

# FREQUENTLY ASKED QUESTIONS

## FOR COMMERCIAL CANNABIS BUSINESSES

### **What types of Commercial Cannabis Businesses will be allowed under the Title 4 Commercial Cannabis Business ordinance if Measure B passes?**

If the Commercial Cannabis Tax (Measure B) passes, the amended Title 4, Division 10, Chapter 1 will allow all of the California Annual State License types except outdoor cultivation and temporary cannabis event/event organizer. To operate the cannabis business the owner must have a valid County Cannabis License (Cultivator License, Distributor License, Manufacturer License, Retailer License, or Testing Laboratory License), California Annual State License, and the appropriate discretionary land use permits for the business location. Microbusiness operators must have a County Cannabis Business License for each type of business they are operating under their California Annual State License.

### **Is the County going to allow Medicinal Cannabis, Adult-Use Cannabis, or both?**

The Title 4 Commercial Cannabis Business ordinance allows all County Cannabis Licensees types to operate under a Medicinal License (M-License), Adult-Use License (A-License), or both.

### **Is delivery allowed under the Title 4 Commercial Cannabis Business Ordinance?**

Yes, County Cannabis Retailer Licensees will be allowed to conduct delivery as a storefront or as a non-storefront delivery pursuant to their California Annual State License.

### **Can I get a County Cannabis License based on a Temporary State License?**

An applicant can apply for a County Cannabis License based on a Temporary State License, but the County Cannabis License will not be valid and they will not be allowed to operate in the County unless the operator has a valid California Annual State License.

### **How can I tell if I can get a County Cannabis License on my property?**

On August 7, 2018, the Board of Supervisors directed staff to prepare amendments to the County's zoning code (the Title 9 Development Title) to integrate the Title 4 Commercial Cannabis Business ordinance land use requirements. Those amendments are expected to come to the Board for approval around November 2018. At that time property specific information will become available.

### **When can I apply for a County Cannabis License?**

The County expects to begin accepting County Cannabis License applications around November 2018.

### **What County Department will process the County Cannabis License applications and regulate and monitor Licensees?**

The County Environmental Health Department.

### **What County Department will process the discretionary land use approval required for each County Cannabis License?**

The County Community Development Department.

### **Will every Commercial Cannabis Business have to be approved at a public hearing?**

There is no hearing required for the County Cannabis License. However, a public hearing may be required for the necessary Title 9 land use approval of each business. Commercial Cannabis Business Licensees (except Testing Laboratory Licensees) must obtain a Use Permit, which requires a public hearing, or if they are developing a Cannabis Business Park they must obtain a Special Purpose Plan, which also requires a public hearing. However, Businesses applying to be located within a Park that has an approved Special Purpose Plan only need to obtain an Improvement Plan, which does not require a public hearing.

### **Is there anything that would disqualify an applicant for a County Cannabis License?**

An applicant for a County Cannabis License (or any owner of that applicant if the applicant is a business) must meet the qualifications in Section 45 of MAUCRSA which amended Section 26057 of the Business and Professions Code, and must not have been convicted within the last 5 years of any felony involving trafficking, manufacturing, or cultivating a federally controlled substance including violations of Sections 11351, 11351.5, 11352, 11378, 11379, 11358, 11359, and 11379.6 of the Health and Safety Code.

### **Will applications for Commercial Cannabis Businesses be subject to environmental review?**

Yes, the California Environmental Quality Act ("CEQA") will apply to the development of Commercial Cannabis Businesses in the County. The environmental review required by CEQA will be done during the Title 9 land use approval for each project.