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# Denver's Cannabis Social Equity Program

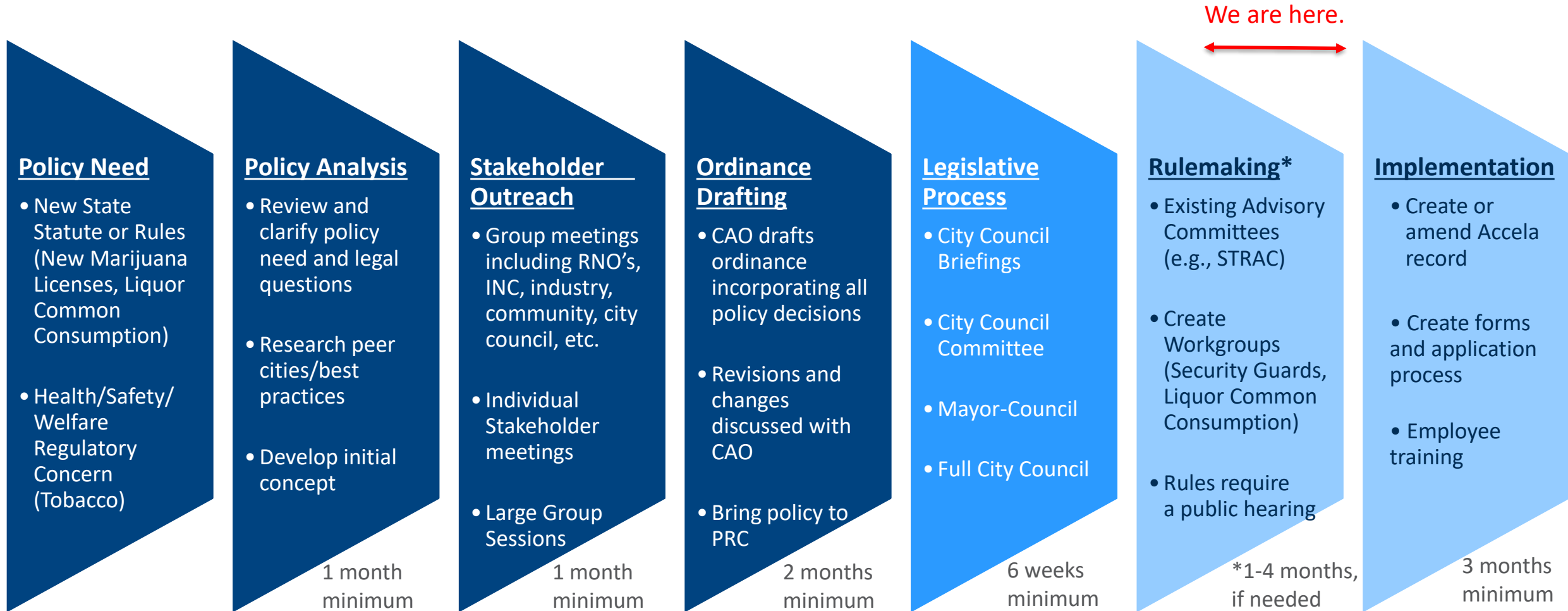
Denver Excise and Licenses, Office of Marijuana Policy

# Denver's New Marijuana Code

On April 19, Denver City Council passed the Marijuana Omnibus Bill and the Marijuana Hospitality Bill.  
On April 20, Mayor Michael Hancock signed the bills into law.

