



County of Ventura

County Executive Office / Cannabis Business License
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APPLICATION PROCEDURES & GUIDELINES FOR A CANNABIS BUSINESS LICENSE

Cultivation, Nursery, Processing and Distribution

OPENS – January 4, 2021

Information on the Cannabis Business License and Cultivation Land Use Entitlement/Permit process will be available on-line at the County website at <https://www.ventura.org/cannabis/businesslicense> the following:

- California state law and regulations
- Background Check Portal Link
- Ventura County Ordinance Code Section 2700 et seq.
- Ventura County Ordinance Code Sections 8105-4, 8105-5 and 8107-47
- Cannabis Business License Application
- Frequently Asked Questions
- Limitations on County's liability Waiver
- Checklist of Application Materials
- Zoning Clearance Application Instructions
- Discretionary Project Reimbursement Agreement

To be considered for issuance of a Cannabis Business License, applications and fee deposit must be submitted to the County Executive Office located at the address listed on these procedures. In addition to this they must have completed the Land Use Entitlement/Permit Process. This application process is adopted pursuant to Ventura County Ordinance Code Sections 2705 and 2706. (All subsequent "Section" references refer to sections in the Ventura County Ordinance Code).

Applicants should monitor the County's web page for any additional information, FAQs, or updates. It is the responsibility of the Applicant to stay informed of this information.

CANNABIS BUSINESS LICENSE APPLICATION REVIEW AND APPROVAL

The applicant must submit an application to the County Executive Office which will review the submittal within 60 days to determine if the application includes all the information required in Sections 2705 and 2706 and that the application fee has been paid. Applications will be processed, reviewed, and approved in the order received. However, the application must be complete and contain all of the information required in Sections 2705 and 2706.

If the County Executive Office at any time during the review, determines that the application does not include all information required in Sections 2705 and 2706 it shall promptly notify the applicant of the deficient application elements and establish a timeframe for the applicant to provide the County Executive Office with the missing documents or information. Please note that the review start date to meet the 60-day approval timeline will not commence until the County Executive Office

has received all the required documents, information, and forms. No further action will be taken by the County Executive Office until the application complies with this requirement, including verification of compliance for state licensing authorities. If the applicant fails to provide the requested information in the established timeframe, the application will be deemed abandoned. In addition, no fees will be refunded for abandoned applications. However, if the County Executive Office, at any time during the review, determines that any reason for denial can be resolved by the applicant, it shall promptly notify the applicant and establish a timeframe for the applicant to provide the County Executive Office with the missing documents or information. Furthermore, applicant will be notified if its application will be denied pursuant to Section 2708.

An applicant may withdraw or suspend its application by submitting a written request for either action. In order to do so a request must be delivered or mailed to the County Executive Office. Withdrawn applications may be eligible for a pro-rated refund of fees upon request. If an application is withdrawn and the applicant later wishes to proceed, the applicant must submit a new application. Suspended applications will not be eligible for a refund. Reactivation of a suspended application will require a written request for reactivation that must be delivered or mailed to the County Executive Office.

CANNABIS BUSINESS LICENSE APPLICATION PROCESS

All applicants must do the following:

- 1) Review the information regarding the application process and which documents you will need.
- 2) Review your application in its entirety to ensure that it is complete and accurate.
- 3) Review the information regarding the Cannabis Business License application on the County webpage listed on page one of these procedures.

The following procedures outline the application review and approval process, required materials, and other information necessary to apply for a Cannabis Business License to operate in the County of Ventura.

CRIMINAL HISTORY CHECK

At the beginning of the application process, each owner must undergo a criminal history background check to demonstrate they do not provide “good cause” for denial per Section 2706. This will consist of a background check by means of an online portal available on the County’s website at https://hdlcompanies.formstack.com/forms/bcp_venturacounty.

Upon completing the online background check form, each applicant will be required to print an online receipt which must be submitted with the application as proof of completion. Owners, supervisors, employees, and any other persons having at least a twenty percent (20%) financial interest who do not meet the criminal history eligibility requirements of Section 2706 will be disqualified.

In addition to the background check, all owners, supervisors, employees, and any other person having at least a twenty percent (20%) financial interest will be required to submit to a Live Scan at a future date as determined by the Sheriff’s Department when the County is approved by the Department of Justice (DOJ) and the Federal Bureau Investigation (FBI) to do so. Each applicant’s primary contact will be notified by the Sheriff’s Department by email with the instructions on how to schedule the Live Scan appointment. Please be advised that this process may be delayed for 6-9 months due to current backlog approval requirements by the DOJ and FBI. However, the County will continue to move forward with issuance of the Cannabis Business License if all other requirements are met including but not limited to the state license being issued. However, if subsequently it is determined as a result of the Live Scan that the applicant is no longer eligible the Cannabis Permit will be revoked.

