



City of El Monte

Cannabis Application Questions & Answers

UPDATED MAY 29, 2020 (Updates to Question #s 6, 46, 47, and 57)

Questions Related to the Commercial Cannabis Business License Application

Question	Answer
<p>Question 1: The main body (pages 1–2) of the Commercial Cannabis Business Application does not include a notary block? Only the Applicant Certification, Property Owner Consent, and Limitations on City’s Liability Waiver do. Does the “APPLICANT SIGNATURE” and “PROPERTY OWNER SIGNATURE” on page 2 of the main body of the Commercial Cannabis Business Application need to be separately notarized from the Applicant Certification, Property Owner Consent, and Limitations on City’s Liability Waiver?</p>	<p><i>No, the “APPLICANT SIGNATURE” and “PROPERTY OWNER SIGNATURE” fields on page 2 of the Commercial Cannabis Business Application do <u>not</u> need to be notarized.</i></p>
<p>Question 2: On page 1 of the Commercial Cannabis Business Application posted on the City’s webpage at the following link (http://www.elmonteca.gov/DocumentCenter/View/3808), there is a section for “Designated Applicant Name” that requires a Driver’s License No. and Social Security No. However, per 5.18.030 of the El Monte Municipal Code (EMMC), the “Applicant” is a single person and is more likely to be an entity than an individual, which won’t have a Driver’s License No. and Social Security No. By contrast, Section 5.18.030 of the EMMC in the definition of “Owner”, states: “every applicant and licensee must have at least one individual person <u>designated</u> as an ‘owner’ for the purpose of compliance with this Chapter 5.18, including the review and evaluation of any commercial cannabis business license application.” Should the “Designated Applicant Name” section of the Commercial Cannabis Business Application actually be named “Designated Owner Name”?</p>	<p><i>No, the Designated Applicant is the <u>person</u> that is authorized by the Applicant to fill out the form on their behalf.</i></p>



City of El Monte

Cannabis Application Questions & Answers

UPDATED MAY 29, 2020 (Updates to Question #s 6, 46, 47, and 57)

Question 3: On page 1 of the Commercial Cannabis Business Application posted on the City’s webpage at the following link

(<http://www.elmonteca.gov/DocumentCenter/View/3808>), there is a section for “Business Name (DBA)”. Is a cannabis business in the City of El Monte required to operate under a DBA? If not, should an applicant list “N/A” on the Commercial Cannabis Business Application?

Cannabis businesses are not required to operate under a DBA. Applicants that are not operating under a DBA may fill in “N/A” for the field.

Question 4: On page 1 of the Commercial Cannabis Business Application posted on the City’s webpage at the following link

(<http://www.elmonteca.gov/DocumentCenter/View/3808>), there is a section for “Property Owner 1 Name” that requires a Driver’s License No. and Social Security No. However, property owners can include entities that do not possess Driver’s License Nos. and Social Security Nos. How should applicants list property owners that are entities rather individuals?

If a property owner is an entity, instead of providing a SSN, please fill out using the California Secretary of State File Number.

Question 5: On page 1 of the Commercial Cannabis Business Application posted on the City’s webpage at the following link

(<http://www.elmonteca.gov/DocumentCenter/View/3808>), there is a section for “Business Owner 1 Name” that requires a Driver’s License No. and Social Security No. However, business owners can include entities that do not possess Driver’s License Nos. and Social Security Nos. How should applicants list business owners that are entities rather individuals?

If a business owner is an entity, instead of providing a SSN, please fill out using the California Secretary of State File Number.

Question 6: I applied under the previous ordinance with a company under a different name back in November 2018. I submitted the application myself and was/am the CEO and principal owner of that company.

Our venture in El Monte is a different company because it’s a different venture but I’m the CEO and principal owner of this company as well.

The response to this question was revised upon Staff’s further review of Ordinance No. 2960. Section 5.18.030 defines “applicant” as the “person” (See Section 5.18.030 for full definition of “person”) applying for the commercial cannabis business license under this Chapter 5.18 (not the owners or the managers of the applicant).” Section 5.18.050.D (for non-retail) and 5.18.070.C.5 (for retail) require that the



City of El Monte

Cannabis Application Questions & Answers

UPDATED MAY 29, 2020 (Updates to Question #s 6, 46, 47, and 57)

applicant (i) was issued a commercial medicinal cannabis business permit, conditional use permit, or development agreement under City Ordinance No. 2924 (regardless if such commercial medicinal cannabis business permit, conditional use permit, or development agreement was rescinded) prior to September 13, 2019, or (ii) submitted an application for a commercial medicinal cannabis business permit under City Ordinance No. 2924 prior to September 13, 2019.

