

STUDY SESSION NOTES

CITY COUNCIL MEETING

CITY OF WHEAT RIDGE, COLORADO

City Council Chambers
7500 W. 29th Ave.

November 15, 2010

Mayor DiTullio called the Study Session to order at 6:30p.m. Council Members present: Joyce Jay, Joe DeMott, Karen Adams, Tracy Langworthy, Wanda Sang, Davis Reinhart, Karen Berry and Mike Stites. Also present: City Manager, Patrick Goff; City Attorney, Gerald Dahl; Clerk Assistant, Ann Lazzeri; City Treasurer, Larry Schulz; Community Services Director, Kenneth Johnstone; Police Chief, Dan Brennan; Parks and Recreation Director, Joyce Manwaring; Staff and interested citizens.

APPROVAL OF AGENDA

1. Staff Reports

Patrick Goff reported on potential changes that Fairmont Fire Protection is considering.

2. Medical Marijuana

Mr. Dahl reviewed his memo presenting an update of recent developments concerning regulation of cultivation, production, use and sale of medical marijuana and requested direction from Council on how to proceed with appropriate licensing and regulation, or banning, of medical marijuana businesses in the City also including primary care-givers and cultivation.

There was discussion on whether or not to take steps to ban medical marijuana businesses within the City. The majority of Council Members indicated they were not in favor of banning medical marijuana businesses.

Consensus was later reached to authorize the City to issue the following medical marijuana licenses:

- 1) Medical marijuana center license.
- 2) Medical marijuana-infused products manufacturer license
- 3) Optional premises cultivation operation license.

There was further consensus to allow, as a use by right, vertically integrated medical marijuana businesses in the City's "C-1" (light commercial) and "I" (industrial) zone districts. Map "C" would be adopted, prohibiting medical marijuana businesses from

operating within 500 feet of schools, child care facilities or drug treatment and rehabilitation centers.

There was consensus that the City's sales tax department will serve as the local licensing authority.

There was consensus to adopt similar references to state statutes and regulations concerning medical marijuana businesses.

There was consensus to limit the number of medical marijuana plants that can be cultivated in residential zone districts; require primary caregivers to obtain a municipal license or registration; require plants to be grown indoors; prohibit the number of caregivers that can operate from a single dwelling unit; and require inspections, with notification to the owner, of the dwelling unit if complaints are received.

A draft Ordinance will be brought back to the Council in the near future. In the meantime, the city attorney will research what license fees other cities are charging.

3. Public Art Action Plan

Council discussed drafting an Ordinance making an addition to the Code of Laws that would require the City to set aside an additional 1% of the City's construction costs of all capital projects over \$50,000 for acquisition, installation and dedication of public art.

There was further consensus for Staff to bring forth a Resolution requiring 1% of fees charged for private development projects over \$50,000 to be for acquisition, installation and dedication of public art. Staff would provide criteria regarding areas of the City where 1% art fees would be imposed. The Cultural Commission would be charged with choosing which art projects to fund and where to locate them.

4. Other Matters

Council agreed to cancel the following scheduled meetings:

December 20th, 2010 Study Session
December 27th, 2010 Regular Meeting
January 3rd, 2011 Study Session
January 17th, 2011 Study Session

Mr. Reinhart suggested taking a more comprehensive look at council rules at a future study session.

Meeting adjourned at 8:30 p.m.

Michael Snow
City Clerk