

# APPLICATION PROCEDURE TO OPERATE A

**CANNABIS BUSINESS IN CALIFORNIA CITY**

Applications will be available at the Public Works Department, Building Division located at City Hall. For questions regarding the application process please review the FAQ’s, at the California City’s webpage: [www.**Californiacity-ca.gov**](http://www.californiacity-ca.gov/). This outlines the application process, required materials, and other information necessary to operate a CB in California City. To be considered, applications **must be** submitted to the Public Works Department, Building Division located at 21000 Hacienda Boulevard, California City, CA, 93505. This application process is adopted pursuant to California City Municipal Code Section 5-6.501.

## BEFORE YOU APPLY:

* Review the information to learn about the application process and which documents you will need.
* Review the application in its entirety to ensure that it is complete and accurate.
* Review the information regarding the Cannabis business application on the webpage: [www.Californiacity-ca.gov](http://www.californiacity-ca.gov/) which includes the following information:
* Local regulations governing California City CB’s: California City Municipal Code (“CCMC”)

Title 5 Chapter 6

* Local Zoning Ordinance Title 9 Chapter 2
* State laws governing CB’s: The California Department of Justice Guidelines for the

Security and Non-Diversion of Cannabis Grown for Medical Use and Senate Bill 420

(Cannabis Program Act).

* Frequently Asked Questions
* Live Scan Form.
1. **Application Process: Evaluation and Approval:** The selection process consists of the following

Two Phases:

Phase 1: Preliminary determination of eligibility. $5,000.00

Phase 2: Finial Approval. $4,000.00

**Dispensary See Exhibit A**

For more information, see Evaluation and Selection Process below.

1. **Criminal History Check**: As part of Phase 1 of the Application Process, each individual applying to be

a principal of the CB (“Principal”) must apply for a Live Scan criminal history check. This process may be conducted by any qualified Live Scan Entity. (Staff will provide the live scan form to be used) The Live Scan process involves submitting fingerprints to the DOJ/FBI, which will review for criminal offender record information (CORI). CORI reports will be provided to California City for the sole purpose of determining eligibility for operating a CB. See CCMC Chapter 5-6.906 (m) for background check requirements. Principals who do not meet criminal history eligibility requirements will be disqualified.

1. Applicants will be required to obtain a **“Zoning Verification Letter”** from the Public Works Department, Planning Division in City Hall, located at 21000 Hacienda Boulevard, in California City in order to ensure that the location proposal the applicant is applying for meets locational requirements prior to submitting their CB application.
2. **Application**: Applicants must deliver one (1) complete electronic and comprehensive signed copy of the California City Cannabis Business Application Form, and all attachments in a pdf format, or by flash drive which contains one comprehensive and signed copy of the application in a pdf format, and payment of **$5,000.00** for the Phase 1 application fee and **$4,000.00** for Phase 2**.** Payment must be made by a certified check, cashier’s check or money order made payable to “California City”. Please note the City will not accept cash and Phase 1 Application Fees are non-refundable. If the applicant fails phase 1 and discontinues the application process **$3,000.00** will be refunded of the Phase 2 Fees. A complete application will consist of the following information:
	1. The California City Cannabis Business Application Form;
	2. Proof of Live Scan payment for each of the Principals;
	3. Zoning Verification Letter; and
	4. All the information about the CB to be evaluated in Phase 1 and Phase 2 which is described in the Application Process section below in this procedure. The only information that can be submitted after the initial application is proof of property ownership or lease agreement. However, any change in location will require a new “Zoning Verification Letter” and must be submitted with the application package.
3. **Amendments to the Application:** 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 authorized in writing by the City. During Phase 1, applicants will be notified if any of the Principals are ineligible and/or if their application is incomplete and will not move forward in the application process. However, in some cases the City may move forward in the application process to other phases should it anticipate that the Live Scan will take a significant amount of time to be returned to the City. In this case Applicants wishing to move forward in the process acknowledge by signing the application that they agree to these terms and should they be disqualified as a result of a background or a Live Scan disqualification they will not be eligible for a refund of any fees collected resulting from the modification of this procedure.

## EVALUATION PROCESS:

The evaluation and selection process shall consist of the following:

### Phase 1: Determination of Eligibility and Application

* + Each Principal must undergo a criminal history check demonstrating compliance with the eligibility requirements of CCMC Chapter 5-6.906 (m) for background checks.
	+ Applications must be complete to be considered. Applications will be considered complete only if they include all information required.
	+ Proposed location of business.
	+ Execute an agreement indemnifying the City from liability.

### Phase 2: Final Determination

* + Following an evaluation of the application materials, City staff shall prepare a report bringing forward to the City Manager the applicants of all categories. Please note that being awarded a CB does not constitute a land use entitlement and does not waive or remove the requirements of applying for and receiving permits for any and all construction including electrical, plumbing, fire, planning permits or reviews, and any other permits, licenses, 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 CB application process meet the standards or requirements of those permitting departments. All permit awardees will still be required to complete all the permitting processes for the proposed construction or occupation of their facility.
	+ After the final review the City Manager will issue permits for all cannabis businesses except for dispensaries. For cannabis dispensary permits, the City Manager will make a recommendation to the City Council, and the City Council shall make a final determination in accordance with Article 7.

