



**Attention all marijuana cultivators located in  
residential areas of Nederland:  
LICENSING IS COMING AND SO IS ENFORCEMENT**

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The growing of marijuana in residential zone districts for **commercial** purposes is prohibited without proper Town approval.

The growing of marijuana in residential zone districts for **personal** purposes (not for sale) is subject to certain limitations.

Cultivation activities in residential zone districts may impact neighbors and community safety and may require compliance with additional building code requirements, depending on the number of plants, the area used, the type of building, and many other factors. Regardless of the type of cultivation activity you are engaged in, it is your obligation to ensure that your activity is lawful. Please contact the Town of Nederland at 303-258-3266 or go to: <http://nederlandco.org/government/town-hall/other-permits-licenses/> for more information.

More information concerning State regulations of marijuana can be accessed at <http://www.colorado.gov/cs/Satellite/Rev-MMJ/CBON/1251592985101>

To see if you qualify as a primary caregiver go to:  
<https://www.colorado.gov/pacific/cdphe/medical-marijuana-caregiver-rules-and-regulations>

**FOR YOUR INFORMATION:**

As per Nederland Municipal Code (N.M.C) Section 16 defines a family as “an individual or two or more persons related by blood or marriage, or an unrelated group of not more than four (4) persons living together in a dwelling unit.” What this means is the total maximum number of plants allowed per residential dwelling for unrelated persons living together is 24 (4 people maximum @ 6 plants/per person).

For those in residences growing more than 6 plants per person over the age of 21, or more than 24 plants per dwelling of 4 unrelated people living together over the age of 21 - You are considered an illegal, unlicensed grow, but you may apply for a license, make sure to see \*NOTE below.

Nederland has adopted Ordinance 720 Regulation of Marijuana, which allows retail marijuana cultivation facilities (retail grows) in residential zoning districts, as a licensed Home Occupation with an approved Special Review Use Permit through the Planning Commission and Board of Trustees.

The density and close proximity of housing units in which marijuana is cultivated can affect the health, safety and welfare concerns of neighboring units including problems with odors, ventilation, mold, mildew and fire safety. If you are engaged in such businesses, please contact the Town for more information. Enforcement will be sought for those not in compliance. **NEIGHBORS ARE ENCOURAGED** to contact us or the Police Department if they believe there is an unlicensed grow operation taking place. If you are unsure whether this applies to you, please contact Town Hall at (303) 258-3266 OR Police at (303) 258-3250.

If our Enforcement Officers are called out on a complaint, they have the right to request to see a copy of a caregiver's CDPHE card and/or a list of patients' registry identification numbers. Law enforcement agencies can contact the Department of Public Health and Environment (CDPHE) to verify modifications to the patient's records. The officers also have a right to count the number of plants you have growing in your home.

**NOT A REGISTERED CAREGIVER OR ARE YOU GROWING MORE PLANTS THAN ALLOWED?**

Here are your options:

1. Either cease your operation immediately or,
2. \*Obtain a retail (commercial) cultivation license or,
3. Register as a caregiver with CDPHE.

**\*NOTE:**

As per the International Code Council (ICC) and the International Building Code (IBC) 2006 Edition, a Commercial Grow Cultivation Facility shall be classified as Mixed Use Residential and requires F1 occupancy and building modifications.

A Registered Design Professional licensed in Colorado will be required to submit a building permit with detailed drawings and a Code Analysis to the Building Department. A Site Plan will also be required.

We appreciate your cooperation and patience as these regulations are implemented; our goal is to keep our neighborhoods and town safe. We look forward to everyone becoming legal and licensed, where necessary.

Town of Nederland