

State of California
Department of Food and Agriculture
CalCannabis Cultivation Licensing Division

Cannabis Cultivation
Temporary License
Application

CalCannabis Cultivation Licensing (CalCannabis), a Division of the California Department of Food and Agriculture (CDFA), is responsible for issuing licenses for any commercial cultivation of cannabis in the State of California. Any person or entity who wishes to engage in commercial cannabis cultivation must submit an application package, which includes a completed temporary application form and all required documentation. A temporary cultivation license is a license issued by the California Department of Food and Agriculture and shall be valid for a period of 120 days, which may be extended for additional 90-day periods. Temporary licenses shall only be eligible for an extension of the expiration date if the applicant has submitted a complete cultivation application for licensure.

The temporary applications and licenses are exempt from fees.

This document is intended to provide information for commercial cannabis cultivation in the State of California and does not provide information on industrial hemp production or non-commercial cultivation.

Completion of this application does not grant rights or impose obligations. Please reference California statutes and regulations for all licensing requirements.

Cannabis is a Schedule I drug according to the federal Controlled Substances Act. Cannabis related activity is subject to federal prosecution, regardless of the protections provided by state law.

Information provided on this application will be entered into the CalCannabis Licensing System and may be subject to disclosure as required by any federal, state or local laws, rules, or regulations, including, but not limited to, the California Public Records Act (Government Code Section 6250 et seq.).

For more information on CDFA's CalCannabis Cultivation Licensing program, please visit: calcannabis.cdfa.ca.gov.

For California Legislative Information, please visit: leginfo.legislature.ca.gov.

SECTION A – APPLICATION TYPE (Check Only One Per Application)			
<input type="checkbox"/> Temporary Medicinal Cannabis Cultivation	APPLICATION ID NUMBER (IF APPLICABLE):		
<input type="checkbox"/> Temporary Adult-Use Cannabis Cultivation	APPLICATION ID NUMBER (IF APPLICABLE):		
SECTION B – LICENSE TYPES (Check Only One Per Application)			
<input type="checkbox"/> Specialty Cottage Outdoor	<input type="checkbox"/> Specialty Outdoor	<input type="checkbox"/> Small Outdoor	<input type="checkbox"/> Medium Outdoor
<input type="checkbox"/> Specialty Cottage Indoor	<input type="checkbox"/> Specialty Indoor	<input type="checkbox"/> Small Indoor	<input type="checkbox"/> Medium Indoor
<input type="checkbox"/> Specialty Cottage Mixed-Light Tier 1	<input type="checkbox"/> Specialty Mixed-Light Tier 1	<input type="checkbox"/> Small Mixed-Light Tier 1	<input type="checkbox"/> Medium Mixed-Light Tier 1
<input type="checkbox"/> Specialty Cottage Mixed-Light Tier 2	<input type="checkbox"/> Specialty Mixed-Light Tier 2	<input type="checkbox"/> Small Mixed-Light Tier 2	<input type="checkbox"/> Medium Mixed-Light Tier 2
<input type="checkbox"/> Nursery	<input type="checkbox"/> Processor		
SECTION C			
C.1 – BUSINESS ENTITY STRUCTURE (Check Only One Per Application)			
<input type="checkbox"/> Corporation	<input type="checkbox"/> Limited Liability Company (LLC)	<input type="checkbox"/> Sovereign Entity	
<input type="checkbox"/> General Partnership	<input type="checkbox"/> Limited Liability Partnership (LLP)	<input type="checkbox"/> Sole Proprietorship (Individual)	
<input type="checkbox"/> Joint Venture	<input type="checkbox"/> Limited Partnership	<input type="checkbox"/> Trust	
<input type="checkbox"/> Other (Specify Entity Structure):			
C.2 – BUSINESS INFORMATION			
LEGAL BUSINESS NAME:		EIN:	
DESIGNATED RESPONSIBLE PARTY'S LEGAL LAST NAME:		DESIGNATED RESPONSIBLE PARTY'S LEGAL FIRST NAME:	
BUSINESS TITLE:	TAXPAYER IDENTIFICATION NUMBER: <input type="checkbox"/> SSN/TIN <input type="checkbox"/> EIN <input type="checkbox"/> NIN		
PHONE NUMBER:	EMAIL ADDRESS:		
MAILING ADDRESS:	CITY:	STATE:	
ZIP CODE:	COUNTY:		
ASSESSOR PARCEL NUMBER(S) (APN):			
PREMISES ADDRESS:	CITY:	STATE:	
ZIP CODE:	COUNTY:		