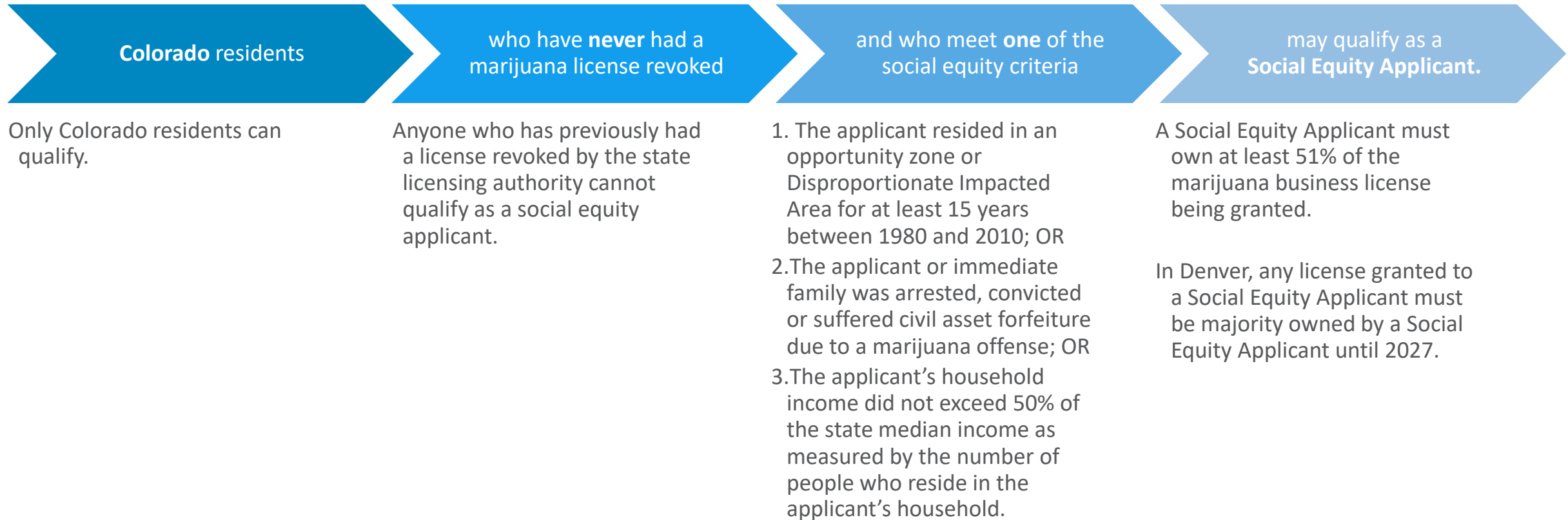
Ordinance	Topic	Details
Marijuana Omnibus Bill	<ul style="list-style-type: none"><li>• Social equity</li><li>• Changes to existing licenses</li><li>• Marijuana delivery</li></ul>	<ul style="list-style-type: none"><li>• Removes cap on store and cultivation locations</li><li>• Reserves certain licenses for Social Equity Applicants</li><li>• Adopts a Denver marijuana delivery program</li></ul>
Marijuana Hospitality Bill	<ul style="list-style-type: none"><li>• Marijuana consumption</li></ul>	<ul style="list-style-type: none"><li>• Adopts a Denver marijuana hospitality program to allow for licensed marijuana consumption establishments</li></ul>

# EXL Policy Development: Our Process



# Who qualifies as a Social Equity Applicant?

Denver has adopted the state's definition of a social equity applicant. Visit the Marijuana Enforcement Division's [Social Equity Website](#) to learn more about how to qualify as a social equity applicant.



# Opportunities for Social Equity Applicants

## Licensing Exclusivity

- Social equity applicants will have exclusive access to the following licenses until July 1, 2027:
  - Stores
  - Transporters
  - Cultivations
  - Manufacturing
  - Hospitality, Mobile Hospitality, Hospitality & Sales

## Delivery Exclusivity

- Only transporters who qualify as social equity applicants will be granted transporter delivery permits until July 1, 2024.
- Stores will be required to use transporters to conduct deliveries until July 1, 2024.

