

Marijuana Task Force Questions

City of Colorado Springs

Dean Tollefson

4 January 2016

mjtaskforce@springsgov.com

- 1 Home Grow operations (defined as residential units (single family and other) that are housing any number of plants): What should the plant count be for residential grows? How should do we address the uncontrolled, large (over 100 plants) caregiver grows in residential areas? What restrictions, if any, should be imposed regarding location?

Answer: There should be a maximum of six (6) marijuana plants allowed in any single family residence, with three (3) or fewer being mature flowering plants producing a useable form of marijuana. In multi-family residential buildings, there should be a maximum of six (6) marijuana plants allowed per family unit (apartment or condominium), with three or fewer being mature, flowering plants producing a useable form of marijuana. In no case should sales of marijuana take place in or around any residential single family or multi-family residences. In all cases where marijuana plants are grown and cultivated, the grower must be in possession of a current, valid license for marijuana cultivation. These maximum plant counts cannot be expanded based on a medical marijuana use without the written statement of a licensed physician describing that greater amounts are medically necessary to address a debilitating medical condition for a patient under the physician's care. In no case shall the marijuana plant count be increased in a residentially-zoned house or muti-use building family unit (apartment or condominium) to provide medical marijuana for multiple patients. The plant count maximum of six (6) marijuana plants, with three (3) or fewer being mature flowering plants producing a useable form of marijuana cannot be increased based on a requirement to produce marijuana for more than one patient. For example, 30 plants being used to produce marijuana for 5 patients. A home environment should not be used as a production facility for multiple medical patients as if the home cultivation is supplying a medical clinic and its patients.

Marijuana cultivation of more than six (6) plants should be prohibited from all areas of the city zoned single-family residential or multi-family residential with appropriate fines imposed for violators. The fines should be large enough to make it economically unproductive to continue an illegal cultivation.

Comment: Allowing cultivation of large quantities of marijuana plants in homes, apartments and condominiums seems to me to belie common sense. Why should Colorado Springs citizens allow homes to become agricultural entities wherein even electrical, HVAC and structural changes are made to a home to allow that home to be used for purposes for which it was never intended? This makes no sense. We need to restore common sense to the marijuana frenzy.

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2. Commercial Hash Oil production: What concerns do you have, if any? What steps should we take to address Fire Department's concerns about processes and components that may be hazardous and could result in explosions and or flash fires?

Answer: Commercial Hash Oil production should be prohibited in residential and commercial areas of the city. It should only be allowed in industrial-zoned areas of the city. This prohibition needs to be in place due to the potential fire and explosion hazards associated with hash oil production.

3. Commercial grows: Should we consider relocating/rezoning large-scale commercial grows, currently allowed in commercial zones, in industrial or agricultural locations in order to control traffic and odor issues and to mitigate public safety risks?

Answer: Yes. Large-scale commercial grows should only be allowed in areas zoned industrial or agricultural.

4. Dispensaries: With current state and local regulations in mind, what changes, if any, do you think are required for regulating MMJ dispensaries? With the "Gas and Grass"-type operation—should there be co-location limitations associated with business models? How should we coordinate with other entities— cities, county, state, etc.—to ensure consistency, synergy?

Answer: Medical marijuana and retail marijuana facilities should not be allowed to be co-located.

5. What changes or recommendations should we consider to mitigate the public safety concerns raised by neighbors and public safety professionals? How should we deal with those who are blatantly disregarding the laws in order to be equitable to those who are abiding by the laws?

Answer: For home grow marijuana operations a current, valid marijuana cultivation license shall be required, renewable annually. The licensing process should include inspection of the residence by Building Code inspectors to ensure that building codes already in place are not violated by the marijuana cultivation process taking place within the residence. This shall include electrical, plumbing, HVAC, structural and fire escape and fire hazard requirements.

From: [Laura Hartman](#)
To: [Council Members](#)
Subject: A recent Colorado Tourism Office survey of summer travelers shows 48 percent were influenced by legal recreational pot
Date: Thursday, December 10, 2015 9:52:11 AM

A study commissioned by the Colorado Tourism Office and presented to the office's board of directors on Wednesday shows legal weed as a growing motivator for trips to Colorado — conflicting with the mantra of tourism officials statewide that savvy marketing alone is responsible for record visitation and spending in the last two years.

Please read and work to update our restrictive laws.

http://www.denverpost.com/marijuana/ci_29225304?source=rss

From: [Jim Schwerin](#)
To: [Marijuana Task Force Mailbox - SMB](#)
Subject: Bagley Email - MMJ Task Force
Date: Thursday, December 31, 2015 5:14:01 PM
Attachments: [image002.gif](#)
[image001.png](#)

Dear Larry,

In response to your request for feedback on the marijuana rules in the city, I would like to contribute the following:

1. Home Grow operations: What restrictions, if any, should be imposed regarding location?

Assuming home grows conform to the personal grow plant limit, I don't believe there should be any restrictions on the location, provided the home grows remain essentially "invisible", ie not particularly noticeable from beyond the property line.

2. Commercial Hash Oil production: What concerns do you have, if any?

Only concern about this is that the production should, if necessary, have strict requirement for fire suppression if flammable materials are used in production. Fire sprinklers, appropriate ventilation and filtration, storage controls, etc. Pretty much the same as one would expect for any business using flammable or explosive materials. Home production should remain banned.

3. Commercial grows: Should we consider relocating/rezoning large-scale commercial grows, currently allowed in commercial zones?

I see no reason to relocate or rezone for commercial grows. Given the large amount of commercial space already dedicated to grows, such a change would result in severe disruption to the commercial warehouse real estate market.

I am a commercial real estate developer and investor with extensive experience leasing to MMJ operations, although I am not in the MMJ business myself. It has been my observation that the MMJ business has significantly boosted occupancy rates in the commercial warehouse market, allowing the market to recover from the recent recession a lot faster than it would have otherwise. MMJ uses have "backfilled" a large amount of the excess space that went vacant due to the reduction in the number of local manufacturing businesses as well as the impact of the recession and probably saved several properties from foreclosure.

I strongly believe that any more stringent regulation of the commercial MMJ industry will have a real negative impact on the commercial warehouse business in Colorado Springs, resulting in increased vacancy, lower rental rates, and a higher rate of distressed properties and owners.

If you have any more questions, please feel free to contact me.

Best regards,

Jim Schwerin
The Windy Creek Companies
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Inquiry Type:City Council

City Response:

*

Contact Information:

Last Name: Calvillo

First Name:Duane

Email Address:duanecalvillo@gmail.com **State:** CO



Colorado Marijuana Task Force Questionnaire

ATTN: Colorado Springs Marijuana Task Froce, Councilman Larry Bagley
From: Mark Slaugh, CEO iComply, LLC

Preface

Thank you for allowing iComply the opportunity to represent expertise in Colorado Cannabis Regulatory Affairs. We pride ourselves as trusted resources for communities, governments, and market leaders as it pertains to sensible, thoughtful, and appropriate regulation of Commercial Cannabis. We are experienced in representing complex issues having participated in Colorado Springs public policy since 2010 helping define zoning considerations and medical marijuana regulation. Additionally, we were instrumental in campaigning for, passing, and assisting in the implementation of Amendment 64 in Manitou and Colorado Springs and with other local Governments.

Additionally, we're very well versed in Colorado State law and the Colorado Marijuana Code applicable to both medical and retail marijuana. We have participated in 5 years of representation at the Colorado Capitol tackling well over 30 marijuana bills each year with other trusted stakeholders. Additionally, we've been privileged to participate in five focused working groups with the Marijuana Enforcement Division for the State promulgating rules pertaining to Edibles Safety, Record Keeping, Administration, Discipline, Taxation, Responsible Vendor Training, and a Multitude of other Topics.

It is my sincere hope that this Task Force and the City of Colorado Springs takes into consideration our level of expertise in this particular, nuanced area of regulation. We strive to work cooperatively to listen for the concerns of the community and to provide a healthy balance of regulation taking into consideration all stakeholders impacted by policy now and for future generations to come.

1. Home Grow operations (defined as residential units (single family and other) that are housing any number of plants): What should the plant count be for residential grows? How should do we address the uncontrolled, large (over 100 plants) caregiver grows in residential areas? What restrictions, if any, should be imposed regarding location?

Simply put, this issue has been addressed at the State level through extensive stakeholder collaboration. The "Caregiver Bill" passed last year, allows for caregivers taking care of patients to register with the State and cultivate up to 99 plants.

For patients in need of concentrated oil or plant juicing, many plants are needed as inputs to create the necessary medicine output. The industry does not provide this medicine at affordable rates. In fact, many parents of epileptic children sitting on the waiting list for commercial cannabis oil have no other choice as market demand outstrips supply in this niche area of medicine.

For operators, the cost of concentration through CO2 or Flammable Solvents drives the cost of these oils up in order to make up margins making this medicine expensive and, therefore, unavailable to many patients.

In terms of enforcement of over 100 plants, this is a law enforcement matter and Amendment 20 of the Colorado Constitution provides some guidance. For example, caregivers cannot profit from the cultivation of marijuana but may be reimbursed at cost by patients. One idea may be to clarify that registered caregivers must maintain books and records over 100 plants showing they do not profit from the sale of cannabis.



Otherwise, prosecutors face defense attorneys using Article 3 Section b of the constitution as an affirmative defense for the number of plants. Concerning locations, this fundamental right for patients to grow, use, and possess marijuana makes restricting personal cultivation and use very difficult to do by local government ordinance. Outside of prohibiting marijuana on city property, this decision rests as a private matter between landlord and tenant or private property rights with patients themselves. Attempting to do so otherwise could expose the City of Colorado Springs to class-action lawsuits by the more than 15,000 registered patients in the City.

2. Commercial Hash Oil production: What concerns do you have, if any? What steps should we take to address Fire Department's concerns about processes and components that may be hazardous and could result in explosions and or flash fires?

Concerns regarding Hash Oil production have been addressed at the State Level for personal home manufacture in a similar manner as home-distillation of alcohol. It is a felony crime now to do so with any flammable solvent.

