

**TOWN OF PARACHUTE
ORDINANCE NO. 727-2017**

**AN EMERGENCY ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO,
AMENDING CHAPTER 6.11 OF THE PARACHUTE MUNICIPAL CODE CONCERNING
LOCATION LIMITATIONS OF RETAIL AND MEDICAL MARIJUANA
ESTABLISHMENTS**

WHEREAS, Chapter 6.11 governs the licensing of Retail Marijuana Establishments and Medical Marijuana Establishments;

WHEREAS, the Town may enact ordinances which govern the time, place, manner, and number of Retail and Medical Marijuana Establishments;

WHEREAS, by Ordinance No. 718-2017, the Board of Trustees amended the location limitations contained in Chapter 6.11 to allow for more appropriate clustering of cultivation, manufacturing, and testing marijuana establishments outside of the Town's core commercial districts by exempting such establishments from the 150' distance buffer in the Light Industrial (LI) and General Industrial (GI) Zone Districts only;

WHEREAS, the Board intended to include the Neighborhood Commercial (NC) Zone District within such exemption, as it does not encompass the Town's core commercial area and otherwise includes property more consistent with that in the LI and GI Zone Districts;

WHEREAS, Section 1-12 of the Town Charter authorizes the Board of Trustees to enact an emergency ordinance that is immediately necessary for the preservation of public peace, health, or safety by the affirmative vote of every member of the Board of Trustees present or by affirmative votes equal to a quorum plus one (1), whichever is less;

WHEREAS, the Board further finds that it is necessary to declare an emergency for the preservation of public peace, health, and safety to make such amendment to ensure the orderly function of business within the Town; and

WHEREAS, the Board of Trustees find that the amendments in this Ordinance benefit the business and residential communities in the Town, and are in the best interests of the Town.

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

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

Section 2. Section 6.11.050 of the Parachute Municipal Code is hereby amended as follows, with additions shown in **bold, underlined text** and ~~strike through language~~ deleted:

6.11.50 Location limitations of medical and retail marijuana establishments.

A. Medical marijuana establishments and retail marijuana establishments authorized by this chapter shall only be located in zone districts, as set forth in the schedule of uses in PMC Title 15. Prior to receiving a license pursuant to this chapter for a medical marijuana establishment or retail marijuana establishment, applicant shall be required to demonstrate or obtain approval for location of the establishment as set forth in PMC Title 15.

B. No medical marijuana establishment or retail marijuana establishment shall be located within five hundred feet (500') of any existing public or private school.

C. No medical marijuana establishment or retail establishment shall be located within one hundred fifty feet (150') of another medical marijuana establishment or retail marijuana establishment, except:

1. For a shared licensed premises licensed as a dual business operation by the State of Colorado pursuant to the Retail Marijuana Regulations and Medical Marijuana Regulations.

2. For a co-located licensed operation permitted by the Medical Marijuana Regulations or Retail Marijuana Regulations.;

3. For medical marijuana-infused products manufacturer, optional premises cultivation operation, medical marijuana testing facility, retail marijuana cultivation facility, retail marijuana products manufacturing facility, and retail marijuana testing facility establishments located in the General Industrial (GI), ~~and~~ Light Industrial (LI), and Neighborhood Commercial (NC) Zone Districts.

4 If one (1) medical marijuana-infused products manufacturer, one (1) optional premises cultivation operation, one (1) medical marijuana testing facility, one (1) retail marijuana store, one (1) retail marijuana cultivation facility, one (1) retail marijuana products manufacturing facility, and/or one (1) retail marijuana testing facility with distinct licensed premises are located on a single parcel. Under such circumstance, each license shall not be required to be held by a single licensee.

D. The distances described in this section shall be measured using a route for direct pedestrian access, measured as a person would walk safely and properly, without trespassing, with right angles at crossing and with the observance of traffic regulations and lights, from the nearest property line of the school or other medical marijuana establishment or retail marijuana establishment property to the nearest public entrance of the structure of the proposed licensed premises.

Section 3. If any provision of this Ordinance is found to be unconstitutional or unlawful, such finding shall only invalidate that part of portion found to violate the law. All other provisions shall be deemed severable and shall continue in full force and effect.

INTRODUCED, READ, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY by a vote of 6 to 0 of the Board of Trustees of the Town of Parachute, Colorado at a regular meeting held at Town Hall in the Town of Parachute, Colorado, on the 20 day of April, 2017 and approved by the Mayor on the 20 day of April, 2017.



BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO

By: Roy McClung
Roy McClung, Mayor

ATTEST:

Lucy Cordova
Lucy Cordova, Town Clerk

PUBLIC NOTICE

Public notice is hereby given that an Ordinance entitled:

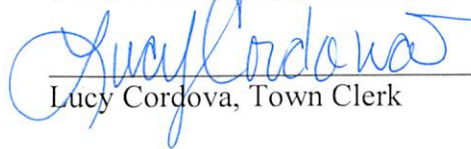
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was introduced before the Board of Trustees on April 20, 2017; that a copy of said Ordinance is posted at Town Hall; and that the Ordinance was approved at a regular meeting of the Board of Trustees held on April 20, 2017, and approved by the Mayor on April 20, 2017.

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 20 day of April, 2017.

TOWN OF PARACHUTE



Lucy Cordova, Town Clerk