



CITY OF SAN JUAN CAPISTRANO
Planning Division
32400 Paseo Adelanto
San Juan Capistrano, California
www.sanjuancapistrano.org
planning@sanjuancapistrano.org
(949) 443-6331

OFFICE USE ONLY

Received by:.....

Date received:.....

RIMCP # _____

RESIDENTIAL INDOOR MARIJUANA CULTIVATION PERMIT APPLICATION

Pursuant to California Health and Safety Code Section 11362.2, adults are allowed to cultivate up to 6 marijuana plants for personal use. Pursuant to City ordinance, personal cultivation of marijuana plants is only allowed to occur inside a private residence or inside an accessory structure to a private residence located on the same property as the private residence, with approval of a Residential Indoor Marijuana Cultivation Permit by the City.

Each person seeking to cultivate marijuana plants for personal use is required to complete this application.

I. APPLICANT THAT IS SEEKING PERMISSION TO CULTIVATE

Name:Email:Phone:

II. RESIDENTIAL PROPERTY WHERE CULTIVATION WILL OCCUR

Property Address:APN#

Owner of Property:

III. CULTIVATION INFORMATION

Number of marijuana plants to be cultivated:

If cultivation will occur inside the residence, in what area of the residence will it occur?

.....

If cultivation will occur inside an accessory structure on the property, is the accessory structure already existing? YES or NO (circle one)

If YES, is the accessory structure less than 120 square feet in size? YES or NO (circle one)

IV. CODE STANDARDS: Pursuant to Municipal Code Section 9-3.502, the regulations set forth below must be adhered to:

- (1) Marijuana cultivation shall be limited to six (6) marijuana plants per private residence, regardless of whether the marijuana is cultivated inside the residence or in a fully enclosed and secure structure. The limit of six plants per private residence shall apply regardless of how many individuals reside at or in the private residence.
- (2) It is prohibited for a person to plant, cultivate, harvest, dry or process marijuana plants outdoors or in any enclosed structure that is not a private residence or residential accessory structure.
- (3) The establishment or operation of any medical marijuana collective, cooperative, dispensary, delivery service, operator, establishment, or provider is prohibited in the City.

- (4) The establishment or operation of any business of commercial marijuana activity is prohibited in the City.
- (5) The transportation, delivery, storage, distribution, or sale of marijuana, marijuana products, or marijuana accessories is prohibited in the City.
- (6) The cultivation of marijuana for commercial purposes is prohibited in the City.
- (7) The manufacturing or testing of marijuana, marijuana products, or marijuana accessories is prohibited in the City.
- (8) The lighting and electrical used for the cultivation shall not exceed the applicable provisions of the California Code of Regulations Title 24, as adopted and amended by the San Juan Capistrano Municipal Code.
- (9) The use of gas products (CO2, butane, propane, natural gas, etc.) or generators for cultivation of marijuana is prohibited.
- (10) Any structure or residence used for the cultivation of marijuana must have a ventilation and filtration system installed that prevents marijuana plant odors from exiting the structure and shall comply with all applicable provisions of the California Code of Regulations as adopted and amended by San Juan Capistrano Municipal Code.
- (11) Any proposed accessory structure, or any change to mechanical, electrical, structural or plumbing facilities to existing structures, to be constructed for the purposes of growing up to six marijuana plants must be approved by the Planning and Building Divisions prior to construction and must meet all requirements of the San Juan Capistrano Municipal Code and the California Code Regulations.
- (12) If a fully enclosed and secure accessory structure is to be used for cultivation of marijuana and it is located in the rear yard area of the parcel, the structure must comply with the current minimum applicable setback of the underlying zone or a setback of three feet, whichever is greater. If the structure is made of combustible material (e.g., wood or plastic), the structure must comply with the current minimum applicable setback of the underlying zone or a setback of five feet, whichever is greater. The yard where the fully enclosed and secure accessory structure is maintained must be enclosed by a solid fence at least five feet in height (but in no event lower than the maximum allowed fence height for the underlying zone). This provision shall not apply to cultivation occurring entirely in a garage.
- (13) Adequate mechanical locking or electronic security systems must be installed as part of the fully enclosed and secure accessory structure or residence prior to the commencement of cultivation.
- (14) There shall be no exterior evidence of the marijuana cultivation from any public right of way or other public property.

