

# **City and County of Denver Marijuana Establishment Permitting and Licensing Guide**

*Revised 12/16/2022*



## Purpose

The purpose of this guide is to educate licensed marijuana businesses in the City and County of Denver (“the City” or “Denver”) about certain licensing and permitting processes related to their licensed premises. Individuals who have not yet secured a location for their marijuana business should review the City’s [Marijuana Facility Location Guide](#) before securing a location for their marijuana business. prior to securing a location for their marijuana business.

This guide is not intended to be a comprehensive catalog of every permit or review a business may need to obtain from city agencies. Instead, this guide should provide additional guidance for navigating the *most common* processes an applicant may need to follow. This includes, but is not limited to, reviews by Denver Community Planning and Development, Denver Fire Department, Denver Wastewater, and Denver Excise and Licenses.

## Disclaimer

The purpose of this guide is to educate marijuana businesses on the licensing and permitting processes for marijuana businesses with a licensed premises in the City and County of Denver (the City). The City does not warrant or make any representations about the quality, content, accuracy, timeliness, or completeness of the information provided in this document. Such materials are subject to change without notification at any time and may not be up to date.

It is the applicant’s own responsibility to ensure that their location does not violate any applicable restriction in the Denver Zoning Code (“the zoning code”) or Former Chapter 59 (D.R.M.C. 59 et seq.) and is in compliance with any applicable state or city laws. Applicants should conduct their own research and investigation and engage the services of professionals. No person shall be deemed to have any entitlement or vested right to licensing under the Denver Revised Municipal Code by virtue of having received any previous license or permit from the city, including, by way of example, any zoning or building permit.

Businesses are responsible for ensuring they have received all necessary permits and reviews.

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*If you have questions regarding zoning,  
please contact:*

### **Commercial Zoning**

[www.denvergov.org/DS](http://www.denvergov.org/DS)

Email: [Zoning.Review@denvergov.org](mailto:Zoning.Review@denvergov.org)

[zoningreview@denvergov.org](mailto:zoningreview@denvergov.org)

General inquiries: 720-865-3000

*If you have questions regarding marijuana  
licenses, please contact:*

### **Excise and Licenses**

[www.denvergov.org/businesslicensing](http://www.denvergov.org/businesslicensing)

Email: [marijuanainfo@denvergov.org](mailto:marijuanainfo@denvergov.org)

General inquiries: 311 or 720-913-1311

## Abbreviations

The City commonly refers to departments or processes with abbreviations or shortened titles. The following terms will be used throughout this guide:

### Agencies and departments

- **EXL** – [Denver Department of Excise and Licenses](#) issues business licenses and permits.
- **DFD** – [Denver Fire Department](#) performs inspections related to verify compliance with adopted fire codes to ensure health and fire safety. Separate inspections can be performed related to building permits, business licensing and operational permits.
- **CPD** – [Community Planning and Development](#) reviews, approves, permits, and inspects all new construction and the establishment of new land and building uses for compliance with Denver’s building and fire codes, energy codes, and zoning codes.
- **DDPHE**- Denver Department of Public Health and Environment
- **DOTI** – [Department of Transportation and Infrastructure](#) city agency focused on increasing mobility and safety while reducing congestion and fighting climate change
- **MED** – [Marijuana Enforcement Division](#) is the state agency responsible for issuing state marijuana business licenses and permits (not a City agency).

### Certificates and permits

- **CO** – Certificate of Occupancy, issued by Community Planning and Development, after inspection.
- **COMMCon** – Commercial construction permit, issued by Community Planning and Development to a licensed general contractor (GC) to start and complete commercial building construction and interior renovations.

## Applying for a marijuana business license

Most applications for marijuana business licenses - including new business license, renewal, modification of premises, change of location, and change of ownership applications - must be submitted to EXL through [Denver's Online Permitting and Licensing Center](#). First-time applicants will need to [register for an account](#). EXL provides [step-by step videos](#) on its website to help walk you through the application process.

Medical and retail marijuana testing facilities and medical marijuana research and development facilities will continue to use [form applications](#) for new license applications, renewals, and amendments.

**TIP:** When filling out any application, use an email address you check often! This is how you will receive all communications about your application.

Different applications require different documents for submission. [Visit the EXL website](#) for a list of required documents for each application type (scroll to the bottom of the page and click on “Required information and documents for New Marijuana Business License Applications”).

