



# City of Oroville

Planning Division - Community Development Department

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[www.cityoforoville.org](http://www.cityoforoville.org)

Donald Rust  
 DIRECTOR

TRAKIT#:

## MEDICAL MARIJUANA CULTIVATION

(Please print clearly and fill in/provide all that apply)

REQUIRED FOR A COMPLETE APPLICATION					
Completed and signed Application Forms					
Application Fee Paid: (\$250.00) + 6% Tech Fee = \$265.00					
LOCATION					
Address of Proposed Cultivation:					
Location of Cultivation:		Residence		Detached Structure	
If in residence, do you rent or own the property:		Rent		Own	
If in detached structure, is the structure existing:		Existing		New (will be built)	
Nearest school, child care center, or park (list all):					
GROWERS					
Who will be growing/maintaining/caring for the plants:		Patient		Primary Caregiver	
Name:			Phone #:		
Address:					
City:		State:		ZIP:	
DOCUMENTS TO SUBMIT					
Please provide the following:					
1. A notarized signature from the owner of the property consenting to the cultivation of medical marijuana at the premises on a form acceptable to the City.					
2. The name of each person, owning, leasing, occupying, or having charge of any legal parcel or premises where medical marijuana will be cultivated.					
3. The name of each qualified patient or primary caregiver who participates in the medical marijuana cultivation.					
4. A copy of a current valid medical recommendation or county issued medical marijuana card for each qualified patient and primary caregiver identified as required above.					
5. The physical site address of where the medical marijuana will be cultivated with a drawing and detailed description of where on the property the marijuana will be cultivated.					
6. A signed consent form, acceptable to the City, authorizing City staff, including the police department, authority to conduct an inspection of the detached, fully-enclosed and secure structure or area of the residence used for the cultivation of medical marijuana upon twenty-four (24) hours notice.					
APPLICANT'S SIGNATURE					
I hereby certify that the information provided in this application is, to my knowledge, true and correct.					
Signature:				Date:	
OFFICE USE ONLY					
Approved By:				Date:	
Payment:				Number:	

## AGREEMENT

*By initialing below, I have read, understand, and agree to the following:*

1.	No person, other than a qualified patient or primary caregiver, may engage in cultivation of medical marijuana.
2.	Either a qualified patient or primary caregiver shall reside full-time on the premises where the medical marijuana cultivation occurs.
3.	It is unlawful and a public nuisance for any person owning, leasing, occupying, or having charge or possession of any legal parcel or premises within any zoning district in the City to cause or allow such parcel or premises to be used for the outdoor cultivation of marijuana plants.
4.	It is unlawful and a public nuisance for any person to cultivate medical marijuana inside any residential structure or building without a medical marijuana cultivation permit issued by the City Police Chief or his or her designee.
5.	Cultivation of medical marijuana is prohibited in all agricultural (except agricultural-residential), commercial, office, industrial, open space, special purpose, mixed use, and other non-residential zoning districts.
6.	It is unlawful and a public nuisance to cultivate medical marijuana on any legal parcel or premises within two hundred fifty (250) feet of any school, child care center, or public park. The two hundred fifty (250) feet shall be measured from the closest property line of the school, child care center, or park to the closest property line of the cultivation parcel.
7.	It is unlawful and a public nuisance for any person(s) owning, leasing, occupying, or having charge or possession of any legal parcel or premises within any zoning district in the City to cultivate medical marijuana within a detached structure equal to or less than one hundred twenty (120) square feet in size.
8.	<p>The indoor cultivation of medical marijuana in a residential zone shall only be conducted within a detached, fully-enclosed and secure structure greater than one hundred twenty (120) square feet in size or within a residential structure conforming to the following minimum standards:</p> <ol style="list-style-type: none"> <li>a. Any detached structure, regardless of square footage, constructed, altered or used for the cultivation of medical marijuana must have a valid building permit duly issued by the Building Official.</li> <li>b. Indoor grow lights shall not exceed one thousand two hundred (1,200 W) watts and shall comply with the California Building, Electrical and Fire Codes as adopted by the City. Gas products (including, without limitation, CO<sub>2</sub>, butane, propane, and natural gas), or generators shall not be used within any detached structure used for the cultivation of medical marijuana.</li> <li>c. Any detached, fully-enclosed and secure structure or residential structure used for the cultivation of medical marijuana must have a ventilation and filtration system installed that shall prevent marijuana plant odors from exiting the interior of the structure and shall comply with the California Building Code. The ventilation and filtration system must be approved by the Building Official and installed prior to commencing cultivation.</li> <li>d. A detached, fully-enclosed and secure structure used for the cultivation of marijuana shall be located in the rear yard area of a legal parcel or premises, maintain a minimum ten (10) foot setback from any property line, and the area surrounding the structure must be enclosed by a solid fence at least six (6) feet in height.</li> <li>e. Adequate mechanical or electronic security systems approved by the Building Official and Police Chief must be installed prior to the commencement of cultivation.</li> <li>f. Medical marijuana cultivation occurring within a residence shall be cultivated in an area no larger than fifty (50) square feet, regardless of how many qualified patients or primary caregivers are residing at the premises.</li> <li>g. Cultivation of marijuana shall not take place in the kitchen, bathrooms, or bedrooms being utilized by any person for sleeping purposes in any building.</li> <li>h. Cultivation of marijuana shall not take place on any carpeted surface.</li> <li>i. Medical marijuana cultivation for sale is prohibited.</li> <li>j. Medical marijuana cultivation may not occur in both a detached structure and inside a residence on the same parcel.</li> <li>k. The Authorized Grower shall take measures to prevent persons under 18 years of age from accessing medical marijuana cultivation areas, whether in a detached building or in a residence.</li> </ol>
9.	The initial permit shall be valid for no more than two (2) years and may be extended in increments of two (2) years.
10.	The Police Chief, or his or her designee, may, in his or her discretion deny any application for a medical marijuana cultivation permit, or extension thereof, where he or she finds, based on articulated facts, that the issuance of such permit, or extension thereof, would be detrimental to the public health, safety, or welfare. The Police Chief shall deny an application for a medical marijuana cultivation permit, or extension thereof, which does not demonstrate satisfaction of the minimum requirements of Section 17.16.105 of the Oroville Municipal Code. The denial of any permit application, or permit extension, shall be subject to appeal pursuant to Oroville Municipal Code Section 17.56.100.

The Community Development Department operates on a full cost recovery for processing of permits. Staff will charge their time and any expenses associated with processing the application against the initial deposit. Fees that have been captured for the reimbursement of City expenses are non-refundable.

Technology cost recovery fees are non-refundable