

**RESOLUTION NO. 20- 132**

**THE BOARD OF COUNTY COMMISSIONERS  
OF PUEBLO COUNTY, COLORADO**

**CONFIRMING AND REVISING AMENDMENTS TO CHAPTER 5.12 OF THE  
PUEBLO COUNTY CODE INVOLVING THE REGULATION OF LICENSED LIQUOR  
AND MARIJUANA ESTABLISHMENTS**

**WHEREAS**, the Pueblo County Board of County Commissioners has the authority to exercise all County powers for the unincorporated areas of Pueblo County pursuant to C.R.S. § 30-11-103; and

**WHEREAS**, the Board has the authority to adopt and enforce ordinances and resolutions regarding health, safety, and welfare issues pursuant to C.R.S. § 30-11-101(2); and

**WHEREAS**, Articles 43.3 and 43.4 of Title 12, C.R.S., and Sections 14 and 16 of Article XVIII of the Colorado Constitution authorize the County to adopt and establish regulations for the cultivation, manufacturing, distribution and sale of medical and retail marijuana within the entire area of unincorporated Pueblo County; and

**WHEREAS**, the Board, by way of Resolution 20-110, immediately amended certain sections of the Pueblo County Code by removing exceptions to the existing moratorium on new stores, centers and cultivations and by restricting the expansion of existing establishments; and

**WHEREAS**, while the Board made such changes effective upon adoption of Resolution No. 20-110, it actively sought comments from its constituents over the thirty-day period following such adoption with the intent to revise or modify such changes, if necessary, at the end of that period; and

**WHEREAS**, the Board now desires to clarify that certain business that were actively pursuing applications now restricted by Resolution No. 20-110 remain eligible to submit those same applications; and

**WHEREAS**, the Board further desires to direct staff to formulate a long-term solution on the expansion of outdoor licensed premises.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Pueblo County, Colorado, that:

**Section 1.** Any licensing application that otherwise would be restricted by the changes imposed by Resolution No. 20-110 still may be submitted, accepted and processed if, on or before April 7, 2020 and as a direct precondition to the licensing application, the person or business applying had:

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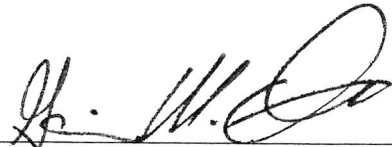
- A. Obtained a valid and unexpired decision letter issued by the Pueblo County Department of Planning and Development (“Department”) approving the application for Zoning Compliance Review–Marijuana (“ZCRM”);
- B. Submitted a final ZCRM application, which the Department accepted; or
- C. Scheduled a pre-application ZCRM meeting or submitted a draft ZCRM application for pre-application review and was actively pursuing the requirements for the submission of the final ZCRM application.


**Section 2.** Except as provided herein, all provisions of Title 5 of the Pueblo County Code, including all other amendments imposed by Resolution No. 20-110, shall remain in full force and effect.

**Section 3.** The officers, agents, and employees of Pueblo County are directed to form a working group with stakeholders and to develop a specific proposal that would effectively address the neighborhood impact of expanding Licensed Premises within ninety (90) days of the date of this Resolution. In addition, the officers, agents, and employees of Pueblo County are directed to continue their work on a more permanent system of regulating the total number of various licensed establishments operating within the unincorporated areas of Pueblo County.

**PASSED AND ADOPTED** this 7<sup>th</sup> day of May 2020, in Pueblo County, Colorado.

**THE BOARD OF COUNTY COMMISSIONERS  
OF PUEBLO COUNTY, COLORADO**

BY:   
Garrison M. Ortiz, Chair

**ATTEST:**  
BY:   
Gilbert Ortiz, County Clerk