CANNABIS BUSINESS LICENSE APPLICATION SUBMITTAL REQUIREMENTS

Applicants must submit a complete comprehensive application package digitally in PDF format. This can be done in person, FED EX, UPS, or any other common carrier delivery service. The County will be requiring that the Cannabis Business License Application Form, Indemnification Form, include hard copies with original signatures. In addition, the application must respond to all requirements outlined in the "Application Procedures & Guidelines for a Cannabis Business License." The submittal must also include a flash drive containing one complete comprehensive copy of the application, including the Application Form, and a signed copy of the application including attachments and the deposit for the initial application fee must be received by the County Executive Office during regular business hours.

Responses to the Review Criteria (Sections A-F found in Appendix A of the Application Procedures Guidelines) shall be limited to 200 pages. Responses pertaining to Background Checks, and Property Owner Consent shall not be included in the 200-page limitation. Those responses should be saved in a PDF file that is separate from the Evaluation Criteria (see below). All materials must be submitted on a USB flash drive in a PDF format in the following files:

- PDF File #1 – Cannabis Business License Application with signatures;
- PDF File #2 – Cannabis Business License Requirements (Responses to Sections A-G, of Appendix A limited to 200 pages);
- PDF File #3 – Background Check documentation (All required documents for each owner, supervisor, employee, and any other person who has at least a twenty (20%) percent financial interest in the business). Upon submission of the online background application, applicants will receive an email confirmation. This confirmation needs to be printed, scanned, and included within PDF File #3;
- PDF File #4 – Financial Responsibility, Indemnity, and Consent to Inspection Agreement (pages F1-F3); Agreement of Limitations of County Liability, and Certifications, Assurances, Warranties, and Indemnification to County (pages F4-F6); and
- PDF File #5 – Land Use Entitlement/Permit Verification
- PDF File #6 – Proof of Property Ownership, or a signed and notarized Property Owner Consent form, or a notarized Lease Agreement.

CANNABIS BUSINESS LICENSE FEES

All applicants applying for a Cultivation, Nursery, Processing or Distribution Cannabis Business License must submit a fee of **\$14,700** for administrating cannabis business license program. In the event a Cannabis Business License application is withdrawn by an applicant or a license is not issued due to failure to meet license requirements, the applicant will be refunded up to \$11,700 per application so that the retained fee amount only covers the County's application processing cost of \$3,000 per application. In addition, a background check fee of **\$300 per person** will need be paid on the portal site. Furthermore, all the successful applicants who are awarded a Cannabis Business License will subsequently be required to pay a **\$73** Live Scan fee at the Sheriff's Department.

LAND USE ENTITLEMENT/PERMIT FEE

Applicants will be required to pay a separate Land Use Entitlement/Permit fee in addition to the Cannabis Business License fees described above. Please refer to the County website information noted on page one of these procedures for further details into the Land Use requirements and fees.

Payments must be made by a certified check, cashier's check or money order made payable to the County of Ventura. Please note the County will not accept cash or credit cards and application fees are non-refundable but may be eligible for a pro-rated refund in accordance with Section 2705(e).

CANNABIS BUSINESS LICENSE APPLICATION APPROVAL PROCESS

PHASE I: DETERMINATION OF COMPLETENESS

Applications will be evaluated based on the following criteria. See APPENDIX A for a description

of the evaluation criteria to be reviewed.

- A. Operational Plan
- B. Cultivation Plan
- C. Odor Control Plan
- D. Energy Conservation Plan
- E. Site Security Plan
- F. Land Use Entitlement/Permit Verification

Applicants which have submitted the required criteria, documents, and forms to the satisfactory of the County Executive Officer pursuant to Sections 2705 and 2706 and have successfully completed a background check shall be authorized to move on to Phase II.

When applicants have complied with all the requirements of Phase I, with the exception of Criteria F “Land Use Entitlement/Permit Verification”, their application shall be set aside and will not proceed to Phase II until the land use entitlement required in Section 2705(b)(2)(G) has been approved and issued by the County Planning Division.