There are few concerns regarding Commercial Hash Oil production and I would be surprised if there were any incidences since regulation on this particular manufacture of marijuana has been in place since 2014. What, exactly, are the Fire Department's concerns?

Current regulation is tri-fold – in the Colorado Marijuana Code, equipment used to extract oils must be UL or ETL listed and must be contained in a full enclosed room. Additionally, training for operators must be created, documented, and maintained including maintenance and emergency protocols. During any extraction, a licensed and trained employee must be present in the extraction room and an emergency eye wash station must be in the room.

Additionally, a Professional Engineer or Industrial Hygienist must inspect the licensed premises, extraction equipment, and Standard Operating Procedures of the Licensed Manufacturing Facility before any manufacturing may commence. Any Material Changes to Standard Operating Procedures must be documented, updated, and re-trained among staff members. At any time, for a period of up to 3 years, these documents must be made available to regulators as part of a licensee's compliance. Each production batch is also tracked and all equipment must be cleaned after each production batch.

Secondarily, all licensed premises must undergo Fire Department inspection and, like any business, must continue to comply with fire code and safety standards. This includes the fire safety rating of the extraction room, the quantity of flammable solvent allowable on site, venting requirements, electrical equipment in the room, and fire suppression systems. We would be curious to know, what are the Fire Department's concerns exactly, if they are signing off on these facilities?

Finally, OSHA regulation also applies to all marijuana licensed facilities providing requirements for Federal Safety Standards. If these businesses are going above and beyond what lavender, garlic, or rosemary manufacturers must do in a similar fashion in Colorado Springs, we wish to understand exactly what concerns the Fire Department has that could be mitigated even further than current regulation and safety standards.

3. Commercial grows: Should we consider relocating/rezoning large-scale commercial grows, currently allowed in commercial zones, in industrial or agricultural locations in order to control traffic and odor issues and to mitigate public safety risks?

This particular questions was vetted by both Regional Building and City Council in 2010 – 2011 to create the code we currently have. While the code is able to be changed to mitigate current or future concerns, two primary issues come to mind that represent serious consideration for the City:



Existing operators and licensees under application must be grandfathered in to avoid lawsuits by an increasingly lucrative industry and its operators already promised applicable locations for their business.

1. New zoning locations will dictate future capacity to provide supply to the marketplace. As the medical marijuana industry in Colorado Springs has increased in the number of patients, tax revenue contributed, employment, and investment, the amount of square feet available, simply put, will drive up the price of marijuana in Colorado Springs as well as the value of each license.
 - a. Should Colorado Springs choose to regulate retail sales of marijuana, this limit on production capacity in co-located facilities means operators split existing inventory in half in order to sell retail. Overly restrictive zoning will force operators to purchase from other regions in the state or invest outside of Colorado Springs, reducing tax revenue contributed to the City, jobs produced, and investment made locally.
 - b. Opening up agricultural zoning would be beneficial if greenhouse and outdoor operations are allowed and would greatly mitigate the negative impacts of overly-restrictive zoning.

In my opinion, more evidence needs to be presented regarding current traffic, odor, and public safety issues. The following questions are crucial to understanding the extent of the issue, if any, as the Task Force looks at commercial cultivation zoning:

How many fire, police, traffic accidents, and complaints have these cultivations received in the last five years in the commercial zones in question?
How do these compare to other businesses zoned in these areas?

4. Dispensaries: With current state and local regulations in mind, what changes, if any, do you think are required for regulating MMJ dispensaries? With the “Gas and Grass”-type operation—should there be co-location limitations associated with business models? How should we coordinate with other entities— cities, county, state, etc.—to ensure consistency, synergy?

As gun stores can sell beverages and food items, pharmacies can sell cigarettes, food, clothing, and alcohol, and gas stations can sell alcohol and cigarettes as well as over the counter medication, this particular question boils down to a question of business freedom.

If Colorado Springs shares the cultural value of free markets with minimal government intervention, then the Task Force should look at the extent that this freedom applies to similar business entities cross-selling a variety of products. It seems the concern is one of imaging and public perception – not necessarily one of public safety. As gas stations are approved through a number of entities including zoning for traffic considerations, I’m unclear as to what threat to public safety an entity like this presents. After all, patients also demand gasoline.

The key questions is: Where does Colorado Springs draw the line when it comes to prohibiting sales of CBD hemp oil, non-medicated food items, hats, t-shirts, lighters, or other non-marijuana items?

In terms of consistency, the sure-fire way to ensure consistency and synergy would be to lobby for a State Law that addresses what type of business may be conducted at a licensed facility. Retail Marijuana dispensaries, for example, are prohibited by State Law to sell any consumable item NOT infused with marijuana.

5. What changes or recommendations should we consider to mitigate the public safety concerns raised by neighbors and public safety professionals? How should we deal with those who are blatantly disregarding the laws in order to be equitable to those who are abiding by the laws?

A possible regulatory solution to address issues in advance would be to take a page from Manitou Springs and Denver’s playbook. In advance of opening a new facility or relocating an existing license, similar to alcohol, operators can notify neighbors in their vicinity to attend a public hearing for approval.





The approval process may be done by planning and zoning or by a commission appointed by City Council. Any public safety concerns may be mitigated as part of this process.

For operators out of compliance, enforcement mechanisms exist currently that give local law enforcement the same powers as state regulators at the MED to seek out violations, assess penalties, issue administrative holds, hold hearings, and suspend or revoke licensure at the local level.

More funding is likely necessary for Colorado Springs to enforce existing regulations. This may be done through increased fees, heavy penalties for non-compliance, and/or regulating and taxing retail marijuana sales.

Should the Task Force or City Council decide to deal with blatant non-compliance effectively, iComply is capable of providing Law Enforcement training to specialized teams of law enforcement officers regarding applicable regulations and indications of non-compliance. This training is crucial to ensure consistency with State-wide regulatory efforts and to minimize costs of inefficient regulation or overtly-aggressive persecution of cannabis businesses.

In conclusion, I hope our feedback and participation in the Task Force process provides what insiders have demanded from Colorado Springs for quite sometime: a thoughtful, deliberate process with all Stakeholders to truly research, determine, and define the best possible public policy for Colorado Springs.

In addition to this questionnaire response, I'd also like to add to the Colorado Springs Task Force record an Amicus Report we provided to Jefferson County officials regarding historical and systemic bias and prejudice. It is my sincere hope that all task force members and members of City Council read this report to understand the impact of stigmatization on the public policy process. A collaborative stakeholder process, by nature, should be as unbiased as possible to truly determine, objectively, the best public policy for the City.

We are honored to be a part of this important first step and historic precedence for the future of the City. As a long-time community resident, graduate, and employer in Colorado Springs, I sincerely thank the Task Force and Council members for tackling these issues head-on.

Sincerely,



Mark H. Slaugh
Chief Executive Officer
iComply, LLC
Cannabis Policy/Regulatory Affairs
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From: [Paul Lemon](#)
To: [Marijuana Task Force Mailbox - SMB](#)
Subject: comments re questions
Date: Friday, January 08, 2016 6:48:46 PM

Dear Mr. Bagley,

This is in response to the email I received on 30 December. I have printed out your email and have been studying the questions and trying to come up with an answer to the three questions.

As to question 1: I do not support home grow operations anywhere in the city. I have talked to business people and they are unhappy when a marijuana store opens nearby due to the order. I can not imagine the desire to have the same order in my or any neighborhood. I would not support the allowing of a home grow operation in the city.

2: I looked up the term "hash oil" on the internet and found that this is a very flammable item to make. There were several stories of explosions due to sparks that set off the hash oil production to the regret of those making the product. I see no reason for the city to establish the ok to make hash oil in any commercial operation within the city limits. My concern would be the instability of the product and the potential of events ending badly if there should be an explosion.

3: commercial grows: I again see no reason for allowing commercial grows in this city. Especially since this is an area that is seeing large grow operations outside Pueblo and, I think, in the south area of the state in Trinidad or Walsenburg. There have been some stories on these areas in the past several months; I just don't remember the exact locations.

Just to let you know I did not vote for the marijuana bill when it came up for a vote. It is destructive especially the ones it should not be available to; the ones under the age of 25. And now we are seeing that the biggest use is in the ages under 25. What this will do to society in the future does not portend well for Colorado. Therefore I am not a cheerleader for the use or distribution or manufacture of marijuana. But the comments on the above questions are based on reading and research.

Thank you for the opportunity to respond to your email.

Sincerely,

Paul Lemon

From: [Southern Colorado Cannabis Council](#)
To: [Council Members](#)
Subject: FROM SoCoCan
Date: Thursday, January 21, 2016 5:10:51 PM

January 2016 Update

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Good day from your Southern Colorado Cannabis Council. We hope that this update finds you all well in this new year! It is the busy time of the year for our Council. We wanted to get you an update to let you all know what we will be working on in the coming months. As always, if you are a member you may call or email me personally, or any one of our board members for more detail.

Since 2009, we have prided ourselves on being able to work with the Colorado Springs City Council. We have always had a great relationship with the city council and we have been able to protect, as well as build the cannabis industry in our wonderful city. For reasons unknown to us, they recently chose to exclude us from the work group that they have formed. Despite this minor setback, we are currently and will continue to work with members of city council and the work group on the issues they are looking at that will affect our members and our local industry.

Recently, an ordinance was passed in the Springs. On the surface it bans paraphernalia for anyone under the age of 18. This, in itself would violate the Constitutional rights of any minor patient authorized to use medical cannabis. The bigger concern here is the vagueness in which the ordinance can be interpreted. We all need to watch how this is implemented.

The city council has formed a work group, as mentioned above. The premise that this group was formed on was to look at zoning in regards to mmj businesses in the Springs. It seems that they are now looking at everything pertaining to cannabis in Colorado Springs. In the first two meetings there seemed to be a focus on home grows. This is something that has been under attack on every level for a couple of years. We will keep a close eye on this. We will have a presence at these meetings, and we will be working with the city council to make sure that there is truly a voice of the entire industry involved in this process.

There has also been an internal work group formed to look at cannabis clubs in the Springs. This group has no public input or representation. That should be of great concern to everyone. We all need to be vigilant in paying attention to this. We also need to attend city council meetings and voice our opinions on all of this. We have many clubs that have

operated successfully in the Springs since shortly after 64 was passed. We proudly represent a few of these establishments. We are working very hard at the local and state level to ensure a reasonable regulatory structure that ensures protection of existing, successful business models and also appeases any objection to these businesses. This is the exact same thing that our organization did with helping in the drafting of HB 1284 many years ago. Many people also viewed dispensaries to be, "illegal" before we passed that legislation. We must enact the same protections for clubs to ensure that tourists and residents have a safe place to consume cannabis.

Below is a rundown of the bills that have been introduced at the state level. This will surely change. If you are a member you can call or email us anytime for more detail on what we are working on.

Sunset Review on Recreational Cannabis- This bill will be heard on Wednesday, January 27th at 1:30 in House Finance Committee. the hearing will be held in LSB-A. We worked closely with DORA on the drafting of this bill. We do not see any issues with this bill as written and we will be supporting its passage.

HB 16-1041- Repeal Bonding Requirement Marijuana Businesses- This bill seems as if it will lift some of the requirements for owners. Anything that makes our owners' lives easier we will always support. This is scheduled to be heard on Thursday, January 28th at 1:30, in LSB-A.

HB 16-1064- Medical Marijuana Testing Facility Local Licensing- This appears to be clean-up legislation that allows localities to license testing facilities. We see no issues here.

HB 16-1092- Authorize Retail Marijuana Special Event Permit- For the most part we like this bill. It will legalize all of the events that happen across Colorado. We do have a few concerns about the language. We do not want this bill used against clubs. We are working on a new bill to regulate clubs that will be back next session.

HB 16- 1108 Residential Real Estate Disclose Large Plant Grow- This bill is exactly what it sounds like. It is unenforceable and unconstitutional. We will be opposing this.

SB 16-015- Rules for Allowed Marijuana Pesticides- We will be following this bill. We always support the safety of patients.

SB 16-040- Marijuana Owner Changes- This has been the fear of many of our owners for years. This bill would drop the two year residency requirement for ownership of a cannabis business. We will work to stop this effort. Make sure to call and email Rep Pabon and ask him to reconsider this legislation.

SB 16-041- CDPS Data on Law Enforcement Marijuana Activities- We will follow this bill. It is concerning and it is a double standard. Given the fact that one in seven CO adults die from alcohol related issues, maybe that is what this bill title should be.

SB 16-080- Marijuana Grows Closed Space Requirements- This bill is maybe the worst bill thus far. It would require anyone with anyone under 21 living in their residence to have their grow in a enclosed, locked space. This is again a double standard and there is no basis or justification, other than perceived fear. We will be opposing this bill.

We must quit legislating to pander to perceived fear and law enforcement. We must start writing responsible regulation. Right now other legal states are flying past us. Our lobbyists will be hard at work again this year for what is best for our members and the majority. We encourage our members feedback! If you are a member or you make contributions, we thank you very much for your support! If you are not a member or if you would like to make a tax deductible contribution, you can do so here: sococc.org

Jason Warf
Executive Director
Southern Colorado Cannabis Council
sococc.org
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From: [Rebecca Lockwood](#)
To: [Bagley, Larry](#)
Cc: [Gonzalez, Eileen](#)
Subject: Plant count
Date: Friday, January 22, 2016 9:05:10 AM

I hope this email finds you in time. My son, Calvin, is a pediatric medical marijuana patient and has been since 2013. He is no longer self injurious or aggressive. No more 911 calls, breaking floor tiles with his head or 8 grown men holding him down to use bed restraints at hospitals. My son is back in public school (last year was his first year back since 2010) and he is back in therapy. He's doing so well with the organic cannabis that I grow for him. My son needs more than 12 plants per four months (grow cycle) and I am concerned that if the plant limit goes to 12 plants per residential home in El Paso county, I will become a criminal and be treated like someone operating an illegal grow.

Also, this law is unconstitutional as amendment 20 states that plant counts are to be determined by the patient and caregiver.

We lost everything

when my son's condition became so severe that I had to stay home with him. We lost our LLC, our families health insurance and almost lost our home. I am not willing to go back to that and following this law will put me back there.

I understand that people are clearing out residential houses and turning them into illegal grows and I believe those people are your focus. We are not doing that. We live in our own home and use one room to grow in. If this law passes, I will receive the same treatment as a person clearing out a home for a massive illegal grow. Right now, my son's grow is legal. I fear that I will be caught in the crossfire.

There are several moms that I network with at Pediatric Cannabis Therapy support group meetings that are hosted by our local fire stations. These moms all grow as well. We watch the news, we see the harmful and dangerous pesticides being used in dispensary cannabis and edibles. This is why we grow. Our kids are thriving. Please allow us to continue to treat them legally.

Sincerely,

Rebecca Lockwood

From:
To:
Cc:
Subject:
Date:

Dear Larry -

As a member of the El Paso County Planning Commission (the MMJ issue was on our 10/20/2015 agenda) and a 37-year resident of Colorado Springs, I have given the subject of Medical Marijuana some thought.

It is my understanding that "Article XVIII #14 of the Colorado Constitution provides an affirmative defense to criminal drug charges to patients and primary caregivers growing, possessing or consuming medical marijuana and that a patient and his/her caregiver may collectively possess no more than 2 ounces of useable medical marijuana and no more than 6 plants, no more than 3 of which may be mature, flowering plants".

While the City of Colorado Springs needs to respect the afore mentioned patient and caregiver rights, the vast majority of Colorado Springs residents and visitors are neither MMJ patients nor caregivers.

We (and our guests) need to also have our rights respected!

I have two big marijuana concerns:

- 1) Odor, and
- 2) Keeping the consumption of the drug away from minor children and adults who are not authorized medical marijuana patients.

Today, whenever and wherever I go in Colorado Springs I smell the distinctive odor of marijuana. I personally find this odor objectionable. I also don't believe the City should establish this odor as the brand or image that we present to tourists or business visitors and personal guests.

I would suggest that both patients and caregivers be required to not generate a detectable odor nor supply the drug in any form to either minors or unauthorized adults. I would suggest that each patient and caregiver be required to publically register their name and the street address of their location.

If anyone believes that a patient or caregiver is failing to meet their afore mentioned requirements, the complainant should have an easy way to report this to the City. Upon the receipt of such a report, the City should immediately issue a cease and desist order to the subject MMJ patient and/or caregiver. In order to resume operation, the patient and/or caregiver should have the sole duty and burden to prove that they are in compliance with all the City's requirements.

Currently, commercial growers in Colorado Springs are in violation of detectable odor performance. When I have reported violations to the City Clerk's office, the problem has not been fixed.

My wife and I own a medical office building at 4020 Palmer Park Blvd. A commercial grow operation is located in the neighboring 4064 Palmer Park Blvd building. Just about always when I walk in our parking lot, I smell the marijuana odor. We are having difficulty filling vacancies in our building. I believe the neighboring grow operation is a contributing factor.

I also serve on the PPRTA CAC. Whenever I enter or leave the lower level of the PPACG building (15 S 7th St.) I experience a strong marijuana odor from the concrete building (I believe the

address is 20 S Chestnut St.) to the immediate southeast of the PPACG parking lot. Is this the brand or image we want to present?

Unless commercial grow operation can be operated without an odor, they need to be disallowed in all commercial zones and allowed only in industrial zones where objectionable odors can better be tolerated.

I have a two concerns with Commercial Hash Oil production: 1) toxic emissions and 2) fire hazards. I would suggest that the City obtain and enforce rules and regulations from both the fire marshal and public health department in order to avoid or mitigate these concerns.

Please let me know how I can further assist you and the Marijuana Task Force. You have a tough job!

Sincerely Yours,

Jim Egbert

Colorado Springs, CO 80920



Larry Bagley
Councilman and MJ Task

Force Chair

Office: 719.385.5493

Email:

mjtaskforce@springsgov.com

scale commercial grows, currently
allowed in commercial zones?

Please email your responses to
mjtaskforce@springsgov.com

Thank you in advance for your support and
input. I look forward to working together!

Sincerely,

Larry

Stay Connected:



107 N. Nevada Ave., 80903

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COS City Council | 107 N. Nevada Ave., Suite 300 | Colorado Springs | CO | 80903

From: [Michelle Choi](#)
To: [Marijuana Task Force Mailbox - SMB](#)
Subject: Re: Please send me your insights
Date: Friday, January 01, 2016 10:06:38 AM

Thank you so much for asking for my input, living next to two growers who are obviously sending their product out of state, I do believe we need tougher restrictions, for us and our neighboring states.

When it comes to home grow operations, homes should be restricted to 6 plants per house period. Anything more should require permits and should be in a commercial setting. With it being for "medical" purposes, we should have all growers have to register if there are more than 6 plants and have criminal penalties if not obeying the rules, because fines are easily paid when you are growing to send out of state. Also, when there are houses with basements full of weed you get to smell it 24/7 when it gets close to harvest, we get to listen to air conditioners multiple per house going year round even when it is below 0 outside, and the houses glow from the lights. It is a business for many and should be treated like one.

With commercial hash oil, it is a toxic substance which can cause death just by touching it. Because of this, it should be treated like a hazardous substance and have the same regulations as we impose on other companies that handle hazardous substances.

When it comes to commercial grows it should be regulated and not be allowed near schools, parks and residential areas, with the exception if they are able to filter out the smell and have no noticeable markings of it being a commercial grow site.

Michelle Choi

On Wed, Dec 30, 2015 at 5:24 PM, CM Larry Bagley, MJ Task Force Chair

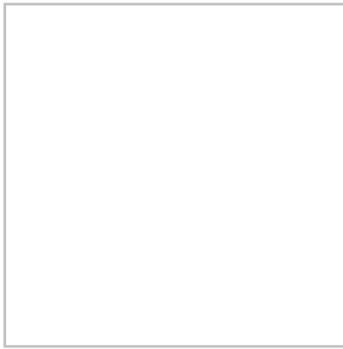
<mjtaskforce@springsgov.com> wrote:

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Dear Michelle,

As the Marijuana Task Force moves forward to meet the requirements of the Medical Marijuana Moratorium, I am reaching out to you for your insight and comments regarding the following critical questions:



Larry Bagley

**Councilman and MJ Task
Force Chair**

Office: [719.385.5493](tel:719.385.5493)

Email: mjtaskforce@springsgov.com

1. Home Grow operations: What restrictions, if any, should be imposed regarding location?
2. Commercial Hash Oil production: What concerns do you have, if any?
3. Commercial grows: Should we consider relocating/rezoning large-scale commercial grows, currently allowed in commercial zones?

