



AGENDA
TOWN OF PARACHUTE
PLANNING COMMISSION REGULAR MEETING
TOWN HALL, 222 GRAND VALLEY WAY
MARCH 12, 2020 6:30 PM

The Town of Parachute will make reasonable accommodations for access to Town services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call (970) 285-7630, x-104 for assistance.

(A) ROLL CALL

(B) PLEDGE OF ALLEGIANCE

(C) APPROVAL OF AGENDA

(D) CONSIDERATION OF MINUTES OF REGULAR MEETING OF JANUARY 9, 2020

(E) PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The Planning Commission welcomes and thanks you for your time and concerns. If you wish to address the Planning Commission, this is the time set on the agenda for you to do so. When you are recognized, please step to the podium, state your name and address then address the Commission. Your comments will be limited to three (3) minutes. The Commission may not respond to your comments this evening, rather they may take your comments and suggestions under advisement and provide direction to the appropriate member of Town Staff for follow-up. Thank you.

PLEASE SILENCE ALL CELL PHONES, PAGERS, AND HANDHELD DEVICES. THANK YOU.

PLEASE NOTE THIS MEETING IS BEING AUDIO RECORDED

WIFI Password: Welcome1

(F) PUBLIC MEETING BEFORE THE PLANNING COMMISSION TO CONSIDER RECOMMENDING THAT TOWN COUNCIL APPROVE AMENDMENTS TO TITLE 15 OF THE MUNICIPAL CODE CONCERNING CLASSIFICATION AND LOCATION OF MARIJUANA HOSPITALITY ESTABLISHMENTS AND RETAIL MARIJUANA HOSPITALITY AND SALES ESTABLISHMENTS.

APPLICANT/OWNER: Town of Parachute
222 Grand Valley Way, Parachute, CO 81635

PROJECT NAME: Municipal Code Amendments

PROJECT LOCATION: 222 Grand Valley Way, Parachute, CO 81635

STAFF: STUART McARTHUR, TOWN MANAGER

PLANNING COMMISSION CONSIDERATION OF RESOLUTION NO. 2020-06-PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF PARACHUTE, COLORADO RECOMMENDING THAT TOWN COUNCIL APPROVE AMENDMENTS TO TITLE 15 OF THE MUNICIPAL CODE CONCERNING CLASSIFICATION AND LOCATION OF MARIJUANA HOSPITALITY ESTABLISHMENTS AND RETAIL MARIJUANA HOSPITALITY AND SALES ESTABLISHMENTS.

(G) ADJOURN



MINUTES
TOWN OF PARACHUTE
PLANNING COMMISSION REGULAR MEETING
TOWN HALL, 222 GRAND VALLEY WAY
JANUARY 9, 2020 6:30 PM

The Town of Parachute will make reasonable accommodations for access to Town services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call (970) 285-7630, x-104 for assistance.

- (A) **COMMISSION MEMBERS PRESENT:** TIM OLK
ROY McCLUNG
SHERRY LOSCHKE
- COMMISSION MEMBERS ABSENT:** JUANITA WILLIAMS
JUDY BEASLEY
- STAFF PRESENT:** STUART McARTHUR, TOWN MANAGER
LUCY CORDOVA, TOWN CLERK

(B) **PLEDGE OF ALLEGIANCE**

(C) **APPROVAL OF AGENDA**

MOTION NO. 1:

Approval of Agenda

Vocal vote passed unanimously.

(D) **CONSIDERATION OF MINUTES OF REGULAR MEETING OF NOVEMBER 14, 2019**

MOTION NO. 2:

Moved and Seconded by Commissioners Williams / McClung to approve January 9, 2020, Minutes

Vote passed with a 3 to 0 Vote

(E) **PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

NO PUBLIC COMMENT

(F) **PUBLIC MEETING BEFORE THE PLANNING COMMISSION TO CONSIDER A LAND USE APPLICATION FOR A SPECIAL USE PERMIT, SITE SPECIFIC DEVELOPMENT PLAN AND VESTED PROPERTY RIGHTS AGREEMENT FROM EMERGENT INVESTMENT PARTNERS TO DEVELOP A FACILITY FOR ONE OR MORE OF THE FOLLOWING USES: RETAIL MARIJUANA CULTIVATION FACILITY, RETAIL MARIJUANA PRODUCT MANUFACTURING FACILITY, MEDICAL MARIJUANA OPTIONAL PREMISES CULTIVATION OPERATION, AND OR MEDICAL MARIJUANA INFUSED PRODUCTS MANUFACTURER.**