SECTION D – LOCAL AUTHORIZATION		
Local Authority Type:	<input type="checkbox"/> City	<input type="checkbox"/> County
		<input type="checkbox"/> City and County
SECTION E – APPLICATION ATTACHMENT		
<input type="checkbox"/> A copy of a valid license, permit, or other authorization, issued by a local jurisdiction, that enables the applicant business entity to conduct commercial cannabis activity at the location requested for the temporary license.		
SECTION F – DECLARATIONS		
1. I understand that the temporary license is a conditional license and authorizes my business to engage in commercial cannabis activity as would be permitted under the privileges of an annual license of the same type.		
2. I understand that refusal by the licensing authority to issue or extend a temporary license shall not entitle the business to a hearing or appeal of the decision.		
3. I understand I am responsible for knowing and complying with all California state laws and regulations applicable to commercial cannabis cultivation, including but not limited to, the Medicinal and Adult Use Cannabis Regulation and Safety Act and Title 3, Division 8, Chapter 1 of the California Code of Regulations. I understand I am responsible for compliance with subsequent updates to cannabis cultivation laws and regulations.		
4. I hereby declare the information contained within and attached to this application is complete, true, and accurate. I understand a misrepresentation of fact is cause for rejection of this application, denial of the license, or revocation of an issued license.		
Print Name:		
Designated Responsible Party Signature:		Date:

Cannabis Cultivation Temporary License Application Instructions

SECTION A: APPLICATION TYPE

In the application form, check the appropriate box next to the application type that applies to your premises. Note that you may only select a single application type for a single premises per application.

The following list describes the two different temporary application types:

- Temporary Medicinal Cannabis Cultivation (M-license)
 - Select this option if your business is applying for a state license for commercial cannabis activity involving medicinal cannabis. Medicinal cannabis refers to cannabis intended to be sold for use pursuant to the Compassionate Use Act of 1996 (Proposition 215) found at Section 11362.5 of the Health and Safety Code by a medicinal cannabis patient in California who possesses a physician's recommendation.
 - If the business has been issued an application identification number by the Department, enter your application identification number in the space provided.
- Temporary Adult-Use Cannabis Cultivation (A-license)
 - Select this option if your business is applying for a state license for cannabis intended for use by adults 21 years of age and over and who do not possess a physician's recommendation.
 - If the business has been issued an application identification number by the Department, enter your application identification number in the space provided.

SECTION B: LICENSE TYPES

In the application form, check the box next to the license type that describes the cultivation site.

A cultivation site is a location where commercial cannabis is planted, grown, harvested, dried, cured, graded, or trimmed, or that does all or any combination of those activities. Note that you may only select a single license type per application.

Indoor cultivation is the cultivation of cannabis within a permanent structure using exclusively artificial light or within any type of structure using artificial light at a rate above twenty-five watts per square foot.

Mixed-light cultivation is the cultivation of mature cannabis in a greenhouse, hoop-house, glasshouse, conservatory, hothouse, or other similar structure using light deprivation and/or one of the artificial lighting models described below:

1. Mixed-light Tier 1 – the use of artificial light at a rate of six watts per square foot or less.
2. Mixed-light Tier 2 – the use of artificial light at a rate above six and below or equal to twenty-five watts per square foot.

Outdoor cultivation is the cultivation of mature cannabis without the use of artificial lighting in a canopy area at any point in time. Artificial lighting is permissible only to maintain immature plants.