Please email your responses to mjtaskforce@springsgov.com

Thank you in advance for your support and input. I look forward to working together!

Sincerely,

Larry

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From: [Scott Casmer](#)
To: [Marijuana Task Force Mailbox - SMB](#)
Subject: Re: Please send me your insights
Date: Wednesday, December 30, 2015 8:34:14 PM

Larry,

I'm so glad there is energy going into this issue. Here are my responses to your questions:

1. The potential for significant profits needs to be removed from the home grow "industry". Residential activities should be restricted in such a way that those seeking to make a living from it will need to do it as a formal commercial operation in an area appropriately zoned for it. Loopholes such as provider lists and medical provider licensing need to be eliminated or restricted such that only the legal number of plants per actual resident can be grown. Some sort of residency test may need to be implemented to prevent claiming that 100 people live in a house. Relying on HOA covenants and rental agreements to enforce this is not likely to work in many cases. City or county laws would be far more effective as long as they are actionable by both law enforcement and the judicial system. In addition, please consider establishing a confidential hotline for illegal grow operations in residential areas. The neighbors typically know exactly what is going on but don't know what to do about it.
2. Given the fire hazard of hash oil production, it needs to be regulated the same as any other industry that produces flammable products. Appropriate fire suppression systems, employee safety programs, and insurance plans commensurate with risk would be a start if they're not in place already. Another issue with production is scrubbing exhaust to remove the strong odor. Finally, hash oil production often requires the use of hazardous chemicals/solvents such as chloroform, dichloromethane, petroleum ether, naphtha, benzene, butane, methanol, ethanol, and isopropanol. Disposal of these chemicals should be regulated and monitored. In order to keep from having contaminated water systems, drains should be monitored similar to the way silver from x-ray processors is done with permits and test samples. The Denver Fire Department has put out a great reference that captures some of these issues:

<https://dmms2015.com/wp-content/uploads/2015/11/5-Fire-Prevention-Permitting-Safety.pdf>

3. My understanding is that commercial grow operations are running more traditional businesses that use warehouse facilities out of business or at least forcing them to dramatically increase their rent payments. If we want the other industries to continue to be viable, we need to strike a balance. Perhaps we can follow the model applied to liquor licensing. I understand that a given business can only have one retail liquor facility in the state. If a business could only have one warehouse for grow operations, it would have an impact on demand. Another possibility might be to set up a specialized trade area like the foreign trade zones. If using the zone is not required (probably should be), there would need to be an incentive like discounted land for building warehouses, lower initial utility rates, zone-provided physical security, ready access to delivery companies, or something similar. In any case, this might relieve pressure on other warehouse space around town and allow tighter regulation. A larger scale example with the intent to preserve tax revenue for the tobacco industry in Virginia can be found here:
<http://www.tic.virginia.gov/Megasite.pdf>

If there is any doubt about the issues associated with commercial grow operations, this reference from a study done in British Columbia is useful:
<http://www.surrey.ca/files/RevisitingtheIssuesAroundCommerciallyViableIndoorMarihuanaGrowingOperationsinBritishColumbia.pdf>

Those are my thoughts. I'm looking forward to news about the actions taken by city council prior to the end of the moratorium in April.

Regards,
Scott Casmer

From: "CM Larry Bagley, MJ Task Force Chair" <mjtaskforce@springsgov.com>
To: scott_casmer@yahoo.com
Sent: Wednesday, December 30, 2015 5:24 PM
Subject: Please send me your insights

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Dear Scott,



Larry Bagley

Councilman and MJ Task
Force Chair

Office: 719.385.5493

Email:
mjtaskforce@springsgov.com

As the Marijuana Task Force moves forward to meet the requirements of the Medical Marijuana Moratorium, I am reaching out to you for your insight and comments regarding the following critical questions:

1. Home Grow operations: What restrictions, if any, should be imposed regarding location?
2. Commercial Hash Oil production: What concerns do you have, if any?
3. Commercial grows: Should we consider relocating/rezoning large-scale commercial grows, currently allowed in commercial zones?

Please email your responses to
mjtaskforce@springsgov.com

Thank you in advance for your support and input. I look forward to working together!

Sincerely,

Larry

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From: [Dennis Moore](#)
To: [Marijuana Task Force Mailbox - SMB](#)
Subject: RE: Please send me your insights
Date: Thursday, December 31, 2015 3:17:26 PM

Please contact me if you need more details for the answer to the question below.

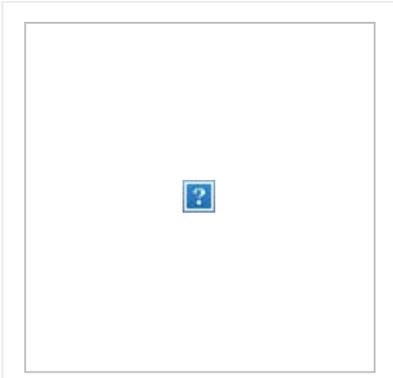
1. Home Grow operations: What restrictions, if any, should be imposed regarding location?
Five hundred foot (500') distance restriction from schools, colleges, universities or seminaries, the same as Liquor/Alcohol requirements.
2. Commercial Hash Oil production: What concerns do you have, if any?
Should consider requirements/regulations of other hazardous materials.
3. Commercial grows: Should we consider relocating/rezoning large-scale commercial grows, currently allowed in commercial zones?
No.

Consider putting the request for Marijuana operation under the same process as a request for Liquor and Beer Licensing, with the Liquor and Beer Licensing Board?

Dennis Moore, 2416 Bandelier Drive, 80910, Home Phone: 719-634-8691

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Dear Dennis,

As the Marijuana Task Force moves forward to meet the requirements of the Medical Marijuana Moratorium, I am reaching out to you for your insight and comments regarding the following critical questions:

1. Home Grow operations: What restrictions, if any, should be imposed regarding location?
2. Commercial Hash Oil production: What concerns do you have, if any?
3. Commercial grows: Should we consider relocating/rezoning large-

Larry Bagley
Councilman and MJ Task

Force Chair

Office: 719.385.5493

Email:

mjtaskforce@springsgov.com

scale commercial grows, currently
allowed in commercial zones?

Please email your responses to
mjtaskforce@springsgov.com

Thank you in advance for your support and
input. I look forward to working together!

Sincerely,

Larry

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From:
To:
Subject:
Date:

Larry

As to your specific questions, there should be NO additional restrictions placed upon folks that want to grow from home. As you know there are already restrictions upon individual grows, such as having to be out of sight and a locked fenced area etc. Seems to be working just fine, you should be happy with this, and leave it them alone with more laws and restrictions. Colorado voted in favor of letting the people who wish to grow their own medicine do so. This should not be infringed upon by city council or anyone else for that matter. I feel very strongly about this.

As to commercial hash oil extraction should be done in a safe manner. Commercial grows I have no opinion on, but no new laws or restrictions should be placed upon them, seems like things are going forward in a positive manner. The sky is not falling when it comes to Marijuana, quite the opposite really. We are bringing in millions in tax revenue, that in the good old days would have gone directly to the Mexican drug cartels. The cartels cannot sell marijuana in Colorado anymore, who would want to buy it? Cartel marijuana can now only be sold in states where it is still illegal. We have come a long ways on ending illegal cartel marijuana. I would say keep calm and don't think more laws and restrictions are any sort of answer. They have not worked on Marijuana for over 80 years now, good to keep in mind. I look forward to staying up to speed on this. I am sincerely yours- Derek

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Larry Bagley
Councilman and MJ Task
Force Chair

Office: 719.385.5493
Email:
mjtaskforce@springsgov.com

Dear Billy,

As the Marijuana Task Force moves forward to meet the requirements of the Medical Marijuana Moratorium, I am reaching out to you for your insight and comments regarding the following critical questions:

1. Home Grow operations: What restrictions, if any, should be imposed regarding location?
2. Commercial Hash Oil production: What concerns do you have, if any?
3. Commercial grows: Should we consider relocating/rezoning large-scale commercial grows, currently allowed in commercial zones?

Please email your responses to mjtaskforce@springsgov.com

Thank you in advance for your support and input. I look forward to working together!

Sincerely,

Larry

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From: [Joe Woyte](#)
To: [Marijuana Task Force Mailbox - SMB](#)
Subject: Re: Please send me your insights
Date: Thursday, December 31, 2015 12:59:44 PM

My comments regarding the following questions:

1. Home Grow operations: What restrictions, if any, should be imposed regarding location?
There should not be restrictions by location, if the grower possesses a medical marijuana card.

2. Commercial Hash Oil production: What concerns do you have, if any?
It would be better to provide a system of licensure, fines, and safety inspections of commercial operations than continue to effectively encourage unsafe homegrown hash production by just continuing to ignore it.

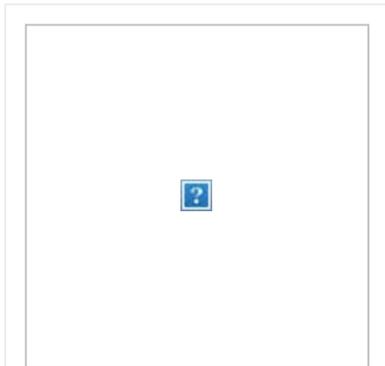
3. Commercial grows: Should we consider relocating/rezoning large-scale commercial grows, currently allowed in commercial zones?
We should not force relocation of commercial grow operations that are already in place legally.
Thanks for asking,
-Joe Woyte

On Wed, Dec 30, 2015 at 5:24 PM, CM Larry Bagley, MJ Task Force Chair

<mjtaskforce@springsgov.com> wrote:

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Larry Bagley
Councilman and MJ Task
Force Chair

Office: [719.385.5493](tel:719.385.5493)
Email:
mjtaskforce@springsgov.com

Dear Joseph,

As the Marijuana Task Force moves forward to meet the requirements of the Medical Marijuana Moratorium, I am reaching out to you for your insight and comments regarding the following critical questions:

1. Home Grow operations: What restrictions, if any, should be imposed regarding location?
2. Commercial Hash Oil production: What concerns do you have, if any?
3. Commercial grows: Should we consider relocating/rezoning large-scale commercial grows, currently allowed in commercial zones?

