

**AGENDA
OURAY PLANNING COMMISSION**

Tuesday, September 8, 2026 - 4:00 PM

Ouray Community Center, 320 6th Ave, Ouray, CO 81427

VIRTUAL OPTION - <https://zoom.us/j/98645657434>

Meeting ID: 986 4565 7434 Passcode: 788405 Or dial: +1 346 248 7799

Ouray Planning Commission Regular Meeting

- Changes to this agenda can be found on the bulletin board at City Hall
- Electronic copies of the Planning Commission Packet are available on the City website at www.cityofouray.com. A hard copy of the Packet is also available at the Administrative Office for interested citizens.
- Notice is hereby given that a majority or quorum of the City Council, Ouray Economic Development Committee, Beautification Committee, Tourism Advisory Committee, and/or Parks and Recreation Committee may be present at the above noticed Planning Commission meeting to discuss any or all of the matters on the agenda below for Council consideration

1. CALL TO ORDER

2. ROLL CALL

3. CITIZENS COMMUNICATIONS

4. DISCUSSION ITEMS

4.a. Department Updates- Hunn/Martin

4.b. Planning Commission Alternate Member and Upcoming Vacancies - Hunn/Martin

4.c. Psilocybin / Natural Medicine Zoning - Powell/Hunn

5. ADJOURNMENT

ORDINANCE NO. __ (Series No. 2026)

**AN ORDINANCE OF THE CITY OF OURAY, COLORADO, AMENDING THE
OURAY MUNICIPAL CODE TO AUTHORIZE THE CITY COUNCIL TO APPOINT
ALTERNATE MEMBERS TO THE OURAY PLANNING COMMISSION**

WHEREAS, the City of Ouray (the “City”) acting by and through its City Council has the power to amend the Ouray Municipal Code (the “Municipal Code”) pursuant to state statutes, Section 2.7.C. of the Home Rule Charter, and Section 1-3 of the Code, and all such amendments shall become a part of the Code; and

WHEREAS, the City of Ouray Planning Commission (the “Planning Commission”) wishes to have one or two alternate members available in the event a regular member is absent or otherwise unable to vote on a matter before the Planning Commission; and

WHEREAS, the City Council wishes to amend the Municipal Code as set forth in **Exhibit A**, attached hereto, to allow for appointment of up to two alternate members of the Planning Commission; and

WHEREAS, the Municipal Code currently allows the Mayor and members of City Council to be eligible for appointment to the Planning Commission; and

WHEREAS, the City wishes for the members of the Planning Commission to be separate from members of the City Council and desires to amend the Municipal Code to reflect the same; and

WHEREAS, the City Council finds and determines that the proposed amendments to the Municipal Code outlined herein are reasonably necessary to promote the legitimate public purposes of the public healthy, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OURAY, COLORADO, as follows:

SECTION 1: Recitals

The City Council hereby incorporates by reference and conclusively makes the above recitals as findings of fact.

SECTION 2: Amendments

Chapter 2, Section 12 of the Municipal Code of the City of Ouray, Colorado is hereby amended with **bold underlined** additions and ~~striketrough~~ deletions, as set forth in **Exhibit A**.

SECTION 3: Effective Date

The provisions of this Ordinance shall become effective thirty (30) days after final publication of the Ordinance in accordance with the Charter.

SECTION 4: Savings Clause

The repeal and amendment of various provisions of the Ouray Municipal Code by this ordinance shall not affect any offense or act committed, any penalty incurred, any contract, right, or duty established or accruing before the effective date of this ordinance.

SECTION 5: Severability

If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

INTRODUCED, READ, APPROVED AS INTRODUCED AND ORDERED
PUBLISHED on first reading by _____ vote of the Ouray City Council, this __ day of
_____, 2026.

CITY OF OURAY, COLORADO

By _____
Michael Underwood, Mayor

ATTEST:

Michelle Metteer, City Administrator

INTRODUCED, READ, AND ADOPTED on second reading by _____ vote
of the Ouray City Council, this __ day of _____, 2026.

CITY OF OURAY, COLORADO

By _____
Michael Underwood, Mayor

ATTEST:

Michelle Metteer, City Administrator

CERTIFICATE OF ATTESTATION

I, Michelle Metteer, Ouray City Administrator, hereby certify that Ordinance No. ____
(Series No. 2025), was introduced, read, passed on first reading on December __, 2025.
The Ordinance was published, by title and summary, in the *Ouray County Plaindealer* on
December __, 2025, and thereafter introduced, read, and adopted by the Ouray City
Council on January __, 2026, and thereafter published in the *Ouray County Plaindealer*
as required by law.

