

# City of Oceanside

Development Services 300 North Coast Highway Oceanside, CA 92054 P: 760.435.3544

Email: cannabis@oceansideca.org

Application Period
OPENS – Friday, Month, 00, 2025
CLOSES – Monday, Month, 00, 2025

# **TYPE 10 - STOREFRONT CANNABIS RETAIL LICENSE APPLICATION**

#### **SECTION 1 – BUSINESS INFORMATION**

1.	Business (Entity) Name:			
2.	Doing Business As (DBA):			
3.	Mailing Address	City	State	Zip Code
7.	Business Email			
8.	Phone Number			
9.	Business Formation Documentation: Describe how the business $\Box$ Limited Liability Company $\Box$ Limited Partnership $\Box$ Generative Generative Company $\Box$	9	on	

### SECTION 2 - PROJECT APPLICANT AND PRIMARY POINT OF CONTACT

Proj	roject Applicant					
1.	Name					
2.	Title			3. Telephone Number		
4.	Email			·		
5.	Address	City	State	Zip Code		
6.	Signature					

## **SECTION 3 – LIST OF BUSINESS OWNERS**

This section must be completed by all owners. Ownership percentage should equal 100%.

Owr	ner #1			
1.	Name			
2.	Business Ownership Percentage	3. Title		4. Telephone Number
5.	Email	1		
6.	Address	City	State	Zip Code
7.	Government-issued Identification Number		1	
8.	Signature			
Owr	ner #2			
9.	Name			
10.	Business Ownership Percentage	11. Title		12. Telephone Number
13.	Email			
14.	Address	City	State	Zip Code
15.	Government-issued Identification Number		-	1
16.	Signature			
0				
1.	Name			
2.	Business Ownership Percentage	3. Title		4. Telephone Number
5.	Email			1
6.	Address	City	State	Zip Code
7.	Government-issued Identification Number			1
8.	Signature			

Owr	ner #4			
1.	Name			
2.	Business Ownership Percentage	3. Title		4. Telephone Numbe
5.	Email	L		1
6.	Address	City	State	Zip Code
7.	Government-issued Identification Number		1	
8.	Signature			
<b>14</b> -	- SUPPORTING INFORMATION			
1.	List all fictitious business names the application is located:	operating under includ	ing the address w	here each business is
				<del></del>
2.	Has the applicant or any of its owners ever been t limited to suspension, denial, or revocation of a ca			
3.	Is the Applicant or any of its owners currently invo	olved in an application p	process in any othe	er jurisdiction?
4.	Has the Applicant been subject to any prior code of Oceanside?	enforcement action wh	ether in or outside	e the city of
				·····

# **SECTION 5 – REQUIRED DOCUMENTS CHECKLIST**

Applications failing to contain all of the following items will be determined incomplete and will not move forward to Phase 2 of the application process. A complete application packet will contain all items listed below.

1.	A completed and signed Storefront Cannabis Retail License Application Form (Sections $1-6$ )	
2.	Financial Responsibility, Indemnity and Consent to Inspection Terms Agreement	
3.	Agreement on Limitations of City's liability and Indemnification to City	
4.	Application Fee and Background check fee(s) receipts	
5.	Background Check and Live Scan Forms for each business owner	
6.	Proof of Capitalization (All bank statements, loan documents, promissory notes, financial and commitment letters. Proof of Capitalization documents are not to be considered part of the 125 pages. Financial responsive documentation shall be saved in a separate digital file)	
7.	Review Criteria - Responses to the Application Evaluation Review Criteria found in Appendix A of the Procedures Document:  1. Business, Labor and Employment Plan i. Industry Knowledge ii. Proof of Capitalization iii. 3-Year Pro Forma iv. Local Ownership  2. Community and Employee Benefits i. Community Benefit Plan ii. Benefits and Compensation iii. Collective Bargaining Agreements (125 page limit. Applications exceeding 125 pages will be deducted one (1) point during the evaluation phase for each additional page after 125).	

#### **SECTION 6 – APPLICATION CERTIFICATION**

I hereby certify, under penalty of perjury, on behalf of myself and all owners, managers and supervisors identified in this application that the statements and information furnished in this application and the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief. I understand that a misrepresentation of fact is cause for rejection of this application, denial of the permit, or revocation of a permit issued.

In addition, I understand that the filing of this application grants the City of Oceanside permission to reproduce submitted materials for distribution to staff, Commission, Board and City Council Members, and other Agencies to process the application. Nothing in this consent, however, shall entitle any person to make use of the intellectual property in plans, exhibits, and photographs for any purpose unrelated to the City's consideration of this application.

