



**AMENDED**  
**COMMERCIAL CANNABIS BUSINESS**  
**APPLICATION PROCEDURE GUIDELINES**  
**RETAIL**

**Application Deadline**  
**OPENS – MAY 14, 2020**  
**CLOSES – MAY 22, 2020 @ 4:00 PM**

Information regarding the Commercial Cannabis Business (CCB) Application process can be found on the City's website at <https://www.oxnard.org/cannabis>.

The application process to operate a CCB in Oxnard will reopen on Thursday, May 14, 2020 and close at 4:00 p.m. on May 22, 2020. CCB Applications will be available online – see: <https://www.oxnard.org/cannabis>. Appointments are required to submit an application or replace a previously submitted application. **If you already submitted a complete CCB Application to the City, you are not required to submit a new application.**

For questions regarding the CCB Application process, please review the information on the Oxnard website: <https://www.oxnard.org/cannabis>. This CCB Application process is adopted pursuant to OCC Chapters 11 and 16.

**CCB APPLICATION SUBMITTAL REQUIREMENTS – For applicants who have not yet submitted a CCB retail application.**

All CCB Application materials required for Phases 1 – 4, must be submitted with the Phase 1 CCB Application submittal. Applicants must submit by the 4:00 p.m. deadline:

1. one (1) signed original CCB Application (pages 1 -7);
  2. one (1) hard copy of all of the submittal requirements found at the bottom of page one (1) of the CCB Application form;
  3. a USB flash drive containing a scanned copy of the signed CCB Application (pdf format) and all of the submittal requirements found at the bottom of page one (1) of the CCB Application form (pdf format)
  4. Payment of Phase 1 application fees as identified on the Commercial Cannabis Application Guidelines.
- An appointment is required to submit a CCB permit application. Contact [cannabisinfo@oxnard.org](mailto:cannabisinfo@oxnard.org) to schedule this appointment.

In addition, Applicants are required to submit a USB flash drive to HdL at 120 South State College Blvd., Suite 200, Brea, CA 92821 by the 4:00 p.m. May 22<sup>nd</sup> deadline. Submittal of the USB in person is not permitted.

**Please Note:** Responses to the Evaluation Criteria (Sections 1-8 found in the Appendix A of the Application Procedures Guidelines) shall be limited to 125 pages. Responses pertaining to Background and Proof of Capitalization are not included in the 125 page limit.

Submittal documents must be saved in a separate digital file from the Evaluation Criteria. Separate PDF files must be saved on the USB flash drive as follows:

- File #1 – CCB Application with signatures (pages 1-7)
- File #2 – Evaluation Criteria (Responses to Sections 1-8 and limited to 125 pages)
- File #3 – Proof of Capitalization (All bank statements, loan documents, promissory notes, financial and commitment letters)

### **Applicants Wishing to Replace a Previously Submitted Application**

If you've already submitted your retail cannabis application, but wish to revise or amend a specific section(s) of your submittal, you will be required to withdraw your application in its entirety and resubmit a new application in its entirety. The revised application must comply with the CCB application guidelines (see page 1). The previously submitted payment for this original submittal can be applied to the new submittal. Applicants are required to submit an updated USB thumbdrive to HdL at 120 South State College Blvd., Suite 200, Brea, CA 92821 by the 4:00 p.m. May 22<sup>nd</sup> deadline. Submittal of the USB in person is not permitted. An appointment with the City is required to submit a CCB permit application. Contact [cannabisinfo@oxnard.org](mailto:cannabisinfo@oxnard.org) to schedule this appointment.

### **CITY'S RESERVATION OF RIGHTS**

The City reserves the right to reject any and/or all applications, with or without cause or reason. The City may modify, postpone, or cancel the request for a CCB license without liability, obligation, or commitment to any party, firm, or organization. In addition, the City reserves the right to request and obtain additional information from any candidate submitting an application. Late or incomplete applications WILL BE REJECTED. Furthermore, an application RISKS BEING REJECTED for the following reasons:

- It is not fully responsive to this request for a CCB application.
- It contains excess or extraneous material not called for in the request the CCB application and exceeds 125 pages ( File 2) in response to the evaluation criteria
- The issuance of the CCB license at the proposed location is inconsistent with State law, OCC Section 11.433, or other applicable Oxnard City Code provisions.

