



Community and Economic Development Department/Planning Division
1010 Tenth Street, Suite 3300, P.O. Box 642
Modesto, CA 95353
(209) 577-5267 (209) 491-5798 FAX

Commercial Cannabis Permit Application General Information

The City of Modesto allows the following types of commercial cannabis businesses within certain zones of the City: indoor and mixed-light cultivation, nursery, manufacturing (volatile and nonvolatile), retail (storefront only, no delivery operations permitted), and microbusinesses. See the land use table below for more details. No cannabis businesses are permitted in the Downtown Cannabis Prohibition Overlay, as shown below.

All cannabis businesses must obtain a City commercial cannabis permit prior to commencing operations. Following acceptance of the full application packet, qualifying applications will be forwarded to the City Council for consideration. The requirements for cannabis businesses to operate in the City are as follows:

Non-retail cannabis businesses:

- Phase 1 Application (background check, zoning and property clearance)
- Phase 2 Application (submitted only after Phase 1 clearance)
- City Council approval of Commercial Cannabis Permit
- State cannabis license
- City Business License

Retail cannabis businesses (competitive process):

- Phase 1 Application (background check, zoning and property clearance)
- Phase 2: Following Phase 1 clearance, apply through the City's Request for Proposals (RFP) process to compete for one of the available ten dispensary permits. A microbusiness with a retail component must go through the RFP process. No delivery operations are permitted.
- City Council approval of Commercial Cannabis Permit
- State cannabis license
- City Business License

Nonrefundable filing fees are due upon submittal as follows:

Phase 1 Application (retail and non-retail):	\$4,750
Phase 2 Application (non-retail):	\$10,000 deposit (time & materials)
Phase 2 Application (non-retail, over 10,000 sq. ft.):	\$20,000 deposit (time & materials)
Phase 2/RFP (retail):	\$20,000 deposit (time & materials)

Commercial Cannabis Uses/Land Use Table.

“CCP” indicates that a Commercial Cannabis Permit is required. A blank space indicates the use is not permitted. Only uses listed below, in the zones listed, are permitted.

Commercial Cannabis Use	C-2	C-3	C-M	M-1	M-2
Cultivation Type 1A; Specialty Indoor Small; and 1B Specialty Mixed-light Small (5,000 Sq. Ft. Max)				CCP	CCP
Cultivation Type 1C; Specialty Cottage Small; 2,500 Sq. Ft. Max for mixed light; or 500 Sq. Ft. Max indoor				CCP	CCP
Cultivation Type 2A; Indoor Small; and 2B; Mixed-light Small (10,000 Sq. Ft. Max)				CCP	CCP
Cultivation Type 3A; Indoor Medium; and 3B; Mixed-Light Medium (22,000 Sq. Ft. Max)				CCP	CCP
Nursery Type 4				CCP	CCP
Cultivation Type 5A; Indoor Large; and 5B; Mixed-Light Large (more than 22,000 Sq. Ft.)				CCP	CCP
Manufacturer 1; Type 6 (nonvolatile)			CCP	CCP	CCP
Manufacturer 2; Type 7 (volatile)				CCP	CCP
Testing Laboratory; Type 8	CCP	CCP	CCP	CCP	CCP
Retailer; Type 10 (storefront)	CCP	CCP	CCP	CCP	CCP
Retailer; Type 9 (non-storefront)					
Distributor; Type 11				CCP	CCP
Microbusiness; Type 12 (permitted if all uses under license permitted in zone)	CCP	CCP	CCP	CCP	CCP

Distance Requirements:

All cannabis businesses must be located at least:

