to CMC 5.32.310(I). The application forms for the background check will be available on the City website or at City Hall. Please provide proof of a completed background forms along with proof of payment with your application. Owners who do not meet criminal history eligibility requirements will be disqualified.

Zoning Verification Letter:

Applicants will be required to obtain a “Zoning Verification Letter” from the Planning Department in City Hall, located at 33 South Main Street, to ensure that the location proposal the applicant is applying for meets the locational requirements pursuant to CMC 17.162.080 prior to submitting their CCB application. The review process typically takes approximately ten (10) working days. The “Zoning Verification Letter” will need to be included with the application package. Please note the issuance of a “Zoning Verification Letter” does not mean the written evidence of permission given by the City of Colfax or any of its officials to operate a CCB, nor does it not mean “permit” within the meaning of the Permit Streamlining Act, nor does it constitute an entitlement under the Zoning or Building Code. A regulatory permit for regulating a CCB does not constitute a permit that runs with the land on which the CCB is established. Request for Zoning Verification Letter(s) require a written request submitted to the Planning Department and will not be completed over the counter since it may require additional research and review. Zoning Verification forms will be available will be available at City Hall or on the City’s Website.

CONTACT:

If you have any questions or would like an update on the status of your application, please contact the City Clerk at (530)-346-2313 or by email at city.clerk@colfax-ca.gov.

PHASES OF SUBMITAL, REVIEW, AND SELECTION:

Application Submittal

Applicants must hand deliver two (2) complete comprehensive and signed hard copies of the City of Colfax Commercial Cannabis Business Application and all attachments, along with a two (2) flash drives which contains one comprehensive signed copy of Commercial Cannabis Business Application and all attachments in a pdf format. All applications must include all the items listed below and formatted as follows:

1. City of Colfax Commercial Cannabis Business Application
2. Property Owner Consent Form
3. Limitations on City's Liability Waiver
4. Proof of payment of Application fees
5. Organizational structure documents (e.g., Articles of Incorporation, bylaws, partnership agreements, etc.).
6. Zoning Verification Letter
7. Owner(s) information
 - Color copy of Driver's License or other valid government-issued photo identification.
 - Color copy of Social Security Card
 - Proof of address (DMV issued ID/Driver's License and/or recent utility bill under Owner's name)
8. Owner Background Application and Intelifi Background Waiver
9. Phase 2 – Third-Party Submittal Items (outlined on Application Procedure Guideline)
 - Qualification of Owners/Managers (1.1 – 1.3)
 - Plans, Location, and Other Diagrams (2.1 – 2.4)
 - Business Plan (3.1 – 3.13)
 - Operations Plan (4.1 – 4.5)
 - Safety Plan (5.1 – 5.9)
 - Security Plan (6.1 – 6.5)
 - Neighborhood Compatibility Plan (7.1 – 7.5)
 - Community Benefits Plan (8.1)
 - Labor and Employment (9.1 – 9.3)

Phase 1: Completeness Review and Determination of Eligibility

- City Staff and/or consultant will review the applications for completeness.
- Background Checks conducted on Owners to determine eligibility.
- Applicants with complete applications are notified in writing and shall proceed to Phase 2.
- Applicants with incomplete applications are notified in writing and shall not proceed to Phase 2. This determination is not appealable.

Phase 2: Third-Party Review

- Complete applications are forwarded to the third-party reviewer.
- Applications will be sorted by proposed cannabis activity. If an applicant proposes for more than one (1) activity (i.e. microbusiness), application will be divided and grouped with applications of similar use. Microbusiness applications will be scored based on the average of all three activities they are applying for. An applicant must be awarded all three (3) activities they apply for in order to receive a microbusiness permit from the City.

- The third-party consultant reviews each application in detail and scores the applications based on the Evaluation Criteria (as outlined starting on Page XX).
- If more than two applications are received for a particular activity, applicants with the two (2) highest scores are notified in writing and may proceed to Phase 3. Applicants that are not among those with the two (2) highest scores are notified and shall not proceed to Phase 3. If a microbusiness applicant is not selected for all three activities they apply for, the microbusiness application will not proceed to Phase 3.
 - In the event of a tie in scoring, **[INSERT TIE BREAKER]**
- If no more than two (2) applications are received for a cannabis use, applicants must receive a passing score of a minimum 80% of points. Applicants who received a passing score notified in writing and may proceed to Phase 3. Applicants that did not have passing scores are notified in writing and cannot proceed to Phase 3.
- Phase 2 scores are not appealable.

Phase 3: City Manager’s Recommendations and City Council’s Final Approval

- Once the Third-Party review is completed and all applicants have been notified, the highest scoring applicants or applicants who received a passing score will participate in a public meeting which will be held in the City of Colfax Council Chambers on a date and time to be determined by City staff. Notice of the public meeting shall be noticed in the same manner pursuant to CMC Section 5.32.170 (c).
- At the Public Meeting, the City Manager will present to the City Council with his/her recommendation in which the City Council will make a determination as to whether to approve, deny, or continue the application.
- The Applicant which is being recommended by the City Manager for consideration to the City Council should be prepared to attend a City Council meeting in City of Colfax to provide a public presentation before the Mayor and City Council introducing their team and providing an overview of their proposal if requested by the City Manager.
 - Please note that being awarded a CCB does not constitute a land use entitlement and does not waive or remove the requirements of applying for and receiving permits for all construction including electrical, plumbing, fire, planning permits or reviews, and any other permits, licenses, or reviews as may be necessary by the relevant departments or governmental entities in charge of said permits. Nor does it guarantee that the plans submitted via the CCB application process meet the standards or requirements in Chapter 17 and any other permit requirements from other city departments or agencies.

Phase 4: City Permits for the Commercial Cannabis Business

- The time needed to establish the cannabis business will vary depending on the type of cannabis licenses proposed and amount of site and/or building improvements needed.
- Prior to issuing a Commercial Cannabis Business Permit, Planning, Building, Code Enforcement, Placer County Fire staff, Placer County Public Health Department, and City Cannabis Consultant will review and inspect the property to confirm all requirements have been met.