Michelle Metteer, City Administrator

Exhibit A

2-12 Planning Commission

A. **Regular Members.** The Ouray Planning Commission shall consist of five (5) **regular** members, who shall be appointed by City Council for two-year staggered terms, two of which shall commence at the first Planning Commission meeting in March of the even numbered years, and three of which shall commence at the first Planning Commission meeting in March of the odd numbered years.

B. Alternate Members. City Council shall appoint up to two (2) alternate members to the Planning Commission. The alternate member(s) shall attend all Planning Commission hearings and may participate in all discussions as a regular member. An alternate member may vote only in the event a regular member is absent or otherwise unable to vote on a matter before the Planning Commission. Alternate members shall serve for a term of two (2) years. If there is more than one alternate member, then at meetings where only one alternate member's vote is needed, the alternate members shall rotate with one alternate member voting for all votes taken at a Planning Commission meeting and the other alternate member voting in all votes taken at the next meeting where a single alternate member vote is needed.

C. Appointment. City Council should announce its proposed appointments at the organizational meeting of City Council in January of the even years, and at the first regular meeting in January of the odd numbered years, that should be acted upon by City Council by the second regular City Council meeting in February. Any vacancies shall be filled through appointment by City Council for the remaining term. All members should be qualified electors of the City. The Mayor and members of City Council are **not** eligible for such appointments. The Mayor, with the approval of City Council, shall appoint a City Council member to serve as a non-voting liaison to the Planning Commission, each year at the same time as the other appointments are made. All members shall serve until their successors are appointed and qualified.

B.D. Removal. Members may be removed by the Council for malfeasance, any act in violation of C.R.S. §[24-18-101](#) et seq., or for substantial failure to attend scheduled meetings.

G.E. Powers and Duties

1. The Planning Commission shall have the following powers and duties:
 - a. To discharge duties specified for a planning commission or a zoning commission in the Charter, any ordinances or state law.
 - b. To make recommendations to City Council upon referral or otherwise, concerning matters related to planning, zoning, and land use regulations.

MEMORANDUM

DATE: September 1, 2026
TO: City of Ouray Planning Commission
FROM: Harper Powell, Karp Neu Hanlon, P.C.
RE: Planning Commission Alternate Member

This memorandum provides an overview of previous discussions by the Planning Commission (the “PC” or Commission) regarding potential code amendments to provide for an alternate member on the Commission.

A. Background

Late last fall, the Planning Commission directed staff to explore the potential of adding an alternate position on the Commission in the event a Commissioner is absent from a PC meeting. The Commission included this discussion on the agenda at its December 9, 2025 meeting. At the time, the Commission supported moving forward with a draft code amendment. Commissioners stated a preference of starting with the addition of one alternate member. We suggested drafting the code amendment to include the flexibility of appointing up to two alternate members in case the Commission ever wanted to have an additional alternate member.

B. Code Amendment

Attached is a draft code amendment that provides City Council the authority to appoint either one or two alternate members to the Planning Commission. This allows flexibility to appoint the number of alternate members necessary to fulfill the needs of the Commission at the time of appointment of such alternate member(s). Appointing two members is not required; however, providing for this flexibility in the code is recommended should the future desires of the Commission be to have two alternate members.

The proposed code amendment also revises eligibility for membership on the Commission to exclude the Mayor and City Council members. The purpose of this is to preserve the role of Planning Commission as separate from that of the City Council. The Planning Commission is an advisory body to the City Council, and issues coming before the PC will later appear before City Council. To avoid any potential issues due to the quasi-judicial nature of many items coming before PC, it is advisable that the makeup of the Commission not include members of the City Council.

C. Conclusion and Recommendations

Based on a review of the Commission's previous discussions regarding adding an alternate member position, staff recommends the PC determine whether it still wishes to proceed with a code amendment to allow for alternate members. If so, staff recommends including the flexibility for City Council to appoint up to two alternate members should the Commission wish to have an additional alternate member. It is also recommended to approve the code change providing that City Council members and the Mayor may not serve on the PC.

