

Amendment to CB 16-264 by Councilman Clark and Councilwoman Gilmore

Mr. President, I move to amend CB 16-264 in the following particulars:

On page 4, line 12, add the following definition:

(11) *Statistical neighborhood* means the geographical neighborhood boundaries established by the City and County of Denver in 1970 in conjunction with the Community Renewal Program, consisting of combinations of census tracts to which the city has assigned geographic place names corresponding to commonly used names of subdivisions and historical parts of the City

On page 6, line 13, strike the language after the word “appeal.”

Strike lines 14-20.

On page 7, line 33, add the following:

6. Prior to the **first** annual open application process administered by the director under this section, the director shall determine the number of licensed locations where medical marijuana centers, retail marijuana stores, or both, exist in each statistical neighborhood of the city. Likewise, the director shall determine the number of licensed locations where medical marijuana optional premises cultivation facilities, retail marijuana cultivation facilities, or both, exist in each statistical neighborhood of the city. The director shall then identify the five statistical neighborhoods where the highest number of licensed marijuana sales locations exist, and the five statistical neighborhoods where the highest number of licensed marijuana cultivation locations exist. The statistical neighborhoods thus identified by the director shall be considered neighborhoods of undue concentration of marijuana business licensing, and shall be prohibited from further licensing as a part of the annual open application process for the year in question. To the extent there is a tie in the number of licensed locations among two or more statistical neighborhoods with the fifth most licensed locations, then all such neighborhoods shall be treated as neighborhoods of undue licensing and shall be prohibited from further licensing as part of the annual open application process. Entry into the lottery for a retail marijuana store license shall be denied for any applicant proposing to locate a retail marijuana store in any statistical neighborhood determined by the director to be a neighborhood of undue concentration based upon the current number of locations of medical marijuana centers, retail marijuana stores, or both, in the statistical neighborhood. Entry into the lottery for a retail marijuana cultivation facility license shall be denied for any applicant proposing to locate a retail marijuana cultivation facility in any statistical neighborhood determined by the director to be a neighborhood of undue concentration based upon the current number of locations of medical marijuana optional premises cultivation facilities, retail marijuana stores, or both, in the statistical neighborhood. **Upon the completion of the first annual open application process, the director shall report to the council regarding the implementation of this subsection, along with a recommendation about whether or not to continue to restrict licensing in identified statistical neighborhoods in future open application processes.**

Explanation of amendment: This amendment will prohibit new marijuana sales and cultivation licensing in statistical neighborhoods where the highest concentration of licenses exist at the time of the first open application process and blind lottery, thus forcing the wider distribution of new licenses to other parts of the city. The director of excise will report to Council on the implementation of this limitation, and make recommendations on the continued use of this provision in future lotteries.