



General Information Regarding Retail Cannabis Dispensary Conditional Use Permit Application Process

Effective October 12, 2017, the City will have in place an ordinance regulating cannabis dispensaries (both medical and recreational) to allow the use in the City of Davis in non-residential zoning districts, subject to approval of a Conditional Use Permit.

<http://documents.cityofdavis.org/Media/Default/Documents/PDF/CityCouncil/CouncilMeetings/Agendas/20170912/04E-Second-Reading-Cannabis-Dispensaries-Zoning-Ordinance.pdf>

The City will accept Conditional Use Permit applications for retail cannabis dispensary businesses during an open period beginning on September 27, 2017 and closing at 5:00 p.m. on October 13, 2017. From the applications submitted, the City Council will select up to 4 cannabis dispensary businesses who will be allowed to operate in Davis. Cannabis retailers that will not be open to the public and that perform sales exclusively by delivery shall not be counted for this purpose. **The anticipated timing for a cannabis dispensary that is approved for a Conditional Use Permit to begin operation is April-May 2018.**

The following information provides a summary of the CUP application requirements and the anticipated schedule for processing.

CUP Application Process

1. Submit Planning Application <http://cityofdavis.org/home/showdocument?id=576>.
(Note: The application is the standard application used for all projects in the City. Some of the environmental information may not be applicable to the CUP application, in which case please indicate N/A.)
2. Submit Planning Application Fee \$4,968 deposit. This is a deposit; staff time to process the application may exceed the deposit amount, in which case the applicant will be billed for the difference. Additional fees will be required for environmental review; amount will depend upon the level of review required.
3. Provide applicant narrative and the following information:
 - Project description including if the business intends to provide mobile delivery service, and whether the sale of medical and/or adult-use cannabis. If a dispensary offers both, in compliance with State and local regulations, that location would count as one dispensary, not two.
 - Statement of owner's consent
 - Site Characteristics, Site Plan, Contextual Map
 - Days and Hours of Operation
 - Number of Employees
 - Anticipated Number of customers
 - Anticipated Number of vehicle trips per day to/from the site

- Circulation and Parking Plan
- Floor Plan, including demarcation of lobby waiting area, entrances, dispensing areas, delivery receiving, restrooms, storage, and all other areas as proposed.
- Building Elevations (if exterior changes to existing facility are proposed); photos of existing facilities and site.
- Security Plan **general details**, such as hour security guard will be on site; placement of security cameras, etc. *(The CUP application will be a public document therefore, specific details on the security plan such as where cash will be kept, how transferred, etc. do not have to be disclosed in the CUP application. If the CUP is approved, a Cannabis Business Permit will be required to be submitted to the Police Department for review and approval. The specific security plan details, and other information, will be required at that time).*
- Lighting Plan
- Odor Control Plan
- Signage Plans
- Any other information applicant wishes to provide for consideration.

Application Submittal Requirements

“General Project Information”. Submit all of the items shown in the Conditional Use Permit column below.

General Project Information							
SUBMITTAL REQUIREMENTS	General / Specific Plan Amendment	Rezone & Preliminary PD	Final PD & Revision	Tentative Map / Other Map Applications	Design Review	Conditional Use Permit	Variance & Minor Modification
Completed Application Form (Signed by the Property Owner)	X	X	X	X	X	X	X
Applicant Narrative / Justification	X	X	X	X	X	X	X
Environmental Information Form <i>As Applicable</i>	X	X	X	X	X	X	X
Signed Fee Agreement	X	X	X	X	X	X	X
Fee	X	X	X	X	X	X	X
Electronic copy of application, Plans & color exhibits	X	X	X	X	X	X	X
Title Report	X	X	X	X	X	X	X
Legal Description	X	X	X	X	X	X	X
Contextual Map	X	X	X	X	X	X*	X*

“Project Development Review Information.” All CUP applications require submittal of 4 full size copies of the site plan and floor plan; one 8 ½” x 11” reduced set of plans; and an electronic copy of all materials submitted.

Other submittal requirements shown below in the Conditional Use Permit column are needed only if changes are proposed to the existing site or building.