Please email your responses to
mjtaskforce@springsgov.com

Thank you in advance for your support and input. I look forward to working together!

Sincerely,

Larry

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From: [STEPHANIE JOHNSON](#)
To: [Marijuana Task Force Mailbox - SMB](#)
Subject: Re: Please send me your insights
Date: Thursday, December 31, 2015 8:42:52 AM

Larry,

First, thank you for your concern and interest in this problem. Personally, I believe Colorado/Colorado Springs made an enormous error in legalizing marijuana.

I have been Pres. of PLATTE AVE. BUSINESS & NEIGHBORHOOD ASSOCIATION for approx. 18 year. PAB&NA boundaries are Union east to Circle/Chelton and Bijou to Willamette.

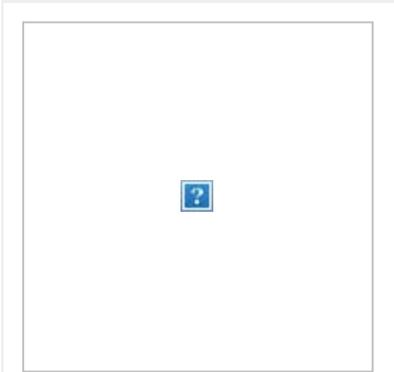
We have numerous marijuana grows in the area - both legal and illegal. I frequently call Code Enforcement to report fumes being emitted yet the fumes continue - specifically from 315 Iowa. I own the adjoining property where there are currently 15 residential units where seven children reside at this time.

Because of this, I believe the marijuana grow facilities (if we must have them) should be located in industrial areas. As of now, there are fumes everywhere in Colorado Springs.

Stephanie L. B. Johnson

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Dear Stephanie,

As the Marijuana Task Force moves forward to meet the requirements of the Medical Marijuana Moratorium, I am reaching out to you for your insight and comments regarding the following critical questions:

1. Home Grow operations: What restrictions, if any, should be imposed regarding location?
2. Commercial Hash Oil production: What concerns do you have, if any?
3. Commercial grows: Should we consider relocating/rezoning large-scale commercial grows, currently

Larry Bagley
Councilman and MJ Task Force Chair

allowed in commercial zones?

Office: 719.385.5493
Email:
mjtaskforce@springsgov.com

Please email your responses to
mjtaskforce@springsgov.com

Thank you in advance for your support and
input. I look forward to working together!

Sincerely,

Larry

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From: [Terry Storm](#)
To: [Marijuana Task Force Mailbox - SMB](#)
Subject: RE: Please send me your insights
Date: Thursday, December 31, 2015 8:22:40 AM

Larry, thank you for asking. I admit I know almost nothing about the subject, so my responses aren't very meaningful.

1. I don't support any home grow operations. If there has to be some, I suppose a limit on the numbers and some way to limit visitors/purchasers from the property. Should not be visible.
2. I don't support any hash oil production; too dangerous to adjacent properties. Perhaps setbacks?
3. Again, I don't support, but if we have to have them, they certainly need to be in commercial-zoned properties. Setbacks for safety?

Sorry, not much help, Terry

Terry Storm, President & CEO
Pikes Peak Association of REALTORS (PPAR)
P.O. Box 420, Colorado Springs, CO 80901
430 N. Tejon Street, CS, CO 80903
719-633-7718; 719-406-1187 Cell

From: CM Larry Bagley, MJ Task Force Chair [mailto:mjtaskforce@springsgov.com]
Sent: Wednesday, December 30, 2015 5:24 PM
To: Terry Storm <tstorm@ppar.org>
Subject: Please send me your insights

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Dear Terry,

As the Marijuana Task Force moves forward to meet the requirements of the Medical Marijuana Moratorium, I am reaching out to you for your insight and comments regarding the following critical questions:



Larry Bagley

Councilman and MJ Task
Force Chair

Office: 719.385.5493

Email:

mjtaskforce@springsgov.com

1. Home Grow operations: What restrictions, if any, should be imposed regarding location?
2. Commercial Hash Oil production: What concerns do you have, if any?
3. Commercial grows: Should we consider relocating/rezoning large-scale commercial grows, currently allowed in commercial zones?

Please email your responses to mjtaskforce@springsgov.com

Thank you in advance for your support and input. I look forward to working together!

Sincerely,

Larry

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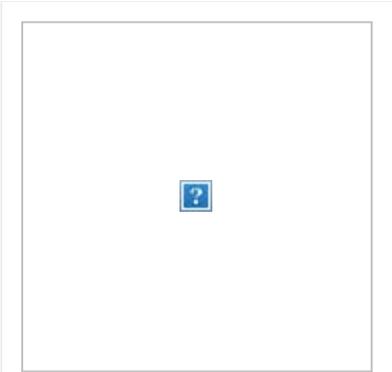
From: [Randy Hodges](#)
To: [Marijuana Task Force Mailbox - SMB](#)
Subject: Re: Please send me your insights
Date: Thursday, December 31, 2015 8:07:33 AM

1. I think there definitely needs to be restrictions on the number of plants that can be grown in any given house in residential neighborhoods. I don't know what the right number is, but without restrictions, grow houses will pop up in huge numbers and take over neighborhoods and leave neighbors and/or HOAs little or no recourse.
 2. I don't know much about hash oil and the potential dangers of it so I have no comment.
 3. Yes, I think large scale commercial grows should be restricted to areas away from other large commercial centers and away from residential areas.
-

On 12/30/15, CM Larry Bagley, MJ Task Force Chair<mjtaskforce@springsgov.com> wrote:

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Greetings!

As the Marijuana Task Force moves forward to meet the requirements of the Medical Marijuana Moratorium, I am reaching out to you for your insight and comments regarding the following critical questions:

1. Home Grow operations: What restrictions, if any, should be imposed regarding location?
2. Commercial Hash Oil production: What concerns do you have, if any?
3. Commercial grows: Should we consider relocating/rezoning large-scale commercial grows, currently allowed in commercial zones?

Please email your responses to mjtaskforce@springsgov.com

Thank you in advance for your support and input. I look forward to working together!

Sincerely,

Larry

Larry Bagley
Councilman and MJ Task Force Chair

Office: 719.385.5493
Email: mjtaskforce@springsgov.com

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From: tdsilverio@comcast.net
To: [Marijuana Task Force Mailbox - SMB](#)
Cc: [Gomes, Vicki L.](#)
Subject: Re: Please send me your insights
Date: Wednesday, December 30, 2015 10:49:52 PM

Dear Councilman Bagley,

I appreciate the opportunity to comment on the questions you raised about the marijuana industry and its place in the greater Colorado Springs community. I believe that the marijuana legalization initiative was an ill-advised and frankly lamentable development. While I recognize that a majority of Colorado voters approved the measure, I believe the inevitable conflict the measure sets up for our state and our local community with existing federal and neighboring states' laws is at best problematic and at worst a real detriment for the state and our local communities. I'm persuaded that the marijuana promoters sold the voters of Colorado "a bill of goods." I doubt that the tax revenues and supposed economic benefits of the legitimate marijuana businesses in Colorado are likely to offset the problems the industry is likely to create? As the law allows individual community's to more or less establish local standards, my preference and advice to the task force would be to control the development of the marijuana industry in our area to the maximum extent the state statute allows. While I do not consider myself an expert on this subject area, I do believe I'm reasonably well informed about the "big rock" issues surrounding the commercialization of marijuana cultivation in Colorado and I do have some general views on where this community should be trying to impact the growth of the commercial marijuana business in our local community.

In answer to each of your specific questions here are my observations . . .

1. Home Grow operations: What restrictions, if any, should be imposed regarding location?

This is as much a legal and scientific issue as a political question. I'd be happy to see zoning laws established which would limit "Home grow operations" to the maximum extent possible. As I understand the current law a "home grower" is limited to six plants of which a maximum of three can be in the "flowering stage." Frankly, this law could only have been written by an attorney or lobbyist--not anyone who understands the realities of plant cultivation. I've raised bonsai trees for some years and know that plants don't bud or produce foliage on truly predictable schedules. As the buds are still a "controlled substance," my advice would be to limit cultivation to in-house, "under the roof" operations. I'd also suggest, if possible that such efforts be registered with the city to provide municipal insight into locations where marijuana cultivation is underway? I'm not certain of the legal implications of such regulations, a request for ruling from the City Attorney and the State Attorney General would probably be necessary? Ultimately, a system that gives the municipal authorities at least some idea of the location and status of marijuana growing operations would seem to be a prudent policy approach?

2. Commercial Hash Oil production: What concerns do you have, if any?

I'd would like to see very strict regulations established to monitor and control the THC strength and concentration levels of the final product of any Hash oil production facility. Much as small breweries, distilleries and pharmacological operations are subject to inspection by municipal and state health and safety monitoring authorities, likewise I'd advise the strictest monitoring of Hash oil producers. I'd advise state legislators to establish strict potency standards for commercial Hash oil products. If possible, I'd like to see state and local taxes slapped on producers to fund the cost of monitoring operations? I'd also like to see both local and state labeling requirements established for any commercial Hash oil producers. If we have to label products like raw milk and locally produced food products, Hash oil producers should be held to similar standards. Frankly, anything that would raise the costs and inherent complexities of Hash oil production would be, in my opinion, a healthy development.

3. Commercial grows: Should we consider relocating/rezoning large-scale commercial grows, currently allowed in commercial zones?