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WHEREAS, the City of Ouray Planning Commission (the “Planning Commission”) wishes to have one or two alternate members available in the event a regular member is absent or otherwise unable to vote on a matter before the Planning Commission; and

WHEREAS, the City Council wishes to amend the Municipal Code as set forth in **Exhibit A**, attached hereto, to allow for appointment of up to two alternate members of the Planning Commission; and

WHEREAS, the Municipal Code currently allows the Mayor and members of City Council to be eligible for appointment to the Planning Commission; and

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INTRODUCED, READ, APPROVED AS INTRODUCED AND ORDERED
PUBLISHED on first reading by _____ vote of the Ouray City Council, this __ day of
_____, 2026.

CITY OF OURAY, COLORADO

By _____
Michael Underwood, Mayor

ATTEST:

Michelle Metteer, City Administrator

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**TOWN OF PARACHUTE
ORDINANCE NO.822-2025**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE,
COLORADO, AMENDING TITLE 15 OF THE PARACHUTE MUNICIPAL CODE TO
REGULATE NATURAL MEDICINE FACILITIES**

WHEREAS, pursuant to C.R.S. § 31-15-103, municipalities shall have power to make and publish ordinances which are necessary and proper to provide for the safety, to preserve the health, promote the prosperity, and improve the morals, order, comfort, and convenience of such municipality and the inhabitants thereof not inconsistent with the laws of this state; and

WHEREAS, the Town of Parachute (“Parachute” or the “Town”) is a home-rule municipality organized under Article XX of the Colorado Constitution and with the authority of the Parachute Home Rule Charter; and

WHEREAS, pursuant to § 1.01.020 of the Parachute Municipal Code (“PMC”) and § 1-11 of the Parachute Charter, the Town Council may amend the PMC; and

WHEREAS, in 2022, Colorado voters approved “Proposition 122: Access to Natural Psychedelic Substances,” which is now codified in C.R.S. §§ 12-170-101 through 115 (the “Natural Medicine Health Act”); and

WHEREAS, the Natural Medicine Health Act allows the supervised use of psychedelic mushrooms by individuals aged 21 and over at licensed facilities and requires the state to create a regulatory structure for the operation of these licensed facilities; and

WHEREAS, the Natural Medicine Health Act prohibits local governments from banning licensed facilities, services, and use of natural medicines permitted by the Natural Medicine Health Act, while allowing local governments to regulate the time, place, and manner of operation of these facilities; and

WHEREAS, the State legislature enacted Senate Bill 23-290, which is codified in C.R.S. §§ 44-50-101 through 904 (the “Colorado Natural Medicine Code”), to create the regulatory structure for the operation of these licensed facilities, which includes the licensing and registration of facilities and related businesses that provide the use, cultivation, manufacture, and testing of these substances; and

WHEREAS, the Town Council desires to enact this ordinance to regulate the time, place, and manner of the operation of licenses issued pursuant to the Colorado Natural Medicine Code; to establish the appropriate zoning districts for the operation of licenses issued pursuant to the Colorado Natural Medicine Code; and to establish distance restrictions for buildings where natural

medicine services are provided within the vicinity of a child care center; preschool; elementary, middle, junior or high school; or a residential child care facility pursuant to the Colorado Natural Medicine Code; and

WHEREAS, in order to adequately protect the general public, it is in the interest of the public health, safety, and welfare of the inhabitants and visitors of Parachute to amend the PMC as set forth in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO THAT:

Section 1. Recitals. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. Chapter 15.03 of the PMC – Zoning Regulations - Amended. Chapter 15.03 of the PMC is hereby amended with the addition of Section 15.03.313 – Natural medicine, as follows:

15.03.313. Natural medicine.

A. *Definitions.* The words and phrases used in this section shall have the meanings defined below.

1. “Natural medicine” means psilocybin or psilocyn and other substances described as “natural medicine” in C.R.S. §§ 44-50-101 through 904 (the “Colorado Natural Medicine Code”).
2. “Natural medicine business” shall have the meaning provided in the Colorado Natural Medicine Code, as may be amended from time to time, and shall include the following:
 - a. Natural medicine healing centers;
 - b. Natural medicine cultivation facilities;
 - c. Natural medicine products manufacturers;
 - d. Natural medicine testing facilities; and
 - e. Any other business entity licensed to perform operations related to natural medicine by the state licensing authority.
3. “Natural medicine cultivation facility” shall have the meaning provided in the Colorado Natural Medicine Code, as may be amended from time to time.
4. “Natural medicine healing center” shall have the meaning provided in the Colorado Natural Medicine Code, as may be amended from time to time.