APPLICANT/OWNER: Emergent Investment Partners
P.O. Box 2
Parachute, CO 81635

PROJECT NAME: Lot 6, Block 3, Cultivation & Manufacturing Development

PROJECT LOCATION: 100 Diamond Loop
Parachute, CO 81635

LEGAL DESCRIPTION: Section: 12, Township:7, Range:96, Subdivision: PARACHUTE PARK PUD, Block: 3, Lot: 6, Amended Lots 1-3, 6-10, BLOCK

STAFF: STUART McARTHUR, TOWN MANAGER
Public Meeting opened by Chair Olk
Town Manager McArthur gave his staff report and recommendation of approval
Town Manager introduced applicant Jim Brinkerhoff
Jim Brinkrhoff, PO Box 2, Parachute, CO gave his presentation
No public comment:
Commission discussion ensued
Public meeting closed

PLANNING COMMISSION CONSIDERATION OF RESOLUTION NO. 2020-01-PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF PARACHUTE, COLORADO RECOMMENDING THE TOWN COUNCIL APPROVE WITH CONDITIONS A SPECIAL USE PERMIT AND SITE-SPECIFIC DEVELOPMENT PLAN FOR LOT 6, BLOCK 3 OF THE PARACHUTE PARK PUD IN THE TOWN OF PARACHUTE FOR A RETAIL MARIJUANA CULTIVATION FACILITY AND MEDICAL MARIJUANA OPTIONAL PREMISES CULTIVATION OPERATION.

MOTION NO. 3:

Moved and Seconded by Commissioners McClung / Loschke to approve Resolution No. 2020-01-PC
A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF PARACHUTE, COLORADO RECOMMENDING THE TOWN COUNCIL APPROVE WITH CONDITIONS A SPECIAL USE PERMIT AND SITE-SPECIFIC DEVELOPMENT PLAN FOR LOT 6, BLOCK 3 OF THE PARACHUTE PARK PUD IN THE TOWN OF PARACHUTE FOR A RETAIL MARIJUANA CULTIVATION FACILITY AND MEDICAL MARIJUANA OPTIONAL PREMISES CULTIVATION OPERATION.
Vote passed 3-0

(G) PUBLIC MEETING BEFORE THE PLANNING COMMISSION TO CONSIDER A LAND USE APPLICATION FROM EMERGENT INVESTMENT PARTNERS TO REZONE PROPERTY LOCATED AT 100 DIAMOND LOOP, PARACHUTE, CO FROM A SERVICE COMMERCIAL ZONE DISTRICT TO A LIGHT INDUSTRIAL ZONE DISTRICT.

APPLICANT/OWNER: Emergent Investment Partners
P.O. Box 2
Parachute, CO 81635

PROJECT NAME: Lot 6, Block 3, Cultivation & Manufacturing Development

PROJECT LOCATION: 100 Diamond Loop
Parachute, CO 81635

LEGAL DESCRIPTION: Section: 12, Township:7, Range:96, Subdivision: PARACHUTE PARK PUD, Block: 3, Lot: 6, Amended Lots 1-3, 6-10, BLOCK 2& LOTS 1-18, Block 3 REC# 784960

STAFF: STUART McARTHUR, TOWN MANAGER
Public Meeting opened by Chair Olk
Town Manager McArthur gave his staff report and recommendation of approval
Town Manager introduced applicant Jim Brinkerhoff
Jim Brinkrhoff, PO Box 2, Parachute, CO gave his presentation
No public comment:
Commission discussion ensued
Public meeting closed

PLANNING COMMISSION CONSIDERATION OF RESOLUTION NO. 2020-02-PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF PARACHUTE, COLORADO RECOMMENDING THAT THE TOWN COUNCIL OF THE TOWN OF PARACHUTE APPROVE AN APPLICATION FOR REZONING FOR LOT 6, BLOCK 3 OF THE PARACHUTE PARK PUD IN THE TOWN OF PARACHUTE.

MOTION NO. 4:

Moved and Seconded by Commissioners McClung / Loschke to approve Resolution No. 2020-02-PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF PARACHUTE, COLORADO RECOMMENDING THAT THE TOWN COUNCIL OF THE TOWN OF PARACHUTE APPROVE AN APPLICATION FOR REZONING FOR LOT 6, BLOCK 3 OF THE PARACHUTE PARK PUD IN THE TOWN OF PARACHUTE.

