



**ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY  
PLANNING DEPARTMENT**

## **Summary of Cannabis Ordinances**

In addition to the specific requirements for cannabis operations described below, all cannabis operations in unincorporated Alameda County must comply with existing State laws and regulations, including MAUCRSA and implementing regulations. All generally applicable County ordinances continue to apply (e.g., required building permits, grading permits, etc.).

### **Cannabis Retail**

#### Chapter 6.108 of the County General Code:

##### Retail operations:

- Allows a maximum of five cannabis retail operations in the unincorporated area (maximum of three in the West County and three in the East County):
  - Two in Area 1 (San Lorenzo, Ashland, Cherryland);
  - Two retail operations in the East County; and
  - One retail operation in Area 2 (Castro Valley) or a “boutique” operation in the South Livermore Valley Area Plan (SLVPA).
- Selection of all new cannabis retail operations through a Request for Proposals (RFP) process.
- Requires cannabis retail operations to comply with all land use regulations including the requirement to obtain conditional use permits.
- Prohibits cannabis retail operations in residential and industrial zoning districts.
- Requires a 1000 foot buffer from sensitive uses.
- Requires a one-mile buffer between any retailer in the unincorporated East County and a retailer within a city.
- Requires a five-mile buffer between any two cannabis retail operations in the unincorporated East County (except for a boutique retail operation in SLVPA which is exempt from the five-mile buffer requirement).

##### Delivery:

- Permits for cannabis delivery to addresses within the unincorporated area available to applicants with a permitted “store-front” retail operation located within the unincorporated area and in other jurisdictions.

#### County Zoning Ordinance and Specific Plans:

- Allows cannabis retail as a conditional use in certain commercial and mixed-use zoning districts and in the agricultural zoning district.

### **Cannabis Cultivation**

#### Chapter 6.106 to the County General Code:

- Allows a maximum of ten cannabis cultivation sites in the unincorporated area:
  - Up to eight cultivators have been selected through a Request for Proposals (RFP) process.
  - Up to two permitted cannabis retail operations in good standing are eligible for a ministerial cultivation permit.
- Allows outdoor cultivation of up to one acre of canopy with a conditional use permit on parcels that are 25 acres or larger.
- Allows indoor/greenhouse cultivation with a conditional use permit up to a maximum canopy of 22,000 square feet.



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### County Zoning Ordinance:

- Allows indoor and outdoor cannabis cultivation as a conditional use in the “A” (Agricultural) Zoning District.
- Requires each cultivation site to comply with adopted performance standards.
- Requires a 1,000-foot buffer between cultivation sites and sensitive receptors.

### **Combined Cannabis Operations**

#### Chapter 6.109 of the County General Code:

- Allows existing permitted retail or cultivation operations to expand to a combined cannabis operation. Allows a maximum of 14 combined cannabis operation permits.
- Combined cannabis operation required to engage in at least three of the following commercial cannabis operations on one premises: cultivation, distribution, manufacturing and retail, subject to the following limitations:
  - A cultivation operation may apply for a combined cannabis operation that includes cultivation, distribution and manufacturing (no retail allowed);
  - A retail operation may apply for a combined cannabis operation that includes cultivation, distribution, manufacturing and retail. It must include retail as one of the three of four uses.
- Requires the permit for the combined cannabis operation to be for the same premises as the permitted retail or cultivation operation, subject to transfer provisions.
- Requires combined cannabis operations to comply with all land use regulations including the requirement to obtain any conditional use permits.
- For combined cannabis operations that include retail:
  - Requires a 1000 foot buffer from sensitive uses and from any other cannabis operation involving retail; and
  - In the East County, requires a one-mile buffer between any operation involving retail in the unincorporated East County and a retailer within a city; and a five-mile buffer between any two cannabis operations involving retail in the unincorporated East County (with the exception of a boutique retail operation in SLVPA which is exempt from the five-mile buffer requirement).
- Requires the cultivation area for cultivation allowed under a combined cannabis operation to not exceed 10,000 square feet.
- Requires that manufacturing allowed under a combined cannabis operation must not include extraction using volatile solvents.

#### County Zoning Ordinance and Specific Plans:

- Allows combined cannabis operation as a conditional use in certain commercial and mixed-use zoning districts and in the agricultural zoning district.

