

**CONTRA COSTA COUNTY  
DEPARTMENT OF CONSERVATION  
AND DEVELOPMENT**



February 14, 2019

**PRELIMINARY DRAFT**  
**REQUEST FOR PROPOSALS (RFP) FOR**  
**OPPORTUNITY TO APPLY FOR A COMMERCIAL**  
**CANNABIS ACTIVITY LAND USE PERMIT**

**Deadlines:**

**Letter of Intent (LOI)**

Thursday, April 4, 2019 by 4:00 P.M.

**Proposals (by invitation only)**

Thursday, June 27, 2019 by 4:00 P.M.

**All submittals must be delivered in person to the following location:**

Contra Costa County  
Department of Conservation and Development  
30 Muir Rd, Martinez, CA 94553  
(925) 674-7205

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## Section 1: Introduction

In accordance with the provisions of the Contra Costa County Cannabis Zoning Ordinance (Chapters [88-28](#) and [84-86](#) of the County Code) (the “Zoning Ordinance”) the County hereby invites interested parties to participate in the selection process for the opportunity to submit a land use permit (“LUP”) application for the establishment of one of three types of commercial cannabis activity permits with a limit (or “cap”) on the number of business that may be permitted by the County.

The following three types of commercial cannabis businesses have numeric limits and are the subject of this Request for Proposals (“RFP”):

- Storefront retailer (with or without delivery): **Cap = Four (4)**
- Commercial cultivation: **Cap = Ten (10)**
- Cannabis manufacturing in agricultural zoning districts: **Cap = Two (2)**

Proponents of these three types of businesses may only apply for an LUP upon receiving an invitation from the County following the completion of the selection process. Vertically-integrated businesses that include one or more of the three numerically-limited types must also respond to this RFP. Other types of commercial cannabis activities allowed under the Zoning Ordinance including delivery-only retailers, cannabis manufacturing businesses not located in an agricultural zoning district, cannabis testing laboratories and cannabis distribution businesses do not have a cap and do not need to respond to this RFP. However, all commercial cannabis activities require an LUP and other approvals, as more particularly described in the Zoning Ordinance.

*All commercial cannabis activities must be located within specifically designated zoning districts and outside of the required buffer zones from sensitive uses, all in accordance with the Zoning Ordinance.*

As authorized by the Contra Costa County Board of Supervisors (“Board of Supervisors” or “Board”), the Department of Conservation and Development (“DCD”) will administer the RFP selection process described in this document. The RFP process described below will be utilized to evaluate, qualify and score prospective land use permit applicants for the numerically-limited commercial cannabis activities described above.

As further described below, all parties interested in submitting proposals must first submit a Letter of Intent (LOI) that includes basic information about the proposed business. LOIs will be utilized to identify persons who meet certain minimum requirements for obtaining an LUP under the Zoning Ordinance (e.g., location and ownership interest, as more fully described in Section 3A) and to disqualify persons who do not meet those minimum requirements. All

persons who submit an LOI will receive a written response from DCD indicating whether or not they are invited to submit a proposal.

Parties invited to submit a proposal must do so by the deadline set forth in Table 1, on page 5, to be considered for an invitation to apply for an LUP. Submitted proposals will be evaluated, scored and ranked by County staff according to the Scoring Guidelines described in Section 4 below based on the written materials, an oral interview and a site visit. A ranked and scored list of prospective applicants will be provided to the Board of Supervisors along with a recommendation on which prospective applicants should be invited to apply for an LUP. The Board of Supervisors will consider the staff recommendation and determine which prospective applicants, if any, will be invited to apply for an LUP.

## Steps in the RFP Process

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The County's RFP process to select persons to invite to apply for an LUP will occur as follows (see Table 1 for dates and deadlines):

- i. County publishes RFP on its website and sends notice to those who have asked to be on the email notification list.
- ii. DCD conducts a question and answer meeting for prospective applicants that wish to attend. DCD also collects written questions through its website and publishes on its website a collective response.
- iii. Each prospective applicant submits a **Letter of Intent** (LOI) and required \$500 filing fee to DCD by the submission deadline.
- iv. DCD responds in writing to persons who submit an LOI to inform them whether or not they are invited to submit a proposal (See Section 3A for additional information on how the determination will be made).
- v. Each prospective applicant invited to do so submits a proposal and required \$2,500 filing fee to DCD by the submission deadline.
- vi. Proposals are evaluated, scored and ranked by a County staff team. The evaluations will be supplemented with information from oral interviews and site visits for Proposals that achieve minimum scores based solely on written materials. The County staff team will include representatives from multiple County Departments and agencies, including DCD, Health Services, Agriculture Weights and Measures, County Administrator's Office and the Contra Costa County Fire Protection District.
- vii. DCD prepares a report to the Board of Supervisors compiling the County staff team's recommendations on evaluating, scoring and ranking proposals.
- viii. Board of Supervisors considers whether to approve the scoring panel's recommendations and invite prospective applicants to apply for land use permits.

