

# **City and County of Denver Marijuana Facility Location Guide**

*Revised Oct. 10, 2021*



## Disclaimer

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 location does not violate any applicable restriction in the Denver Zoning Code ("the zoning code") or Former Chapter 59 (D.R.M.C. 59 et seq.) 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 but not limited to 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.

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*If you have 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

*If you have questions regarding proximity restrictions, please contact:*

**Excise & License**  
[www.denvergov.org/businesslicensing](http://www.denvergov.org/businesslicensing)  
Email: [marijuanainfo@denvergov.org](mailto:marijuanainfo@denvergov.org)  
General Inquiries: 311 or 720-913-1311

## Tools to Help with Location Research

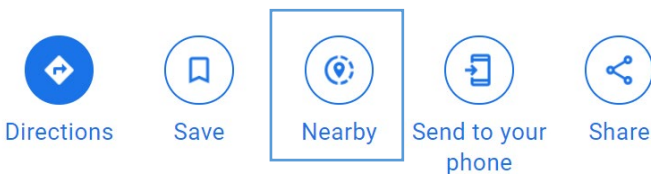
The following tools may help an applicant conduct initial research on a proposed location.

- **Zoning:** Find a location's zone district or see zone districts near a location with the [Denver Zoning Map](#).
- **Statistical Neighborhoods** (including neighborhoods of undue concentration): Identify a location's statistical neighborhood with the [Denver Neighborhoods Map](#).
- **Marijuana Store Locations:** Find a medical or retail marijuana store on the [Denver Marijuana Licenses Map](#). (Please note: This map only includes store locations.)
- **Childcare Facilities:** A list of active Denver childcare facility licenses can be found on the [Denver Open Data Catalog](#). (Search "child care" – two words.)
- **Drug and Alcohol Treatment Facilities:** A list of licensed drug and alcohol treatment facilities can be found on the [Colorado Department of Human Services website](#).
- **Pending Marijuana Applications:** A list of pending marijuana applications can be found on the [Denver Open Data Catalog](#). (Search "pending business licenses," download the .csv file, and filter license type results.)
- **Marijuana Store Changes of Location:** You may request a list of pending medical and retail marijuana store changes of location by e-mailing [marijuanainfo@denvergov.org](mailto:marijuanainfo@denvergov.org).

### Google Maps

[Google Maps](#) can provide a **preliminary** look at the surroundings of a proposed location. Make a list of locations that seem like they would be a good fit and qualify under the ordinance. An attorney or surveyor can help you determine whether the locations on your list do in fact qualify, which will help you determine which location to pursue for your application.

- Enter an address and click "Nearby."



- Type in a search term for a sensitive use, such as "school," "daycare," "childcare," "dispensary," "marijuana," "drug treatment," or "alcohol treatment" and hit enter. Use multiple key words for each sensitive use (e.g. both "daycare" and "childcare"; "alcohol treatment," "drug treatment," "substance abuse," "rehabilitation.").
- Right click on the nearest portion of the building at the proposed location. A dropdown menu will appear. Click "Measure Distance" (at the bottom of the dropdown menu).
- Click on another point on the map and it'll give you a rough measurement of the distance between the points. Please keep in mind that distance is computed differently for different sensitive uses and that not all sensitive uses apply to all license types. Distance is computed by direct measurement in a straight line:
  - from the nearest legal parcel line of the land used for the school or childcare facility to the nearest external portion of the building in which the medical or retail marijuana business is proposed to be located;
  - from the nearest legal parcel line of any property in the residential district to the nearest external portion of the building in which the medical or retail marijuana cultivation facility is proposed to be located;
  - to the nearest external portion of the building in which the medical or retail marijuana business is proposed to be located from the nearest external portion of the building in which the alcohol or drug treatment facility, other medical or retail marijuana store, other marijuana hospitality business, other retail marijuana hospitality and sales business, city-owned recreation center, or city-owned outdoor pool is located.

## **Preliminary, Nonbinding Proximity Checks**

Once you have completed preliminary research on a location using the tools above and you feel reasonably confident that the location complies with all applicable location and proximity requirements, you may request a preliminary, nonbinding proximity check from the Department.

Preliminary, nonbinding proximity checks are offered only for stores, cultivations, hospitality businesses, and hospitality and sales businesses.