PHASE 3 – THIRD-PARTY REVIEW (EVALUATION CRITERIA):

The third-party consultant will review each complete application. Each application will be given points, based on the nine (9) criteria established below (with a maximum of 240 points total). Each sub-criteria will be scored on 0-5 point range. Once the points for each of the nine (9) categories have been tallied by the consultant, they will be multiplied by the multiplier value (1-5 range) established by the City Council. The multiplier value will be established by Council prior at the City Council Meeting on August 12, 2020.

1. QUALIFICATION OF OWNERS/MANAGERS: (15 POINTS) x (__ COUNCIL MULTIPLIER)

- 1.1 Description of owner qualifications. Resumes are not to exceed one (1) page per owner/manager detailing any special business or professional qualifications or licenses of Owners that would add to the quality of services that the cannabis business would provide, including in areas related to cannabis, such as scientific or health care fields. The experience can be in California or other states where recreational and/or medicinal cannabis is permitted.
- 1.2 Proof that the Owner(s) and/or Manager(s) have experience operating a commercial cannabis business in any State or local jurisdiction where Medical and/or Adult Use Cannabis Business activities are permitted.
- 1.3 State the extent to which the CCB will be a locally managed enterprise whose owners and/or managers reside in the City of Colfax area.

2. PLANS, LOCATION, AND OTHER DIAGRAMS: (20 POINTS) x (__ COUNCIL MULTIPLIER)

- 2.1 Site Development Plan. Provide information on existing conditions and proposed improvements to the site; show how it meets or will meet the development standards outlined in the Colfax Zoning Code (1/8 inch = 1 foot minimum scale):

If existing buildings are to be demolished or expanded, provide separate site plans showing “existing conditions” and “proposed conditions.”

- North arrow, drawing scale, date of preparation and name of plan preparer.
- Property lines and any existing easements.
- Dimensions of subject site (include square footage).
- Dimensions and names of all adjacent streets and public rights-of-way.
- Location, dimensions and property line setbacks for all buildings and structures (measured from future street dedication line).
- Square footages for all buildings and structures.
- Location of trash enclosures.
- Location of and ground mounted and/or roof mounted mechanical or other equipment.
- Location of loading docks/spaces.
- Location and number of all parking areas spaces and driveways and means of ingress and egress.
- Location and dimensions of all disabled parking spaces, ramps, curb ramps, and signs.
- Location and dimensions of all disabled-accessible “Path of Travel” to building entrance, sidewalks, and interior walks.
- Conceptual landscape plan detailing new/replacement landscaping and percentage of landscaping in the parking lot, setback areas, and tree size and species.
- Uses for all buildings and structures indicated on the site plan; if part of a multi-tenant center, include information on all existing tenant spaces.

- 2.2 Floor plan showing information on existing layout and proposed layout to building interior (1/4 inch = 1 foot minimum scale).
- 2.3 Building Elevations. Provide information on existing conditions and proposed improvements to building elevations (1/8 inch = 1 foot minimum scale):
 - Existing building elevations (all four (4) sides).
 - If modifications are proposed for existing buildings, provide before and after elevations (all four (4) sides). Also label all colors and materials.
 - If a new building(s) are proposed, provide full colored elevations. Also label all colors and materials and building height and width dimensions.
- 2.4 Preliminary grading plan.

3. BUSINESS PLAN: (65 POINTS) x (__ COUNCIL MULTIPLIER)

- 3.1 A written description of the total square footage of the facility with estimated square footage of proposed uses (i.e. administrative, cultivation, manufacturing, shipping/receiving, laboratory, dispensary, etc.).
- 3.2 An organizational chart of Owner/Leadership activity with business manager(s) and employees.
- 3.3 Describe the owner's roles in day-to-day operations and decisions.
- 3.4 Describe the number of employees, title/position and their respective responsibilities.
- 3.5 Describe compensation to and opportunities for continuing education and employee.
- 3.6 A schedule for beginning operations, including a narrative outlining any proposed construction improvements and a timeline for completion.
- 3.7 A budget for construction, operation, maintenance, compensation of employees, equipment costs, utility costs and other operating costs.
- 3.8 A description of the sources(s) of capital use(s) of capital funds. The budget must demonstrate sufficient capital in place to pay startup costs and at least three (3) months of operating costs.
- 3.9 Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit or other equivalent assets.
- 3.10 A pro forma for at least three (3) years of operation.
- 3.11 Type of products being cultivated, manufactured or sold.
- 3.12 Estimated quantity and value of product(s) to be cultivated, manufactured, or sold.
- 3.13 Describe marketing procedures and tactics.

4. OPERATIONS PLAN: (25 POINTS) x (__ COUNCIL MULTIPLIER)

- 4.1 Day-to-day operations shall be provided for each license type being sought. The proposed operations should acknowledge both state and local laws and should be consistent with

industry best practices.

- 4.2 Describe hours of operation and opening procedures.
- 4.3 Describe cash handling procedures.
- 4.4 Describe inventory control procedures that will be included, identification of point-of sales and track and trace software. Explain how cannabis inventory will be tracked and monitored to prevent diversion.
- 4.5 Describe transportation, loading and unloading, distribution, or delivery procedures.

5. SAFETY PLAN: (45 POINTS) x (__ COUNCIL MULTIPLIER)

Detailed safety plan that describes fire prevention, suppression, alarm systems the business will have in place. The plan will have considered all possible fire, hazardous material, storage and handling of flammable gases and liquids, and inhalation issues/threats and will have both written and physical mechanisms in place to deal with each specific situation, including but not limited to:

- 5.1 The Safety Plan shall be prepared and/or evaluated by a professional fire prevention and suppression consultant. A “professional fire prevention and suppression consultant” would include but not be limited to, an accreditation, certification, license, etc. related to fire safety.
- 5.2 Identify all gases, pesticides, and chemicals to be used and their storage locations.
- 5.3 Identify all possible fire, hazardous material, and inhalation issues/threats. Include written and physical mechanisms proposed to deal with each specific situation.
- 5.4 Identify fire alarm and monitoring system including the name and contact information for the alarm company.
- 5.5 Description of accident and incident reporting procedures.
- 5.6 Description of evacuation routes.
- 5.7 Location of fire extinguishers and other fire suppression equipment.
- 5.8 Description of procedures and training for emergency situations.
- 5.9 Description and location of all gas monitoring equipment (for Cultivation and Manufacturing applicants only).

