

**INTO THE WEEDS:
CLEAR CREEK COUNTY'S
RESOLUTION #2013-076**

A resolution for
the regulation
and licensing
of marijuana
business
establishments

INTO THE WEEDS

- Amendment 64
- Passed in Colorado: 54.8%
- Passed in Clear Creek County: 64.0%

- Total County Population: 9,031 ('13 proj)
- AADT I-70 Traffic Count: ±40,000

- Limited Staff Resources
- Will become even more limited in near future

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- Staff agreed early on to focus on the licensing procedure for marijuana regulation rather than zoning authority
- County already allowed medical establishments, by right, in certain commercial zoning districts.
- It was easy to continue with the momentum, allow retail establishments in same zoning districts, and provide for specific regulation in marijuana licensing procedure.

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- Resolution #2013-076 was adopted on Sept. 24, 2013

- 1. Section 1.07 Dual Location of License Types
- 2. Section 1.08 Operation Limitations
- 3. Section 1.09 Prohibited Locations
- 4. Section 2.01 Establishment of Local Licensing Authority
- 5. Section 3.01/3.02 Medical Marijuana Licenses and Retail Marijuana Licenses

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6. **Section 3.03** A local license pursuant to these Regulations shall apply to a specific person, a particular Marijuana Establishment, and a specific Premises, and will not be transferrable to another person, a different Establishment, or different Premises except as provided by these Regulations.
7. **“Conversion”** requires a new license.
8. **Section 4.03** Duration of Local Licenses: one (1) year

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■ Processing and Review Agencies

1. Building Official
2. Planning Department
3. Environmental Health Specialist
4. Site Development Coordinator
5. County Sheriff
6. Fire Authority

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- Fees:

\$1000 application fee (including renewals)