A mature plant is a cannabis plant that is flowering.

Canopy means the designated area(s) at a licensed premises, except nurseries, that will contain mature plants at any point in time, as follows:

- (1) Canopy shall be calculated in square feet and measured using clearly identifiable boundaries of all area(s) that will contain mature plants at any point in time, including all of the space(s) within the boundaries;

- (2) Canopy may be noncontiguous but each unique area included in the total canopy calculation shall be separated by an identifiable boundary that includes, but is not limited to, interior walls, shelves, greenhouse walls, hoop house walls, garden benches, hedgerows, fencing, garden beds, or garden plots, and
- (3) If mature plants are being cultivated using a shelving system, the surface area of each level shall be included in the total canopy calculation.

License Type	Description
Specialty Cottage Outdoor	Outdoor cultivation site with up to 25 mature plants.
Specialty Cottage Indoor	Indoor cultivation site with 500 square feet or less of total canopy.
Specialty Cottage Mixed-Light Tier 1	Mixed-light cultivation site with 2,500 square feet or less of total canopy and the use of artificial light at a rate of six watts per square foot or less.
Specialty Cottage Mixed-Light Tier 2	Mixed-light cultivation site with 2,500 square feet or less of total canopy and the use of artificial light at a rate above six and below or equal to twenty-five watts per square foot.
Specialty Outdoor	Outdoor cultivation site with less than or equal to 5,000 square feet of total canopy or up to 50 mature plants on noncontiguous plots.
Specialty Indoor	Indoor cultivation site between 501 and 5,000 square feet of total canopy.
Specialty Mixed-Light Tier 1	Mixed-light cultivation site between 2,501 and 5,000 square feet of total canopy and the use of artificial light at a rate of six watts per square foot or less.
Specialty Mixed-Light Tier 2	Mixed-light cultivation site between 2,501 and 5,000 square feet of total canopy and the use of artificial light at a rate above six and below or equal to twenty-five watts per square foot.
Small Outdoor	Outdoor cultivation site between 5,001 and 10,000 square feet of total canopy.
Small Indoor	Indoor cultivation site between 5,001 and 10,000 square feet of total canopy.
Small Mixed-Light Tier 1	Mixed-light cultivation site between 5,001 and 10,000 square feet of total canopy and the use of artificial light at a rate of six watts per square foot or less.
Small Mixed-Light Tier 2	Mixed-light cultivation site between 5,001 and 10,000 square feet of total canopy and the use of artificial light at a rate above six and below or equal to twenty-five watts per square foot.
Medium Outdoor	Outdoor cultivation site between 10,001 square feet and one acre (43,560 square feet) of total canopy.
Medium Indoor	Indoor cultivation site between 10,001 and 22,000 square feet of total canopy.
Medium Mixed-Light Tier 1	Mixed-light cultivation site between 10,001 and 22,000 square feet of total canopy and the use of artificial light at a rate of six watts per square foot or less.
Medium Mixed-Light Tier 2	Mixed-light cultivation site between 10,001 and 22,000 square feet of total canopy and the use of artificial light at a rate above six and below or equal to twenty-five watts per square foot.
Nursery	Conducts the cultivation of cannabis solely as a nursery.
Processor	Cultivation site that conducts only trimming, drying, curing, grading, packaging, or labeling of cannabis and non-manufactured cannabis products.

SECTION C.1: BUSINESS ENTITY STRUCTURE (Optional)

In the application form, check one box that corresponds to the applicant business entity structure associated with this business.

Before you establish a business in the State of California, you should consult with an attorney or tax advisor for advice about what type of applicant business entity will meet your business needs, and what your legal obligations will be.

The following is a brief overview of various business structures. The information is intended to provide a basic understanding of the different business structures and is not intended to provide legal advice.

1. Corporation

A California corporation generally is a legal entity which exists separately from its owners. While normally limiting the owners from personal liability, taxes are levied on the corporation as well as on the shareholders. The sale of stocks or bonds can generate additional capital and the longevity of the corporation can continue past the death of the owners. Legal Counsel should be consulted regarding the variety of options available.