6. SECURITY PLAN: (25 POINTS) x (__ COUNCIL MULTIPLIER)

- 6.1 The Security Plan shall be prepared and/or evaluated by a professional security consultant.
- 6.2 A premises diagram, which shall be accurate, dimensioned, and to scale (minimum scale = $\frac{1}{4}'' = 1'$); the scale may be smaller if the proposed location exceeds more than a $\frac{1}{2}$ acre parcel. The premises diagram shall include the following information:
 - North arrow, drawing scale, date of preparation and names of plan preparer.
 - Areas: diagram shall show the property boundaries, premises boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways and shall include a brief statement or description of the principle activity to be conducted in each area of the premises and all limited-access areas.
 - Square footage of all interior spaces.

- Proposed uses of all interior spaces.
- Commercial cannabis activities that must be identified on the diagram may include, but are not limited to the following if applicable to the business operations: storage, batch sampling, loading/unloading of shipments, packaging and labeling, customer sales, extractions, infusions, cultivation, harvesting processing, testing, and cannabis waste disposal areas.
- If the premises consist of only a portion of a property, the diagram must be labeled indicating which part of the property is the cannabis premises and what the remaining property is used for.
- If the premises is on a property that will contain two or more licenses premises, it shall clearly show the designated entrances and walls under the exclusive control of the applicant for the premises, as well as the entrances and walls for each additional premises. All common areas must be labeled on the diagram, such as: lobbies, bathrooms, hallways, and breakrooms, if applicable.
- Identify all limited-access areas, (limited-access areas are defined areas in which cannabis goods are stored or held and only accessible to licensees, employees, or contractors).
- Address ingress and egress access, perimeter security, product security (at all hours), internal security measures for access (area specific), types of security alarms (alarms and cameras) and security personnel to be employed.
- Location of surveillance cameras and recording equipment (DVR/NVR), access control equipment and all safes, vaults or locked and secured rooms, location of audible exterior and interior alarms, panic buttons and or restricted access locations, locations of lockboxes and keypads and security lighting. Camera(s) must be permanently mounted and in a fixed location which must be identified on the premise diagram. Each camera must be numbered for identification purposes. Each camera shall be placed in a location that allows the camera to clearly record activity occurring within 20 feet of all points of entry and exit and allows for the clear and certain identification of any person and activities in all areas required to be filmed.

6.3 Written description of operational security, including but not limited to, general security policies for the facility, employee specific policies, training, sample written policies, transactional security, visitor security and 3rd party contractor security, and delivery security.

6.4 Identify intrusion alarm and monitoring system including the name and contact information for the monitoring company.

6.5 Discuss whether the CCB will utilize the services of on-site security guards. Please include the following in the description:

- Number of guards.
- Hours guards will be on-site.
- Locations they will be positioned.
- Their responsibilities.

* Security plans will not be made public.

7. NEIGHBORHOOD COMPATIBILITY PLAN: (25 POINTS) x (__ COUNCIL MULTIPLIER)

7.1 Provide a “Good Neighbor Policy” that includes policies and measures in place to protect adjacent uses from any potential impacts (i.e. noise, light, odor, traffic, etc.) related to the proposed cannabis business. Describe how the cannabis business and its operating characteristics will be proactively managed so the business is not detrimental to the public health, safety, convenience, or welfare of persons residing, working, visiting or recreating in

the surrounding area and will not result in the creation of a nuisance.

7.2 Describe odor mitigation practices:

- Identify potential sources of odors.
- Describe the system design, operational processes along with staff training, and maintenance plan. Please do not include equipment literature for this criteria.

7.3 Describe the waste management plan. The plan shall include waste disposal locations and their security measures, methods of rendering waste unusable and unrecognizable.

7.4 Describe the facility's sustainability efforts; provide a pledge to use locally sourced, low VOC, and energy efficient and sustainable materials and techniques (i.e. solar panels, renewable energy, etc.).

7.5 Describe how the location will be provided with adequate electricity, sewerage disposal, water, and storm drainage facilities for the intended purpose.

8. COMMUNITY BENEFITS PLAN: (5 POINTS) x (___ COUNCIL MULTIPLIER)

8.1 Describe benefits that the CCB would provide to the local community, such as employment for residents of the City, community contributions, or economic incentives to the City.

9. LABOR AND EMPLOYMENT: (15 POINTS) x (___ COUNCIL MULTIPLIER)

9.1 Provide number of new jobs created by proposed business.

9.2 Provide wage scales for all levels of employment.

9.3 Describe compensation and opportunities for continuing education and training of employees.



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info@colfax-ca.gov

COMMERICAL CANNABIS BUSINESS PERMIT APPLICATION

For details about the information required as part of the application process, please see the **Application Procedure Guidelines** and additional requirements to complete the application process. All documents can be found on the Colfax website: www.colfax-ca.gov.

APPLICANT (ENTITY) INFORMATION

APPLICANT (ENTITY) NAME: _____ DBA: _____

Business Address: _____ City: _____ State: _____ Zip: _____

PRIMARY CONTACT (Same as above? Yes No): _____

Title: _____

Address: _____ City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Business Formation Documentation: Describe how the business is organized (**attach related documents**).

Sole Proprietor Partnership Corporation LLC Limited Partnership Other (Describe Below)

COMMERCIAL CANNABIS BUSINESS ACTIVITY TYPE

1. Permit Type Sought (Select all that Apply)

Cultivation Distribution Manufacturing Testing

PROPOSED LOCATION

PROPERTY OWNER NAME: _____

Address: _____ City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Zoning Verification Letter (**Please attach**): Yes No

Assessor's Parcel Number (APN): _____

Proposed Building(s) Square Footage: _____

CITY STAFF USE ONLY

APPLICATION # _____ SUBMITTAL DATE _____ FEE AMOUNT PAID \$ _____

OWNER INFORMATION

This Section must be completed by all business owners. Ownership percentage should equal 100%.

