

**CITY OF GREENFIELD CITY COUNCIL
RESOLUTION No. 2016-16**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
GREENFIELD ADOPTING A MEDICAL MARIJUANA FACILITY
REGULATORY PERMIT FEE SCHEDULE**

WHEREAS, the City Council adopted Ordinance 515 adding chapter 5.28 to the City of Greenfield Municipal Code permitting the establishment and operation of medical marijuana facilities in the City of Greenfield subject to obtaining a regulatory permit from the City; and

WHEREAS, the purpose of the regulatory permit is to ensure that the medical marijuana facility and its operation is conducted in a secure, safe and business-like manner consistent with all applicable local and state laws, rules and regulations governing the cultivation, manufacturing, and distribution of medical marijuana, including without limitation the Compassionate Use Act as set forth in California Health and Safety Code Section 11362.5, the Medical Marijuana Program Act as set forth in the California Health and Safety Code Sections 11362.5 through 11362.83, the August 2008 Attorney General Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use, and the Medical Marijuana Regulation and Safety Act of 2015; and

WHEREAS, section 17.16.060 of the City of Greenfield Municipal Code provides for the issuance of a conditional use permit, for individual uses typically having unusual site development features or operating characteristics, to ensure compatibility with surrounding areas and uses; and

WHEREAS, the City will incur certain costs associated with accepting, processing, reviewing, investigating, and formally considering the merits of each medical marijuana facility regulatory and use permit application and performing certain regulatory activities associated with the operation of each type of medical marijuana facility pursuant to the rules, regulations and procedures duly adopted by the City Council as set forth in Ordinance No. 515 and the “Administrative Regulations for Implementation of Chapter 5.28 – Medical Marijuana Facilities Regulatory Permit” approved by the City Council pursuant thereto; and

WHEREAS, the City Council desires to recover the costs that the City will incur with accepting, processing, reviewing, investigating, and formally considering the merits of each medical marijuana facility regulatory and use permit application and performing certain regulatory activities associated with the operation of each type of medical marijuana facility, in a manner permitted by law; and

NOW, THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Greenfield as follows:

Section 1. FINDINGS

That the medical marijuana facilities fees adopted by this resolution pursuant to the City's adopted medical marijuana program reflect the reasonable costs the City will incur in connection with accepting, processing, reviewing, investigating, and formally considering the merits of each medical marijuana facility regulatory and use permit application and performing certain regulatory activities associated with the operation of each type of medical marijuana facility pursuant to the rules, regulations and procedures duly adopted by the City Council as set forth in Ordinance No. 515 and the “Administrative Regulations for Implementation of Chapter 5.28 – Medical Marijuana Facilities Regulatory Permit” approved by the City Council pursuant thereto.

Section 2. ADOPTION OF FEES

(a) That the fees set forth below are hereby adopted and shall be imposed on any medical marijuana facility regulatory permit applicant for the reasonable estimated costs the City will incur with respect to accepting, processing, reviewing, investigating, and formally considering the merits of each medical marijuana facility regulatory permit application and performing certain regulatory activities associated with the operation of each type of medical marijuana facility pursuant to the rules, regulations and procedures duly adopted by the City Council as set forth in Ordinance No. 515 and the “Administrative Regulations for Implementation of Chapter 5.28 – Medical Marijuana Facilities Regulatory Permit” approved by the City Council pursuant thereto.

Activity (Processing)	Estimated Costs Incurred By City	Fee
Application Fee – Regulatory Permit	\$115.00	\$115.00
Processing Fee – Processing application, investigation and review of application, permit issuance	\$7,715.00	\$7,715.00
Development Agreement	Actual Cost	Actual Cost
Annual Operating Fee (Year 1) – Dispensary	\$60,758.00	\$60,758.00
Annual Operating Fee (Year 1) – Cultivation	\$60,758.00	\$60,758.00
Annual Operating Fee (Year 1) – Manufacturing	\$33,936.00	\$33,936.00
Annual Operating Fee (Each Renewal Year) – Dispensary	TBD	TBD
Annual Operating Fee (Each Renewal Year) – Cultivation	TBD	TBD
Annual Operating Fee (Each Renewal Year) – Manufacturing	TBD	TBD
Amended Registration Fee – Amendments/changes to regulatory or use permit during term of operation	\$962.00	\$962.00

Regulatory Permit Renewal Fee	\$3,795.00	\$3,795.00
Application Fee – Use Permit	\$115.00	\$115.00
Use Permit	Per Planning/Land Use Adopted Fee Schedule	
Appeal	\$2,328.00	\$2,328.00
Community Public Health, Safety, Welfare, and Quality of Life Fee	\$15 - \$20 per square foot	\$15 - \$20 per square foot

(b) That payment of the Application Fee and the Processing Fee shall be due and payable at the time a regulatory permit application is submitted to the City.

(c) That payment of the annual Operating Fee shall be due and payable at the time a regulatory permit is issued.

(d) That the City will not begin any review or investigation of a regulatory permit application until and unless the Application Fee and the Processing Fee have been paid in full.

(e) That the Application Fee and the Processing Fee shall be non-refundable.

(f) That the costs to the City in preparation of the Development Agreement shall be on a full cost recovery basis. Such costs shall be reimbursed in full prior to the issuance of a regulatory permit.

(g) That payment of the above fees does not guarantee approval of any of the subject regulatory permit applications.

(h) That the above fees do not include any other fees due for, without limitation, other permits, licenses, inspections, document preparation that may be required by the City such as, but not limited to, building permits, environmental review, business licensing, certificates of occupancy, or mandatory fire inspections.

Section 3. EFFECTIVE DATE

That this Resolution and the fees established herein shall take effect upon its adoption.

PASSED AND ADOPTED by the City Council of the City of Greenfield at a regular meeting of the City Council held on the 23rd day of February, 2016, by the following vote:

AYES, and in favor thereof, Council Members:

NOES, Council Members:

ABSENT, Council Members:

ABSTAIN, Council Members:

John P. Huerta, Jr., Mayor
City of Greenfield

ATTEST:

Ann F. Rathbun, City Clerk
City of Greenfield