VI. RELATED PERMITS: Are any improvements planned, such as upgraded electrical, plumbing and/or construction, in association with the indoor cultivation? YES or NO (circle one)

If yes, all applicable zoning, building, electrical, or plumbing permits must be obtained from the City.

VII. INDEMNITY: I hereby agree to protect, defend with counsel acceptable to the City, indemnify, and hold harmless the City, its officers, employees, and agents from any claim, action, or proceeding against the City, its officers, employees, or agents that is brought in connection with this application or activities that are the subject of this application at the project address listed above or any other law, permit or regulation in order to attack, set aside, void annul, or seek to impose liability on the City for granting the approval granted by this application, which action is brought, for any monetary claims (including, but not limited to, fines, fees, penalties and attorneys' fees).

VIII. SIGNATURE/ACKNOWLEDGMENT: The information provided with this application is true and correct to the best of my knowledge and belief. I have read and understand the City of San Juan Capistrano's requirements as set forth in Section 9-3.502 of the Municipal Code, and I acknowledge that I am personally responsible to make myself aware of and to comply with all applicable laws and regulations of the City, the State of California, and the United States of America, with respect to the subject matter of this application. I am the owner of the above property or have the owner's permission to cultivate marijuana in accordance with a Residential Indoor Marijuana Cultivation Permit should I be issued a permit, as evidenced by the owner's written and notarized consent to file this application; that the above property is my primary, legal residence as required under the City's Municipal Code; and that I have no other pending or active Residential Indoor Marijuana Cultivation Permits for any other property in California. I understand that verification of property ownership or of interests in the property may be required. I hereby grant the City authority to enter onto the property to conduct periodic inspections (upon 48-hour notice) for the purpose of determining compliance with these provisions. The site inspection may include personnel from the following departments: Development Services, including the Planning, Building, or Code Enforcement Divisions and OC Sheriff's Department.

I declare under penalty of perjury under the laws of the State of California that the forgoing is true and correct.

Property Owner Signature:Applicant Signature.....

Date:

Date:

OFFICE USE ONLY

VIII. FINAL ACTION

Zoning District: Principal residential use established: ☐ yes ☐ no

Proposed indoor cultivation conforms with the provisions of Sec. 9-3.502: ☐ yes ☐ no

OCSD Review Completed: ☐ yes ☐ no

☐ APPROVED

☐ DENIED

Planner Signature:

Title:

Date:

CITY OF SAN JUAN CAPISTRANO
OWNER/LANDLORD USE DISCLOSURE AND AUTHORIZATION
FOR INDOOR MARIJUANA CULTIVATION

I, _____, am the legal owner/landlord of the real property located
(Name of legal owner/landlord)
at _____ in San Juan Capistrano, California.
(Address of the Property)

I hereby authorize the Residential Indoor Cultivation Permit Applicant _____
(Name of Applicant/Tenant)
to use this property to cultivate marijuana indoors in accordance with San Juan Capistrano Municipal
Code Section 9-3.502.

(Signature of legal owner/landlord)

(Printed Name of legal owner/landlord)

Date

I declare under penalty of perjury under the laws of the State of California that the foregoing is true
and correct.

Executed this _____ day of _____, 20____, San Juan Capistrano,
California.

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.
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STATE OF CALIFORNIA)
COUNTY OF ORANGE)

On _____, 20____ before me, _____, Notary
Public, personally appeared _____, who proved
to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to
the within instrument and acknowledged to me that he/she/they executed the same in his/her/their
authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the
entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

(Seal)

Signature