



## CANNABIS DELIVERY SERVICE LICENSE INFORMATION SHEET

### GENERAL INFORMATION

This information sheet explains how your Cannabis Delivery Service License application will be processed, what fees you must pay, and what information you must submit. **The items listed below within the “Cannabis Delivery Service License Submittal Checklist” must be included with all Use Permit applications to establish cannabis delivery services in Truckee.** If you have any questions after you have read this information, please contact the Planning Division.

### REVIEW AND APPROVAL AUTHORITY

Cannabis Delivery Service Licenses are required for all cannabis delivery service businesses located and operating in the Town of Truckee. The License is required for any retail activities for which the Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA) requires a State “M-Retailer” or “A-Retailer” license (Type 9) issued by the Bureau of Cannabis Control. Following approval of a Use Permit by the Planning Commission to allow operation of a cannabis delivery service, the Community Development Department will issue the License to the delivery service operator. The License is issued only after the operator obtains the required Use Permit.

### HOW YOUR APPLICATION WILL BE PROCESSED

The steps involved in reviewing your Cannabis Delivery Service license application are summarized below:

1. Within thirty (30) days after submittal of the Use Permit application, plans and fee deposit, Town staff will review the submittal for completeness. The environmental application will also be reviewed to determine if the project is categorically exempt from CEQA. If the submittal is complete, the application is formally accepted for processing and continues through the review process. If the application submittal is incomplete and additional information or clarification is required, you will be notified in writing. Until the application is deemed complete, it will not proceed through the process.
2. After the application is complete, Town staff will route the plans and materials to Town departments and other agencies for review and comment. All responses, comments and corrections will be forwarded to the applicant for your information. At this stage of the review process, Town staff will analyze the agency comments and the project to determine if additional information is required to complete the environmental document for the project and determine if the project complies with the Truckee Development Code. If additional information is needed, the applicant will be notified in writing within 30 days of the additional information required. If additional information is not needed, Town staff will continue with the review of the project and the preparation of the environmental document, most likely a Negative Declaration.
3. When staff completes the environmental document and is ready to forward the application to the Planning Commission for their consideration, a public hearing will be scheduled. A public hearing notice will be published in the newspaper and provided by mail to surrounding property

owners and other interested parties. At the public hearing, the public (including neighboring property owners and residents) will be given the opportunity to provide input.

4. Town staff will then complete a staff report that includes a staff recommendation on the approval or denial of the Use Permit and any recommended conditions of approval. The staff report on the project will be provided in writing to the applicant at least five days prior to the public hearing.
5. At the public hearing, the Planning Commission will consider the staff report and all written and verbal input submitted on the project by the applicant and any other interested party. At the conclusion of the hearing, the Planning Commission will take action to approve, conditionally approve, or deny the Use Permit. A written report on the findings of the action taken at the public hearing will be provided to the applicant after the hearing.
6. Following approval of the Use Permit, the Community Development Department will issue the Cannabis Delivery Service License to the business operator(s).

### APPEAL

Any decision on the Use Permit made by the Planning Commission may be appealed to the Town Council within ten (10) days after the action is taken. An appeal must be submitted in the form specified by the Planning Division along with the appropriate filing fee.

Any decision by the Community Development Director to approve a license may be appealed to the Planning Commission by filing a written appeal within ten (10) days after the action is taken. An appeal must be submitted in the form specified by the Planning Division along with the appropriate filing fee.

### FEES

The fee for processing the Use Permit application will be based on the actual costs of Town staff time spent on processing the application and any direct costs (publication costs for the hearing notice, Nevada County Environmental Health Department review fee, etc.). A fee deposit of \$6,500.00 must be submitted with the application to cover these anticipated costs. If the actual application costs are less than the fee deposit, the applicant will be given a refund of the unused fees at the end of the application process. The fees to process the Cannabis Delivery Service License are charged to the initial Use Permit deposit and are not a separate fee.

### SUBMITTAL REQUIREMENTS

The items listed in the "Cannabis Delivery Service License Submittal Checklist" must be submitted as part of the Use Permit application package in order for the application to be considered complete for processing. The signed checklist must also be submitted with the application. Your application will not be accepted if all of the items listed are not submitted.

After your project is assigned to a planner, you will be contacted and asked to provide additional hard copies of the plan sets as required. In addition, the planner may request an electronic version of documents from the application submittal package. Electronic files may be submitted via email (if less than 15 MB), CD, thumb drive or Dropbox.