Project Development Review Information														
SUBMITTAL REQUIREMENTS	General / Specific Plan Amendment		Rezone & Preliminary PD		Final PD & Revision		Tentative Map / Other Map Applications		Design Review		Conditional Use Permit		Variance & Minor Modification	
	I	F	I	F	I	F	I	F	I	F	I	F	I	F
INITIAL/FINAL														
Site Plan (12 sets) if applicable	X	X	X	X	X	X	X	X	X	X	X*	X*	X*	X*
Building Elevations/ Floor Plans (12 sets)					X	X			X	X	X*	X*	X*	X*
Materials/Color Board (1 set)					X	X			X	X	X*	X*		
Conceptual Landscape Plan (12 sets)					X	X			X	X	X*	X*		
Parking Lot Shading Plan (12 sets)					X	X			X	X	X*	X*		
Conceptual Grading Plan					X	X	X	X	X	X				
Tentative Map (12 sets)					X#	X#	X	X						
8 ½” x 11” Reductions of all Plans (1 set)		X		X		X		X		X		X		X
Colored Landscape Plans (1 set)						X				X		X*		
Colored Elevations (1 set)					X	X			X	X	X	X		
Streetscape Perspective						X				X		X		

In addition to the information provided in the CUP application, the City Council will consider the following factors, which should be addressed in the application:

1. The type of proposed use by the applicant.
2. Whether the proposed use will be detrimental to the health, safety and welfare of the community.
3. Whether the use would enhance the economic viability of the area in which it is proposed to be located.
4. Whether the applicant has adequately addressed potential community benefits of the use to offset potential adverse impacts.
5. The extent of support or opposition to the proposed use and location from members of the community.
6. The number of cannabis retailers located within 1,000 feet of the proposed location.
7. The extent to which the proposed use would cause a further overconcentration of that particular type of premises in the area.
8. The background and the history of the applicant, including the nature and extent of problems on any premises where he or she has operated a cannabis business in the past.
9. Whether there is a history of police or crime-related problems in the area of the proposed location.
10. Whether the proposed license would enhance recreational or entertainment opportunities in the area.

11. Without limiting any of the other requirements or considerations for the issuance of a conditional use permit, any cannabis retailer use proposed to be located within a Mixed-Use (M-U) Zoning District shall demonstrate, and the Planning Commission and City Council shall consider in determining whether to grant a conditional use permit, whether the proposed site and use is compatible with surrounding properties and uses, with a particular emphasis on compatibility with residential uses that are proximate to the proposed cannabis retailer use.
- ◆ CUP applications for cannabis dispensaries will require public hearing(s) before the Planning Commission for review and recommendation; and public hearing(s) before the City Council for final action.
 - ◆ CUP applications that are approved will be required to obtain a City Business license and a Cannabis Business Permit prior to operation.
<http://documents.cityofdavis.org/Media/Default/Documents/PDF/CityCouncil/CouncilMeetings/Agendas/20170912/04F-Second-Reading-Cannabis-Dispensaries-Regulatory-Ordinance-1.pdf>. The fee for this permit is expected to be established by the City Council on October 13, 2017.
 - ◆ Cannabis retailers shall be limited to a total of no more than 4 in the City for the first 18 months following the effective date of this section. Thereafter, the City Council may, in its sole discretion, determine that additional use permit applications may be accepted for cannabis retailers to establish in the City.
 - ◆ CUP Applications for mobile delivery services may be submitted at any time and are not subject to the open period established for the cannabis dispensary CUP process.

Anticipated Timeline (May be Subject to Change):

September 27, 2017	Open Application Period for Dispensary CUP Proposals
October 13, 2017	Close Application Period for Dispensary CUP Proposals
October 12, 2017	Zoning and Regulatory Ordinances in Effect
October 14 - November 30, 2017	Staff Review and Develop Recommendations on Proposed Dispensary CUP Proposals
December 2017 - January 2018 (dates TBD)	Planning Commission Public Hearing(s) for Advisory Input on Dispensary CUP Proposals
January -February 2018 (dates TBD)	City Council Public Hearing(s) on Dispensary CUP Proposals
March - April 2018	First Date to Issue Necessary Building Permits for Approved Dispensaries
April - May 2018	Period for Approved Dispensaries to complete necessary preparatory work, inspections, construction for opening and begin operations

For questions regarding the CUP application, contact the Community Development and Sustainability Department, Planning Division, (530) 757-5610