Each applicant must provide the City with sufficient documentation in its application to allow the City to verify that the "person" (as defined in Section 5.18.030) serving as the applicant in its current application is the same "person" that was the applicant in its prior Medicinal Commercial Cannabis Business Permit Application Form submitted to the City under Ordinance No. 2924. Note that additional owners or managers may be added to the applicant as long as the applicant does not change.

Please see the list of the Medicinal Commercial Cannabis Business Applications submitted prior to September 13, 2019 at the link below:

<https://www.ci.elmonte.ca.us/DocumentCenter/View/3913/Cannabis-Applications-September-2019?bidId=>

Question 7: Does the "designated applicant" have to own 20% or more of the business?

The designated applicant does not have to own 20% or more of the business; but they do have to make sure that the applicant certification is signed and notarized, and that they sign the Applicant Disclosure on page 2 of the Commercial Cannabis Business license application.



City of El Monte

Cannabis Application Questions & Answers

UPDATED MAY 29, 2020 (Updates to Question #s 6, 46, 47, and 57)

Question 8: We are applying for retail, cultivation, manufacturing, and distribution licenses. We plan to have 4 separate corporate entities hold these licenses to keep these businesses separate for accounting and other reasons. Can we name our ultimate parent entity as the "applicant" and swap in the names of our 4 subsidiaries if we win all 4 licenses?

Licenses may be transferred pursuant to Section 5.18.140 of the El Monte Municipal Code. The Application to Transfer Commercial Cannabis Business License shall be available on or before June 30, 2020, with an application fee established by a Resolution of Council. Once a CCB License has been awarded, EITHER the licensee may apply for a transfer through the application process OR the licensee may transfer the license provided they notify the City Manager in writing within fifteen (15) days of the transfer and that one of the following two conditions are met:

- 1. The ownership of the license is substantially similar after transfer or change in form of business entity in that at least 50.1% of the ownership of the licensee as provided in the original CCB License Application remains identical.*
- 2. If the original licensee is a cooperative or collective and then transitions to a new business entity, provided that all the owners are identical to those owners provided in the original CCB License Application remains identical.*

Question 9: How necessary is the Property Owner's Driver's License and Social Security Number on the Cannabis Business Application Form? As you can imagine, they may be hesitant providing that information to the Applicant. Can they send to the City on a separate application if necessary?

The City requires that the Property Owner provide identifying information such as their Driver's License and Social Security Number. If the property owner does not wish to disclose their personal information to the Applicant/Designated Applicant, they may attach their information as a separate exhibit in a sealed envelope to the Application Form, AND may mark "SEE EXHIBIT __" in the fields regarding Property Owner's personal information.



City of El Monte

Cannabis Application Questions & Answers

UPDATED MAY 29, 2020 (Updates to Question #s 6, 46, 47, and 57)

<p>Question 10: MCCB Application Number(s): We previously submitted 2 medical cannabis license applications under Ordinance 2924. I have the complete application files that were submitted to the City, but it seems we've misplaced the submission receipts. Would you kindly be able to provide the MCCB Application #s (proof of submission) for the below 2 Applicant Entities?</p> <p>a. Tradecraft Farms - El Monte, LLC</p> <p>b. Dub Brothers - El Monte, LLC</p>	<p><i>Please see the list of the Medicinal Commercial Cannabis Business Applications submitted prior to September 13, 2019 at the link below:</i></p> <p>https://www.ci.el-monte.ca.us/DocumentCenter/View/3913/Cannabis-Applications-September-2019?bidId=</p>
<p>Question 11: The application form has a field for "STATE ID NUMBER"; Is this the Applicant-Entity's Employer Payroll Tax ID number issued by the EDD, or the Entity's Secretary of State File number?</p>	<p><i>Please indicate the File Number for the California Secretary of State, in the "State ID Number" field on page 1 of the Commercial Cannabis Business License Application.</i></p>
<p>Question 12: Would it be possible to obtain the list of everyone who submitted for a cannabis application?</p>	<p><i>Yes, the City will be posting the complete list of applicants on the City's webpage at the end of the application submittal period.</i></p>



City of El Monte

Cannabis Application Questions & Answers

UPDATED MAY 29, 2020 (Updates to Question #s 6, 46, 47, and 57)

Questions Related to the Commercial Cannabis Business License Application Procedure Guidelines

Question

Answer

Question 13: Page 5 of the Application Procedure Guidelines specifies a page limit of 150 pages with a number of exclusions. By not excluding all items under Phase 1, Applicant Information (pass/fail) on pages 5 through 7, applicants will be scored inequitably with each other under the Phase 3 criteria. To illustrate, item 3 under Phase 1, Applicant Information (pass/fail) is not excluded from the 150-page limit and requires submission of “Organizational structure documents (e.g., Articles of Incorporation, bylaws, partnership agreements, etc.)” Applicant A may have 10-page bylaws, yet Applicant B could have a 20-page partnership agreement—in such a case, Applicant B would have 10 less page to respond to the scored items under the Phase 3 criteria. Should the City exclude all items under Phase 1, Applicant Information (pass/fail) on pages 5 through 7 from the 150-page limit?