5. “Natural medicine product” shall have the meaning provided in the Colorado Natural Medicine Code, as may be amended from time to time.
 6. “Natural medicine products manufacturer” shall have the meaning provided in the Colorado Natural Medicine Code, as may be amended from time to time.
 7. “Natural medicine services” shall have the meaning provided in the Colorado Natural Medicine Code, as may be amended from time to time.
 8. “Natural medicine testing facility” shall have the meaning provided in the Colorado Natural Medicine Code, as may be amended from time to time.
 9. “Participant” shall have the meaning provided in the Colorado Natural Medicine Code, as may be amended from time to time.
 10. “Regulated natural medicine” shall have the meaning provided in the Colorado Natural Medicine Code, as may be amended from time to time.
 11. “State licensing authority” shall have the meaning provided in the Colorado Natural Medicine Code, as may be amended from time to time.
- B. *Zoning*. Natural medicine businesses may be allowed in the zone districts as set forth in the Schedule of Use Table in Section 15.03.207 and if in compliance with the requirements of this Section 15.03.313.
- C. *Distance Requirements*. As determined by the Colorado Natural Medicine Code, no natural medicine business shall be within one thousand (1,000) feet of any:
1. Child care center;
 2. Preschool;
 3. Elementary, middle, junior, or high school; or
 4. Residential child care facility.
- D. *Hours of Operation*. The hours of operation of any natural medicine business are restricted to 8 a.m. to 10 p.m.
- E. *Security Plan*. All natural medicine businesses shall have a security plan for the secure storage of natural medicine and natural medicine products approved by the State of Colorado Natural Medicine Division and shall provide the plan to the Town prior to

beginning operation, and shall provide any updated plans to the Town within ten (10) business days.

- F. *Public View.* All doorways, windows and other openings of natural medicine business buildings shall be located, covered, or screened in such a manner to prevent a view into the interior from any exterior public or semipublic area. All activities of natural medicine businesses shall occur indoors.
- G. *Lighting.* Primary entrances, parking lots and exterior walkways shall be clearly illuminated with downward facing security lights to provide after-dark visibility for facilitators, participants, and employees.
- H. *Storage.* All storage for natural medicine businesses shall be located within a permanent building and may not be located within a trailer, tent, or motor vehicle. All storage of regulated natural medicine and regulated natural medicine products shall be in a secured and locked container. Cultivation facilities shall ensure that any natural medicine under cultivation is kept in an enclosed locked area.
- I. *Secure Disposal of Natural Medicine.* Natural medicine businesses shall provide secure disposal of natural medicine and natural medicine product remnants or by-products. Natural medicine and natural medicine product remnants or by-products shall not be placed within the facilities' exterior refuse container, nor discharged into any street, alley, or public place, or into any municipal storm sewer and/or system in the Town.
- J. *Hazardous Materials.* The processing of natural medicine or natural medicine product that includes the use of hazardous materials, including, without limitation, and by way of example, flammable and combustible liquids, carbon dioxide, and liquified petroleum gases, such as butane, is prohibited.
- K. *Licenses.* All natural medicine businesses must obtain:
 - 1. a business license from the Town under Chapter 6.01 of the PMC; and
 - 2. a license from the state licensing authority pursuant to the conditions set forth in the Colorado Natural Medicine Code.
- L. *Indemnification of the Town.* By accepting a license issued pursuant to this chapter, a licensee, jointly and severally if more than one, agrees to indemnify and defend the Town, its officers, elected officials, employees, attorneys, agents, insurers and self-insurance pool against all liability, claims and demands on account of injury, loss or damage, including, without limitation, claims arising from bodily injury, personal injury, sickness, disease,

death, property loss or damage or any other loss of any kind whatsoever, which arise out of or are in any manner connected with the operation of the natural medicine business that is the subject of the license. The licensee further agrees to investigate, handle, respond to and provide defense for and defend against any such liability, claims or demands at its expense and to bear all other costs and expenses related thereto, including court costs and attorney fees. The Town Administrator may require a licensee to execute a written instrument confirming the provisions of this section.

