

Frequently Asked Questions re Medical Cannabis Permits

How do I apply for a permit?

Later this month, electronic applications will be available on the Special Activity Permits website, <http://www2.oaklandnet.com/government/o/CityAdministration/d/SpecialPermits/index.htm>, and paper applications will be available in City Administrator's Special Activity Permits Division Monday-Friday, 9am-5pm, on the 11th floor of City Hall at 1 Frank H. Ogawa Plaza, Oakland, CA 94612.

Is there a limit on the number of permits?

There is no limit on the number of medical cannabis permits other than for brick and mortar dispensaries. OMC 5.80.020(C) allows the City Administrator to issue no more than eight new brick and mortar dispensary permits per year.

How is the buffer distance measured – directly to property line, path of travel, etc?

OMC 5.80 and 5.81 allow the City Administrator discretion in evaluating location requirements if there is no impact to the peace, order and welfare of the public. However, state law measures the 600 foot buffer between medical cannabis operators and schools by the horizontal distance measured in a straight line from the property line of the school to the closest property line of the lot on which the medical marijuana cooperative, collective, dispensary, operator, establishment, or provider is to be located without regard to intervening structures.

Do I need to already own or rent a property before applying for a permit?

No, but an applicant should be able to show an intent to purchase or lease a property via a signed agreement with the property owner

Where can my facility be located?

OMC 5.80 and 5.81 restrict the location of medical cannabis operation depending on the type of medical cannabis activity. Please note no medical cannabis operation may be located within a 600 foot radius of any public or private school.

If you would like to see whether medical cannabis activity may be permissible at a specific property, you may use this reference [map](#) by following these instructions:

1. Click on the "Content" tab in the top left corner.
2. Leave the boxes next to "Port of Oakland Jurisdiction" and "School Sites 600ft. Buffer" checked.
3. Select the medical cannabis activity type(s) you wish to search for by selecting the box(es) to the left of either dispensary/delivery-only dispensary, cultivator/distributor/transporter/testing lab, non-volatile manufacturer or volatile manufacturer.
4. Enter the address for property you wish to search in the top right corner and hit return (note address must be actual legal address).

5. Areas on the map that are shaded indicate areas where medical cannabis activity may be permitted, except for lighter shaded areas surrounded by a dotted line, which represent unpermitted areas as they are within 600 feet of a school.

Please note this map is for reference only and not an official approval to conduct medical cannabis activity at a given location. Medical cannabis operators must submit an application and be approved by the City Administrator before any medical cannabis activity is permitted.

Are permits transferable to an alternate location?

Pursuant to OMC 5.02.070 permits only apply to the premises originally specified. However, a permit may be transferred to a new location if a medical cannabis permittee applies in writing to the City Administrator's Office to transfer the permit to a new location and successfully undergoes an equivalent application process for the new location.

Can multiple permits be issued to the same location?

Yes as long as each medical cannabis operator obtains a permit for their medical cannabis operation.

Where can delivery services be located?

Delivery services can be located in any commercial or industrial zone. (Green and Yellow zones on the reference map mentioned above)

Are you issuing distributor and/or transporter permits?

Yes to both.

Do I need to already own or rent a property before applying for a permit?

No, but an applicant should be able to show an intent to purchase or lease a property via a signed agreement with the property owner.

How will permits be processed?

Permits will be issued to Equity Permit Applicants once they submit a complete application and return a completed inspection card to the City Administrator's Office.

Similarly, permits for General Applicants will be issued once they submit a complete application and return a completed inspection card to the City Administrator's Office provided at least 50% of all permits issued under OMC 5.81 (cultivators, manufacturers, distributors, transporters, and testing laboratories) or OMC 5.80 (dispensary and delivery-only dispensaries) have been issued to Equity Permit Applicants.

What is the Equity permit program?

The Equity Permit Program requires that at least half of all permits issued under OMC 5.80 and 5.81 go to applicants that have at least one member who meets all of the following:

1. Be an Oakland resident who,
2. Resides for at least two years prior to the date of application in Oakland Police Department Beats 26Y, 30X, 30Y, 31Z, 32Y and 34X - Oakland Police Department Beat (visit: <http://oakgis.maps.arcgis.com/apps/OnePane/basicviewer/index.html?appid=12ae8a087be44043abc6996c5e499d5c>)

or; those individuals who, within the last ten years, have been previously incarcerated for marijuana-related offenses as a result of a conviction arising out of Oakland California.

3. Maintains not less than a 50% ownership in the applicant entity partnership, limited liability corporation, collective, corporation, worker cooperative or other recognized ownership entity and;

What are the costs of the permit inspection fees?

CATEGORY	FEE
Application Fee – Non-Dispensary Medical Cannabis Facility	\$ 2,474.00
Medical Cannabis Facility Annual Regulatory Fee	
Gross sales > \$150,000	\$ 11,173.00
Gross sales \$50,000 - \$150,000	\$ 5,586.00
Gross sales < \$50,000	\$ 2,790.00

Other department fees, including building and fire department inspection fees, can be found via the Master Fee Schedule, available here:

<http://www2.oaklandnet.com/oakca1/groups/ceda/documents/policy/oak059691.pdf>

Fire: H-1; Planning & Building: O-1

What type of license should a packaging operation obtain?

Distributor.

May an applicant apply for planning/zoning, fire, building, county, tax, etc. permits listed on the Inspection Card while applying for the Med Cannabis business permit?

Yes, but this may lead to inefficiency since the applicant will need to return to these respective departments to obtain approval via a signed Inspection Card.

Will enforcement take place against cannabis operations as we try to obtain permits?

Under OMC 5.81.110(B) no enforcement will take place against a permit applicant while their application is pending.

Where can I find the live scan form?

The live scan form will be available as soon as the medical cannabis applications are available.