Vote passed 3-0

- (H) **PUBLIC MEETING BEFORE THE PLANNING COMMISSION TO CONSIDER A LAND USE APPLICATION FOR A SPECIAL USE PERMIT, SITE SPECIFIC DEVELOPMENT PLAN AND VESTED PROPERTY RIGHTS AGREEMENT FROM EMERGENT INVESTMENT PARTNERS TO DEVELOP A FACILITY FOR ONE OR MORE OF THE FOLLOWING USES: RETAIL MARIJUANA CULTIVATION FACILITY, RETAIL MARIJUANA PRODUCT MANUFACTURING FACILITY, MEDICAL MARIJUANA OPTIONAL PREMISES CULTIVATION OPERATION, AND OR MEDICAL MARIJUANA INFUSED PRODUCTS MANUFACTURER.**

APPLICANT/OWNER: Emergent Investment Partners
P.O. Box 2
Parachute, CO 81635

PROJECT NAME: Lot 9, Block 3, Cultivation & Manufacturing Development

PROJECT LOCATION: 109 Diamond Loop
Parachute, CO 81635

LEGAL DESCRIPTION: Section: 12, Township:7, Range:96, Subdivision: PARACHUTE PARK PUD, Block: 3, Lot: 9, Amended Lots 1-3, 6-10, BLOCK 2& LOTS 1-18, Block 3 REC# 784960

STAFF: STUART McARTHUR, TOWN MANAGER

Public Meeting opened by Chair Olk

Town Manager McArthur gave his staff report and recommendation of approval

Town Manager introduced applicant Jim Brinkerhoff

Jim Brinkerhoff, PO Box 2, Parachute, CO gave his presentation

No public comment:

Commission discussion ensued

Public meeting closed

PLANNING COMMISSION CONSIDERATION OF RESOLUTION NO. 2020-03-PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF PARACHUTE, COLORADO RECOMMENDING THE TOWN COUNCIL APPROVE WITH CONDITIONS A SPECIAL USE PERMIT AND SITE-SPECIFIC DEVELOPMENT PLAN FOR LOT 9, BLOCK 3 OF THE PARACHUTE PARK PUD IN THE TOWN OF PARACHUTE FOR A RETAIL MARIJUANA CULTIVATION FACILITY AND MEDICAL MARIJUANA OPTIONAL PREMISES CULTIVATION OPERATION.

MOTION NO. 5:

Moved and Seconded by Commissioners McClung / Loschke to approve Resolution No. 2020-03-PC with conditions 1-13, and change from 3 years to 5 years.

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF PARACHUTE, COLORADO RECOMMENDING THE TOWN COUNCIL APPROVE WITH CONDITIONS A SPECIAL USE PERMIT AND SITE-SPECIFIC DEVELOPMENT PLAN FOR LOT 9, BLOCK 3 OF THE PARACHUTE PARK PUD IN THE TOWN OF PARACHUTE FOR A RETAIL MARIJUANA CULTIVATION FACILITY AND MEDICAL MARIJUANA OPTIONAL PREMISES CULTIVATION OPERATION.

Vote passed 3-0

- (I) **PUBLIC MEETING BEFORE THE PLANNING COMMISSION TO CONSIDER A LAND USE APPLICATION FROM EMERGENT INVESTMENT PARTNERS TO REZONE PROPERTY LOCATED AT 109 DIAMOND LOOP, PARACHUTE, CO FROM A SERVICE COMMERCIAL ZONE DISTRICT TO A LIGHT INDUSTRIAL ZONE DISTRICT.**

APPLICANT/OWNER: Emergent Investment Partners
P.O. Box 2
Parachute, CO 81635

PROJECT NAME: Lot 9, Block 3, Cultivation & Manufacturing Development

PROJECT LOCATION: 109 Diamond Loop
Parachute, CO 81635

LEGAL DESCRIPTION: Section: 12, Township:7, Range:96, Subdivision: PARACHUTE PARK PUD, Block: 3, Lot: 9, Amended Lots 1-3, 6-10, BLOCK 2& LOTS 1-18, Block 3 REC# 784960

STAFF: STUART McARTHUR, TOWN MANAGER

Public Meeting opened by Chair Olk
Town Manager McArthur gave his staff report and recommendation of approval
Town Manager introduced applicant Jim Brinkerhoff
Jim Brinkerhoff, PO Box 2, Parachute, CO gave his presentation
No public comment:
Commission discussion ensued
Public meeting closed

PLANNING COMMISSION CONSIDERATION OF RESOLUTION NO. 2020-04-PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF PARACHUTE, COLORADO RECOMMENDING THAT THE TOWN COUNCIL OF THE TOWN OF PARACHUTE APPROVE AN APPLICATION FOR REZONING FOR LOT 9, BLOCK 3 OF THE PARACHUTE PARK PUD IN THE TOWN OF PARACHUTE.