### **AMENDMENTS TO THE APPLICATION**

After 4:00 p.m. on May 22, 2020, Applicants will not be allowed to make amendments to their application or to supplement their application, except as otherwise specifically permitted in these procedures or as authorized in writing by the City.

***The following procedures outline the application evaluation and selection process, required materials, and other information necessary to apply for a permit to operate a CCB in Oxnard.***

### **ZONING CLEARANCE (ZC)/ZONING VERIFICATION LETTER (ZVL)**

Prior to submitting a CCB Application (Phase 1), the City issued ZC/ZVL must be included with the CCB Application (Phase 1).

The issuance of a ZC/ZVL does not constitute written evidence of permission given by City or any of its officials to operate a cannabis business, nor does it establish a "permit" within the meaning of the Permit Streamlining Act, nor does it create an entitlement under the Zoning or Building Code. A regulatory permit for a CCB does not constitute a permit that runs with the land on which the cannabis business is established. Please note that the cannabis business will require a discretionary permit. This is a separate application that will be made only after final evaluation and ranking by the City (Phase 4 below).

## LIVE SCAN AND SUPPLEMENTAL BACKGROUND APPLICATIONS

As part of the application process, each individual applying as an owner must undergo a Live Scan to check fingerprints against the Department of Justice's (DOJ) records. However, Live Scan forms will not be available until the City of Oxnard receives an official authorization code from the DOJ in approximately 8-10 weeks. Applicants are advised to monitor the City's website for updates and notification of when forms are available.

In addition to the Live Scan, each individual applying as an owner shall complete the online Background Application found at [https://hdlcompanies.formstack.com/forms/bc\\_oxnard](https://hdlcompanies.formstack.com/forms/bc_oxnard) . A fee of \$300 will be required at the time of submittal. The online Background Application is available currently. If you submitted a request for a background check in the last six months you are not required to resubmit for a background check.

Individuals who do not meet the State and/or City's eligibility requirements will be disqualified. Eligibility disqualifiers may be found in State Law BPC Division 10, Chapter 5, Section 26057 (B) (4) and the City's Ordinance 2960 Section 11.415 (c) (4).

### **Phase 1: Application Submittal and Determination of Eligibility**

*Fee: \$2,329.68 (Fixed Fee)*

Applications must be submitted, which constitutes submittal of all application materials and payment of all required fees, by 4:00pm on Thursday, May 22, 2020. An appointment must be made to submit the Phase 1 CCB Application. The City requires one (1) complete signed original of the application and all materials identified below as part of Phase 1-4 and one (1) USB Flash Drive, which must be received by HdL by the prescribed deadline containing materials in three files as described on Page 2 of this document.

Payment must be made by cash, certified check, cashier's check or money order made payable to the City of Oxnard. **The City will not accept credit card payment and application fees are non-refundable.** During Phase 1, applicants will be notified if any of the Owners are ineligible and/or if their application is incomplete and may not move forward in the application process (may not advance to Phases 2-4). Applicants reviewed during Phase 1 who meet established criteria will be notified and will be permitted to advance to Phase 2, including submittal of the required materials and submittal of Phase 2 application fees. **LATE APPLICATIONS WILL NOT BE CONSIDERED.**

### **Phase 2: Application Evaluation and Initial Ranking (1,600 points)**

*Fee: \$3,067.79 (Fixed Fee)*

Applications will be evaluated, scored and ranked based on the criteria below. These items must be saved in one file not to exceed 125 pages. See APPENDIX A for a description of the evaluation criteria:

- Section 1. Business Plan (200 Points)
- Section 2. Labor and Employment Plan (300 Points)
- Section 3. Safety Plan (400 Points)
- Section 4. Security Plan (400 Points)
- Section 5. Neighborhood Compatibility Plan (300 Points)

Applicants will not be allowed to resubmit information that is determined to be missing or deficient during the Phase 2 review. Those applications which score a minimum of 80% (1,280 points) in Phase 2 will move on to Phase 3 of the application process. Applicants reviewed during Phase 2 who meet established criteria will be notified and will be permitted to advance to Phase 3, including submittal and augmentation of the required materials and submittal of Phase 3 application fees. **LATE APPLICATIONS WILL NOT BE CONSIDERED.**

### **Phase 3: Interviews and Second Ranking (2,600 points)**

*Fee: \$2,839.40 (Deposit)*

Those CCB Applications that receive a passing score as part of Phase 2 will be interviewed and evaluated by the City's Cannabis Selection Committee. Prior to the scheduling of interviews, applicants may be required to have their proposed site inspected by the assigned City designee to ascertain current conditions of the site/facility.

Applicants will be interviewed and evaluated based upon the criteria below. See APPENDIX A for a description of the evaluation criteria:

- Business Plan (200 Points)
- Labor & Employment (400 Points)
- Neighborhood Compatibility Plan (200 Points)
- Safety Plan (400 points)
- Security Plan (400 Points)
- Location (200 Points)
- Community Benefits (300 Points)
- Qualifications of Owners (300 Points)
- Oxnard Cannabis Equity Component (200 Points)

Phase 3 scores will be tabulated and combined with Phase 2 scores to establish an overall ranking of the applications. All applications that maintain a score of at least 80%, or a percentage determined by resolution, will advance to Phase 4 of the selection process.

#### **Phase 4: Authorization to File an Application Seeking a Commercial Cannabis Business Permit**

*Fee: \$7,326.65 (Deposit)*

Applicants who have scored at least 80% after Phase 3 will be eligible to apply for consideration of a CCB permit (Phase 4). Prior to making a final decision, the City reserves the right to request and obtain additional information from any candidate who has submitted an application.

The City Manager will review the City Selection Committee's evaluation and approve the final ranking. Award of permits is based upon the total allowed by the OCC. However, the City reserves the right to award a lesser number of permits or to award no permits at all. The top Applicants, who are authorized to apply for a discretionary permit, should be prepared to attend all discretionary permit hearings to represent their request for a Special Use Permit or Development Design Review permit and to respond to questions.

**Note:** Payment must be made by cash, certified check, cashier's check or money order made payable to the City of Oxnard. The City will not accept credit card payment and application fees are non-refundable. Being awarded a permit does not constitute a land use entitlement and does not waive or remove the requirements of applying for and receiving permits for all construction including: electrical, plumbing, fire, planning permits or reviews, and any other permits, business tax, or reviews as may be necessary by the relevant departments or governmental entities in charge of said permits. Nor does it guarantee that the plans submitted via the CCB application process meet the standards or requirements of those permitting departments.

#### **CONTACT**

If you have any questions or would like an update on the status of your application, please contact the Planning Division at 805.385-7858 or by email at [cannabisinfo@oxnard.org](mailto:cannabisinfo@oxnard.org)

\*\*\*\*\*

## APPENDIX A: DESCRIPTION OF EVALUATION CRITERIA

---

All of the following information must be submitted on a USB thumb drive/flash drive in PDF format (Please do not save any documents in Word format) when the application is initially filed for consideration as part of Phase 1). Responsive documentation shall be saved in three (3) digital folders.

