

**ARAPAHOE COUNTY
COMMERCIAL MARIJUANA STORE LICENSING POLICY**

Section 1 – Purpose. The purpose of this Policy is to protect the public health, safety, and welfare of the citizens of Arapahoe County by establishing specific standards for the issuance and renewal of Local Licenses, ownership changes, change of location, and modifications of premises within unincorporated Arapahoe County.

Section 2 – Authority. This Policy is adopted pursuant to the Colorado Constitution Article XVIII, Sections 14 and 16, the Colorado Marijuana Code, Colorado Revised Statutes §§ 44-10-101, *et seq.* as amended, and Arapahoe County Ordinance 2022-01.

Section 3 – Definitions. Unless otherwise defined in this Policy, all terms herein shall have the meaning as set forth in the Colorado Constitution Article XVIII, Sections 14 and 16, the Colorado Marijuana Code, and the Arapahoe County Land Development Code.

a. Arapahoe County Land Development Code – Means the land development code adopted by the Board of County Commissioners of Arapahoe County, including Section 3-3.5 Marijuana Land Uses, Section 5-3.4 Use By Special Review, Section 7-2 Definitions, and any other provision related to or necessary for the implementation of this Policy.

b. Authority – Means the State Licensing Authority under the Department of Revenue pursuant to the Colorado Marijuana Code.

c. Colorado Marijuana Code – Means the provisions provided in Colorado Revised Statutes §§ 44-10-101, *et seq.* as amended, and any regulations promulgated thereto.

d. Local License – Means a medical marijuana store license and/or a retail marijuana store license issued by the Local License Authority pursuant to the Colorado Marijuana Code.

e. Local License Authority – The Arapahoe County Board of County Commissioners or its designee.

f. State License – Means a medical marijuana store license and/or a retail marijuana store license issued by the Authority pursuant to the Colorado Marijuana Code.

Section 4 – General Provisions.

a. A Local License may only be issued with respect to those premises that are allowed to be used for purposes of a medical marijuana store and/or a retail marijuana store pursuant to Arapahoe County Land Development Code Section 3-3.5 (Marijuana Land Uses).

b. A Local License issued pursuant to this Policy shall be valid for a period of one (1) year and mirror the expiration date of the State License.

c. Each type of license must be applied for and issued separately.

Section 5 – New Local License Application Procedures.

a. The applicant must complete and submit to the Authority an application for a corresponding State License prior to applying for a Local License. The applicant must provide a copy of the completed Authority application to the Local License Authority along with the Local License Authority application.

b. The applicant must complete and submit the Local License Authority application and fees to the Arapahoe County Attorney's Office, 5334 South Prince Street, Littleton, Colorado 80120-

1136. The application for a new Local License is available from the Local License Authority.

c. Upon receipt of a completed Local License Authority application and fees, the application will be referred to the Arapahoe County Planning Division to determine whether the applicant and application are in compliance with the Arapahoe County Land Development Code, and to the Arapahoe County Sheriff's Office to determine whether the applicant and application are in compliance with the Colorado Marijuana Code.

d. Upon confirmation from the Arapahoe County Planning Division that the applicant and application are in compliance with the Land Development Code, and the Arapahoe County Sheriff's Office that the applicant and application are in compliance with the Colorado Marijuana Code, the application **shall be placed on the Local License Authority's agenda for approval.**

e. In the event there is information from the Arapahoe County Planning Division that the applicant and/or application are not in compliance with the Land Development Code, or from the Arapahoe County Sheriff's Office that the applicant and/or application are not in compliance with the Colorado Marijuana Code, then the application will be scheduled for hearing. Such hearing shall be scheduled and conducted in compliance with the Colorado Marijuana Code. In the event there is a finding of non-compliance with the Land Development Code or with the Colorado Marijuana Code, the Local License Authority may deny the application for a Local License, or may, in the alternative, approve the Local License subject to conditions.

f. Upon approval by the Local License Authority, a new Medical Marijuana Store Local License or a new Retail Marijuana Store Local License will be issued for a period of one (1) year and mirror the expiration date of the State License, which is conditioned upon approval of a corresponding State License before it becomes effective. The Local Licensing Authority will provide a copy of the Local License to the Authority and the applicant.

g. If the request for a corresponding State License is denied by the Authority, then the application for a new Local License shall automatically be deemed to be concurrently denied by the Local License Authority.

Section 6 – Local License Renewal Procedures.

a. Prior to the expiration of a Local License, the license holder may apply for renewal of its license. It is recommended to start the renewal application process ninety (90) calendar days prior to the expiration of the Local License.

b. An application for a Local License renewal where the Local License has been expired for not more than thirty (30) calendar days shall be allowed but shall incur a late fee as provided herein.

c. The Local License Authority will not review any Local License renewal application for a Local License that has expired for more than thirty (30) calendar days. In the event that more than thirty (30) calendar days has passed since the expiration of the Local License and no renewal application is received, the Local License will be terminated. The Local License Authority shall provide notice of the termination of the Local License to the Authority and to the license holder.

d. The applicant must complete and submit to the Authority an application for a corresponding State License renewal prior to applying for a Local License. The applicant must provide a copy of the completed Authority application to the Local License Authority along with the Local License Authority application.

e. An applicant for a renewal of the Local License must complete and submit the Local License renewal application and fees to the Arapahoe County Attorney's Office, 5334 South Prince Street, Littleton, Colorado 80120-1136. The application for renewal of a Local License

is available from the Local License Authority.

f. Upon receipt of a completed Local License renewal application and fees, the application will be sent to the Arapahoe County Planning Division to determine whether the applicant and application are in compliance with the Arapahoe County Land Development Code, and to the Arapahoe County Sheriff's Office to determine whether the applicant and application are in compliance with the Colorado Marijuana Code.

