

**WEEKLY INFORMATION PACKET  
MEMORANDUM**

To: Mayor Osborne and City Council

From: Jane S. Brautigam, City Manager  
Paul J. Fetherston, Deputy City Manager  
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Date: January 19, 2010

**Subject: Information Item: Update on Medical Marijuana Businesses**

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**EXECUTIVE SUMMARY:**

In November 2009, the City Council approved interim regulations regarding the operation of medical marijuana businesses in the City of Boulder to provide near-term guidance for the siting of such businesses while allowing staff time to research and formulate permanent regulations. Per Ordinance 7707, the interim regulations are set to expire on March 31, 2010.

The purpose of this correspondence is to update council on the following:

- 1) Recent State and Local Action
- 2) Trends in License Applications in Boulder
- 3) Public Outreach and Input Regarding the Interim Regulations
- 4) Proposed Work Program and Next Steps

**RECENT STATE AND LOCAL ACTION:**

State Senator Chris Romer is sponsoring a bill in the upcoming 2010 session regarding medical marijuana that would establish a licensing authority for the manufacturing, distribution, and sale of medical marijuana through the state. Romer announced on January 11 that he was pulling the bill, and would be submitting another. He did not specify whether the redrafted bill would be the same or a different concept. Other legislators have also indicated they will be introducing bills in the 2010 legislative session.

There are two court decisions pending. For one, the Colorado Supreme Court will determine whether it will review the *People v. Clendenin* case. The Court of Appeals had ruled that a caregiver could not just provide marijuana, but must provide some other service to a patient. In the second case, the issues are still at the trial court level and include a determination whether a city can prohibit medical marijuana because it is still illegal at the federal level.

Several communities within the state are currently experiencing issues related to the regulation of medical marijuana businesses. Many communities in the state have imposed some type of moratorium in the interim to allow time to determine the outcome of the next legislative session. Refer to **Attachment A** for information related to how other local governments in the state are responding to the issues surrounding medical marijuana. Of the 17 Colorado communities surveyed, 11 have enacted moratoria to determine how to regulate medical marijuana businesses

in the future and five have completely prohibited such uses. In November 2009, a ballot initiative to legalize marijuana in the Town of Breckenridge was approved by voters. The City of Denver recently approved an ordinance regulating medical marijuana businesses that has proposed a licensing structure in addition to performance standards and separation requirements for medical marijuana businesses.

Staff will continue to monitor the state’s actions as well as the actions of other local governments both locally and nationally.

**TRENDS IN LICENSE APPLICATIONS IN BOULDER**

As indicated in **Attachment B**, by the end of December 2009, the city has received 121 applications for sales tax licenses related to medical marijuana businesses. 82 sales tax licenses for medical marijuana related businesses (including both dispensaries and commercial growing facilities) have been approved and issued. It is important to note that the approval of a sales tax license does not automatically translate into a business being opened. In some cases the city is aware of businesses that have applied for licenses at multiple locations pending final lease agreements. As points of comparison, as of January 5, 2009 the City of Denver had issued more than 300 sales tax licenses for medical marijuana businesses and the City of Ft. Collins had issued 108.

While there was a surge in applications in November 2009 in advance of and subsequent to council’s enactment of the interim regulations, it appears that most areas in the city’s three major activity centers (University Hill, The Boulder Valley Regional Center and Downtown) are approaching saturation based on the separation requirements included in the interim regulations. North Boulder and industrial areas in the eastern portion of the city have also seen an increase in the number of applications and are nearing saturation. Applications for licenses involving medical marijuana businesses have slowed in the month of December as indicated by the table below:

<b>Month / Year</b>	<b>Number of Applications</b>
Apr-09	1
May-09	1
Jun-09	2
Jul-09	2
Aug-09	4
Sep-09	15
Oct-09	30
Nov-09	51
Dec-09	15
<b>TOTAL</b>	<b>121</b>

**PUBLIC OUTREACH AND INPUT RE: THE INTERIM REGULATIONS:**

Given the extensive public comments received at the Planning Board and City Council hearings in October and November, staff is using online media to solicit public feedback on the interim regulations as well as other suggestions regarding the regulation of medical marijuana. A similar method for attaining public comment was successfully used for the nuisance abatement ordinance in September 2009.

