



DISCUSSION DRAFT
ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE 2018-2, TAOS COUNTY LAND USE REGULATIONS, REGULATING CANNABIS PRODUCTION, CANNABIS MANUFACTURING, CANNABIS RETAILING AND OTHER CANNABIS RELATED ACTIVITIES

BE IT ORDAINED BY THE GOVERNING BODY OF THE COUNTY OF TAOS, AS FOLLOWS:

Creating Section 4.18 within Article IV of the Taos County Land Use Regulations, titled “Commercial Cannabis Activity Application Requirements and Performance Standards” which shall read as follows:

Section 4.18.1. Definitions. All terms defined in the State of New Mexico Cannabis Regulation Act, as amended, are hereby adopted and incorporated herein.

Section 4.18.2. All Commercial Cannabis Activity shall require a Special Use Zoning Permit or Major Development Zoning Permit subject to the application requirements as set forth in Section 4.4.1 through 4.4.3, and 4.6.1 and 4.7.1 (Special Use permit) and 4.5.1 through 4.7.1 (Major Development permit) in addition to the requirements set forth specific to the use sought to be permitted as described herein.

Section 4.18.3. Cannabis Production. This subsection shall apply to all applicants seeking a permit to allow for the growth of cannabis plants in quantities greater than twelve (12) mature cannabis plants. The applicant shall provide:

- a. a certified survey plat depicting the proposed location for the growth of cannabis, including outdoor and indoor growing, which identifies the total area to be covered.
- b. a map which identifies the nearest school or daycare and evidences that the nearest school or daycare is greater than 300’ from the perimeter of the property proposed for cannabis production.
- c. the document(s) provided to the Regulation and Licensing Division (RLD) which applicant(s) utilized to apply for a producer’s license pursuant to the Cannabis Regulation Act, or a copy of the actual license issued to the applicant by the RLD.

1. If the applicant fails to provide documentation or provides incomplete or otherwise insufficient documentation regarding the status of their license application through RLD, the Planning Director shall inform the applicant of the deficiencies in writing and shall take no further action on the application until the deficiencies are remedied. If the applicant fails to correct the deficiencies indicated in the letter deeming the application incomplete within sixty (60) calendar days of receipt of notice of deficiencies, the application

- shall be considered withdrawn, and it will be returned to the applicant.
2. The Planning Director may issue a permit only upon receipt of the applicant(s) license from RLD or a certified copy of such license, and completion of the applicable Taos County permitting process.

Section 4.18.4. Cannabis Manufacturing. This subsection shall apply to all applicants seeking a permit to allow for the manufacture of cannabis products, packaging of cannabis products, and the purchase, acquisition, sale or transport of wholesale cannabis products to other cannabis establishments. The applicant shall provide:

- a. a map which identifies the nearest school or daycare and evidences that the nearest school or daycare is greater than 300' from the perimeter of the property proposed for cannabis manufacturing activity.
- b. the document(s) provided to the Regulation and Licensing Division (RLD) which applicant(s) utilized to apply for a manufacturing license pursuant to the Cannabis Regulation Act, or a copy of the actual license issued to the applicant by the RLD.
 1. If the applicant fails to provide documentation or provides incomplete or otherwise insufficient documentation regarding the status of their license application through RLD, the Planning Director shall inform the applicant of the deficiencies in writing and shall take no further action on the application until the deficiencies are remedied. If the applicant fails to correct the deficiencies indicated in the letter deeming the application incomplete within sixty (60) calendar days of receipt of notice of deficiencies, the application shall be considered withdrawn, and it will be returned to the applicant.
 2. The Planning Director may issue a permit only upon receipt of the applicant(s) license from RLD or a certified copy of such license, and completion of the applicable Taos County permitting process.

Section 4.18.5. Cannabis Retailers. This subsection shall apply to all applicants seeking a permit to allow for the sale of cannabis and cannabis products to qualified patients, primary caregivers, reciprocal participants or directly to consumers. Cannabis consumption Rooms or Areas shall be allowed commercially only in a designated, co-located area of a Cannabis Retailer.

- a. The applicant shall provide:
 1. a map which identifies the nearest school or daycare and evidences that the nearest school or daycare is greater than 300' from the perimeter of the property proposed for cannabis retail.
 2. the document(s) provided to the Regulation and Licensing Division (RLD) which applicant(s) utilized to apply for a cannabis retail license pursuant to the Cannabis Regulation Act, or a copy of the actual license issued to the applicant by the RLD.
 - i. If the applicant fails to provide documentation or provides incomplete or otherwise insufficient documentation regarding the status of their license application through RLD, the Planning Director shall inform the applicant of the deficiencies in writing and shall take no further action on the application until the deficiencies are remedied. If the applicant fails to correct the deficiencies indicated in the letter deeming the application incomplete within sixty (60) calendar days of receipt of notice of deficiencies, the application shall be considered withdrawn, and it will be returned to the applicant.
 - ii. The Planning Director may issue a permit only upon receipt of the applicant(s) license from RLD or a certified copy of such license, and

completion of the applicable Taos County permitting process.

3. an affidavit that the proposed cannabis retail location is not within six hundred (600) feet of any other cannabis retail location that was in operation at the time of the application submission to the County.
 4. Cannabis Retailers shall have business hours no longer than 7:00 a.m. until 2:00 a.m. on the following day, Mon.-Sat., and 7:00 a.m. until midnight on Sunday.
 5. Cannabis and cannabis products may be sold by a dispenser or a retailer in unbroken packages, for consumption off the licensed premises and not for resale from 7:00 a.m. until midnight.
- b. A vertically integrated cannabis establishment or an integrated cannabis microbusiness must apply for a permit pursuant to the provisions of this subsection, provided the establishment or microbusiness intends to sell cannabis or cannabis products to qualified patients, caregivers, reciprocal patients, or consumers, regardless of an existing permit for cannabis production or cannabis manufacture.