I declare under the penalty of perjury that the information provided on this disclosure form is true and accurate to the best of my knowledge.

Ownership % _____

Name: _____ Title: _____

Address: _____ City: _____ State: _____ Zip: _____

Driver's License #: _____ State: _____ Expiration Date: _____ Social Security #: _____

Signature: _____ Date: _____

I declare under the penalty of perjury that the information provided on this disclosure form is true and accurate to the best of my knowledge.

Ownership % _____

Name: _____ Title: _____

Address: _____ City: _____ State: _____ Zip: _____

Driver's License #: _____ State: _____ Expiration Date: _____ Social Security #: _____

Signature: _____ Date: _____

I declare under the penalty of perjury that the information provided on this disclosure form is true and accurate to the best of my knowledge.

Ownership % _____

Name: _____ Title: _____

Address: _____ City: _____ State: _____ Zip: _____

Driver's License #: _____ State: _____ Expiration Date: _____ Social Security #: _____

Signature: _____ Date: _____

I declare under the penalty of perjury that the information provided on this disclosure form is true and accurate to the best of my knowledge.

Ownership % _____

Name: _____ Title: _____

Address: _____ City: _____ State: _____ Zip: _____

Driver's License #: _____ State: _____ Expiration Date: _____ Social Security #: _____

Signature: _____ Date: _____

I declare under the penalty of perjury that the information provided on this disclosure form is true and accurate to the best of my knowledge.

Ownership % _____

Name: _____ Title: _____

Address: _____ City: _____ State: _____ Zip: _____

Driver's License #: _____ State: _____ Expiration Date: _____ Social Security #: _____

Signature: _____ Date: _____

Add more pages as necessary to accommodate all Commercial Cannabis Business Owners

DISCLOSURES

Have licenses or permits for business activities similar to those requested in this application been issued to, or suspended or revoked from, any applicant in any jurisdiction? If yes, please provide (1) the name of the jurisdiction, (2) the type of license or permit in each jurisdiction, (3) the current status of each such license or permit, and (4) if a permit or license in any jurisdiction has been suspended or revoked, a detailed explanation of the basis for suspension or revocation. Attach a separate page for explanation if necessary.

List all Owners who have been convicted of a felony or have engaged in misconduct that is substantially related to the qualifications, functions or duties of a cannabis operator, applicant, owner or employee. A conviction within this section means a plea or verdict of guilty, or a conviction following a plea of no contest. Attach a separate page for explanation if necessary.

APPLICATION CERTIFICATION

I hereby certify, under penalty of perjury, on behalf of myself and all owners, managers and supervisors identified in this application that the statements and information furnished in this application and the attached materials present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief. I understand that a misrepresentation of fact is cause for rejection of this application, denial of the permit, or revocation of a permit issued.

In addition, I understand that the filing of this application grants the City of Colfax permission to reproduce submitted materials for distribution to staff, Commission, Board and City Council Members, and other Agencies to process the application. Nothing in this consent, however, shall entitle any person to make use of the intellectual property in plans, exhibits, and photographs for any purpose unrelated to the City's consideration of this application.

Furthermore, by submitting this application, I understand and agree that any business resulting from an approval shall be maintained and operated in accordance with requirements of the City of Colfax Municipal Code and State law.

Under penalty of perjury, I hereby declare that the information contained in and submitted with the application is true, complete, and accurate. I understand that a misrepresentation of the facts is cause for rejection of this application, denial of a license or revocation of an issued license.

Applicant Name

Applicant Signature

Title

Date

PROPERTY OWNER CONSENT

If applicant is other than the property owner(s), the owner(s) must provide a signed statement consenting to the cannabis business use of the parcel.

The undersigned owner(s) of the subject property consent to the filing of this application and use of the property for the purposes described therein. We further consent and hereby authorize City representative(s) to enter upon the property for the purpose of examining and inspecting the property, preparing any reports and/or environmental review, and for all other purposes the City requires for processing the application.

_____	_____
Name	Signature
_____	_____
Title	Date

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of _____)

On _____, 2020, before me, _____, Notary Public, personally appeared _____, who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

(Seal)

**Colfax Limitations on City’s Liability and
Certifications,
Assurances and Warranties**
(Must be completed by all applicants)

a. WAIVER AND RELEASE OF LIABILITY AND AGREEMENT TO INDEMNIFY THE CITY OF COLFAX

The applicant and all owners and operators of any commercial cannabis business operating pursuant to any permit, license or approval issued by the City of Colfax hereby waive and release the City, its officers, agents, employees, insurers and attorneys from and against any and all liability for monetary damages related to or arising from the application for a Commercial Cannabis Business permit, the issuance of any Commercial Cannabis Business permit, and the enforcement of the conditions of any Commercial Cannabis Business permit and any laws, rules, regulations and ordinances related thereto. The applicant certifies that under no circumstances shall the applicant cause any lawsuit or cause of action for monetary damages to be filed or prosecuted against the City of Colfax, the City’s permitting official, or any City officer, agent, employee, insurer or attorney that arises from, pertains to or relates to any application it may make or has made for a Commercial Cannabis Business permit, the issuance of any Commercial Cannabis Business permit, or the enforcement of the conditions of any Commercial Cannabis Business permit or any laws, rules, regulations and ordinances related thereto.

b. RELEASE CITY OF COLFAX FROM LIABILITY FOR ISSUING OR DENYING A PERMIT

The applicant/permittee, owners and operators of any commercial cannabis business authorized or permitted by the City, and each of them, waive and release the City of Colfax, and its elected officials, employees, agents, insurers and attorneys, and each of them, from any liability for injuries, damages, costs and expenses of any nature whatsoever that arise from, or pertain to, or relate to the issuance of a Commercial Cannabis Business permit, failure to issue a Commercial Cannabis Business permit, the conduct or operation of the Commercial Cannabis Business in the City, and the investigation, arrest, prosecution or conviction of Commercial Cannabis Business owners, operators, employees, agents, clients or customers of the applicant/permittee for a violation of state or federal or local laws, rules, ordinances or regulations relating to cannabis activities.

