

Marijuana -Medical & Retail

Municipality	Allowable Zone Districts
Boulder	<p>Medical/Personal - Commercial Zone District</p> <p>Cultivation - Light Industrial</p> <p>Permitted Use in Zoning District. A recreational marijuana business license may be issued only if the business qualifies as a use permitted as a matter of right in the zone district where it is proposed to be located, as follows:</p> <p>(1) as "personal service" for a recreational marijuana center;</p> <p>(2) as "greenhouse/nursery" for a recreational marijuana cultivation facility; or</p> <p>(3) as "manufacturing \leq 15,000 square feet" for a recreational marijuana cultivation facility, for a marijuana-infused product manufacturer, or for a marijuana testing facility.</p> <p>*A zoning confirmation form from the city, to ascertain within a radius of one-quarter mile from the boundaries of the property upon which the medical marijuana business is located, the proximity of the property to any school or state licensed child care center, to any other medical marijuana business, or to any residential zone district.*</p>

<p>Lafayette</p>	<p>Medical - Commercial Zone Districts Only</p> <p>Retail/Recreational - Commercial Zone Districts Only</p> <p>Medical Marijuana Infused Product Manufacturers/Optional Premises Cultivation Facilities - Industrial Zoning District Only</p> <p>Retail Marijuana Product Manufacturers/Cultivation Facilities - Industrial Zoning District Only</p> <p>*All applicants must obtain an approved zoning verification form from the city's planning department prior to submitting an application for a local license*</p>
<p>Longmont</p>	<p>Medical Marijuana licenses are allowed in association with the recreational/retail shops.</p> <p>Zone Districts -</p> <p>MU-N = Mixed Use Neighborhood MU-C = Mixed Use Corridor MU-E = Mixed Use Employment MU-R = Mixed Use Regional</p> <p>*A zoning verification letter from the planning and development services department is required*</p>

Louisville	<p>Medical - Medical Marijuana Centers - C-C and C-B Medical Marijuana Infused Products Manufacturer - C-B Medical Marijuana Testing Facility - A-O, B-O, C-B by Special Review Use</p> <p>Retail - Retail Marijuana Store - C-C and C-B Retail Marijuana Products Manufacturing Facility - C-B Retail Marijuana Testing Facility - A-O, B-O, C-B by Special Review Use</p> <p>Zone Districts- A-O = Administrative Office B-O = Business Office C-C = Commercial Community C-B = Commercial Business</p>
Superior - Delivery Only	<p>*The Town of Superior's Board of Trustees approves Ordinance No. 0-12, Series 2019 allowing the delivery of Medical and Retail Marijuana to Locations in the Town</p>

Separation of Uses	Separation of One Store to Another (Total Limit)	Maximum Size of Facility
<p>Not to be located within:</p> <p>1,000 of any public or private elementary, vocational, or secondary school, or a college, university, or a state licensed day care center, or an addiction recovery facility.</p> <p>No license shall be issued for a recreational marijuana center at a location on the street level of the mall or the University Hill commercial area.</p>	<p>No medical marijuana business license shall be issued for a location within 500' of three other cannabis businesses. This limitation shall not apply to a medical marijuana cultivation facility in industrial zones that had submitted an application or been licensed by the city on October 22, 2013.</p>	<p>Medical - The area of the business is less than or equal to three thousand (3,000) square feet.</p> <p>Recreational or co-Located Marijuana Center -The area of the business is less than or equal to three thousand (3,000) square feet; There is a separate reception area for verification of age that has an occupancy limit appropriate for the anticipated customers of the business; and For co-located centers, there is a private consultation room.</p> <p>Manufacturing (Recreational Cultivation, Infused Product, Testing Facility) - not to exceed 15,000 square feet</p>

<p>Not to be located within:</p> <p>1,000' of the property line of any school or hospital</p> <p>500' of the property line of any licensed commercial day care</p> <p>500' of the property line of any city residential subdivision, residentially zoned property, or property with residential as principal use</p>	<p>500' of the nearest portion of the footprint of any medical marijuana center or any retail marijuana store, except that any applicant seeking to co-locate a center and a store, shall be exempt from this requirement as to the center and store set forth in the application</p> <p>Total Limit - The maximum aggregate number of retail marijuana stores and medical marijuana centers within the city shall not exceed three (3). A retail marijuana store and a retail marijuana center co-located in accordance with subsection 56-241(g) shall be counted as one (1) store/center.</p> <p>Infused Product - There may be no more than twelve (12) total physical (independent) locations containing any mix of licensed retail marijuana product manufacturers, licensed medical marijuana-infused product manufacturers, licensed retail marijuana cultivation facilities, or licensed medical marijuana optional premises cultivation operations within the industrial zoning district category.</p>	<p>Medical - (including any center co-located with a retail marijuana store) shall not exceed three thousand (3,000) square feet.</p> <p>Infused Product Facility (Retail or Medical) - not to exceed twenty thousand (20,000) square feet.</p>
<p>Not to be located within:</p> <p>250' of a residentially zoned area</p> <p>1,000' of any school serving students in any grade from kindergarten through 12th grade</p>	<p>Retail - Limit of 4 stores</p>	<p>Size is dependent upon the requirements for the lot in each zone district.</p> <p>Current licensed businesses have buildings that range in size from 3,000 sq.ft. to 6,036 sq.ft.</p>

