

ORDINANCE NO. 16-54

AN ORDINANCE AMENDING SECTION 205 (ADDITIONAL STANDARDS FOR SPECIFIC LAND USES) OF PART 2 (COMMERCIAL DISTRICTS) OF ARTICLE 3 (LAND USE ZONING DISTRICTS) OF CHAPTER 7 (PLANNING, DEVELOPMENT AND BUILDING) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO MEDICAL MARIJUANA CENTERS

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. Section 205 (Additional Standards for Specific Land Uses) of Part 2 (Commercial Districts) of Article 3 (Land Use Zoning Districts) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

7.3.205: ADDITIONAL STANDARDS FOR SPECIFIC LAND USES:

* * *

L. * * *

4. ~~If necessary, the facility shall install, maintain and operate an air filtration system so that odor is not detectable beyond the facility.~~ **The MMJ facility shall install, maintain and operate an adequate ventilation and filtration system that ensures odors are not detectable by a person with a typical sense of smell from any adjoining lot, parcel, tract, public right-of-way, building unit or residential unit.**

5. A medical marijuana center (MMC) shall be located no less than ~~four hundred feet (400')~~ **one thousand feet (1,000')** from any public or private elementary, middle, junior high or high school, or a residential childcare facility or a drug or alcohol treatment facility. This minimum distance shall be measured from the nearest portion of the building used for the medical marijuana center to the nearest property line of the school, residential childcare facility or drug or alcohol treatment facility using a route of direct pedestrian access.

* * *

Section 2. This ordinance shall be in full force and effect from and after its final adoption and publication as provided by Charter.

Section 3. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance be available for inspection and acquisition in the office of the City Clerk.

Introduced, read, passed on first reading and ordered published this 26th day of April, 2016.

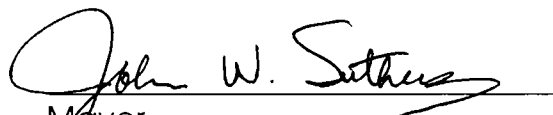
Finally passed: May 10, 2016



Council President

Mayor's Action:

- Approved on May 13, 2016.
- Disapproved on _____, based on the following objections:



Mayor

Council Action After Disapproval:

- Council did not act to override the Mayor's veto.
- Finally adopted on a vote of _____, on _____.
- Council action on _____ failed to override the Mayor's veto.

OK
TOS
[Handwritten initials]

Council President


ATTEST:

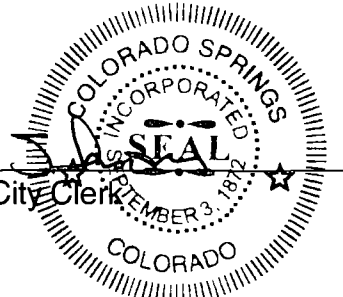

Sarah B. Johnson, City Clerk



I HEREBY CERTIFY, that the foregoing ordinance entitled "AN ORDINANCE AMENDING SECTION 205 (ADDITIONAL STANDARDS FOR SPECIFIC LAND USES) OF PART 2 (COMMERCIAL DISTRICTS) OF ARTICLE 3 (LAND USE ZONING DISTRICTS) OF CHAPTER 7 (PLANNING, DEVELOPMENT AND BUILDING) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO MEDICAL MARIJUANA CENTERS" was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on April 26, 2016; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 10th day of May, 2016, and that the same was published by title and summary, in accordance with Section 3-80 of Article III of the Charter, in the Transcript, a newspaper published and in general circulation in said City, at least ten days before its passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City, this 13th day of May, 2016.


Sarah B. Johnson, City Clerk



1st Publication Date: April 29, 2016

2nd Publication Date: May 18, 2016

Effective Date: May 23, 2016

Initial: SBJ
City Clerk