c. AGREEMENT TO INDEMNIFY CITY OF COLFAX

To the greatest extent permitted by law, the undersigned, jointly and severally, shall hold harmless, defend and indemnify the City and its subordinate and affiliated agencies, officers, officials, employees, agents, insurers and attorneys (collectively “Indemnitees”) from and against any and all liability, claims, demands, losses, damages, expenses and costs (including without limitation costs and fees of litigation) of every kind and nature that arise from, or pertain to, or relate to the City’s Commercial Cannabis Business permitting process, the issuance of a Commercial Cannabis Business permit by the City, the failure or refusal of the City to issue a Commercial Cannabis Business permit, the conduct or operation of any Commercial Cannabis Business in the City, and the investigation, arrest, prosecution or conviction of Commercial Cannabis Business owners, operators, employees, agents, patients, clients or customers for a violation of state, federal or local laws, rules, ordinances or regulations relating to cannabis activities, except to the extent such injury, loss or damage is caused by the active negligence or willful misconduct of the Indemnitees.

d. The commercial cannabis business applicant, manager, and anyone with an ownership interest in the business referenced herein represents and certifies they have submitted to a background check no earlier than 30 days prior to the date of this application.

- e. For renewals, the applicant represents and certifies that they continue to hold in good standing any permit/license required by the State of California where applicable for a commercial cannabis business operation.
- f. The applicant understands that operators, employees, and members of the commercial cannabis business may be subject to prosecution under Federal Laws.
- g. The person whose signature appears below is authorized to sign this application on behalf of the commercial cannabis business and has submitted this information and all attachments as required by the application process to obtain a commercial cannabis permit from the City of Colfax.

I declare under penalty of perjury that the information provided on this form is true and correct and do hereby apply for a permit pursuant to Colfax Municipal Code Chapter 5.32 and in compliance with and all other applicable laws, rules, regulations and ordinances.

Applicant Signature

Printed Name and Title

Date

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of _____)

On _____, 2020, before me, _____, Notary Public, personally appeared _____, who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

(Seal)

APPLICATION SUBMITTAL CHECKLIST

Applications failing to submit any of the following items will be determined ineligible and will not move forward to Phase 2 of the Application Process:

- Complete and signed Commercial Cannabis Business Application (pages 1-3)
- Property Owner Consent form. This shall be notarized. (page 4)
 - Proof of property ownership, proof of executed lease or purchase agreement, or a notarized letter of the owner's willingness to lease or sell the property.
- Limitations on City's Liability Waiver. This shall be notarized. (pages 5-6)
- Proof of payment of Application Fees (Phase 1-3, Zoning Verification, Owner Background Check)
- Organizational structure documents (e.g., Articles of Incorporation, bylaws, partnership agreements, etc.).
- Zoning Verification Letter
- Business Owner(s) Information:
 - Color copy of Driver's License or other valid government-issued photo identification.
 - Color copy of Social Security Card
 - Proof of address (DMV issued ID/Driver's License and/or recent utility bill under Business Owner's name)
- Business Owner(s) Background Application and Intelifi Background Waiver
- Phase 2 – Third-Party Submittal Items (outlined on Application Procedure Guideline)
 - Qualification of Owners/Managers (1.1 – 1.3)
 - Plans, Location, and Other Diagrams (2.1 – 2.4)
 - Business Plan (3.1 – 3.13)
 - Operations Plan (4.1 – 4.5)
 - Safety Plan (5.1 – 5.9)
 - Security Plan (6.1 – 6.5)
 - Neighborhood Compatibility Plan (7.1 – 7.5)
 - Community Benefits Plan (8.1)
 - Labor and Employment (9.1 – 9.3)



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info@colfax-ca.gov

COMMERICAL CANNABIS BUSINESS PERMIT RENEWAL APPLICATION

Please complete this application thoroughly and attach all required documentation. If you have any questions about the renewal application process, please email city.clerk@colfax-ca.gov. Only applications from current Commercial Cannabis Business permittees will be accepted.

Application Fee: A non-refundable Application Renewal Fee of \$904; an Annual Commercial Cannabis Business Permit fee of \$7,187; and Cannabis Implementation Fee of \$XXXX must be paid for each type of permit.

APPLICANT (ENTITY) INFORMATION

APPLICANT (ENTITY) NAME: _____ DBA: _____

Business Address: _____ City: _____ State: _____ Zip: _____

PRIMARY CONTACT (Same as above? Yes No): _____

Title: _____

Address: _____ City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Business Formation Documentation: Describe how the business is organized.
 Sole Proprietor Partnership Corporation LLC Limited Partnership Other (Describe Below)

COMMERCIAL CANNABIS BUSINESS ACTIVITY TYPE

1. Permit Type Sought (Select all that Apply)

Cultivation Distribution Manufacturing Retail (M) Microbusiness Testing

City of Colfax CCB #: _____ State Cannabis License #: _____ License Issuance Date: _____

LOCATION

PROPERTY OWNER NAME: _____

Address: _____ City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Assessor's Parcel Number (APN): _____

CITY STAFF USE ONLY

CCB # _____ SUBMITTAL DATE _____ FEE AMOUNT PAID \$ _____

OWNER INFORMATION

This Section must be completed by all business owners. Ownership percentage should equal 100%.

I declare under the penalty of perjury that the information provided on this disclosure form is true and accurate to the best of my knowledge.

Ownership % _____

Name: _____ Title: _____

Address: _____ City: _____ State: _____ Zip: _____

Driver's License #: _____ State: _____ Expiration Date: _____ Social Security #: _____

Signature: _____ Date: _____

I declare under the penalty of perjury that the information provided on this disclosure form is true and accurate to the best of my knowledge.

Ownership % _____

Name: _____ Title: _____

Address: _____ City: _____ State: _____ Zip: _____

Driver's License #: _____ State: _____ Expiration Date: _____ Social Security #: _____

Signature: _____ Date: _____

I declare under the penalty of perjury that the information provided on this disclosure form is true and accurate to the best of my knowledge.