*The response to this question was revised upon Staff’s further review of the procedure guidelines. As the same line of logic applies to omitting “organizational structure documents” from the 150-page limit, Staff has decided to exclude **all** items under the Phase 1, “Applicant Information” from the 150-page limit.*

Question 14: Page 5 of the Application Procedure Guidelines requires a background check for each 20% Owner/Principal. However, Section 5.18.070.E of the EMMC states that the City “shall not issue a commercial cannabis business license to any applicant with an owner or manager” with various background check violations. Under Section 5.18.030 of the EMMC, “manager” “means any individual who will be participating in the direction, control, or management of an applicant or a licensee” without the necessity of ownership percentage. Should all owners and all managers, as defined under Section 5.18.030 of the EMMC, of a cannabis business submit to a background check?

Yes, all “managers” and “owners” as defined in EMMC Section 5.18.030 shall submit a background check.



City of El Monte

Cannabis Application Questions & Answers

UPDATED MAY 29, 2020 (Updates to Question #s 6, 46, 47, and 57)

Question 15: Page 6 of the Application Procedure Guidelines, requires a “Proof of minimum financial resources of \$400,000 in the form of lending/loan documents, promissory notes, bank statements, etc.” However, Section 5.18.070.C.6 of the EMMC uses the term “liquid assets” rather than “financial resources”, more specifically, “Proof of funds showing that the applicant has access and control of over \$400,000.00 in liquid assets, which may be via a binding legal agreement in the name of the applicant such as a promissory note so long as said legal agreement is accompanied by a proof of funds in the name of a party to the agreement[.]” Further, “liquid assets” is a specifically defined term under Section 5.18.030 of the EMMC. Should the Application Procedure Guidelines be updated to include the specific language from Section 5.18.070.C.6 of the EMMC?

The City believes that the terms “financial resources” encompasses “liquid assets” and the documents eligible for proof are clearly defined.

Question 16: As a pass/fail item, Section 5.18.070.C.7 of the EMMC, requires “Proof of a labor peace agreement between a bona fide labor organization and the applicant. An applicant shall provide a copy of the page of the labor peace agreement that contains the signatures of the union representative and the cannabis business to the City”. However, the items under Phase 1, Applicant Information (pass/fail) on pages 5 through 7 do not include “Proof of a labor peace agreement”. Should “Proof of a labor peace agreement” as stated under Section 5.18.070.C.7 of the EMMC be added to the Phase 1, Applicant Information (pass/fail) items on pages 5 through 7?

The response to this question was revised upon Staff’s further review of Ordinance No. 2960. EMMC Section 5.18.070.C.7 only requires “a copy of the page of the labor peace agreement that contains the signatures of the union representative and the cannabis business.” For applicants with only one employee, a notarized statement indicating that applicant will enter into and abide by the terms of a labor peace agreement within thirty (30) days after employing two (2) employees. Therefore, the Labor Peace Agreement query will be formatted to be a part of the Phase 2’s pass/fail review.

Question 17: On one hand, item 1.2 of Phase 3 requires “Proof that the Owner(s) and/or Manager(s) have experience operating a non-retail commercial cannabis business”. On the other hand, item 1.2 also requires, for retail applications, “Proof that an individual owner of the applicant with an aggregate ownership interest of 20% or more has served as an owner or manager of one or more

Please see amended “COMMERCIAL CANNABIS BUSINESS LICENSE SUPPORTING DOCUMENTS APPLICATION PROCEDURE GUIDELINES FOR A COMMERCIAL CANNABIS BUSINESS UPDATED MAY 8, 2020.”



City of El Monte

Cannabis Application Questions & Answers

UPDATED MAY 29, 2020 (Updates to Question #s 6, 46, 47, and 57)

other cannabis retailers”—which happens to be duplicative with the requirement under item 10 of Phase 1, Applicant Information (pass/fail)—a pass/fail item under Section 5.18.070.C.4 of the EMMC. Should item 1.2 of Phase 3 be revised to reflect “experience operating a commercial cannabis business” generally rather than “non-retail” or “retail” experience specifically?