Email [marijuanainfo@denvergov.org](mailto:marijuanainfo@denvergov.org) with the following information:

- Request a preliminary, nonbinding proximity check.
- Provide the address for the property you are interested in.
- Let us know what type of license you are requesting the check for.
- Let us know if it's a new license or a license being transferred from another location.
  - If you are requesting a preliminary, nonbinding proximity check for a license being transferred from another location, please provide the address of the current location, too.

## Neighborhoods of Undue Concentration

Denver Revised Municipal Code, Chapter 6, Article V requires the Department of Excise and Licenses to calculate annually the neighborhoods of undue concentration for stores and for cultivation facilities.

Neighborhoods of undue concentration are statistical neighborhoods in the City with the highest number of licensed medical and retail marijuana cultivation and store locations. There are neighborhoods of undue concentration of retail and medical cultivation facility locations, which are the five neighborhoods with the most cultivation facilities, and there are neighborhoods of undue concentration of store locations, which are the five neighborhoods with the most retail and medical store locations. Each category of neighborhoods of undue concentration is calculated separately. To the extent there is a tie between two or more statistical neighborhoods with the statistical neighborhood having the fifth most licensed locations, then all such neighborhoods shall be treated as neighborhoods of undue concentration.

Neighborhoods of undue concentration will be calculated annually in the spring.

### Location Restrictions - Stores

No medical or retail marijuana store license shall be issued at any location within a neighborhood of undue concentration of marijuana store locations at the time of the application. This location restriction shall not apply to an application submitted to change the location of an existing licensed medical or retail marijuana store from its current location within a neighborhood of undue concentration of store locations changing to a new location within the same neighborhood of undue concentration of store locations. This location restriction also does not apply to a new retail marijuana store proposing to co-locate with a commonly owned medical marijuana store that has existed in continuous operations. The neighborhoods of undue concentration of store locations as of May 1, 2021 are:

- **Overland** - 14 locations
- **Northeast Park Hill** - 11 locations
- **Baker** - 10 locations
- **Elyria Swansea** - 10 locations
- **Five Points** - 10 locations
- **Valverde** - 10 locations

### Location Restrictions - Cultivations

No medical or retail marijuana cultivation license shall be issued within any neighborhood of undue concentration of cultivation facility locations at the time of application. This location restriction does not apply to any application proposing to locate a new retail marijuana cultivation facility at the same location as a medical or retail marijuana cultivation facility license. This location restriction shall not apply to an application submitted to change the location of an existing licensed medical or retail marijuana cultivation facility from its current location within a neighborhood of undue concentration of cultivation locations changing to a new location within the same neighborhood of undue concentration of cultivation locations. The neighborhoods of undue concentration of cultivation facility locations as of May 1, 2021 are:

- **Montbello** - 32 locations
- **Northeast Park Hill** - 32 locations
- **Elyria Swansea** - 29 locations
- **Overland** - 23 locations
- **College View-South Platte** - 18 locations
- **Lincoln Park** - 18 locations

## Marijuana Hospitality

**Proximity Restrictions:** No Marijuana Hospitality business license shall be issued if the proposed location is within 1,000 feet of any of the following locations:

- **Any school**, with the distance computed by direct measurement in a straight line from the nearest legal parcel line of the land used for the school to the nearest external portion of the building in which the marijuana hospitality business is proposed to be located.
- **Any childcare establishment**, with the distance computed by direct measurement in a straight line from the nearest legal parcel line of the land used for the childcare establishment to the nearest external portion of the building in which the marijuana hospitality business is proposed to be located.
- **Any other marijuana hospitality business** licensed by the City, with the distance computed by direct measurement in a straight line from the nearest external portion of the building within which one (1) marijuana hospitality business is located to the nearest external portion of the building in which the other marijuana hospitality business is proposed to be located.
  - In the event that the department receives two or more applications for a marijuana hospitality business with proposed locations within one thousand (1,000) feet of each other, the director shall act upon only the first complete application received and shall not issue a license to all subsequent applications.
- **Any alcohol or drug treatment facility**, with the distance computed by direct measurement in a straight line from the nearest external portion of the building in which the alcohol or drug treatment facility is located to the nearest external portion of the building in which the marijuana hospitality business is proposed to be located.
- **Any city-owned recreation center**, with the distance computed by direct measurement in a straight line from the nearest external portion of the building in which the recreation center is located to the nearest external portion of the building in which the marijuana hospitality business is proposed to be located.
- **Any city-owned outdoor pool**, with the distance computed by direct measurement in a straight line from the fence or barrier of the outdoor pool to the nearest external portion of the building in which the marijuana hospitality business is located.