<p>Medical -</p> <p>Not to be located within:</p> <p>1,000' of a public or private elementary, middle, junior high, or high school</p> <p>Upon any city property</p> <p>In a dwelling unit or any residentially zoned districts</p> <p>Within Downtown Louisville</p>	<p>Medical/Retail:</p> <p>Not to be located within:</p> <p>1,500' of another medical marijuana center or a retail marijuana store unless they share premises</p> <p>No more than a total of 6 licensed retail marijuana and medical marijuana centers operating within the city</p>	<p>Medical/Retail:</p> <p>Not to exceed a physical space of 5,000 sq.ft. of leasable floor space</p>
<p>N/A</p>	<p>N/A</p>	<p>N/A</p>

Odor Reduction Requirements	Security Measures
<p>Ventilation Required - A recreational or medical marijuana business shall be ventilated so that the odor of marijuana cannot be detected by a person with a normal sense of smell at the exterior of the recreational marijuana business or at any adjoining use or property.</p> <p>Testing/Production Facility - The city shall require the business to obtain verification from a qualified industrial hygienist that the manner in which the business producing or testing marijuana complies with all applicable laws and does not produce noxious or dangerous gases or odors or otherwise create a danger to any person or entity in or near the businesses.</p>	<p>Medical - The business includes a secured and locked medical marijuana dispensary room, one or more private rooms for consultation on the medical use of marijuana or other services, and a separate reception area for screening of patients and waiting for nonpatients.</p> <p>Restrictions on Access to Restricted Areas and Security System/Cameras in place.</p> <p>Fingerprints and personal histories as may be specified on forms provided by the city manager. This requirement shall apply to all owners, keyholders, financiers, and caregivers employed by or under contract to provide services to the medical marijuana business, including all individuals who have an interest as described herein of any portion of the medical marijuana business, directly or as an agent, or a member, partner, or officer of a corporation, partnership, association, or company.</p>

<p>Ventilation required - A medical marijuana establishment shall be ventilated to ensure the odor of marijuana cannot be detected by a person with a normal sense of smell at the exterior of the medical marijuana establishment or at any adjoining property.</p> <p>For medical marijuana establishments that produce marijuana-infused products, such plan shall also include all ventilation systems used to mitigate noxious gases or other fumes used or created as part of the production process.</p>	<p>Posted Notice Required:</p> <p>Each licensee shall post and keep at all times visible to the public, in a conspicuous place on the premises, a sign to be furnished by the city clerk's office, which sign shall be in the following form: "WARNING: THE LAFAYETTE POLICE DEPARTMENT MUST BE NOTIFIED IMMEDIATELY OF ALL UNLAWFUL ACTS AND DISTURBANCES IN THIS ESTABLISHMENT." Licensees shall immediately report to the police department any unlawful act, conduct, or disturbance committed upon the premises.</p>
<p>Odor management - For all marijuana establishments, the odor of marijuana must not be perceptible to an ordinary person at the exterior of the building of the licensed premises or in any space adjoining the licensed premises.</p> <p>Odor mitigation - Odor from marijuana cultivation, production, or processing shall not be detectable from any adjoining lot, parcel, tract, public right-of-way, or building unit by a person with reasonable and ordinary sensibilities.</p>	<p>Security plan. All licensees shall file a written security plan with the authority. The security plan will be protected from public disclosure to the extent provided under the Colorado Open Records Act, C.R.S. § 24-72-204(2)(a)(VIII).</p> <p>Security training required for personnel and restrictions on access to restricted areas in place.</p>

<p>Medical - No medical marijuana business shall permit the emission of marijuana odor from any source to result in detectable odors that leave the premises upon which they originated and interfere with the reasonable and comfortable use and enjoyment of another's property.</p>	<p>Security requirements for any premises licensed pursuant to this chapter, shall include, at a minimum, lighting, physical security, video, alarm requirements, and other minimum procedures for internal control as deemed necessary by the local licensing authority to properly administer and enforce the provisions of this chapter.</p> <p>Security measures at all medical marijuana businesses shall be consistent with all requirements imposed by the state licensing authority and its rules and regulations as authorized by the Colorado Medical Marijuana Code . The local licensing authority shall have the authority to impose additional security requirements upon a licensee as part of any order or stipulation issued in connection with a proceeding for suspension or revocation of a license.</p>
<p>N/A</p>	<p>N/A</p>