Public outreach will include use of the social networking website Facebook, an online survey using Survey Monkey, and “email blasts” to the University of Colorado’s e-memo email list serve as well as the city’s website and various neighborhood and stakeholder email list serves. A medical marijuana feedback web page will also be created to serve as a hub for public input. Information regarding the survey and web page (with web links) will also appear in an online ad on the Daily Camera website.

Questions in the survey and posed in other online fora focus on issues related to the application of the interim regulations, in particular issues of spacing/saturation and impact on street vitality and neighborhood quality. It will also provide opportunity for the public to comment on any other issues of interest or concern related to the location or operation of medical marijuana businesses in Boulder.

In addition to online input, written input received by post, in person or via email is being logged.

**PROPOSED WORK PROGRAM AND NEXT STEPS:**

Ordinance 7707 focuses primarily on land use regulations as a means to regulate medical marijuana dispensaries within the city. Those interim regulations will expire on March 31, 2010.

Listed below is an outline of the work program that staff will be conducting between now and March 31, 2010 to present to Council an ordinance to replace the interim regulations with permanent regulations.

**January**      **Conduct public outreach and input** regarding the interim regulations

**Conduct staff analysis** of licensing process and zoning review process as well as public input to identify potential changes to the interim regulations and related procedures. The review will be guided by the following principles:

- Provide for safe and convenient access to medical marijuana in the City of Boulder for patients.
- Protect public health and safety through reasonable limitations on business operations as they relate to noise, air and water quality, food safety, neighborhood and patient safety, security for the business and its personnel, public safety and other concerns.
- Provide for lively street life and high quality neighborhoods by limiting the concentration of any one type of business in specific areas.
- Provide for the cost to the city so that the licensing of medical marijuana businesses will "pay its own way."

- February**      **Draft the Proposed Regulations** based on public input and staff analysis and conduct a tour of local medical marijuana businesses.
- Feb 12**        **Release of Planning Board memorandum of recommendation**
- Feb 18**        **Planning Board public hearing** regarding proposed regulations.
- Mar 02**        **City Council, first reading** of proposed regulations
- Mar 16**        **City Council, second reading** of proposed regulations and **30 day extension of interim regulations by emergency ordinance** (to cover the 30 day gap until the permanent regulations become effective).

**ADDITIONAL INFORMATION:**

Staff's previous memorandums of recommendation regarding medical marijuana can be found at:

- City Council Weekly Information Packet (October 29, 2009)  
[http://www.bouldercolorado.gov/index.php?option=com\\_content&task=view&id=12030&Itemid=357](http://www.bouldercolorado.gov/index.php?option=com_content&task=view&id=12030&Itemid=357)
- Planning Board Interim Regulations (November 5, 2009):  
[http://www.bouldercolorado.gov/index.php?option=com\\_content&view=article&id=12119&Itemid=468](http://www.bouldercolorado.gov/index.php?option=com_content&view=article&id=12119&Itemid=468)
- City Council Interim Regulations (November 10, 2009):  
<http://www.bouldercolorado.gov/files/5D.pdf>

**Attachments:**

- A: Information related to how other local governments in the state are responding to issues surrounding medical marijuana businesses.
- B: Data and map of licenses issued and approved for medical marijuana businesses.

