



ZONING CLEARANCE – CANNABIS CULTIVATION

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

1960 TATE STREET, CITY OF EAST PALO ALTO, CA 94303

TEL: 650. 853. 3189 E-MAIL: PLANNING@CITYOFEPA.ORG

Check applicable box

MEDICAL-USE ADULT-USE (age 21 and over)

Note: Applicant shall register and obtain the zoning clearance approval on an annual basis.

Permit #: _____

PLANNING

Approved Denied

Reviewer: _____

Date: _____

BUILDING

Approved Denied

Hold until

BP# _____ issued

Reviewer: _____

Date: _____

For Staff Use Only

General Information				
Project Location (Address)		Assessor's Parcel Number(s)		Zoning Designation
Applicant Name (Print)		Applicant Signature		Phone number
Applicant Address	City	State	Zip Code	Email
Property Owner/Manager Name (Print)	Property Owner/Manager Signature		Phone number	
Property Owner /Manager Address	City	State	Zip Code	Email

Project Description (Please describe your marijuana use briefly)

Supplemental Questionnaire

<input type="checkbox"/> Yes <input type="checkbox"/> No	Will you reside at the subject property wherein the cannabis cultivation occurs?
<input type="checkbox"/> Yes <input type="checkbox"/> No	Will you alter or modify the building for the purpose of cannabis cultivation? If so, please describe: _____ (Note that building permit may be required for building alterations.)
<input type="checkbox"/> Yes <input type="checkbox"/> No	Will you modify the existing electrical, mechanical or plumbing systems? Please describe: _____
<input type="checkbox"/> Yes <input type="checkbox"/> No	Will you demolish any portion of the structure; interior or exterior, structural or non-structural? Please describe: _____
<input type="checkbox"/> Yes <input type="checkbox"/> No	Ventilation (ventilation required): Will the cannabis cultivation area include a natural or mechanical means of ventilation? Please describe: _____
<input type="checkbox"/> Yes <input type="checkbox"/> No	Are you a primary caregiver? If so, please provide the physician's recommendation report of each patient. (No more than five qualified patients are allowed.)
No. of Plants: Mature: _____ Immature: _____	Number of plants: Please provide the number of plants that may be planted, cultivated, harvested or processed within the residence in the left box. (Note that for adult use, no more than six plants are allowed; for medical use, if more than six mature or 12 immature plants per qualified patient, the primary caregiver shall attach a physician's recommendation letter.)
Weight: _____oz	Weight of dried cannabis: Please provide the weight of dried cannabis may be cultivated and processed within the residence in the left box. (Note that no more than eight ounces of dried cannabis per qualified patient is allowed.)

Area: ____ square feet Height: ____ linear feet	Cultivation Area (must be located within residence or in a garage or a fully enclosed and locked structure): Please specify your cultivation area in the left box. (Note that the cultivation area shall be a single designated area with no more than 32 square feet measured by the canopy and 10 linear feet in height.)
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<input type="checkbox"/> Yes <input type="checkbox"/> No	Will the cannabis be cultivated in a garage or an accessory building that is fully enclosed? If so, please provide additional information to meet the following requirements: <input type="checkbox"/> Parking standards. If cultivation occurs in a garage, please provide a site plan for compliance of off-street parking requirements; <input type="checkbox"/> Firewall Requirements (See California Residential Code Section R302.5.1 for cultivation in the garage (<i>firewall requirements</i>); and California Residential Code Table R302.1(2) (<i>exterior wall fire-resistance requirements</i>) for cultivation in existing and new accessory buildings). Please provide a floor plan for compliance of fire prevention purpose. (Note that building permits will be required for alterations to an existing non-conforming firewall); <input type="checkbox"/> Alarm. Please provide justifications that the structure includes a fully permitted burglar alarm monitored by an alarm company or private security company.
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Any cannabis activity must meet all of the following criteria to be permitted as a zoning clearance on premise:

- a) Personal cultivation shall not conduct as any part of a business or commercial activities;
- b) No outdoor cultivation as well as elsewhere in addition to the subject residence within City limits is allowed;
- c) Lighting for cannabis cultivation shall not exceed a total of 1,000 watts;
- d) The use of gas products, including but not limited to carbon dioxide, butane or propane for cannabis cultivation or processing is prohibited;
- e) There shall be no evidence of cannabis cultivation occurring on site from the exterior of the building where cultivation occurs.
- f) The primary use of the subject property shall remain as a residence. The residence shall maintain kitchen, bathrooms, and primary bedrooms for their intended use, and cannabis cultivation shall be limited to an incidental use of the residence
- g) No chemical shall be used for cannabis cultivation that contains any substance on the list prepared pursuant to Cal. Health & Safety Code § 25249.8; provided, that any chemical specifically approved by the California Department of Pesticide Regulations for indoor use on cannabis may be used in amounts prescribed by the Department. No chemical used for cannabis cultivation shall be stored in a manner visible from neighboring residences to individuals located outside the property line or in the public right-of-way.
- h) The cannabis cultivation area shall not adversely affect the health or safety of nearby residents by creating unreasonable dust, glare, heat, noise, noxious gases, odors, traffic, vibrations, or similar impacts. Nor shall cannabis cultivation be hazardous due to the use or storage of materials, processes, product, or wastes, or from any actions incidental or related to the cultivation.
- i) For rental property, the lessee shall notify the property owner or property manager or management company of the cultivation and no cannabis cultivation is permitted that would violate any lease term. (Nothing in this section is intended, or shall it be construed, to preclude any landlord from limiting or prohibiting personal cultivation or cannabis by tenants.)
- j) NOTE: "Stop Work Orders" will be issued by the Building Official if construction is done without required permits. All contractors and subcontractors must possess a current City of East Palo Alto business license. Building permits are issued to the licensed contractor, property owner or a certified agent.