Additional Regulations

Application of State Law. Except as may be provided otherwise in this chapter, or rules adopted pursuant to this chapter or interpretations by the city, any law or regulation adopted by the state governing the cultivation, production, possession, or distribution of marijuana for medical use shall also apply to medical marijuana businesses in the city. Provided however, if a state law or regulation permits what this chapter prohibits, this chapter shall prevail. Compliance with any applicable state law or regulation that does not permit what this chapter prohibits shall be deemed an additional requirement for issuance or denial of any license under this chapter, and noncompliance with any applicable state law or regulation is unlawful and shall be grounds for revocation or suspension of any license issued under this chapter. No medical marijuana business shall continue operations in violation of an additional state law or regulation, which does not permit what this chapter prohibits, applicable within the city after the effective date of the state law or regulation.

Revocation of License Upon Denial or Revocation of State License or Applicable Federal Prohibition. If the state prohibits the cultivation, production, possession, or other distribution of marijuana through medical marijuana businesses, or if a medical marijuana business is denied a medical marijuana business license or has such license revoked pursuant to § 12-43.3-101, et seq., C.R.S., or if a court of competent jurisdiction determines that the federal government's prohibition of the cultivation, production, possession, or other distribution of marijuana through medical marijuana businesses supersedes state law, any license issued pursuant to this chapter shall be deemed to be immediately revoked by operation of law, with no ground for appeal or other redress on behalf of the licensee.

The authority of the city to regulate medical marijuana establishments is further set forth in the Colorado Medical Marijuana Code, Article 43.3, Title 12, C.R.S., Colorado Medical Marijuana Program (C.R.S. § 25-1.5-106), and Part 3, Article 23, Title 31, C.R.S., (municipal zoning powers), § 31-15-103, C.R.S., and § 31-15-401, C.R.S., (municipal police powers), § 31-15-501, C.R.S. (municipal authority regulate businesses), Article XX, Section 6 of the Colorado Constitution, and the powers contained in the city's home rule charter.

The authority of the city to regulate retail marijuana establishments is further set forth in the Colorado Retail Marijuana Code, Article 43.4, Title 12, C.R.S., and Part 3, Article 23, Title 31, C.R.S., (municipal zoning powers), § 31-15-103, C.R.S., and § 31-15-401, C.R.S., (municipal police powers), § 31-15-501, C.R.S. (municipal authority regulate businesses), Article XX of the Colorado Constitution, and the powers contained in the city's home rule charter.

9.60.045 - Marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities, and retail marijuana stores prohibited.

Security plan shall include the following elements: Evidence that the premises will comply with all security and video surveillance requirements set forth in the Charter, Rules 3-220 and 3-225 of the Code of Colorado Regulations 1 CCR 212-3 if applicable.

2. A site plan showing the entire vicinity in which the marijuana establishment is located, including the street(s), parking lot(s), other tenants within the property, and any other entities that physically border the establishment;
3. A floor plan of the marijuana establishment detailing the locations of the following:
 - a. All entrances and exits to the establishment;
 - b. The location of any windows, skylights, and roof hatches;
 - c. The location of all cameras, and their field of view;
 - d. The location of all alarm inputs (door contacts, motion detectors, duress/hold up devices) and alarm sirens;
 - e. The location of the digital video recorder and alarm control panel, including the location of the off-site storage or network service provider for storage of the required copies of surveillance recordings; and
 - f. Restricted and public areas.

Note: No retail marijuana establishment or medical marijuana business shall be located, permitted or licensed to operate in Downtown Louisville as defined by Section 17.08.113 of the Zoning & Design Regulations.

Marijuana delivery:

(a) a licensed medical marijuana center or a licensed medical marijuana transporter with a valid marijuana delivery permit may deliver medical marijuana and medical marijuana-infused products to privated residences in Town, provided that such delivery complies with C.R.S. Sec 44-11-402(11).

(b) A licensed retail marijuana center or a licensed retail marijuana transporter with a valid marijuana delivery may deliver retail marijuana and retail marijuana-infused products to private residences in Town, provided that such delivery satisfies the requirements set forth in C.R.S. Sec 44-12-402(11).

(c) All medical marijuana, medical marijuana-infused products, retail marijuana, and retail marijuana-infused products delivered to any location in Town are subject to Town sales tax.