

DEPARTMENT OF AGRICULTURE/WEIGHTS & MEASURES

Andrew F. Smith
Agricultural Commissioner
Sealer of Weights & Measures



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MEDICAL CANNABIS CULTIVATION ZONING PERMIT APPLICATION

TYPE OF CULTIVATION (check one):

- ☐ Cottage (C25; ≤ 25 plants)
☐ Specialty Outdoor (SPO; 5,000 ft² or ≤ 50 plants)
☐ Small Outdoor (SMO; 5,001 ft² to 10,000 ft²)

Site Address: _____

City: _____

APN: _____

OFFICE USE ONLY

Date Received: _____

Permit Type: ☐ C25 ☐ SPO ☐ SMO

Total Application Fee: \$ _____

Date Paid: _____

Permit #: APC _____

Issued Date: _____

Expiration Date: _____

Issued By: _____

NOTE: ZONING PERMIT MUST BE APPROVED BEFORE ANY SITE DEVELOPMENT WORK BEGINS.

By submitting this application to the Sonoma County Department of Agriculture/Weights & Measures (AWM), I understand this application, and all information included in this application, will become public record and may be provided in response to public records requests.

APPLICANT INFORMATION

Applicant Name: _____

DBA: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Cell: _____

Email: _____

Are you the property owner: ☐ Yes ☐ No

Are you 21 years old or over: ☐ Yes ☐ No

Has applicant applied for or obtained any other zoning permit or use permit for cannabis related uses in the County of Sonoma (e.g. cultivation, testing/laboratories, dispensary/retail sales, manufacturing, distribution, transporting, or nursery uses)? If yes, please attach all existing permits and/or pending applications. ☐ Yes ☐ No

OPERATOR INFORMATION

Operator Name (if different than applicant): _____

Operator is the natural person or designated officer responsible for the operation of the commercial cannabis use.

Operator DBA: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Cell: _____

Email: _____

Has Operator been convicted of a felony? If yes, please attach documentation of conviction/offenses. ☐ Yes ☐ No

Will operation have employees? ☐ Yes ☐ No

If yes, will all employees be 21 years old or older? ☐ Yes ☐ No

Number of employees: _____

What are the proposed hours of operation for all cultivation-related activities, including processing?

SITE INFORMATION

A current site map must be attached to this application.

Site Address: _____

City: _____ State: _____ Zip: _____

Assessor Parcel Number(s): _____

Is the cultivation site located on land that is subject to a Williamson Act contract? ☐ Yes ☐ No

If yes, please attach Landowners Statement of Compliance with the Williamson Act (Form PJR-049)

Zoning of proposed cultivation site: _____

Total acreage of parcel to be under cultivation: _____

Cultivation area in square feet: _____

Highest natural slope of cannabis cultivation area: _____

Method used to determine slope (check one): ☐ USGS Topo ☐ Clinometer ☐ Field Survey

☐ Other: _____

Existing land use and vegetation (check one): ☐ Ag Crop ☐ Pasture ☐ Rangeland ☐ Timberland

☐ Other: _____

Primary land use will remain (check one): ☐ Ag Crop ☐ Pasture ☐ Rangeland ☐ Timberland

☐ Other: _____

Cannabis cultivation will be: ☐ In Ground ☐ Raised beds/Containers ☐ Both

Will you be processing (drying, curing, grading, trimming) on-site? ☐ Yes ☐ No

Will any existing structures be used for processing (drying, curing, grading, trimming)? ☐ Yes ☐ No

If yes, list and indicate type of processing to occur in each structure. Attach documentation that each structure is permitted for the intended use or complete a Declaration of Use (Form BPC-061) for each structure. _____

Will you be constructing any structures for drying, curing, trimming, or processing? ☐ Yes ☐ No

If yes, please list and indicate purpose of each structure and attach documentation that the structure is or will be permitted for the intended use. _____

NOTE: No on-site processing or propagation shall be allowed in new or existing structures located on the cannabis cultivation site unless a zoning permit or use permit and all other applicable permits, such as grading and/or building permits, are first obtained from Permit Sonoma for the intended processing or propagation use. Structures include permanent and temporary structures including green houses and hoop houses.

Are there any conservation easements on the parcel? ☐ Yes ☐ No

If yes, please attach documentation and map of each easement.

Is any parcel located on a hazardous materials site pursuant to Government Code §65962.5? ☐ Yes ☐ No

CULTURAL, HISTORICAL, AND BIOTIC RESOURCES

NOTE: A professional archeologist must prepare a cultural resource study for each site and should contact local tribes for their input prior to submitting a cannabis cultivation application.