\$75 license fee

INTO THE WEEDS

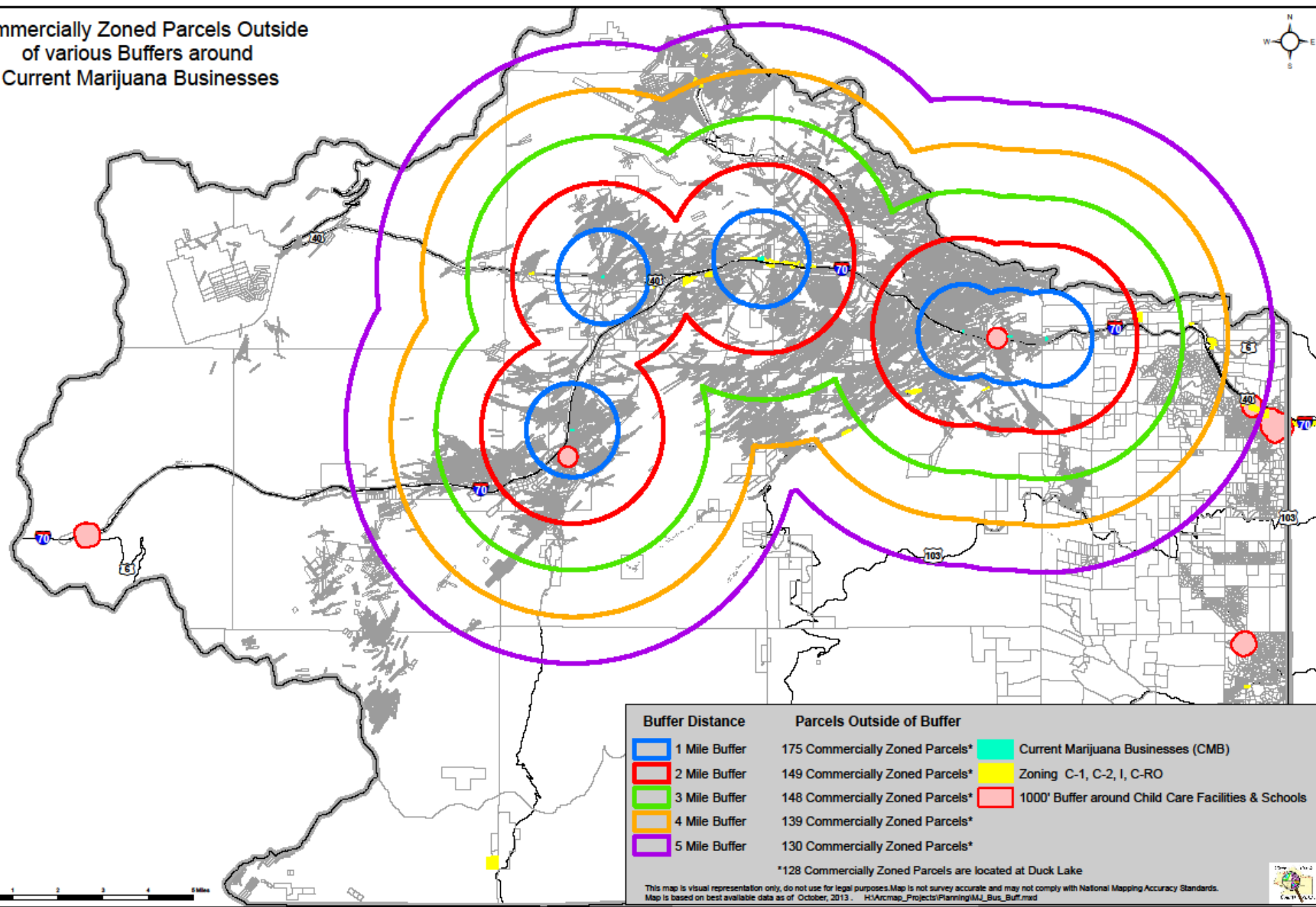
■ Section 1.08 Operation Limitations

1. All product storage shall be indoors. Products and accessories shall not be visible from a public sidewalk or right-of-way or adjacent property
2. Establishment shall be operated from a permanent location.
3. Indoor premises shall be ventilated so odor cannot be detected by a person with a normal sense of smell at exterior of the premises or adjoining use/property.
4. Restricted Hours: 8:00 am – 9:00 pm
5. No use of metals, butane, propane, solvent/flammable product unless reviewed and verified safe and in compliance with applicable codes by a qualified industrial hygienist.

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- **Section 1.09 Prohibited Locations (for medical centers and retail stores only)**
 1. Within 1000' of a licensed child care center
 2. Within 1000' of any school
 3. Within 5 miles (yes, miles) of another medical marijuana center or retail store
 4. No License may be issued to operate in a residential zone district as a “home occupation” as defined by Clear Creek County Zoning Regulations

Commercially Zoned Parcels Outside
of various Buffers around
Current Marijuana Businesses



Buffer Distance	Parcels Outside of Buffer	Legend
1 Mile Buffer	175 Commercially Zoned Parcels*	Current Marijuana Businesses (CMB)
2 Mile Buffer	149 Commercially Zoned Parcels*	Zoning C-1, C-2, I, C-RO
3 Mile Buffer	148 Commercially Zoned Parcels*	1000' Buffer around Child Care Facilities & Schools
4 Mile Buffer	139 Commercially Zoned Parcels*	
5 Mile Buffer	130 Commercially Zoned Parcels*	

*128 Commercially Zoned Parcels are located at Duck Lake

This map is visual representation only, do not use for legal purposes. Map is not survey accurate and may not comply with National Mapping Accuracy Standards. Map is based on best available data as of October, 2013. H:\Arcmap_Projects\Planning\MM_Bus_Buff.mxd



LESSONS LEARNED

Into the
weeds

INTO THE WEEDS

- Level of Interest Surprised us; especially for cultivation licenses:
 1. Agricultural zoning district inadequate and awkward Remedy with Special Use Permit requirement
 2. Time and effort: *“It barely pays for itself”*
 3. Some difficulty synching with state licensing process