



Legislation Text

File #: 20-018, **Version:** 1

To: Arapahoe County Board of County Commissioners

Through: Ron Carl, County Attorney

From: Robert Hill, Asst. County Attorney

Subject:

Renewal of Medical Marijuana License for Medical Cannabis Colorado

Purpose and Recommendation:

Adoption of a resolution to renew a Medical Marijuana Local License pursuant to the Arapahoe County Medical Marijuana Policy for Medical Cannabis Colorado LLC d/b/a Cure Colorado located at 6200 E. Yale Ave., Unit B, Denver, CO 80222 to be valid from December 13, 2020 through December 12, 2021. The Department of Revenue requires the local jurisdiction to grant a renewal license prior to the State of Colorado issuing its renewed Medical Marijuana Facility State License.

Background:

In November 2000, Colorado voters passed Amendment 20 creating an exception to state criminal laws, allowing the use of medical marijuana in certain limited circumstances. The Colorado General Assembly in the 2010 legislative session established the Colorado Medical Marijuana Code, which created a State Licensing Authority under the Department of Revenue (the “Authority”) and created a local option for the County.

The Board of County Commissioners (“BOCC”) adopted a temporary moratorium on medical marijuana land uses on December 15, 2009. On March 15, 2011, the BOCC adopted a resolution amending its Land Development Code Regulations by adding a new section 12-1800 “Medical Marijuana Land Uses,” which prohibits new medical marijuana facilities but allows those facilities existing as of December 15, 2009 to continue as legal non-conforming uses. At that time, a total of up to four (4) medical marijuana facilities were potentially in existence and in compliance with the Land Development Code non-conforming use requirements. These facilities require a medical marijuana facility local license from the County.

On June 26, 2012, the BOCC adopted the “Arapahoe County Medical Marijuana Licensing Policy,” which created standards for medical marijuana facility local licenses issuance by the County. The County relies on the State Licensing Authority under the Department of Revenue (the “Authority”) to determine whether the applicant for a medical marijuana facility local license is in compliance with the Colorado Medical Marijuana Code. If in compliance, then the County will determine whether the applicant is one of the four medical marijuana facilities that were potentially in existence as of December 15, 2009, and whether the applicant is currently in compliance with the Land Development Code non-conforming use requirements. If in compliance, then the application will be placed on the BOCC consent agenda for renewal and issuance of the medical marijuana facility local license.

On November 29, 2012, pursuant to the Arapahoe County Medical Marijuana Licensing Policy, the BOCC approved and issued a Medical Marijuana Local License for Medical Cannabis Colorado LLC d/b/a Cure Colorado. The license was previously renewed annually with the most recent renewal on December 17, 2019 with an expiration date of December 12, 2020.

On September 22, 2020, the BOCC adopted the Arapahoe County Marijuana Licensing Policy (“the Policy”) to establish standards for the issuance and renewal of “Local Licenses” for both medical and retail marijuana businesses. This Policy replaces the 2012 Medical Licensing Policy.

Discussion:

On October 20, 2020, the Arapahoe County Zoning Department confirmed that Medical Cannabis Colorado LLC d/b/a Cure Colorado was in compliance with the Arapahoe County Land Development Code Regulations. On October 22, 2020, the Arapahoe County Sheriff’s Office provided that there were no material issues or concerns with Medical Cannabis Colorado LLC d/b/a Cure Colorado.

The application for renewal of the Medical Marijuana Local License of Medical Cannabis Colorado LLC d/b/a Cure Colorado at 6200 E. Yale Ave., Unit B, Denver, CO 80222 is in compliance with the requirements of the Policy and the Land Development Code.

Pursuant to the Arapahoe County Medical Marijuana Licensing Policy, renewal and issuance of a Medical Marijuana Local License for Medical Cannabis Colorado LLC d/b/a Cure Colorado is being placed on the BOCC consent agenda for approval.

Alternatives:

The Board may deny the application for renewal of the medical marijuana license for this property upon a finding that the proposed application does not comply with a particular requirement of the Policy or Section 3-3.5 of the Land Development Code.

Fiscal Impact:

There is no fiscal impact to the County.

Reviewed By:

See above

Attachments:

Draft resolution