To form a corporation in California, Articles of Incorporation must be filed with the California Secretary of State's office. Forms for the most common types of Articles of Incorporation are available on the California Secretary of State's website. You may use the form or prepare your own statutorily compliant document.

Corporations must be registered with the California Secretary of State and in good standing prior to being issued a cultivation license.

2. Limited Liability Company (LLC)

A California LLC generally offers liability protection similar to that of a corporation but is taxed differently. Domestic LLCs may be managed by one or more managers or one or more members. In addition to filing the applicable documents with the Secretary of State, an operating agreement among the members as to the affairs of the LLC and the conduct of its business is required. The LLC does not file the operating agreement with the Secretary of State but maintains it at the office where the LLC's records are kept.

To form an LLC in California, Articles of Organization (Form LLC-1) must be filed with the California Secretary of State's office.

LLCs must be registered with the California Secretary of State and in good standing prior to being issued a cultivation license.

3. Limited Partnership (LP)

A California LP may provide limited liability for some partners. There must be at least one general partner that acts as the controlling partner and one limited partner whose liability is normally limited to the amount of control or participation of the limited partner. General partners of an LP have unlimited personal liability for the LP's debts and obligation.

To form an LP in California, a Certificate of Limited Partnership (Form LP-1) must be filed with the California Secretary of State's office.

Partnerships must be registered with the California Secretary of State and in good standing prior to being issued a cultivation license.

4. General Partnership (GP)

A California GP must have two or more persons engaged in a business for profit. Except as otherwise provided by law, all partners are liable jointly and severally for all obligations of the partnership, unless agreed by the claimant. Profits are taxed as personal income for the partners.

To register a GP at the state level, a Statement of Partnership Authority (Form GP-1) must be filed with the California Secretary of State's office. Note: Registering a GP at the state level is optional.

5. Limited Liability Partnership (LLP)

An LLP is a partnership that engages in the practice of public accountancy, the practice of law, the practice of architecture, the practice of engineering or the practice of land surveying, or provides services or facilities to a California registered LLP that practices public accountancy or law, or to a foreign LLP. An LLP is required to maintain certain levels of insurance as required by law.

To register an LLP in California, an Application to Register a Limited Liability Partnership (Form LLP-1) must be filed with the California Secretary of State's office.

Partnerships must be registered with the California Secretary of State and in good standing prior to being issued a cultivation license.

6. Sole Proprietorship

A sole proprietorship is set up to allow an individual to own and operate a business. A sole proprietor has total control, receives all profits from and is responsible for taxes and liabilities of the business. If a sole proprietorship is formed with a name other than the individual's name (example: John Smith's Fishing Shop), a Fictitious Business Name Statement must be filed with the county where the principal place of business is located.

No formation documents are filed with the California Secretary of State's office. Other state filings may be required depending on the type of business.

7. Sovereign Entity

Native Sovereign Nations are federally recognized tribes that are registered with the Federal Government under "Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs."

8. Trust

An unincorporated business organization created by a legal document, a declaration of trust, and used in place of a corporation or partnership for the transaction of various kinds of business with limited liability.

9. Other

For any other business entity structure not listed above.

SECTION C.2: BUSINESS INFORMATION

In the application form, fill out the appropriate information regarding the applicant. Please see the following to understand the information the Department will be collecting.

NOTE: The Applicant refers to an owner of the applicant business entity seeking licensure.

In the application form, provide your “Legal Business Name” which refers to the legal name of the applicant business entity as registered with the California Secretary of State. Provide the Employer Identification Number (EIN) if applicable. An EIN is also known as a federal tax identification number, and is used to identify an applicant business entity. It is also used by estates and trusts which have income which is required to be reported on Form 1041, U.S. Income Tax Return for Estates and Trusts.

The Designated Responsible Party is an owner who has the legal authority to bind the applicant business entity, and serves as the primary contact for the application. This individual will receive legal correspondence or application deficiency notices on behalf of the Applicant and will also receive other applicant or license information.