- ix. Letters sent to any prospective applicants selected by the Board (“Invitees”) inviting them to apply for an LUP prior to a specified deadline.

## Steps after the RFP Process

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- LUP applications submitted by Invitees will be processed by DCD in accordance with County Code requirements and will include compliance the California Environmental Quality Act (CEQA). LUP applications require a deposit (currently \$2,700) and require the applicant to pay for the County’s direct costs in reviewing the application on a time and materials basis. LUPs are discretionary permits and applications may be denied. One or more public hearings will be conducted to review the LUP. All LUPs for commercial cannabis activities will be heard initially by the County Zoning Administrator. An appeal of a Zoning Administrator decision will be heard by the County Planning Commission. An appeal of a Planning Commission decision will be heard by the County Board of Supervisors.
- Following approval by the appropriate hearing body, and after any appeals, DCD will issue an LUP for a commercial cannabis activity. An approved LUP will include required terms and conditions. The Zoning Ordinance describes the minimum mandatory terms and conditions that must be adhered to, but the LUP will include additional terms and conditions specific to the application. Prior to commencing operation of the activity, the applicant must document for DCD compliance with all LUP terms and conditions, including but not limited to securing all other necessary permits and approvals.
- Other required permits and approvals that must be secured before commencing operations include, but may not be limited to, the following:
  - Permit from the County Health Services Department issued pursuant to Commercial Cannabis Health Permit Code (Chapter 413-4 of the County Code)
  - Cannabis license(s) from the State of California
  - Business license from the County Treasurer-Tax Collector, and
  - Building permits from DCD for any and all construction activities.

## Important Notices Regarding RFP Process

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- In order to be eligible to apply for and receive an LUP for one of the limited commercial cannabis activities described above, the cannabis business operator must have control over a physical location located within a designated zoning district and outside of the cannabis exclusion zoning district and designated cannabis buffer zones for sensitive uses.

- An LUP may be revoked or suspended for reasons specified in the Zoning Ordinance.
- Persons submitting an LOI or a proposal must submit all materials in person by the specified deadlines. No late LOI's or proposals will be accepted.

## Section 2: Schedule

**Table 1: RFP Schedule**

<b>CANNABIS RFP SCHEDULE</b>	
RFP Release Date	February 14, 2019 (estimated)
DCD Hosts Meeting to Answer Questions	Early March 2019
Letters of Intent Due	April 4, 2019 by 4 pm
DCD notifies submitters of LOI if they are invited to submit a Proposal by	May 9, 2019
Proposals due (by invitation only)	June 27, 2019 by 4 pm
Proposals evaluated, ranked and scored by County staff team. Oral interviews. Site visits.	July-September, 2019
Board considers staff recommendation and determines which respondents to invite to apply for an LUP	September/October, 2019 (estimated)

## Section 3: RFP Instructions

### A) Letter of Intent (LOI) Submittal

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The LOI must be submitted in person to the Department of Conservation and Development by **4:00 P.M. on April 4, 2019**. Late LOIs will not be accepted and will be returned unopened to the submitter.

In order to be deemed acceptable, an LOI submission must include the following:

- A “Letter of Intent to Submit a Proposal to Apply for One of the Limited Commercial Cannabis Activity Permits” prepared as described in the attached Letter of Intent Form (Attachment A);
- Letter of Intent (LOI) processing fee of \$500.00;
- Evidence of a secured location for the proposed cannabis business such as:
  - **Real Estate Letter of Intent**: A signed written term sheet, letter of intent, or exclusive negotiating agreement between two or more parties to sell, lease, or sublease property for a commercial cannabis use. To be acceptable, this document must provide an outline of the terms of the proposed agreement and clearly indicate that the property will be used for a commercial cannabis use. These terms can be further negotiated but must provide the basis for the proposed written agreement.
  - **Real Estate Purchase or Lease Option**: This is a signed written agreement for the purchase or lease of a specific piece of real property. With this document, the proposed buyer or lessee gains the exclusive right to purchase or lease the property for a commercial cannabis use. Once a potential buyer or lessee has an option to buy or lease a property, the owner cannot sell or lease the property to anyone else during the term of the option. The potential buyer or lessee pays for this option for a specific time period.
  - **Purchase Agreement**: This is a signed written agreement that a potential buyer will purchase a specific piece of property and the owner cannot sell to anyone else unless the terms of the agreement are not fulfilled.
  - **Lease Agreement**: This is a signed written agreement that gives a lessee certain rights to use and occupy specific property for a specified period of time and for a commercial cannabis use.
  - **Proof of Ownership**: This is a deed that shows that title to the real property belongs to the applicant/proposer.

DCD will review all LOIs received by the LOI submission deadline stated in this RFP. Within 30 days after the LOI submission deadline, DCD will provide a written notice to each person who submits an LOI stating whether that persons is invited to submit a full proposal in response to this RFP. A party submitting an LOI will not be invited to submit a full proposal if DCD determines any of the following: (1) the LOI was not submitted by the LOI submission deadline; (2) the LOI is not accompanied by the LOI processing fee; (3) the LOI is incomplete or does not include sufficient information to support a determination that the proposed commercial cannabis activity will meet the requirements of the Zoning Ordinance; (4) the LOI is not accompanied by evidence of a secured location; or (5) DCD determines that information included in the LOI establishes that the requirements of the Zoning Ordinance cannot be satisfied.

## **B) Submittal of Proposal**

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A party may submit a proposal in response to the RFP if DCD notifies the party that its LOI has been accepted and the party is invited to submit a proposal.

To be considered, each LOI respondent invited to submit a proposal must submit the \$2,500 filing fee and **two (2) hardcopies** of the proposal in person to the Department of Conservation and Development no later than the deadline of 4:00 p.m. on Thursday, June 27, 2019. Late submittals will not be accepted.

At the close of the submittal period all proposals will be reviewed and ranked by a committee comprised of staff from various County departments. Proposals will be scored in accordance with the Scoring Guidelines shown in Table 2 of this RFP.

In order to ensure fair and consistent scoring and ranking of the proposals, a proposal must be prepared utilizing the guidelines found Sections 3 and 4 of this RFP. Once all of the proposals are ranked, a meeting will be scheduled before the County Board of Supervisors where the Board of Supervisors will make a final determination regarding which, if any, persons submitting proposals will be invited to apply for a LUP. Within two weeks after the final Board's decision, all parties who submitted proposals will be informed, in writing, of the status of their proposal and whether or not they have been selected to submit a LUP application for the commercial cannabis use(s) designated in their proposal.



## **C) Proposal Format**

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In order to ensure consistent evaluation of proposals, each proposal must be prepared in accordance with the guidelines provided below.

A proposal must include the following six sections in the following order:

- 1) COVER LETTER/OWNER QUALIFICATIONS**
- 2) LOCATION SUMMARY**
- 3) BUSINESS AND OPERATING PLAN**
  - a. **Business Plan**
  - b. **Site and Building Plans**
  - c. **Operating Plan**
  - d. **Additional required information for storefront retailers**
  - e. **Additional required information for commercial cultivation**
  - f. **Additional required information for cannabis manufacturing in agriculturally zoned areas**
- 4) SECURITY PLAN**
  - a. **Cannabis Manufacturing in Agricultural(A- ) Zoning District**
- 5) SUSTAINABILITY/ODOR CONTROL**
- 6) COMMUNITY/ECONOMIC BENEFIT SUMMARY**

## **D) Instructions for Preparing Proposals**

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For each of the required six sections of the proposal, please provide the information requested below. Please also include information responsive to the Scoring Guidelines (Table 2 in Section 4). The Scoring Guidelines are categorized into sections that correspond with required six sections of the proposal.

### **1) COVER LETTER/OWNER QUALIFICATION**

All proposals must include a cover letter that provides the following information:

- A one-page or less description of the proposed cannabis business which provides information on the type of activities to take place at the business,

including the type of products and/or services to be provided or handled, the type of cannabis, medicinal or recreational or both, the business will operate with, the market the business is expected to reach, etc.

