

TOWN OF PARACHUTE, COLORADO
RESOLUTION NO. 2019-08

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, ACTING AS THE LOCAL LICENSING AUTHORITY, GRANTING TO DIVISIONAL SOLUTIONS, LLC A LICENSE TO OPERATE A RETAIL MARIJUANA PRODUCT MANUFACTURING FACILITY AT PROPERTY LOCATED AT 101 CARDINAL WAY, UNIT #6.

WHEREAS, pursuant to Article XVIII, Section 16 of the Colorado Constitution and Articles 43.3 and 43.4 of Title 12 C.R.S., the Town Council of the Town of Parachute (the “Board”) adopted Chapter 6.11 of the Parachute Municipal Code (“PMC” or “Code”) to establish requirements for the licensing of retail marijuana establishments and medical marijuana establishments in the Town, designate the Council as the local licensing authority, and to regulate such establishments once licensed in order to protect the health, safety, and welfare of the citizens of the Town;

WHEREAS, Divisional Solutions, LLC (the “Applicant”) submitted an application pursuant to Chapter 6.11 for a license to operate a retail marijuana product manufacturing facility (the “Application”) at property located at 101 Cardinal Way, Unit #6 in Parachute, Colorado (the “Property” or “Proposed Licensed Premises”);

WHEREAS, the Property is zoned Neighborhood Commercial (NC)

WHEREAS, pursuant to Schedule of Uses contained at Section 15.02.230 of the Code, retail marijuana product manufacturing facility is a permitted use in the NC Zone District;

WHEREAS, pursuant to Section 6.11.100 of the Code, the Town Manager reviewed the Application and deemed it complete;

WHEREAS, pursuant to Sections 6.11.010 and 6.11.110.C of the Code, the Town Council may impose conditions on a license for a retail or medical marijuana establishment to protect the health, safety and welfare of Town residents and to govern the time, place, manner, and number of such establishments within the Town;

WHEREAS, pursuant to Sections 6.11.110 and 6.11.120 of the Code, the Town Council finds:

- a. The Application is complete and all fees have been paid;
- b. Public notice was properly provided pursuant to the provisions of Chapter 6.11
- c. The Applicant is qualified under the provisions of Chapter 6.11;
- d. The state license has been approved, conditioned on the granting of the license by the Town or has been applied for;
- e. The Proposed Licensed Premises complies with the design and performance requirements of the Colorado Medical Marijuana Code, Colorado Retail Marijuana

- Code, the Medical Marijuana Regulations, and the Retail Marijuana Regulations, and Chapter 6.11, as applicable;
- f. The operation of a retail marijuana product manufacturing facility in the location of the proposed licensed premises is not incompatible with the character of the immediate surrounding area and specific neighborhood; and
 - g. The Application otherwise complies with the requirements of Chapter 6.11; and

WHEREAS, the Town Council reviewed the Application at a duly noticed public hearing and, acting as the Local Licensing Authority, wishes to approve of the Application and grant Applicant a license to operate a retail marijuana product manufacturing facility on the Property, subject to conditions. set forth herein (the “Conditions”).

NOW THEREFORE, BE IT RESOLVED, BY THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, ACTING AS THE LOCAL LICENSING AUTHORITY, THAT:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Town Council, acting as the Local Licensing Authority, hereby approves Applicant’s Application and grants Applicant a license to operate a retail marijuana product manufacturing facility at the Property (the “License”), subject to the following conditions:

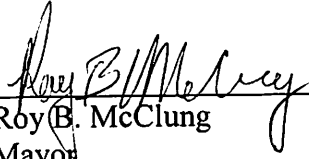
- a. All representations made in the Applicant’s written material or verbally as reflected in the minutes of the public meetings or hearings where the Application was presented to the Town Council are considered part of the Application and are binding on the Applicant.
- b. Applicant shall reimburse the town for any and all fees, including consulting costs, incurred in the review of the Application.
- c. Applicant shall comply with all requirements of Chapter 6.11.
- d. The retail marijuana product manufacturing facility to operate pursuant to this License shall be open for business within one (1) year of the date of this approval and failure to do so shall be grounds for suspension, revocation, and non-renewal of the license.
- e. Prior to commencing operations, Applicant will provide to the Town a plan by a qualified professional that will provide specifications for a state-of-the-art odor reduction system. The Town Manager will review such plan to determine if it is acceptable in his sole discretion. If determined to be unacceptable, such decision may be appealed by Applicant to Town Council.

Section 3. The Town Clerk is authorized to issue a form of License to Applicant.


INTRODUCED, PASSED, APPROVED, AND ADOPTED by a vote of 5 to 0 of the Town Council of the Town of Parachute, Colorado, acting as the Local Licensing Authority, at a regular meeting held at the Town Hall in the Town of Parachute, Colorado on the 21 day of FEBRUARY, 2019 and approved by the Mayor on the 21 day of FEBRUARY, 2019.

**TOWN COUNCIL OF THE
TOWN OF PARACHUTE, COLORADO,
ACTING AS THE LOCAL LICENSING
AUTHORITY**





Roy B. McClung
Mayor

ATTEST:


Lucy Cordova
Town Clerk