



# City of Farmersville

Planning & Development Department – City Hall  
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## APPLICATION PROCEDURE GUIDELINES FOR A COMMERCIAL CANNABIS BUSINESS

Information regarding the Commercial Cannabis Business application process can be found on the City’s website at <https://www.cityoffarmersville-ca.gov/> and may include the following:

- Farmersville Municipal Code (FMC)
- Ordinances No. 485 and 487
- Local Zoning Ordinance Title 17
- California state regulations and resources
- Commercial Cannabis Business License Application
- Background authorization and/or Live Scan form(s)
- Limitations on City’s Liability waiver

Applications will be available from and must be returned by appointment to the Planning & Development Department in City Hall located at 909 W. Visalia Rd., Farmersville, CA, 93223. For questions regarding the application process, please review the information on the Farmersville website: <https://www.cityoffarmersville-ca.gov/>. This application process is adopted pursuant to FMC Sections 17.53.040, 17.53.060, and 17.53.100.

### 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:

1. It is not responsive to this request for a CCB application.
2. The issuance of the CCB at the proposed location is inconsistent with state law, FMC Chapter 17.53, or other applicable Farmersville Municipal Codes.

### 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 as authorized in writing by the City.

**PLEASE READ THE GUIDELINES CAREFULLY BEFORE SUBMITTING YOUR APPLICATION.  
FAILURE TO SUBMIT A COMPLETE APPLICATION COULD RESULT IN DISQUALIFICATION.**

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

## **Prior to submitting a CCB application:**

Applicants must obtain an approved Zoning Verification Letter (ZVL) from the Planning & Development Department in City Hall located at 909 W. Visalia Rd. prior to submitting a CCB application, to ensure the proposed location meets requirements. ZVLs require a written request submitted by appointment only to the Planning & Development Department. They **will not** be completed over the counter to allow for research and review. A ZVL costs \$225 and payment is due at the time of the appointment. The City's review process takes approximately ten (10) to fifteen (15) working days. The ZVL must be included with the CCB application.

The issuance of a 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 conditional use permit issued by either the City Planner or the Planning Commission. This is a separate application that will be made only after a CCB is approved.

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

*Fee: \$4,355 + \$415.37 Live Scan/background check per owner*

Applications must be submitted, and fees paid, by appointment only to the Planning & Development Department in City Hall. The City requires two (2) complete, comprehensive and signed hard copy applications in three-ring binders and one (1) flash drive containing a comprehensive and signed digital copy of the application in PDF format, including attachments. Payment must be made by certified check, cashier's check or money order made payable to the City of Farmersville. The City will not accept cash or credit cards and application fees are non-refundable.

A complete application will include all of the following:

- Farmersville Commercial Cannabis Business Application and all attachments noted therein
- Limitations on City's Liability waiver
- Approved Zoning Verification Letter from the Development Services Department
- Live Scan/Criminal History Check application form for each Owner/Principal and proof of payment
  - *Each Owner must undergo a Live Scan and criminal history check demonstrating they do not provide "good cause" for denial per FMC Sections 17.53.060 and 17.53.100. The Live Scan process involves submitting fingerprints to the DOJ/FBI to review for criminal offender record information (CORI). CORI reports will be provided to City for the sole purpose of determining eligibility for operating a CCB. Owners/Principals who do not meet criminal history eligibility requirements will be disqualified.*
  - *Please note the Live Scan process may be delayed due to the pending of the DOJ/FBI authorization. Once the City has received authorization they will post the Live Scan submittal due date on the City website. The Live Scan must be conducted by the Farmersville Police Department (FPD). Applicants will be required to make an appointment in advance to ensure FPD staff is available. This process will be required to meet the minimum threshold qualifications pursuant to FMC Sections 17.53.060 and 17.53.100.*
- Supplemental background check information
  - *Since delays are anticipated in the Live Scan process, the City is conducting supplemental background checks that will allow applicants to move forward while their Live Scans are being completed. By signing the application, Applicants acknowledge that they agree to these terms and should they be disqualified as a result of a background or a Live Scan, they will not be eligible for a refund of any fees collected resulting from this procedure.*
  - The following documents are required for each Owner/Principal's supplemental background check:
    - Commercial Cannabis Business Employee/Owner Background Application
    - Intelifi waiver form

- Two passport-quality photographs (2"x2")
  - Copy of Social Security card or ITIN
  - Color copy of Driver's License or other valid government-issued photo identification
  - Proof of current address
- All supplemental information to be evaluated in Phases 2 and 3, as described in APPENDIX A

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.

## **Phase 2: Application Evaluation and Initial Ranking (1,500 points)**

*Fee: \$2,213*

Applications will be evaluated and ranked by HdL Companies based on the below criteria. See APPENDIX A for a description of the evaluation criteria.

- Proposed Location (200 Points)
- Neighborhood Compatibility Plan (300 Points)
- Business Plan (400 Points)
- Safety Plan (300 Points)
- Security 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% (1,200 points) in Phase 2 will move on to Phase 3 of the application process.

## **Phase 3: Interviews and Second Ranking (2,500 Points)**

*Fee: \$2,167*

Those applications that passed Phase 2 will be interviewed and evaluated by the City's 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 on the below criteria. See APPENDIX A for a description of the evaluation criteria.