Question 18: In the Application Procedure Guideline, item 2 of Phase 3 is referred to as “LOCATION AND PREMISE DIAGRAM”. By contrast Section 5.18.070.D.2 refers to this second objection scoring item as “Plans, renderings, and overall location”. Notably, Section 5.18.070.C.8–9 of the EMMC requires an applicant to submit the following as pass/fail items: (i) A set of plans, including site development plan, floor plans and building elevations (all four (4) sides), preliminary grading plan, and a conceptual landscape plan with the percentage of landscaping in the parking lot, setback areas, and tree size and species and (ii) Colored interior and elevation renderings. However, neither of the items under Section 5.18.070.C.8–9 of the EMMC are included in the Phase 1, Applicant Information (pass/fail) items on pages 5 through 7 of the Application Procedure Guideline. Should the items under Section 5.18.070.C.8–9 of the EMMC be added to the Phase 1, Applicant Information (pass/fail) items on pages 5 through 7? Then, should item 2 of Phase 3 be restated as “Plans, renderings, and overall location” (rather than “LOCATION AND PREMISE DIAGRAM”) and the criteria revised to relate back to the items under Section 5.18.070.C.8–9 of the EMMC? To illustrate, the present criteria under “LOCATION AND PREMISE DIAGRAM”, or elsewhere in the Application Procedure Guideline, make no mention of a “preliminary grading plan” or “Colored interior and elevation renderings”.

Upon receiving additional questions, the City would like to further clarify by renaming “LOCATION AND PREMISE DIAGRAM” as “PLANS, RENDERINGS, LOCATION, AND OTHER DIAGRAMS.”

Please see amended “COMMERCIAL CANNABIS BUSINESS LICENSE SUPPORTING DOCUMENTS APPLICATION PROCEDURE GUIDELINES FOR A COMMERCIAL CANNABIS BUSINESS UPDATED MAY 8, 2020”

All items called for in EMMC Section 5.18.070.C are identified as pass/fail items in Phase 1.

Question 19: Should item D on page 4 of the Application Procedure Guidelines be revised as follows?: “~~Two (2)~~Four (4) hard copies of the premise diagram and architectural plans as outlined in Phase 1, Items #14 and 15 and Phase 3, Items #2.2 – 2.7.” A total of four copies are required,

Please see amended “COMMERCIAL CANNABIS BUSINESS LICENSE SUPPORTING DOCUMENTS APPLICATION PROCEDURE GUIDELINES FOR A COMMERCIAL CANNABIS BUSINESS



City of El Monte

Cannabis Application Questions & Answers

UPDATED MAY 29, 2020 (Updates to Question #s 6, 46, 47, and 57)

<p>two at 24 inches by 36 inches and two at 11 inches by 17 inches.</p>	<p><i>UPDATED MAY 8, 2020"</i></p>
<p>Question 20: Can you please specify what items / documentation may be provided for proof of current address under item 5 of the Applicant Information (pass/fail) section on page 4 of the Application Procedure Guidelines? Is there a cutoff date for "current"?</p>	<p><i>Items/Documentation acceptable for proof of current address are, but not limited to: any document showing the full legal name and address of the applicant/owner. Current means "current <u>at the time of application submission.</u>"</i></p>
<p>Question 21: Items A through G of the Application Submittal and Determination of Eligibility section on page 4 of Application Procedure Guidelines provide the submission format for a Commercial Cannabis Business License application, including all supporting documents / plans. Item G call out all items "in Phase 3" for inclusion as separate PDF files in two flash drives. Items A through H call out the hard copy items required for submission of a Commercial Cannabis Business License application. However, all Phase 3 items are not called out in items A through H. Does this mean that the City does not require applicants to submit a hard copy version of all items "in Phase 3", just those Phase 3 items called out in items A through H, namely Phase 3 Items #2.1, #2.2, #7.7, and #7.8?</p>	<p><i>Please see amended "COMMERCIAL CANNABIS BUSINESS LICENSE SUPPORTING DOCUMENTS APPLICATION PROCEDURE GUIDELINES FOR A COMMERCIAL CANNABIS BUSINESS LICENSE UPDATED MAY 8, 2020" clarifying the language to read as follows: "G: Items # A-F, AND all items listed in Phase 3 [pages 9-18, Items #1-9</i></p> <p><i>NOTE: Items #1-9 under Phase 3 shall be separated and saved as individual files. For Example:</i></p> <ol style="list-style-type: none"> <i>1. QUALIFICATIONS OF OWNERS/MANAGERS</i> <i>2. LOCATION AND PREMISE DIAGRAM</i> <i>3. BUSINESS PLAN</i> <i>4. OPERATIONS PLAN</i> <i>5. SAFETY PLAN</i> <i>6. SECURITY PLAN</i> <i>7. NEIGHBORHOOD COMPATIBILITY PLAN</i> <i>8. COMMUNITY BENEFITS PLAN</i> <i>9. COLLECTIVE BARGAINING AGREEMENT]</i> <p><i>shall be submitted in duplicate, on separate flash-drives.</i></p>



City of El Monte

Cannabis Application Questions & Answers

UPDATED MAY 29, 2020 (Updates to Question #s 6, 46, 47, and 57)

Question 22: Related to Question 21 above, what is meant by / included within the “comprehensive set of attachments” under item B of the Application Submittal and Determination of Eligibility section on page 4 of the Application Procedure Guidelines? All items submitted under Phase 1, Applicant Information (pass/fail) on pages 5 through 7 of the Application Procedure Guidelines? All Phase 3 items that are not separately called out in items A through H?