Has a cultural resource study been prepared for the site? ☐ Yes ☐ No

Is any parcel located within a historic district? ☐ Yes ☐ No

Is the site located within a federal critical habitat area of any endangered species? ☐ Yes ☐ No

If yes, please list species: _____

WATER USE

Water Source (please check all that apply):

☐ Municipal Source (must attach documentation)

☐ Recycled Water/Rainwater Catchment (must attach documentation of source and permitted storage facility)

☐ Surface Water (must attach documentation of water rights and Lake and Streambed Alteration Agreement)

☐ Well Water/Groundwater Zone: _____

Estimated total water use in gallons to be used each quarter of the calendar year listed by each water source: _____

If using groundwater on any parcel, is well located in a high or medium priority basin as defined by the State Department of Water Resources? ☐ Yes ☐ No

If using groundwater, must attach copy of notarized easement allowing access to Sonoma County personnel.

If located in groundwater zone 3 or 4 or in high or medium priority basin, please attach:

- ☐ Documentation to show that proposed use would not result in a net increase in water use on-site, **OR**
- ☐ A hydrological report prepared by a qualified professional providing supporting data and analysis and certifying that on-site groundwater supply is adequate to meet the proposed uses and cumulative projected land uses in the area on a sustainable basis, and that the operation will not:
- a. Result in or exacerbate an overdraft condition in basin or aquifer
 - b. Result in reduction of critical flow in nearby streams, **OR**
 - c. Result in well interference at offsite wells

If using a well, it is required that well be equipped with a meter and sounding tube or other water level sounding device. Is well equipped as such? ☐ Yes ☐ No

If yes, please describe: _____

SITE MODIFICATION

Will any roads be constructed on any parcel? ☐ Yes ☐ No

Will any grading be done as part of cultivation, including site preparation? ☐ Yes ☐ No

If yes, please describe proposed grading and attach copy of grading permit as required by County Code §11.04.010. If grading is exempt from permit, please explain why. _____

Will any vegetation be removed as part of the cultivation, including site preparation? ☐ Yes ☐ No

If yes, please describe vegetation to be removed and indicate the location of the removal on site map: _____

Will drainage system be installed on any parcel? ☐ Yes ☐ No

If yes, attach a copy of drainage permit as required by County Code §11.06.010. If drainage system is exempt from permit, explain why: _____

PROJECT AUTHORIZATION DECLARATION

I/We, _____, declare under penalty of perjury that the information provided in connection with this application is true and correct to the best of my knowledge. I/we understand that issuance of a zoning permit does not relieve me/us of the obligation to comply with other federal, state, or local laws or regulations, or from liability for violations of those laws and regulations. I/we acknowledge that the County of Sonoma is not authorizing a take of any federal or state endangered species by issuance of the zoning permit, and I/we further declare under penalty of perjury that a biological assessment of study has been prepared for the site by a qualified expert with respect to impacts on endangered species. I/we have reviewed the opinion of the qualified expert and will take all steps necessary, based on this opinion, to comply with any applicable provisions of the state and federal endangered species acts, and all other applicable state and federal laws. I/we waive any claims of liability for damages against the County of Sonoma and its contractors and agree to indemnify the County of Sonoma and its contractors from and against any claims, suits, or liabilities, arising out of activities I/we undertake based on the issuance of this zoning permit. I/we further understand that if a zoning permit is not issued within one year following the filing of a zoning permit application, the zoning permit application shall expire without any further action by the Department of Agriculture/Weights & Measures. The Department of Agriculture/Weights & Measures may grant one 180-day extension, if the applicant files a written request before expiration of the original one-year period and shows that the extension is warranted due to a lawsuit, zoning permit authority error, or other circumstances beyond the control of the applicant. Otherwise, a new complete zoning permit application and associated fees must be submitted.

I/We authorize entry by the Department of Agriculture/Weights & Measures and its contractors onto any and all areas where cannabis cultivation or development is occurring under the zoning permit at all reasonable times or whenever an emergency exists to determine whether I am complying with zoning permit terms.

Additionally, the Property Owner Liability form on page 6 must be signed by the owner and submitted as part of the application.

Applicant Name (please print)

Property Owner Name (please print)

Applicant Signature

Property Owner Signature

Title

Title

Date

Date

Application for zoning permit must be authorized by the owner of the property. If application is not signed by the owner, written authorization from the property owner or a notarized lease that specifically allows for the cultivation of cannabis must be included with this application packet. If property owner is other than a natural person (e.g. corporation, LLC, or other business entity), written authorization for this application must be signed by a representative authorized to bind the business entity.

PROPERTY OWNER LIABILITY

ATTENTION: A **property owner** will be held responsible, along with a cannabis operator, for any unpaid charges incurred by an operator associated with commercial cannabis activities located on the property, regardless of whether the property owner and operator contract otherwise. Such charges include abatement costs and civil penalties for code violations (and responsibility for abating violations), cannabis business taxes, and penalties/interest/fees for non-payment of cannabis business taxes. In addition to any other remedies available under federal, state, or local law to collect an unpaid amount required to be paid to the County, the County may record on the property a certificate of lien for taxes and associated penalties, interest, and fees, or an abatement lien for abatement costs associated with a code violation. For more information, see Sonoma County Code Section 1-7 et seq. (Enforcement) and Chapter 35 (Cannabis Business Tax Ordinance).

