



City of Palm Desert
Department of Development Services
73510 Fred Waring Drive, Palm Desert, CA 92260
760-837-1680, email: cannabisregulatory@palmdesert.gov

Commercial Cannabis Business Regulatory Permit Application

- ☐ New Business ☐ Renewal ☐ Change of Location ☐ Change of Operation ☐ Change of Ownership
☐ Update Contact Information

CONDITIONAL USE PERMIT AND RESOLUTION No. _____

APPLICANT NAME: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Email: _____ Telephone: _____

COMMUNITY RELATIONS MANAGER: _____

Cell: _____ Primary Telephone: _____

Email: _____

PROPERTY OWNER / LANDLORD NAME: _____

Mailing Address: _____ City: _____ Zip Code: _____

Phone: _____ Cell: _____ Email: _____

24-Hour Emergency Contact:

Name: _____ Email: _____

Phone(1st): _____ Phone(2nd): _____

COMMERCIAL CANNABIS BUSINESS PERMIT (TYPE) Please select from the categories:

- ☐ Cultivation / Cultivation Square Footage: _____ ☐ Distribution ☐ Manufacturer
☐ Microbusiness (Please identify all business activities: _____)
☐ Retailer ☐ Retailer to Include Delivery ☐ Testing ☐ Non-Storefront to Include Delivery

BUSINESS INFORMATION:

Secretary of State Statement of Information No.: _____

"Doing Business As": _____

Business Email Address (if applicable): _____ Phone: _____

Type of Business Entity: _____

State Cannabis License No.: _____ Expiration: _____

Palm Desert License No.: _____ Expiration: _____

Total Square footage: _____ Insurance Policy Name and Expiration Date: _____

Project Address / Location: _____

Assessor's Parcel Number (APN): _____

Applicant/Representative: By signing this application, I certify that the information is accurate. I understand that the City might disapprove of what I am applying for and/or require approval conditions.

Signature

Print Name

Date



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Commercial Cannabis Regulatory List of Requirements

Important note when applying: Please separate the Financial and Security Plans by placing a cover sheet on the subject. These sensitive and confidential documents will be stored separately in a safeguard folder on the City's server.

I. **PURPOSE: Introduction**

In coordination with reviewing a Conditional Use Permit application and as a continued requisite to operate a commercial cannabis business, all cannabis business operators must apply annually for the Cannabis Regulatory Permit. This permit will be issued to the applicant of the cannabis business only and is required to remain valid during business operations. Any lapse in permit activity will result in revocation and cessation of the cannabis business.

II. **SUBMITTAL REQUIREMENTS: Application**

1. Regulatory Permit Form completed with required signatures.
2. Required documents, exhibits, and plans as described in P.D.M.C Chapter 5.101 and below.

III. **PROCEDURE: Conditional Use Permit & Resolution**

Initially, a Cannabis Regulatory Permit must be applied for along with the Conditional Use Permit (CUP) application for all commercial cannabis businesses. Once the City's Planning Commission approves a CUP, the Business License Division of the Community Development Department will issue a Cannabis Regulatory Permit. The permit is issued to the business owner or operator only. Any business ownership changes will require a new or amended Cannabis Regulatory Permit. In addition, a Cannabis Regulatory Permit is valid for one (1) year and must be applied for annually along with a Business License.

IV. **APPLICATION CHECKLIST:**

Applicants are required to provide the following information when applying for a Cannabis Regulatory Permit:

1. **Business Legal Documents** - A description of the statutory entity or business form that will serve as the legal structure for the applicant and a copy of its formation and organizing documents, including, but not limited to, articles of incorporation, certificate of amendment, statement of information, articles of association, bylaws, partnership agreement, operating agreement, and fictitious business name statement.
2. **Applicant's Identification** - A legible copy of each applicant's photo identification, such as a state driver's license, a passport issued by the United States, or a permanent resident card.
3. **Licenses & Permits Issued** - A list of the license or permit types (including license or permit numbers) held by the applicant that involve the operation of a commercial cannabis business,



Commercial Cannabis Regulatory List of Requirements

including the date the license or permit was issued and the jurisdiction or State license authority that issued the license or permit.

