

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
SAN MIGUEL COUNTY, COLORADO,
AMENDING RESOLUTION #2012-10 AS IT PERTAINS TO THE ADOPTION OF
ADDITIONAL STANDARDS FOR THE ISSUANCE OF LICENSES FOR MEDICAL
MARIJUANA OPTIONAL PREMISES CULTIVATION LOCATED WITHIN
UNINCORPORATED SAN MIGUEL COUNTY, COLORADO**

Resolution #2016 - 11

WHEREAS, the San Miguel County, Colorado, Board of County Commissioners (“BOCC”), acting pursuant to Article XVIII, Section 14, of the Colorado Constitution, and the Colorado Medical Marijuana Code, C.R.S. Title 12, Article 43.3, on June 20, 2012 enacted Resolution No. 2012-10, “Adopting Additional Standards for the Issuance of Medical Marijuana Center, Optional Premises Cultivation, or Medical Marijuana – Infused Products Manufacturing Licenses for Licensed Premises located within Unincorporated San Miguel County, Colorado, including the Designation of a Local Licensing Authority,” which was further amended by the BOCC’s enactment of Resolution # 2014-17 that adopted Section 12A, Medical Marijuana Infused Product Manufacturing Standards;

WHEREAS, the BOCC conducted a duly noticed public hearing on May 4, 2016 at which it considered the County Planning Commission’s (“CPC”) recommended amendments to Section 5-29 of the San Miguel County Land Use Code (“LUC”) pertaining to Medical and Retail Marijuana Facilities & Establishments, following which the BOCC adopted the CPC’s recommended LUC amendments;

WHEREAS, the San Miguel County, Colorado, Medical Cannabis Local Licensing Standards, Exhibit “A” to BOCC Resolution No. 2012-10, in Section 3. License Restrictions (c) provides that “The local licensing authority shall not issue a Local Optional Premises Cultivation License unless the applicant for such license has also applied for and received state and local license approval for a Medical Cannabis (Marijuana) Center and/or a Medical Cannabis (Marijuana) - Infused Products Manufacturer located within the County, including within the boundaries of any municipality located within the county, or within the unincorporated area of the County.

WHEREAS, the BOCC does hereby find and determine from the evidence received and considered at the proceedings held in this matter on May 4, 2016 that the public health, safety and welfare, will continue to be served if the county’s licensing standards for Optional Premises Cultivation operations located within unincorporated San Miguel County no longer require such licensees to also hold current valid state and local license for a Medical Cannabis (Marijuana) Center and/or a Medical Cannabis (Marijuana) - Infused Products Manufacturer located within the County, including within the boundaries of any municipality located within the county, or within the unincorporated area of the County, while continuing to require such licensees to comply with the relevant provisions of §12-43.3-403(1), C.R.S. that require an Optional premises cultivation licensee to also hold a Medical Marijuana Center License issued pursuant to §12-43.3-402(1), C.R.S., or a Medical Marijuana-infused Products Manufacturing License issued pursuant to §12-43.3-404(1), C.R.S.,

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of San Miguel County, Colorado, as follows:

1. The San Miguel County, Colorado, Medical Cannabis Local Licensing Standards, Exhibit "A" to BOCC Resolution No. 2012-10, Section 3. License Restrictions (c), is hereby amended to read as follows:

(c) The local licensing authority shall not issue a Local Optional Premises Cultivation License unless the applicant for such license has also applied for and received state and local license approval for a Medical Cannabis (Marijuana) Center and/or a Medical Cannabis (Marijuana) - Infused Products Manufacturer located within the State of Colorado.
2. The provisions of this Resolution shall be deemed to be legally effective as of the date of its adoption and shall apply to all current and future San Miguel County approved Local Optional Premises Cultivation Licensees as of this resolution's adoption date
3. Except to the extent specifically amended by the provisions of subsection 1 of this Resolution, as set forth hereinabove, all other provisions of Resolution #2012-10, including Exhibit "A" thereto, as previously amended by Resolution #2014-17, shall remain in full force and effect.


DONE, APPROVED, and ADOPTED by the San Miguel County, Colorado, Board of County Commissioners at a duly noticed public meeting held on May 4, 2016 in Telluride, Colorado.

**BOARD OF COUNTY COMMISSIONERS
SAN MIGUEL COUNTY, COLORADO**

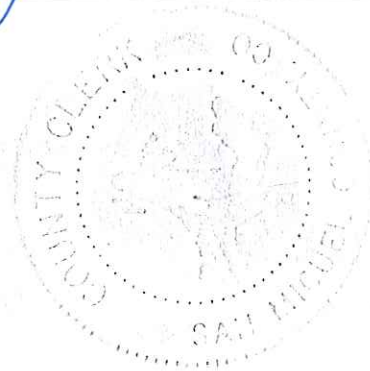


Joan May, Chair

ATTEST:



Chief Deputy Clerk to the Board



VOTE:	Joan May	<u>Aye</u>	Nay	Abstain	Absent
	Art Goodtimes	<u>Aye</u>	Nay	Abstain	Absent
	Elaine R.C. Fischer	Aye	Nay	Abstain	<u>Absent</u>

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