## Cannabis Delivery Service License Application Submittal Checklist

Applicant Name: \_\_\_\_\_ Project Site APN: \_\_\_\_\_

Application Number (to be filled out by Town staff) \_\_\_\_\_

**Applicant must fill out the checklist below by placing a check mark in the boxes listed under Column A (for Applicant) and signing below. Column S is for staff to verify that your submittal requirements have been met.**

**A S**

- 1. Completed Land Use/Zoning Application-Submitted as part of Use Permit application. (The property owner must sign the application or the applicant must submit a letter or other documentation signed by the property owner authorizing the applicant to submit the application.)
- 2. Completed Environmental Application-Submitted as part of Use Permit application.
- 3. Fee deposit-Submitted as part of the Use Permit application. Checks must be made payable to the Town of Truckee; cash and credit cards are also accepted.
- 4. For those applications for which the Planning Commission or Town Council is the review authority, a sign(s) with the notice shall be posted on or near the location of the real property no later than 15 days after the application is determined complete. Please see Truckee Development Code Chapter 18.180 for more information.

### Locational Requirements

The applicant is required to verify that the proposed delivery service location complies with the Town's adopted eligibility criteria as set forth in Town Council Resolution 2018-53.

**Allowable Zone District**—Allowed only in CG (General Commercial), CS (Service Commercial), M (Manufacturing) and DM (Downtown Manufacturing) zone districts.

**Note:** Businesses located in the CG zone district are prohibited within the ground floor of buildings.

Property Location: \_\_\_\_\_

Zone District: \_\_\_\_\_

**Separation Standards**—Shall not be allowed within 600 feet of a school, day care center, or youth center.

- Provide map depicting location of proposed cannabis delivery service identified on Town of Truckee Eligible Cannabis Delivery Service Locations map (accessible here: <http://www.townoftruckee.com/home/showdocument?id=17826>)

**Building Location**—Shall be located in a fixed structure (or space) less than 3,000 square feet of gross floor area.

- Provide floor plan of delivery service business location at a scale of ¼" = 1' or greater and the total size in square feet of the entire business.
- The use (e.g., office, storage) and size of each area or room.

**Property Owner Consents**—Property owner acknowledgement of operation of cannabis business and federal status of cannabis. Property owner confirmation that any applicable CC&Rs allow operation of a cannabis business.

- Property owner consent and acknowledgement form.

**Cannabis Delivery Service License Conditions of Approval**

By applying for a Cannabis Delivery Service License, the operator agrees to the following conditions of approval:

- The delivery service business premises shall not be open to the public.
- No delivery of cannabis shall occur within the structure or on the premises thereof.
- The operation of a retail storefront is prohibited.
- Operator shall implement security measures reasonably designed to prevent unauthorized entrance into areas containing cannabis or cannabis products and theft of cannabis or cannabis products from the premises. The Town Council determined that implementation of the Bureau of Cannabis Control requirements is sufficient.
- Window security bars shall not be installed on the exterior of any building façade.
- Reasonable security measures shall be in place to preclude public access to the interior of the facility. The Town Council determined that implementation of the Bureau of Cannabis Control requirements is sufficient.
- The operator shall provide a signed agreement indemnifying the Town of Truckee.
- State license shall be provided to Town within ten days of issuance.
- Operator consents to periodic site inspections as part of Town's ongoing monitoring program.
- All businesses that have operated within the State of California within the previous three years, and individuals that have held any ownership interest in a cannabis business operating within the State of California within the previous three years, shall provide records of payment to the State for both sales and income taxes for any such period of operation.

Once a Use Permit is approved, the Community Development Director will issue the Cannabis Delivery Service License with the above conditions of approval.

## PROPERTY OWNER CONSENT FORM

### PROPERTY OWNER INFORMATION

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Name \_\_\_\_\_ Title \_\_\_\_\_

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Business Name (if applicable) \_\_\_\_\_ Phone Number \_\_\_\_\_

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Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

### PREMISES INFORMATION

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Physical Address \_\_\_\_\_ City Truckee State CA Zip Code 96161

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Tenant Applicant (Business Name) \_\_\_\_\_

Copy of property lease agreement attached

### DECLARATIONS AND SIGNATURE

I hereby certify that I am the property owner and/or manager of the premises referenced in the Cannabis Delivery Service License application, and authorized to complete this form on the property owner's behalf. The property owner acknowledges that the above-mentioned tenant has the legal right to occupy the property and acknowledges and consents to the conduct of commercial cannabis activities on the property.

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Signature \_\_\_\_\_ Date \_\_\_\_\_

I hereby acknowledge I am aware that cannabis is illegal under federal law even in states like California that have legalized it. Because cannabis is illegal at the federal level, federal prosecutors can enforce federal laws at their own discretion, up to and including enforcement action against property owners who lease properties to operators of cannabis businesses and in forcing state-legal cannabis businesses to close.

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Signature \_\_\_\_\_ Date \_\_\_\_\_

I hereby represent that the operation of a cannabis business on the property does not conflict with any CC&Rs or other use restrictions applicable to the property.

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Signature \_\_\_\_\_ Date \_\_\_\_\_