



APPLICATION FOR ADULT-USE CANNABIS BUSINESS LICENSE MEASURE U FACILITY CO-LOCATION

COMMUNITY DEVELOPMENT DEPARTMENT
8130 Allison Avenue, La Mesa, CA 91942
Phone: (619) 667-1177 • Fax: (619) 667-1380
www.cityoflamesa.us

*** STAFF USE ONLY ***

Project No. : _____
Date Received: _____
Received By: _____
Fee (4100-4765): **\$4,383.00**
Receipt No.: _____
Cashier: _____

*** STAFF USE ONLY ***

Cannabis Business Name: _____

Cannabis Business DBA Name (if applicable): _____

Business Address: _____ APN: _____

Business Type: Dispensary Cultivation Manufacturing | Measure U CUP No.: _____

Cannabis Business Owner/Applicant

Name: _____ Company: _____

Address: _____ City: _____ State: _____ ZIP code: _____

Email: _____ Phone: _____ Fax: _____

Property Owner

Name: _____ Company: _____

Address: _____ City: _____ State: _____ ZIP code: _____

Email: _____ Phone: _____ Fax: _____

Agent/Representative

Name: _____ Company: _____

Address: _____ City: _____ State: _____ ZIP code: _____

Email: _____ Phone: _____ Fax: _____

Contact Person: Cannabis Business Owner Property Owner Agent/Representative

Designated Owner, Manager or Employee for 24-hour Emergency Notice

Name: _____ Title: _____

Email: _____ Phone: _____ Mobile Phone: _____

Designated Security Liaison

Name: _____ Title: _____

Address: _____ City: _____ State: _____

Email: _____ Phone: _____ Mobile Phone: _____

All applications shall be submitted by appointment and in person. An application for co-location shall only be accepted if the CUP for the medicinal cannabis business has been approved and all City appeal periods concluded. Please contact the Planning Division at (619) 667-1177 to arrange an appointment.

The Adult-Use Cannabis Business License process is a separate process from the Measure U process and shall require submittal of separate application materials from application materials submitted related to the Conditional Use Permit (CUP) approved under Measure U. Copies of Measure U application materials may be provided for this process provided that such materials remain correct and accurate. If information requested and provided as part of the CUP process has changed and different information is provided herein, it shall supersede the prior information provided relative to compliance with the CUP. Certain aspects of the CUP process require City approval prior to any change or modification. If the information provided herein affects those aspects of the CUP approval, it may be grounds for a finding of noncompliance with the CUP and denial of the requested co-location license.

This application and the submittal requirements and process identified herein constitute rules, regulations, and

standards promulgated by the City Manager, or designee, as per La Mesa Municipal Code Section 6.11.270.

Indemnification and Hold Harmless Statement

In consideration of the City processing this application, the Applicant shall defend, indemnify and hold harmless the City, its elected and appointed officers and employees, from and against any claims, suits, actions or proceedings, judicial or administrative, for writs, orders, injunction or other relief, damages, liability, cost and expense (including without limitation attorneys' fees) arising out of City's actions in processing, issuing, or approving Applicant's Adult-Use Cannabis Business License, or in exercising any discretion related thereto including but not limited to the extension of due process rights, except only for those claims, suits, actions or proceedings arising from the sole negligence or sole willful conduct of the City, its officers, or employees known to, but not objected to, by the Applicant. Applicant's indemnification shall include any and all costs, expenses, attorney's fees and liability incurred by the City, its officers, agents, or employees in defending against such claims, whether the same proceed to judgement or not. Further, Applicant, at its own expense, shall, upon written request by the City, defend any such suit or action brought against the City, its officers, agents, or employees. Applicant's indemnification of City shall not be limited by any prior or subsequent declaration by the Applicant. At its sole discretion, the City may participate at its own expense in the defense of any such action, but such participation shall not relieve the applicant of any obligation imposed by this condition.