## Reduced Fees

- Waived application fees
- Reduced licensing fees



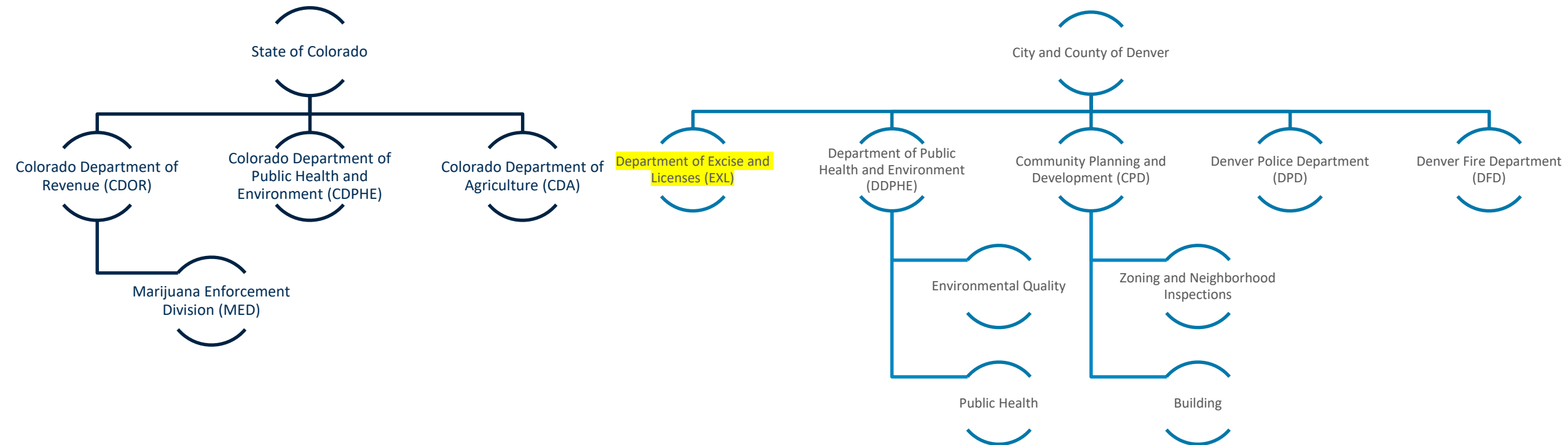
# Licenses, Permits and Processes

# Getting Started

- Please note that the Department of Excise and Licenses **cannot give legal or business advice** or make any preliminary findings regarding an application.
- It is the **applicant's own responsibility** to ensure that they comply with all relevant codes, ordinances, rules, and regulations, at both the state and local levels.
- **Applicants should conduct their own research** and investigation and **engage the services of professionals**, such as attorneys and business consultants, as necessary.

# State & Local Government Agencies

You are likely to encounter the following government agencies and acronyms as a marijuana licensee.





# Dual Licensure and Local Control

## Why do I have to get a state license and a Denver license?

- Amendment 64 (2012 ballot measure that legalized adult-use marijuana in Colorado) provides for local licensing of marijuana businesses.
- Denver has its own requirements for all businesses – including marijuana businesses – to protect public health, safety, and welfare. These include zoning, building, life safety, public health, environmental health, and other requirements that businesses must meet in order to get a license.

## Why do local regulations sometimes differ from state regulations?

- Amendment 64 provided for local regulations governing the time, place, and manner in which marijuana businesses may be operated.
- If a local rule differs from a state rule, the stricter rule applies. For example, state rules limit the retail value of marijuana in an enclosed delivery vehicle to \$10,000, but Denver's limit is \$5,000. Since \$5,000 is the stricter rule, this rule applies to delivery vehicles in Denver.

# What License(s)/Permit(s) Do I Need?

*It depends on your unique business model. Applicants are encouraged to consult with an attorney or other trusted professional to ensure all required licenses and permits are obtained. Below are licenses and permits issued by Excise and Licenses.*

★ = Exclusively available to Social Equity Applicants

I want to...	You may need...	This allows you to...
Sell marijuana	A retail marijuana store license★	Sell marijuana to consumers ages 21+ in the following quantities: <ul style="list-style-type: none"><li>• 1 ounce of marijuana</li><li>• 8 grams of marijuana concentrate</li><li>• Marijuana products containing up to 800 mg THC (10 mg per serving)</li></ul>
	A retail marijuana hospitality and sales license★	Sell marijuana to consumers ages 21+ in the following quantities: <ul style="list-style-type: none"><li>• 2 grams of marijuana</li><li>• ½ gram of marijuana concentrate</li><li>• Marijuana products containing up to 20 mg THC (10 mg per serving)</li></ul>
Allow patrons to consume marijuana at my business	A marijuana hospitality license★	Operate a licensed premises where consumers 21+ may bring their own marijuana to consume. (No sales allowed.)
	A marijuana hospitality license with a mobile premises★	Operate a mobile licensed premises (such as a tour bus or shuttle) where consumers 21+ may bring their own marijuana to consume. (No sales allowed.)
	A retail marijuana hospitality and sales license★	Operate a licensed premises where consumers 21+ may consume marijuana purchased on the premises in the above quantities. (No BYOC.)