Ownership % _____

Name: _____ Title: _____

Address: _____ City: _____ State: _____ Zip: _____

Driver's License #: _____ State: _____ Expiration Date: _____ Social Security #: _____

Signature: _____ Date: _____

I declare under the penalty of perjury that the information provided on this disclosure form is true and accurate to the best of my knowledge.

Ownership % _____

Name: _____ Title: _____

Address: _____ City: _____ State: _____ Zip: _____

Driver's License #: _____ State: _____ Expiration Date: _____ Social Security #: _____

Signature: _____ Date: _____

I declare under the penalty of perjury that the information provided on this disclosure form is true and accurate to the best of my knowledge.

Ownership % _____

Name: _____ Title: _____

Address: _____ City: _____ State: _____ Zip: _____

Driver's License #: _____ State: _____ Expiration Date: _____ Social Security #: _____

Signature: _____ Date: _____

Add more pages as necessary to accommodate all Commercial Cannabis Business Owners

APPLICATION RENEWAL SUBMITTAL CHECKLIST

The information on this checklist must be submitted with your Commercial Cannabis Permit Renewal Application to be accepted for review. These are the minimum requirements and additional information and plans may be required to evaluate your application following initial review by staff.

- Completed and signed Commercial Cannabis Business Renewal Application
- Property Owner Consent form. This shall be notarized.
 - Proof of property ownership, proof of executed lease or purchase agreement, or a notarized letter of the owner's willingness to lease or sell the property.
- Limitations on City's Liability Waiver. This shall be notarized.
- Proof of payment of Application Renewal Fee.
- If any changes have occurred to any of the documents previously submitted (i.e. premise diagram, security plan, safety plan), provide one (1) copy of the items that have been modified.
- If there are pending code enforcement cases against permittee in any jurisdiction, provide a written description of each incident.
- If there were any law enforcement calls for services at the permittee's location, provide a written description of each incident.

APPLICATION CERTIFICATION

I hereby certify, under penalty of perjury, on behalf of myself and all owners, managers and supervisors identified in this application that the statements and information furnished in this application and the attached materials present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief. I understand that a misrepresentation of fact is cause for rejection of this application, denial of the permit, or revocation of a permit issued.

In addition, I understand that the filing of this application grants the City of Colfax permission to reproduce submitted materials for distribution to staff, Commission, Board and City Council Members, and other Agencies to process the application. Nothing in this consent, however, shall entitle any person to make use of the intellectual property in plans, exhibits, and photographs for any purpose unrelated to the City's consideration of this application.

Furthermore, by submitting this application, I understand and agree that any business resulting from an approval shall be maintained and operated in accordance with requirements of the City of Colfax Municipal Code and State law.

Under penalty of perjury, I hereby declare that the information contained in and submitted with the application is true, complete, and accurate. I understand that a misrepresentation of the facts is cause for rejection of this application, denial of a license or revocation of an issued license.

Applicant Name

Applicant Signature

Title

Date

PROPERTY OWNER CONSENT

If applicant is other than the property owner(s), the owner(s) must provide a signed statement consenting to filing pursuant to Ordinance No. 2960 of the El Monte Municipal Code. Original signatures only.

The undersigned owner(s) of the subject property consent to the filing of this application and use of the property for the purposes described therein. We further consent and hereby authorize City representative(s) to enter upon the property for the purpose of examining and inspecting the property, preparing any reports and/or environmental review, and for all other purposes the City requires for processing the application.

_____	_____
Name	Signature
_____	_____
Title	Date

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of _____)

On _____, 2020, before me, _____, Notary Public, personally appeared _____, who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

(Seal)

**Colfax Limitations on City’s Liability and
Certifications,
Assurances and Warranties**
(Must be completed by all applicants)

a. WAIVER AND RELEASE OF LIABILITY AND AGREEMENT TO INDEMNIFY THE CITY OF COLFAX

The applicant and all owners and operators of any commercial cannabis business operating pursuant to any permit, license or approval issued by the City of Colfax hereby waive and release the City, its officers, agents, employees, insurers and attorneys from and against any and all liability for monetary damages related to or arising from the application for a Commercial Cannabis Business permit, the issuance of any Commercial Cannabis Business permit, and the enforcement of the conditions of any Commercial Cannabis Business permit and any laws, rules, regulations and ordinances related thereto. The applicant certifies that under no circumstances shall the applicant cause any lawsuit or cause of action for monetary damages to be filed or prosecuted against the City of Colfax, the City’s permitting official, or any City officer, agent, employee, insurer or attorney that arises from, pertains to or relates to any application it may make or has made for a Commercial Cannabis Business permit, the issuance of any Commercial Cannabis Business permit, or the enforcement of the conditions of any Commercial Cannabis Business permit or any laws, rules, regulations and ordinances related thereto.

b. RELEASE CITY OF COLFAX FROM LIABILITY FOR ISSUING OR DENYING A PERMIT

The applicant/permittee, owners and operators of any commercial cannabis business authorized or permitted by the City, and each of them, waive and release the City of Colfax, and its elected officials, employees, agents, insurers and attorneys, and each of them, from any liability for injuries, damages, costs and expenses of any nature whatsoever that arise from, or pertain to, or relate to the issuance of a Commercial Cannabis Business permit, failure to issue a Commercial Cannabis Business permit, the conduct or operation of the Commercial Cannabis Business in the City, and the investigation, arrest, prosecution or conviction of Commercial Cannabis Business owners, operators, employees, agents, clients or customers of the applicant/permittee for a violation of state or federal or local laws, rules, ordinances or regulations relating to cannabis activities.

c. AGREEMENT TO INDEMNIFY CITY OF COLFAX

To the greatest extent permitted by law, the undersigned, jointly and severally, shall hold harmless, defend and indemnify the City and its subordinate and affiliated agencies, officers, officials, employees, agents, insurers and attorneys (collectively “Indemnitees”) from and against any and all liability, claims, demands, losses, damages, expenses and costs (including without limitation costs and fees of litigation) of every kind and nature that arise from, or pertain to, or relate to the City’s Commercial Cannabis Business permitting process, the issuance of a Commercial Cannabis Business permit by the City, the failure or refusal of the City to issue a Commercial Cannabis Business permit, the conduct or operation of any Commercial Cannabis Business in the City, and the investigation, arrest, prosecution or conviction of Commercial Cannabis Business owners, operators, employees, agents, patients, clients or customers for a violation of state, federal or local laws, rules, ordinances or regulations relating to cannabis activities, except to the extent such injury, loss or damage is caused by the active negligence or willful misconduct of the Indemnitees.

d. The commercial cannabis business applicant, manager, and anyone with an ownership interest in the business referenced herein represents and certifies they have submitted to a background check no earlier than 30 days prior to the date of this application.