I would say absolutely! In fact, I'd like to see zoning regulations that would limit, to the legal extent possible, the amount of area that can be devoted to large scale marijuana cultivation in the Colorado Springs area. There should be some formula for the maximum property allowably reserved for marijuana cultivation? Perhaps the formula should be based on demonstrated commercial sales, year-to-year? I'd also like to suggest that the local rules should require some kind of secure commercial structure be established/built and maintained in any area dedicated to marijuana cultivation. I also believe the city should establish minimum 24/7/365 security requirements for any facility dedicated to the production of marijuana. Again these kinds of rules would probably require a legal opinion from the City Attorney or the State Attorney General before they were enacted by city or county officials.

I'd be happy to discuss this with you or any of your staff members at any time. Feel free to respond to this e-mail or to call me at home. My home phone is (719) 282-2969.

Warmest regards,

Tom DiSilverio,

From: "CM Larry Bagley, MJ Task Force Chair" <mjtaskforce@springsgov.com>
To: tdisilverio@comcast.net
Sent: Wednesday, December 30, 2015 5:24:04 PM
Subject: Please send me your insights

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Larry Bagley

**Councilman and MJ Task
Force Chair**

Office: 719.385.5493

Email:
mjtaskforce@springsgov.com

Dear Tom,

As the Marijuana Task Force moves forward to meet the requirements of the Medical Marijuana Moratorium, I am reaching out to you for your insight and comments regarding the following critical questions:

1. Home Grow operations: What restrictions, if any, should be imposed regarding location?
2. Commercial Hash Oil production: What concerns do you have, if any?
3. Commercial grows: Should we consider relocating/rezoning large-scale commercial grows, currently allowed in commercial zones?

Please email your responses to
mjtaskforce@springsgov.com

Thank you in advance for your support and input. I look forward to working together!

Sincerely,

Larry

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From: [Zarsky, Terry](#)
To: [Marijuana Task Force Mailbox - SMB](#)
Subject: RE: Please send me your insights
Date: Tuesday, January 12, 2016 11:29:01 AM

Hi Larry,

Thanks for asking for input. I was gone much of December so I hope you can still use this input.

1. I think home grows in residential neighborhoods should not be allowed. They should be able to do this under the law in commercial zones. I would like to see something about restricting their locations near schools because of clientele that may use their services. Traffic could be high and reckless if the purchasers use before leaving the area. I firmly believe that your reflexes are weaker when you are using, just like alcohol has an impact.
2. I don't really have knowledge of commercial hashish oil but what I have read or heard on news channels indicate that safety can be an issue. Laws should make sure that they make the environment as safe as possible and experts should be engaged to determine guidelines to make sure explosions don't happen or are contained.
3. I would not force those already established to move unless they didn't follow the requirements to be there. If they located there under the current requirements legally they should only be forced to move if they want to expand operations if currently allowed. Forcing people to abide changes made to their industry at a high cost should follow current guidelines that like those imposed by ADA. When you make changes to the business you must bring the building and the business up to the current laws/guidelines. That is a cost of doing business like getting rid of asbestos if it is exposed in your new construction.

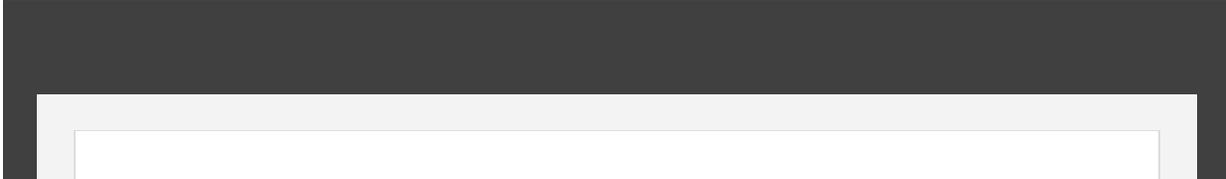
If you have any questions regarding my answers I am happy to talk to you.

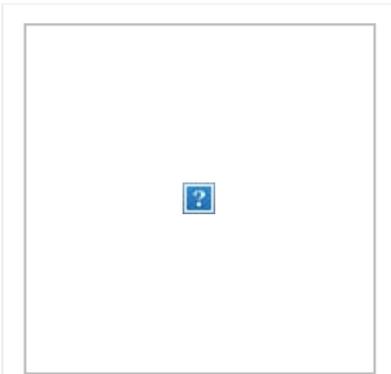
Terry Zarsky
Business Services Librarian
Pikes Peak Library District
531-6333 x2308
tzarsky@ppld.org

From: CM Larry Bagley, MJ Task Force Chair [<mailto:mjtaskforce@springsgov.com>]
Sent: Wednesday, December 30, 2015 5:24 PM
To: Zarsky, Terry
Subject: Please send me your insights

Hi, just a reminder that you're receiving this email because you have expressed an interest in COS City Council. Don't forget to add vgomes@springsgov.com to your address book so we'll be sure to land in your inbox!

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Larry Bagley

Councilman and MJ Task
Force Chair

Office: 719.385.5493

Email:

mjtaskforce@springsgov.com

Dear Terry,

As the Marijuana Task Force moves forward to meet the requirements of the Medical Marijuana Moratorium, I am reaching out to you for your insight and comments regarding the following critical questions:

1. Home Grow operations: What restrictions, if any, should be imposed regarding location?
2. Commercial Hash Oil production: What concerns do you have, if any?
3. Commercial grows: Should we consider relocating/rezoning large-scale commercial grows, currently allowed in commercial zones?

Please email your responses to mjtaskforce@springsgov.com

Thank you in advance for your support and input. I look forward to working together!

Sincerely,

Larry

Stay Connected:



107 N. Nevada Ave., 80903

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COS City Council | 107 N. Nevada Ave., Suite 300 | Colorado Springs | CO | 80903

From: [Todd Business](#)
To: [Marijuana Task Force Mailbox - SMB](#)
Subject: Re: Please send me your insights
Date: Wednesday, December 30, 2015 7:07:48 PM

Larry,

No restrictions on home grown as long as they comply with the laws of the state. I am not a hash fan and have no input either way. Commercial grows should be allowed to flourish in this town. Our commercial space is rented and we need the economic cash flow for our economy and our community. Commercial growers are meeting the demands of the public and driving commercial property prices up. Let free enterprise rein.

Todd Garcia

DTG enterprises, inc.

General license A Contractor

Licensed and insured

REALTOR, SFR, CNE

There's No Place Like Home Realty

Cs cell: 719-684-3754

Email: todd.garcia@live.com

Sent from my iPhone

On Dec 30, 2015, at 5:24 PM, CM Larry Bagley, MJ Task Force Chair
<mjtaskforce@springsgov.com> wrote:

Hi, just a reminder that you're receiving this email because you have expressed an interest in COS City Council. Don't forget to add vgomes@springsgov.com to your address book so we'll be sure to land in your inbox!

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Larry Bagley
Councilman and MJ Task
Force Chair

Office: 719.385.5493
Email:
mjtaskforce@springsgov.com

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Sincerely,

Larry

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COS City Council | 107 N. Nevada Ave., Suite 300 | Colorado Springs | CO | 80903

From: [Jim Sim](#)
To: [Marijuana Task Force Mailbox - SMB](#)
Subject: Re: Please send me your insights
Date: Wednesday, December 30, 2015 6:33:47 PM

As a former Police Officer/Sergeant from Chicago it is my opinion:

1. Home grow operations should be only for the individual homeowner's medical marijuana. No commercial grows. It should be limited to six or eight plants. In the case of a condo or apartment building it should not be allowed in the building but at a separate location.
2. Commercial Hash Oil production should NOT be allowed in residential buildings but should be grown in a commercial building in commercial zones.
3. Commercial grows are probably okay in commercial zones but not within 2500 feet from any residential area because of the smell.

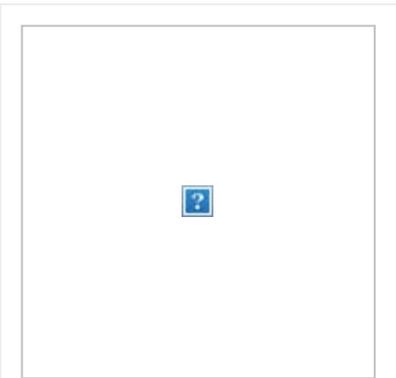
I would be honored to assist you in any way I can.

James (Jim) Sim

From: [CM Larry Bagley, MJ Task Force Chair](#)
Sent: Wednesday, December 30, 2015 5:24 PM
To: sim.jim@comcast.net
Subject: Please send me your insights

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You may [unsubscribe](#) if you no longer wish to receive our emails.



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1. Home Grow operations: What restrictions, if any, should be imposed regarding location?
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3. Commercial grows: Should we consider relocating/rezoning large-scale commercial grows, currently allowed in commercial zones?

Larry Bagley
Councilman and MJ Task Force Chair

Office: 719.385.5493
Email:
mjtaskforce@springsgov.com

Please email your responses to
mjtaskforce@springsgov.com

Thank you in advance for your support and
input. I look forward to working together!

Sincerely,

Larry

Stay Connected:



107 N. Nevada Ave., 80903

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COS City Council | 107 N. Nevada Ave., Suite 300 | Colorado Springs | CO | 80903

From: [joyce morris](#)
To: [Marijuana Task Force Mailbox - SMB](#)
Subject: Re: Response to Request for Input
Date: Friday, January 01, 2016 1:50:15 AM

with aoplogies...sent prematurely...

If it's not a gateway drug why have THC levels climbed so high? Why is there wax and shatter and the large number of edibles? People do overdose! People and childrend do wind up in emergency rooms!

I greatly appreciate the task force looking at ways of protecting the health and safety of all of it's citizens.

With respect,

Joyce Morris

On Fri, Jan 1, 2016 at 1:41 AM, joyce morris <msartstyle@gmail.com> wrote:

Dear Task Force Members;

Thank you for taking the time to consider concerns that many of us have regarding the changes in our communities due to marijuana legalization.

I have been a resident on the West Side for 20 years. Although one knew that some people used drugs and smoked pot, it was not something you saw or smelled. That is no longer the case. I can't even count the number of times the smell of pot has been evident while taking a walk in my neighborhood, while walking in and around town, or while driving from a passing motorist, It is all too frequent!