PHASE II: FINAL REVIEW AND APPROVAL

Upon the completion of Phase I, including the applicant’s completing all permit issuance requirements set forth in Appendix A, the County Executive Office shall require the applicant to certify that all information in the application remains accurate and that the applicant agrees to abide by all laws, rules, ordinances, resolutions, and codes applicable to the business. Once this is confirmed the County Executive Office shall issue the Cannabis Business License which shall be valid for one year from the date of issuance. The issuance date is therefore the date upon which County Executive Office has confirmed that the applicant has meet all the requirements and a Cannabis Business License is issued.

PAYMENT OF CANNABIS PERMIT APPLICATION FEE/REFUND

The applicant shall provide the application fee deposit at the time of the Cannabis Business License application submission. Should there be a fee deposit balance remaining after the completion of the application process the County will issue a refund.

CONTACT INFORMATION

If you have any questions or would like an update on the status of your Cannabis Business License application, please email cannabis@ventura.org.

Mailing Address:

County Executive Office
800 S. Victoria Ave., L#1940
Ventura, CA 93009

APPENDIX A: EVALUATION CRITERIA

SECTION A: OPERATIONAL PLAN

1. Please provide a full description of the proposed activities and products of the commercial cannabis operation.
2. Describe the proposed hours of operation and how many days of the week it will be in operation.
3. Provide the number of employees, position titles, and responsibilities of each position. Please indicate if these positions will be full time, part time or seasonal.
4. Please provide a location and premises diagram which includes the following:
 - A. The physical address and assessor's parcel number(s) (APN) of the tax assessor's parcels that constitute the lot upon which the proposed commercial cannabis operation will be located.
 - B. Premises Diagram. A diagram of the premises, drawn to scale, with sufficient detail to enable ready determination of the bounds of each of the state licensed premises, or proposed state license premises, showing without limitation, the boundaries of the lot on which the premises will be located; if the proposed premises consists of only a portion of a property, the diagram shall be labeled indicating which part of the property is the proposed premises and what the remaining property is/will be used for and by whom. All roads and water crossings on the property, sources of water used, including the location of waterbody diversions, pump locations and distribution system, and location, type, and capacity of each storage unit to be used for cultivation, the APN, location of pesticide storage facility and hazardous material storage.
 - C. Site plan and floor plan of all buildings and structures, which illustrate all entry ways and exits to the building and/or structure, loading zones and all areas, in which, commercial cannabis activities are proposed to occur.
5. Please provide evidence with the authority to operate the type of cannabis activity for which you are applying for in the permit(s) or proof of ownership of premises, or if the premises on which the commercial cannabis operation is to occur is rented or leased, written permission from the property owner containing the property owner(s)' notarized signature that authorizes the tenant or lessee to engage in commercial cannabis activities at the site.
6. A copy of the applicant's state cannabis licenses or application(s) for a state cannabis license. The state cannabis license type, pursuant to Business and Professions Code section 26050, as may be amended, for proposed commercial cannabis operation, including whether the activity is medical or non-medical.
7. The operational plan should also include a Safety Plan which shall be prepared by a California professional fire prevention and suppression consultant. This plan will describe all fire prevention and suppression measures, fire extinguisher locations, evacuation routes and alarm systems the facility will have in place. It shall also include accident and incident reporting procedures.
8. Describe the areas for the waste management locations and procedures.
9. If applicable fully describe the day-to-day operations if you are applying for a **DISTRIBUTION** license for the purpose of supporting cultivation or nursery activities at this location.
 - A. Identify the number of deliver drivers, hours of deliver and vehicles to be used.
 - B. Describe the transportation security procedures.
 - C. Describe the how inventory will be received, processed, stored, and secured in the licensed premises.
 - D. Describe the quality control procedures designed to ensure all cannabis is properly packaged, labeled, and tested.
 - E. Describe procedures for transporting cannabis field samples.
 - F. Describe the chain of custody for field samples.
 - G. Describe the quality control procedures.
 - H. Identify locations and procedures for storing cannabis products.

SECTION B: CULTIVATION PLAN

1. Please describe the cultivation plan including total canopy size and

- production setting.
2. Fully describe the day-to-day operations.
 3. Identify location and procedures for receiving deliveries of seedlings and immature plants.
 4. Provide the estimated number of pounds produced per harvest, and number of anticipated harvests per year.
 5. Describe whether the cultivation operation will use natural light, artificial light, or mixed light.
 6. Identify how cultivation waste will be rendered unusable and unrecognizable, and how it will be stored and disposed of at the location.
 7. Describe the use of any gases used in the cultivation operation, such as CO₂, including storage, location, and monitoring systems for employee safety.
 8. Provide a list of pesticides to be utilized during the cultivation process.

