

- (1) Is at least a two (2) story structure with storage units on upper floors with access doors to storage units accessed from interior hallways; and
  - (2) Does not have any garage doors or access doors to any storage unit facing any public street, park, or green space, unless the doors are screened from all visible public streets, parks, and green spaces.
- g. The use of shipping containers for permanent structures is subject to Development Plan review and architectural review pursuant Part 7.4.11 (Building Design and Site Features).
- h. Exterior façade treatment shall be consistent within the developed area including materials and colors.

**6. Light Industrial**

- a. When adjacent to an Attached and Detached Single-Family and Two-Family Dwelling zoning or use, a data center office use shall adhere to the Buffer 2 standards in Table 7.4.9-C.
- b. Parking for data center office uses shall be 1 (one) per 1,000 (one thousand) sf of GFA.

**E. Industrial Hemp**

1. An Industrial Hemp use:
  - a. Is prohibited within a residential zone district or dwelling unit;
  - b. Shall hold valid licenses or registrations from the United States Department of Agriculture (USDA) and Colorado Department of Agriculture (CDA), as applicable; and
  - c. Shall install, maintain, and operate an adequate ventilation and filtration system that ensures odors are not reasonably 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.
2. Outdoor grow facilities are prohibited.

**F. Marijuana-Related Services**

**1. Prohibition of Other Marijuana Uses**

- a. Except as expressly permitted in this UDC, the following uses are prohibited on all property within the City:
  - (1) Operating a retail marijuana establishment.
  - (2) Transferring or permitting the transfer of marijuana or marijuana concentrate at no cost to a person if the transfer is in any way related to remuneration for any other service or product.
  - (3) Growing, cultivating, or processing marijuana or medical marijuana except in compliance with the requirements of this UDC.
- b. In addition to any other competent evidence identifying a substance as marijuana, or marijuana concentrate, results of the field test known as the “Duquenois-Levine Reagent System” shall be admissible in evidence and shall be prima facie evidence of whether the substance tested was marijuana or marijuana concentrate.
- c. Outdoor grow facilities are prohibited.

**2. General Standards**

- a. An MMJ Facility is prohibited within a residential zone district or dwelling unit except as allowed by Subsection 7.3.304J (Marijuana, Home Cultivation, Accessory),

- b. An MMJ Facility shall hold valid local and state medical marijuana business licenses and local and state Sales Tax licenses, as applicable.
- c. On-premises use, consumption, ingestion, or inhalation within an MMJ Facility is prohibited.
- d. An MMJ Facility shall install, maintain, and operate an adequate ventilation and filtration system that ensures odors are not reasonably 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.

### 3. Marijuana Consumption Club Facility

- a. No new uses of the Marijuana Consumption Club (MCC) Facility type are allowed.
- b. Existing uses of this type are allowed only if prior to September 22, 2015, an existing use was lawfully operating pursuant to the "similar use determination" of the Manager, dated May 28, 2014. Those MCC Facilities operating pursuant to the similar use determination shall be considered nonconforming uses under this UDC, shall be licensed by the City, and shall cease operations no later than March 22, 2024. Any MCC Facility operating after March 22, 2024, shall be considered an unlawful use under this UDC.
- c. No MCC Facility shall operate or permit any person upon the licensed premises without a ventilation and filtration system that ensures odors are not reasonably 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.

### 4. Medical Marijuana Store

This use shall be located at least one thousand (1,000) feet from any Elementary or Secondary School, Residential Childcare Facility, Drug or Alcohol Treatment Facility, or any other Medical Marijuana Store. This minimum distance shall be measured from the nearest portion of the building used for the Medical Marijuana Store to the nearest property line of the school, Residential Childcare Facility, Drug or Alcohol Treatment Facility, or other Medical Marijuana Store using a route of direct pedestrian access.

## G. Retail Sales and Service

### 1. Adult Retail

No Adult Retail Use shall be located within one thousand (1,000) feet of another Adult Retail use, an Adult Entertainment use, residentially zoned or used property, Religious Institution, Child Daycare Center, Park, Elementary or Secondary School, or Higher Education School (whether within or without the City).

## H. Utilities and Communication

### 1. Wireless Communication Facility

#### a. Purpose

The purpose of these use-specific standards is to accommodate the communication needs of residents and businesses while protecting the public, health, safety, and welfare of the community. In particular, the purpose of these standards is to:

- (1) Provide for the managed development and installation, maintenance modification, and removal of wireless communications infrastructure in the City with the fewest number of WCFs to complete a network without unreasonably discriminating against wireless communications providers of functionally equivalent services, including all of those who install, maintain, operate, and remove WCFs;
- (2) Promote and protect the public health, safety, and welfare by reducing the visibility of WCFs to the fullest extent possible through techniques including but not limited to