For the quickest application processing time, make sure you have all required, valid documents and a valid credit or debit card for any required fees. Applications must include a valid state license number to be deemed complete. Learn more about the state licensing process [HERE](#).

Applications for hospitality, hospitality and sales, and store licenses require a public needs and desires hearing. If your business requires a public hearing, you will be scheduled for one before a hearing officer. The executive director of Excise and Licenses will issue a final decision, either recommending approval or denial of the license. If the director approves the license, you can begin the required inspections. Once you have passed all required inspections, your license could be issued. To learn more about public hearings, visit our [public hearings website](#). If your business does not require a public hearing, you can begin the inspection process once your application passes quality control.

If your business has a licensed premises and you will be doing any of the following, you will need approval from additional city agencies:

- Change of Use
- Rezoning
- Commercial construction
- Modification of premises
- Certificate of occupancy.

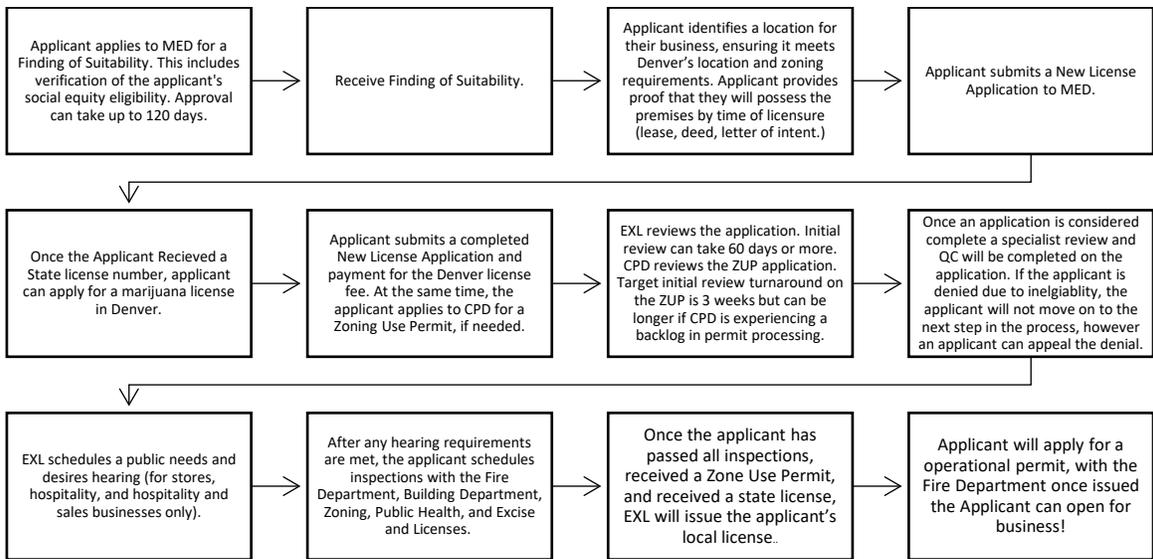
This is a non-exhaustive list.

*If you have questions regarding your application, please contact:*

**Excise and Licenses Applications**  
[www.denvergov.org/businesslicensing](http://www.denvergov.org/businesslicensing)  
Email: [ExlApplications@DenverGov.ORG](mailto:ExlApplications@DenverGov.ORG)  
General Inquiries: 311 or 720-913-1311

*If you have questions regarding the marijuana licensing process, please contact:*

**Excise and Licenses**  
[Cannabis Process Navigator](#)  
Email: [Shannon.Donnely@DenverGov.ORG](mailto:Shannon.Donnely@DenverGov.ORG)  
Phone: 303-242-4618



## Floor plan review with CPD, DFD, DPHE and EXL

All building, construction, CO, change of room use or zoning projects begin with plan review by different departments. Depending on the type of license activity the business will be conducting, plan review can include CPD, DFD, DOTI, and other departments based on the location and needs of the property. For example, if you plan to conduct extraction, your facility needs to go through a specific DFD permit review and approval of your proposed extraction processes. If you plan to manufacture edible products or have shared devices, you need to go through a DPHE review.

Multiple types of plans could be required for plan review. Businesses will need to work with design professionals and licensed contractors and subcontractors to create the required plans. Plans include but are not limited to a site plan, transportation plan, floor plans. **Note** - Different levels of floor plan detail may be required by the different reviewing departments, and mechanical, electrical and plumbing plans and others.

Each type of plan review will have a different application in the e-permits portal.