**ATTACHMENT A**

<b>Community</b>	<b>Moratorium?</b>	<b>Duration</b>	<b>Current actions</b>
<b>Arvada</b>	No. Council did not approve.	NA	Not allowed as it does not appear on permitted use chart.
<b>Breckenridge</b>	Yes. Now expired.	60 days	Following a moratorium, the town developed an ordinance that regulates the location and operation of medical marijuana dispensaries. Ordinance was adopted Oct. 7, 2009. Efforts to legalize marijuana were approved by voters through a ballot initiative on 11/3/09.
<b>Broomfield</b>	No	NA	None. Considers current federal and local laws adequate in prohibiting medical marijuana.
<b>Colorado Springs</b>	No	NA	City Council issued directive that dispensaries are not permitted in any zoning district and enforcement actions are being taken against any existing dispensaries.
<b>Denver</b>	No	NA	Dispensaries regulated like a retail pharmacy use. No licensing requirements. Cultivation regulated like any agricultural operation. An ordinance regulating medical marijuana businesses (which includes a licensing component) was approved in January 2010.
<b>Federal Heights</b>	Yes. Adopted mid-October.	120 days	Looking into regulations and licensing requirements for dispensaries.
<b>Fort Collins</b>	No	NA	Considers dispensaries retail use. Applicable departments meeting with City Manager to recommend a moratorium. Attorney's office looking into possible length of moratorium.
<b>Golden</b>	Yes. Adopted 10/8	180 days	Waiting on direction from City Council and possible state action.
<b>Lafayette</b>	Yes. Adopted 10/20	Valid until May 15, 2010	Preparing regulations that address possible locations for use, distance requirements, and felony background checks. Waiting for state action.
<b>Longmont</b>	Yes. Adopted 10/20, retroactive to 10/2.	90 days, may extend.	Before moratorium regulated as pharmacies. Looking into creating panel (6-7 members) composed of stakeholders, including local medical marijuana proponents, police, physicians, and opponents to discuss issues. Go to larger focus groups (10-15 participants) afterward.

<b>Louisville</b>	Yes. Adopted 10/20	Valid until May 15, 2010	Looking into regulations similar to liquor licenses. Clarifying definition of dispensaries and where they may be located. Waiting for state action.
<b>Northglenn</b>	No.	NA	Medical Marijuana Dispensaries illegal until adoption of new ordinance, which regulates location of the establishments through buffers and is not zone based. Process similar to liquor license with \$2,000 application fee. Involves background check and fingerprinting.
<b>Silverthorne</b>	Yes.	90 days, ends Nov. 10 <sup>th</sup> .	Adopted an ordinance that allows medical marijuana dispensaries subject to separation requirements from schools, residential neighborhoods and public places. Is limited to areas already allowing drug stores and pharmacies. Marijuana cultivation in some areas of town is also allowed under the new provisions.
<b>Summit County</b>	Yes. Adopted 10/27.	120 days	Pending regulations that would be consistent with surrounding towns. Looking at location requirements (should the uses be allowed in mixed-use, commercial areas?) and minimum separation requirements. Proposing to allow cultivation, but prohibit commercial sale at home occupations and within residential areas.
<b>Superior</b>	No	NA	None. Considers current federal and local laws adequate in prohibiting medical marijuana.
<b>Thornton</b>	Yes, but expired.	1.5 months	City Council has considered Medical Marijuana Dispensaries a prohibited use and will reconsider the issue in 2 years.
<b>Westminster</b>	Yes	90 days	Considering regulations to allow, disallow, or allow with conditions.