MOTION NO. 6:

Moved and Seconded by Commissioners McClung / Loschke to approve Resolution No. 2020-04-PC
A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF PARACHUTE, COLORADO RECOMMENDING THAT THE TOWN COUNCIL OF THE TOWN OF PARACHUTE APPROVE AN APPLICATION FOR REZONING FOR LOT 9, BLOCK 3 OF THE PARACHUTE PARK PUD IN THE TOWN OF PARACHUTE.
Vote passed 3-0

(J) PUBLIC MEETING BEFORE THE PLANNING COMMISSION TO CONSIDER A LAND USE APPLICATION FROM RFSC, LLC FOR A SPECIAL USE PERMIT FOR A RETAIL MARIJUANA CULTIVATION FACILITY LOCATED AT 808 COUNTY ROAD 215.

APPLICANT/OWNER: RFSC, LLC
1375 Red Butte Drive
Aspen, CO 81611

PROJECT NAME: Cannabis Cultivation Facility

PROJECT LOCATION: 808 County Road 215
Parachute, CO 81635

LEGAL DESCRIPTION: Section: 12, Township:7, Range:96 TR IN SWSW

STAFF: STUART McARTHUR, TOWN MANAGER

Public Meeting opened by Chair Olk
Town Manager McArthur gave his staff report and recommendation of approval
Town Manager introduced applicant Rob Holmes and applicant representative, Chris Green
Rob Holmes 1375 Red Butte Dr. Aspen,CO and
Chris Green, 5621 E 6th St Eagle, CO gave their presentation
No public comment
Commission discussion ensued
Public meeting closed

PLANNING COMMISSION CONSIDERATION OF RESOLUTION NO. 2020-05-PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF PARACHUTE, COLORADO RECOMMENDING THE TOWN COUNCIL APPROVE WITH CONDITIONS A SPECIAL USE PERMIT AND SITE-SPECIFIC DEVELOPMENT PLAN FOR PROPERTY LOCATED AT 808 COUNTY ROAD 215 IN THE TOWN OF PARACHUTE FOR A RETAIL MARIJUANA CULTIVATION FACILITY (LARGE) AND MEDICAL MARIJUANA OPTIONAL PREMISES CULTIVATION OPERATION (LARGE).

MOTION NO. 7:

Moved and Seconded by Commissioners McClung / Loschke to approve Resolution No. 2020-05-PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF PARACHUTE, COLORADO RECOMMENDING THE TOWN COUNCIL APPROVE WITH CONDITIONS A SPECIAL USE PERMIT AND SITE-SPECIFIC DEVELOPMENT PLAN FOR PROPERTY LOCATED AT 808 COUNTY ROAD 215 IN THE TOWN OF PARACHUTE FOR A RETAIL MARIJUANA CULTIVATION FACILITY (LARGE) AND MEDICAL MARIJUANA OPTIONAL PREMISES CULTIVATION OPERATION (LARGE).

Vote passed 3-0

(K) ADJOURN

MOTION NO. 8:

Motion to adjourn

Vocal vote passed unanimously.

Tim Olk, Chair

ATTEST:

Lucy Cordova, Town Clerk

**TOWN OF PARACHUTE, COLORADO
PLANNING COMMISSION
RESOLUTION NO. 2020-06-PC**

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF PARACHUTE, COLORADO RECOMMENDING THAT TOWN COUNCIL APPROVE AMENDMENTS TO TITLE 15 OF THE MUNICIPAL CODE CONCERNING CLASSIFICATION AND LOCATION OF MARIJUANA HOSPITALITY ESTABLISHMENTS AND RETAIL MARIJUANA HOSPITALITY AND SALES ESTABLISHMENTS.