# What License(s)/Permit(s) Do I Need?

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★ = Exclusively available to Social Equity Applicants

I want to...	You may need...	This allows you to...
Transport marijuana from business to business	A retail/medical marijuana transporter license ★	Transport marijuana from one marijuana business to another marijuana business and to temporarily store the transported marijuana at the licensed premises. <i>(A licensed premises is not required if you will not be storing marijuana or modifying information in the inventory tracking system.)</i>
Deliver marijuana to patients and consumers	A retail/medical marijuana transporter license AND ★	Contract with a retail/medical marijuana store that holds a valid delivery permit and deliver retail/medical marijuana to patients or consumers on the store's behalf.
	+	<i>(Until July 1, 2024, only transporters can conduct deliveries in Denver. Stores must contract with a transporter that holds a valid delivery permit to conduct their deliveries. Transporters must qualify as Social Equity Applicants to obtain a delivery permit, but stores do not.)</i>
	A retail/medical delivery permit	

# What License(s)/Permit(s) Do I Need?

*It depends on your unique business model. Applicants are encouraged to consult with an attorney or other trusted professional to ensure all required licenses and permits are obtained. Below are licenses and permits issued by Excise and Licenses.*

★ = Exclusively available to Social Equity Applicants

I want to...	You may need...	This allows you to...
Grow marijuana	A retail cultivation facility license ★	Cultivate, prepare, and package retail marijuana and sell/transfer it to marijuana stores, marijuana product manufacturers, and other marijuana cultivation facilities. <i>(No direct to consumer sales.)</i>
Produce marijuana concentrate or marijuana products	A retail or medical marijuana products manufacturer license (MIP) ★	Perform extraction, manufacture marijuana concentrates and marijuana products (i.e. edibles and topicals), and sell/transfer it to other MIPs, stores, and hospitality and sales businesses. <i>(No direct to consumer sales.)</i>
Conduct research on marijuana	A marijuana research and development license	Cultivate, manufacture, and possess medical marijuana for limited research purposes in furtherance of an approved research project.
Test marijuana	A retail/medical marijuana testing facility license	Accept samples of marijuana from licensed marijuana businesses and perform tests for potency, contaminants, and other required tests.