- The type of State license(s) to be obtained
- Information on owner(s) of proposed business: The cover letter must include the name and address of each person or entity proposed to be responsible for the operation of the business. Such persons or entities include, but may not be limited to, each manager, each corporate officer, each individual with an ownership interest, each member of a board of directors, each general or limited partner, and each member of a decision-making body for the commercial cannabis activity.
- Statement of Qualifications. The cover letter must include a description of the owner's or owners' qualifications, including the qualifications of individuals proposed to oversee key aspects of the activity. Please focus on experience relevant to the proposal, including but not limited operating a business similar to that which is proposed.
- A statement that owner/applicant/business operator has read and understood the rules and permitting requirements of the Zoning Ordinance (Chapters 88-28 and 84-86 of the County Code) and of the Commercial Cannabis Health Permit Code (Chapter 413-4 of the County Code) available at:

[https://library.municode.com/ca/contra\\_costa\\_county/codes/ordinance\\_code](https://library.municode.com/ca/contra_costa_county/codes/ordinance_code)

## 2) LOCATION SUMMARY

Using the *Key Metrics* for *Location* found in the Scoring Guidelines (Table 2), provide a description of the proposed business location in terms of its surroundings, access, neighborhood character, visibility, etc., as well as a summary of the appropriateness of the location of the cannabis business and how it conforms to the location requirements of the Zoning Ordinance. The summary should also identify the nearest sensitive uses as provided in the Zoning Ordinance such as schools, day care centers, youth centers and drug treatment centers or any other potentially sensitive uses.

## 3) BUSINESS AND OPERATING PLAN

The operating plan portion of the proposal must include all of the following:

- a. Business Plan

- The business plan should provide a summary of the operational and financial objectives of the business and detailed plans and budgets showing how the objectives are to be realized. See the Scoring Criteria in Table 2 for additional detail.

b. Site and Building Plans

Proposal must include complete site plans and proposed building and floor plans. The plans must include the following information:

- The address and assessor's parcel number of the property or properties where the business will be located
- Site plans must identify all existing and proposed site improvements including building descriptions and locations, parking areas for employees and clients/customers, driveways, fencing, cannabis cultivation/canopy areas, storage and processing areas, secure areas, and the location of any and all other improvements on-site
- Floor plans must show existing and proposed floor plans. Floor plans must identify all building areas including secured areas, waiting areas, cultivation/grow areas, office areas, employee only areas, etc. and all other areas required by State regulations or the County Cannabis Ordinance and zoning code

c. Operating Plan

Proposal must include a detailed preliminary operating plan that, at a minimum, must include the following information:

- A standard operating procedures manual detailing how operations will comply with State and local regulations; how safety and quality of products will be ensured; record keeping procedures for financing, testing, and other items records required to be kept by State law; and product recall procedures.
- Proposed hours of operation.
- Waste disposal information.
- Medical recommendation verification procedures, if applicable, and youth access restriction procedures.
- A record keeping policy that ensures records will be kept in accordance with State laws and regulations.
- A description of track and trace measures that will be implemented.

- An odor control plan that describes how the business will prevent odors from impacting neighboring parcels or creating a public nuisance.
- Size, height, colors, design and location of any proposed signage at the business.
- A parking plan that establishes how all off-street parking requirements will be met.
- A security plan that establishes how all security requirements in State laws and regulations will be satisfied. [Staff anticipates proposing to add additional detail to the requirements outlined in this paragraph either here or in the selection criteria]
- Details regarding how cannabis and cannabis products will be received, stored, handled, transported, and secured to prevent theft and trespass.

d. Additional Information Required for Storefront Retail

In addition to the information required in Section (c) above, a proposal for a storefront retailer must provide information on how the following requirements will be satisfied:

- A storefront retailer's hours of operation may not begin earlier than 8:00 a.m., and they may not end later than 9:00 p.m.
- A retailer shall implement and maintain the security measures required by Business and Professions Code section 26070(j). At the same time that a retailer provides notice to a licensing authority and law enforcement under Business and Professions Code section 26070(k), the retailer shall provide that same notice to the Department.
- A proposal for a storefront retailer must indicate whether the storefront retailer will provide deliveries.
- If delivery is proposed, the shall show describe how its employees who deliver cannabis or cannabis products will comply with Section 88-28.412(b)(Deliveries) of the County Cannabis Ordinance.
- **Products:** A retailer shall ensure that all cannabis and cannabis products at the premises of the retailer are cultivated, manufactured, transported, distributed, and tested by licensed and permitted facilities that maintain operations in full conformance with all applicable state and local laws, regulations, and ordinances, including this chapter.

e. Additional Information Required for Commercial Cultivation

In addition to the information required in Section c. above, a proposal for commercial cultivation must provide information describing how the following requirements will be satisfied.