Section 3. Section 15.03.207- Amended. Section 15.03.207 - Table 3.4. Schedule of Use Table is hereby amended with the addition of natural medicine uses, as follows:

Use Category	Land Use	PR	LDR	R	OTC	CBD	MU	GC	NC	BP	LI	GI
<i>Natural Medicine</i>												
Natural Medicine Business	Natural medicine healing center					S	S	S	S	P	P	P
	Natural medicine products manufacturer									P	P	P
	Natural medicine testing facility									P	P	P
	Natural medicine cultivation facility									S	S	S
	Other natural medicine business entity licensed to perform operations related to natural medicine by the state									S	S	S

Use Category	Land Use	PR	LDR	R	OTC	CBD	MU	GC	NC	BP	LI	GI
	licensing authority											

Section 4. Section 15.09.104 – Amended. Section 15.09.104 is hereby amended with the addition of the following definition:

“Natural medicine business” means any of the following entities defined under Section 15.03.313 that are licensed under C.R.S. § 44-50-101, *et seq.* and includes:

1. Natural medicine healing centers;
2. Natural medicine cultivation facilities;
3. Natural medicine products manufacturers;
4. Natural medicine testing facilities; and
5. Any other business entity licensed to perform operations related to natural medicine by the state licensing authority.

Section 5. Severability. If any section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 6. Effective date. This Ordinance shall take effect thirty (30) days following publication of the notice as provided for in the Town Charter.

INTRODUCED, READ, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY by a vote of 5 to 0 of the Town Council of the Town of Parachute, Colorado at a regular meeting held at Town Hall in the Town of Parachute, Colorado, on the 20th day of March 2025 and approved by the Mayor on the 20th day of March 2025.

**TOWN COUNCIL OF THE TOWN OF
PARACHUTE, COLORADO**

[S E A L]

By: [S I G N A T U R E]
Tom, Rugaard, Mayor

ATTEST:

[S I G N A T U R E]
Lucy Spalenka, Town Clerk

PUBLIC NOTICE

Public notice is hereby given that an Ordinance entitled:

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, AMENDING TITLE 15 OF THE PARACHUTE MUNICIPAL CODE TO REGULATE NATURAL MEDICINE FACILITIES

was introduced before the Town Council on March 20, 2025; that a copy of said Ordinance is posted at Town Hall; and that the Ordinance was approved at a regular meeting of the Town Council held on March 20, 2025, and approved by the Mayor on March 20, 2025.

Copies of the adopted ordinance are available for inspection at the Town Hall, Parachute, Colorado, and available on the internet at <http://www.parachutecolorado.com>.

Dated this 24th day of March 2025.

TOWN OF PARACHUTE

[S E A L]

[S I G N A T U R E]

Lucy Spalenka, Town Clerk

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 08 – SERIES 2025**

**AN ORDINANCE OF THE TOWN OF MINTURN,
COLORADO AMENDING THE MINTURN MUNICIPAL
CODE TO ADD ARTICLE 27, *NATURAL MEDICINE
BUSINESSES*, IN CHAPTER 16 AND TO MAKE CHANGES
TO THE USE TABLES IN SECTIONS 16-5-40, 16-6-70, AND
16-7-60**

WHEREAS, the Town of Minturn (“Town”) is a Colorado home rule municipality organized pursuant to Article XX of the Colorado Constitution and with the authority of the Town of Minturn Home Rule Charter for which the Minturn Town Council (“Town Council”) is authorized to act; and

WHEREAS, the State of Colorado passed Proposition 122: “Access to Natural Psychedelic Substances,” which is now codified in C.R.S. §§ 12-170-101 through 115 (the “Natural Medicine Health Act”); and

WHEREAS, the Natural Medicine Health Act allows the supervised use of psychedelic mushrooms by individuals aged 21 and over at licensed facilities and requires the state to create a regulatory structure for the operation of these licensed facilities; and

WHEREAS, the Natural Medicine Health Act prohibits local governments from banning licensed facilities, services, and use of natural medicines permitted by the Natural Medicine Health Act, while allowing local governments to regulate the time, place, and manner of operation of these facilities; and