If you have questions about plan review, specific plan review emails below:

CPD - Zoning: [Zoning.Review@denvergov.org](mailto:Zoning.Review@denvergov.org) or 720-865-3000

CPD - Architectural, structural, and access control: [ArchStruc.Review@denvergov.org](mailto:ArchStruc.Review@denvergov.org)

CPD - Electrical: [Electrical.Review@denvergov.org](mailto:Electrical.Review@denvergov.org)

CPD - Mechanical and plumbing: [MechPlumb.Review@denvergov.org](mailto:MechPlumb.Review@denvergov.org)

CPD - In person: [Make an appointment](#)

DFD - [FireCodeQuestions@DenverGov.ORG](mailto:FireCodeQuestions@DenverGov.ORG)

EXL - [EXLApplications@DenverGov.ORG](mailto:EXLApplications@DenverGov.ORG)

DPHE - [DPHEPlanReview@DenverGov.ORG](mailto:DPHEPlanReview@DenverGov.ORG)

Learn about average plan review times per each department [HERE](#)

## Construction permits – CPD, DFD, Zoning (COMMCon)

Commercial construction permits (COMMCons) are issued to commercial contractors after construction plans have been reviewed and approved. The COMMCon permit covers all trades permits, including electrical, mechanical, plumbing, HVAC, and any other subcontractor for the property.

COMMCons have three types of inspections, including rough, final, and permitting. The building department will complete the rough and final inspections of subcontractor permits. Once final inspections are completed, the general contractor will call to close the COMMCon permit. All departments within CPD and DFD will inspect to close the commercial construction permit. Applicants can [check the status](#) of their inspections in the Online Permitting and Licensing Portal.

### Certificate of occupancy

COMMCon must be completed before you obtain a certificate of occupancy for the space. There will be inspections associated with the CO. During plan review, the building department will tell you what your certificate of occupancy is and how many people can be within your space.

To issue a certificate of occupancy (CO), inspectors will require:

- That all facets of the job are complete, including work from modified plans.
- A complete building inspection card, or cards for multiple permits, from the City and County of Denver, with all required rough and final inspection signatures, including all required agency signatures in the red box on the back of the card, or resulted on the construction permit.
- Final approval letters from any third-party engineers and inspectors.
- A final approval letter from the engineer of record.

To obtain your CO:

- Schedule and pass the 108 – Final inspection.
- Request your final agency CO approvals online through e-permits.
- Select the appropriate construction permit record by typing the permit number in the search bar.
- Once on the correct permit page, click "Record Info" > "Inspections"
- Click "Schedule or Request an Inspection" and follow the prompts to request the required agency approvals.

Required approvals will be listed on your final agency inspection record and could include the following agencies:

- Construction engineering
- Wastewater
- Denver Fire Department
- Public Health and Environment
- Zoning inspections

Once complete, the CO will be mailed to the property owner and emailed to the email contact listed on the permit. For more information on construction inspections, see [here](#) .

## **Licensing inspections – CPD, DFD, DPHE, EXL**

Once your COMMCon is closed and your CO and operational permits are issued, you will need to call for licensing inspections, using your BFN record number. Different departments require a different way to call for the inspections from the required departments. These inspections will happen within one to seven business days after calling the relevant agency. Applicants are expected to be present at the location after calling for licensing inspections. Licensing inspections are not scheduled in advance and inspectors will show up unannounced during regular business hours. All inspections must be passed and completed before EXL will come out for the final licensing inspection. Below are the required inspections for each type of business.

### Retail marijuana store

- DFD
- Zoning
- Building
- Public health inspections – DPHE
- EXL

### Cultivation

- DFD
- Zoning
- Building
- Environmental quality - DPHE
- EXL

### Manufacturing of infused product

- DFD
- Zoning
- Building
- Environmental quality – DPHE
- Public health inspections - DPHE
- EXL

### Hospitality and hospitality and sales

- DFD
- Zoning
- Building
- Environmental quality – DPHE
- Public health inspections - DPHE
- EXL

Once your business passes the final L-licensing inspection with EXL, your account will be reviewed to ensure all documents are valid. If all documents are valid, then your business license will be issued.