Application Completeness and Accuracy Statement

Under penalty of perjury, I certify that I have personal knowledge of the information stated in this application and all accompanying plans, exhibits, and other information submitted for this application and that the same are accurate, true, and complete to the best of my knowledge. I have the necessary authority to sign and submit this application. To the extent applicable, I certify that the cannabis business that is the subject of this application is current with all State of California and local sales and cannabis taxes and that the business is compliant with the approved Conditional Use Permit (CUP) authorized under Measure U (La Mesa Municipal Code (LMMC) Chapter 24.23). I recognize and acknowledge that the subject cannabis business has, or will obtain prior to any operation of the cannabis business, a City of La Mesa business license. I acknowledge that I have read and understand the Indemnification and Hold Harmless Statement. I acknowledge and understand that an Adult-Use Cannabis Business License will not be issued and final local authorization provided to the State until all submittal requirements are completed. If information requested and provided as part of the Measure U CUP process has changed and different information is provided herein, it shall supersede the prior information provided relative to compliance with the CUP. Certain aspects of the CUP process require City approval prior to any change or modification. If the information provided herein affects those aspects of the CUP approval, it may be grounds for a finding of noncompliance with the CUP and denial of the requested co-location license. I certify that that no cannabis business owner, property owner, or agent/representative for this application has operated any illegal, unauthorized, or unlicensed cannabis operation of any type at the proposed premises, or elsewhere in the City of La Mesa, and further have not been notified by the City that they are or were operating a cannabis business in violation of LMMC Chapters 6.11 or 24.23. I confirm that the business, premises, and site shall be operated and maintained in compliance with Chapter 6.11, Title 24 (including, but not limited to, maintenance requirements as per LMMC Sections 24.06.040A or 24.07.020F), and Building and Fire Codes. I acknowledge that any building, planning, fire, or other permits required to for the cannabis business as shown and identified in this application shall be obtained, and all required final inspections completed and approved, prior to issuance of an Adult-Use Cannabis Business License. I acknowledge that the business owner is responsible for any violations present at the business, site, or premises, and shall be subject to any related enforcement action. By submitting this request, I certify that I have read and understand the requirements of LMMC Chapters 6.11 and 24.23, and this application process, and that I may be disqualified for failure to meet the requirements of State or local laws or regulations, or for incomplete or inaccurate application submittals and that all fees paid in connection with this application are nonrefundable.

ATTEST:

Signature of Cannabis Business Owner/Applicant or Authorized Agent

Date

Print Name and Title of Signatory

Submittal Requirements

All of the items listed below must be submitted to process the Application for Adult-Use Cannabis Business License. All items must be submitted together at one time to the attention of assigned staff. Except as otherwise indicated below, provide one (1) copy of each of the following items. For facilities that have not yet commenced business operations, items marked with (#) may be deferred at application submittal as determined by staff, but must be received prior to issuance of a license. All required submittal items will be thoroughly reviewed by staff for accuracy, completeness, and compliance with LMMC Chapters 6.11 and 24.23, and other codes, laws, and regulations, as applicable.

