



## **Planning and Zoning Department**

615 Macon Avenue Room 210, Canon City, Colorado

Telephone (719) 276-7360 / Facsimile (719) 276-7374

Email [planning@fremontco.com](mailto:planning@fremontco.com)

### **MARIJUANA CULTIVATION REFERENCE GUIDE**

This reference guide is being provided for reference and general overview purposes only. Individuals need to refer to ORDINANCE NO. 1 SERIES OF 2017 CULTIVATION OF MARIJUANA ON RESIDENTIAL PROPERTIES, IN RESIDENTIAL STRUCTURES, IN ACCESSORY STRUCTURES, ON VACANT OR UNOCCUPIED LAND, AND ON NON-RESIDENTIAL PROPERTY, AND REQUIRING REGISTRATION OF CAREGIVERS & ORDINANCE NO. 1 SERIES OF 2020 AN ORDINANCE AMENDING CERTAIN PROVISIONS OF ORDINANCE NO. 1, SERIES OF 2017 REGULATING THE CULTIVATION OF MARIJUANA ON RESIDENTIAL PROPERTIES; IN RESIDENTIAL STRUCTURES; IN ACCESSORY STRUCTURES ON RESIDENTIAL PROPERTY; ON VACANT OR UNOCCUPIED LAND; AND ON NON-RESIDENTIAL PROPERTY.

<b>PLANT COUNT LIMITS</b>	
Residential Property – No medical card	Twelve Plants
Residential Property – Medical Card Holder	Twelve Plants
Residential Property – Care Giver	Twenty-Four Plants
Residential – Multi Family	Six per unit
Vacant/Non-Residential property	SAME as Residential – Exception of Extended Plant Count Permit
Extended Plant Count Permit	Thirteen – ninety-nine. Must met section 9 requirements.

<b>CARE GIVER REQUIRMENTS</b>
Must register with the County and the State of Colorado
Limited to a maximum of five patients, subject to the plant count limits stated above. Separation of patient's plants is required.
Combined care giver grows are not permitted.
Requires 50% or more fee-simple ownership or lease and permission from the owner
Must be twenty-one (21) or older to cultivate on vacant property
May be eighteen (18) on residential property
Documents must be posted on site: Plant Count Information

<b>GENERAL REQUIRMENTS/PROVISIONS</b>
Retail/recreational marijuana is prohibited per Ordinance 2013-1
Cultivation of marijuana is only permitted by adults over twenty-one (21) years of age
Any area used for Cultivation must not be accessible to any one under the age of twenty-one (21) unless such an individual has a medical card or is a registered caregiver
Cultivation cannot be perceptible from the exterior of the structure or property
Cultivation can not result in any of the following: Common Visual Observance, light pollution, glare, or brightness, smell or odor of marijuana or unusual smells or odors nor generally found in the surrounding area, undue or unusually high volumes of traffic, noise from exhaust fans, other equipment or sources connected to such cultivation that can be heard on a continuous basis lasting longer than two (2) hours in a 24-hour period or occurring between 9 p.m. and 6 a.m.
Cultivation in a Travel Trailer Park, Campground, or on any other property allowing temporary or containing temporary residential uses by non-owners
Documents must be posted on site: Plant Count Information

<b>GENERAL REQUIREMENTS – Residential Property</b>
Buildings/Structures must be Code and Zoning Compliant
Cultivator must reside on the property
Accessory Structures to include greenhouses must be located on the same property and occupied by the individual cultivating
Indoor Cultivation: Any area or structure, or portion thereof must be in a secure area: Area only accessible to the person cultivating, and inaccessible to individuals under twenty-one years of age
Outdoor Cultivation: Area must be completely fenced and screened with a locked gate, and not be perceptible from any right-of-way or residence or other public area.
Subject to plant count limits stated above

<b>GENERAL REQUIREMENTS – Vacant, Unoccupied Property</b>
Buildings/Structures must be Code and Zoning Compliant
Accessory Structures to include greenhouses must be located on the same property and occupied by the individual cultivating
Structure Cultivation: Any area or structure, or portion thereof must be in a secure area: Area only accessible to the person cultivating, and inaccessible to individuals under twenty-one years of age
Outdoor Cultivation: Area must be completely fenced and screened with a locked gate, and not be perceptible from any right-of-way or residence or other public area.
<b>Cultivation of personal recreational marijuana is prohibited</b>
Subject to plant count limits stated above

<b>Extended Plant Count Permits (EPCP)</b>
May occur on residential and vacant or unoccupied property
Individual cultivating must reside in the dwelling (if applicable)
Only one EPCP shall be issued per lot and are non-transferable
Plant Count: Minimum of thirteen and maximum of ninety-nine plants
Lot, parcel, or tract must have an established address
Lot, parcel, or tract must be a minimum of five (5) acres in size

No residences can be located within one-thousand (1000) feet of the grow area- excludes a residence located on the subject property
Requires 50% or more fee-simple ownership or lease and permission from the owner
Odor mitigation may be required
Lighting is subject to a plan to prevent beams and/or rays from being directed toward or onto adjacent properties
Sites shall have an Onsite Waste Water Treatment System (OWTS)
Residential properties shall have utility services
<b>Excludes cultivation of recreational marijuana</b>
Subject to plant count limits stated above
Plants between patients must be separated and have ownership readily available