

**DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
MEDICAL CANNABIS PROGRAM**

PUBLIC NOTICE

**Notice of Availability of Cultivation Center and Retailer Licenses
For Applicants that Previously Scored 150 Points or More**

The Alcoholic Beverage and Cannabis Board (Board) hereby gives notice of the availability of cultivation center and retailer licenses for applicants that scored 150 points or more after submitting a medical cannabis cultivation center or dispensary application during the open application period that occurred between November 29, 2021, and March 28, 2022.

Specifically, Title 22-C of the District of Columbia Municipal Regulations require the Board to publish a Notice in the *D.C. Register* setting forth the process for the submission of available applications. The notice shall provide the address for submission and the process of obtaining application materials from the Board. This information shall also be provided on the Alcoholic Beverage and Cannabis Administration's (ABCA) website.

DC Law 24-0332, the Medical Cannabis Amendment Act of 2022 (Act), effective March 22, 2023, requires in relevant part that at least 50% of the new cultivation center and retailer licenses made available by the Board be set aside for social equity applicants, as defined in the Act.

DC Act 25-0093, the Medical Cannabis Clarification Supplemental Emergency Amendment Act of 2023, effective April 26, 2023, establishes time periods that cultivation center and dispensary applicants that submitted an application between November 29, 2021 and March 28, 2022, and scored 150 points or more can file a corrected application with the Board, including an application to change the facility location.

The notice addresses the regulatory requirement by publishing in the *D.C. Register* the time periods that cultivation center and dispensary applicants that scored 150 points or more can file a corrected application with the Board.

The Board provides the following information regarding the application process timeline:

1. The first day for a cultivation center applicant that submitted a cultivation center application between November 29, 2021 and March 28, 2022 (open application period), and scored 150 points or more to file a corrected cultivation center application with the Board shall be 9:00 a.m. EST on Monday, May 1, 2023. The last day for a cultivation center applicant that submitted a cultivation center application during the open application period, and scored 150 points or more to file a corrected cultivation center application with the Board is 4 p.m., on Wednesday, May 1, 2024.
2. The first day for a retailer applicant that submitted a dispensary application during the open application period, and scored 150 points or more to file a corrected retailer

application with the Board shall be 9:00 a.m. EST on Wednesday, November 1, 2023. The last day for a retailer applicant that submitted a dispensary application during the open application period, and scored 150 points or more to file a corrected retailer application with the Board is 4 p.m., on Wednesday, May 1, 2024.

3. Applications shall be submitted during the open application period in hard copy to the ABCA Medical Cannabis Program, 2000 14th Street, NW, Suite 400 South, Washington, DC 20009, or uploaded electronically as instructed on the application. It is your responsibility to submit in a manner to ensure confirmation of delivery with a date and time stamp.
4. Application forms and instructions are currently available on the ABCA website at <http://abca.dc.gov>. If you have trouble accessing the application, please contact abca.cannabislicensing@dc.gov. A list of the applicable application fees to be submitted with the application is currently available on the ABCA website. **All application fees are nonrefundable.**
5. An initial application fee previously paid to ABCA by a cultivation center or dispensary applicant that scored 150 points or higher during the open application period shall be credited toward the entire cost of the applicant's cultivation center or retailer application fee.
6. Each applicant is strongly encouraged to read the regulations adopted by the Board on April 12, 2023 carefully before submitting an application. You will not be allowed to change the location on your application, excluding conditional license applicants, after the applicable open application period has ended.
7. **PLEASE READ CAREFULLY:** Please note prior to filing your application the following:
 - a. A location for a cultivation center or retailer cannot be located within any residential district or within 300 feet of a preschool, primary or secondary school, or a recreation center.
 - b. The 300 foot restriction does not apply where the main entrance to the preschool, primary or secondary school, or recreation center, or the nearest property line of the school or recreation center, is actually on or occupies ground zoned commercial or industrial according to the official atlases of the Zoning Commission of the District of Columbia.
 - c. An applicant for a retailer license cannot be located within 400 feet of an existing retailer or a previously submitted retailer application filed by another applicant during an open application period.
 - d. In the event that two or more retailer applications filed during an open application period are for locations within 400 feet of each other, ABCA shall proceed forward with the application that is first in time. If that application is subsequently

denied, ABCA shall proceed forward with the application that is second in time, third in time, et cetera, until an application is approved.

- e. An applicant for a cultivation center license may not already hold or have an ownership interest in more than one cultivation center license.
- f. An applicant that filed more than one cultivation center registration application during the open application period with one or more of the same owners shall only be considered for one cultivation center license.
- g. An applicant that filed more than one dispensary registration application during the open application period with one or more of the same owners shall only be considered for one retailer license.
- h. A corrected application for a cultivation center or retailer license that changes the proposed location of the cultivation center or retailer that is accepted by the Board will be required to undergo a 45-day public comment period.

Applicants must **e-mail** all written questions or requests for clarification regarding this announcement or the application process to abca.cannabislicensing@dc.gov with “MC Application Question” in the subject line. Questions and responses will be posted on ABCA’s website: www.abca.dc.gov. Questions will not be answered on an individual basis. Furthermore, ABCA may decide not to answer a question and the agency is not obligated to answer all questions. Applicants should also monitor ABCA’s website for questions or responses and other information about the program. **Phone inquiries will not be accepted.**

Finally, all applicants should be advised that federal law makes cannabis a controlled substance and has placed cannabis in Schedule I of the Controlled Substance Act. Growing, distributing, and possessing cannabis in any capacity, other than as a part of a federally authorized research program, is a violation of federal laws. The District of Columbia’s law authorizing the District’s medical cannabis program will not excuse any person from any violation of the federal laws governing cannabis or authorize any licensee to violate federal laws. Therefore, participation in the program is at your own risk.