RECD	REQD	N/A	Required Submittal Items
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1. Completed and signed Adult-Use Cannabis Business License application. LMMC 6.11.080
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2. Electronic copy of all application materials on USB flash drive or disc
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3. Fee. LMMC 6.11.080B
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4. Business entity information for all cannabis business owners, property owners, applicants, agents, or representatives that are business entities
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5. Fictitious filing statement for registered dba, as applicable
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6. Copy of the current Grant Deed for the property that is the location of the cannabis business
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	7. Copy of current lease for the property if the cannabis business owner is not the property owner
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8. Letter of authorization for agent/representative (if applicable)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	9. Current register of the names and contact information, including name, address, and telephone number, of anyone owning or holding an interest in the commercial adult-use cannabis business. LMMC 6.11.170D
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	10. Current register of the names and contact information, including name, address, and telephone number, of all the officers, managers, employees, and agents currently employed or otherwise engaged by the commercial adult-use cannabis business. LMMC 6.11.170D
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	11. Current live scan and background check for all owners (as defined in Section 26001 (al) of the California Business and Professions Code), managers, and supervisors of the adult-use cannabis business. LMMC 6.11.200P, Q
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	12. Copy of government-issued (federal or State) photo ID for all that require Live Scan/background check
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	13. Four (4) copies of current storage and transportation plan. LMMC 6.11.180C
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	14. Four (4) copies of current security plan. LMMC 6.11.190E
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	15. Four (4) copies of current operating procedures. LMMC 6.11.200
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16. Four (4) copies current cultivation and operations plan (cultivation applications) LMMC 6.11.210G
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17. Three (3) copies Hazardous Materials Inventory Report (manufacturing and cultivation applications)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18. Three (3) copies of a Technical Opinion Report from a registered Fire Protection Engineer (manufacturing and cultivation applications)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	19. Copy of contract for security personnel. LMMC 6.11.180A10 (#)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	20. Copy of contract for alarm monitoring. LMMC 6.11.180A1 (#)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	21. IP address for remote, real-time, live access to security cameras. LMMC 6.11.180A8f (#)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	22. Proof of \$5000 bond for cannabis destruction. LMMC 6.11.200T (#)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	23. Five (5) copies current as-built site and floor plans
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	24. Three (3) copies photometric analysis of site lighting. LMMC 6.11.180A2
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	25. State-approved food-safety exam certification (manufacturing applications) LMMC 6.11.230C (#)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	26. Engineer's closed loop systems certification (manufacturing applications) LMMC 6.11.230G (#)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	27. Copy/proof of State medicinal license. LMMC 6.11.080A (#)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	28. Two (2) copies insurance coverage information. LMMC 6.11.190H
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	29. Copy of State seller's permit (#)

Application Instructions and Requirements

The following instructions provide more detail on completing the application form and the submittal requirements for the application. The items are numbered to correspond to the Required Submittal Items list. If you have any questions, please consult with Planning Division staff.

1. **Application:** Complete all applicable portions of the application form, sign, date, and provide the printed name and title of the signatory.
 - **Cannabis Business Name:** Provide the name of the person or business entity that owns the cannabis business. Provide business entity information for all business entities (see Item 4). If the business will operate under a DBA, provide the DBA name. Provide the street address for the location of the cannabis business and the Assessor's Parcel Number for all parcels associated with the property. Indicate the type of cannabis business and provide the City project number for the approved CUP.
 - **Property Owner:** Provide the name of the person or business entity that owns property on which the cannabis business is located. Provide business entity information for all business entities (see Item 4).
 - **Agent/Representative:** Provide the name of the agent or representative that will be representing the application, if applicable. If the Cannabis Business Owner is a business entity, provide the name of the contact person for the business entity here.
 - **Contact Person:** Indicate which of the listed parties is the primary contact person for the application.
 - **24-Hour Emergency Contact:** Provide the contact information for the owner, manager, or employee designated to receive emergency notice at any hour of the day. The applicant shall ensure that the City has the correct emergency contact information and shall provide notice to City immediately upon any changes to the emergency contact person and/or their contact information. LMMC 6.11.200J
 - **Designated Security Liaison:** Provide contact information for the required security liaison. The applicant shall ensure that the City has the correct security liaison information and shall provide notice to City immediately upon any changes to the security liaison and/or their contact information. LMMC 6.11.180B
2. **Electronic copy:** Provide a copy of all submitted materials on a USB flash drive or disc.
3. **Fee:** Pay the applicable fee, as determined from time to time by City Council, at the time of application.
4. **Business entity information:** For business and property owners that are not people but rather are business entities such as partnerships and corporations, provide business entity documentation. If there are multiple business entities, provide a list with each entity's name and business type. Provide the documentation below for each entity. Information on all owners must be provided.
 - **Corporation:** Provide articles of incorporation and corporate by laws.
 - **Limited Liability Corporation (LLC):** Provide article of organization and operating agreement.
 - **Partnership:** Provide partnership agreement.
 - **Publicly-traded companies:** For publicly-traded companies, provide an ownership statement for every person with 5% or more controlling interest.
5. **DBA:** If operating under a DBA, provide the fictitious filing statement for the DBA, as applicable.
6. **Grant Deed:** Provide a copy of the current Grant Deed showing the name of the current owner of the property.
7. **Lease:** If the property is leased, provide a copy of the complete lease agreement.
8. **Letter of authorization:** Provide a letter from the cannabis business owner authorizing the agent/representative to officially represent the application on behalf of the cannabis business owner, if applicable.
9. **Current register of owners:** Provide a current register of the names and contact information, including address and telephone number, of anyone owning or holding an interest in the cannabis business. This register must be maintained as current at all times, and be kept onsite and provided to City personnel on reasonable request. LMMC 6.11.170D
10. **Current register of employees:** Provide a current register of the names and contact information, including