	Medical Marijuana Businesses	Location	Date Applied	Decision Date	Decision	Zone
	Business Name					
1	New Options Wellness LLC	2855 Aurora Ave #40	3/24/09	March 2009	Approved	RH4
2	Boulder Alternative Medicine	1325 Broadway, #213	5/19/09	5/26/09	Approved	BMS
3	Boulder County Caregiver	2955 Valmont	6/20/09	6/20/09	Approved	RM-1
4	Cannabis Healing Arts	1580 Canyon	6/18/09	8/14/2009	Approved	DT-5
5	Therapeutic Compassion Center	1501 Lee Hill, #22	7/13/09	8/17/2009	Approved	IS-1
6	THC Ministry of Boulder	1221 Pearl St, #10	8/14/09	8/18/2009	Approved	DT-4
7	Medican	2850 Iris Ave, Suite N - moved	8/19/09	8/20/2009	Moved	BC-1
8	Mountain Medicine Group	1320 Pearl St, Suite 240	8/28/09	8/31/2009	Approved	DT-4
9	Natural Alternate Medicine LLC	5370 Manhattan Circle, Suite 104	8/21/09	10/19/2009	Approved	BT-1
10	Boulder Dubs	1210 Linden Ave, Apt D	7/20/09	9/14/2009	Denied	RM-2
11	Greenleaf Pharmacy	1644 Walnut Ave	9/9/09	9/11/2009	Approved	DT-2
12	Boulder MMJ	1909 Broadway, #103	9/9/09	11/4/2009	Denied	DT-5
13	JTR Caregivers LLC	2714 28th Street	9/17/09	9/23/2009	Approved	BC-2
14	JTR Caregivers LLC	5350 Manhattan Circle, #104	9/9/09	9/14/2009	Denied	BT-1
15	BMMC Services	2206 Pearl Street	9/9/09	10/13/2009	Approved	MU-3
16	Vape Therapeutics	1327 Spruce, Suite 300	9/11/09	9/14/2009	Approved	DT-3
17	Healing House LLC	1303 1/2 Broadway	9/11/09	10/6/2009	Approved	BMS
18	Emerald Moon LLC	2014 Pearl	9/11/09	10/1/2009	Denied	MU-3
19	Boulder's Unique Dispensary	900 28th Street	9/15/09	9/23/2009	Denied	RH-3
20	CanniBoulder/Blueberry	4483 Broadway	9/17/09	11/4/2009	Denied/Withdrawn	MU-2
21	Boulder MMJ	1909 Broadway, 100LL	9/17/09	9/23/2009	Approved	DT-5
22	The Medication Company	4483 Broadway	9/25/09	10/13/2009	Approved	MU-2
23	The Greenest Green	2034 Pearl Street, Unit 102	9/25/09	10/13/2009	Approved	MU-3
24	High Grade Alternatives	3370 Arapahoe Ave	9/29/09	10/1/2009	Approved	BR-1
25	Herbaceutical	4645 Broadway, #B3	9/30/09	10/2/2009	Denied	IS-1
26	Flower of Life Healing Arts Inc	3970 Broadway, Suite 201	10/7/09	10/14/2009	Approved	RL-2
27	Colorado Care and Wellness	1000 Alpine	10/7/09	10/28/2009	Approved	BT-1
28	Boulder Care and Wellness	1000 Alpine	10/7/09	10/28/2009	Approved	BT-1
29	Boulder Wellness Center	5420 Arapahoe Ave, Unit F	10/7/09	10/14/2009	Approved	BC-1
30	Trill Alternative	2031 16th Street	10/7/09	10/14/2009	Approved	DT-2
31	Quality to Life LLC	4944 Pearl St, Suite K	10/7/09	11/17/2009	Approved	IG
32	Boulder Rx	1035 Pearl St, 3rd Floor	10/9/09	10/13/2009	Approved	DT-2
33	Boulder Kind Care, LLC	2031 16th Street	10/9/09	10/14/2009	Approved	DT-2
34	The Bud	2500 Broadway, Suite 100	10/9/09	10/14/2009	Approved	BC-2
35	Ohana PC	918 University Ave	10/9/09	10/19/2009	Approved	RMX-1
36	Compassionate Pain Management	1871 Folsom Street	10/9/09	11/13/2009	Denied	BT-2
37	Boulder's Unique Dispensary	900 28th Street	10/14/09	10/15/2009	Approved	RH-3
38	K&K	1212 13th Street	10/13/09	10/15/2009	Approved	BMS