- Proposed Location (200 Points)
- Neighborhood Compatibility Plan (200 Points)
- Qualifications of Owners (300 Points)
- Business Plan (300 Points)
- Safety Plan (200 points)
- Security Plan (200 Points)
- Labor & Employment (200 Points)
- Local Enterprise (200 Points)
- Environmental Impact Mitigation (200 Points)
- Air Quality Plan (200 Points)
- Enhanced Product Safety (200 Points)
- Community Benefits (300 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 move on to Phase 4 of the selection process.

## **Phase 4: City Manager Final Approval and Issuance of CCB License**

*Fee: \$968*

Only those applicants who have scored above 80%, or a percentage determined by resolution, after Phase 3 will be eligible to receive a CCB license in Phase 4. Prior to making a final decision, the City reserves the right to request and obtain additional information from any candidate who submitted an application.

The City Manager will review the Selection Committee's evaluation and make a final recommendation to City Council, which may award only as many CCBs as allowed by the FMC. However, City Council reserves the right to award a lesser number of CCBs or to award no permits at all. If requested by the City Manager, the top Applicants who are recommended for consideration to the City Council should be prepared to attend a City Council meeting to respond to questions.

Note: Being awarded a CCB 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, 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 CCB application process meet the standards or requirements in Article 4 and any other permit requirements from other City departments or agencies.

### **CONTACT**

If you have any questions or would like an update on the status of your application, please contact the City of Farmersville at 559.747.0458 or by email at [Cannabis@cityoffarmersville.gov](mailto:Cannabis@cityoffarmersville.gov).

# APPENDIX A

## DESCRIPTION OF EVALUATION CRITERIA

**Proposed Location:** The application shall include the following:

- Physical address and a detailed description of the proposed location.
- Proof of ownership, or a notarized letter of the owner's willingness to lease.
- Thorough physical description of the overall property, building and interior floor plan.
- Description of all known nearby state and locally defined sensitive use areas. The cannabis business must have the appropriate zoning and meet all the locational requirements as described in FMC Chapters, 17.04.060, 17.53.040 and 17.53.060.

**Neighborhood Compatibility Plan:** The application shall describe how the cannabis business, including its private, semi-private and surrounding public areas, will be proactively managed to avoid becoming a nuisance or having negative impacts on its neighbors and the surrounding community.

**Qualifications of Owners:** The application should include information concerning any special business or professional qualifications or licenses of Owners that would add to the number or quality of services that the cannabis business would provide, especially in areas related to medical cannabis, such as scientific or health care fields.

**Business Plan:** With as much detail as possible, the Business Plan shall describe:

- Day-to-day operations shall be provided for each license type being sought. The proposed operations should acknowledge both state and local laws and should be consistent with industry best practices.
- How the cannabis business will conform to local and State law per FMC Sections 17.53.010, 17.53.040, and Ordinance 485.
- How cannabis inventory will be tracked and monitored to prevent diversion.
- A schedule for beginning operation, including a narrative outlining any proposed construction and improvements and a timeline for completion.
- A budget for construction, operation, maintenance, compensation of employees, equipment costs, utility costs, and other operation costs.
- A description of the source(s) of capital and use(s) of capital funds. The budget must demonstrate sufficient capital in place to pay startup costs and at least three months of operating costs.
- Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, Letters of Credit or other equivalent assets.
- A pro forma for at least three years of operation.
- CULTIVATION APPLICANTS ONLY: A cultivation plan that includes, but is not limited to:
  - A detailed premises diagram showing all boundaries and dimensions of the following areas: canopy, chemical storage, processing, packaging, composting, harvested cannabis storage
  - A lighting diagram, including the locations of all lights and the maximum wattage of each light
  - Water plan, including water supply sources and plans for runoff

**Safety Plan:** The application shall include a detailed safety plan, including:

- A detailed diagram of the overall facility's safety features.
- Written description of safety features, including but not limited to fire prevention, suppression, HVAC and alarm systems.
- 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.

**Security Plan:**\* The application shall include a detailed security plan, including:

- A detailed diagram of the facility's overall security features.
- A security diagram capable of demonstrating the location of all cameras and recording equipment (DVR/NVR), access control equipment and all safes, vaults or locked and secured rooms.
- Written description of operational security, including but not limited to, general security policies for the facility, employee specific policies, training, sample written policies, transactional security, visitor security, 3rd party contractor security, and delivery security. Additionally, applications should address ingress and egress access, perimeter security, product security (at all hours), internal security measures for access (area specific), types of security systems (alarms and cameras), and security personnel to be employed.
- An assessment of site security by a qualified licensed security consultant.

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

**Labor & Employment Plan:** The application shall describe to what extent the CCB will adhere to heightened pay and benefits standards and practices, including recognition of the collective bargaining rights of employees. Specific practices that are subject to consideration include providing compensation to and opportunities for continuing education and training of employees/staff (applications should provide proof of the cannabis business policy and regulations to employees).

**Local Enterprise:** The application shall state the extent to which the cannabis business will be a locally managed enterprise whose owners reside within Farmersville and/or the County of Tulare.

**Environmental Impact Mitigation:** The application shall describe any proposed "green" business practices relating to energy and climate, water conservation, and materials and waste management.

**Air Quality Plan:** Must demonstrate that air circulation does not impact the employees' health and welfare or the surrounding businesses.

**Enhanced Product Safety:** The application shall state how the cannabis business will ensure enhanced consumer safety as required by State and/or local law. This section should acknowledge the track & trace requirements in addition to packaging & labeling standards. Retail locations must discuss proposed exit packaging procedures.

**Community Benefits:** The application shall describe benefits that the cannabis business would provide to the local community, such as, community contributions, volunteer services and/or economic incentives.