- A floor plan or site plan identifying the location, dimensions, and boundaries of all proposed canopy areas, taking into account space needed for ongoing care of plants, and a description of the proposed method of physically delineating those boundaries at the site.
- Proof of water service availability from a retail water supplier.
- Commercial cultivation may be located only in the following zoning districts outside of a cannabis exclusion (-CE) combining district: general agricultural (A-2); heavy agricultural (A-3); A-20 exclusive agricultural; A-40 exclusive agricultural; A-80 exclusive agricultural; planned unit (P-1) when commercial cultivation is permitted by the development plan; controlled manufacturing (C-M); light industrial (L-I); and heavy industrial (H-I). A business engaged in commercial cultivation may cultivate cannabis outdoors only if the business is located in a general agricultural (A-2), heavy agricultural (A-3), A-20 exclusive agricultural, A-40 exclusive agricultural, or A-80 exclusive agricultural zoning district located outside of a cannabis exclusion (-CE) combining district.
- **Indoor Commercial Cultivation:** All indoor commercial cultivation must be conducted within a building, as defined in Section 82-4.210, or within a greenhouse. No indoor commercial cultivation may be conducted indoors within a residential building.

**\*Cultivation Area Size Information**

- **Indoor Commercial Cultivation:** The proposal shall describe the total maximum proposed canopy size. Per the County Cannabis Ordinance, the total canopy size for indoor commercial cultivation in other than agricultural zoning districts may not exceed the lesser of:
  - Twenty-two thousand square feet, or
  - The maximum size authorized by the State license for the business
  - Indoor commercial cultivation in an agricultural zoning district may not be located in any building that is larger than ten thousand square feet of floor area.

- **Outdoor Commercial Cultivation:** The proposal shall describe the total maximum proposed canopy size. Per the County Cannabis Ordinance, the total canopy size for outdoor commercial cultivation may not exceed the lesser of:
  - Two acres
  - The maximum size authorized by the State license for the business.

f. **Additional Information Required for Cannabis Manufacturing in Agricultural Zones**

In addition to the information required in Section (c) above, a proposal for commercial manufacturing activities within an agricultural zoning district must provide information describing how the following requirements will be satisfied.

- **No Volatile Solvents.** Cannabis manufacturing that will require a State "Type 7" license, or will use volatile solvents, is prohibited.
- **Products.** A cannabis manufacturing business in agricultural zoning shall ensure that all manufactured cannabis products are cultivated, transported, distributed, and tested by licensed and permitted facilities that maintain operations in full conformance with State laws and regulations and the applicable requirements of this chapter. A cannabis manufacturing business shall maintain adequate quality control measures to ensure cannabis and cannabis products manufactured at the site meet applicable requirements of State laws and regulations.
- **Employee Training.** A cannabis manufacturing business shall ensure that all employees of the business operating potentially hazardous equipment are trained on the proper use of equipment and on the proper hazard response protocols in the event of equipment failure.

4) **SECURITY PLAN**

A proposal must include a security plan that establishes how all security requirements in State laws and regulations will be satisfied.

The security plan must clearly identify the security measures to both deter and prevent unauthorized entrance into areas of the business used for cultivation, including the following measures.

- **Indoor commercial cultivation areas** must be locked, and no cannabis plants may be visible from outside of the indoor commercial cultivation areas. Outdoor cultivation areas and greenhouses must be fenced and all gates must be locked. Fencing surrounding outdoor cultivation areas and greenhouses

must be designed and maintained to ensure those areas and greenhouses are not visible from adjacent lots, private roads, and public rights of way.

- Access to the premises must be limited to authorized personnel.
- The premises must include an alarm system and security cameras to monitor all cultivation areas and all entryways. The alarm system and security cameras must be monitored twenty-four-hours per day by a licensed alarm company operator.