**Location Restrictions:** No marijuana hospitality business license shall be issued at any of the following locations:

- The licensed premises of another medical or retail marijuana business license. The marijuana hospitality business and any other marijuana business must have separate ingress and egress to each licensed premises;
- The licensed premises of any business containing a business licensed pursuant to Articles 3, 4, or 5 of Title 44 of the Colorado Revised Statutes. The marijuana hospitality business and the other business must have separate ingress and egress to each licensed premises and each must comply with all state laws;
- Any location deemed public property and owned by the City; or
- Any location that is situated in a residential zone district as defined by the Denver Zoning Code or Former Chapter 59 (see chart on page 8).

**Please note:** The proximity and location restrictions above shall not apply to the mobile premises of a marijuana hospitality business.

## Retail Marijuana Hospitality and Sales

**Proximity restrictions:** No retail marijuana hospitality and sales business license shall be issued if the proposed location is within 1,000 feet of any of the following locations:

- **Any school**, with the distance computed by direct measurement in a straight line from the nearest legal parcel line of the land used for the school to the nearest external portion of the building in which the retail marijuana hospitality and sales business is proposed to be located.
- **Any childcare establishment**, with the distance computed by direct measurement in a straight line from the nearest legal parcel line of the land used for the childcare establishment to the nearest external portion of the building in which the retail marijuana hospitality and sales business is proposed to be located.
- **Any other retail marijuana hospitality and sales business** licensed by the City, with the distance computed by direct measurement in a straight line from the nearest external portion of the building within which one (1) retail marijuana hospitality and sales business is located to the nearest external portion of the building in which the other retail marijuana hospitality and sales business is proposed to be located.
  - In the event that the department receives two or more applications for a retail marijuana hospitality and sales business with proposed locations within one thousand (1,000) feet of each other, the director shall act upon only the first complete application received and shall not issue a license to all subsequent applications.
- **Any alcohol or drug treatment facility**, with the distance computed by direct measurement in a straight line from the nearest external portion of the building in which the alcohol or drug treatment facility is located to the nearest external portion of the building in which the retail marijuana hospitality and sales business is proposed to be located.
- **Any city-owned recreation center**, with the distance computed by direct measurement in a straight line from the nearest external portion of the building in which the recreation center is located to the nearest external portion of the building in which the retail marijuana hospitality and sales business is proposed to be located.
- **Any city-owned outdoor pool**, with the distance computed by direct measurement in a straight line from the fence or barrier of the outdoor pool to the nearest external portion of the building in which the retail marijuana hospitality and sales business is located.

**Location restrictions:** No retail marijuana hospitality and sales business license shall be issued at any of the following locations:

- Any location containing a medical or retail marijuana store license;
- The licensed premises of another medical or retail marijuana business license. The marijuana hospitality business and any other marijuana business must have separate ingress and egress to each licensed premises;
- The licensed premises of any business containing a business licensed pursuant to Articles 3, 4, or 5 of Title 44 of the Colorado Revised Statutes. The marijuana hospitality business and the other business must have separate ingress and egress to each licensed premises and each must comply with all state laws;
- Any location deemed public property and owned by the City; or
- Any location that is situated in a residential zone district as defined by the Denver Zoning Code or Former Chapter 59 (see chart on page 8).

## Residential Zone Districts

Marijuana Hospitality and Marijuana Retail Hospitality and Sales business licenses cannot be issued at any location in a residential zone district as defined by the Denver Zoning Code or Former Chapter 59. Keep in mind that this document may not reflect recent changes to the zoning code. It is the applicant's responsibility to ensure the proposed location does not violate applicable restrictions. Residential Zone Districts as of May 1, 2021 are:

Denver Zoning Code Residential Zone Districts						
C-RX-5	E-MU-2.5	G-MU-12	M-RH-3	S-MU-12	U-RH-2.5	U-SU-H
C-RX-8	E-RH-2.5	G-MU-20	M-RX-3	S-MU-20	U-RH-3A	U-SU-H1
C-RX-12	E-RX-3	G-MU-3	M-RX-5	S-MU-3	U-RX-3	U-TU-B
	E-RX-5	G-MU-5	M-RX-5A	S-MU-5	U-RX-5	U-TU-B2
	E-SU-A	G-MU-8		S-MU-8	U-SU-A	U-TU-C
	E-SU-B	G-RH-3		S-RH-2.5	U-SU-A1	
	E-SU-B1	G-R0-3		S-SU-A	U-SU-A2	
	E-SU-D	G-R0-5		S-SU-D	U-SU-B	
	E-SU-D1	G-RX-3		S-SU-F	U-SU-B1	
	E-SU-D1x	G-RX-5		S-SU-F1	U-SU-B2	
	E-SU-Dx			S-SU-Fx	U-SU-C	
	E-SU-G			S-SU-I	U-SU-C1	
	E-SU-G1			S-SU-Ix	U-SU-C2	
	E-TU-B				U-SU-E	
	E-TU-C				U-SU-E1	

