



CITY OF MODESTO

Community and Economic Development Department/Planning Division
 1010 Tenth Street, Suite 3300, P.O. Box 642
 Modesto, CA 95353
 (209) 577-5267 (209) 491-5798 FAX

Commercial Cannabis Permit Application (Phase 2 – Non-Retail)

Note: Phase 1 Application must be completed and approved by City prior to submittal of Phase 2 Application

A. Applicant Information (should match Section C on Phase 1 Application)				Staff Use Only	
Name of Primary Contact Person:				File No.:	
Address: _____ City: _____ State: _____ Zip: _____				Tidemark	
Email Address: _____				Case No.:	
Work/Cell No.: _____				Date:	
Preferred method of contact (check one) <input type="checkbox"/> Mail <input type="checkbox"/> Phone <input type="checkbox"/> Email				Rec'd by:	
<i>If applicant is a not for profit, corporation, partnership or other business entity, please identify:</i>					
Name of Business Entity: _____					
Type of Ownership (corporation, partnership, etc): _____					
Federal Tax ID: _____		Phone Number: _____			
Mailing Address: _____		City: _____		State: _____ Zip: _____	
<i>Officers of the Business (attach additional sheet if necessary)</i>					
President or CEO: _____		Phone: _____		Email: _____	
Vice President: _____		Phone: _____		Email: _____	
Chief Financial Officer: _____		Phone: _____		Email: _____	

B. License Type and Information (should match Section A and B on Phase 1 Application)		
Property Address, including suite: _____		
Assessor's Parcel Number: _____		Zoning Designation: _____
Expected Number of Employees Who Are Not Officers: _____		
<input type="checkbox"/> Cultivation 1A - Specialty Indoor Small (5,000 Sq. Ft. Max)	<input type="checkbox"/> Cultivation 1B – Specialty Mixed-light Small (5,000 Sq. Ft. Max)	<input type="checkbox"/> Cultivation 1C – Specialty Cottage Small (2,500 Sq. Ft. Max- mixed light, or 500 Sq. Ft. Max indoor)
<input type="checkbox"/> Cultivation 2A – Indoor Small (10,000 Sq. Ft. Max)	<input type="checkbox"/> Cultivation 2B – Mixed -light Small (10,000 Sq. Ft. Max)	<input type="checkbox"/> Cultivation 3A – Indoor Medium (22,000 Sq. Ft. Max):
<input type="checkbox"/> Cultivation 3B – Mixed light Medium (22,000 Sq. Ft. Max)	<input type="checkbox"/> Cultivation Nursery 4	<input type="checkbox"/> Cultivation 5A – Indoor Large (more than 22,000 Sq. Ft.)
<input type="checkbox"/> Cultivation 5B – Mixed-light Large (more than 22,000 Sq. Ft.)	<input type="checkbox"/> Manufacturer 1 -6 (nonvolatile)	<input type="checkbox"/> Manufacturer 2 – 7 (volatile)
<input type="checkbox"/> Testing Laboratory 8	<input type="checkbox"/> Distributor 11	<input type="checkbox"/> Microbusiness 12 – (permitted if all uses under license permitted in zone and no retail; for microbusiness with a storefront retail component, apply through City's Request for Proposal process)

Note: No delivery operations or non-storefront retail operations (State License Type 9) are permitted in the City of Modesto.

C. Related License Information

The applicant and/or interested parties has been associated with a commercial cannabis permit in the past 10 years.

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

Name: _____ Start Date: _____ End Date: _____

Address: _____

City, State, ZIP: _____

Business Name: _____ Business Type: _____

Was the permit revoked or not renewed? Yes No If yes, why: _____

Status of state cannabis license(s):

Not applied Applied for temporary license Applied for permanent license Received temporary license (attach)
 Received permanent license (attach)

Please attach additional sheets if necessary.

D. Authority to Apply for Permit

Provide evidence of authority to apply for a permit to operate a commercial cannabis business at the address in Section B.

- If the applicant owns the property, attach a copy of the deed or title insurance policy.
- If the applicant will rent or lease the property, attach a letter from the property owner to operate the business, including evidence of ownership.
- If the applicant is under contract to purchase the property or if there is an existing lease, attach the relevant documents.

E. City Authorization

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

F. Indemnification

I, the applicant, agree to the fullest extent permitted by law, any actions taken by a public officer, authorized agent, or employee under the provisions of Chapter 3 of Title 10, Article 7, Commercial Cannabis Uses, shall not become a personal liability of any public officer, authorized agent, or employee of the City. To the maximum extent permitted by law, the permittee under this Article 7 shall defend (with counsel acceptable to the City), indemnify and hold harmless the City of Modesto, the Modesto City Council, and its respective officials, officers, employees, representatives, agents and volunteers from any liability, damages, actions, claims, demands, litigations, loss (direct or indirect), causes of action, proceedings, or judgments (including legal costs, attorneys' fees, expert witness or consultant fees, City Attorney or staff time, expenses or costs) against the City to attach, set aside, void or annul, any cannabis-related approvals and actions and strictly comply with the conditions under which such permit is granted, in any. The City may elect, in its sole discretion, to participate in the defense of said action and the permittee shall reimburse the City for its reasonable legal costs and attorneys' fees.

Signature: _____

Date: _____

G. Nonrefundable Filing Fee

I, the applicant, understand and accept that the nonrefundable filing fee of \$10,000 or \$20,000 (for facilities over 10,000 square feet) must be submitted with the completed Commercial Cannabis Business Application, Phase 2, and will be retained by the city regardless of the out-come of the application review.

H. Applicant's Certification

I agree to abide by and conform to the conditions of the permit and all provisions of the Modesto Municipal Code pertaining to the establishment and operation of the commercial cannabis use. I acknowledge that the approval of the Commercial Cannabis Permit shall, in no way, permit any activity contrary to the Modesto Municipal Code, or any activity which is in violation of any applicable law. I also understand and agree that no commercial cannabis operations or activity for which a state license is required may commence until I have received both a City Commercial Cannabis Permit and a state cannabis license.

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

Signature:

Date:

The information contained on this document is subject to disclosure under the Public Records Act, with the exception of qualifying private information such as tax I.D. numbers.

NOTICE: Applicants providing false or misleading information in the permitting process will result in rejection of the application and/or nullification or revocation of any issued permit. All commercial cannabis permits must be approved by the City Council at a noticed public hearing. The City may attach conditions to any approved permit. A commercial cannabis permit may be denied if any of the following findings are made:

- (i) The application does not meet all requirements of the commercial cannabis ordinance; or*
- (ii) Approval would very likely result in harm to public safety, health, or welfare; or*
- (iii) Potential negative impacts of the use cannot be mitigated with conditions or through the (pending) ordinance requirements.*

Applicants will be notified regarding application completeness.