

ORDINANCE NO. 2567

INTRODUCED BY: CHACON, DOUGLAS, DOUGLAS, DUKES, FORD, KIM, MADERA, NOBLE, TETER

AN ORDINANCE EXTENDING THE EXISTING MORATORIUM ON NEW RETAIL AND MEDICAL MARIJUANA STORE LICENSES IN WARDS I AND II IN THE CITY OF COMMERCE CITY BY AN ADDITIONAL SIX MONTHS

WHEREAS, following the legalization of medical marijuana in Colorado, the City Council authorized the licensing and operation of medical marijuana businesses by passage of Ordinance 1894 on June 18, 2012;

WHEREAS, following the legalization of recreational marijuana in Colorado, the City Council enacted a moratorium on the licensing and operation of recreational marijuana businesses by passage of Ordinance 1954 on May 6, 2013;

WHEREAS, the moratorium on recreational marijuana licensing was extended by passage of Ordinance 2011 on July 7, 2014;

WHEREAS, the moratorium on recreational marijuana licensing was repealed by passage of Ordinance 2055 on June 1, 2015;

WHEREAS, the City Council authorized the licensing and operation of recreational marijuana businesses by passage of Ordinance 2050 on June 1, 2015;

WHEREAS, currently the City has 39 medical and recreational marijuana licenses that are active or in process and 37 of the 39 licenses are located within Wards I and II of the City;

WHEREAS, retail marijuana and medical marijuana stores are highly visible to the public and are disproportionately concentrated in Wards I and II of the City;

WHEREAS, the City Council wishes to ensure the equitable distribution of marijuana stores throughout the City, study the potential new or increased regulations related to development standards, security standards, and licensing caps for retail stores;

WHEREAS, City Council passed Ordinance 2527 which enacted a twelve-month moratorium on new recreational and medical marijuana retail stores in Wards I and II beginning on August 1, 2023 and expiring on July 31, 2024 (the "Moratorium"); and

WHEREAS, City Council wishes to extend the Moratorium until February 1, 2025 to allow sufficient time, study, and deliberation on how the continued licensing of new marijuana retail stores in the City shall best serve the interest of the City and its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO, AS FOLLOWS:

SECTION 1. Findings. The recitals to this ordinance are incorporated as findings of the City Council. This ordinance is found to be necessary for the preservation of the public health, safety, and welfare and is found to be in the public interest.

SECTION 2. Amending CCRMC Sec. 8-2500. Section 8-2500 of the Commerce City Revised Municipal Code is hereby amended as set forth in Exhibit A to this Ordinance.

SECTION 3. Inconsistencies; Conflicts. Except as specifically modified herein, the provisions of the Commerce City Revised Municipal Code shall remain unchanged and in full force and effect. All ordinances and provisions of the Commerce City Revised Municipal Code, or portions thereof, inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

SECTION 4. Effect on Existing Licenses and Applications; Savings. Nothing in this ordinance shall be construed to modify the current appointment of the Marijuana Licensing Authority or to reduce or modify the authority or prior actions and orders of the Marijuana Licensing Authority, except as specifically provided.

SECTION 5. Effective Date. This ordinance shall be effective five (5) days after both final posting and publication have been accomplished as provided in section 5.6 of the City Charter.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED
THIS 17TH DAY OF JUNE 2024.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED
THIS 15TH DAY OF JULY 2024.

CITY OF COMMERCE CITY, COLORADO

Steve J. Douglas, Mayor

ATTEST

Dylan A. Gibson, City Clerk