	<b>Business Name</b>	<b>Location</b>	<b>Date Applied</b>	<b>Decision Date</b>	<b>Decision</b>	<b>Zone</b>
39	MediPharm	800 Pearl Street	10/16/09	10/27/2009	Approved	BMS
40	Boulder Medical Marijuana Dispensary	2111 30th Street, Unit A	10/16/09	10/19/2009	Approved	BR-1
41	Evolution Medicine Services	4476 N Broadway	10/16/09	10/28/2009	Approved	MU-2
42	Trill Alternative	2043 16th Street	10/19/09	10/22/2009	Approved	DT-2
43	Boulder Rx	4476 Broadway	10/20/09	11/4/2009	Denied	MU-3
44	Top Shelf Alternatives, LLC	1327 Spruce, Suite 301	10/20/09	10/22/2009	Approved	DT-3
45	Morganically Grown LLC	1327 Spruce, Suite 100	10/20/09	10/22/2009	Denied	DT-3
46	Kind Care of Boulder	2043 16th Street	10/20/2009	10/22/2009	Approved	DT-2
47	M4	3445 Penrose Place	10/27/2009	10/28/2009	Denied	RH-4
48	Trill Alternative	1537 Pearl St	10/23/2009	10/28/2009	Approved	DT-4
49	Indigenous Medicines	1200 Pearl St, Suite 35	10/23/2009	10/28/2009	Approved	DT-4
50	Herbaceutical	4645 N Broadway, B-3	10/23/2009	11/13/2009	Denied	IS-1
51	Boulder Rx	6560 Odell Place	10/23/2009	10/28/2009	Approved	IG
52	Medical 420 Ciones Collective	75 Manhattan Dr, Suite 208	10/23/2009	11/19/2009	Denied	RM-1
53	Crème de la chron	2450 Central Ave	10/23/2009	10/28/2009	Approved	IG
54	DrReefer.com	1121 Broadway G-1	10/27/2009	10/30/2009	Approved	BMS
55	Colorado Alternative Relief	1800 Commerce Street	10/26/2009	11/12/2009	Approved	IG
56	Boulder Alternative Care	1738 Pearl St, Suite 100	11/3/2009	11/10/2009	Approved	DT-2
57	Morganically Grown LLC	4699 Nautilus Ct, Suite 502	11/3/2009	11/12/2009	Approved	IG
58	Reasonable Access Denver	350 Broadway, Suite 50	11/3/2009	11/9/2009	Denied	RL-1
59	The Farmacy	3005 28th Street	11/3/2009	11/9/2009	Approved	BC-1
60	Table Mesa Wellness Center	4730 Table Mesa Dr, Suite J20	11/3/2009	11/13/2009	Approved	RM-1
61	Bud	3000 Folsom	11/3/2009	11/9/2009	Approved	BC-1
62	Boulder County Caregiver	2995 Baseline Rd #110	11/3/2009	11/9/2009	Denied	BT-1
63	Mountainside	350 Broadway, Suite 40	11/3/2009	11/9/2009	Denied	RL-1
64	Greenest Green II	1111 13th Street	11/4/2009	11/9/2009	Approved	BMS
65	VAS3 LLC dba Medication on Pearl	720 Pearl Street	11/4/2009	11/9/2009	Approved	BMS
66	VAS3 LLC	1750 30th Street, Unit 7	11/4/2009	11/9/2009	Approved	BR-1
67	Good Humor Meds	2060 Broadway, Suite 360	11/4/2009	11/9/2009	Approved	DT-4
68	Boulder Greens Wellness	4476 Broadway	11/4/2009	11/9/2009	Denied	MU-2
69	Boulder Rx	6655 Lookout Road, Suite 105	11/4/2009	11/12/2009	Approved	IG
70	Herbaceutical	4645 N Broadway, B-3	11/5/2009	11/13/2009	Approved	IS-1
71	OlogyHerbals	3055 30th Street, #1	11/5/2009	12/18/2009	Denied	RM-1
72	Boulder County Medical Marijuana Center	6700 Lookout Road	11/5/2009	11/13/2009	Approved	BR-2
73	Boulder Medical Marijuana Center	4727 Broadway	11/5/2009	11/19/2009	Denied	IS-1
74	Miller Mark Medical Cannabis	6655 Lookout Road, Suite 106	11/6/2009	12/4/2009	Approved	IG
75	The Farmacy	3900 Walnut	11/6/2009		Withdrawn	IG
76	The Farmacy	5735 Arapahoe Road	11/6/2009	12/4/2009	Approved	IG
77	JTR Caregivers /Helping Hands Herbals	4715 N Broadway, Unit C	11/6/2009	12/4/2009	Approved	IS-1