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)	✓	✓	✓	✓		✓
MIP	✓	✓	✓	✓	✓	✓
Cultivation	✓	✓	✓		✓	✓
Testing Facility	✓	✓	✓	✓		✓
Research & Development	✓	✓	✓	✓		✓
Off-Premises Storage Facility	✓	✓	✓	✓		✓

## Operational permits - DFD

All marijuana businesses are required to have a marijuana operational permit through the Denver Fire Department. Once the business has received a business license, they can be issued an operational permit. All marijuana permits are submitted using the marijuana operational permit application. This application should be completed to capture all business types, processes, quantities of hazardous materials, pesticide inventory, temporary heat, barbed wire, and any other operations that require permits. Some documents, based on type of license, could need to be included in the permit application. Items such as standard operating procedures (SOPs), hygenist/engineering reports and floor plans/site plans. Depending on the operations that are conducted at the site, additional types of required operational permits could be necessary as a business changes. (Hazmat, flammables, high piled storage.)

Operational permits must be renewed every year. Fees will be assessed at issuance and renewal. operational permits are effective for a 12-month period from the date of issue unless otherwise stated on the permit. You will receive notice via the contact information on file as a reminder of pending expired permits. Operational permits are issued via E-Permits.

## Begin license Operations

Once a business received its operational permit(s), it can begin the license activity and have regulated marijuana on the premise.

Modifications of premise: If the business changes its floor plan, does any construction, or adds any type of new allowed license activity within its premise, it must apply for a modification of premise with Excise and Licenses and inspections could be required. Learn more [here](#).

## **Floor Plan requirements -- EXL**

Excise and Licenses has requirements for the floor plan submitted as part of the initial applications. The applicant must provide a floor plan, or multiple floor plans, drawn to scale on a standard 8½ inches by 11 inches piece of paper. It is preferred and strongly recommended that you submit plans that have been prepared digitally by a design professional. Separate floors must be shown on separate pieces of paper and clearly identified (i.e. basement, first floor, etc.). Your floor plan must be complete and accurate. To learn more about what is needed for the Excise and Licenses floor plan, see [here](#)

## **Floor plan/site plan requirements -- DFD operational permits**

The Denver Fire Department has requirements for floor plans and site plans to be submitted as part of the application for your operational permit. The applicant must provide plan drawings that are to scale. Separate floors must be shown on separate pieces of paper and clearly identified (i.e. basement, first floor, etc.).

Site plans will need to contain property lines and significant site features. The plan drawings will need to indicate the locations of equipment, where tasks are performed, where hazardous materials are used and where hazardous materials are stored. The plan drawings must be to complete and accurate and provide sufficient information to review your operations. It is preferred and strongly recommended that you submit drawings that have been prepared digitally by a design professional.

## **Other plan requirements**

Applicants should consult with a design professional to create required floor plans for submission to all departments. Architects, engineers of many types, consultants and contractors could be needed to the different types of plans.

Here are the types of plans that could be required (this is a non-exhaustive list):

- Site development plan
- Zoning site plan
- Structural plans
- Transportation plan
- Wastewater and sewage plan
- MEP plans
- Operational floor plans/site plans

To learn more, contract with a licensed professional to create and submit any required plans.

## **Useful links for marijuana businesses**

### **Denver Fire Department**

<https://denvergov.org/Government/Agencies-Departments-Offices/Agencies-Departments-Offices-Directory/Fire-Department/Permits-Licensing/Fire-Safety-Operational-Permit-Groups/Marijuana>

<https://www.denvergov.org/content/dam/denvergov/Portals/678/documents/FPB/marijuana/Extraction%20Guideline%20DFD%203-30-2016.pdf>

### **Commercial zoning**

<https://denvergov.org/Government/Agencies-Departments-Offices/Agencies-Departments-Offices-Directory/Community-Planning-and-Development/Zoning-Permits/Apply-for-Commercial-Zoning-Permits/Marijuana-Businesses>

### **DPHE**

<https://www.denvergov.org/Government/Agencies-Departments-Offices/Agencies-Departments-Offices-Directory/Public-Health-Environment/Environmental-Quality/Odors>

<https://www.denvergov.org/Government/Agencies-Departments-Offices/Agencies-Departments-Offices-Directory/Public-Health-Environment/Public-Health-Investigations/Cannabis-Consumer-Protection>

### **EXL**

<https://www.denvergov.org/Government/Agencies-Departments-Offices/Agencies-Departments-Offices-Directory/Business-Licensing/Business-Licenses/Marijuana-Licenses>

<https://www.denvergov.org/files/assets/public/business-licensing/documents/mj-floor-plan-requirements.pdf>