*If you were to continue after “Comprehensive set of documents” the Procedure Guidelines go on to list those documents: “Limitations on City’s Liability Waiver, Owner/Manager Information, Letter of Zoning Compliance, Proof of Financial Resources, and Proof of Live Scan. **NOTE:** Item “C” goes on to say that all the documents listed in Item “B” should be incorporated in the same three-ring binder as all items listed under Item “A.”*

Question 23: Unless the documentation of an owner’s collective bargaining agreement (item 9.1 of Phase 3) is excluded from the 150-page limit on page 5 of the Application Procedure Guidelines, the Application Procedure Guidelines penalize those applicants with collective bargaining agreements. To illustrate, under item 9.1 of Phase 3 from Section 5.18.070.D.8 of the EMMC, the effective date of a collective bargaining agreement along with renewals requires documentation; thus, an applicant responding to item 9.1 is required to provide one or more entire collective bargaining agreements, which are multiple page legal documents. Without a page-limit exception, such an applicant would receive that may less pages to respond to the other scored items under the Phase 3. Should the City exclude item 9.1 of Phase 3 from the 150-page limit?

The City will exclude “Collective Bargaining Agreements” from the 150-page limit.

Question 24: Item 2 of Phase 1, Applicant Information (pass/fail) of the Application Procedure Guidelines, requires an applicant to provide, “Proof of property ownership, proof of executed lease agreement, or a notarized letter of the owner’s willingness to lease.” (emphasis added). Once properly completed and notarized, does the “PROPERTY OWNER CONSENT” form attached to the Commercial Cannabis Business Application posted on the City’s webpage at the following link (<http://www.elmonteca.gov/DocumentCenter/View/3808>) count as a “a notarized letter of the owner’s willingness to

*The City will provide amended application materials, explicitly defining which documents will suffice: Proof of property ownership, proof of executed lease or purchase agreement, or a notarized letter of the owner’s willingness to lease or sell the property. **PLEASE NOTE:** The notarized property owner’s signature is only an acknowledgment from the property*



City of El Monte

Cannabis Application Questions & Answers

UPDATED MAY 29, 2020 (Updates to Question #s 6, 46, 47, and 57)

lease” or otherwise satisfy item 2 of Phase 1, Applicant Information (pass/fail) of the Application Procedure Guidelines? Or is submitting a notarized “PROPERTY OWNER CONSENT” form a separate requirement from item 2 of Phase 1, Applicant Information (pass/fail) of the Application Procedure Guidelines? If the answer to the latter question is “yes”, item 2 of Phase 1, Applicant Information (pass/fail) unfairly limits the potential ways an applicant could secure a property for application purposes, e.g., an applicant could enter a purchase and sale agreement for purchasing the property in question, in which case “a notarized letter of the owner’s willingness to sell” rather than “lease” could be provided or even “proof of executed purchase and sale agreement” by an applicant.

owner that they consent to the filing of the application on their property and does not constitute the owner’s willingness to lease or sell such property. Multiple applicants may be applying under the same property Once the scores are released, the parties can then determine which applicant would execute the lease/purchase agreement with the property owner.”

Question 25: Live Scan / Criminal background Checks - Do we need to get Live Scans and complete the HdL Online Criminal Background check for each *Owner* (with > 20% ownership), per page 5 of the application guidelines, or for EVERY owner and manager, as stated in the City’s Commercial Cannabis Ordinance Section 5.18.070.C.10?

SEE QUESTION # 14.



City of El Monte

Cannabis Application Questions & Answers

UPDATED MAY 29, 2020 (Updates to Question #s 6, 46, 47, and 57)

Questions Related to the Letter of Zoning Compliance

Question	Answer
Question 26: Can we use our previous Letter of Zoning Compliance or do we need to submit a new one?	<i>You will need to submit a new letter as the new Ordinance allows cannabis uses in different zones compared to the old Ordinance.</i>
Question 27: Are we supposed to obtain a Letter of Zoning Clearance (LZC) for each Conversion/Application or will one letter suffice for multiple types of licenses. For example, if I am in an M-2 zone, can I get one LZC for four licenses (cultivation, retail, manufacturing and distribution), or one letter for each type? Therefore, four payments of \$326.17 instead of one.	<i>If you have multiple cannabis related licenses proposed for the same property under the same operator, you will only need one letter request. You will also want to state such in your letter (i.e. I am requesting an LZC to establish the following cannabis uses at 1234 Main Street: retailer, manufacturing, cultivation and distribution...).</i>
Question 28: What specific information needs to be in the letter?	<i>At minimum, a street address and the proposed license type(s) needs to be in the letter request. However, it is recommended that the letter request includes assessor parcel number(s), a contact phone number and a contact email address.</i>



