

[Back](#)

---

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## County adopts medical pot laws

Moratorium remains on new applications

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By [Heather Scofield](#) Herald Staff Writer

La Plata County is now in the business of regulating medical marijuana with commissioners' decision Tuesday to adopt a set of temporary land-use regulations for the industry.

"I think they are definitely very reasonable," Travis Pollock, owner of Natures Own Wellness Center in Durango, said of the adopted regulations after the meeting.

The temporary rules, which were months in the making, provide a permitting process for limited operation of medical marijuana growing operations and the production of marijuana-infused products within the county.

A moratorium on new permit applications remains, however.

Only those pre-applications submitted earlier this year when the moratorium was temporarily lifted will be processed, said County Manager Shawn Nau.

The move will give county officials a chance to "get our feet wet with what's (already) in front of us," Commissioner Kellie Hotter said.

It's unclear when new applications will be accepted.

And applications for medical marijuana centers, or dispensaries, will remain shelved with commissioners' decision to remove references in the regulations relating to those operations, effectively creating a temporary ban on them in the unincorporated areas of the county.

"I just think that right now, the municipalities are better suited for that," Hotter said.

Commissioners made other revisions to the proposed policy before adopting the regulations Tuesday as well.

They lifted proposed limits on medical marijuana facilities' operating hours. Businesses can operate any time of day, unless otherwise limited during the permitting process by the county's planning department.

When permits are denied, applicants have the option of taking their appeal to the county manager or to commissioners, depending on the applicant's preferences and need for privacy.

And commissioners increased the amount of growing space that medical marijuana users and

caregivers can use inside their homes and on their properties without needing a permit from 200 square feet to 300 square feet.

Commissioners said they plan to further amend the regulations in the coming weeks.

One proposed amendment would allow permit approval for some properties that are well-suited for medical marijuana operations but are not located near other industrial or manufacturing land uses, as the code currently dictates. Another proposed amendment will make room for medical marijuana greenhouses on some agricultural properties in the county.

While the adoption of the temporary regulations eased the minds of some local investors looking to get into the medical marijuana businesses, many uncertainties remain.

The state's regulations are still being drafted, and medical marijuana, though legalized by Colorado voters, remains illegal under federal law.

County Commissioner Wally White and Nau tried to hit home to those in the industry that there always will be risks associated with involvement in the medical marijuana business.

But White said he thinks Colorado's rules could lead the federal government to look at legalizing medical marijuana in the future.

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