

RESOLUTION NO. 2010-645

Adopted by the Sacramento City Council

November 9, 2010

A RESOLUTION AMENDING COMMUNITY DEVELOPMENT DEPARTMENT FEES AND CHARGES TO ESTABLISH SPECIAL PERMIT FEES FOR MEDICAL MARIJUANA DISPENSARIES (M10-015)

BACKGROUND

- A. WHEREAS, the City Council has adopted Section 17 of the Sacramento City Code, requiring a Special Permit for medical marijuana facilities;
- B. WHEREAS, Section 17.196.040 of the Sacramento City Code authorizes the processing fee for Special Permit applications;
- C. WHEREAS, fees will be imposed for the reasonable regulatory costs to issue the permit, perform investigations, inspections, and the administrative enforcement and adjudication thereof; and
- D. WHEREAS, the amount of the fees shall be no more than necessary to cover the reasonable costs of the City, and the manner in which the costs are allocated to the permittee bear a reasonable relationship to the permittee's burdens on, or benefits received from, the City.
- E. Proposed new fees are set forth in Exhibit A.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. The City of Sacramento Fee and Charge Report, Community Development Department, is hereby amended, as set forth in Exhibit A, to establish the fees authorized by Section 17.196.040 of the Sacramento City Code.

Section 2. Exhibit A forms part of this resolution

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Exhibit A – Special Permit Fees Relating to Medical Marijuana Dispensaries

Adopted by the City of Sacramento City Council on November 9, 2010 by the following vote:

Ayes: Councilmembers Cohn, Fong, Hammond, McCarty, Sheedy, Waters.

Noes: None.

Abstain: None.

Absent: Councilmembers Pannell, Tretheway, and Mayor Johnson.



Robbie Waters, Vice-Mayor

Attest:



Shirley Concolino, City Clerk

EXHIBIT A

NEW SPECIAL PERMIT FEES

Note: All Planning Application Filing Fees listed in this Fee and Charge Report show only "initial filing fees". In the event that the actual cost of processing an application exceeds the staff processing component of the initial filing fee, the applicant shall pay an additional fee equal to this excess cost after receipt of written notice from the planning director specifying the additional amount due (SCC 17.196.040A)

Fee Name: Planning Commission Special Permit Medical Marijuana Dispensary

Current Fee: \$0

Proposed Fee: \$19,415.00 deposit, with cost recovery at \$140 per hour. Environmental Fee category A1

Justification: Recover costs associated with processing a special permit for a medical marijuana dispensary. Costs include noticing, research, community outreach, meetings, preparation of reports, administrative support, hearing costs, maintenance of documents for official records.

Fee Name: Zoning Administrator Special Permit Medical Marijuana Dispensary

Current Fee: \$0

Proposed Fee: \$13,815.00

Justification: Recover costs associated with processing a special permit for a medical marijuana dispensary. Costs include noticing, research, community outreach, meetings, preparation of reports, administrative support, hearing costs, maintenance of documents for official records.

Fee Name: Zoning Administrator Special Permit Major Modification Medical Marijuana Dispensary

Current Fee: \$0

Proposed Fee: \$3,500

Justification: Recover costs associated with processing a modification to a special permit for a medical marijuana dispensary. Costs include noticing, research, community outreach, meetings, preparation of reports, administrative support, hearing costs, maintenance of documents for official records.