WHEREAS, the State legislature enacted Senate Bill 23-290, which is codified in C.R.S. §§ 44-50-101 through 904 (the “Colorado Natural Medicine Code”), to create the regulatory structure for the operation of these licensed facilities, which includes the licensing and registration of facilities and related businesses that provide the use, cultivation, manufacture, and testing of these substances; and

WHEREAS, the Town Council desires to enact this ordinance to regulate the time, place, and manner of the operation of licenses issued pursuant to the Colorado Natural Medicine Code; to establish the appropriate zoning districts for the operation of licenses issued pursuant to the Colorado Natural Medicine Code; and to establish distance restrictions for buildings where natural medicine services are provided within the vicinity of a day care center; preschool; elementary, middle, junior or high school; or a family child care home pursuant to the Colorado Natural Medicine Code; and

WHEREAS, the Town Council wishes to allow natural medicine healing centers in the Grouse Creek Character Area Commercial Zone, the Old Town Character Area 100-Block A and B Zones, and the South Town Character Area Commercial Zone, as amended from time to time; and wishes to allow natural medicine cultivation facilities, natural medicine products manufacturers, natural medicine testing facilities, and any other state-licensed natural medicine businesses in the Grouse Creek Area Commercial Zone; and

WHEREAS, at a public hearing held on August 13, 2025, the Planning Commission considered the proposed amendments and heard evidence and testimony from the Town Staff, and members of the public. The Planning Commission recommended that the Town Council approve the proposed amendments; and

WHEREAS, at their regular meeting of August 20, 2025, the Town Council considered the amendments to the Minturn Municipal Code (the “Town Code”) to regulate the sale, manufacturing, and use of Natural Medicine, as shown in **Exhibit A** on first reading and scheduled a public hearing and second reading for the ordinance for September 3, 2025, for a meeting beginning no earlier than 5:30 PM at the Minturn Town Hall, 302 Pine Street, Minturn, Colorado; and

WHEREAS, at a public hearing and second reading on September 3, 2025, the Town Council heard evidence and testimony as offered by the Town Staff and members of the public; and

WHEREAS, the Town Council finds and determines that the proposed amendments to the Town Code outlined herein are reasonably necessary to promote the legitimate public purposes of the public health, safety and welfare.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO:

SECTION 1. The foregoing recitals are incorporated herein as if set forth in full.

SECTION 2. The Town Code is hereby amended as set forth in **Exhibit A**.

SECTION 3. If any section, subsection, paragraph, clause, or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, subsection, paragraph, clause, or provision shall in no manner affect any remaining provisions of this resolution, the intent being that the same are severable.

SECTION 4. Upon passage of this Ordinance, the provisions hereof shall become effective on September 10, 2025.

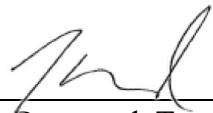
INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 20TH DAY OF AUGUST 2025. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 3rd DAY OF SEPTEMBER 2025 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO



Earle Bidez, Mayor

ATTEST:

By: 
Jay Brunvand, Town Clerk



THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THIS 3RD DAY OF SEPTEMBER 2025.

TOWN OF MINTURN, COLORADO



Earle Bidez, Mayor

ATTEST:

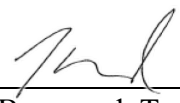
By: 
Jay Brunvand, Town Clerk



Exhibit A

The Town Code is hereby amended as follows. Additions are shown in **bold, double underlined** text.

Sec. 16-5-40. Grouse Creek Character Area use table.

The following Table 16-1 sets forth the uses for the Grouse Creek Character Area:

TABLE 16-1
Grouse Creek Character Area Use Table

<i>Use</i>	<i>All Residential Zones</i>	<i>All Commercial Zones</i>	<i>All Mixed-Use Zones</i>	<i>All Recreation & Open Space Zones</i>	<i>All Federally Regulated Zones</i>	<i>Light Industry and Public Facilities Zone</i>	<i>PUD Holding Zone</i>	<i>Railroad Right-of-Way/ Transportation Zone</i>
R - Use by right	C - Conditional use		L - Limited use		N - Not allowed			
Accessory apartments	—	N	—	—	—	—	—	—
Accessory dwellings	—	N	—	—	—	—	—	—
Automotive detail shops	—	R	—	—	—	—	—	—
Automotive parts sales	—	R	—	—	—	—	—	—
Bakeries and confectioneries	—	R	—	—	—	—	—	—
Bakeries and delicatessens with food service	—	R	—	—	—	—	—	—
Banks and financial institutions	—	R	—	—	—	—	—	—
Barbershops	—	R	—	—	—	—	—	—
Beauty shops	—	R	—	—	—	—	—	—
Business and office services	—	R	—	—	—	—	—	—
Car washes	—	C	—	—	—	—	—	—
Cocktail lounges, taverns	—	R	—	—	—	—	—	—
Commercial accommodations	—	R	—	—	—	—	—	—
Convenience stores	—	R	—	—	—	—	—	—
Delicatessens and specialty food stores	—	R	—	—	—	—	—	—
Drive-thru/up establishments	—	C	—	—	—	—	—	—

