



TO: MAYOR AND TOWN COUNCIL

FROM: STACEY NELL, TOWN CLERK

RE: FIRST READING ORDINANCE 25-06: AN ORDINANCE AMENDING CHAPTER 180 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, CONCERNING ZONING, BY AMENDING SECTION 180-5.2.9, CONCERNING LICENSING REQUIREMENTS AND LIMITATIONS FOR RETAIL MARIJUANA BUSINESSES, IN ORDER TO CREATE CONSISTENCY BETWEEN THE LICENSE RENEWAL FEES FOR THE TOWN'S PROCESSING OF APPLICATIONS FOR RENEWAL OF RETAIL AND MEDICAL MARIJUANA FACILITY LICENSES

DATE: APRIL 22, 2025

MEMORANDUM

Summary and Background: Pursuant to the Town's Home Rule Authority, its police power, and C.R.S. §§ 12-43.3-301 and 12-43.4-301, the Town possesses the authority to regulate the time, place, manner, and licensing requirements for the operation of medical and retail marijuana businesses within the Town. In partnership with Town Attorney Thad Renaud, I have identified a need to more clearly establish consistency in the fees charged by the Town for marijuana licenses for establishments subject to this type of license, that are located in Frisco.

Analysis: The Town has previously adopted comprehensive regulations of retail marijuana businesses and medical marijuana businesses, and staff is recommending an amendment to those regulations to create consistency between the fees that are charged by the Town in connection with the processing of applications for license renewal and monitoring of licensed activities as between retail and medical marijuana facility licenses. It's proposed today that the fees to initially apply for, and renew, a marijuana license in the Town of Frisco, regardless of whether the license is categorized as "Medical" or "Retail" (Retail is often referred to commonly as "Recreational"), should be consistent and clearly stated in Town Code. In accordance with the Taxpayer Bill of Rights (TABOR), also known as Article X, Section 20 of the Colorado Constitution, fees set by government entities in Colorado are required to be established and charged to reflect the true amount of work that goes into the investigation, issuance and monitoring of any license issued. Renewal applications take *significantly* less Town staff time than a renewal of an existing license, and the monitoring of retail marijuana businesses has not taken significantly more staff time than does the monitoring of medical marijuana businesses. Staff believes that fees should be adjusted accordingly.

Current Marijuana Licenses issued in Frisco:

- RJJ Frisco LLC DBA Native Roots – Medical
- RJJ Frisco LLC DBA Native Roots – Retail
- Tumbleweed Frisco LLC DBA Tumbleweed – Retail

Financial Impact: Town Code currently addresses Marijuana Licensing in the following ways:

- **Medical:** Chapter 180-5.2.6 of Town Code “Medical Marijuana Dispensaries” implements all provisions of C.R.S. 12-43.3, also known as the Colorado Medical Marijuana Code.
 - Frisco Town Code 180-5.2.6(F)(2) clearly states that the fee to renew a Medical Marijuana License in Frisco is \$1,500.00
 - Frisco Town Code 180-5.2.6(F)(3) clearly states that the fee to initially apply for a new Medical Marijuana License in Frisco is \$3,000.00

Today’s Ordinance focuses on, and proposes, an update to the Retail Marijuana Code.

- **Retail:** Chapter 180-5.2.9 of Town Code “Retail Marijuana” implements all provisions of C.R.S. 12-43.4, also known as the Colorado Retail Marijuana Code, which authorizes the licensing and regulation of retail marijuana businesses.
 - Frisco Town Code 180-5.2.9(G)(3) clearly states that the fee to initially apply for a new Retail Marijuana License in Frisco is \$3,000.00
 - Frisco Town Code does not specifically call out the dollar amount for the fee associated with applying for renewal of an existing Retail Marijuana License in Frisco.

Summarized:

Type of License	Code Section	Fee Dollar Amount
Medical - New Application	180-5.2.6(F)(2)	\$3,000.00
Medical - Renewal	180-5.2.6(F)(3)	\$1,500.00
Retail - New Application	180-5.2.9(G)(3)	\$3,000.00
Retail - Renewal	<i>Proposed add to: 180-5.2.9(G)(3)</i>	<i>Does not indicate</i>

Currently, for renewals of Retail Marijuana Licenses, licensees are being charged \$3,000.00. As Town Clerk I am proposing a reduction to be more consistent with the actual staff time involved with processing a renewal application, and to reduce the fee to \$1,500.00. This is also in line with the Renewal fee for a Medical Marijuana License, that requires the same amount of Town staff time for processing, to comply with TABOR.

Alignment with Strategic Plan: The effective administration of all types of business licenses is a Quality Core Service that the Town Clerk is proud to facilitate for Frisco’s business community. By doing so, the Town Supports a Thriving Economy in Frisco by communicating with businesses what their responsibilities are under Town Code to maintain compliance.

Approvals:

Thad Renaud, Town Attorney

Staff Recommendation: Staff recommends that the Town Council adopt Ordinance 25-06 at first reading today.

Attachments:

Attachment 1- Ordinance 25-06