Former Chapter 59 Zoning Code Residential Zone Districts		
GTWY-RU1	R-0	R-MU-20
GTWY-RU2	R-1	R-MU-30
	R-2	RS-4
	R-2-A	R-X
	R-2-B	
	R-3	
	R-3-X	
	R-4	
	R-4-X	
	R-5	



## Medical and Retail Marijuana Stores

**Proximity Restrictions:** No medical or retail marijuana store license shall be issued if the proposed location is within 1,000 feet of any of the following locations:

- **Any school**, with the distance computed by direct measurement in a straight line from the nearest legal parcel line of the land used for the school to the nearest external portion of the building in which the marijuana store is proposed to be located.
- **Any childcare establishment\***, with the distance computed by direct measurement in a straight line from the nearest legal parcel line of the land used for the childcare establishment to the nearest external portion of the building in which the marijuana store is proposed to be located.
- **Any other medical or retail marijuana store\*** licensed by the City and County of Denver, with the distance computed by direct measurement in a straight line from the nearest external portion of the building in which one (1) store is located to the nearest external portion of the building in which the other store is proposed to be located.
  - In the event that the department receives two or more applications for a medical or retail marijuana store with proposed locations within one thousand (1,000) feet of each other, the director shall act upon only the first complete application received and shall not issue a license to subsequent applications proposing to be located within one thousand (1,000) feet\*.
- **Any alcohol or drug treatment facility\***, with the distance computed by direct measurement in a straight line from the nearest external portion of the building in which the alcohol or drug treatment facility is located to the nearest external portion of the building in which the marijuana store is proposed to be located.
- Any location where, within the two (2) years preceding the date of the application, the director denied an application for a medical or retail marijuana store license because the reasonable requirements of the neighborhood and the desires of the adult inhabitants were satisfied by the existing outlets or the adult inhabitants did not otherwise need or desire an additional medical or retail marijuana store license.

**Location Restrictions:** No medical or retail marijuana store shall be issued at any of the following locations:

- Within any residential zone district as defined by the Denver Zoning Code or Former Chapter 59, in any MS-2, MS-2x, MX-2, MX-2A or MX-2x zone district as defined by the Denver Zoning Code or Former Chapter 59, or in any location where retail sales are prohibited by the Denver Zoning Code, Former Chapter 59, or by any ordinance governing a planned unit development\*;
- At any location within a neighborhood of undue concentration (see page 5) of marijuana store locations at the time of the application. This location restriction shall not apply to an application submitted to change the location of an existing licensed medical or retail marijuana store from its current location within a neighborhood of undue concentration of store locations changing to a new location within the same neighborhood of undue concentration of store locations. This location restriction also does not apply to a new retail marijuana store proposing to co-locate with a commonly owned medical marijuana store that has existed in continuous operations.
- At any location where, within the one (1) year preceding the date of the application, the director scheduled a public hearing for an application for a medical or retail marijuana store license and the application was subsequently withdrawn by the applicant prior to final action by the director.

*\* This shall not apply to any application for a retail marijuana store that proposes to share a location with a licensed medical marijuana store that has existed in continuous operation and can demonstrate common ownership with that same medical marijuana store license.*

## Zoning Restrictions

Medical and Retail Marijuana Stores **may not** be located in the following zone districts, which are prohibited zone districts in the city's marijuana code or zone districts that do not allow for retail sales uses.

