



# City and County of Denver Marijuana Facility Location Guide

*Last Revised 21 August 2017*

This document is meant to assist marijuana businesses in determining where they may operate legally in the City and County of Denver (the City). The information contained in this document is provided for guidance purposes only. The City does not warrant or make any representations about the quality, content, accuracy, timeliness, or completeness of the information provided in this document. Such materials are subject to change without notification at any time and may not be up-to-date. It is the applicant's own responsibility to ensure that their premise does not violate any applicable restriction located in the Denver Zoning Code or Former Chapter 59 (D.R.M.C. 59 *et seq.*) (Together hereinafter the zoning code) and any applicable state or city laws. Applicants should conduct their own research and investigation and engage the services of professionals, if necessary. In any event where the zoning code conflicts with this document, the zoning code shall take precedence. No person shall be deemed to have any entitlement or vested right to licensing under the Denver Revised Municipal Code, by virtue of having received any prior license or permit from the city including, by way of example, any zoning or building permit.

Remember, before beginning to operate in any location, a marijuana business must obtain all necessary permits, including a valid zone use permit from Denver Community Planning and Development's Zoning Division, as well as a business license from Denver Excise and Licenses.

## **Cannabis Consumption Establishment and Cannabis Consumption Special Events**

### **Distance Restrictions**

Cannabis Consumption Establishments and Special Events cannot be within 1,000 feet of:

- Any school – with the distance computed by direct measurement in a straight line as measured from the nearest property line of the land used for the school to the nearest portion of the building, structure, or enclosure in which the designated consumption area is located.
- Any Child Care Establishment - with the distance computed by direct measurement in a straight line as measured from the nearest property line of the land used for the child care establishment to the nearest portion of the building, structure, or enclosure in which the designated consumption area is located.
- Any Drug or Alcohol Treatment Facilities – with the distance computed by direct measurement in a straight line as measured from the nearest property line of the land used for the drug and alcohol treatment facility to the nearest portion of the building, structure, or enclosure in which the designated consumption area is located.
- Any City-Owned Recreation Center or Outdoor Pool - as measured from the nearest property line of the land used for the recreation center or outdoor pool to the nearest portion of the proposed business's building, via straight line measurement.

Cannabis Consumption Establishments and Special Events cannot be issued within:

- Any school.
- Any child care establishment.
- Any alcohol or drug treatment facility.
- Any liquor licensed premises licensed pursuant to Title 12, Article 46, Article 47, or Article 48.
- Any location where a liquor license exists, with "location" being defined by a distinct street address assigned by the City in accordance with article IV of chapter 49 of the Denver Revised Municipal Code, unless alcohol is not

being served at that location while the DCA is operating and the DCA permitted-premises otherwise complies with the other distance restrictions listed here.

- Any location where a licensed marijuana establishment exists, with “location” being defined by a distinct street address assigned by the City in accordance with article IV of chapter 49 of the Denver Revised Municipal Code.
- Any location deemed as public property and owned by the City.
- Any location in a residential zone district as defined by the zoning code:
  - Section 13.3.26 of the Denver Zoning Code defines a residential zone district as:
    - Any -SU-, -TU-, -TH-, -RH-, -MU-, -RO, or -RX Zone District.
    - Any zone district retained from Former Chapter 59, mapped on the Official Map, and considered a residential zone district
  - Article I of the Denver Former Chapter 59 Zoning Code defines a residential zone district as:
    - (Any RS-4, R-0, R-1, R-2, R-2-A, R-2-B, R-3, R-3-X, R-4, R-4-X, R-5, R-MU-20, R-MU-30 or R-X district.

### **Zoning Considerations**

Cannabis Consumption Establishments and Special Events can be located in any location where the underlying establishment or event is permitted.

