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# CANNABIS LICENSE SUBMITTAL PROCEDURES

Manufacturing, Distribution, Testing Laboratories, and Microbusinesses (without storefront retail) Only

**NO APPLICATIONS WILL BE ACCEPTED PRIOR TO JUNE 25, 2020**

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On May 26, 2020 the Concord City Council adopted an ordinance — with an effective date of June 25, 2020 — amending the City’s cannabis regulations to allow additional cannabis licenses and license types. There are two separate application procedures based on the type of cannabis license being applied for, outlined below.

## 1. Competitive Selection Process

The following cannabis license types require selection through the City’s merit-based competitive selection process:

- A. Storefront retailer (up to 3 licenses allowed)
- B. Non-storefront retailer (up to 3 licenses)
- C. Microbusiness with a storefront retail component (up to 2 licenses)

If a license is being sought through the merit-based competitive selection process (#1 above), the [project website](#) is the best resource to obtain information on the current status, process, and upcoming meeting and milestone dates related to this process.

## 2. First-Come, First-Serve Process

The following cannabis license types are not subject to the competitive selection process, and will be considered on a first-come, first-serve basis:

- D. Testing laboratory (no maximum number of licenses)
- E. Manufacturer (up to 5 licenses allowed; two of which have been issued to date)
- F. Microbusiness (up to 4 maximum licenses [including those subject to the separate competitive selection process], up to 2 with a non-storefront retail component)
- G. Distributor Type 11 (up to 2 licenses)
- H. Distributor Transport Only Type 13 (allowed with another City Cannabis License, pursuant to state law)

If an applicant is seeking a license not subjected to the merit-based competitive selection process (#2 above), the City will accept City Cannabis License Applications on a first-come first serve basis, through the procedures outlined below. Licenses D-G are only allowed to be located in the [Commercial Cannabis Overlay District](#), which are the areas shown in green on the map, subject to provisions in CMC Chapter 5.80 and Title 18.

## City Cannabis License Submittal Procedures

A [City Cannabis License application](#), along with all required information, shall be submitted by mail AND electronically (**per the procedures outlined below as a result of the ongoing impacts of Covid-19**). No applications will be accepted in advance of **June 25, 2020**. All applications shall contain the following components:

- A deposit of \$15,000 is required at the time of submittal, including a signed [Trust Account Agreement](#) form.
- Applicants shall also submit a Zoning Compliance Fact Sheet and a Zoning Verification Letter (described below).
- The application will be date stamped “Received” with the time received written on the application by the project Planner at the Permit Center.
- Submitted applications will be divided by license type.

**Due to uncertainty regarding the reopening date of City Offices as a result of Covid-19, the following submittal procedures shall be in effect (this document will be updated to include any changes).**

Applicants shall email their City Cannabis License application, along with all required information to [zoning@cityofconcord.org](mailto:zoning@cityofconcord.org) and include a file-sharing link to all submittal documents. The subject line in the email shall state that it is a submittal for a license application, and indicate the business type (e.g. “Cannabis License Application Submittal – Manufacturer”). Applicants shall also mail hard copies of all materials to:

City of Concord  
Community and Economic Development Department  
Planning Division—Cannabis Application  
1950 Parkside Drive (MS, 53)  
Concord, CA 94519

The tracking number for the mailing of the application package shall be included in the applicant’s email. No hardcopies shall be submitted to the Permit Center or Planning Division directly, only mailed with email confirmation. The received date and time will be the time the email is received, **only if the mail tracking indicates the package has shipped**, not just that the label has been created.

## City Cannabis License Review Procedures

- Applications will be reviewed for completeness in the order they are received to ensure all required documents are included.
- All applicants will receive an email notification 30 calendar days after the application is received (if the 30 days falls on a holiday or weekend, the notification will be sent on the next business day) indicating whether their application has been deemed complete or incomplete. Applicants will also be informed of the order in which their application was received in context of other applications of the same type.
- If an incomplete application is resubmitted — it shall be accompanied by an annotated response letter from the applicant — the next review period will begin once the resubmittal is received that addresses all comments in the incomplete letter. Staff will not

review piecemeal resubmittals. The review period duration for any resubmitted applications will also be 30 days.

- Any time spent by staff reviewing the application will be billed appropriately to the trust account. If the deposit drops below \$5,000.00 staff will stop reviewing the application until additional funds are received. Any remaining funds will be returned to the trust account holder if the application is withdrawn or is disqualified for any reason.
- The first applications to be deemed complete will advance through the City Cannabis License process, up to the number available for each license type. If multiple applications are deemed complete on the same day, in excess of the number of available licenses, the day and time of the initial application submittal will determine which application advances.

### Sensitive Use Map<sup>1</sup>

The [linked map](#) shows known sensitive uses, as of May 1, 2020, within 1,000 feet of areas where cannabis businesses are allowed to be located. The 250-foot City-adopted buffer zone around those sensitive uses is also shown.

### Zoning Verification Letter

Zoning verification letters are required for all submittals and may be requested from the Planning Division as of June 15, 2020 (for cannabis businesses). On company letterhead, please include the following in a PDF or MS Word document:

- Name of primary contact
- Email address and phone number of primary contact
- Payment for \$543.24 per APN (subject to change on July 1, 2021)
- Address and APN(s) for proposed site
- Type of cannabis license being sought
- List of known sensitive uses<sup>2</sup> within 250 feet of property (measured property line to property line), if any
- Any additional questions you would like researched as part of your letter.

Zoning verification letters for cannabis uses require 30 days for processing. A Zoning Verification Letter request can be submitted prior to the license application submittal, or included with the license application submittal.

*Note that the Planning Division may not be able to answer all questions in the zoning verification letter. Contact the Building Division regarding building code violation questions, and Code Enforcement regarding other code violations.*

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<sup>1</sup> There may be additional sensitive uses not shown on this map; it is up to the cannabis business applicants to confirm if there are any potential sensitive uses within 250 feet of a proposed location.

<sup>2</sup> Sensitive land use means a legally established use within the city consisting of (1) a public or private school that provides instruction from kindergarten to grade 12; (2) a child care facility, other than a large or small licensed family day care home, and includes infant centers, preschools, extended day care facilities, and school age child care centers; or (3) a youth community center, which is defined as a public or private facility that is primarily used to host recreational or social activities for minors, including, but not limited to, private youth membership organizations or clubs, social service teenage club facilities, video arcades, or similar amusement park facilities.

### Zoning Compliance Fact Sheet

A [Zoning Compliance Fact](#) sheet is required to determine if a proposed use at a specific location complies with the zoning requirements outlined in the Development Code. The form includes fields for the applicant to describe how the proposed site will be used, the existing site characteristics, and information regarding the intended building operations. It must be signed by the property owner.

### **Additional Requirements**

Whether the applicant is seeking a license under the merit-based competitive selection process (#1 above) or the first-come first-serve process (#2 above), the following is also required prior to a business becoming operational:

- Administrative Permit to allow a cannabis land-use
- Design and Site Review (scope of review dependent on scope of development, but required for all cannabis business types, even if minor tenant improvements are proposed)
- Building Permit, including final inspection
- State cannabis license
- City business license