Furthermore, by submitting this application, I understand and agree that any business resulting from approval shall be maintained and operated in accordance with the requirements of the city of Oceanside Municipal Code and State law.

Under penalty of perjury, I hereby declare that the information contained in within and submitted with the application is true, complete, and accurate. I understand that a misrepresentation on the facts is cause for rejection of this application, denial of a license or revocation of an issued license.

Name	Signature		
Title	Date		



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# TYPE 10 – OCEANSIDE LIMITATIONS ON CITY'S LIABILITY AND CERTIFICATIONS

#### a. WAIVER AND RELEASE OF LIABILITY AND AGREEMENT TO INDEMNIFY THE CITY OF OCEANSIDE

The applicant and all owners and operators hereby waive and releases the City from any and all liability for monetary damages related to or arising from the application for a license, the issuance of the license, or the enforcement of the conditions of the license. The applicant certifies that under no circumstances shall the applicant cause any cause of action for monetary damages against the City of Oceanside, the permitting official or any City employee or agent as a result of this permit application or issuance or the enforcement of the conditions of the license.

#### b. RELEASE CITY OF OCEANSIDE FROM LIABILITY FOR ISSUING THE APPLICANT A LICENSE

By applying for a license pursuant to the Oceanside Cannabis Facility license and by accepting a license, from the City of Oceanside Development Services Department acting as the Oceanside Local Permitting Authority, the applicant/permittee, owners and operators, and each of them, waives and releases Oceanside, and its elected officials, employees, agents, insurers and attorneys, and each of them, from any liability for injuries, damages, costs and expenses of any nature whatsoever that result or relate to the investigation, arrest or prosecution of business owners, operators, employees, clients or customers of the applicant/permittee for a violation of state or federal laws, rules or regulations relating to cannabis activities.

#### c. AGREEMENT TO INDEMNIFY THE CITY OF OCEANSIDE

By applying for a license pursuant to the Oceanside Cannabis Facility license Program and by accepting a license, from the Oceanside Development Services Department acting as the Oceanside Local Permitting Authority, the applicant/permittee, owners and operators, and each of them, jointly and severally if more than one, agrees to indemnify, defend and hold harmless Oceanside, and its elected officials, employees, agents, insurers and attorneys, and each of them, against all liability, claims and demands, of any nature whatsoever, including, but not limited to, those arising from bodily injury, sickness, disease, death, property loss and property damage, arising out of or in any manner related to the operation of the commercial cannabis facility that is the subject of the license.

- d. The applicant, commercial cannabis business manager and anyone with an ownership interest in the business referenced herein represents and certifies they have submitted to a Live Scan and/or background check no earlier than 30 days prior to the date of this application.
- e. For renewals, the applicant represents and certifies that they continue to hold in good standing any permit/license required by the State of California where applicable for a cannabis business operation.
- f. The applicant understands that operators, employees and members of the cannabis business may be subject to prosecution under Federal Laws.
- g. The person whose signature appears below is authorized to sign this application on behalf of the business and has submitted this information and all attachments as required by the application process to obtain a Business license from the City of Oceanside.

I declare under penalty of perjury that the information provided on this form is true and correct and do hereby apply for a license pursuant to Oceanside Municipal Code Chapter 7, Article XIII and in compliance with Oceanside Municipal Code Section 7.120, 7.125, 7.126, and all other applicable Sections of this Ordinance.

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A notary publi document, to			-					-		-			_
Subscribed and													
satisfactory e	evidence	to be	the pe	erson(s)	who	appear	ed	before	me		ame, N		

**Date of Notarization** 

**Notary Signature** 



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# TYPE 10 - STOREFRONT CANNABIS RETAIL LICENSE APPLICATION PROCEDURE GUIDELINES AND REVIEW CRITERIA

The City of Oceanside is seeking qualified Applicants to apply for two (2) Type 10 - Storefront Cannabis Retail Licenses that will be processed in accordance with the following phases:

- Phase 1 Storefront Cannabis Retail (SCR) Application and required document Submittal and Completeness
   Determination
- Phase 2 Application Evaluation Criteria Scoring
- Phase 3 Panel Interviews
- The Storefront Retail Cannabis Licenses will be issued to the top two (2) Applicants based on application evaluation criteria and interview scores.

