

Huerfano County Land Use
401 Main Street, Suite 304
Walsenburg, Colorado 81089
719-738-1220, Ext. 117



Huerfano County Land Use Staff Report

Marijuana Grow Update October 22, 2024

History: The cultivation of marijuana in Huerfano County is monitored by the Colorado Marijuana Enforcement Division (MED) on an annual basis, as well as the Huerfano County Annual Compliance Review which include checking into excise taxes and completing site visits. The cultivation facilities each obtained Conditional Use Permit (CUP) approved by the Huerfano County Board of County Commissioners.

Currently: On February 4, 2024 Ordinance 23-01 came into effect; starting August 7, 2024 MED changed their annual renewal license to every two years. There are seven active Marijuana CUP's and one new Marijuana Cultivation License that the BOCC approved on June 25, 2024. Below is the current status of each grow:

- CUP 15-001- Category One Botanicals (DBA NuGrow Industries Inc) has an active Tier 1 Marijuana License through the MED which is valid through April 15, 2025.
- CUP 15-003- SCG Holding (DBA Grow Forth Gardens) has an active Tier 5+ through MED until July 8, 2025.
- CUP 15-005- Pop's Farm has an active Tier 1 Marijuana License through MED until August 18, 2026.
- CUP 15-006- TKJ Investments (DBA Fuego Farms) has an active Tier 2 Marijuana License through MED until December 14, 2024
- CUP 17-006- Sindustries had an active Tier 1 License through MED until March 19, 2024 (The owner is currently working to get his license re-instated)
- CUP 15-010- Walsenburg Cannabis has no active licenses through MED and has no intention on renewing their license. In order to keep the CUP active, the owner is supposed to make quarterly reports to the BOCC. He was due for his quarterly report at the BOCC regular meeting on September 24th, 2024. Several emails and phone messages were left, no response. The land has been up for sale for a couple of years, and is set for online auction for November 8, 2024 through November 13, 2024.
- CUP-16-022- Mile-High Rose has no active license with MED and has not returned any emails (there is no correct phone number for them on file). The property has been up for sale for a few years now.
- ML-24-001- Focus Buds LLC was approved on June 25, 2024 by the BOCC, and then issued by MED a Tier 1 license on August 30th 2024 and will expire on August 30th 2025.

Huerfano County Land Use Regulations: According to Ordinance No. 23-01

Section 1.02 Authority and Scope

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1.02.01 Authority: These Regulations are adopted pursuant to Colorado Const., Art. XVIII, §16(5)(f); the Colorado Marijuana Code, C.R.S. §44-10-101, et seq. ("Colorado Marijuana Code"), including § C.R.S. §30-11-101(l)(e), (2); and C.R.S. §30-11-107(l)(i).

1.02.02 Establishment: These regulations were adopted by ordinance of the Huerfano County Board of County Commissioners and they replace Section 18 of the Land Use Code covering conditional use permits for marijuana. Section 18 shall remain in effect after the effective date of this ordinance and will apply only to those Conditional Use Permits that were active at the time of adoption. This ordinance, and not section 18 of the Land Use Code shall govern applications for marijuana establishments received after the effective date for this ordinance.

1.02.03 Jurisdiction: Conditional Use Permits for marijuana in place at the time of adoption of this ordinance will expire one year from the adoption of this ordinance, after which, holders of CUPs will be required to apply for a license. These Regulations apply only to the unincorporated areas of Huerfano County, Colorado.

Looking into the Future: An email was sent on September 26, 2024 to all of the Conditional Use Permit Holders, whether they had an active MED license or not. The email included a copy of Ordinance 23-01 and what was needed to get them into compliance. So far, the Huerfano County Land Use Office has only heard back from five of the seven.