### **Cannabis Testing Labs**

#### County Zoning Ordinance:

- Allows cannabis testing lab as a conditional use in the “A” (Agricultural) Zoning District.



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**Summary of Cannabis Fees**

**Cultivation – Chapter 6.106.220 Fee schedule**

Cannabis Cultivation Permit Application Fee (Retailers in Good Standing)	\$2,900
Cannabis Cultivation Permit Application Fee (Request for Proposals process)	\$8,000
Cannabis Cultivation Permit Final Selection Fee (Request for Proposals process)	\$4,000
Cannabis Cultivation Permit Issuance Fee (Request for Proposals process)	\$2,000
Cannabis Cultivation Permit Renewal Fee	\$3,200
Cannabis Cultivation Permit Annual Regulatory Program Fee	\$30,000
Cannabis Cultivation Permit Transfer Application Fee	\$3,100
Cannabis Cultivation Permit Transfer Issuance Fee	\$1,100
Cannabis Cultivation Permit Appeal by Applicant (Title 6)	AT-COST/ deposit
Cannabis Cultivation Permit Reconsideration of Application post-Appeal (if remanded for reconsideration) (Title 6)	AT-COST/ deposit
Cannabis Cultivation Conditional Use Permit Application (Title 17)	\$5,000 deposit
Mandatory Review of Conditional Use Permit for Cannabis Cultivation (Title 17)	AT-COST/ deposit
Cannabis Cultivation Conditional Use Permit Appeal by Applicant (Title 17)	AT-COST/ deposit

**Retail – Chapter 6.108.220 Fee schedule**

Cannabis Retail Permit Application Fee (Request for Proposals process)	\$8,000
Cannabis Retail Permit Final Selection Fee (Request for Proposals process)	\$4,000
Cannabis Retail Permit Issuance Fee (Request for Proposals process)	\$2,000
Cannabis Delivery Permit Application Fee	\$2,400
Cannabis Retail Permit Renewal Fee	\$2,700
Cannabis Delivery Permit Renewal Fee	\$1,100
Cannabis Retail Permit Annual Regulatory Program Fee	\$23,000
Cannabis Retail Permit Transfer Application Fee	\$2,900



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Cannabis Delivery Permit Transfer Application Fee	\$2,900
Cannabis Retail Permit Transfer Issuance Fee	\$1,100
Cannabis Delivery Permit Transfer Issuance Fee	\$1,100
Cannabis Retail Permit Appeal by Applicant (Title 6)	AT-COST/ deposit
Cannabis Delivery Permit Appeal by Applicant (Title 6)	AT-COST/ deposit
Cannabis Retail Permit Reconsideration of Application post-Appeal (if remanded for reconsideration) (Title 6)	AT-COST/ deposit
Cannabis Delivery Permit Reconsideration of Application post-Appeal (if remanded for reconsideration) (Title 6)	AT-COST/ deposit
Cannabis Retail Conditional Use Permit Application (Title 17)	\$5,000 deposit
Mandatory Review of Conditional Use Permit for Cannabis Retail (Title 17)	AT-COST/ deposit
Cannabis Retail Conditional Use Permit Appeal by Applicant (Title 17)	AT-COST/ deposit

**Combined Cannabis Operation – Chapter 6.109.200 Fee schedule**

Cannabis combined cannabis operation permit application fee	\$2,900.00
Cannabis combined cannabis operation permit renewal fee	\$3,200.00
Cannabis combined cannabis operation permit annual regulatory program fee	\$30,000.00
Cannabis combined cannabis operation permit transfer application fee	\$3,100.00
Cannabis combined cannabis operation permit transfer issuance fee	\$1,100.00
Cannabis combined cannabis operation permit appeal by applicant (Title 6)	AT-COST/deposit
Cannabis combined cannabis operation permit reconsideration of application post-appeal (if remanded for reconsideration) (Title 6)	AT-COST/deposit
Cannabis combined cannabis operation conditional use permit application (Title 17)	\$5,000 deposit
Mandatory review of conditional use permit for cannabis combined cannabis operation (Title 17)	AT-COST/deposit
Cannabis combined cannabis operation conditional use permit appeal by applicant (Title 17)	AT-COST/deposit