#### TYPE 10 – STOREFRONT CANNABIS RETAIL APPLICATION INFORMATION

The following resources and information regarding the SCR Application process can be found on the City's website:

- SCR Application
- Cannabis Potential Zones Map
- Live Scan form

#### Other useful resources:

- <u>Division 19</u> Department of Cannabis Control California State regulations and Business
- Division 10 Cannabis of the California Business and Professions Code
- Oceanside City Code (OCC) Chapter 7, Article XIII

SCR Applications must be submitted digitally (PDF format) by E-mail during the application submittal window. Please email <a href="mailto:cannabis@oceansideca.org">cannabis@oceansideca.org</a> to submit an application or with questions relating to the application. Applications and payment will be accepted by appointment only.

#### **TYPE 10 - STOREFRONT CANNABIS RETAIL APPLICATION PROCESS SUMMARY**

All applications will be reviewed by the City's consultant team for completeness and all fees associated with the application process must be made by certified check, cashier's check, or money order made payable to the City of Oceanside and submitted to the Cashier's Office. Upon completing the initial application completeness review (Phase 1), Applicants will be informed of any missing materials and be given the opportunity to cure the application prior to the close of Phase 1. Applications containing all submittal requirements will be deemed complete and eligible to advance to Phase 2. Applications deemed incomplete will be disqualified from the SCR application process.

Phase 2 consists of scoring applications in accordance with the evaluation criteria in Appendix A by the City's consultant team. Of the applications that score at least **90% or 90 points**, the top eight (8) scoring applications will process to Phase 3, Panel Interviews. The top two (2) applications will be awarded licenses based on their interview score and will be allowed to submit for the requisite conditional use permit.

## TYPE 10 - STOREFRONT CANNABIS RETAIL APPLICATION SUBMITTAL REQUIREMENTS

All SCR Application materials required for Phases 1-3 must be submitted during Phase 1 of the SCR Application submittal appointment. Applicants will be expected to digitally submit the following application materials during the Application submittal period ( $\frac{00}{00}$ 2025 to  $\frac{00}{00}$ 2025).

**Please Note**: Responses to all the Evaluation Criteria (found in Appendix A of this document) shall be limited to 125 pages. (applications exceeding 125 pages will be deducted one (1) point during the evaluation phase for each additional page after 125). Evaluation criteria submittals will be evaluated and scored during Phase 2. Responses related to Proof of Capitalization are not included in the 125-page limit and shall be submitted in a separate digital file (see directions below).

- A digital submittal containing the following PDF files:
  - 1. A scanned copy of the signed SCR Application
  - 2. "Application Review Criteria" Responses to the Application Evaluation Review Criteria found in Appendix A of this Review Procedures Document (125 page limit points will be deducted for every page over this limit)
  - 3. Financial Responsibility, Indemnity and Consent to Inspection Terms Agreement
  - 4. Agreement on Limitations of City's liability and Indemnification to City
  - 5. Application Fee and Background Check Fee(s) Payment
  - 6. Background Check and Live Scan Forms for each business owner
  - 7. "Proof of Capitalization" (All bank statements, loan documents, promissory notes, financial and commitment letters)
  - 8. Business Operations Protocol and Procedures Applicant shall submit a business operations plan detailing the day-to-day operations for the proposed cannabis business, including:
    - a. Proposed hours of operation;
    - b. A description of all employee roles and responsibilities;
    - c. A description detailing how the proposed business would comply with the following all regulations set forth in OCC Chapter 7, Article XIII and the following regulations set forth in Division 19 Department of Cannabis Control Regulations.

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. This form be found here: <u>Live Scan Form</u>. The Live Scan fee for each Applicant, owner, or responsible person shall be determined by the Oceanside Police Department.

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 OCC Section 7.121

#### **APPLICATION PROCESSING PHASES AND FEES**

In addition to applicable background check fees, applicants will be required to submit required application fees in accordance with the Cannabis Facility Fee Schedule within five (5) business days of submitting their application or within five (5) days of confirmation of proceeding to the next application review phase. Payment must be made by certified check, cashier's check, or money order made payable to the City of Oceanside and submitted to the Cashier's Office. The City will not accept credit card payment and application fees are non-refundable. All SCR application fees, including background check(s) and related applications are subject to increase.

#### Phase 1 - Application Submittal, Completeness Determination, and Payment of Application Fees

SCR Applications must be submitted with payment of all required fees during the application submittal dates on this form and posted on the City's website. An appointment should be made to submit the SCR Application during Phase 1. All required documents identified in this document shall be submitted digitally (in PDF format) to the City's Online Permitting Counter.

An individual shall not act as an applicant or as a business owner in more than one (1) SCR application. If the same applicant or business owner(s) are listed in more than one (1) application, the applications will be disqualified from the SCR application process.