Drugstores and pharmacies	—	R	—	—	—	—	—	—
Dry cleaners	—	R	—	—	—	—	—	—
Duplexes	—	N	—	—	—	—	—	—
Garden landscaping supply and seed stores	—	R	—	—	—	—	—	—
Gas stations	—	C	—	—	—	—	—	—
Grocery stores	—	R	—	—	—	—	—	—
Health/medical offices	—	R	—	—	—	—	—	—
Institutional uses	—	R	—	—	—	—	—	—
Laundries	—	C	—	—	—	—	—	—
Laundromats	—	R	—	—	—	—	—	—
Liquor stores	—	R	—	—	—	—	—	—
Manufacturing, light	—	C	—	—	—	—	—	—
Multi-family dwellings	—	N	—	—	—	—	—	—
<u>Natural medicine healing center</u>	==	<u>R</u>	==	==	==	==	==	==
<u>Natural medicine cultivation facility</u>	==	<u>C</u>	==	==	==	==	==	==
<u>Natural medicine products manufacturer</u>	==	<u>C</u>	==	==	==	==	==	==
<u>Natural medicine testing facility</u>	==	<u>C</u>	==	==	==	==	==	==
<u>Natural medicine business, other</u>	==	<u>C</u>	==	==	==	==	==	==
Office uses	—	R	—	—	—	—	—	—
Pawn shops	—	R	—	—	—	—	—	—
Photographic studios	—	R	—	—	—	—	—	—
Professional activities	—	R	—	—	—	—	—	—
Professional offices, business offices and studios	—	R	—	—	—	—	—	—
Radio and television stores and repair shops	—	R	—	—	—	—	—	—

Restaurant	—	R	—	—	—	—	—	—
Retail stores including: apparel stores; art supply stores and galleries; bookstores; camera stores and Retail stores including: apparel stores; art supply stores and galleries; bookstores; camera stores and retail photographic studios; candy stores; chinaware and glassware stores; florists; gift stores; hobby stores; household appliance stores; jewelry stores; leather goods stores; luggage stores; music and record stores; newsstands and tobacco stores; sporting goods stores; stationery stores; toy stores; variety stores; yardage and dry goods stores.	—	R	—	—	—	—	—	—
Retail uses greater than 5,000 square feet	—	C	—	—	—	—	—	—
Service businesses	—	R	—	—	—	—	—	—
Single-family residential dwellings	—	N	—	—	—	—	—	—

Small appliance repair shops, excluding furniture repair	—	R	—	—	—	—	—	—
Tailors and dressmakers	—	R	—	—	—	—	—	—
Theaters	—	R	—	—	—	—	—	—
Theaters, meeting rooms and convention centers	—	R	—	—	—	—	—	—
Travel and ticket agencies	—	R	—	—	—	—	—	—

* * * *

Sec. 16-6-70. Old Town Character Area use table.

The following Table 16-2 sets forth the uses for the Old Town Character Area:

TABLE 16-2
Old Town Character Area Use Table

<i>Use</i>	<i>All Residential Zones</i>	<i>Commercial Zones</i>	<i>100 Block: A</i>	<i>100 Block: B</i>	<i>All Mixed-Use Zones</i>	<i>All Recreation & Open Space Zones</i>	<i>All Federally Regulated Zones</i>	<i>Light Industry and Public Facilities Zone</i>	<i>PUD Holding Zone</i>	<i>Railroad Right-of-Way/Transportation Zone</i>
	R - Use by right		C - Conditional use		L - Limited use		N - Not allowed			
Accessory apartments (street level)	L	C	N***	N***	L	N	—	—	—	—
Accessory apartments (second floor or above)	L	C	R	R	L	N	—	—	—	—
Accessory dwellings (street level)	L	C	N***	N***	L	N	—	—	—	—
Accessory dwellings (second floor or above)	L	C	R	R	L	N	—	—	—	—