### **Medical Marijuana Centers and Retail Marijuana Stores**

#### **Distance Restrictions**

Medical Marijuana Centers cannot be within 1,000 feet of:

- Any school – as measured from the nearest property line of the land used for the school to the nearest portion of the proposed business’s building, via straight line measurement.
- Drug or Alcohol Treatment Facilities – as measured from the nearest property line of the land used for the treatment facility to the nearest portion of the proposed business’s building, via straight line measurement.
- Child Care Centers or Child Care Homes - as measured from the nearest property line of the land used for child care purposes to the nearest portion of the proposed business’s building, via straight line measurement.
- Other Marijuana Centers or Stores - as measured from the nearest portion of the existing or pending center or store’s building to the nearest portion of the proposed business’s building, via straight line measurement.

Retail Marijuana Stores cannot be within 1,000 feet of:

- Any school – as measured from the nearest property line of the land used for the school to the nearest portion of the proposed business’s building, via a straight line measurement.
- Drug or Alcohol Treatment Facilities – as measured from the nearest property line of the land used for the treatment facility to the nearest portion of the proposed business’s building, via a straight line measurement.
- Child Care Centers or Child Care Homes - as measured from the nearest property line of the land used for child care purposes to the nearest portion of the proposed business’s building, via a straight line measurement.
- Other Marijuana Centers or Stores - as measured from the nearest portion of the existing or pending center or store’s building to the nearest portion of the proposed business’s building, via straight line measurement.

## Zoning Restrictions

Medical Marijuana Centers and Retail Marijuana Stores ***may not*** be located in the following zone districts:

Denver Zoning Code Prohibited Locations*						
CMP-EI	D-CV	E-MS-2	G-MU-12	M-RH-3	S-MU-12	U-MS-2
CMP-EI2		E-MS-2x	G-MU-20	M-RX-5	S-MU-20	U-MS-2x
C-RX-12		E-MU-2.5	G-MU-3	M-RX-5A	S-MU-3	U-MX-2
C-RX-5		E-MX-2	G-MU-5		S-MU-5	U-MX-2x
C-RX-8		E-MX-2A	G-MU-8		S-MU-8	U-RH-2.5
		E-MX-2x	G-RH-3		S-MX-2	U-RH-3A
		E-RX-5	G-RO-3		S-MX-2x	U-SU-A
		E-SU-A	G-RO-5		S-SU-A	U-SU-A1
		E-SU-B	G-RX-5		S-SU-D	U-SU-A2
		E-SU-D			S-SU-F	U-SU-B
		E-SU-D1			S-SU-F1	U-SU-B1
		E-SU-D1x			S-SU-Fx	U-SU-B2
		E-SU-Dx			S-SU-I	U-SU-C
		E-SU-G			S-SU-Ix	U-SU-C1
		E-SU-G1			S-TH-2.5	U-SU-C2
		E-TH-2.5				U-SU-E
		E-TU-B				U-SU-E1
		E-TU-C				U-SU-H
						U-SU-H1
						U-TU-B
						U-TU-B2
						U-TU-C

\*These zone districts are either explicitly called out as prohibited by ordinance, or do not allow for retail sales uses.

Former Chapter 59 Zoning Code Prohibited Locations*			
B-1	O-1	P-1	R-0
B-A-2	O-2		R-1
B-A-4	OS-1		R-2
	OSU		R-2-A
			R-2-B
			R-3
			R-3-X
			R-4
			R-4-X
			R-5
			R-MU-20
			R-MU-30
			RS-4
			RU1
			RU2
			R-X

\*These zone districts are either explicitly called out as prohibited by ordinance, or do not allow for retail sales uses.