**a. Cannabis Manufacturing in Agricultural(A- ) Zoning District**

- A cannabis manufacturing business in agricultural zoning shall implement and maintain sufficient security measures to both deter and prevent unauthorized entrance into areas containing cannabis or cannabis products, including an alarm system and security cameras that monitor all manufacturing areas and entryways and that are monitored twenty-four-hours per day by a licensed alarm company operator.

**5) SUSTAINABILITY**

- Proposal must provide a complete explanation of all proposed measures to ensure the sustainability of the business, including but not limited to a description of energy generation and efficiency measures, high efficiency mechanical systems, and alternative fuel transportation methods.
- Proposal must provide the following information in relation to water use:
  - A description of the water source to be used for the business.
  - For commercial cultivation and other uses that require significant water, a water management and conservation plan that identifies sustainability measures that will be utilized at the business, including water efficiency measures
  - To the maximum extent feasible, water conservation measures, water recapture systems, drip irrigation, raised beds, or grey water systems must be incorporated in cannabis cultivation operations in order to minimize use of water.
  - A waste water management plan.
- For indoor commercial cultivation businesses please provide an explanation on how the operation shall satisfy its electricity demands by (1) providing onsite renewable energy generation, or (2) purchasing electricity that is generated entirely from renewable sources, or a combination of (1) and (2).

- A description of efforts to avoid and minimize air emissions, including emissions from vehicles and operations.
- A commercial cultivation or manufacturing business located outside the urban limit line shall include measures to avoid and minimize impacts on rural infrastructure, including but not limited to water, sewer, and transportation infrastructure.

**\*Important Notice Regarding Water Usage for Commercial Cultivation\***

Per the County Cannabis Ordinance, water service for a commercial cultivation business must be provided by a retail water supplier with the following exceptions;

A commercial cultivation business may satisfy its water demand by pumping groundwater from a groundwater production well if all of the following criteria are met:

- a. The retail water supplier does not provide retail water service at all times during the year.
- b. Groundwater is used to satisfy water demand of the business only during those periods when the retail water supplier does not provide retail water service to the business.
- c. The use of groundwater by the business will not substantially deplete groundwater supplies, and will not substantially interfere with groundwater recharge, such that there would be a net deficit in aquifer volume or a lowering of the groundwater table level.

6) **COMMUNITY/ECONOMIC BENEFIT SUMMARY**

Using the Key Metrics for Community/Economic benefit in Table 2 below, provide a community/economic benefit statement describing the benefits the proposed business will have in these areas.

## Section 4: Scoring and Selection Process

The County staff team will use the criteria detailed in the table below to evaluate, score and rank proposals and will prepare a report to the Board on the evaluations. To be considered eligible to be invited to apply for an LUP, a proposal must receive both (1) a minimum score of 70% of the available points in each category listed in Table 2, and (2) at



least 80% of the available points overall (at least 960 points). The Board of Supervisors will make the final determination on which, if any, persons submitting proposals will receive an invitation to apply for an LUP. Regardless of score, the Board may, in its discretion, determine on the basis of the proposals submitted not to invite any persons submitting proposals to apply for an LUP, or the Board may, in its discretion, invite a number of LUP applications that is less than the cap for the applicable category of commercial cannabis activity.

**Table 2: Scoring Guidelines**

<b>Subject</b>	<b>Key Metrics</b>	<b>Point Value</b>
<p><b>1. Cover Letter/ Ownership Qualifications</b></p>	<ul style="list-style-type: none"> <li>• Thoroughness of Cover Letter in providing a complete picture of the proposed business and business operators ability to operate a successful business</li> <li>• Business owner experience operating a licensed cannabis business in another jurisdiction and/or experience operating a business similar to what is proposed</li> <li>• Description of any special business or professional qualifications or licenses relevant to the proposed business.</li> <li>• Performance during oral interview, including knowledge of state and local regulations, knowledge of the details of the proposals, ability to answer questions accurately and consistently, demonstrated ability to exercise good judgement and demonstrated ability and commitment to comply with the terms and conditions of any permit that is ultimately secured.</li> </ul>	<p><b>200 pts.</b></p>
<p><b>2. Location</b></p>	<ul style="list-style-type: none"> <li>• Location clearly identified with address and detailed description, in appropriate zoning district and meets all the locational requirements as described in Section 88-28.410(b) of the County Zoning Ordinance.</li> </ul>	<p><b>200 pts.</b></p>