address and telephone number, of anyone employed or otherwise engaged by the cannabis business, including officers, managers, employees, and agents. This register must be maintained as current at all times, and be kept onsite and provided to City personnel on request. The list shall include anyone currently employed or engaged and separately all previously employed or engaged, and shall indicate the nature of employment or engagement. The list shall include dates of hire or engagement and dates of separation of employment or engagement, as applicable. LMMC 6.11.170D

11. Live Scan and background check: Provide current Live Scan and background check for all owners, managers, and supervisors of the cannabis business. Please see Section 26001 (a) of the California Business and Professions Code for the definition of an "owner" for this purpose. The form for Live Scan can be obtained at this link: <http://cityoflamesa.us/DocumentCenter/View/11118/MM-Live-Scan-Form-Fillable-060618>. Complete the form and print it (preferred), or print the form and complete by hand, and then bring it with you to the La Mesa Police Department, 8085 University Avenue, which provides this service Monday through Thursday and alternate Fridays from 9:00am to 4:30pm. Walk-in service is available and an appointment is not necessary, but appointments receive priority over walk-ins. If you would like to set an appointment, please call 619.667.7592. The total City of La Mesa Live Scan fee for a is \$270, which includes the FBI and Department of Justice (DOJ) fees.
12. Photo ID: Provide a copy of government-issued identification for all those required to submit a Live Scan and background check.
13. Storage and transportation plan: Provide four (4) copies of the current storage and transportation plan for the cannabis business that describes in detail the procedures for safely and securely storing and transporting all cannabis, cannabis products, and currency. LMMC 6.11.180C
14. Security plan: Provide four (4) copies of the current security plan for the cannabis business that addresses all of the security requirements specified in LMMC 6.11.180. LMMC 6.11.080F, 6.11.190E
15. Operating procedures: Provide four (4) copies of operating procedures for the cannabis business that address all aspects of the operation of the cannabis business, in particular records and recordkeeping (LMMC 6.11.170), the operating requirements for all cannabis businesses (LMMC 6.11.200), and the operating requirements for cultivation facilities (LMMC 6.11.210), distributors (LMMC 6.11.220), manufacturing facilities (LMMC 6.11.230), or testing laboratories (LMMC 6.11.240). LMMC 6.11.190I
16. Cultivation and operations plan: Cultivation applications must include four (4) copies of a cultivation and operations plan that addresses water use, pesticides, fertilizers, cultivation activities and scheduling, growth cycles, and harvesting. LMMC 6.11.210G
17. Hazardous Materials Inventory Report: The applicant shall provide three (3) copies of a hazardous materials inventory report in a form approved by Heartland Fire and Rescue.
18. Technical Opinion Report: The applicant shall provide three (3) copies of a technical opinion report from a registered Fire Protection Engineer and professional design, laboratory, or fire safety specialty organization that demonstrates that the equipment, devices, systems, products, technologies, materials, and uses attending the design, operation, or use of a building or premise comply with all local and State building codes, fire codes, electrical codes, and other applicable laws. The report shall include determination of type of occupancy, building analysis, and amounts of materials to be stored and used for processing. The report shall be prepared to be consistent with the City of La Mesa Medical Marijuana Facility Technical Report Requirements for Fire Safety Policy.
19. Security personnel: Provide a current, valid contract for properly licensed security personnel. This item may be deferred at application submittal as determined by staff, but must be received prior to issuance of a license. LMMC 6.11.180A10
20. Alarm monitoring: Provide a current, valid contract for remote alarm monitoring by a properly licensed security company. This item may be deferred at application submittal as determined by staff, but must be received prior to issuance of a license. LMMC 6.11.180A1
21. IP address: Provide an IP address for remote, real-time, live access to the video footage from the security cameras. This item may be deferred at application submittal as determined by staff, but must be received prior to issuance of a license. LMMC 6.11.180A8f
22. Destruction bond: Provide proof of a bond in the amount of \$5,000 to cover the costs of destruction of cannabis products if necessitated. This item may be deferred at application submittal as determined by staff, but must be received prior to issuance of a license. LMMC 6.11.200T