OWNER / APPLICANT CERTIFICATION

I, _____(print), owner / applicant (or representative of the applicant) for this planning permit, do hereby state that I have provided the materials listed above, and fully read and understand the above Cannabis Cultivation Regulations, Chapter 9.32 of the East Palo Alto Municipal Code. I further agree to abide to the regulations. I understand that non-compliance with the regulations will result in revocation of my Permit and may result in fines and penalties. If, at my request, this application is significantly amended, including but not limited to taking care of more patients as a primary caregiver or relocation the cultivation area from the main dwelling to a garage or an accessory structure, I understand this will require submission of a new application, including fees and checklist items. I also understand that additional fees and subsequent information may be required during the course of processing this request as determined by planning staff pursuant to State Government Code Section 65944.

_____ Date	_____ Signature
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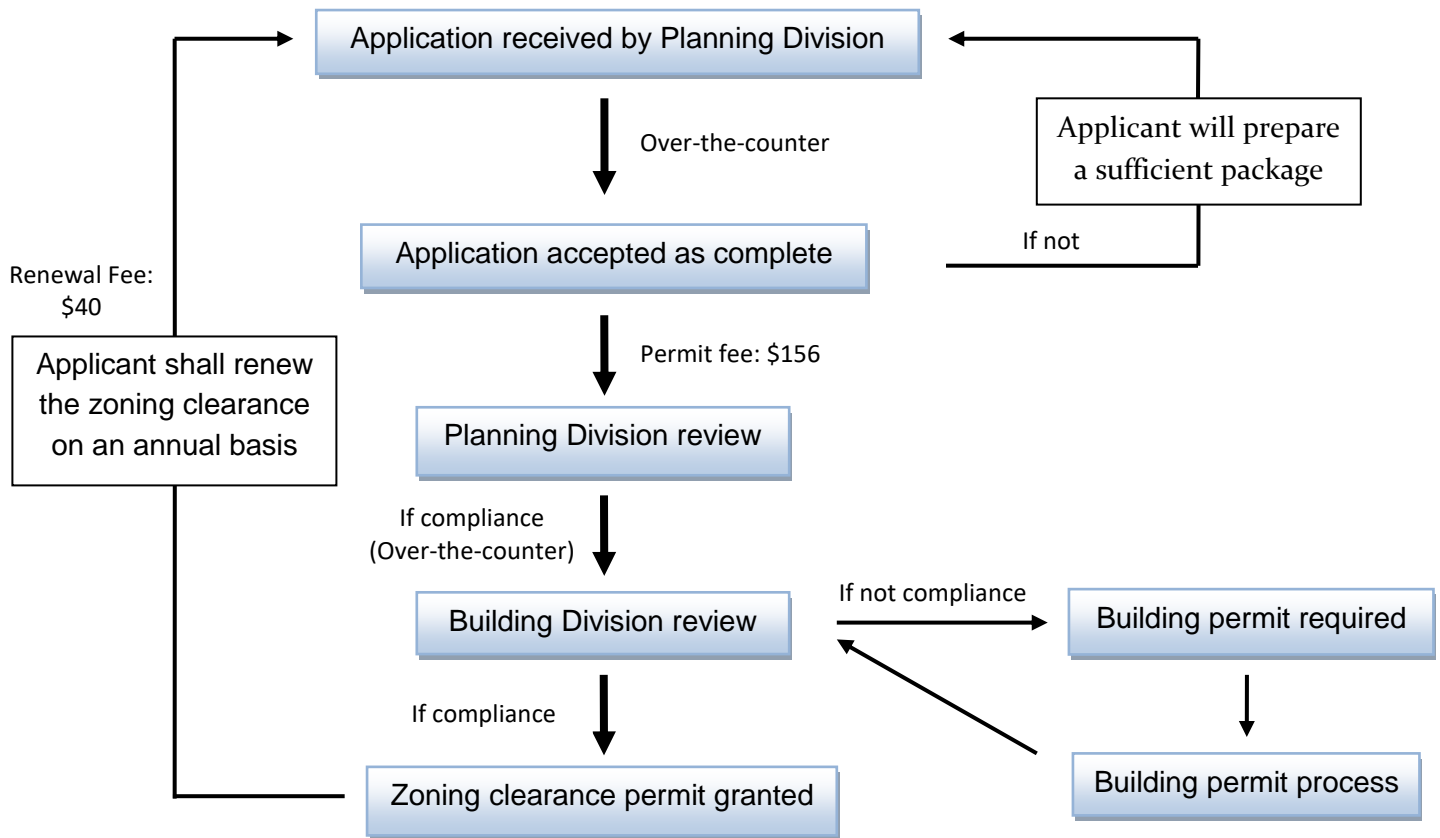


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Process Flow Chart



- **Permit Fee.** Zoning clearance for cannabis cultivation permit (The permit) fee is \$156. Note if building permit(s) will be required, there will be a separate building permit processing fee.
- **Renewal.** The permit will be expired one year after the approval date. Applicant shall renew the permit with the Planning Division with a renewal fee of \$40. Failure to renew the permit will result in revocation of the permit and may result in fines and penalties
- **New Application.** If the cultivation area will be changed to a new address, a new zoning clearance application process is required for the new location.
- **Transfer not Allowed.** Zoning clearance permit shall not be transferred from one applicant to another.
- **Commercial Ban.** Cannabis activities for commercial purpose are currently banned city wide.