- e. For renewals, the applicant represents and certifies that they continue to hold in good standing any permit/license required by the State of California where applicable for a commercial cannabis business operation.
- f. The applicant understands that operators, employees, and members of the commercial cannabis business may be subject to prosecution under Federal Laws.
- g. The person whose signature appears below is authorized to sign this application on behalf of the commercial cannabis business and has submitted this information and all attachments as required by the application process to obtain a commercial cannabis permit from the City of Colfax.

I declare under penalty of perjury that the information provided on this form is true and correct and do hereby apply for a permit pursuant to Colfax Municipal Code Chapter 5.32 and in compliance with and all other applicable laws, rules, regulations and ordinances.

Applicant Signature

Printed Name and Title

Date

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of _____)

On _____, 2020, before me, _____, Notary Public, personally appeared _____, who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)



PO Box 702, 33 South Main Street Colfax, CA 95713
(530)346-2313 (530) 346-6214 Fax

www.colfax-ca.gov
info@colfax-ca.gov

COMMERCIAL CANNABIS BUSINESS - ZONING VERIFICATION LETTER

This form is to ensure the location of the proposed Commercial Cannabis Business meets the requirements of City of Colfax MC§ 17.162.080 relating to zoning and locational requirements. The review process takes approximately ten (10) working days and will not be completed over the counter.

The issuance of this Zoning Verification Letter does not imply written evidence of permission, of a permit or entitlement, given by the City of Colfax or any of its officials to operate a Commercial Cannabis Business.

APPLICANT INFORMATION

APPLICANT NAME: _____ COMPANY: _____
 Mailing Address: _____ City: _____ State: _____ Zip: _____
 Phone: _____ Email: _____

PROPERTY INFORMATION

Property Address: _____ City: _____ State: _____ Zip: _____
 PROPERTY OWNER NAME: _____
 Phone: _____ Email: _____
 Assessor's Parcel Number (APN): _____
 Zoning District: _____
 Current Use of Property: _____

 Proposed Use of Property: _____

_____ Applicant Signature

_____ Date

CITY STAFF USE ONLY

Zoning of Property: _____ General Plan Designation: _____
 Verified by: _____ Date: _____ FEE AMOUNT PAID \$ _____

❖ **Summary of Proposed Cannabis Fees:**

Fee Description	Fee ¹	Unit
Application Review - Phase 1	\$855	per application
Application Review - Phase 2	\$2,996	per application ²
Application Review - Phase 3	\$3,766	per application
Criminal Background Check	\$425	per owner
Zoning Verification	\$406	per application
Annual Commercial Cannabis Business Permit	\$7,187	per permit annually ³
Annual Commercial Cannabis Business Permit Renewal	\$904	per application
Annual Implementation Costs ⁴	\$7,752	

Notes:

¹ Proposed fees are rounded to the nearest dollar.

² Applicants will be charged a flat rate of \$2,966 for each application submitted. If the applicant applies for more than one (1) cannabis activity, an additional \$500 will be charged for each additional cannabis activity proposed on the application.

³ Cannabis Businesses will be charged a flat rate of \$7,187 per permit annually. Each additional permit for the same business at the same location shall be charged 50% of the applicable fee.

⁴ The total City Cannabis Implementation Costs are \$38,782. Cost recovery of the implementation fees will be spread out over 5 years. Each year, the Annual Implementation Costs of \$7,752 will be divided equally amongst the total number of Commercial Cannabis Business permittees.

❖ **Commercial Cannabis Business Application Fees:**

The following fees will be collected upon submittal of a Commercial Cannabis Business Permit Application:

- Application Review – Phase 1
- Application Review – Phase 2
- Application Review – Phase 3
- Criminal Background Check

Application Review – Phase 1 (Completeness Review and Determination of Eligibility):

The proposed Application Review – Phase 1 Fee is \$855. The Phase 1 application fee recovers the cost to review applications for completeness and to determine the eligibility of the applicant.

General Tasks/Activities	City Administration							Other		Labor Hours	Labor Cost	Services, Supplies, & Other Expenses	Total Cost
	City Manager	City Attorney	City Planner	Building Inspector	Finance Director	City Clerk	Consultant						
<i>Fully Burdened Hourly Rate</i>	\$85	\$308	\$148	\$116	\$103	\$36	\$250						
Application Completeness Review	1.00	0.00	1.00	0.00	0.50	2.00	2.00	6.50	\$855	\$0	\$855		
Total	1.00	0.00	1.00	0.00	0.50	2.00	2.00	6.50	\$855	\$0	\$855		
Proposed Fee:										\$855 per application			

Application Review – Phase 2 (Third-Party Review):

The proposed Application Review – Phase 2 Fee \$2,996. The Phase 2 application fee recovers the cost for the third-party review and scoring of applications.

General Tasks/Activities	City Administration						Other	Labor Hours	Labor Cost	Services, Supplies, & Other Expenses	Total Cost
	City Manager	City Attorney	City Planner	Building Inspector	Finance Director	City Clerk	Consultant				
<i>Fully Burdened Hourly Rate</i>	\$85	\$308	\$148	\$116	\$103	\$36	\$250				
Application Review and Scoring	1.00	1.00	0.00	0.00	1.00	0.00	10.00	13.00	\$2,996	\$0	\$2,996
Total	1.00	1.00	0.00	0.00	1.00	0.00	10.00	13.00	\$2,996	\$0	\$2,996
Proposed Fee:									\$2,996 per activity		

Application Review – Phase 3 (City Manager’s Recommendations and City Council’s Final Approval)

The proposed Application Review Step 3 Fee is \$3,766. The Step 3 application fee recovers the cost to bring the proposed application to City Council for City Manager’s recommendation and City Council Approval.