1. Home Grows: I don't understand an honor system for growing your own pot supply at home? I have been told that with the legal number of plants allowed an individual can earn \$6000-8000. a year! No taxes paid, no regulation on who the pot is sold to. I've visited a few friends where the smell of pot was so stong in their yards, only to find out it's because their neighbor is growing at home. Where is the protection for the neighbor who wants air free of drugs? If the smell can be detected outside of ones home, that's too many plants!

2. Commercial Hash Oil; Did voters realize that hash or hash oil was part of 64? I think not. Of course there are concerns. We have read the papers and heard the news regarding fires and explosions due to the production of hash oil. Our firefighters serve our communities protecting our homes and saving lives. They should not have to deal with home explosions and fires resulting from hash oil production. That's just wrong.

3. Commercial Grows. TAKE THEM OUT, and KEEP THEM OUT of our NEIGHBORHOODS! I live two blocks from a small grow facility at 20 S Chestnut and that is not far enough to not smell the strong smell of bud. How can we tell our children, our future generation to stay away from drugs, when the smell of drugs/pot is present when they are riding their bikes or playing with a friend?

4. Dispensaries Why so many? When a second Starbucks was opening downtown people were expressing their concern. Why did we need another one? Wasn't one enough? Did we

really need one just down a few blocks? Well, I would ask why so many MMJ Dispensaries? Do we really have that many people with debilitating illnesses? One block south of my home a second MMJ dispensary is opening on the corner. Two right across from each other! Seems like they are just positioning themselves for what they hope will be a lifting of the ban on recreational marijuana in Colorado Springs. With names like, The 64 Store and Terp Station you certainly wouldn't know they were medical!

5. Our City has changed. The smell of pot is evident all around town and from passing motorists, There should be limits imposed on the number of dispensaries, on marketing, and THC levels. We are told it's a harmless little plant. If that was true we would not be having this discussion. We are told it's a powerful medicine. When do we allow powerful medicine to be sold and marketed for recreational use? We are told it's not a gateway drug.

Input to Colorado Springs Marijuana Task Force

From

Residents and Homeowners in Newport Heights Subdivision

Thank you for the opportunity to make inputs to the Marijuana Task force. Below are responses to the questions drafted by several neighbors directly impacted by the marijuana grow house in our Newport Heights neighborhood, however it reflects the concerns and desires of multiple homeowners in several Colorado Springs neighborhoods we have talked with over the last few months. The five Task Force questions to us are numbered below with our comments following each question.

Very Respectfully Submitted,

Paul F. Seeling
(719) 598-0238
paul.seeling@gmail.com

1. Home Grow operations (defined as residential units (single family and other) that are housing any number of plants): What should the plant count be for residential grows? How should do we address the uncontrolled, large (over 100 plants) caregiver grows in residential areas? What restrictions, if any, should be imposed regarding location?

a. Marijuana plant grows in zoned residential areas must be limited to 12 plants maximum per residence (not resident) with a maximum of 6 plants/residence for medical purposes and 6 plants/residence for recreational purposes. This count would match what El Paso County has already passed for non-incorporated residential areas of the county (of which several are located within Colorado Springs city limits). In addition, regulation and enforcement of home grown operations as described above within the city of Colorado Springs will align with Pueblo's recently enacted restrictions on plant counts in their jurisdiction. If Colorado Springs fails to match –or exceed – neighboring communities' it will likely result in an even greater influx of marijuana grow houses into Colorado Springs.

b. There must not be any grandfathering of residential grow houses because of the unknown scale and extent of existing grow operations and the documented detrimental effects on residential areas of the city (smell, fire hazards, etc.). Many of these operations have been identified by police as being in violation of existing laws (over 36 plants) but the current method of addressing these as zoning violations is ineffective in slowing their proliferation. Making large grow operations in residential areas criminal activity is essential with stiff penalties a consequence for violations. The assumption must be that an operation over 12 plants is an

“intent to distribute” which deliberately violates the concept of residential growing of marijuana being for one’s own personal use. Rationale is the same as for prescription medicine vs. over-the-counter medication. Prescriptions medicines are controlled because of the potential hazards and side effects they pose to unauthorized users. Marijuana has the same dangers and must be treated in the same manner.

c. Locations of grow operations in excess of the 12 (6+6) plant maximum should be treated as commercial/industrial operations not fit for residential locations and strictly controlled by current zoning ordinances. Zoning establishes groups of common activities together for betterment of the community at large. This is why you don't see a McDonald's or Walmart located in the middle of a residential subdivision.

d. Advocates of freedom to grow marijuana in large quantities argue that they have invested a large amount of money in setup costs for their operations. As the council already knows, homeowners have invested significantly more capital in home purchases, improvements, taxes, etc. in neighborhoods that have marijuana grow operations. As hard working, voting and tax paying, citizens of this community we also deserve protection of our home investment. Currently, even modest marijuana grow operations of 36 plants in residential areas adversely impacts property values, quality of life, and the quiet enjoyment of neighborhood residential areas. It should be self-evident that the average person moving into a Colorado Springs neighborhood who is considering buying a home and finds two homes of equal style and value -- one in a neighborhood without a grow house next door and one with one next door -- would knowingly pick the one without the grow house nearby.

2. Commercial Hash Oil production: What concerns do you have, if any? What steps should we take to address Fire Department’s concerns about processes and components that may be hazardous and could result in explosions and or flash fires?

a. Hash oil production hazards should be mitigated satisfactorily in residential areas by enforcement of the above provisions on plant count with the small amount of oil being produced from reduced plant counts nullifying the value to fund expensive and dangerous operations in residential areas. However additional prohibitions on any hash oil production in residential areas must be instituted with stiff penalties for violations due to the explosive and fire hazards associated with closely spaced houses in Colorado Springs neighborhoods. If the Fire Department has legitimate concerns about the safety of houses surrounded by those producing hash oil, how is this even a question of whether or not they should be allowed in residential areas?

b. Hash oil production is dangerous and does have the potential for explosions, and an operation with this degree of danger does not belong in residential areas where neighboring homes may be affected. If there was an explosion, who would pay for the damage to the surrounding homes? How would the property value of the street this house was located on be affected? This should be restricted to commercial use only to avoid all of the potential

hazardous effects to innocent bystanders. Use of commercial equipment in residences can be a hazard. The resident in our neighborhood uses large quantities of compressed gas (like propane tanks) as part of their operation. These tanks can be dangerous if not handled and stored properly (part of the building code). Commercial Hash Oil production is like making grain alcohol. There needs to be significantly more safety regulations in place than that which is provided under residential building codes.

3. Commercial grows: Should we consider relocating/rezoning large-scale commercial grows, currently allowed in commercial zones, in industrial or agricultural locations in order to control traffic and odor issues and to mitigate public safety risks?

a. This should definitely be studied by the Task Force along with consulting work already done by El Paso County and neighboring localities such as Pueblo. As these grow operations are inherently agricultural, having them in/near commercial areas (shopping districts) further exposes the residential population to the detrimental side effects of modified buildings and the stink of marijuana plants. This is a further turnoff to people considering moving to, or contemplating starting businesses in Colorado Springs.

b. Task Force needs to assign those companies growing and/or processing marijuana for resale B2B or B2C as "light industrial" or "agricultural" that should not co-exist with high traffic retail locations. By doing so, these commercial enterprises will be forced to use facilities in the proper zone.

4. Dispensaries: With current state and local regulations in mind, what changes, if any, do you think are required for regulating MMJ dispensaries? With the "Gas and Grass"-type operation—should there be co-location limitations associated with business models? How should we coordinate with other entities— cities, county, state, etc.—to ensure consistency, synergy?

a. Dispensaries should be regulated based on population densities much like retail alcohol establishments. Actuaries can determine the number of patients requiring marijuana products and city ordinances should set a normal reasonable number of businesses per locale. As marijuana use is still considered criminal activity in most states and at the federal level, regulation and criminal penalties are crucial to prohibit a huge influx of the criminal underclass to Colorado Springs which will exploit the lawful use of marijuana for nefarious purposes and thereby destroy the attractive image we are trying to present to potential homebuyers and investors in business activity in our city.

b. The same rules as alcohol should be used, meaning there should be a defined density for the various businesses not to exceed a certain percentage for each locale. Since Marijuana and Alcohol have similar dangers when misused they should be considered together when calculating the density percentage.

c. Develop a multi-jurisdictional working group to coordinate all agencies to limit detrimental synergistic effects of the misuse of medical marijuana (i.e., combining medical dispensary with a social club, liquor store, etc.). We already have these restrictions with alcohol sales at gas stations to mitigate the potential problems (i.e., only beer or wine, no hard liquor). The problem with marijuana though is the impairment is potentially much greater with one joint causing more impairment than one beer.

5. What changes or recommendations should we consider to mitigate the public safety concerns raised by neighbors and public safety professionals? How should we deal with those who are blatantly disregarding the laws in order to be equitable to those who are abiding by the laws?

a. Establish laws and regulations, and implement them and enforce them with criminal consequences for violators! In our subdivision, transformers have blown because of the commercial enterprise use in residential areas. The utility requirements, setbacks, parking restrictions, fire protection, and public safety and zoning regulations for residential homes and apartments are not as high as they are for commercial enterprises. Other considerations for residentially zoned areas include odor and noise. The residential marijuana grow house in our neighborhood in our community smells. The residence also has a high pitched electrical noise coming from it due to the high amounts of power being consumed in it and the commercial/industrial equipment installed and operated in it. Over time, going unchecked the city will slowly be paying at tax payer expense to upgrade all of the residential communities into commercial areas based on the increased infrastructure which totally defeats the purpose of the zoning in the first place.

b. The City Council needs to criminalize violations of large-scale marijuana grow operations in residential areas and give the police the tools it needs to effectively enforce the maximum number of plants per residence in residential areas. To pay for this additional responsibility, the city should initiate fee based staffing for city officials paid for by the marijuana industry to provide inspection and enforcement of city ordinances. Keeping violations as only zoning violations is not an adequate deterrent or control -- grow operations can easily afford to pay zoning violation fees as "nuisance fees." The criminalization of grow operations in other jurisdictions will have the unintended consequences of driving operations to Colorado Springs if we do not institute similar ordinances. The Task Force and city attorneys need to develop sentencing guidelines for judges to use that quickly ratchet up the penalties of repeated violations to the felony level.