City of El Monte

Cannabis Application Questions & Answers

UPDATED MAY 29, 2020 (Updates to Question #s 6, 46, 47, and 57)

Questions Related to the Live Scan and Background Checks

Question	Answer
Question 29: How updated do the Live Scans have to be? We have previously submitted Live Scans for state licensing. Can we use those or do we need to do a new one?	<i>Everyone needs to do a new Live Scan regardless of how new the existing one may be.</i>
Question 30: Business license application requires that you identify anyone that has been convicted of a felony or “engaged in misconduct that is substantially related to the qualifications, functions or duties of cannabis operator, applicant, owner or employee.” What is the scope of what was intended to be included in the phrase “or engaged in misconduct substantially related...”	<i>See the State of California Business and Professions Code, Division 10 (Cannabis). Specifically, look at Chapter 5 (Licensing), Section 26057. Reference: California <u>Business Professions Code §26057(b)</u></i>
Question 31: Do you need to submit a Live Scan per use or is it one per owner?	<i>A Live Scan is required for each “manager” and “owner” as defined in EMMC Section 5.18.030.</i>



City of El Monte

Cannabis Application Questions & Answers

UPDATED MAY 29, 2020 (Updates to Question #s 6, 46, 47, and 57)

Questions Related to Maps and Diagrams and Buffers

Question	Answer
<p>Question 32: The 800 foot radius map shall be completed and wet stamped by a licensed surveyor and shall identify all “sensitive uses” within a 1,000 foot radius of the proposed location. I’m a registered Civil Engineer. Can I make, stamp and sign the sensitive use map?</p>	<p><i>The radius maps must be prepared by a licensed surveyor. It cannot be prepared by a registered civil engineer.</i></p>
<p>Question 33: We have a client looking to retain our services to provide the 800 foot and 300 foot radius maps required for submittal, and we are just trying to define the scope for these maps. Do you have a sample or a list of requirements these maps need to show? According to the application information, it seems we only need to identify any churches or other houses of worship, uses with off-site alcohol, and/or tobacco sales, single-family and multi-family residential uses (within 300 feet) and any “sensitive uses” as defined by the City within 1,000 feet. Does this mean we will not be required to identify every retailer, commercial, etc. use within the radius? This could result in a different scope, since the latter would take more time.</p>	<p><i>We do not need other things labeled beyond what is in the guidelines and what was noted in your question.</i></p>
<p>Question 34: For the hard copies of the premises diagrams and radius maps, are those to be submitted outside of but within the three-ring binder of docs? Or should they be submitted in the three-ring binder but in a page protector or something of the like?</p>	<p><i>Premise diagrams and radius maps do not need to be included <u>inside</u> the submittal binder, and may be attached separately at the time of submission. These maps and diagrams should be packaged with your site plans, elevations, and renderings as those files will also be large and unable to fit inside a 3-ring binder.</i></p>
<p>Question 35: On page 29 of your PowerPoint, it stated that an 800 foot buffer is required from any parks, playgrounds or recreational areas. On page 30, you specifically named three parks. Is</p>	<p><i>The 800-foot buffer is for all parks and other youth centers in El Monte and the surrounding communities. The three listed on the PowerPoint were included to answer earlier questions raised</i></p>



City of El Monte

Cannabis Application Questions & Answers

UPDATED MAY 29, 2020 (Updates to Question #s 6, 46, 47, and 57)

<p>the buffer required on all parks or only those three mentioned?</p>	<p><i>by potential applicants.</i></p>
<p>Question 36: We are in some confusion as to whether the below reg INCLUDES proximity of PARKS?</p> <p>5.18.060 - Location and design requirements for cannabis businesses.</p> <p>Pursuant to the authority delegated by the State to the City under Section 26054(b) of the State Business & Professions Code, cannabis businesses in the City shall be subject to the following location and design requirements, in accordance with MAUCRSA at Section 26054(b) of the State Business & Professions Code:</p> <p>Retailers shall be a permitted use by right subject to this Chapter 5.18 on property (i) located more than eight-hundred (800) feet from any school, day care center, or youth center established at the time the first complete commercial cannabis business license application is submitted relative to the property and (ii) zoned: SP-4, MMU, C-O, C-1, C2, C-3, C-4, M-1, and M-2.</p>	<p><i>The definition of “youth center” includes parks per Section 5.18.030.</i></p>
<p>Question 37: For the 300 ft Radius Map, the instructions (on p.10) state: “If the location is directly adjacent to residential, outline any measures proposed to minimize any potential impacts from the CCB”; Does that mean that nuisance mitigation measures need to be outlined on the radius map itself? I’d imagine that this type of information will be detailed in the neighborhood compatibility plan, so I am a bit surprised if it's to be included on the radius map itself / curious about the expected presentation of this information on a map.</p>	<p><i>For the 300-ft. radius map, please identify the adjacent residential uses. Discuss any mitigation measures to minimize potential impacts in the Neighborhood Compatibility Plan.</i></p>



