

Marijuana in Clear Creek County



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Colorado Amendment 64 passed on November 6, 2012 and, along with Washington State, marked the first time in the entire world a ballot measure was passed outlining a statewide drug policy for cannabis. The law addresses personal marijuana use, and commercial cultivation, manufacture, and sale in a manner similar to alcohol. Commercial sale began on January 1, 2014.

On September 24, 2013, Clear Creek County adopted licensing requirements, effective January 1, 2014, that allow the commercial cultivation, manufacture, and sale of marijuana. In its resolution for adoption, the County Commissioners cited that a majority of voters in the County voted in favor of Amendment 64.

The County did not adopt regulations for personal use. Personal use must follow the provisions of state law.



Personal Use

Personal use of marijuana must follow state law. Adults 21 or older may grow up to three immature, and three mature marijuana plants in a locked space, legally possess all marijuana from the plants they grow (as long as it stays where it is grown), legally possess up to one ounce

while traveling, and give as a gift up to one ounce to other citizens 21 years of age or older. Using marijuana in public is not permitted.

Commercial Regulation

Clear Creek County limits the number of licenses that it issues for retail stores to no more than six (6). Additionally, there are designated buffers that geographically limit where new retail stores may be established. New stores must be at least 1000 feet away from a school, a licensed child care facility, and must not be within 1000 feet of the municipal boundaries of Idaho Springs, Georgetown, Silver Plume, or Empire.

There are no buffer restrictions for cultivation licenses or manufacturing licenses. All land must be appropriately zoned for use. Please see the back of this brochure for allowed zoning districts.



Optional Premises Cultivation

You may establish an optional premises cultivation license in conjunction with your retail store or manufacturing center on any of the zoning districts that allow them only if the cultivation is completely incidental and accessory to the primary operation.

Residential-zoned land

Residential-zoned land is not allowed to be used for any marijuana licensing uses. If you find a piece of property that is not zoned appropriately and you are interested in it, please contact the Planning Department to discuss rezoning possibilities. Generally, however, land in existing residential developments will likely not be rezoned for marijuana licensing uses.

Water

Water is an important piece to the marijuana development puzzle here in Clear Creek County. Most properties in the County are serviced by individual wells, and most wells are not permitted by the State Engineer's Office to provide water for commercial cultivation purposes. If commercial cultivation is not permitted by your well permit, you must locate an alternate source of water. This may require you to haul water in to conduct growing operations. The

Colorado Division of Water Resources website contains a wealth of resources and information about legal water supplies, augmentation plans, how to apply for a well permit and other items:

<http://water.state.co.us/Home/Pages/default.aspx>

They also have specific information for cannabis use:

<http://water.state.co.us/groundwater/wellpermit/Pages/default.aspx>



Building Codes

The County adopted special marijuana and hemp requirements in the building code that became effective on June 1, 2018. The regulations are specific to extraction operations and plant growing applications using carbon dioxide gas enrichment systems using tanks and/or cylinders. Please see all of the building regulations via the Building Code link located on the back of this brochure.

Marijuana Licensing allowed in Zoning Districts:

<u>Types</u>	<u>Zoning Dists. Allowed</u>
Retail Sales	C-N C-RO C-1 C-2 <u>Industrial</u>
Products	C-LM
Manufacturing	C-WM C-1 C-2 <u>Industrial</u>
Cultivation	Agricultural (with Special Use Permit) Industrial C-WM
Testing	C-LM

Resources:

Clear Creek County Marijuana Licensing Regulations

<https://www.clearcreekcounty.us/861/Marijuana-Licensing-Excise-Tax-Information>

Clear Creek County Zoning Regulations

<https://www.clearcreekcounty.us/288/Zoning-Regulations>

Clear Creek County Building Code

<https://www.clearcreekcounty.us/95/Building-Department>

Colorado Division of Water Resources

<http://water.state.co.us/DWRIPub/Documents/Amendment%2064-Flyer2014-Final.pdf>

Colorado Department of Revenue;

State Licensing

<https://www.colorado.gov/pacific/enforcement/marijuanaenforcement>

Please contact the Clear Creek Planning Department directly with any questions regarding this information

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