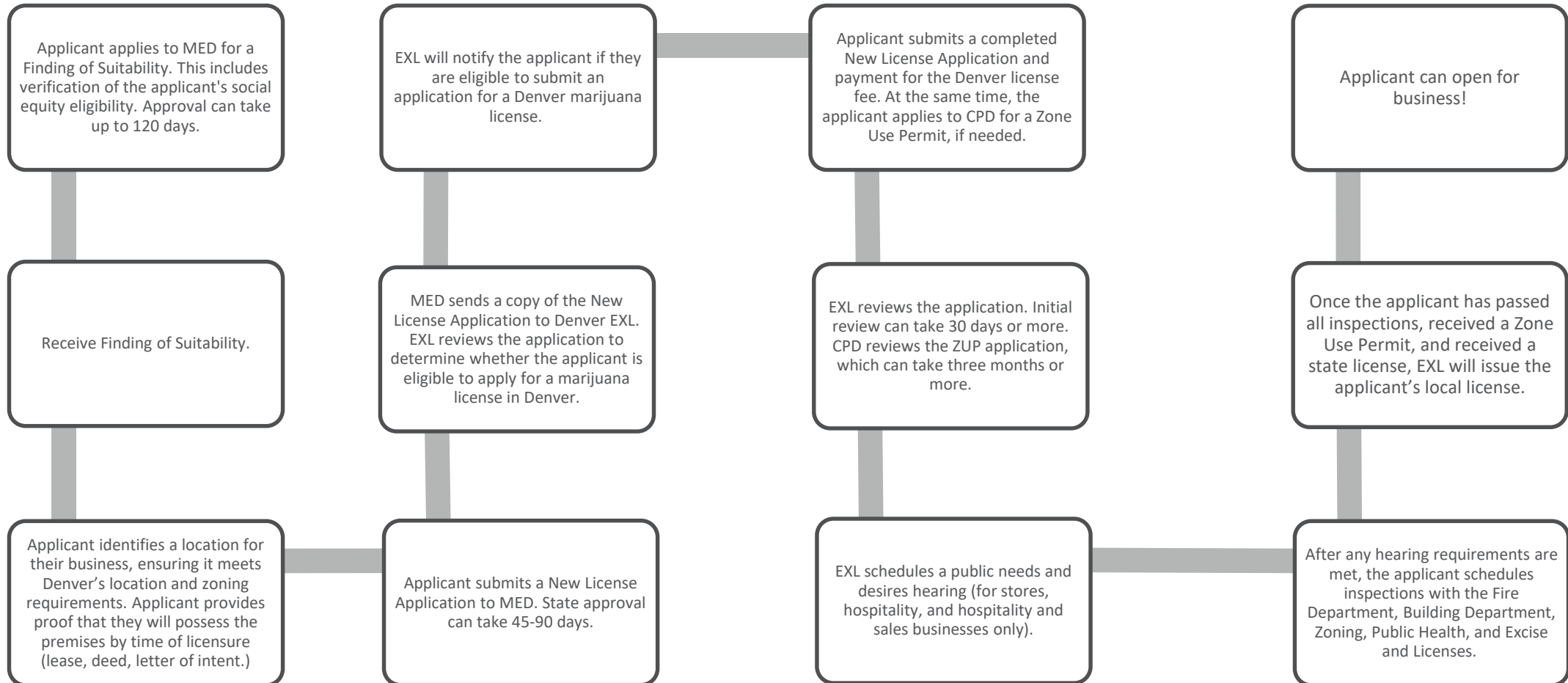
# Denver Fees

(Contact MED for State Fees)

License Type	Fee Type	Fee for Non-Social Equity Applicants	Fee for Social Equity Applicants
Medical marijuana businesses	Application fee (one-time)	\$2,000	\$0
	License fee (annual)	\$3,000	\$1,500
Medical marijuana off-premises storage facility	Application fee (one-time)	\$500	\$0
	License fee (annual)	\$500	\$250
Retail marijuana businesses	Application fee (one-time)	N/A	N/A
	License fee (annual)	\$5,000	\$2,500 (\$0 for first year)
Retail marijuana off-premises storage facility	Application fee (one-time)	\$500	\$0
	License fee (annual)	\$500	\$250
Marijuana delivery permit	Application fee (one-time)	\$500	\$0
	License fee (annual)	\$2,000	\$2,000
Hospitality and hospitality and sales businesses	Application fee (one-time)	\$1,000	\$0
	License fee (annual)	\$2,000	\$2,000

# Example Licensing Process

Every applicant will experience the licensing process differently based on their business's unique needs. Below is an **example** of a licensing process for an individual social equity applicant who has never held a marijuana license and is seeking a license for a **retail store**.



# Inspections

Every applicant must pass required inspections to ensure the business is safe and compliant before they are issued a license. Common inspection requirements can be found [here](#). Learn how to schedule inspections [here](#).

License	Fire	Building	Zoning	Public Health	Environmental Quality	Excise and Licenses
Store	✓	✓	✓	✓		✓
Hospitality	✓	✓	✓	✓	✓	✓
Hospitality & Sales	✓	✓	✓	✓	✓	✓
Mobile Hospitality	✓			✓	✓	✓
Transporter + Delivery Permit (No Premises)	✓			✓		✓
Transporter + Delivery Permit (With Premises)	✓	✓	✓	✓		✓
Transporter (With Premises)	✓	✓	✓	✓		✓

# Inspections, continued

Every applicant must pass required inspections to ensure the business is safe and compliant before they are issued a license. Common inspection requirements can be found [here](#). Learn how to schedule inspections [here](#).