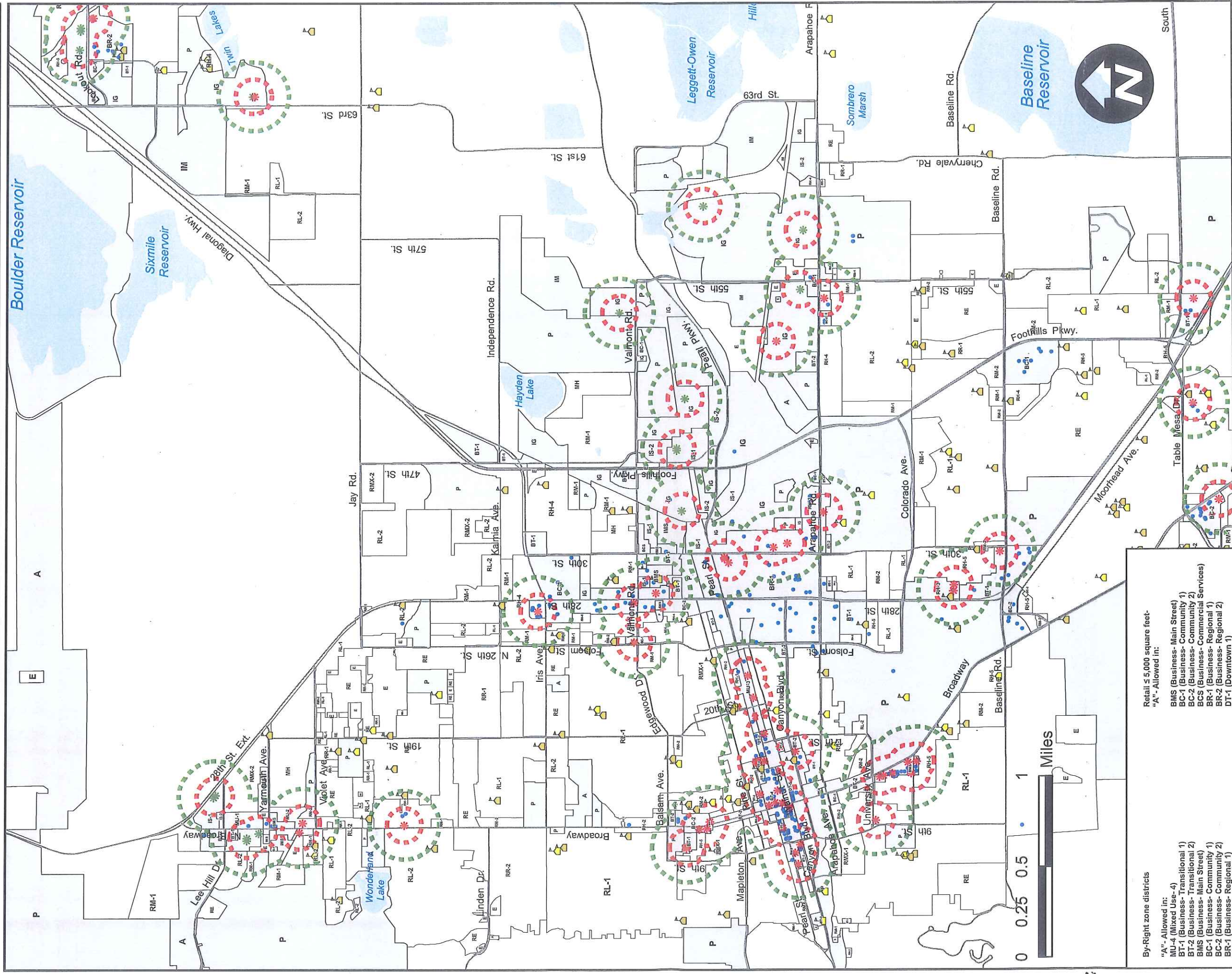


	<b>Business Name</b>	<b>Location</b>	<b>Date Applied</b>	<b>Decision Date</b>	<b>Decision</b>	<b>Zone</b>
78	The Creekside Group, LLC	1126 Pearl Street	11/6/2009	12/4/2009	Denied	DT-4
79	VAS Wholesale	4715 N Broadway	11/9/2009	12/4/2009	Approved	IS-1
80	Boulder's Finest	2701 Iris Avenue, Suite N-201	11/10/2009	12/4/2009	Approved	BC-1
81	Spruce Place	2037 16th Street	11/10/2009	11/24/2009	Denied	DT-2
82	Opti-Natural Caregivers	1980 8th Street	11/10/2009	12/4/2009	Withdrawn	BMS
83	The Hill Cannabis Club	1360 College Avenue	11/10/2009	12/4/2009	Approved	BMS
84	Boulder Medical Company	1135 Broadway, #102	11/10/2009	12/4/2009	Denied	BMS
85	DrReefer.com	1121 Broadway, Suite 202	11/10/2009	12/4/2009	Denied	BMS
86	Mountainside	695 S Broadway	11/10/2009	12/4/2009	Approved	BC-2
87	Mountainside	350 Broadway	11/10/2009	11/19/2009	Denied	RL-1
88	Specialty Health Services, LLC	6700 Lookout Road, Suite 6	11/10/2009	12/4/2009	Approved	BR-2
89	Medamerica	1695 Folsom Street	11/12/2009	12/4/2009	Denied	BT-2
90	Boulder Botanical Gardens	2333 Arapahoe	11/12/2009	11/18/2009	Denied	BT-2
91	Opti Natural Caregivers	2510 47th Street A-2	11/16/2009	12/4/2009	Withdrawn	IS-1
92	Green River Inc.	6655 Lookout Road #103	11/16/2009	12/4/2009	Denied	IG
93	MMJ Enterprises LLC	1539 Pearl	11/16/2009	11/24/2009	Denied	DT-4
94	Sixth Branch (The)	2121 30th Street, Suite 110B	11/16/2009	12/4/2009	Approved	BR-1
95	Healing Herb Wellness Center	3100 Pearl Street	11/17/2009	12/15/2009	Denied	IG
96	Home Grown Alternative	1810 30th Street, Suite E	11/17/2009	12/4/2009	Approved	BR-1
