

## Medical Marijuana

While Amendment 20 makes medical marijuana legal to those that qualify, there are land use regulations associated with the growing, cultivating, processing, and selling of medical marijuana and infused products. Summit County has a moratorium in place prohibiting the licensing or permitting of medical dispensaries or centers, optional premises operations, or infused products manufacturing locations. There are no dispensaries or centers in operation in the unincorporated County, however there are several in the Towns of Breckenridge, Frisco, and Silverthorne.

Summit County has adopted regulations for the personal cultivation of medical marijuana in residential structures. These regulations are located in Section 3804 of the **Summit County Land Use and Development Code**. While a permit is not needed for the personal cultivation of medical marijuana, it is imperative that personal grows are conducted in a manner consistent with the Code provisions. All regulations should be thoroughly reviewed, but a number of key points include:

- Medical Marijuana may be grown, cultivated, and processed in a patient's primary residence.
- A caregiver may grow, cultivate, and process medical marijuana in the patient's primary residence, but not in their own residence, unless they are also a patient.
- No more than six medical marijuana plants may be grown, cultivated, and processed by a patient or caregiver and no more than twelve medical marijuana plants may be grown, cultivated, or processed in a residence, regardless of the number of patients and/or caregivers residing in the residence.
- In a single-family residence, the growing, cultivation, and processing of medical marijuana shall be within a secure, defined, contiguous area not to exceed 150 square feet.
- In a residential dwelling unit other than a single-family residence, the growing, cultivation, and processing of medical marijuana shall be within a secure, defined, contiguous area not to exceed 100 square feet.
- Medical Marijuana may be grown, cultivated, and processed in an outbuilding or a garage associated with a residential structure provided the area is secure, defined, and limited in size in accordance with the provisions above.
- The growing, cultivation, and processing of Medical Marijuana shall not be perceptible from the exterior of the primary residence, including but not limited to: odor, common visual observation; light pollution/glare, undue vehicular or foot traffic, and noise from an exhaust fan.
- The space where Medical Marijuana is grown, cultivated or processed shall meet all applicable requirements of the County's building, zoning, and other technical codes.
- Renters must obtain written permission from landlords to grow, cultivate, and process Medical Marijuana.
- No chemical shall be used by a patient or caregiver to enhance or extract tetrahydrocannabinol (THC) from medical marijuana that is grown in a primary residence.
- Personal grow operations must be conducted in strict accordance with all state laws and regulations, including but not limited to the state regulations regarding caregivers and patients.

These regulations can be found at:

<http://www.cdph.state.co.us/hs/Medicalmarijuana/caregivers.html>.

At this time, Medical Marijuana may not be grown, processed, or cultivated for commercial purposes anywhere in Summit County.

If you have any questions about Medical Marijuana, please call the Planning Department at 970-668-4200.