Owner means any of the following:

- (1) A person with an aggregate ownership interest of 20 percent or more in the person applying for a license or a licensee, unless the interest is solely a security, lien, or encumbrance.
- (2) The chief executive officer of a nonprofit or other entity.
- (3) A member of the board of directors of a nonprofit.
- (4) An individual who will be participating in the direction, control, or management of the person applying for a license.

In the application, please indicate the Designated Responsible Party’s full legal name, mailing address, “Business Title”, “Phone Number”, and “Email Address”. All communication for application processing and licensing will be sent to the email address provided.

In the application form, please select and provide the appropriate Taxpayer Identification Number, which refers to the associated Social Security Number (SSN), Individual Taxpayer Identification Number (ITIN), or National Identification Number (NIN), used to identify the Business by the IRS. The following defines the difference between the 3 types of Taxpayer Identification Numbers:

- SSN – Social Security Number – is a nine-digit number issued to U.S. citizens, permanent residents, and temporary (working) residents authorized to work in the United States. It is a 9-digit number formatted NNN-NN-NNNN.
- ITIN – Individual Taxpayer Identification Number – is a tax processing number only available for certain nonresident and resident aliens, their spouses, and dependents who cannot get a Social Security Number. It is a 9-digit number formatted NNN-NN-NNNN.
- NIN – National Identification Number – Taxpayer Identification Number used by governments in many other countries to track their citizens, permanent and temporary residents for taxation purposes.

The premises is the designated structure(s) and land specified in the application that is owned, leased, or otherwise held under the control of the applicant or licensee where the commercial cannabis activity will be or is conducted. The premises shall be a contiguous area and may only be occupied by one licensee. In the application, provide the following information about the premises:

The “Premises Address” refers to the location of the premises and the physical address that is assigned by the local municipality or county. All addresses entered in this field must conform to the USPS Publication 28,

Postal Addressing Standards. If addresses have not been assigned, USPS will assign Route and Box numbers for mail processing.

Enter the “Assessor Parcel Number(s) (APN)”, which is assigned and can be provided by the tax assessor of a particular jurisdiction. There may be multiple APNs associated with the premises. In this case, please include all associated APNs and separate them by a comma.

SECTION D: LOCAL AUTHORIZATION

In the application form, the applicant is required to check one of the following local authority types: City, County, or City and County.

SECTION E: APPLICATION ATTACHMENT

The applicant must submit a copy of a valid license, permit, or other authorization, issued by a local jurisdiction that enables the applicant business entity to conduct commercial cannabis activity at the location requested for the temporary license. This shall include, at a minimum, a written statement or reference that clearly indicates the local jurisdiction intended to grant permission to the person to conduct commercial cannabis activity at the premises.

SECTION F: DECLARATIONS

Declarations are formal written statements in which the Designated Responsible Party declares under oath that the contents are true. In this section of the temporary application, the Designated Responsible Party will read the declarations and if they agree that the applicant business entity will comply and abide with the terms and conditions as defined in the statements, the Designated Responsible Party will acknowledge the applicant business entity’s acceptance of the Declarations by signing in the space provided.

GENERAL INSTRUCTIONS

Submitting Applications: Applicants have two methods of submitting cultivation license applications:

(1) Online

You can create an account and complete the application using the following website: aca6.accela.com/calcannabis/.

(2) Paper Applications

You may submit hard-copy applications and all applicable attachments. Complete the application and all accompanying forms legibly in black or dark blue ink, with a typewriter, or using the PDF form. Forms completed in pencil will be returned to you. Please make sure that you and other authorized individuals sign and date the forms, where applicable. Send your Application Package to:

California Department of Food and Agriculture
CalCannabis Cultivation Licensing Division
P.O. Box 942871
Sacramento, CA 94271

For licensing assistance you may contact us at:
CalCannabis@cdfa.ca.gov or 1-833-CAL-GROW (225-4769)