General Tasks/Activities	City Administration						Other	Labor Hours	Labor Cost	Services, Supplies, & Other Expenses	Total Cost
	City Manager	City Attorney	City Planner	Building Inspector	Finance Director	City Clerk	Consultant				
<i>Fully Burdened Hourly Rate</i>	\$85	\$308	\$148	\$116	\$103	\$36	\$250				
Public Meeting Noticing	0.00	0.00	1.00	0.00	0.00	2.00	0.00	3.00	\$219	\$0	\$219
Staff Report	2.00	1.00	1.00	0.00	0.00	0.00	1.00	5.00	\$876	\$0	\$876
Public Meeting	2.00	2.00	2.00	0.00	0.00	2.50	6.00	14.50	\$2,671	\$0	\$2,671
Total	4.00	3.00	4.00	0.00	0.00	4.50	7.00	22.50	\$3,766	\$0	\$3,766
Proposed Fee:									\$3,766 per application		

Criminal Background Check Fee:

The proposed Criminal Background Check Fee is \$425 per owner. The Criminal Background Check fee recovers the cost to run criminal background checks on each owner.

General Tasks/Activities	City Administration						Other	Labor Hours	Labor Cost	Services, Supplies, & Other Expenses	Total Cost
	City Manager	City Attorney	City Planner	Building Inspector	Finance Director	City Clerk	Consultant				
<i>Fully Burdened Hourly Rate</i>	\$85	\$308	\$148	\$116	\$103	\$36	\$250				
Background Check	0.00	0.00	0.00	0.00	0.00	0.00	1.50	1.50	\$375	\$50	\$425
Total	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.50	\$375	\$50	\$425
									Proposed Fee:	\$425 per owner	

Zoning Verification Fee:

The proposed Zoning Verification Fee is \$406 per owner. The Zoning verification fee recovers the cost to verify that the proposed cannabis location meets the requirements relating the City's zoning and cannabis locational requirements.

General Tasks/Activities	City Administration						Other	Labor Hours	Labor Cost	Services, Supplies, & Other Expenses	Total Cost
	City Manager	City Attorney	City Planner	Building Inspector	Finance Director	City Clerk	Consultant				
<i>Fully Burdened Hourly Rate</i>	\$85	\$308	\$148	\$116	\$103	\$36	\$250				
Zoning Verification	0.50	0.00	2.00	0.00	0.00	0.50	0.00	3.00	\$356	\$50	\$406
Total	0.50	0.00	2.00	0.00	0.00	0.50	0.00	3.00	\$356	\$50	\$406
									Proposed Fee:	\$406 per application	

❖ Annual Commercial Cannabis Business Permit Fees:

The Annual Commercial Cannabis Business Permit Fee recovers the cost of providing two (2) compliance inspections, one (1) financial audit per year, and permit renewal fees. The cost of provide these services is detailed below:

- 2 Compliance Inspections: \$ 3,000
 - 1 Financial Audit: \$ 4,187
- Total: \$7,187**

General Tasks/Activities	Planning						Other	Labor Hours	Labor Cost	Services, Supplies, & Other Expenses	Total Cost
	City Manager	City Attorney	City Planner	Building Inspector	Finance Director	City Clerk	Consultant				
<i>Fully Burdened Hourly Rate</i>	\$85	\$308	\$148	\$116	\$103	\$36	\$250				
Preparation	0.00	0.00	0.00	0.00	0.00	0.00	0.50	0.50	\$125	\$0	\$125
Facility Inspection	0.00	0.00	0.00	0.00	0.00	0.00	3.50	3.50	\$875	\$0	\$875
Oversight and Reporting	0.00	0.00	0.00	0.00	0.00	0.00	2.00	2.00	\$500	\$0	\$500
Total	0.00	0.00	0.00	0.00	0.00	0.00	6.00	6.00	\$1,500	\$0	\$1,500
Proposed Annual Inspections: <u>2</u>											
Proposed Annual Inspection Fee: <u>\$3,000</u>											
Financial Audit	1.00	0.00	0.00	0.00	1.00	0.00	16.00	18.00	\$4,187	\$0	\$4,187
Total	1.00	0.00	0.00	0.00	1.00	0.00	16.00	18.00	\$4,187	\$0	\$4,187
Estimated Annual Cost Recovery: \$7,187 per permit annually											

❖ **Annual Commercial Cannabis Business Permit Renewal Fees:**

The Annual Commercial Cannabis Business Permit Renewal Fee recovers the cost of processing and reviewing commercial cannabis business permit renewal applications.

General Tasks/Activities	Planning						Other	Labor Hours	Labor Cost	Services, Supplies, & Other Expenses	Total Cost
	City Manager	City Attorney	City Planner	Building Inspector	Finance Director	City Clerk	Consultant				
<i>Fully Burdened Hourly Rate</i>	\$85	\$308	\$148	\$116	\$103	\$36	\$250				
Permit Renewal	1.00	0.00	0.00	0.00	0.50	0.50	3.00	5.00	\$904	\$0	\$904
Total	1.00	0.00	0.00	0.00	0.50	0.50	3.00	5.00	\$904	\$0	\$904
Estimated Annual Cost Recovery: \$904 per application											

❖ **City Cannabis Implementation Costs:**

The City will be recovering their cannabis implementation costs associated with updating the City's ordinance and regulatory fees. The total City cannabis implementation costs are \$38,782. Cost recovery of the implementation fees will be spread out over 5 years. Each year, the Annual Implementation Costs of \$7,752 will be divided equally amongst the total number of Commercial Cannabis Business permittees, until the implementation costs are fully recovered.

<u>City/Department</u>	<u>Total Cost</u>
City Administration	\$15,762
Contracted Services (SCI Consulting Group)	<u>\$23,000</u>
Total Cost¹	\$38,762
Total Cost Recovery Per Year (5 Years)²	\$7,752

¹The Total Cost is based on the time spent by City personnel based on hourly rates provided by the City as well as the cost of contracting with professions to provide services.

²Implementation Costs will be divided equally amongst the total number of Commercial Cannabis Business permittees.

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