

APPENDIX A - Marijuana Facility Code Provisions

1) Sample code where facilities are not permitted:

No person shall establish, develop, construct, maintain, or operate a medical marijuana dispensary, and no application for a building permit, use permit, variance, or any other entitlement authorizing the establishment, development, construction, maintenance, or operation of any medical marijuana dispensary shall be approved by xxxxxx or any officer or employee thereof.

2) Examples of code requirements from various Colorado jurisdictions

- Security Plan

Design plan must show the locations of all proposed exterior lighting and light fixture information; Design plan must show location of cameras, motion detectors, security system computer; and the locations of safes.

- Operation Plan (with attached narrative)

A plan for ventilation of the medical marijuana business that describes the ventilation systems that will be used to prevent any odor of medical marijuana off the premises of the business. For cultivation facilities, such plan shall also include all ventilation systems used to control the environment for the plants and describe how such systems operate with the systems preventing any odor from leaving the premises.

- Building Guidelines

The building permit application must meet the general building permit submittal requirements. The plans must be prepared by a Colorado Design Professional and must address specific medical marijuana related requirements including the following:

Cultivation facilities must meet International Building Code (IBC) Chapter 3 requirements based on a Use and Occupancy Classification of Factory Industrial, F-1, Moderate-hazard Occupancy (IBC 306.2).

Centers and dispensaries must meet IBC Chapter 3 requirements based on a Use and Occupancy Classification of a Mercantile Occupancy, M, or a Business Occupancy, B depending on the amount and level of treatment services provided (IBC 309.1).

Applicable Means of Egress requirements based on IBC Chapter 10.

Applicable Accessibility requirements based on IBC Chapter 11.

Applicable fire suppression system requirements based on IBC Section 903 and local amendments.

- Mechanical Guidelines

A ventilation system will be required to filter the odor from a business so that it cannot be detected at the exterior of the business or at any adjoining property. The ventilation system for a medical marijuana business requires, at a minimum:

Exhaust systems designed and constructed to capture sources of contaminants to prevent spreading of contaminants or odors to other occupied parts of the building reference "Contaminant sources," International Mechanical Code (IMC) 401.6.

Cultivation facilities must have a ventilation rate of 60 cfm/person. Centers and dispensaries must have an outside ventilation rate of 15 cfm/person

Center facility exhaust outlets must be 3 feet from property lines, operable openings into a building and from mechanical air intakes.

A ventilation system will be required to filter the odor from a business so that it cannot be detected at the exterior of the business or at any adjoining property.

Cultivation facility exhaust outlets must be 10 feet from property lines, operable openings into a building and from mechanical air intakes.

- Energy Efficiency Guidelines

Every medical marijuana business shall directly offset 100% of its electricity consumption through the purchase of renewable energy in the form of Colorado Wind Source, a verified subscription in a community solar garden, or renewable energy generated on-site, or an equivalent that is subject to approval by the city.

- Fire Protection

Many jurisdictions utilize NFPA 58 as a basis for regulating extraction facilities, but it is generally acknowledged that this standard is insufficient. The NFPA convened a task group to craft a new chapter for NFPA1, Fire Code on marijuana grow and processing facilities. The committee accepted the draft of the new chapter and the new Chapter 39 "Marijuana Growing, Processing or Extraction Facilities, can be found in the Second Draft Report available online. A publication date of 2018 is expected.

In addition, Denver [and other jurisdictions] have adopted a code requirement that a State licensed design professional shall provide detailed plans and specifications on the process for extracting cannabinoids from marijuana plant products with flammable solvents, gasses, and solids.

Post Construction Guidelines

After receipt of the building permit and no more than 10 days after completion of construction and final inspection by the building department, the applicant shall submit the following:

Complete procedure for monitoring of alarm system, including: 1) Names and emergency contact information of person responsible for notifying Police Department within 12 hours of criminal activity or attempts of criminal activity; and 2) Name and contact information for landlord if applicant rents the business space.