97	Mountain Medicine Group	2515 Broadway	11/18/2009	12/4/2009	Approved	BC-2
98	Mountain Health Research	4699 Nautilus Ct, Suite 201	11/19/2009	12/4/2009	Approved	IG
99	Boulder County Caregiver, LLC	2995 Baseline Road	11/19/2009	12/4/2009	Approved	BT-1
100	Garden Sun Botanical Medicines, LLC	2825 Wilderness Place, Suite 1000	11/20/2009	12/4/2009	Approved	IG
101	The Farmacy	845 Walnut	11/20/2009	12/4/2009	Approved	BMS
102	MM Manufacturing LLC	2510 47th Street, Unit G	11/24/2009	12/7/2009	Approved	IS-1
103	Massage Specialists BLD, LLC	1640 Broadway St	11/24/2009	12/4/2009	Denied	BT-2
104	Opti Natural Caregivers	2510 47th St, Unit A	11/24/2009	12/7/2009	Approved	IS-1
105	Skulligan LLC	5454 Conestoga Court	11/25/2009	12/4/2009	Approved	IG
106	Boulder Vital Herbs, LLC	2527 1/2 Broadway	11/25/2009	12/7/2009	Approved	BC-2
107	Evolution	1111 13th Street	12/7/2009	12/18/2009	Denied	BMS
108	14er Holistics	2897 Mapleton Avenue, Suite 800	12/8/2009	12/18/2009	Denied	BT-1
109	Mile High Meds	1904 Arapahoe	12/11/2009	12/18/2009	Denied	RH-1
110	ZenGold's LLC	1501 Lee Hill, #9	12/11/2009	12/18/2009	Approved	IS-1
111	Higher Branch	2121 30th Street, Suite 110	12/15/2009	12/18/2009	Approved	BR-1
112	Green Heart, LLC	3065 Sterling Circle, Unit C	12/15/2009	12/18/2009	Approved	IG
113	Table Mesa Wellness Center	1495 Yarmouth Suite A	12/17/2009	12/28/2009	Approved	MU-1
114	Apogee Alternative Care, LLC	4550 N. Broadway	12/17/2009	12/28/2009	Approved	BMS
115	Future Green Inc.	6420 Gunpark Avenue, Unit C	12/17/2009	12/28/2009	Approved	IG
116	Boulder Medical Marijuana Center	4727 Broadway	12/18/2009	12/28/2009	Approved	IS-1