SECTION C: ODOR CONTROL PLAN

1. All applicants shall prepare and submit an odor prevention plan to use the best available odor control technology, prevention devices and techniques for cannabis cultivation. The odor plan should provide a sufficient odor absorbing ventilation and exhaust system so that odor generated inside the facility that is distinctive to its operation is not detected outside the premises or anywhere on the adjacent property or public right-of-way. As such cannabis operators must install and maintain the following equipment or any other equipment which the County determines has the same or better effectiveness: 1) An exhaust air filtration system with odor control that prevents internal odors from being emitted externally; or 2) An air system that creates negative pressure between the cannabis facilities' interior and exterior, so the odors generated inside the cannabis facility are not detectable outside the cannabis facility. The Cannabis Business Licensee shall also acknowledge that the level of odor-control equipment and technology required may increase as new equipment and technology becomes available and maybe necessary should the licensee be required to mitigate such odor nuisance in order to renew the license.
2. Applicants for a commercial cannabis cultivation or commercial cannabis nursery cultivation license shall comply with the Statewide Cannabis Cultivation General Order, Order No. WQ 2019-0001-DWQ, has been adopted by the State Water Resources Control Board, as amended.

SECTION D: ENERGY CONSERVATION PLAN

Energy Conservation Plan. The applicant for a cannabis business license proposing to engage in cannabis cultivation or cannabis nursery cultivation shall prepare and submit to the County Executive Office an energy conservation plan with its application. The Energy Conservation Plan shall be completed by following the instructions located on the County Website. The energy conservation plan shall also include an analysis of energy use anticipated with the proposed operations if using conventional energy sources. The plan shall also include a description of any existing energy conservation infrastructure in use on site, such as cogeneration or solar, and energy savings with the application of energy conservation technologies. The energy conservation plan must demonstrate at least a 25 percent reduction of the anticipated conventional energy use with existing or proposed energy conservation infrastructure. On-site renewable or energy conservation infrastructure maybe calculated for the 25 percent reduction. Should the applicant not be able to demonstrate the 25 percent reduction with existing infrastructure, the applicant can enroll in a green power program with the local utility. If the applicant is proposing new energy conservation infrastructure the applicant must be enrolled in a green power program with the local utility until the infrastructure is in place to achieve the 25 percent reduction is installed and operational.

SECTION E: SITE SECURITY PLAN

Site Security Plan.

1. All applicants shall prepare and submit a site security plan to the County Executive Office.
2. The plan shall include at a minimum perimeter security system, lighting, twenty-four-hour video monitoring with ninety-day archiving of video that cover all areas of the licensed operation, employee training program on company policies and cannabis laws, color coded identification cards based on access policies for employees that do not wear identification cards while on the premises, prevention of product diversion, theft, and loss, as may be required to protect the public safety.
3. All security plans must be implemented and approved before a cannabis business license will be issued.
4. The security plan shall be prepared by a professional security consultant. (Security plans will not be made public) The plan should demonstrate how they wish to develop the floor plan and address other security issues on the property.
5. Premises Diagram: In addition to the site plans submitted for the Proposed Location, a Premises Diagram must be included with the Security Plan section of the application. The diagram must meet the requirement of the Bureau of Cannabis Control CCR Title 16, Division 42, §5006. Premises Diagram.
 - A. The diagram shall show the boundaries of the property and the proposed location to be licensed, showing all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways, and shall include a brief statement or description of the principal activity to be conducted therein.
 - B. The diagram shall show and identify commercial cannabis activities that will take place in each area of the premises and identify all limited-access areas.
 - C. The diagram shall show where all cameras are located and assign a number to each camera for identification purposes.
 - D. The diagram should be accurate, dimensioned and to-scale (minimum scale of 1/4").
 - E. If the proposed location consists of only a portion of a property, the diagram must be labeled indicating which part of the property will be used for the licensed premise and what activities will be used for the remaining property.
6. Description of operational security, including but not limited to general security for access/visitor control, inventory control and cash handling procedures.
7. Description of perimeter security, on-site security guards, light, and parking.
8. Identify transportation techniques and security procedures.
9. Employee training and general security policies.

SECTION F: LAND USE ENTITLEMENT/PERMIT

1. Please submit a copy of the land use entitlement application submitted to the County Planning Division for the proposed commercial cannabis operation. The County Executive Office cannot issue the Cannabis Business License until the Planning Division has reviewed, approved, and issued the land use entitlement.