License	Fire	Building	Zoning	Public Health	Environmental Quality	Excise and Licenses
MIP	✓	✓	✓	✓		✓
Cultivation	✓	✓	✓		✓	✓
Testing Facility	✓	✓	✓	✓		✓
Research & Development	✓	✓	✓	✓		✓
Off-Premises Storage Facility	✓	✓	✓	✓		✓





# Finding a Location

# Location Requirements

Note: All businesses in Denver must comply with the Denver Zoning Code for their underlying use.

Protected Use	Hospitality and Hospitality + Sales	Medical & Retail Marijuana Stores	Marijuana Cultivations
Residential District			1,000 ft.
Schools*	1,000 ft.	1,000 ft.	1,000 ft.
Childcare Facilities*	1,000 ft.	1,000 ft.	
City Pools and Recreation Centers*	1,000 ft.		
Alcohol or Drug Treatment Facility*	1,000 ft.	1,000 ft.	
Other Similar License Types**	1,000 ft. from same license type	1,000 ft. from other existing/pending stores	
Neighborhoods of Undue Concentration for Cultivations			Prohibited
Neighborhoods of Undue Concentration for Stores		Prohibited	

\* Measured from the nearest legal parcel line of the land used for the prohibited use to the nearest portion of the proposed business's building, via straight line measurement

\*\*Measured from the nearest portion of the existing or pending business's building to the nearest portion of the proposed business's building, via straight line measurement.

# Location Tools

- Refer to the Marijuana Facility Location Guide (currently being updated) to find zoning and proximity restrictions for all license types, as well as the neighborhoods of undue concentration where stores and cultivation facilities may not locate.
- Use [Google Maps](#) to take a preliminary look at a location; you can measure distance to prohibited locations nearby.
- Contact [marijuanainfo@denvergov.org](mailto:marijuanainfo@denvergov.org) for a preliminary, nonbinding proximity check.

# Location Tools

- A list of pending marijuana applications can be found on the [Denver Open Data Catalog](#).
- A list of proposed locations for pending medical marijuana center and retail marijuana store transfer of locations can be obtained by e-mailing [marijuanainfo@denvergov.org](mailto:marijuanainfo@denvergov.org).
- A list of active Denver childcare facility licenses can be found on the [Denver Open Data Catalog](#).
- A list of licensed drug and alcohol treatment facilities can be found on the [Colorado Department of Human Services website](#).
- You can find the zone districts surrounding a proposed location using [The Denver Zoning Map](#).
- You can identify the neighborhood a proposed location is located in using the [Denver Neighborhoods Map](#).



# Notes of Caution

# Federal Prohibition of Marijuana

It is important to remember that marijuana remains a Schedule I drug at the federal level. This may pose some unique challenges for marijuana business owners and employees, including:






- Difficulty accessing capital through traditional means;
- Limited options for banking, credit card processing, payroll, and other business services;
- Adverse immigration consequences; and
- Difficulty obtaining a mortgage or other personal loan.

# Predatory Practices

- Social equity applicants are required to own at least 51% of their marijuana business license (alone or together with other social equity applicants). Non-social equity applicants may own up to 49% of the license.
- In other jurisdictions with marijuana social equity programs, predatory investors have attempted to exploit social equity applicants in order to obtain a license. To protect against predatory practices and maintain the integrity of the social equity program, Denver requires social equity applicants to maintain at least 51% ownership of their license until July 1, 2027. Social equity applicants may transfer ownership of their license so long as 51% remains under the ownership of one or more social equity applicants.