Denver Zoning Code Prohibited Locations								
CMP-EI	D-CV	E-MS-2	G-MU-12	M-RH-3	O-1	S-MU-12	U-MS-2	U-SU-H
CMP-EI2		E-MS-2x	G-MU-20	M-RX-3	OS-A	S-MU-20	U-MS-2x	U-SU-H1
C-RX-12		E-MU-2.5	G-MU-3	M-RX-5	OS-B	S-MU-3	U-MX-2	U-TU-B
C-RX-5		E-MX-2	G-MU-5	M-RX-5A	OS-C	S-MU-5	U-MX-2x	U-TU-B2
C-RX-8		E-MX-2A	G-MU-8		PUD*	S-MU-8	U-RH-2.5	U-TU-C
		E-MX-2x	G-RH-3			S-MX-2	U-RH-3A	
		E-RH-2.5	G-R0-3			S-MX-2x	U-RX-3	
		E-RX-3	G-R0-5			S-RH-2.5	U-RX-5	
		E-RX-5	G-RX-3			S-SU-A	U-SU-A	
		E-SU-A	G-RX-5			S-SU-D	U-SU-A1	
		E-SU-B				S-SU-F	U-SU-A2	
		E-SU-B1				S-SU-F1	U-SU-B	
		E-SU-D				S-SU-Fx	U-SU-B1	
		E-SU-D1				S-SU-I	U-SU-B2	
		E-SU-D1x				S-SU-Ix	U-SU-C	
		E-SU-Dx					U-SU-C1	
		E-SU-G					U-SU-C2	
		E-SU-G1					U-SU-E	
		E-TU-B					U-SU-E1	
		E-TU-C						

Former Chapter 59 Zoning Code Prohibited Locations			
B-A-1	GTWY-OSU	P-1	GTWY-RU1
B-A-2	O-1	PUD*	GTWY-RU2
B-A-4	O-2		R-0
	OS-1		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
			RS-4
			R-X

\* PUD zone districts must be reviewed on a case-by-case basis to determine if retail sales are permitted or prohibited.

## 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, because **both** commercial food preparation and general manufacturing **are not** allowed uses:

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-B1	G-MU-5			S-MU-5	U-SU-A1
CMP-H2		E-SU-D	G-MU-8			S-MU-8	U-SU-A2
C-RX-5		E-SU-D1	G-RH-3			S-SU-A	U-SU-B
C-RX-8		E-SU-D1x	G-R0-3			S-SU-D	U-SU-B1
C-RX-12		E-SU-Dx	G-R0-5			S-SU-F	U-SU-B2
		E-SU-G				S-SU-F1	U-SU-C
		E-SU-G1				S-SU-Fx	U-SU-C1
		E-TU-B				S-SU-I	U-SU-C2
		E-TU-C				S-SU-Ix	U-SU-E
							U-SU-E1
							U-SU-H
							U-SU-H1
							U-TU-B
							U-TU-B2
							U-TU-C

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	

Additionally, **no solvent-based extraction** activities are allowed in the following zone districts, where commercial food preparation is allowed, but general manufacturing **is not**:

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

Former Chapter 59 Zoning Code Prohibited Locations			
B-2	CCN	R-MU-30	T-MU-30
B-3			

And finally, **no solvent-based extraction operations** over 3,000 square feet of gross floor area are allowed in the following zone districts, where general manufacturing is an allowed use, but heavy manufacturing **is not**:

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-AS-12+	E-MS-3	I-MX-5	M-GMX	S-CC-5	U-MS-5
	D-AS-20+	E-MS-5	I-MX-8	M-IMX-12	S-MS-3	U-MX-3
	D-C	E-MX-3		M-IMX-5	S-MS-5	
	D-CPV-C	E-MX-3A		M-IMX-8	S-MX-12	
	D-CPV-R			M-MX-5	S-MX-12A	
	D-CPV-T				S-MX-3	
	D-GT				S-MX-3A	
	D-LD				S-MX-5	
	D-TD				S-MX-5A	
					S-MX-8	
					S-MX-8A	

Former Chapter 59 Zoning Code Prohibited Locations			
B-4	C-MU-20	I-O	MS-1
B-7			MS-2
			MS-3

## Medical and Retail Marijuana Cultivation Facilities

**Proximity Restrictions:** No medical or retail marijuana cultivation facility license shall be issued within 1,000 feet of any of the following locations:

- **Any school**, with the distance computed by direct measurement in a straight line from the nearest legal parcel line of the land used for school to the nearest external portion of the building in which the medical or retail marijuana cultivation facility is proposed to be located.
- **Any residential district**,\* as defined in the Denver Zoning Code or Former Chapter 59, with the distance computed by direct measurement in a straight line from the nearest legal parcel line of any property in the residential district to the nearest external portion of the building in which the medical or retail marijuana cultivation facility is proposed to be located.

