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Debra A Green  
Park County Clerk

**PARK COUNTY, COLORADO  
BOARD OF COUNTY COMMISSIONERS  
Resolution No. 2015-3a**

**A RESOLUTION MAKING FINDINGS OF FACT, CONCLUSIONS  
AND ENTERING AN ORDER DENYING THE APPLICATION OF  
CANNA CABANA LLC FOR PARK COUNTY RETAIL  
MARIJUANA STORE AND RETAIL MARIJUANA CULTIVATION  
FACILITY LICENSES.**

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF  
THE COUNTY OF PARK THAT the following findings of fact, conclusions and order  
are hereby adopted.

**FINDINGS OF FACT, CONCLUSIONS AND ORDER**

**FINDINGS**

1. This matter comes on for hearing upon the application of Canna Cabana LLC ("Applicant" or "Licensee") for Park County retail marijuana store and retail marijuana cultivation facility licenses at the subject site.
2. The application is complete and contains all the information required by Park County Ordinance No. 2013-1. The Board further finds that the Applicant, its officers and shareholders are of good moral character.
3. Notice of a public hearing on the application was given in the manner prescribed by Section 7(f) of Ordinance No. 2013-1.
4. A public hearing was held on the application on May 28, 2015, at which the Applicant and all interested parties were allowed to present testimony and evidence regarding the application and particularly the criteria for issuance of a license set forth in Ordinance No 2013-1.
5. The Applicant presented testimony regarding the proposed retail marijuana establishment.
6. Persons in interest appeared to testify against the application and a petition was presented in opposition to the issuance of the proposed licenses.

CONCLUSIONS

1. Based on the evidence adduced at the public hearing the Board concludes that there is sufficient evidence to allow it to conclude that the reasonable requirements of the neighborhood are being met by existing retail marijuana establishments. Ordinance No. 13-01 § 7(h).

2. The Board further concludes that the number, type and availability of retail marijuana establishments located in or near the premises under consideration is such that no additional licensed retail marijuana establishments are necessary or appropriate. Ordinance No. 13-01 § 7(h). In this regard the Board takes judicial notice of the type and location of retail marijuana establishment licenses in Park County and makes the public records evidencing such licenses a part of the record of this proceeding.

3. The Board further concludes that there was persuasive evidence that the desires of the adult inhabitants of the neighborhood oppose issuance of the license and that the requirements for the issuance of a retail marijuana store license and a retail marijuana cultivation license for this location have therefore not been met. Ordinance No. 13-01 § 7(h).

ORDER

Based on the Findings and Conclusions set forth above, the application for a retail marijuana store license and a retail marijuana cultivation license is DENIED.

Moved, seconded, and approved this 6 day of August, 2015.

**PARK COUNTY BOARD OF COUNTY COMMISSIONERS**



Mark Dowaliby, Chairman

ATTEST:

  
County Clerk, CHIEF DEPUTY