# Predatory Practices

It is important to protect yourself against predatory investors, business partners, lenders, consultants, and others. All licensees are encouraged to consult with legal counsel and carefully read all contracts prior to entering into any agreements. Be aware of the following red flags:

-  **Anyone who claims to have inside information or access to government processes.** State and local laws, rules, and regulations are public information. Comments and inquiries from the public are welcomed.
-  **Anyone who guarantees you funding without performing due diligence on your company.** Legitimate investors and lenders will perform due diligence to understand your business, its risks, and its potential for success.
-  **Anyone who guarantees you a license.** There is no cap on licenses for social equity applicants in Denver. Anyone who qualifies as a social equity applicant may apply. All applicants must meet requirements for licensure. This determination is made by the city and the state, not by third parties.
-  **Anyone who tries to pressure you into making a quick decision or tries to discourage you from consulting with an attorney.** Parties on both sides of a transaction should have the time to perform due diligence, consult with a trusted professional, and make a well-reasoned decision about entering into the agreement.
-  **Any agreement that would affect your ability to exercise control over the business or share in the revenues and profits of the business.** Again, read contracts carefully and consult with an attorney or other trusted professional.





# Additional Resources

# Resources

## DENVER RESOURCES

- Visit the Denver [Marijuana Laws, Rules and Regulations](#) webpage.
- Visit the Denver [Marijuana Information](#) webpage. (denvergov.org/marijuanai
- Visit the Denver [Marijuana Licenses](#) webpage
- **Subscribe to Denver's Marijuana Industry Informational bulletin [here](#).**

This is an important one so you can be informed of upcoming events and workshops!

## STATE RESOURCES

- Read the Colorado Marijuana Enforcement Division [Regulated Marijuana Rules](#) (under Currently Effective Rules).
- Visit the Colorado Marijuana Enforcement Division's [Applications and Forms](#) webpage.
- Visit the Colorado Marijuana Enforcement Division's [Social Equity](#) webpage and read their [Social Equity FAQs](#).
- Subscribe to the Marijuana Enforcement Division's [email list](#).

# Questions?

## Denver

If you have questions about Denver's licensing process, email [marijuanainfo@denvergov.org](mailto:marijuanainfo@denvergov.org).

- ¿Necesitas ayuda en español? Email [Crystal.Reyes@denvergov.org](mailto:Crystal.Reyes@denvergov.org)

## State

If you have questions about the state's licensing process, use the Colorado Marijuana Enforcement Division's [inquiry form](#).



# Business Support Resources



# Support from the Marijuana Industry

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## **Social Equity Business Mentorship Program**

**Are you a Colorado cannabis social equity entrepreneur? MIG can match you with an experienced cannabis executive to provide guidance as you launch your business.**

**Virtual Program Kick-Off:** May 14<sup>th</sup>, 3:30 p.m.  
**Commitment:** 1 meeting per month for 6 months  
**Cost:** Free

**Space is limited, reserve your spot by May 7th!**  
admin@marijuanaindustrygroup.org or  
(720) 382-3009



**DENVER**  
ECONOMIC DEVELOPMENT  
& OPPORTUNITY



COMMONS 101



**Carrie Singer**

Small Business Services Program Manager  
Denver Economic Development & Opportunity  
City and County of Denver





## Our Vision

Leading an **inclusive**  
**and innovative**  
**economy** for all  
Denver residents,  
businesses and  
neighborhoods

BUSINESS DEVELOPMENT



GLOBAL BUSINESS DEVELOPMENT

WORKFORCE DEVELOPMENT



DIVISION OF SMALL BUSINESS OPPORTUNITY  
(DSBO)

NEIGHBORHOOD EQUITY & STABILIZATION  
(NEST)



EXECUTIVE OFFICE



**DENVER**  
ECONOMIC DEVELOPMENT  
& OPPORTUNITY



# 8 STEPS TO START YOUR BUSINESS

Business Startup Checklist - click [HERE](#)



PLAN YOUR BUSINESS



DETERMINE ACTIVITY TYPE- SPECIAL  
LICENSES AND PERMITTING



CREATE A BUSINESS PLAN



REGISTER WITH TAX AUTHORITIES



REGISTER YOUR BUSINESS NAME  
& LEGAL STRUCTURE



OBTAIN FINANCING



SELECT LOCATION- ZONING &  
PERMITTING



EMPLOYER RESPONSIBILITIES



## DEDO – BUSINESS TOOL KIT

### ❖ Multi-lingual Startup Checklist

- Amharic
  - Arabic
  - English
  - Nepali
  - Spanish
  - Somali
  - Vietnamese
- ❖ One-on-One Business Advising
  - ❖ Industry Expertise
  - ❖ Small Business Lending
  - ❖ Tax Credits
    - Business Investment Program
    - Enterprise Zone Tax Credits
  - ❖ Workforce Development (hiring & training)
  - ❖ Minority and Women-Owned Firms/Disadvantaged Businesses
  - ❖ Business Disruption
  - ❖ Denver Scale-Up Network
  - ❖ Global Landing Pad