From: [joyce.morris](#)
To: [Marijuana Task Force Mailbox - SMB](#)
Subject: Response to Request for Input
Date: Friday, January 01, 2016 1:41:13 AM

Dear Task Force Members;

Thank you for taking the time to consider concerns that many of us have regarding the changes in our communities due to marijuana legalization.

I have been a resident on the West Side for 20 years. Although one knew that some people used drugs and smoked pot, it was not something you saw or smelled. That is no longer the case. I can't even count the number of times the smell of pot has been evident while taking a walk in my neighborhood, while walking in and around town, or while driving from a passing motorist. It is all too frequent!

1. Home Grows: I don't understand an honor system for growing your own pot supply at home? I have been told that with the legal number of plants allowed an individual can earn \$6000-8000. a year! No taxes paid, no regulation on who the pot is sold to. I've visited a few friends where the smell of pot was so strong in their yards, only to find out it's because their neighbor is growing at home. Where is the protection for the neighbor who wants air free of drugs? If the smell can be detected outside of one's home, that's too many plants!
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From: [T.W. Jones](#)
To: [Marijuana Task Force Mailbox - SMB](#)
Subject: Responses to Task Force Chair re: marijuana questions
Date: Tuesday, January 12, 2016 4:36:31 PM

Sent from [Mail](#) for Windows 10

Dear Larry,

Up-front, my wife and I are not in favor of legalized “illegal drugs” of any kind, but since the more enlightened citizens of Colorado have seen fit to go down that road, we will see where it ends up. In the meantime, I would hope our leaders would at least take all steps necessary to safeguard our residential neighborhoods from growers and distributors. Please attempt to move the Task Force in the direction of keeping the growers and distributors far far away from our homes and schools..... and place as many restrictions on the locations of commercial sites as possible. Thank you for your efforts in the above regard.

T. W. & Evie Jones

From: [Duane Adrian](#)
To: [Bagley, Larry](#); [Council Members](#); [Bach, Steve](#)
Subject: Suggestions for your questions
Date: Saturday, December 19, 2015 10:22:39 AM

Our next Task Force meeting will be held in January – date to-be-determined – and I would appreciate your insight and comments regarding the questions below by Jan. 4. Please email your responses to mjtaskforce@springsgov.com.

Thank you in advance for your support and input.

Questions:

1. Home Grow operations (defined as residential units (single family and other) that are housing any number of plants): What should the plant count be for residential grows? How should do we address the uncontrolled, large (over 100 plants) caregiver grows in residential areas? What restrictions, if any, should be imposed regarding location?

I personally think anyone that grows marijuana at their home should get a city permit. That way, the city knows who is growing marijuana at home.

2. Commercial Hash Oil production: What concerns do you have, if any? What steps should we take to address Fire Department's concerns about processes and components that may be hazardous and could result in explosions and or flash fires?

I would consider this as a hazardous product. Do not have it allowed. We need to see what are the ingredients and if they are hazards and flameable?

3. Commercial grows: Should we consider relocating/rezoning large-scale commercial grows, currently allowed in commercial zones, in industrial or agricultural locations in order to control traffic and odor issues and to mitigate public safety risks?

Absolutely not. If we do this. Many people would lease or buy empty building around resident neighborhoods, schools and to grow marijuana. Are we that desperate to generate money for the city of Colorado Springs?

4. Dispensaries: With current state and local regulations in mind, what changes, if any, do you think are required for regulating MMJ dispensaries? With the "Gas and Grass"-type operation—should there be co-location limitations associated with business models? How should we coordinate with other entities— cities, county, state, etc.—to ensure consistency, synergy?

I personally would like all of these businesses to be outside the city limits of Colorado Springs. As you know, we already have 125+ marijuana dispensaries. How many more do we need? When is it enough?

5. What changes or recommendations should we consider to mitigate the public safety concerns raised by neighbors and public safety professionals? How should we deal with those who are blatantly disregarding the laws in order to be equitable to those who are abiding by the laws?

I would fine these business's who do not follow Colorado Springs city ordinances, codes or city laws. Either fine these businesses. If they do not pay the fines. Do not let these businesses open for business. Do not allow them to

have a business permit or operation licence for these businesses.

I hope you will share these suggestions to the City Council and to the City Mayor.

Thanks for your time.

District 11 resident since 1968.

Duane Calvillo

From: [Gerald White](#)
To: [Marijuana Task Force Mailbox - SMB](#)
Subject: Survey responses
Date: Saturday, January 02, 2016 4:54:15 PM

Responses are below. Thank you for inquiring.

Jerry White

1. Home Grow operations: What restrictions, if any, should be imposed regarding location?

Any resident should be able to grow, consistent with Colorado Law. I don't believe Colorado Springs should be more restrictive than Colorado.

1. Commercial Hash Oil production: What concerns do you have, if any?

Restricted as with any hazardous, potentially polluting industrial activity.

1. Commercial grows: Should we consider relocating/rezoning large-scale commercial grows, currently allowed in commercial zones?

I consider this an industrial activity rather than commercial. The growing sites should be in industrial zones,.

From: pytorch@comcast.net
To: [Marijuana Task Force Mailbox - SMB](#)
Cc: [Caralee Frederic](#)
Subject: thoughts on marijuana
Date: Wednesday, December 30, 2015 8:46:37 PM

Mr. Bagley,

Thank you for your email and attending our homeowner's association meeting.

Regarding the following:

- Home Grow operations: What restrictions, if any, should be imposed regarding location?

I know that you cannot override the state law but my druthers would be to make growing illegal. Barring that, I would like marijuana grown for commercial purposes be grown in commercial areas, NOT RESIDENTIAL areas. If anything is grown in residential areas, I'd like to see restrictions on how many plants are grown there and there needs to be some type of regulation regarding the smell (mandatory air filtration). I would also like to see that no more than one air conditioner be used in a residential house (they use multiple air conditioners -even in the winter- to mitigate all the heat generated by the lighting lamps used to grow the marijuana).

- Commercial Hash Oil production: What concerns do you have, if any?

This is a huge deal. The methods most commonly used to produce the oil involve using a highly flammable liquid, like butane, to "distil" the oil. This is very hazardous and there have been many explosions due to the flammable liquid/gas. If someone is producing oil commercially, it needs to be done ONLY in a commercial area and I would say in a "bunker" for lack of a better term, to mitigate any potential damage to anything nearby in case of an explosion.

- Commercial grows: Should we consider relocating/rezoning large-scale commercial grows, currently allowed in commercial zones?

Personally, I believe that commercial grows should be in industrial areas. Again, there needs to be some type of air filtration to mitigate spores/smell hazards to people around. There should be some regulation for workers inside regarding health standards (for the workers protection) as well.

Thanks for the opportunity to have some input.

Eric

From: [Michael Elliott](#)
To: [Marijuana Task Force Mailbox - SMB](#)
Subject: Written Comment from MIG
Date: Monday, January 04, 2016 4:02:33 PM

Councilman Bagley,

Thank you so much for inviting us to submit written comment regarding Colorado Springs marijuana policy.

My answers are in bold.

1. Home Grow operations (defined as residential units (single family and other) that are housing any number of plants): What should the plant count be for residential grows? How should do we address the uncontrolled, large (over 100 plants) caregiver grows in residential areas? What restrictions, if any, should be imposed regarding location?

Denver, and several other jurisdictions, have implemented laws stating that there can be no more than 12 plants grown in a residential home. Denver goes further to also articulate that unlicensed commercial grow operations are limited to no more than 36 plants. Both proposals are aimed at ensuring commercial grow operations get a license, and home grow operations are not setting up large grows that sell illegally.

The biggest opposition to these local restrictions are that they limit medical marijuana patients and caregivers who desire higher plant counts, and find it too expensive to purchase their medicine from licensed entities.

2. Commercial Hash Oil production: What concerns do you have, if any? What steps should we take to address Fire Department's concerns about processes and components that may be hazardous and could result in explosions and or flash fires?

The state has addressed these issues. If the fire department has further concerns, we are interested in hearing about it.

3. Commercial grows: Should we consider relocating/rezoning large-scale commercial grows, currently allowed in commercial zones, in industrial or agricultural locations in order to control traffic and odor issues and to mitigate public safety risks?

Current operators should be grandfathered if zoning changes. Operators have been open for 5 or more years. If further problems are being articulated, than more nuanced solutions should be proposed that don't result in licensed operators being forced to move locations.

4. Dispensaries: With current state and local regulations in mind, what changes, if any, do you think are required for regulating MMJ dispensaries? With the "Gas and Grass"-type operation—should there be co-location limitations associated with business models? How should we coordinate with other entities— cities, county, state, etc.—to ensure consistency, synergy?

5. What changes or recommendations should we consider to mitigate the public safety concerns raised by neighbors and public safety professionals? How should we deal with those who are blatantly disregarding the laws in order to be equitable to those who are abiding by the laws?

Local law enforcement needs more support and direction from the City government. We continually hear frustrations articulated from law enforcement that there is widespread confusion about the meaning of state and local marijuana laws, and there has been significant difficulty in enforcing and prosecuting the

biggest offenders. A widespread effort should take place to ensure that all entities from law enforcement to the District Attorney are well educated, and sharing the same goals and strategy to address illegal operations.

Under state and local law, the only legal way to sell marijuana is with a license from the state and local governments. The City should take particular effort to prevent clubs from selling marijuana, which is always illegal. The licensed industry has been put under extreme regulatory burdens in order to promote and enhance public safety, as well as paying large licensing fees and taxes. Entities like clubs should be prevented from undermining the state and local regulatory framework by consistently violating the law and getting away with it. The City needs to resolve the legal ambiguities with clubs to create a simple and clear program that puts all government entities on the same page.

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