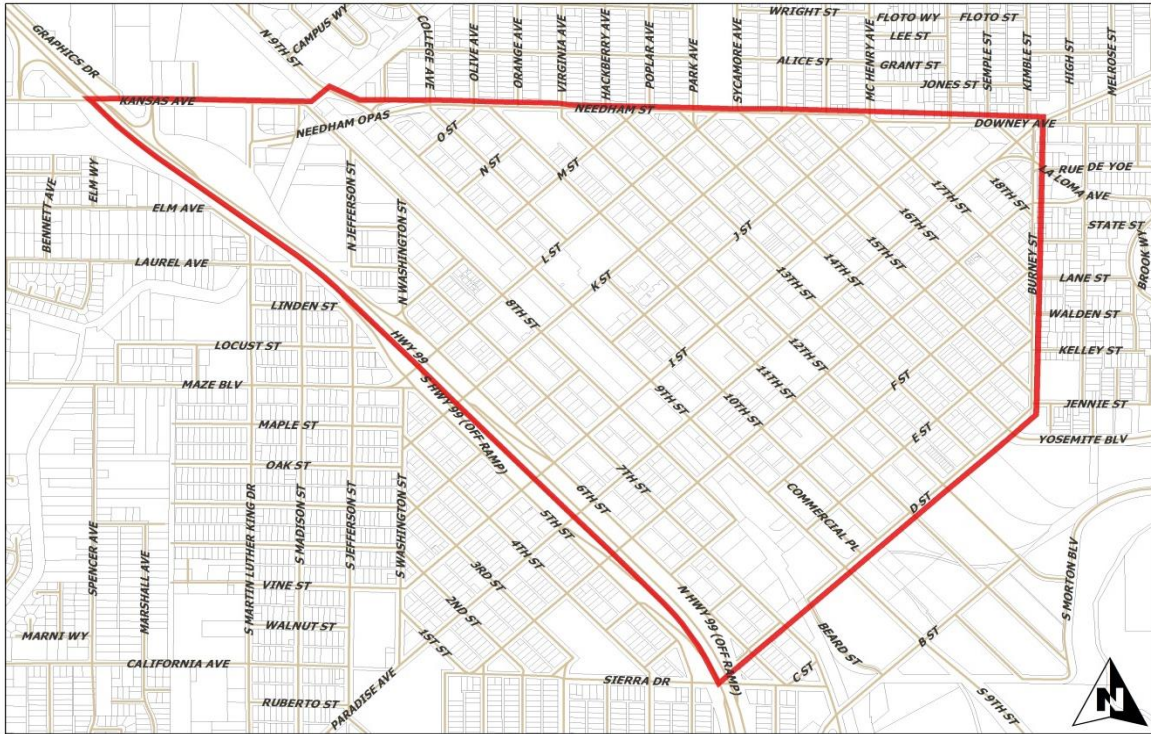
- ▶ 600 feet from any school (public or private serving any grades K-12), child care, or youth center (measured from property line to property line)
- ▶ 200 feet from any park or library (measured from property line to property line)
- ▶ 100 feet from any residential use (as measured from any building containing a commercial cannabis use to an existing residential structure)

Distance requirements may be waived by the City Council under qualifying circumstances.

Downtown:

All commercial cannabis uses are prohibited in the Downtown Cannabis Prohibition Overlay, that area shown in Figure 3.7-1 below, including all properties that front either side of or are within the area bound by the following streets: Kansas Avenue, from Highway 99 to 9th Street; Needham Street; Downey Avenue, from McHenry Avenue to Burney Street; Burney Street, from Downey Avenue to Jennie Street; D Street, from Jennie Street to Highway 99; and the area fronting Highway 99 within the boundary. If any parcel is partially within the Downtown Cannabis Prohibition Overlay, all commercial cannabis uses shall be prohibited on the entire parcel.

Figure 3.7-1
Downtown Cannabis Prohibition Overlay



Background Check:

All applicants and interested parties are required to clear a background check to qualify for a commercial cannabis permit. This includes a Live Scan Service and may also include additional investigation by the City if deemed necessary. Permits for commercial cannabis uses shall not be permitted for individuals with felony convictions, as specified in subdivision (c) of Section 667.5 of the Penal Code, and subdivision (c) of Section 1192.7 of the Penal Code. Permits for commercial cannabis uses shall not be permitted for individuals with criminal convictions that substantially relate to the qualifications, functions, or duties of the business or profession, including a felony conviction involving fraud, deceit, or embezzlement or a criminal conviction for the sale or provision of illegal controlled substances to a minor.