

BEFORE THE SELECTION DIVISION
MARIJUANA LICENSING AUTHORITY
CITY OF LONGMONT, COLORADO

IN THE MATTER OF:

The Green Solution – 206 S. Main St., Longmont, Colorado

The Medicine Man – 500 E. Rogers Rd., Longmont, Colorado

Terrapin Care Station – 650 20th Ave., Longmont, Colorado

Yuma Way – 900 S. Hover St., Unit A, Longmont, Colorado

ORDER

This matter comes before the Selection Division (“Division”) of the Marijuana Licensing Authority (“Authority”) for the City of Longmont, Colorado.

BACKGROUND:

The City of Longmont adopted an ordinance amending Title 6 of the Longmont Municipal Code on marijuana store regulation. The Marijuana Licensing Authority for the City of Longmont is established under L.M.C. 6.70.040. The City provides a cap of licenses under L.M.C. 6.70.070.

The deadline for applications filed with the City was November 29, 2017. The deadline to submit the concurrent State application to the State of Colorado and the deadline for the Colorado Marijuana Enforcement Division was December 29, 2017. March 29, 2018 was the deadline for the Colorado Marijuana Enforcement Division to notify the City whether or not the applications had been either conditionally approved or rejected.

The application first went through review by the Technical Advisory Committee (“TAC”). These are the subject matter experts in their particular areas of expertise. The Technical Advisory Committee completed its review on May 22, 2018, prepared a detailed report of its findings, and provided this to the Division. The Division performed its independent review and due diligence of the application and the Authority now issues this Order.

The TAC and the Division looked at a number of different factors during their review. These include application requirements, locational requirements, and submittal requirements for a new license. See L.M.C. 6.70.100, 6.70.105, and 6.70.110.

ANALYSIS:

The City of Longmont is a municipal corporation and acts with authority granted to the city by Article XX of the Colorado Constitution, municipal charter, and the laws of the State of Colorado. The Authority acts in accordance with this authority, Sections 14 and 16 of Article XVIII of the Colorado Constitution, the Colorado Medical Marijuana Code, C.R.S. §12-43.3-103, as amended, the regulations thereto at 1 CCR 212-1, the Colorado Retail Marijuana Code, C.R.S. §12-43.4-103, as amended, and the regulations thereto at 1 CCR 212-2.

The cultivation, testing, manufacturing and retail sale of marijuana and marijuana related products is illegal under federal law. The City of Longmont and this Authority provides no guarantees whatsoever that the applicants may not face criminal and/or civil liability under federal law.

FINDINGS AND ORDER:

1. The Division adopts in its entirety the reports for each applicant dated May 18, 2018 of the TAC and incorporates them by reference herein. The Division finds these reports credible. The Division further finds the reports to be relevant and thorough in both their detail and analysis, and otherwise consistent with the Title 6 of the Longmont Municipal Code on marijuana store regulation.
2. Upon review of the applications of the applicants, the reports of the TAC, all relevant documents and materials, public comments, and good cause appearing, the Division selects and the Authority hereby grants the applications for the applicants listed above.
3. The Division specifically finds that these applications taken together best provide convenience of location to the residents of the City, are compatible with surrounding neighborhoods with minimal impacts thereto, and represent a great diversity of retail choices and ownership of licenses backed by strong business and security plans. Taken together, and in consideration of all the factors of section 6.70.120(C), L.M.C., these applications provide the greatest benefit to the city and its inhabitants by offering and maintaining the safest environment, the best service, and the fewest negative impacts to the community.
4. The decision of the Division to grant these applications are unanimous.
5. Applicants hereby have 60 days from the date of the Order to contact the Marijuana Licensing Authority for the City of Longmont to confirm the granting of their application. Failure by any applicant to confirm the grant of their application within the time specified may result in withdrawal of the grant of the application.

Dated this 29th day of June, 2018.

MARIJUANA LICENSING AUTHORITY
CITY OF LONGMONT, COLORADO