# The Commons on Champa

## DEDO@Commons

- DEDO satellite office , 2<sup>nd</sup> floor
- Designated space for DEDO advisors, 1<sup>st</sup> floor
- Hours of Operation -Monday-Friday (9a-5p)
- One-on-one advising
- Technical expertise
- Resources
- Programming
- Denver ScaleUp Network
- Global Landing Pad



Advisory Team: DEDO staff, Colorado Enterprise Fund, DreamSpring, Denver Community Credit Union, US Small Business Administration, US Patent & Trademark Office, Denver Purchasing, Denver Public Library – Biz Boost ... and more!



# Startup Assistance & Small Business Advising

- Startup Navigation
- Regulatory process
- Business Plan Review
- Business research & market analysis
- Technical assistance; legal, accounting, real estate related etc.
- Access to capital; Small Business Lending program
- Certifications & Government contracting opportunities
- Developing growth strategies
- Tax Credit Incentive programs
- Workforce & training resources
- Industry expertise; Hospitality, Food & Beverage, Retail, Finance & Professional Services, Manufacturing & IT
- Workshops & programming
- Partner referrals (ex: city agencies, startup incubators, lending institutions, mentoring programs, legal services, site selection resources...and more!)





## LOCAL & REGIONAL SUPPORT

### Startup Bootcamps

- Colorado Lending Source (CLS)
- Denver Small Business Development Center (SBDC)
- Mi Casa Resource Center
- NEWSED
- Rocky Mountain Microfinance Institute (RMMFI)
- Rockies Venture Club (RVC)
- The Commons on Champa

### Additional Resources

- Denver 311 service
- [Five Minute Classes](#)

### Lending Institutions

- Colorado Enterprise Fund
- Colorado Lending Source
- Community Enterprise Development Services (CEDs)
- Denver Economic Development & Opportunity
- DreamSpring
- Rockies Venture Club

### Mentoring/Consulting

- Denver Public Library – BizBoost Program
- Denver Economic Development & Opportunity
- Denver Small Business Development Center
- Mi Casa Resource Center
- SCORE
- The Commons on Champa

# The Commons on Champa

## DEDO@Commons

**2020 - present:**

# 1:1s – 246

# Business workshops

–23



**2015-present:**

# 1:1s – 1405

# Business workshops –

550+



**DENVER**  
ECONOMIC DEVELOPMENT  
& OPPORTUNITY



## Advising Overview

- Monday – Friday | 9 a.m. – 5 p.m.
- 60-minute appointments
- Appointments take place by phone or video

### To schedule an appointment

- ❖ Call: 720.865.2225
- ❖ Email: [carrie.singer@denvergov.org](mailto:carrie.singer@denvergov.org)
- ❖ Online: [www.thecommons.co](http://www.thecommons.co)
  - Click “Programs & Resources” tab
  - Select “DEDO Advisory Hours:
  - Follow the instructions

## Industry Expertise

- Hospitality – Food & Beverage
- Retail – local & national
- Outdoor Industry
- Health Care
- Technology, IT, Telecom
- Manufacturing
- Manufacturing – food & beverage
- AgTech
- Finance
- Professional Services

## Congratulations!

By completing this work, you have built a solid foundation that, along with hard work enables you to cultivate your new company into the successful business of your dreams!

Denver Economic Development & Opportunity is available to assist you each step of the way. Please contact our office if we can be of any assistance.

## Questions?

Carrie Singer

Small Business Services Program Manager

Ph: 720-913-1521

Email: [carrie.singer@denvergov.org](mailto:carrie.singer@denvergov.org)

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