Payments shall be made by certified check, cashier's check, or money order made payable to the City of Oceanside. 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 to Phase 2. Applicants reviewed during Phase 1 who meet established application completeness criteria will be notified and will be permitted to advance to Phase 2. **LATE APPLICATIONS WILL NOT BE CONSIDERED**.

#### Phase 2 – Application Evaluation Criteria Scoring

Following the application submittal and determination of a complete application in Phase 1, the Consultant Team will conduct a full evaluation of the application materials, pursuant to the following evaluation criteria described in detail in Appendix A below:

- Section 1. Business, Labor, and Employment Plan (50 Points)
- Section 2. Community and Employee Benefits (50 Points)

Evaluation scores will be calculated using a point-based scoring system to establish an overall application score and ranking. Applicants may score up to a total of **100 points** based on the application evaluation criteria in Appendix A. Applications that fail to achieve a minimum score of **90 points** (90 percent) will be disqualified. The top eight (8) scoring applications will be allowed to proceed to Phase 3. In the event that there is a tie for the eighth ranking, all applications with matching scores to the eighth ranking shall be allowed to proceed to Phase 3. Notice of the results of Phase 2 will be published on the City's SCR application website and provided in writing via email to the primary contact identified in the application.

#### Phase 3 - Panel Interviews

An interview panel comprised of the City Manager, Assistant City Manager, Deputy City Manager, Director of Finance, and Chief of Police shall conduct interviews with the applicant teams of each application accepted into Phase 3. The top two scoring applications will be selected through an anonymous ranked-choice voting system to be conducted by the City Clerk. In their decision, the panel may consider all available information, including compliance history in other municipalities.

Interviews shall be scheduled approximately two weeks from publication of Phase 2 results. The City shall reach out to the primary contact of each qualifying application with the pre-determined interview date, time, and location. The City is under no obligation to reschedule interviews due to prior obligations.

After the interviews, the City shall reach out to the primary contact of each application which completed the necessary panel interview confirming if the application will or will not be awarded a local license. Those applications which receive a local license will be instructed to submit for a conditional use permit.

#### ADDITIONAL PERMITTING INFORMATION

Being awarded a Storefront Cannabis Retail Cannabis Retail License 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, Development Services Department permits or reviews, and any other permits, licenses, or reviews as deemed necessary by the relevant departments or governmental entities in charge of said permits. Once established, SCR licensee holders may not sell or transfer their ownership interest to another person or entity except when compliant with the procedures for transferring ownership, pursuant to OCC Chapter 7, Article XIII. In the event that the City Council authorizes additional Storefront Retail Cannabis businesses or if any of the permit holders fail to meet the deadlines set forth in OCC Chapter 7, Article XIII, the City may extend the SCR application submittal period or initiate a new application period, subject to the requirements set forth in OCC Chapter 7, Article XIII.

#### **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 Type 10 Cannabis Storefront Retail 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 Type 10 Cannabis Retail Storefront application.
- It exceeds 125 pages in response to the evaluation criteria in Appendix A. (Applications exceeding 125 pages will be deducted one (1) point for each additional page after 125 during the evaluation phase).
- Incomplete SCR applications. Application materials not submitted during the application window or other deadlines outlined in this document.
- Incomplete payments or failure to pay any and all fees associated with the SCR application process by the deadlines outlined in this document.
- Misrepresentation or false information in the application materials.
- If one or more individuals would have ownership in multiple applications, all applications related applications will be rejected.

#### **AMENDMENTS TO THE APPLICATION**

Upon the close of Phase 1, Applicants will not be allowed to provide supplemental material or make amendments to their application, except as otherwise specifically permitted in these procedures or as authorized in writing by the City.

### **CONTACT**

If you have any questions or would like an update on the status of your application, please contact staff by phone at 760.435.3544 or by email <a href="mailto:cannabis@oceansideca.org">cannabis@oceansideca.org</a>

### **APPENDIX A - APPLICATION EVALUATION CRITERIA AND POTENTIAL POINTS**

All of the information required in the table below must be submitted in PDF format as described above (do not provide any documents in Word format). Scoring for each subsection item are shown in the table below.

