



Ohio Department of Commerce Medical Marijuana Control Program

Cultivation Area Expansion Application

Instructions: The Cultivation Area Expansion Application has been created to allow for licensees to apply for approval of the initial cultivation area expansion as defined in Chapter 3796 of the Ohio Administrative Code. All the following criteria and documentation requirements will be considered by the Department of Commerce (“Department”) prior to approval of a licensee’s application for a cultivation area expansion.

The Department encourages cultivator licensees to carefully review the evaluation criteria to ensure that they meet the criteria before submitting a cultivation area expansion application. **Licensees are prohibited from submitting more than one cultivation area expansion request during any twelve-month period.**

Cultivation area expansion applications and supporting documentation must be submitted electronically to the Ohio Medical Marijuana Control Program at MMCPicensing@com.state.oh.us with a subject line, “**Business Name – Cultivation Area Expansion Application.**” Please also copy your assigned compliance agent.

Department approval of a licensee’s initial cultivation area expansion application and related facility floor plan and construction does not constitute approval of any future cultivation area expansion.

Licensee Information

Business FEIN:		Facility License #:	
Business Name:			

Primary Contact or Registered Agent Information			
First Name:	M.I.:	Last Name:	
Title (i.e., Owner, President, etc.):			
Mailing Address (if different than Business Address):			City:
State:	Zip Code:	Phone Number:	
Email Address (if different than Business Email):			



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Expansion Plan

Pursuant to Ohio Admin. Code 3796:2-1-09(B) each cultivator seeking to expand its marijuana cultivation area shall submit an expansion plan, which, at a minimum, shall include the following:

- (1) Include plans and specifications for the expansion or alteration in accordance with rule [3796:2-1-02](#) of the Administrative Code that demonstrate compliance with the requirements of the rules adopted by the board of building standards pursuant to Chapters 3781. and 3791. of the Revised Code and the rules adopted by the state fire marshal pursuant to sections [3737.82](#) and [3737.86](#) of the Revised Code;
- (2) Propose a timeline for completion of the proposed expansion, which, if approved, will become a mandatory condition;
- (3) Demonstrate a history of compliance with Chapter 3796. of the Revised Code and the rules promulgated in accordance with Chapter 3796. of the Revised Code, which includes a history of enforcement actions and sanctions issued by the department or law enforcement against the cultivator;
- (4) Provide supporting documentation that the cultivator has consistently met the cultivation requirements under rule [3796:2-1-07](#) of the Administrative Code; and
- (5) Demonstrate to the department that the proposed expansion meets the applicable requirements of rule [3796:2-1-02](#) of the Administrative Code and that the cultivator will remain in compliance with Chapter 3796. of the Revised Code and the rules promulgated in accordance with Chapter 3796. of the Revised Code, if the expansion is permitted.

Licensee cultivation area expansion plans can be submitted with the application in a separate document titled **“Business Name – Expansion Plan.”**

Compliance with Licensure Requirements

I certify, to the best of my knowledge, that the following statements are true as of the date of this application:

- The licensee has been operational, meaning plants tagged in the Department’s inventory tracking system (Metrc), for at least one year.
- The licensee is reasonably utilizing the full allowable marijuana cultivation area of twenty-five thousand square feet for Level I cultivators and three thousand square feet for Level II cultivators.
- The licensee has had no enforcement actions, including incidents of noncompliance resolved by a consent order, in which the incident occurred within one year before the date of the licensee submission under OAC 3796:2-1-09(B).

If the licensee is unable to check one of the above boxes, please provide a written explanation as to the reason.



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Other Factors Related to the Program

Narrative: The cultivator licensee must provide a narrative and any supporting documentation demonstrating a need for additional cultivation capacity, including production and distribution of plant material to processors and dispensaries.

<p>Demonstration of Need for Additional Capacity</p>	
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Inventory Review: In addition to the licensee narrative, the Department also will consider the amount of cultivator licensee harvested plant material that has not been transferred to processors or dispensaries as well as the dates of harvest of stored plant material. Cultivator licensees with fifty pounds or more inventory of any plant material that exceeds one year from the date of harvest may not receive approval of a cultivation area expansion.

Trade Secret Information

- The undersigned is an Applicant for a cultivation area expansion of an existing medical marijuana cultivator license. The Applicant understands that the Department of Commerce is an entity of the State of Ohio and any documents or information submitted to the State of Ohio may be disclosed by the State pursuant to an Ohio Public Records Act request.
- While the Ohio Public Records Act permits certain exclusions from disclosure Applicant understands the State makes no guarantee or promises that such information will not be disclosed. Applicant has reviewed the Ohio Public Records Act as well as relevant case law.
- The applicant understands that the documents or information it provides to the State of Ohio will be disclosed pursuant to the Ohio Public Records Act and subject to any applicable exceptions or ancillary case law.
- Applicant understands that there are additional requirements in order to claim a trade secret or infrastructure record exception. Applicant understands that materials consisting of trade secrets or infrastructure records must be clearly marked, specifying the pages of the application submission that are to be restricted and justifying the trade secret designation or infrastructure designation for each item. Please attach a document detailing the pages and information that are to be restricted with justification for the trade secret designation or infrastructure designation for each item.



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- I hereby acknowledge that knowingly making a statement that is untrue or which is intended to mislead the Medical Marijuana Control Program (MMCP), the Department of Commerce, or any person designated by the State of Ohio in the performance of their official function is a violation of Chapter 3796 of the Revised Code. As the duly authorized representative of the applicant and all individual applicants, I hereby attest to the accuracy to the best of my knowledge of the submitted information on this application and make the submitted certifications on behalf of the applicant.

Requested By:

Name:		Phone #:	
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Authorized Representative Signature: _____ **Date:** _____