## DESCRIPTION OF EVALUATION CRITERIA:

* **Proposed Location**. Your application must include the address and a detailed description of the proposed location. (Note that proof of ownership, or a notarized letter of the owner’s willingness to lease will not be given any additional consideration). This section should also describe all sensitive uses and shall not be any closer than one thousand (1,000) feet from any parcel containing a school, college or university (whether public, private, or charter, including pre-school, transitional kindergarten, and K-12); churches or other house of worship; a park, daycare facility serving nine or more children and is licensed by the county; a drug or alcohol rehabilitation facility providing on-site medical treatment as described in Section CCMC 9-2-2903. The CB must be in the appropriate zoning and meet all the locational requirements as in described in CCMC Chapter 2 Zoning.
* **Business Plan**. With as much detail as possible, the Business Plan should describe:
	+ Description of day-to-day operations. See CCMC Section 5-6.1001.
	+ How the CB will conform to local and state law. See CCMC Sections 5-6.101,

5-6.1101, 5-6.1401, 5-6.1402, 5-6.1403, 5-6.1405, and the Attorney General’s Guidelines for the Security.

* + How Cannabis will be tracked and monitored.
	+ A schedule for beginning operation, including a narrative outlining any proposed

construction and improvements and a timeline for completion.

* **Safety and Security Plan**. For each proposed location, your application should include:
* A detailed **safety plan**. This plan should describe the fire prevention, suppression, HVAC and alarm systems the facility will have in place.An appropriate plan will have considered 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.
	+ A detailed **security plan**. This plan need to meet at minimum State Guideline in Article 5. Security Measures at:
	+ <https://cannabis.ca.gov/wp-content/uploads/sites/13/2018/07/Bureau-of-Cannabis-Control-Proposed-Text-of-Regulations.pdf>
	+ A **complete project site plan** showing the proposed project scaled to a 24 X 30 sheet of paper.

**The City’s Reservation of Right’s**

The City reserves the right to reject any and/or all proposals, with or without any cause or reason. The City may also, modify, postpone, or cancel the request for permit applications 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 a proposal.

## CONTACT:

If you have any questions or would like an update on the status of your application, please contact Tiffany Carter at 760-373-7152 or by email at ccbldg-code@Californiacity-ca.gov

**EXHIBIT A**

**CANNABIS DISPENSARY PERMITTEE SELECTION PROCESS**

The City Council has by resolution adopted the following procedure by which the applicants in each category of cannabis dispensary will be presented to the City Council for a final determination at a public meeting.

(1) The top applicants in each category of cannabis dispensary that are selected for final consideration will be invited to attend the City Council meeting, where they will be expected to make a public presentation introducing their teams and providing an overview of their proposals. In order to provide adequate time, presentations may be divided over more than one meeting over multiple days as determined to be necessary.

(2) At least ten (10) days prior to the hearing, notice of the hearing shall be sent to all property owners located within three hundred (300) feet of the proposed dispensary locations of each of the finalists to be considered by the City Council.

(3) The City Council shall rank the final candidates and shall select the top candidate in each category of cannabis dispensary, which candidate shall become the prevailing candidate. The City Council's decision as to the selection of the prevailing candidates shall be final.

(4) Official issuance of the cannabis dispensary permit, however, is conditioned upon the prevailing candidate obtaining all required land use approvals. Following the Council's selection, the prevailing candidate shall apply to the City to obtain any required land use approvals or entitlements for the permittee's location, if any. Land use approvals shall comply with all applicable provisions of CEQA. The City Manager shall formally issue the cannabis dispensary permit once the City Manager and Building Department have both affirmed that all the required land use approvals have been obtained.

(5) Issuance of a cannabis dispensary permit does not create a land use entitlement. The cannabis dispensary permit will be for a term of twelve (12) months and shall expire at the end of the twelve (12) month period unless it is renewed as provided herein. Furthermore, no permittee may begin operations, notwithstanding the issuance of a permit, unless all the state and local laws and regulations, including but not limited to the requirements of this Chapter and of the permit, have been complied with.

(6) Notwithstanding anything in this Chapter to the contrary, the City Council reserves the right to reject any or all applications if it determines it would be in the best interest of the City, taking into account any health, safety and welfare impacts on the community. Applicants shall have no right to a cannabis dispensary permit until a permit is issued, and then only for the duration of the permit's term. Each applicant assumes the risk that, at any time prior to the issuance of a permit, the City Council may terminate or delay the program created under this Chapter.

(7) If an application is denied, a new application may not be filed for one (1) year from the date of the denial.

(8) Each person granted a cannabis dispensary permit shall be required to pay the permit fee established by resolution of the City Council, to cover the costs of administering the cannabis business permit program created in this Chapter.

**Permits Issued to Back-up Applicants.**

If within eighteen (18) months following the issuance of any cannabis dispensary permit, any of the candidates chosen by the City Council to be permitted withdraws from the process or its application is terminated for any reason, the City Council may direct staff to determine whether the runner-up applicant (ranked next highest after those chosen for permitting in the same category) in that category, based on the final ranking of the finalist, still desires a permit, city staff shall proceed to schedule a public hearing, which will include notice to surrounding property owners, to evaluate the runner-up candidate's application for potential issuance of a permit. The City will utilize the same process which was used for the applicants chosen to receive permits. Prior to the hearing, the runner-up applicant shall be required to complete any additional requirements, and to update any information from its original application, which the City Manager or his/her designee may determine is reasonably required to verify that the applicant still appropriately qualified and has met all requirements. The City Council shall then hold the public hearing and decide whether a permit should be issued to the runner-up applicant or be denied. If the Council determines a permit should be issued, the applicant shall be required to follow the same process for land use and zoning approvals, before a permit will officially be issued.

Notwithstanding the foregoing, the City shall have no obligation to offer the permit to the runner-up applicant if an applicant has withdrawn its application, or if the Council finds, based on substantial evidence that the applicant no longer qualifies, is in violation of state or local laws or regulations, or that it would not be in the community's best interest to grant the permit as a result of impacts on the community's health, safety or welfare.