City of El Monte

Cannabis Application Questions & Answers

UPDATED MAY 29, 2020 (Updates to Question #s 6, 46, 47, and 57)

Miscellaneous Questions

Question	Answer
Question 38: How much transparency will there be regarding scoring of the applications? How can we ensure that HdL is providing appropriate services considering its questionable character exposed through San Bernardino and Pasadena's application process?	<i>In order to ensure a fair and transparent review process, the qualified reviewing consultant will be selected through a Request for Proposals ("RFP") process. The City will be exercising best practices regarding transparency with scoring of applications. In order to assure applicants that their scores are accurate and justified, the consultant will be providing the City with scoring sheets for each application with comments justifying the scores for each evaluation criteria.</i>
Question 39: If we are submitting for four uses, does our application need to be 150 pages total for all four uses, or is each application separate?	<i>Assuming the uses are on the same property under the same operator, all four uses would be limited to 150 pages total.</i>
Question 40: If we include tabs to separate the sections, will that be counted towards the 150 page limit?	<i>Tabs will not count towards the 150 page limit.</i>
Question 41: We had previously applied for cultivation, distribution and manufacturing under a corporation. Now we plan to bring in a retail partner and apply for a retail application. Do we submit two separate applications? Where #1 is a conversion application under the original corporation and the retail application under a new entity?	<i>It would still be submitted as one application. For some items (floor plan, elevations, security plan), you could or should submit an "Option A" with retail and an "Option B" without retail.</i>
Question 42: If a location is in escrow and our team gets approved but the property falls out of escrow, can we relocate to another compliant location?	<i>Refer to Section 5.18.130 of the new Ordinance (Change in Location; Updated Application Information). Section A outlines the different deadlines and Section B outlines notification requirements.</i>



City of El Monte

Cannabis Application Questions & Answers

UPDATED MAY 29, 2020 (Updates to Question #s 6, 46, 47, and 57)

<p>Question 43: Can an applicant “move” a cannabis business license during and/or after the commercial cannabis business application process if an issue with the property arises?</p>	<p><i>Refer to Section 5.18.130 of the new Ordinance (Change in Location; Updated Application Information). Section A outlines the different deadlines and Section B outlines notification requirements.</i></p>
<p>Question 44: What is the maximum building height allowed to avoid triggering design review?</p>	<p><i>Most zoning districts have maximum building heights (in some zones, the building height is dictated by a maximum floor area ration (FAR)). If an applicant proposes to exceed the building height, approval of a Modification Permit is required. That would go before the Modification Committee as a public hearing. The Committee is made up of one Planning Commissioner, Deputy Director of Community and Economic Development and the Building Official.</i></p> <p><i>If an applicant proposes any of the six (6) items below, approval of a Design Review application is required. That would go before the Planning Commission as a public hearing.</i></p> <ol style="list-style-type: none"><i>1. Any new non-residential structure of 5,000 square feet or more;</i><i>2. Expansion of an existing structure, if greater than 25% increase of the current gross floor area;</i><i>3. Conversion of a residential use to a non-residential use;</i><i>4. Any physical modification to a structure that is visible from the street that involves a major portion of the structure or its surroundings. Substantial alterations include changes to the building massing, addition of 200 square feet or more to a building elevation that faces a street, and additional height that covering more than 25% of the existing roof area to provide an improved architectural design that faces a street;</i><i>5. Any new mixed-use with residential or multi-family residential development in the Downtown Specific Plan or the Mixed/Multi-</i>



City of El Monte

Cannabis Application Questions & Answers

UPDATED MAY 29, 2020 (Updates to Question #s 6, 46, 47, and 57)