**Table 2: Scoring Guidelines**

<b>Subject</b>	<b>Key Metrics</b>	<b>Point Value</b>
<p><b>2. Location (continued)</b></p>	<ul style="list-style-type: none"> <li>• Compliance with buffer/setback/sensitive use requirements of the Zoning Ordinance.</li> <li>• The business is located in an area that would not result in the undue influence of cannabis use upon sensitive populations such as children and those recovering from substance abuse. Distances from residential and other sensitive uses, such as schools, daycare centers, youth centers and drug/alcohol recovery facilities are maximized / exceed minimum requirements.</li> <li>• Proposed storefront retailer has a location that has public visibility to enable easy reporting of violations and nuisances, but is not highly visible to youth.</li> <li>• Proposed storefront retailer is readily accessible from public transit? (a benefit)</li> <li>• Proposed storefront retailer is readily accessible from major thoroughfares? (a benefit)</li> <li>• Compatibility with surrounding community and nearby land uses.</li> <li>• Provision of parking will meet or exceed required minimum off-street parking requirements.</li> <li>• Will not exacerbate crime in a high crime area (e.g. within a crime reporting district, where the general crime rate exceeds the countywide general crime rate by more than twenty percent)</li> <li>• The business is proposed to be located in an area that is safe and accessible by law enforcement and fire fighters.</li> <li>• Observed features of the property (lighting, parking, landscaping, access, etc.) are consistent with the proposed site plan.</li> </ul>	
<p><b>3. Business and Operating Plan</b></p>	<ul style="list-style-type: none"> <li>• Completeness of operating plan and documented ability to comply with County Zoning Ordinance requirements.</li> </ul>	

**Table 2: Scoring Guidelines**

<b>Subject</b>	<b>Key Metrics</b>	<b>Point Value</b>
<p><b>3. Business and Operating Plan</b></p>	<ul style="list-style-type: none"> <li>• Completeness and effectiveness of inventory control plan</li> <li>• Floorplan/layout is clear and provides for safe and functional operation</li> <li>• Signage plan (interior and exterior), including plan for avoiding marketing to youth</li> <li>• Proposed design features, such as windows, primary entrance facing street, pedestrian improvements, no significant blank walls, removal of existing nonconforming features such as pole signs, security screening not visible from exterior</li> <li>• Timeline for beginning operation, including outline for any proposed construction/improvements and a deadline for completion</li> <li>• Are the proposed odor control measures likely to be effective in preventing odors that will disturb neighboring properties or create a nuisance and in protecting the quality of the indoor air for the health of employees and customers?</li> <li>• Budget for construction, operation, maintenance, compensation of employees, equipment costs, utility costs, and other operation costs is well thought out and reasonable. The budget must include a detailed pro forma for three years of operations and a description of the sources and uses of funds.</li> <li>• Proof of sufficient capital to cover first 3 months of operation (documentation of cash or other liquid assets on hand, Letters of Credit or other equivalent assets);</li> </ul>	<p><b>200 pts.</b></p>

**Table 2: Scoring Guidelines**

<b>Subject</b>	<b>Key Metrics</b>	<b>Point Value</b>
<p><b>4. Security Plan</b></p>	<ul style="list-style-type: none"> <li>• A complete security plan has been provided identifying all proposed security measures in detail</li> <li>• The security plan identifies and describes all active security measures</li> <li>• The security plan identifies and describes all proposed security measures</li> <li>• Active security measures are described in appropriate detail and will be effective</li> <li>• Passive security measures are described in appropriate detail and will be effective</li> <li>• Security camera plan is described in appropriate detail and will be effective</li> <li>• Information is provided on how site layout conducive to security</li> <li>• Information is provided on how interior layout conducive to security</li> <li>• Details on Employee background check measures</li> <li>• Product security measures</li> <li>• Document and cash storage security measures</li> <li>• Security measures beyond minimum standards</li> </ul>	<p><b>200 pts.</b></p>

**Table 2: Scoring Guidelines**

<b>Subject</b>	<b>Key Metrics</b>	<b>Point Value</b>
<b>5. Sustainability</b>	<ul style="list-style-type: none"><li>• Would the proposed business meet the requirements of the Zoning Ordinance related to electricity generation, water use and control of any wastewater or runoff?</li><li>• Would the business include any innovative sustainability measures in excess of minimum requirements?</li><li>• Would the proposal aggressively avoid and minimize emissions, including vehicle emissions (especially diesel emissions) related to operation of the business?</li></ul>	<b>100 pts.</b>

