

## **DOWNTOWN REVIEW BOARD AGENDA**

**STAFF: PETER WYSOCKI**

**FILE NO:**  
**CPC CA 16-00050 – LEGISLATIVE**

**PROJECT: MEDICAL MARIJUANA STANDARDS IN THE FORM-BASED ZONE**

**APPLICANT: CITY OF COLORADO SPRINGS**

### **PROJECT SUMMARY:**

1. Project Description: The proposed ordinance updates the Regulating Plan for the Downtown Colorado Springs Form-Based Zone to provide consistency with new City-wide regulations for medical marijuana uses. The existing Form-Based Code permits all types of medical marijuana uses throughout the zone. The proposed ordinance will continue to allow medical marijuana centers (dispensaries) throughout downtown as permitted uses. Optional premises cultivation operations and infused product manufacturers (non-hazardous) will require conditional use approval from the Downtown Review Board under the new regulations. Medical marijuana infused product manufacturers (hazardous) are proposed to be prohibited throughout the Downtown Colorado Springs Form-Based Zone. **(FIGURE 1)**
2. Planning & Development Team's Recommendation: **Approval of the ordinance**

### **BACKGROUND:**

- Late 2015, Council received numerous constituent complaints and reports of possible illegal activities, and City staff reports of public safety concerns
- Since 2000, marijuana industry has evolved, and existing City ordinances have not kept pace
- City Council adopted Ordinance 15-79, 6-month moratorium, effective November 23, 2015
  - Medical Marijuana Task Force appointments confirmed November 24, 2015
  - Moratorium ends May 25, 2016
- Task Force briefed Council on its recommendations at the March 21, 2016 and April 11, 2016 Council work sessions
- Because these ordinances amend Chapter 7 (“zoning code”) of City Code, they must first be reviewed by the Planning Commission before Council’s formal consideration.
- Complementary ordinances relating to licensing and criminal enforcement of residential cultivation exceeding the permitted amount are being concurrently developed and will be considered by Council.
- Council’s formal consideration and action on the subject ordinances is tentatively scheduled for the April 26, 2016 and May 10, 2016 Council meetings.

**STAKEHOLDER PROCESS AND INVOLVEMENT:**

The proposed ordinances for City-wide regulations were developed by the Medical Marijuana Task Force, which consisted of voting representatives from the marijuana industry as well as neighborhoods. The Task Force was supported by non-voting City Staff from Planning, Police, Fire, City Clerk's Office, CSU, City Attorney's Office, and the Mayor's Office. Members of the Task Force were official appointed by the City Council. The proposed changes to the Downtown Colorado Springs Form-Based Code are intended to provide consistency with City-wide regulations. Staff received a letter from the Downtown Development Authority voicing support for the proposed regulations. **FIGURE 2**

**STAFF RECOMMENDATION:**

**ITEM NO: CPC CA 16-00050 – MEDICAL MARIJUANA STANDARDS IN THE DOWNTOWN COLORADO SPRINGS FORM-BASED ZONE**

Recommend approval to the City Council of the proposed ordinance to update the Regulating Plan for the Downtown Colorado Springs Form-Based Zone to provide consistency with new City-wide regulations for medical marijuana uses.