



CITY CLERK'S OFFICE MEMORANDUM
#16-2020

DATE: November 23, 2020

TO: Honorable Mayor Meredith Leighty and City Council Members

THROUGH: Heather Geyer, City Manager 

FROM: Johanna Small, City Clerk 
Lisa Andrews, Deputy City Clerk – Licensing Specialist

SUBJECT: CB-1959 – Marijuana Business Location Requirements

PURPOSE

To consider CB-1959, an ordinance on first reading amending the Municipal Code regarding marijuana business locations.

BACKGROUND

Staff identified a discrepancy in Section 18-16-13 of the Municipal Code regarding location criteria for retail marijuana businesses. After researching the matter, staff believes that Ordinance No. 1720, Series of 2016, contained an administrative error in Section 18-16-13(a)(6) by not including the same language as in Section 18-14-11(a)(6), which established a one-half mile distance limitation between any other marijuana business, which includes distances between both medical and retail marijuana businesses. Additionally, staff believes Sections 18-16-13(a)(7) and 18-16-13(a)(8) should have been stricken as they contain the previous 1,000-foot distance limitation.

Correcting the discrepancy will not impact any current location that may be eligible for a new marijuana business. However, if the pertinent sections of the Code remain as is, it could open up additional locations for new marijuana businesses. Further, it may favor new retail marijuana operations over new medical marijuana business operations, which staff believes was not City Council's intent when initially implementing marijuana business regulations.

City Council received information about marijuana business location requirements at the Nov. 2, 2020 study session and there was consensus to bring a draft ordinance forward for consideration to correct the issue. CB-1959 amends language in Sections 18-16-13(a)(6), 18-16-13(a)(7), and 18-16-13(a)(8), to eliminate the discrepancy regarding the distance limitation between marijuana businesses to utilize the distance of one-half mile for both medical and retail marijuana businesses.

STAFF RECOMMENDATION

Staff recommends approval of CB-1959 on first reading. If CB-1959 is approved on first reading, a public hearing and second reading of the proposed ordinance will be scheduled for Dec. 14, 2020.

BUDGET/TIME IMPLICATIONS

There are no financial impacts to the City.

STAFF REFERENCE

If Council members have any questions they may contact City Clerk Johanna Small at jsmall@northglenn.org or 303.450.8757.

CB-1959 – Marijuana Business Location Requirements

SPONSORED BY: MAYOR LEIGHTY

COUNCILMAN'S BILL

ORDINANCE NO.

No. CB-1959
Series of 2020

Series of 2020

A BILL FOR AN ORDINANCE AMENDING ARTICLE 16 OF CHAPTER 18 OF THE NORTHGLENN MUNICIPAL CODE REGARDING RETAIL MARIJUANA BUSINESSES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. Section 18-16-13(a) of the Northglenn Municipal Code is hereby amended to read as follows:

Section 18-16-13. Location Criteria. Prior to the issuance of a license for a retail marijuana establishment, the local licensing authority shall determine whether the proposed location of the retail marijuana establishment complies with the requirements of this Section. Failure to comply with the requirements of this Section shall preclude issuance of a license.

(a) No retail marijuana business shall be located at the following locations:

(1) within 200 feet of any single or multi-family residential structure or unit, or parcel or lot;

(2) within 500 feet of a licensed child care facility;

(3) within 1,000 feet of any educational institution or school, college or university, either public or private;

(4) within 500 feet of any public park, public pool, or public recreational facility;

(5) within 1,000 feet of any halfway house or correctional facility;

(6) within one-half (1/2) mile of any other ~~retail~~ marijuana business, UNDER ARTICLE 14, OR UNDER THIS ARTICLE 16 OF CHAPTER 18;

~~(7) within 1000 feet of an medical marijuana business;~~

~~(8) within 1000 feet of any dual operation marijuana business;~~

~~(9)~~(7) within any building or structure that contains a residential unit; or

~~(10)~~(8) upon any City of Northglenn owned property.

INTRODUCED, READ AND ORDERED POSTED this ____ day of _____,
2020.

MEREDITH LEIGHTY
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

PASSED ON SECOND AND FINAL READING this ____ day of _____,
2020.

MEREDITH LEIGHTY
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney