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## DEVELOPMENT APPLICATION REVIEW CRITERIA

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### 7.3.105: ADDITIONAL STANDARDS FOR SPECIFIC USES ALLOWED IN RESIDENTIAL ZONES:

P. Personal Cultivation Of Marijuana And Medical Marijuana: Pursuant to Colorado Constitution article XVIII, sections 14 and 16, patients, caregivers, and persons over twenty one (21) years of age may lawfully grow a limited amount of marijuana. No more than twelve (12) medical marijuana plants, marijuana plants for personal use, or any combination thereof, with one-half (1/2) or fewer being mature, flowering plants can be grown in a single residential unit or an accessory structure to a single residential unit, regardless of the number of patients, caregivers, or persons over twenty one (21) years of age, or any combination thereof, that reside in the residential unit. These activities are allowed as accessory uses in all residential zone districts or residential units so long as:

1. No marijuana is dispensed, except to registered patients pursuant to Colorado Constitution article XVIII, section 14;
2. No marijuana or medical marijuana infused products are manufactured or sold;
3. No marijuana or medical marijuana is cultivated outdoors;
4. No signs regarding medical marijuana are displayed;
5. No more than one caregiver cultivating medical marijuana resides in the dwelling unit;
6. A ventilation and filtration system ensures odors from the cultivation activities are not detectible by a person with a typical sense of smell from any adjoining lot, parcel, tract, public right of way, building unit or residential unit;
7. Marijuana and medical marijuana plants are grown in an enclosed and locked space;
8. All personal cultivation of marijuana and medical marijuana shall be limited to an area of one hundred fifty (150) square feet for a single-family dwelling detached or seventy five (75) square feet for all other dwelling unit types and accessory structures;
9. The person growing, cultivating, or processing marijuana or medical marijuana within a residential or accessory structure owned by another person or entity obtains the written consent of the property owner. The written consent of the property owner must be furnished to any requesting City official. If the person growing, cultivating, or processing marijuana or medical marijuana does not provide the City official with the written consent of the property owner, the City may inform the property owner of the marijuana or medical marijuana related activities occurring on the property; and
10. The residential unit or accessory structure shall be and remain at all times in compliance with all applicable City regulations including, but not limited to, Zoning, Building, Housing and Fire Codes. (Ord. 94-107; Ord. 01-42; Ord. 02-98; Ord. 02-125; Ord. 02-153; Ord. 03-74; Ord. 03-127; Ord. 03-157; Ord. 06-161; Ord. 09-70; Ord. 09-80; Ord. 10-42; Ord. 10-107; Ord. 11-19; Ord. 12-76; Ord. 14-8; Ord. 16-52)