

## INTRODUCTION AND BACKGROUND:

The purpose of this guide is to provide general information about the Marijuana business requirements as it relates to zoning and land use approvals. This handout is not intended to be all inclusive. Additional information may be requested during the application process. Additional relevant information can be found on the city's website at [www.c3gov.com](http://www.c3gov.com).

- 2012- LDC is amended to allow medicinal marijuana in industrial zone districts, subject to a conditional use permit and certain separation use requirements.
- October 2014, City Council asks staff to prepare regulations concerning recreational marijuana
- January and February 2015- Staff met with City Council via study sessions to discuss issues regarding recreational marijuana, including changes to the LDC.

The City Council on May 12 approved the city's retail marijuana establishments ordinance related to the use and regulation of marijuana in Aurora. This ordinance became effective June 14, 2014. The city of Aurora may regulate time, place and manner; the business licensing and application process; zoning; enforcement; code issues; security; hours of operation; and tax and revenue

- Medical Marijuana:
  - Medical marijuana centers or dispensaries
  - Medical marijuana infused product manufacturers
  - Medical marijuana optional premises cultivation
  - Primary caregivers
- Recreational Marijuana:
  - Retail marijuana store
  - Retail marijuana cultivation facility
  - Retail marijuana product manufacturing facility
  - Retail marijuana testing facility

## CODE LANGUAGE AND SEPERATION REQUIREMENTS:

- A pre-application meeting with the city should be scheduled by calling the Planning Division. This meeting provides the applicant the opportunity to discuss the metro district proposal and help identify the requirements and process for the application.

- ❑ The Metro District application must proceed through the public hearing process to reach City Council for final action.
- ❑ A written Intergovernmental Agreement (IGA) will be executed between the city and the proposed metro district. The agreement will contain all terms, conditions, and obligations of the metro district, as well as any additional requirements determined by the city at the time of approval. The applicant shall submit the executed IGA prior to any application being scheduled for a public hearing.

## GENERAL PROCESS:

- ❑ Prior to submitting an application for a retail marijuana establishment license, all potential applicants must meet with AMED in a pre-licensing meeting. The pre-licensing meeting is an informal session in which the applicant will discuss its plans for the marijuana business, and the AMED team will provide information and answer questions regarding the application process and the proposed site for the marijuana establishment. Please contact Wade Jensen at 303-739-7833 or [wjensen@auroragov.org](mailto:wjensen@auroragov.org) to schedule a pre-licensing meeting.

During the application process, all applicants must complete the [business license application](#) and associated forms. Applicants may not use the city's online business licensing application for this process. Please [download and complete the application](#) located on this page instead. Visit the [checklist](#) for a list of steps to complete the application process. The \$38 general business license fee will be waived. The operating fee of \$15,000 must accompany the application packet as submittal. The application intake is by appointment only. Call Robin Peterson, AMED division manager, at 303-739-7341 to schedule an appointment. The city does not begin its detailed review of an application until the state's MED notifies the city that they also have a confirmed appointment scheduled for the applicant.

Medical marijuana businesses, including medical marijuana centers or dispensaries, medical marijuana cultivation facilities, and medical marijuana-infused product manufacturers, are not permitted to operate within the city. Other regulations are set up for home-grown operations. Contact AMED for details.

- ❑ Service Plan Criteria:
  - ➔ Any testimony or evidence which, in the discretion of the City Council, is relevant to the organization of the District shall be considered.
- ❑ No new applications for a metro district of the same property shall be accepted by the City of Commerce City if an identical annexation application has been acted upon by the City of Commerce City within one (1) year of the filing of the subsequent application, unless the City Council determines that good cause exists for accepting such subsequent application within a lesser period of time.
- ❑ The City Council shall be authorized to impose any conditions on a metro district approval that it deems necessary to carry out the general purpose and intent of the land development code or the comprehensive plan including, but not limited to, any other reasonable restriction, condition, or safeguard to mitigate adverse impacts upon

neighboring properties, including without limitation requiring the applicant to submit to and pay for ongoing compliance oversight.

- An approval shall only authorize the use and/or development described in the approved application. Any development that occurs beyond what is described in the application is prohibited and shall be deemed a violation of the land development code and subject to the enforcement provisions set forth in article X of the code.
- In the event the conditions imposed by the City Council are not complied with, the Council may, upon due notice, revoke such metro district approval.

## CONTACT INFORMATION:

- All Metropolitan District applications shall include the following:
- Statement certifying compliance with the Commerce City Model Service Plan, such as: “The proposed service plan is an exact copy of the appropriate Commerce City model service plan and any and all changes from the model are clearly identified.” For multiple districts with multiple service plans, also include the statement: “For this multiple district submittal, a single redline version has been submitted and that except for a change in the name and financial data as identified in the transmittal letter summary table, all the service plans are identical to the redline that has been submitted.”

## ADDITIONAL INFORMATION:

- Complete Application.* Be sure to include with application all of the requested information. An incomplete application will not be referred out for review until such time as all information has been submitted.
- Building Permit.* If the metro district application is approved, the applicant may proceed with construction activity on site after meeting the city’s construction requirements and processes. No building permit will be allowed, reviewed, or approved without an approved development plan in place.