	<p>use (MMU) zone.</p> <p>6. New construction of a billboard or rehabilitation of an existing billboard within the Freeway Overlay Zone.</p> <p>If a project included a Design Review <u>and</u> Modification Permit, they would be bundled as one application and only go the Planning Commission.</p>
<p>Question 45: Should the business address specified on the online criminal background check be the physical address of the proposed business premises in El Monte, or can it be an alternate business mailing address for the Applicant-entity?</p>	<p>When filling out the business address specified on the online background check, please use the proposed physical location of the business premises in <u>El Monte</u>.</p>
<p>Question 46: The principals/owners of [COMPANY A] intend to partner with additional owners in order to apply in the upcoming retail and non-retail licensing window. For accounting and other reasons, we would therefore like to apply using a new entity [COMPANY B]. Is this permissible? If so, what information must we include in order for City officials to link [COMPANY B] to [COMPANY A]?</p>	<p>Please see answer to Question #6.</p>
<p>Question 47: Does [COMPANY A], as an entity, need to have at least 20% ownership in [COMPANY B]? Alternatively, does at least one owner of [COMPANY A], as an individual, need to have 20% ownership interest in [COMPANY B]? There were 2 individual owners of [COMPANY A] - does this mean each individual owner have to have 20% each (for a total of 40%) in [COMPANY B]?</p>	<p>The City cannot comment to the structure of the entity. Please see answer to Question #6.</p>
<p>Question 48: Is Company's presence on the City's List of MCCB's Submitted Prior to 9/13/19 sufficient by itself to establish Company's eligibility to apply? What other documents or information (if any) are required</p>	<p>An entity's presence on the City's List of MCCB's Submitted Prior to 9/13/19 is only one of the criteria for eligibility. As long as the entity meets all the other criteria for eligibility per EMMC Chapter 5.18, then it will be eligible to apply for a CCB</p>



City of El Monte

Cannabis Application Questions & Answers

UPDATED MAY 29, 2020 (Updates to Question #s 6, 46, 47, and 57)

<p>to establish that Company submitted an application for a commercial medicinal cannabis permit under Ordinance No. 2924 prior to September 13, 2019?</p>	<p><i>license.</i></p> <p><i>Please include your MCCB Case number on your CCB Application in the required field.</i></p>
<p>Question 49: Can an applicant submit both a microbusiness (including retail) application AND a retail only application for the same premises? Just in case one application is approved and the other is denied?</p>	<p><i>Applying for both is not precluded, however, you may consider also applying for a non-retail application as a microbusiness license, which includes retail license, would be subject to the six (6) retailer license cap.</i></p>
<p>Question 50: Can an applicant submit multiple applications for different activity types for multiple separate locations?</p>	<p><i>Yes an applicant may submit multiple applications for different activity types for multiple separate locations as long as it complies with EMMC Chapter 5.18. However, a separate application is required for each location.</i></p>
<p>Question 51: Does the City anticipate the May 14th deadline to be further extended due to COVID-19?</p>	<p><i>The City extended the application submittal period. As of May 8, 2020 applications are due on June 15, 2020. The City will publish the new application due date should there be a further extension.</i></p>
<p>Question 52: Can we utilize digital notary services (i.e., DocuSign Notary) in light of COVID-19?</p>	<p><i>The State of California does not allow digital or virtual notary services. Licensed notary publics are still working during the COVID-19 pandemic, while practicing social distancing. Please contact a notary public or mobile notary public for more information.</i></p>
<p>Question 53: What type of letter do we need for owner consent form if our property is in escrow? Can we provide the letter or do we need to get something from the seller?</p>	<p><i>Please provide a notarized letter from the property owner stating that the property is in escrow and include the estimated escrow closing date.</i></p>
<p>Question 55: Section 2.5 of the Application procedures ask for colored elevations. Section 2.7 also asks for interior elevation renderings and exterior elevations. Is there a difference between the elevations in 2.5 and 2.7?</p>	<p><i>Yes, there is a difference, and the procedure guidelines have been updated to reflect more accurate wording.</i></p> <p><i>To clarify:</i> Section 2.5 should be ARCHITECTURAL elevations, and section 2.7 should read, “interior renderings <u>and</u> exterior elevation renderings”.</p>



City of El Monte

Cannabis Application Questions & Answers

UPDATED MAY 29, 2020 (Updates to Question #s 6, 46, 47, and 57)

<p>Question 56: Is a preliminary grading plan required even if there is no grading proposed?</p>	<p><i>Yes, pursuant to EMMC Section 5.18.070(C)(8), a preliminary grading plan is required to be submitted. All items under EMMC Section 5.18.070(C)(8) is required in order for the application to be deemed complete.</i></p>
<p>Question 57: What is the Live Scan process for out of state applicants?</p>	<p><i>For out of state applicants where the subject state is not able to use California Live Scan ORI and Mail Code numbers, please complete the Live Scan process in the subject state and provide valid proof of Live Scan conducted from the Live Scan service provider.</i></p> <p><i>Please be aware that applicants cannot move forward to Phase 4 until it has been confirmed by the El Monte Police Department that a California Live Scan application has been submitted and cleared for each Owner/Manager.</i></p>