EVALUATION CRITERIA	
SECTION 1: BUSINESS, LABOR, AND EMPLOYMENT PLAN	50 POINTS TOTAL
<ul> <li>Industry Knowledge – Provide resumes for each owner listed in the application.</li> <li>Resumes are not to exceed three (3) pages per person and must describe owner qualifications and industry knowledge in detail.</li> <li>Applicant receives five (5) points for providing one (1) resume for each individual listed as owner in the submitted application, and either:         <ul> <li>an additional fifteen (15) points if business owner(s) have either 1) six (6) or more years of verifiable experience in operating a licensed commercial retailer or 2) two or more years of experience operating a licensed Oceanside cannabis business; or</li> <li>an additional twelve (12) points if business owner(s) have between two (2) and four (4) years of verifiable experience; or</li> <li>an additional ten (10) points for between zero and one (1) year of verifiable experience.</li> </ul> </li> </ul>	20 points possible  5 pts.
*Applications received with from businesses that have been legally operating a cannabis business within City limits for from at least 8/6/2023 to 8/6/2025 shall receive the full 20 points for this subsection.	20 pts 🗌
<u>Proof of Capitalization</u> – Provide documentation of cash or other liquid assets on hand, Letters of Credit, or other equivalent assets.	10 points possible
Applicant receives ten (10) points for providing documentation demonstrating sufficient funding to become an operational and profitable business with sufficient funding (\$250,000 in capitalization) to sustain six to twelve months of immediate operating costs. Zero points are awarded if the proof of capitalization is incomplete or not submitted.	10 pts. 🗆
3-year pro forma – Provide a 3-year pro forma demonstrating the business's ability to meet long-term financial obligations and profitability. The pro forma may include an income statement, a balance sheet, and additional components.	10 points possible
Applicant receives ten (10) points for providing a 3-year pro forma demonstrating solvency of the proposed business. Zero points are awarded if a 3-year pro forma is incomplete or not submitted.	10 pts. 🗆
<u>Local Ownership</u> – Submit documentation demonstrating that the business owner(s) of the proposed storefront cannabis retail facility are a current resident or owner of an existing business located within the city of Oceanside. If there are multiple owners, a majority (51 percent) of the ownership team be current residents or Oceanside business owners.	10 points possible
Applicant receives ten (10) points for providing documentation and meeting the local ownership criteria. Zero points will be awarded to applicants considered for local ownership if no documentation is provided confirming that owner(s) are a current resident(s) and/or business owner(s).	10 pts. 🗆

EVALUATION CRITERIA	
SECTION 2: COMMUNITY AND EMPLOYEE BENEFITS	50 POINTS TOTAL
Community Benefit Plan – Submit a Community and Employee Benefits Plan summarizing the types of community benefits provided by the proposed business. The plan shall describe quantifiable benefits provided by the proposed cannabis business to local non-profit organizations. Examples of benefits include 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.  Definitions:  Annual Business Revenue: The total amount of money generated by the sale of goods and/or services.	30 points possible
Income: A company's total earnings after business expenses.	
Applicants must submit a Community Benefits Plan, and may receive :	
<ul> <li>twenty-five (25) points for a plan that provides community benefits by pledging a minimum of ten percent (10%) of income or one percent (1%) of annual business revenue to a youth-serving non-profit organization located within the city of Oceanside or as financial support of a City sponsored youth-serving activity or organization; or</li> </ul>	30 pts ☐ or
twenty (20) points for a plan that provides community benefits by pledging a minimum of 5 percent (5%) of income or one-half percent (0.5%) of annual business revenue to a youth-serving non-profit organization located within the city of Oceanside as financial support of a City sponsored youth-serving activity or organization	20 pts
Benefits and Compensation – Include a Compensation Plan that describes the business's employee compensation and benefits. The compensation plan shall outline salary structures for employees, bonuses, retirement plan(s) and benefits to employees. Applicants will receive points for providing a compensation plan pledging employee wages above the (County of San Diego) hourly minimum wage requirements. (Hourly minimum wage referrers to San Diego County's minimum hourly wage established at time of application submittal).  Applicants must submit a compensation plan for the proposed business, and may receive:  i fifteen (15) points for compensation plans that demonstrates hourly employees will be compensated a minimum of ten percent (10%) above minimum wage standards; or seven (10) points for a compensation plan that demonstrates hourly employees will be compensated by up to percent (5%) above minimum wage standards.	15 points possible  15 pts.   or  10 pts.   or  7 pts.
Collective Bargaining Agreements (CBAs) – Submit one or more CBAs demonstrating	5 points possible
the applicant team's commitment to fair labor practices, safe working conditions, and respect for workers' rights.  Applicant receives five (5) points for submitting one or more CBAs from one or more existing cannabis businesses in which the applicant team shares ownership interest that confirms the employees benefit significantly from the CBA(s).	5 pts.

EVALUATION CRITERIA	
*Applications received with from businesses that have been legally operating a cannabis business within City limits for from at least 8/6/2023 to 8/6/2025 shall receive the full 5 points for this subsection.	5 pts. 🗌