**Location Restrictions:** No medical or retail marijuana cultivation facility license shall be issued at any of the following locations:

- Within any zone district where, at the time of application, plant husbandry is not a permitted primary use under the Denver Zoning Code or Former Chapter 59. This shall not apply to an application proposing to locate a medical or retail marijuana cultivation facility in a zone district where plant husbandry is not a permitted primary use but is already occurring as a compliant or nonconforming use under the Denver Zoning Code or Former Chapter 59, if and only if the applicant meets the following requirements:
  - A zoning permit for plant husbandry was applied for upon the same zone lot on or before July 1, 2010;
  - The applicant can show that an optional premises cultivation license upon the same zone lot was applied for with the state medical marijuana licensing authority on or before August 1, 2010, in accordance with § 12-43.3-103(1)(b), C.R.S; and
  - The applicant can produce documentary or other empirical evidence to the satisfaction of the director that the cultivation of medical marijuana commenced on the zone lot prior to January 1, 2011.
- Within any neighborhood of undue concentration (see page 5) of cultivation facility locations at the time of application. This location restriction does not apply to any application proposing to locate a new retail marijuana cultivation facility at the same location as a medical or retail marijuana cultivation facility license. This location restriction shall not apply to an application submitted to change the location of an existing licensed medical or retail marijuana cultivation facility from its current location within a neighborhood of undue concentration of cultivation locations changing to a new location within the same neighborhood of undue concentration of cultivation locations.
- Within or upon the licensed premises of a medical or retail marijuana cultivation facility license, except as provided in section 6-208(f) of the Denver Revised Municipal Code. No more than one (1) medical marijuana cultivation facility license and one (1) retail marijuana cultivation facility license may share the same licensed premises.

### Zoning Restrictions

Medical and retail marijuana cultivation facilities **may only be located** in the following zone districts, where plant husbandry is an allowed use:

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

Former Chapter 59 Zoning Code Allowed Locations	
I-0	OS-1
I-1	O-2
I-2	

\* This shall not apply to any application for a new retail marijuana cultivation facility that is proposed at the same location as an existing medical or retail marijuana cultivation facility.

## Medical and Retail Marijuana Testing Facilities

Medical and Retail Marijuana Testing Facilities may only be located in the following zone districts, where laboratory, research, development, and technological services is an allowed use:

Denver Zoning Code Allowed Locations							
CMP-EI	D-AS	E-CC-3	G-MS-3	I-A	M-CC-5	S-CC-3	U-MS-3
CMP-ENT	D-AS-12+	E-MS-3	G-MS-5	I-B	M-GMX	S-CC-5	U-MS-5
CMP-H	D-AS-20+	E-MS-5	G-MX-3	I-MX-3	M-IMX-12	S-MS-3	U-MX-3
CMP-H2	D-C	E-MX-3		I-MX-5	M-IMX-5	S-MS-5	
CMP-NWC	D-CPV-C	E-MX-3A		I-MX-8	M-IMX-8	S-MX-12	
CMP-NWC-C	D-CPV-R				M-MX-5	S-MX-12A	
CMP-NWC-F	D-CPV-T					S-MX-3	
CMP-NWC-G	D-GT					S-MX-3A	
CMP-NWC-R	D-LD					S-MX-5	
C-MS-12	D-TD					S-MX-5A	
C-MS-5						S-MX-8	
C-MS-8						S-MX-8A	
C-MX-12							
C-MX-16							
C-MX-20							
C-MX-3							
C-MX-5							
C-MX-8							

Former Chapter 59 Zoning Code Allowed Locations					
B-5	C-MU-10	I-0	MS-1	R-MU-20	T-MU-30
B-5-T	C-MU-20	I-1	MS-2	R-MU-30	
B-7	C-MU-30	I-2	MS-3		
B-8					
B-8-A					
B-8-G					

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

**Location Restrictions:** Medical and Retail Marijuana Transporter Facilities and any associated Off-Premises Storage Facility Permits may only be located in the following zone districts, which allow for terminal, freight and air courier services:

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

Former Chapter 59 Zoning Code Allowed Locations			
B-4	B-8	I-1*	C-MU-30
B-5	B-8-A**	I-2*	
B-5-T	B-8-G**		
B-7			

\* Within these zone districts, terminal, freight, air courier services must be located at least 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

**Location 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, where wholesale, trade and storage-general is an allowed use:

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

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

\* Within these zone districts, wholesale, trade, storage general must be located at least 500 feet from a residential zone district.

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