	Business Name	Location	Date Applied	Decision Date	Decision	Zone
117	MMD Enterprises, LLC	3600 Arapahoe Road, Suite 200	12/21/2009	12/28/2009	Approved	BR-1
118	Mary Jane Organics, LLC	5721 Arapahoe	12/22/2009	12/28/2009	Approved	IG
119	Kind, LLC	2000 30th Street Unit K	12/22/2009	12/28/2009	Approved	BR-1
120	SensiMeds	1825 Pearl Street	12/23/2009	12/28/2009	Denied	MU-3
121	Boulder Treatments LLC	5420 Arapahoe Ave, Unit F	12/24/2009	12/28/2009	Approved	BC-1



# Approved Medical Marijuana Growing, Dispensing, and/or Processing Facilities as of December 2009



## Medical Marijuana Facilities

- Areas Prohibited by Zoning
- \* Medical Marijuana Growing Operation
- \* Medical Marijuana Dispensary
- Medical Marijuana Facilities 500ft Buffer
- Medical Marijuana Facilities 1000ft Buffer
- Allowed Zoning Districts
- Liquor Licenses
- ▲ Schools
- ▲ Licensed Child Care Facilities

**By-Right zone districts**

"A"- Allowed in:

- MU-4 (Mixed Use- 4)
- BT-1 (Business- Transitional 1)
- BT-2 (Business- Transitional 2)
- BMS (Business- Main Street)
- BC-1 (Business- Community 1)
- BC-2 (Business- Community 2)
- BR-1 (Business- Regional 1)
- BR-2 (Business- Regional 2)
- DT-1 (Downtown 1)
- DT-2 (Downtown 2)
- DT-3 (Downtown 3)
- DT-4 (Downtown 4)
- DT-5 (Downtown 5)

"C"- Allowed provided that the use does not exceed 50% of the total floor area of the building in:

- BCS (Business- Commercial Services)

"M"- Allowed in Mixed-Use circumstances where at least 50% of floor area is residential and the nonresidential use is less than 7,000 square feet, otherwise use review in:

- RH-3 (Residential- High 3)
- MU-1 (Mixed Use- 1)
- MU-2 (Mixed Use- 2)
- MU-3 (Mixed Use- 3)

"G"- Allowed provided that it is located above or below the ground floor in:

- DT-4 (Downtown 4)

**Retail's 5,000 square feet**

"A"- Allowed in:

- BMS (Business- Main Street)
- BC-1 (Business- Community 1)
- BC-2 (Business- Community 2)
- BCS (Business- Commercial Services)
- BR-1 (Business- Regional 1)
- BR-2 (Business- Regional 2)
- DT-1 (Downtown 1)
- DT-2 (Downtown 2)
- DT-3 (Downtown 3)
- DT-4 (Downtown 4)
- DT-5 (Downtown 5)

**Greenhouse and Plant Nurseries**

"A"- Allowed in:

- IS-1 (Industrial- Service 1)
- IG (Industrial- General)
- IMS (Industrial- Manufacturing)
- P (Public)
- A (Agricultural)