4. **Licenses & Permits Denied** - Whether the applicant has been denied a license or permit by the City, any other jurisdiction, and/or the State that involves the operation of a commercial cannabis business. The applicant shall describe the license or permit applied for, the name of the jurisdiction or State license authority that reviewed the license or permit application, and the date of denial.
5. **Business Contact Info** - The proposed commercial cannabis business's physical address, telephone number, website address, and e-mail address.
6. **Applicant's Owned Business(s)** - A list of every fictitious business name the applicant is operating under, including the address of the business.
7. **Financial** - Financial information including the following:
 - a. **Financial Funds** - A list of funds from the commercial cannabis business held in a financial institution's savings, checking, or other accounts. The applicant shall provide for each account the financial institution's name, the financial institution's address, account type, account number, and the amount of money in the account.
 - b. **Financial Loans** - A list of loans made to the commercial cannabis business. For each loan, the applicant shall provide the loan amount, the loan's date, the loan's term(s), the security provided for the loan, and the lender's name, address, and phone number.
 - c. **Financial Investments** - A list of investments made into the commercial cannabis business. For each investment, the applicant shall provide the investment amount, the investment date, the investment term(s), and the investment entity name, address, and phone number.
 - d. **Financial Gifts** - A list of any gifts given to the applicant for its use in conducting commercial cannabis business. For each gift, the applicant shall provide the value of the gift or description of the gift and the provider's name, address, and phone number.
8. **Applicant's Criminal History** - A list of each applicant's misdemeanor and felony convictions, if any. For each conviction, the list must set forth the date of arrest, the offense charged, the offense convicted, the jurisdiction of the court, and whether the conviction was by verdict, plea of guilty, or plea of nolo contendere.
9. **Site and Floor Plan** - A complete and detailed diagram of the proposed premises showing the boundaries of the property and the proposed premises to be permitted, showing all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, doorways, and common or shared entryways, storage areas, and exterior lighting. The diagram must show the areas in which all commercial cannabis business will take place, including but not limited to limited-access areas.



Commercial Cannabis Regulatory List of Requirements

10. **Security Plan** - A security plan, as a separate document, outlining the proposed security arrangements to deter and prevent unauthorized entrance into limited access areas and theft of cannabis in accordance with minimum security measures required by state law and measures identified in Section 5.101.040(M) of the Palm Desert Municipal Code. The Palm Desert Police Department and the City Manager shall review the security plan. It shall be exempt from disclosure as a public record pursuant to Government Code Section 6255(a).
11. **Business Operations** - A comprehensive business operations plan that includes the following:
 - a. **Business plan**. A plan describing how the commercial cannabis business will operate in accordance with this code, state law, and other applicable regulations. The plan shall include operational, banking, and personnel procedures to ensure adequate business knowledge, modeling, and support.
 - b. **Community relations plan**. A plan describes who is designated as responsible for outreach and communication with the surrounding community, including the neighborhood and businesses, and how the designee can be contacted.
 - c. **Neighborhood responsibility plan**. A plan addressing any adverse impacts of the proposed commercial cannabis business on the surrounding area.
 - d. **Odor control plan**. A plan identifying odor control methods, including, but not limited to, the use of odor-absorbing ventilation and exhaust systems, negative air pressure, and other treatments.
 - e. **Insurance**. The applicant's certificate of commercial general liability insurance and endorsements and certificates of all other insurance related to the operation of the commercial cannabis business.
 - f. **Budget**. A copy of the applicant's most recent annual budget for operations.
12. **Property Owner's Authorization (notarization)** - The name and address of the owner and lessor of the real property upon which the commercial cannabis business will be operated. If the applicant is not the legal owner of the property, the application must be accompanied by a notarized acknowledgment from the property owner that a commercial cannabis business will be operated on his or her property.
13. **Verification Authorization** - Authorization for the city manager to seek verification of the information contained within the application.
14. **Applicant's Certification (notarization)** - A written statement by the applicant that he or she certifies under penalty of perjury that all the information in the application is true and correct.
15. **Applicant's State Licenses** - A complete copy of the applicant's most current application submitted to and approved by the applicable State licensing authority (only applicable on a renewal basis).



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16. **Interest Parties** - The name, address, telephone number, title, and function of each of the interested parties described below:
- a. **Interest Parties Contact Info** - A permittee shall provide the City with the names and addresses of all of the following interested parties:
 - i. **Investor's 10%+** - Persons with at least a 10% interest in the commercial cannabis business;
 - ii. **Owner's 10%+** - Partners, officers, directors, and stockholders of every corporation, limited liability company, or general or limited partnership that owns at least 10% of the stock, capital, profits, voting rights, or membership interest of the commercial cannabis business or that is one of the partners in the commercial cannabis business; and
 - iii. **Employee Contact Info** - The managers of the commercial cannabis business and the staff of the commercial cannabis business.
 - b. **Interest Parties Background & Fingerprinting** - All interested parties, as described in the subsections listed above, must submit to fingerprinting and a criminal background check by the city.
 - c. **Interest Parties No Criminal History** - No person shall be an interested party, as described in subsection A of this Chapter 5.101 of the Palm Desert Municipal Code (PDMC), if he or she is charged with or convicted of a felony; has been charged with or convicted of a violation of California Penal Code section 186.22 (participation in a criminal street gang); or is currently on parole or probation for an offense relating to the sale or distribution of a controlled substance. "Convicted" within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere was entered but does not include any plea, verdict, or conviction that is expunged pursuant to California law or a similar federal or state law where the expungement was granted. "Charged" within the meaning of this section means (1) a grand jury issued an indictment, or information, complaint, or similar pleading was issued by the United States Attorney, district attorney, city attorney, or other governmental official or agency authorized to prosecute crimes, and (2) the criminal proceedings are currently pending.