g. Upon confirmation from the Arapahoe County Planning Division that the applicant and application are in compliance with the Land Development Code, and the Arapahoe County Sheriff's Office that the applicant and application are in compliance with the Colorado Marijuana Code, the application **shall be placed on the Local License Authority's agenda for approval.**

h. In the event there is information from the Arapahoe County Planning Division that the applicant and/or application may not be in compliance with the Land Development Code, or from the Arapahoe County Sheriff's Office that the applicant and/or application may not be in compliance with the Colorado Marijuana Code, then the application will be scheduled for hearing. Such hearing shall be scheduled and conducted in compliance with the Colorado Marijuana Code. In the event there is a finding of non-compliance with the Land Development Code or with the Colorado Marijuana Code, the Local License Authority may deny the application for a Local License, or may, in the alternative, approve the Local License subject to conditions.

i. Upon approval by the Local License Authority, renewal of the Medical Marijuana Store Local License or renewal of the Retail Marijuana Store Local License will be issued for a period of one (1) year and mirror the expiration date of the State License, and such renewal is conditioned upon approval of a corresponding State License renewal before it becomes effective. The Local Licensing Authority will provide a copy of the renewed Local License to the Authority and the applicant.

j. If the request for a corresponding State License renewal is denied by the Authority, then the application for renewal of the Local License shall automatically be deemed to be concurrently denied by the Local License Authority.

Section 7 – Other Application Procedures. A license holder may apply for approval for a Local License transfer of ownership, an internal ownership structure change, change of trade name, change of location, or for a modification of premises, as follows:

a. The applicant must complete and submit to the Authority an Authority application for a corresponding State transfer of ownership, an internal ownership structure change, change of trade name, change of location, or for a modification of premises prior to applying to the Local License Authority. The applicant must provide a copy of the completed Authority application to the Local License Authority along with the Local License Authority application.

b. An applicant must complete and submit a Local License application and fees to the Arapahoe County Attorney's Office, 5334 South Prince Street, Littleton, Colorado 80120-1136. The Local License Authority application for a transfer of ownership, internal ownership structure change, change of trade name, change of location, or modification of premises is available from the Local License Authority.

c. A transfer of ownership application must be accompanied by a concurrent new Local License application from the new owner and follow Section 5 above.

d. Upon receipt of a completed Local License application and fees for a transfer of ownership, an internal ownership structure change, or change in trade name, the application will be reviewed by staff determine whether the application is in compliance with the Colorado Marijuana Code and this Policy.

e. Upon receipt of a completed Local License application and fees for a change of location, or for a modification of premises, the application will be sent to the Arapahoe County Planning Division to work with the applicant to review and determine whether the application is in compliance with the Arapahoe County Land Development Code. Any modification to the premises is limited to what is allowed by the Arapahoe County Land Development Code. The Arapahoe County Planning Division will notify the Local License Authority when the application is in compliance with the Arapahoe County Land Development Code and when any location change or modifications are completed.

h. Upon proof the Authority has determined that the State Licensing Authority application is in compliance with the Colorado Marijuana Code, and upon approval by the Local License Authority, the transfer of ownership, internal ownership structure change, change of trade name, change of location, or modification of premises shall be authorized by the Local Licensing Authority, and the application shall be placed on the Local License Authority's agenda for approval.

i. Upon approval by the Local License Authority, a new Medical Marijuana Store Local License or a new Retail Marijuana Store Local License will be issued for a period mirroring the expiration date of the State License, which is conditioned upon approval of a corresponding State License before it becomes effective. The Local Licensing Authority will provide a copy of the Local License to the Authority and the applicant.

j. If the request for a corresponding State License is denied by the Authority, then the application for a transfer of ownership and new Local License shall automatically be deemed to be concurrently denied by the Local License Authority.

Section 8 – Fees: Local License Authority. Fees pursuant to this Policy are to be paid by check or money order to the Arapahoe County Treasurer's Office, 5334 South Prince Street, Littleton, Colorado 80120-1136 in the amounts as follows:

a. New Medical Marijuana Store License	\$5,000
b. Medical Marijuana Store License Renewal	\$2,500
c. New Retail Marijuana Store License	\$2,500
d. Retail Marijuana Store License Renewal	\$2,500
e. Renewal Application Late Fee (30 days or less)	\$500
f. Transfer of Ownership of Local License	\$100
g. Internal Ownership Structure Change	\$100/person
h. Change of Trade Name	\$100
i. Change of Location	\$1,000
j. Modification of Premises	\$1,000

Section 9 – Revocation or Suspension.

a. The Local License Authority may revoke or suspend any Local License based on the requirements found in the Colorado Constitution, Colorado Marijuana Code, the Arapahoe County Land Development Code, and/or this Policy subject to the provisions below.

b. In the event there is information from the Arapahoe County Planning Division that a license holder is not in compliance with the Land Development Code, or from the Arapahoe County Sheriff's Office that the license holder is not in compliance with the Colorado Marijuana Code, then the Local License holder will be notified of the scheduling of a license revocation or suspension hearing. Such hearing shall be scheduled and conducted in compliance with the

Colorado Marijuana Code. In the event there is a finding of non-compliance with the Land Development Code or with the Colorado Marijuana Code, the Local License Authority may revoke the Local License, or may, in the alternative, suspend the Local License subject to conditions. The Local License Authority will provide notice to the Authority and licensee of any revocation or suspension.

c. In the event that any State License is revoked or suspended by the Authority, the Local License shall automatically be deemed to be concurrently revoked or suspended by the Local License Authority.

Adopted December __, 2022, Resolution No. 22-__.

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