

STATE OF COLORADO)
COUNTY OF ADAMS)

At a regular meeting of the Board of County Commissioners for Adams County, Colorado, held at the Government Center in Brighton, Colorado on the 16th day of December, 2014 there were present:

Charles "Chaz" Tedesco _____ Chair
Eva J. Henry _____ Commissioner
Erik Hansen _____ Commissioner
Heidi Miller _____ County Attorney
Mark Moskowitz, Deputy _____ Clerk of the Board

when the following proceedings, among others were held and done, to-wit:

Resolution 2014-358

RESOLUTION APPROVING MARIJUANA REGULATION AMENDMENTS IN
UNINCORPORATED ADAMS COUNTY

WHEREAS, on November 6, 2012, the voters of Colorado approved the adoption of Amendment 64, thereby adding Article XVIII, Section 16, Personal Use and Regulation of Marijuana, to the Colorado Constitution; and

WHEREAS, Article XVIII, Section 16 of the Colorado Constitution provides for the licensing and regulation of recreational marijuana establishments, including marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities and retail marijuana stores; and

WHEREAS, on August 12, 2013, the BOCC passed an ordinance temporarily banning the operation of marijuana establishments including marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities, and retail marijuana stores within the boundaries of Unincorporated Adams County, Colorado through December 31, 2014; and

WHEREAS, in November 2000, voters of the State of Colorado passed Amendment 20 to the State's Constitution legalizing medical marijuana; and

WHEREAS, the Colorado Medical Marijuana Code was enacted in legislation passed by the Colorado General Assembly in 2010, which granted local governments the authority to allow or prohibit medical marijuana businesses; and,

WHEREAS, the Colorado Medical Marijuana Code clarifies Colorado law regarding the scope and extent of Amendment 20 to the Colorado Constitution, and authorizes a mechanism for the sale, distribution, cultivation, and dispensing of medical marijuana known as a "medical marijuana center," and further authorizes licensing mechanisms known as an "optional premise cultivation operation" and a "medical marijuana infused products manufacturer"; and

WHEREAS, on December 8, 2010, the BOCC passed a resolution prohibiting the establishment and operation of medical marijuana facilities within Adams County; and

WHEREAS, the BOCC has extensive authority to regulate land use within Adams County, including, but not limited to, laws relating to the County Planning and Building Codes, and the Local Government Land Use Control Enabling Act; and

WHEREAS, the Adams County Planning and Development Department, Neighborhood Services Department, Finance Department, and County Attorney's Office recommend Approval of the Marijuana Regulation Amendments.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that these Marijuana Regulation Amendments, as outlined in Case No. PLN2014-00033, be Approved.

BE IT FURTHER RESOLVED that the portion of these regulations pertaining to medical marijuana establishments shall not come into effect unless and until the BOCC repeals its current prohibition on medical marijuana establishments within Unincorporated Adams County.

BE IT FURTHER RESOLVED that the portion of these regulations pertaining to retail marijuana establishments shall come into effect when the existing temporary ban on retail marijuana establishments within Unincorporated Adams County expires on December 31, 2014.

BE IT FURTHER RESOLVED that the BOCC shall allow a maximum of 10 marijuana establishments, including a maximum of any combination of 3 retail marijuana stores / medical marijuana centers (in the event medical marijuana operations are allowed in Unincorporated Adams County); a maximum of any combination of 3 marijuana cultivation facilities / medical marijuana optional premises cultivation operations (in the event medical marijuana operations are allowed in Unincorporated Adams County); a maximum of any combination of 3 retail marijuana product manufacturing facilities / medical marijuana infused products manufacturers (in the event medical marijuana operations are allowed in Unincorporated Adams County); and a maximum of 1 retail marijuana testing facility, through December 31, 2015.

BE IT FURTHER RESOLVED that in the event that the County receives more than 10 qualifying applications for marijuana establishments as specified above, the County reserves the right to establish a process to fairly select which establishments shall be approved.

Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

Henry	_____	Aye
Tedesco	_____	Aye
Hansen	_____	Nay
Commissioners		

STATE OF COLORADO)
County of Adams)

I, Karen Long, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, Colorado this 16th day of December, A.D. 2014.

County Clerk and ex-officio Clerk of the Board of County Commissioners

Karen Long:



By:



Deputy