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**Table 2: Scoring Guidelines**

<b>Subject</b>	<b>Key Metrics</b>	<b>Point Value</b>
<p><b>6.Community /Economic Benefits</b></p>	<ul style="list-style-type: none"> <li>• What benefits would the proposal offer to the community?</li> <li>• Would the anticipated tax revenue be substantial relative to other proposals?</li> <li>• Would the business serve a unmet need in the community, such as greatly access to cannabis for medicinal or adult-use purposes?</li> <li>• Would the business stimulate broader economic development and contribute substantial new jobs?</li> <li>• Would the business avoid negative impacts to the community and generally serve as a net community asset?</li> <li>• Would the business protect overall public health?</li> <li>• Is the business a locally-owned business, that is a majority of ownership is held by Contra Costa County residents?</li> <li>• Are the products to be sold, manufactured or handled by the proposed business designed to avoid encouraging use by children?</li> <li>• What other benefits would the business have for the broader community</li> </ul>	<p><b>200 pts.</b></p>

**Table 2: Scoring Guidelines**

<b>Subject</b>	<b>Key Metrics</b>	<b>Point Value</b>
<b>7. Equitable Geographic Distribution</b>	<ul style="list-style-type: none"><li>• Would the proposal result in an undesirable concentration of a specific type of cannabis activity in an area of the County? (a significant detriment, particularly for storefront retailers near an existing retailer or a more highly ranked proposed retailer)</li><li>• Would the proposal serve an area of the County that would not otherwise be served?</li></ul>	<b>100 pts.</b>

DRAFT

# ATTACHMENT A

## LETTER OF INTENT TEMPLATE

Date

Contra Costa County  
Department of Conservation and Development  
30 Muir Rd.  
Martinez, CA 94553  
Attn: Ruben Hernandez

**RE: Letter of Intent to Submit Cannabis Business Proposal**

Dear Mr. Hernandez;

I, the undersigned, attest that I am a duly authorized representative of the proposed cannabis business identified below:

**Name of Business:** \_\_\_\_\_

**Address of Proposed Business Location:** \_\_\_\_\_

**Assessor's Parcel Number:** \_\_\_\_\_

**Zoning:** \_\_\_\_\_ **General Plan:** \_\_\_\_\_

**Complies with Location requirements of Section 88-28.410(b)**     Yes     No

**Applicant:** \_\_\_\_\_

**Applicant Notification address:** \_\_\_\_\_

**Applicant Phone Number:** \_\_\_\_\_

**Applicant Email Address:** \_\_\_\_\_

I understand that I will be expected to receive all notices at the application notification address of the applicant. I further consent to receiving notice by email at (provide email address).

I am interested in applying for a (select one: (1) commercial cultivation, (2) storefront retail, (3) manufacturing in agricultural zone, or (4) a vertically-integrated business that includes at least one of (1), (2), or (3)) cannabis permit.



# ATTACHMENT A

## Preliminary Draft LETTER OF INTENT TEMPLATE

Further, I have secured a property located at (business address) which is located in the unincorporated area of Contra Costa County and located within the (Zoning) Zoning District, and located outside of both (1) the cannabis exclusion zoning district, and (2) the cannabis sensitive uses buffer zones identified in Section 88-28.410(b)(3) of the County Cannabis Ordinance.

Please find enclosed (e.g., a real estate letter of intent, a realestate purchase or lease option, purchase agreement, lease agreement or proof of ownership of the place where business will be located; a letter of interest is not acceptable) evidencing that I have secured a proposed site for the minimum requirement of two years.

I have also included \$500.00 for payment of the required Letter of Intent filing fee.

I understand that if I am selected to participate in the limited commercial cannabis activity RFP process I will be prepared to submit my proposal by **June 27, 2019**. I also understand that if County finds the RFP process unnecessary based on the number of LOIs submitted and the number of permits available, I am prepared to submit a land use permit application for the stated commercial cannabis use within 90 days of receiving notification. Furthermore, I understand that failure to submit a proposal or apply for a land use permit within that time periods described above automatically forfeits my opportunity to submit my proposal or land use permit.

Name

Title

Enclosures:

1. (e.g., a letter of intent to sign a lease, a lease, a purchase option, a purchase agreement, or evidence of ownership of the place where business will be located)
2. \$500.00 Letter of intent filing fee