### **CRITERIA**

#### **1. BUSINESS PLAN** *Criteria to be evaluated and scored during Phases 2 & 3*

- 1.1. Owner qualifications. Resumes are not to exceed one (1) page per owner.
- 1.2. A budget for construction, operation, and maintenance, compensation of employees, equipment costs, utility cost, and other operation costs.
- 1.3. Proof of capitalization in the form of documentation of cash or other liquid assets on hand, Letters of Credit or other equivalent assets.
- 1.4. 3-year pro forma for at least three years of operation.
- 1.5. Fully describe hours of operation and opening and closing procedures.
- 1.6. Fully describe the day-to-day operations for each license type being sought.
  - 1.6.1. Additional criteria for **RETAIL** applications only:
    - a. Describe customer check-in procedures.
    - b. Identify location and procedures for receiving deliveries during business hours.
    - c. Identify number of Point-of-Sales location and estimated number of customers to be served per hour/day.
    - d. Describe the proposed product line and estimate the percentage of sales of flower and manufactured products.
    - e. Describe the product handling procedures.
    - f. If proposed, describe delivery service procedures, number of vehicles and product security during transportation.
- 1.7. Fully describe cash handling procedures.
- 1.8. Fully describe inventory control procedures including identification point-of-sales and track and trace software.

#### **2. LABOR AND EMPLOYMENT PLAN** *Criteria to be evaluated and scored during Phases 2 & 3*

- 2.1. Describe compensation to and opportunities for continuing education and employee training.
- 2.2. Describe the extent to which the CCB will be a locally managed enterprise whose owners and /or managers reside within Ventura County area.
- 2.3. Describe the number of employees, title/position and their respected responsibilities.
- 2.4. Thoroughly describe employee policies and procedures (complete manuals are not required to be submitted).

#### **3. SAFETY PLAN** *Criteria to be evaluated and scored during Phases 2 & 3*

A thorough Safety Plan should consider all possible fire, medical and hazardous situations. **Complete policy/procedures manuals are not required at this point of the application process.** Please only provide a detailed description for each criteria which incorporates the following provisions:

- 3.1 The Safety Plan shall be prepared by a professional fire prevention and suppression consultant. An assessment of the facility's fire safety plan by a qualified licensed fire prevention and suppression consultant. An appropriate plan will consider all possible fire, hazardous material, and inhalation issues/threats and will have both written and physical mechanisms in place to deal with each specific situation. Identify all gases and/or chemicals to be used and their storage locations (testing).
- 3.2 Identify fire alarm and monitoring system including the name and contact information for the alarm company
- 3.3 Describe accident and incident reporting procedures
- 3.4 Describe evacuation routes

- 3.5 Location of fire extinguishers and other fire suppression equipment
- 3.6 Describe procedures and training for all fire and medical emergencies
- 3.7 Describe and identify the location of all gas monitoring equipment A detailed diagram of the overall facility's safety features.
- 3.8 Written description of safety features, including but not limited to fire prevention, suppression, HVAC and alarm systems.
- 3.9 Clarify if your building has sprinklers?
- 3.10 What date was the subject building constructed?

**4. SECURITY PLAN** *Criteria to be evaluated and scored during Phases 2 & 3\**

A thorough Security Plan should consider all access control, inventory control, cash handling procedures. **Complete policy/procedures manuals are not required at this point of the application process.** Please only provide a detailed description for each criteria which incorporates the following provisions:

- 4.1. The Security Plan shall be prepared by a professional security consultant.
- 4.2. Premises (Security) Diagram. In addition to diagrams submitted for other sections of the application, applicants are expected to submit a premises diagram (floor plan, detail) which, focuses on the proposed security measures and how they relate to the overall business. (Pursuant to CCR Title 16, Division 42, §5006. Premises Diagram).
  - 4.2.1. The diagram all be accurate, dimensioned and to scale (minimum scale 1/8") the scale may be smaller if the proposed location exceeds more than a 1/2 acre parcel but must not be printed on larger than an 11" x 17" sheet of paper. **(Blueprints and engineering site plans are not required at this point of the application process).**
  - 4.2.2. The diagram must be drawn to scale and clearly identify property boundaries, entrances, exits, interior partitions, walls, rooms, windows and doorways. The activity in each room and the location of all cameras must be identified on the diagram.
  - 4.2.3. Description of cannabis activity that will be conducted in each area of the premise. Commercial cannabis activities that must be identified on the diagram/floor plan may include but are not limited to the following if applicable to the business operations; storage areas, batch sampling areas, loading/unloading of shipment areas, packaging and labeling, customer sales areas, training areas, employee break room areas, and testing areas.
  - 4.2.4. Limited-access areas, defined as areas in which cannabis goods are stored or held and only accessible to a licensee, its employee or contractors, and areas used for video surveillance monitoring and storage devices (Pursuant to CCR Title 16, Division 42, §5000 (m) Limited-Access Area and §5042. Limited-Access Area).
  - 4.2.5. Number and location of all video surveillance cameras.
- 4.3. Identify intrusion alarm and monitoring system including the name and contact information for the monitoring company.
- 4.4. Discuss whether the CCB will utilize the services of on-site security guards. Include in the discussion:
  - 4.4.1. Number of guards
  - 4.4.2. Hours guards will be on-site
  - 4.4.3. Locations they will be positioned
  - 4.4.4. Their roles and responsibilities

**\* Security plans will not be made public.**

**5. NEIGHBORHOOD PLAN** *Criteria to be evaluated and scored during Phases 2 & 3*

- 5.1. Describe how the CCB will proactively address and respond to complaints related to noise, light, odor, vehicle and pedestrian traffic.
- 5.2. Describe how the CCB will be managed so as to avoid becoming a nuisance or having impacts on its neighbors and the surrounding community.
- 5.3. Describe odor mitigation practices:
  - 5.3.1. Identify potential sources of odor.

- 5.3.2. Describe odor control devices and techniques employed to ensure that odors from cannabis are not detectable beyond the licensed premises.
- 5.3.3. Describe all proposed staff training, and system maintenance plans.
- 5.3.4. Describe the waste management plan. The plan shall include waste disposal locations, security measures, and methods of rendering all waste unusable and unrecognizable.

**6. LOCATION** *Criteria to be evaluated and scored by City staff during Phase 3 only*

- 6.1. In addition to the location related details provided in the CCB Application (pages 1-7), the application shall include a thorough description of the proposed location, including but not limited to the overall property, building and floor plan.
- 6.2. The CCB Application must have the appropriate zoning and meet all the locational requirements as described in OCC Section 11.433.
- 6.3. The application shall include photographs of the front (street facing) side of the building. In the event the proposed location is undeveloped land, photographs shall depict the property from all vantage points of the property.
- 6.4. Premises (Site) Diagram for each proposed location. In addition to diagrams submitted for other sections of the CCB Application, applicants are expected to submit a premise/site diagram that focuses on the overall property, building and floor plan. **(Blueprints and engineering site plans are not required at this point of the application process):**
  - 6.4.1. A Premise (Site) Diagram must be accurate, dimensioned and to-scale (minimum scale of ¼"). The diagram shall provide a detailed description of all available/shared parking spaces, driveway locations, and auxiliary buildings on the parcel.

**7. COMMUNITY BENEFITS PLAN** *Criteria to be evaluated and scored by City staff during Phase 3 only*

- 7.1. The CCB Application should describe all benefits the CCB will provide to the local community. Benefits may be in the form of volunteer services, monetary donations to local non-profit organizations, financial support of City sponsored activities or organizations, in kind donations to the City or other charitable organizations and/or any other economic incentives to the City. Consult the City's Local Equity program on the City's cannabis website for updates regarding this program.

**8. QUALIFICATION OF OWNERS** *Criteria to be evaluated and scored by City staff during Phase 3 only*

- 8.1. The CCB should include information concerning any special business or professional qualifications or licenses of the owners that would add to the number of quality of services that the CCB would provide, especially in areas related to retail cannabis or testing establishments. If you have any experience operating a cannabis business, provide the location of such business along with a copy of the permit, or license issued by the local entity or State.