**Medical and Retail Marijuana Infused Products Manufacturers**

**Zoning Restrictions**

Medical and Retail Marijuana Infused Products Manufacturers ***may not*** be located in the following zone districts:

Denver Zoning Code Prohibited Locations*							
CMP-EI	D-CV	E-MU-2.5	G-MU-12	M-RH-3	OS-B	S-MU-12	U-RH-2.5
CMP-EI2		E-SU-A	G-MU-20		OS-C	S-MU-20	U-RH-3A
CMP-ENT		E-SU-B	G-MU-3			S-MU-3	U-SU-A
CMP-H		E-SU-D	G-MU-5			S-MU-5	U-SU-A1
CMP-H2		E-SU-D1	G-MU-8			S-MU-8	U-SU-A2
C-RX-12		E-SU-D1x	G-RH-3			S-SU-A	U-SU-B
C-RX-5		E-SU-Dx	G-RO-3			S-SU-D	U-SU-B1
C-RX-8		E-SU-G	G-RO-5			S-SU-F	U-SU-B2
		E-SU-G1				S-SU-F1	U-SU-C
		E-TH-2.5				S-SU-Fx	U-SU-C1
		E-TU-B				S-SU-I	U-SU-C2
		E-TU-C				S-SU-Ix	U-SU-E
						S-TH-2.5	U-SU-E1
							U-SU-H
							U-SU-H1
							U-TU-B
							U-TU-B2
							U-TU-C

*\*Within these zone districts commercial food prep and general manufacturing are not allowed uses.*

Former Chapter 59 Zoning Code Prohibited Locations*							
B-1	CCN	H-1-A	MU-1	O-1	P-1	R-0	TCU
B-A-1	C-MU-10	H-1-B	MU-2	O-2	PRV	R-1	TSU
B-A-2	C-MU-20	H-2		OS-1		R-2	
B-A-4				OSU		R-2-A	
						R-2-B	
						R-3	
						R-3-X	
						R-4	
						R-4-X	
						R-5	
						R-MU-20	
						RS-4	
						RU1	
						RU2	
						R-X	

*\*Within these zone districts commercial food prep and general manufacturing are not allowed uses*

Additionally, **no solvent based extraction** activities are allowed in the following zone districts:

Denver Zoning Code Prohibited Locations*					
C-CCN-12	E-CC-3x	G-MS-3	M-RX-5	S-CC-3x	U-MS-2
C-CCN-3	E-MS-2	G-MS-5	M-RX-5A	S-CC-5x	U-MS-2x
C-CCN-4	E-MS-2x	G-MX-3		S-MX-2	U-MX-2
C-CCN-5	E-MX-2	G-RX-5		S-MX-2x	U-MX-2x
C-CCN-7	E-MX-2A				U-RX-5
C-CCN-8	E-MX-2x				
C-MS-12	E-RX-5				
C-MS-5					
C-MS-8					
C-MX-12					
C-MX-16					
C-MX-20					
C-MX-3					
C-MX-5					
C-MX-8					

\*Within these zone districts commercial food prep is an allowed use; however, manufacturing general is not.

#### Former Chapter 59 Zoning Code Prohibited Locations

B-2	CCN	R-MU-30	T-MU-30
B-3			

\*Within these zone districts, commercial food prep is an allowed use; however, manufacturing general is not.

And finally, **no solvent based extraction operations** over 3,000 square feet of gross floor area are allowed in the following zone districts:

Denver Zoning Code Prohibited Locations*						
CMP-NWC	D-AS	E-CC-3	I-MX-3	M-CC-5	S-CC-3	U-MS-3
	D-C	E-MS-3	I-MX-5	M-GMX	S-CC-5	U-MS-5
	D-GT	E-MS-5	I-MX-8	M-IMX-12	S-MS-3	U-MX-3
	D-LD	E-MX-3		M-IMX-5	S-MS-5	
	D-TD	E-MX-3A		M-IMX-8	S-MX-12	
				M-MX-5	S-MX-3	
					S-MX-5	
					S-MX-8	

\*Within these zone districts manufacturing general is an allowed use, however, manufacturing heavy is not.

#### Former Chapter 59 Zoning Code Prohibited Locations

B-4	C-MU-20	I-0	MS-1
B-7			MS-2
			MS-3

\*Within these zone districts manufacturing general is an allowed use, however, manufacturing heavy is not.