WHEREAS, the Town Council of the Town of Parachute initiated a text amendment to Title 15 “Land Use Regulations” of the Parachute Municipal Code concerning new marijuana hospitality establishments and re, as set forth in the draft Ordinance enclosed as **Exhibit A** (the “Text Amendment”);

WHEREAS, pursuant to Section 15.05.201 of the Parachute Municipal Code, the Text Amendment is reviewed by the Planning Commission and Town Council;

WHEREAS, the Planning Commission reviewed the Text Amendment at a duly-noticed public meeting to consider and hear public comments;

WHEREAS, the Planning Commission finds that the Application conforms with the review criteria set forth in Section 15.05.206 of the Parachute Municipal Code; and

WHEREAS, based on the recommendation of Town Staff, the testimony of the witnesses and the documents made a part of the record of the public meeting, the Planning Commission recommends that the Town Council approve the Text Amendment in the form of the Ordinance presented to Planning Commission.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF PARACHUTE, COLORADO, AS FOLLOWS:

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

Section 2. The Planning Commission hereby recommends the Town Council approve the Text Amendment concerning an amendment to the Use Table marijuana hospitality establishment uses and retail marijuana hospitality and sales establishment uses, as set forth in **Exhibit A**.

SO RESOLVED by a vote a vote of ___ to ___, of the Planning Commission of the Town of Parachute at a regular meeting held at Town Hall in the Town of Parachute, Colorado, on the ___ day of _____, 2020.

**PLANNING COMMISSION OF THE
TOWN OF PARACHUTE, COLORADO**

By _____
Chair

ATTEST:

Town Clerk

**TOWN OF PARACHUTE
ORDINANCE NO. -2020**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, AMENDING TITLE 15 OF THE MUNICIPAL CODE CONCERNING CLASSIFICATION AND LOCATION OF MARIJUANA HOSPITALITY ESTABLISHMENTS AND RETAIL MARIJUANA HOSPITALITY AND SALES ESTABLISHMENTS

WHEREAS, the Town of Parachute (“Parachute” or the “Town” is a home-rule municipality organized under Article XX of the Colorado Constitution and with the authority of the Parachute Home Rule Charter;

WHEREAS, by Article XVIII, Sections 14 and 16 of the Colorado Constitution, the voters of the State authorized the possession and use of marijuana for medical and retail/recreational purposes;

WHEREAS, by HB 19-1230, the Colorado general assembly authorized the licensing of marijuana hospitality establishments and retail marijuana hospitality and sales establishments by the Colorado Marijuana Enforcement Division, subject local control;

WHEREAS, the Town has exercised its right of local control in setting forth a system for the permitting, regulation, and zoning of medical and retail marijuana businesses in the Town;

WHEREAS, the Town Council wishes to license marijuana hospitality establishments and retail marijuana hospitality and sales establishments in the Town under Title 6 of the Town Code and to amend the Town’s zoning regulations under Title 15 to permit such uses in certain zoning districts;

WHEREAS, the Planning Commission of the Town of Parachute reviewed this ordinance at a public meeting and recommended approval; and

WHEREAS, the Town Council of the Town of Parachute finds and declares that it is in the interest of the public health, safety, and welfare to identify appropriate zoning restrictions for the location of marijuana hospitality establishments in the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO THAT:

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

Section 2. The Town Council hereby amends Section 15.02.230 of the Parachute Municipal Code to include marijuana hospitality establishment and retail marijuana hospitality and sales establishment uses, consistent with the following:

COMMERCIAL/RETAIL USES											
	RA	LDR	MDR	HDR	OTC	NC	HT	SC	LI	GI	P
Marijuana Hospitality Establishment					S	S	S	S			
Retail Marijuana Hospitality and Sales Establishment					S	S	S	S			

INTRODUCED, READ, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY by a vote of ___ to ___ of the Town Council of the Town of Parachute, Colorado at a regular meeting held at Town Hall in the Town of Parachute, Colorado, on the ____ day of _____, 2020 and approved by the Mayor on the ____ day of _____, 2020.

TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO

By: _____
Roy McClung, Mayor

ATTEST:

Lucy Cordova, Town Clerk

PUBLIC NOTICE

Public notice is hereby given that an Ordinance entitled:

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, AMENDING TITLE 15 OF THE MUNICIPAL CODE CONCERNING CLASSIFICATION AND LOCATION OF MARIJUANA HOSPITALITY ESTABLISHMENTS AND RETAIL MARIJUANA HOSPITALITY AND SALES ESTABLISHMENTS

was introduced before the Town Council on _____, 2020; that a copy of said Ordinance is posted at Town Hall; and that the Ordinance was approved at a regular meeting of the Town Council held on _____, 2020, and approved by the Mayor on _____, 2020.

Copies of the adopted ordinance are available for inspection at the Town Hall, Parachute, Colorado and available on the internet at <http://www.parachutecolorado.com>.

Dated this _____ day of _____, 2020.

TOWN OF PARACHUTE

Lucy Cordova, Town Clerk