23. Site and floor plans: Provide five (5) copies of floor and site plans meeting typical building plan submittal requirements and with security measures (cameras, sensors, panic buttons, limited access areas, secure storage area (LMMC 6.11.160D)), odor-control systems (LMMC 6.11.200N), and hazardous materials, pesticide, and fertilizer storage areas identified. A copy of active building permit site and floor plans (plan check or issued, but not finalized) is acceptable. A copy of the most recent building permit site and floor plans are acceptable for operating facilities. Plans are expected to be correct and accurate. The site will be inspected and expected to be specifically consistent with the provided plans.
24. Photometric analysis: Provide three (3) copies of a photometric analysis of the site lighting to demonstrate that sufficient lighting for security is provided and that lighting does not unnecessarily spill over onto adjacent properties. LMMC 6.11.180A2
25. Food exam certification: For manufacturing facilities, provide a copy of certification that at least one owner, director, officer, manager, or employee has passed a State-approved food safety certification exam. This item may be deferred at application submittal as determined by staff, but must be received prior to issuance of a license. LMMC 6.11.230C
26. Closed-loop system certification: For manufacturing facilities, provide a copy of certification from a California-licensed engineer for any closed-loop system. This item may be deferred at application submittal as determined by staff, but must be received prior to issuance of a license. LMMC 6.11.230I.
27. State M License: Provide evidence that the cannabis business possesses an M license for medicinal cannabis issued by the State of California. This item may be deferred at application submittal as determined by staff, but must be received prior to issuance of a license.
28. Insurance information: Provide certificates, additional insured endorsements, and waivers of subrogation evidencing compliance with the insurance requirements as stated in the Community Development Department handout titled, "Adult Use Cannabis Businesses Insurance Requirements." The Business must agree to provide complete, certified copies of all required insurance policies if requested by the City. LMMC 6.11.190H
29. Seller's Permit: Provide a copy of the State Seller's Permit for the cannabis business. This item may be deferred at application submittal as determined by staff, but must be received prior to issuance of a license.

Application Review Process

Applications will be accepted by Planning Division staff by appointment only. Please contact the Planning Division at (619) 667-1177 to arrange an appointment. At the submittal appointment, Planning Division staff will review the application and other required submittal items to ensure all items are present and in order. An insufficient application will be rejected and the applicant will be informed of the application's deficiencies. Substantially complete applications will be accepted for processing and review. The applicant will be informed of any minor application needs identified in the application intake process.

Accepted applications will be reviewed by the Planning and Building Divisions of the Community Development Department, the Police Department, and Heartland Fire and Rescue. The applications and required submittal requirements will be reviewed for compliance with Measure U (LMMC Chapter 24.23), LMMC Chapter 6.11, and applicable State cannabis laws, as well as conformance to the CUP approved under Measure U. Staff will identify and provide in writing to the applicant any deficiencies in the application or items needed to demonstrate compliance with applicable laws or conformance with the approved CUP. This review process will be repeated until the application is deemed to comply with applicable laws, rules, and regulations and conform to the approved CUP.

Once applications are deemed to be in compliance with applicable rules and regulations and in conformance with the approved CUP, the applicant will be notified in writing to schedule site inspections by the Planning and Building Divisions, Police Department, and Heartland Fire and Rescue. Site inspections are required to confirm that the site and operation comply with Measure U (LMMC Chapter 24.23), LMMC Chapter 6.11, and applicable State cannabis laws, as well as conform to the CUP approved under Measure U and with the application and required submittal items. The notification will include a list of required submittal items that were approved for deferred submittal, but must be received prior to license issuance. Once all inspections are completed successfully, all deferred submittal items are received, and it is confirmed that all applicable fees have been paid, the City will issue the Adult-Use Cannabis Business License and notify the State of final local authorization to conduct an adult-use cannabis business.