Property Owner Name (please print)

Cultivation Site Address

Property Owner Signature

Assessor Parcel Number

Date

Cannabis Cultivation Applicant Name (please print)

APPLICATION CHECKLIST

Application

- ☐ Cannabis Cultivation Zoning Permit Application Form
- ☐ Application Fee

Ownership and Authorization

- ☐ Copy of current deed for parcel where commercial activity will occur
- ☐ Copy of current notarized lease agreement, share-cropping agreement, etc.
- ☐ Signed letter of authorization by property owner to use property for commercial cannabis cultivation if not specially authorized in lease agreement

Business Entity Submission

- ☐ For applicants other than a natural person, provide business entity documents and authorization (articles of incorporation, etc.) showing all individual owners and percentage of ownership, as well as a Certificate of Good Standing (if applicable)

Proposal Packet

This shall be a written statement that should include descriptions of the operation and how the operation meets all of the Development Criteria and Operating Standards in Section 26-88-254 of the Sonoma County Code, including the following formation and include **required plans, assessment, and study (in bold)** as listed below:

- ☐ Project Description
- ☐ Property Setbacks
- ☐ **Biotic Resources Assessment.** Proposed cultivation operations, including all associated structures, shall require a biotic assessment at the time of application that demonstrated the project is not located within, and will not impact sensitive or special status species habitat, unless a use zoning permit is obtained. Any proposed cultivation operation, including associated structures, located within adopted federal critical habitat areas must have either all appropriate zoning permits from the applicable state and federal agencies with jurisdiction over the listed species, or a biotic assessment concluding that the project will not result in “take” of a protected wildlife species within the meaning of either the federal or California Endangered Species Acts.
- ☐ **Cultural Resource Study.** All proposed cultivation operations proposing ground disturbing activities must complete a cultural resource survey and be referred to the Northwest Information Center and local tribes. Ground disturbance includes any activity that disturbs or compacts the ground and includes, among other activities, clearing vegetation, discing, and placing aboveground pots and planters. Cultural and historic resources include those defined by California Public Resources Code Section 21084.1 and include tribal cultural resources as defined by California Public Resources Code Section 21074. Tribes may review the permit applications and inform the County if mitigation is required to avoid impacts to tribal cultural resources. If mitigation is required by the cultural resource survey or a tribe, the applicant must withdraw the ministerial zoning permit and apply for a conditional use permit through Permit Sonoma. The use permit will then be processed in accordance with CEQA, including tribal consultation as required.
- ☐ Farmland Protection
- ☐ Lighting
- ☐ Runoff and Stormwater Control. List Best Management Practices (BMP) that will be implemented.
- ☐ **Security and Fencing Plan.** A Site Security Plan shall be required including a thorough narrative and map of security details including the type of fencing materials and landscaping used for screening and the physical and passive security measures including security cameras and lighting (narrative and map). This is kept confidentially; please provide the security information separate from the rest of the application materials.
- ☐ Hazardous Materials

APPLICATION CHECKLIST (continued)

- ☐ Hours of Operation
- ☐ Noise Limits
- ☐ Occupational Safety
- ☐ **Waste Management Plan.** A Waste Management Plan shall be submitted addressing the storing, handling, and disposing of all waste by-products of the cultivation and processing activities in compliance with the Best Management Practices issued by the Agricultural Commissioner. This plan shall characterize the volumes and types of waste generated, and the operational measures that are proposed to manage, dispose, or reuse waste in compliance with the Best Management Practices and County of Sonoma standards.
- ☐ **Wastewater Discharge Plan.** A wastewater management plan shall be submitted identifying the amount of wastewater, excess irrigation, and domestic wastewater anticipated, as well as disposal. All cultivation operations shall comply with the Best Management Practices issued by the Agricultural Commissioner and shall submit verification of compliance with the Wastewater Discharge Requirements of the applicable Regional Water Quality Control Board, or waiver thereof.
- ☐ **Water Source**
 - a) Municipal Water
 - ☐ Documentation from municipal supplier.
 - b) Recycled Water or Captured Rainwater
 - ☐ Documentation from municipal supplier for non-potable use. Adequate on-site water supply must be available for employees and other uses.
 - c) Surface Water
 - ☐ Documentation of water right and/or lake and streambed alteration agreement from California Department of Fish and Wildlife.
 - d) Groundwater Well in Zone 3 or 4 or Medium/High Priority Basin
 - ☐ Documentation that proposed use would not result in a net increase in water use on-site through implementation of water conservation measures, rainwater catchment or recycled water reuse system, water recharge project, or participation in a local groundwater management project; or
 - ☐ A hydrogeologic report prepared by a qualified professional providing supporting data and analysis and certifying the on-site groundwater supply is adequate to meet the proposed uses and cumulative projected land uses in the area on a sustained basis, and the operation will not result in or exacerbate an overdraft condition in basin or aquifer, result in reduction of critical flow in nearby streams, or result in interference at offsite wells.
- ☐ Groundwater Monitoring Easement required for use of groundwater well in all zones. Must submit a notarized easement form.