## Medical and Retail Marijuana Cultivation Facilities

### Distance Restrictions

Medical and Retail Cultivation Facilities cannot be within 1,000 feet of:

- Any school – with the distance computed by direct measurement in a straight line from the nearest property line of the land used for school to the nearest portion of the building in which the cultivation facility is located.
- Residential District - with the distance computed by direct measurement in a straight line from the nearest property line of any property in the residential district to the nearest portion of the building in which the cultivation facility is located.
  - Section 13.3.26 of the Denver Zoning Code defines a residential zone district as:
    - Any -SU-, -TU-, -TH-, -RH-, -MU, -RO, or -RX Zone District.
    - Any zone district retained from Former Chapter 59, mapped on the Official Map, and considered a residential zone district
  - Article I of the Denver Former Chapter 59 Zoning Code defines a residential zone district as:
    - (Any RS-4, R-0, R-1, R-2, R-2-A, R-2-B, R-3, R-3-X, R-4, R-4-X, R-5, R-MU-20, R-MU-30 or R-X district.

### Zoning Restrictions

Finally, medical and retail marijuana cultivation facilities **may only be located** in the following zone districts:

Denver Zoning Code Allowed Locations*	
I-A	OS-B
I-B	

Former Chapter 59 Zoning Code Allowed Locations*	
I-O	OS-1
I-1	O-2
I-2	

*\*Within these zone districts, plant husbandry is an allowed use*

## Medical and Retail Marijuana Transporter Facilities and Off-Premises Storage Related to Transporter Facilities

### Zoning Restrictions

Medical and Retail Marijuana Transporter Facilities and any associated Off-Premises Storage Licenses **may only be located** in the following zone districts:

Denver Zoning Code Allowed Locations		
D-C*	I-MX-3*	M-IMX-5*
D-TD*	I-MX-5*	M-IMX-8*
D-LD*	I-MX-8*	M-IMX-12*
D-GT*	I-A*	M-GMX*
D-AS*	I-B*	
D-CV*		

Former Chapter 59 Zoning Code Allowed Locations			
B-5	B-8	I-1*	C-MU-30
B-5-T	B-8-A**	I-2*	
B-7	B-8-G**		

*\*Within these zone districts, terminal, freight, air courier services must be located 500 feet from a residential zone district*

*\*\* Additional zoning review may be required in these zone districts*

## Off-Premises Storage Facility Related to Non-Transporter Marijuana Facilities

### Zoning Restrictions

Medical and Retail Marijuana Off-Premises Storage Facility Licenses associated with a Medical or Retail Marijuana Center or Store, MIP, or Cultivation Facility **may only be located** in the following zone districts:

Denver Zoning Code Allowed Locations				
M-IMX-5	M-GMX	I-A*	S-CC-3**	E-CC-3**
M-IMX-8	M-CC-5**	I-B*	S-CC-5**	
M-IMX-12				

Former Chapter 59 Zoning Code Allowed Locations			
B-5	B-8	I-1*	C-MU-20**
B-5-T	B-8-G	I-2*	C-MU-30
B-7			

*\*Within these zone districts, Wholesale, trade, storage general must be located 500 feet from a residential zone district*

*\*\* Additional zoning review may be required in these zone districts*

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For questions regarding zoning, please contact:

**Denver Zoning Permit Counter**

[www.denvergov.org/DS](http://www.denvergov.org/DS)

Email: [zoningreview@denvergov.org](mailto:zoningreview@denvergov.org)

General Inquiries: 720-865-3000

For questions regarding distance regulations, please contact:

**Excise & License**

[www.denvergov.org/businesslicensing](http://www.denvergov.org/businesslicensing)

Email: [Marijuana Info@denvergov.org](mailto:MarijuanaInfo@denvergov.org)

General Inquiries: 311 or 720-913-1311