

## Council extends medical pot ban but will review new rules soon

By Jeanne Davant

Manitou Springs City Council on Tuesday extended a ban on medical marijuana businesses in the city but directed City Attorney Jeff Parker and the Planning Department to draft an ordinance that would permit dispensaries but ban grow and manufacturing operations.

An ordinance drafted previously by Planning Director Dan Folke set conditions for medical marijuana dispensaries but needs to be changed because of the recent adoption of a state law.

Council asked that the new ordinance outline a conditional use process that would require operators of medical marijuana businesses, now called centers, to submit an application, appear before the Planning Commission and get final approval from Council, besides obtaining a business license. To be considered, centers would have to meet certain standards, such as being 500 feet away from a school.

Parker said the state law sets a deadline of July 1 for center operators to submit applications to local jurisdictions. If they don't, they will have to wait until additional state regulations go into effect, which could take a year.

That puts Council under pressure to act. An ordinance introduced at the next Council meeting would be effective, at the earliest, seven days before the deadline.

Folke said he expected to get two or three applicants or perhaps a few more.

Council members were concerned that large grow operations or businesses that make products such as edible marijuana items or lotions would be out of place in Manitou and might put a strain on the city's infrastructure.

State law requires a dispensary to grow 70 percent of the product it sells but does not require that the grow operation be in the same jurisdiction as the dispensing center, Parker said. A separate license would be required for a grow or manufacturing operation.

Mayor Marc Snyder said he was worried by a recently reported incident in which a large grow operation in Colorado Springs blew out a transformer.

"The fact that an operation could draw that much power is worrisome," he said.

Councilwoman Aimee Cox said she was concerned about the number of plants and volume of marijuana that might be involved in grow or manufacturing operations.

Snyder said he favored banning grow and manufacturing operations "since I don't fully understand (them)."

Council voted unanimously to extend the moratorium on dispensaries, which would be repealed when it passes an enabling ordinance. The new draft ordinance will be presented at next week's Council meeting.

### In other business, Council...

- Learned that city sales taxes continued on an upward trend in March. Sales tax collections increased 38 percent for the month, compared with March 2009. For the year to date, sales tax collections are running 18 percent ahead of last year at this time. Collections from all economic sectors except food and gas stores and motels and B&Bs were in positive territory.

- Passed on first reading an ordinance officially adopting a Pre-Disaster Mitigation Plan promulgated by El Paso County. Manitou is already covered in the plan; Folke said adopting it would allow the city to apply for federal funds to build a bridge on Crystal Park Road.

- Approved an agreement with ERO Resources Corp. for \$7,455 to complete a Red Mountain Open Space Management Plan.
- Approved guidelines for bonfires and other open burning. The guidelines ban open burning such as ditch fires by anyone except government agencies with an approved plan, require a permit for bonfires and ban all types of fireworks except snappers and poppers.

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