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PROPERTY OWNER CONSENT - AUTHORIZATION FORM

If the Applicant is other than the property owner(s), the owner(s) must provide a signed and notarized statement consenting to filing pursuant to Section 5.101 of the City of Palm Desert Municipal Code. Additional sheets may be attached if necessary. Original signatures only.

I/We, as the owner(s) of the subject property, consent to the filing of this application and use of the property for the purposes described herein. We further consent and hereby authorize City representative(s) to enter upon my property for the purpose of examining and inspecting the property in preparation of any reports and/or required environmental review for the processing of the application(s) being filed.

Print Name

Signature

Title

Date

Print Name

Signature

Title

Date

Print Name

Signature

Title

Date

ATTACHMENT: CALIFORNIA ACKNOWLEDGEMENT

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 _____ }
County of _____ }

On _____ before me, _____, a 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 of Notary Public

Place Notary Seal and/or Stamp Above



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Statement of Authorization to Indemnify City

Indemnity:

The undersigned, on behalf of _____
(Name of Corporation ("Applicant"))

hereby authorizes and agrees to indemnify the City of Palm Desert (the "City"), its agents, officers, and employees, to the maximum extent permitted by law, as such may be amended from time to time, and to defend at its sole expense, any and all action against the City, its agents, officers, and employees because of any and all issues relating to the approval of said commercial cannabis facility and related Ordinance(s) in the City.

Reimbursements:

The undersigned, on behalf of _____
(Name of Corporation ("Applicant"))

also agrees to reimburse the City for any court costs and attorney fees that the City may incur as payment for such action. The City may select any attorney it deems appropriate in the City's exclusive discretion. As set forth herein, reimbursement of costs and fees shall be made payable to the "City of Palm Desert" within thirty (30) days of a written request. Failure of "Applicant" to make payment of reimbursement, as set forth herein, shall be grounds for revocation of a permit to operate a commercial cannabis facility in the City.

Declaration of Authorized Agent(s):

This form MUST be signed by each owner/shareholder or managing member of the "Applicant." I declare under penalty of perjury that I have read the forgoing application and all information, statements, verifications, declarations, and authorizations made, attached to and contained herein, that I have personal knowledge of the information contained in the application, and that the information contained in the application is true and correct, and that we/I am duly authorized to enter into this Indemnity on behalf of "Applicant."

_____ Printed Name & Title	_____ Signature of Management Member	_____ Date
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_____ Printed Name & Title	_____ Signature of Management Member	_____ Date
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_____ Printed Name & Title	_____ Signature of Management Member	_____ Date
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Statement of Authorization to Reimburse the City of Palm Desert

The undersigned, on behalf of _____,
(Name of Corporation "Applicant")

hereby agrees to fully reimburse the City of Palm Desert for any and all costs the City of Palm Desert may incur as a result of the existence of commercial cannabis facilities in the City of Palm Desert and the implementation of Palm Desert Municipal Code Chapter 5.101.

The undersigned, on behalf of _____,
(Name of Corporation "Applicant")

also agrees to provide the City with revenue to offset the potential deleterious effects of the location of the Commercial Cannabis Facility.

This form MUST be signed by each "Applicant" Management Member.

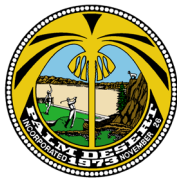
_____ Printed Name & Title	_____ Signature of Management Member	_____ Date
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_____ Printed Name & Title	_____ Signature of Management Member	_____ Date
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_____ Printed Name & Title	_____ Signature of Management Member	_____ Date
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I declare under penalty of perjury that I have read the forgoing application and all information, statements, verifications, declarations, and authorizations made, attached to an contained herein, and that I have personal knowledge of the information contained in the application, and that the information contained in the application is true and correct, and that the application was completed under the supervision of the Management Members.

Executed this _____ day of _____ 20 _____, at _____
City and State



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Applicant Certification – Authorization Form

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 in the attached exhibits 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 the cause for the rejection of this application, denial of the permit, or revocation of a permit issued.

In addition, I understand that filing this application permits the City of Palm Desert to reproduce submitted materials, including but not limited to plans, exhibits, and photographs, 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 use 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 the requirements of the City of Palm Desert Municipal Code and state law.

Name of Applicant

Signature of Applicant

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 _____}
County of _____}

On _____ before me, _____, a
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 of Notary Public

Place Notary Seal and/or Stamp Above