Automotive detail shops	N	C	N	N	C	N	—	—	—	—
Automotive parts sales	N	C	N	N	C	N	—	—	—	—
Bakeries and confectioneries	N	R	R	R	R	N	—	—	—	—
Banks and financial institutions	N	R	N	N	R	N	—	—	—	—
Barbershops	N	R	R	R	R	N	—	—	—	—
Beauty Shops	N	R	R	R	R	N	—	—	—	—
Business and office services	N	R	C	C	R	N	—	—	—	—
Car washes	N	N	N	N	C	N	—	—	—	—
Cocktail lounges, taverns	N	R	R	R	C	N	—	—	—	—
Club (street level)	N	N	N	N	N	N	—	—	—	—
Club (second floor or above)	N	C	N	N	C	N	—	—	—	—
Commercial accommodations	N	R	R	R	C	N	—	—	—	—
Convenience stores	N	C	N	N	C	N	—	—	—	—
Delicatessens and specialty food stores	N	R	R	R	C	N	—	—	—	—
Drive-thru/up establishments	N	C	N	N	N	N	—	—	—	—
Drugstores and pharmacies	N	R	R	R	R	N	—	—	—	—
Dry cleaners	N	R	N	N	N	N	—	—	—	—
Duplexes (street level)	N	C	N***	N***	C	N	—	—	—	—
Duplexes (second floor or above)	N	C	R	R	C	N	—	—	—	—

Garden landscaping supply and seed stores	N	R	N	N	R	N	—	—	—	—
Gas stations	N	N	N	N	C	N	—	—	—	—
Grocery stores	N	R	C	C	C	N	—	—	—	—
Health/medical offices (street level)	N	C	N	N	C	N	—	—	—	—
Health/medical offices (second floor or above)	N	R	R	R	C	N	—	—	—	—
Institutional uses (street level)	N	N	N	N	N	N	—	—	—	—
Institutional uses (second floor or above)	N	C	N	N	C	N	—	—	—	—
Laundries	N	C	N	N	C	N	—	—	—	—
Laundromats	N	R	N	N	C	N	—	—	—	—
Liquor stores	N	R	R	R	C	N	—	—	—	—
Manufacturing, light	N	C	C	C	N	N	—	—	—	—
Multi-family dwellings (street level)	N	C	N***	N***	C	N	—	—	—	—
Multi-family dwellings (second floor or above)	N	C	R	R	C	N	—	—	—	—
<u>Natural medicine healing center (street level)</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>N</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>Natural medicine healing center (second floor or above)</u>	<u>N</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>C</u>	<u>N</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
Pawn shops	N	R	C	C	C	N	—	—	—	—

Photographic studios	N	R	C	C	R	N	—	—	—	—
*Professional activities (street level)	N	R	C	C	C	N	—	—	—	—
Professional activities (second floor or above)	N	R	R	R	R	N	—	—	—	—
*Professional offices, business offices and studios (street level)	N	C	C	C	R	N	—	—	—	—
Professional offices, business offices and studios (second floor or above)	N	R	R	R	R	N	—	—	—	—
Radio and television stores and repair shops	N	R	R	R	R	N	—	—	—	—
Restaurant	N	R	R	R	C	N	—	—	—	—
Short-term rental**	R	R	R	R	R	N	—	—	—	—
Single-family residential dwellings	R	C	N	N	R	N	—	—	—	—
Retail stores including: Apparel stores; art supply stores and galleries; bookstores; camera stores and photographic studios; candy stores; chinaware and glassware stores; florists; gift stores; hobby stores; household appliance stores;	N	R	R	R	R	N	—	—	—	—

jewelry stores; leather goods stores; luggage stores; music and record stores; newsstands and tobacco stores; sporting goods stores; stationery stores; toy stores; variety stores; yardage and dry goods stores										
Small appliance repair shops, excluding furniture repair	N	R	C	C	R	N	—	—	—	—
Tailors and dressmakers (street level)	N	R	N	N	R	N	—	—	—	—
Tailors and dressmakers (second floor or above)	N	R	R	R	R	N	—	—	—	—
Theaters	N	R	N	N	C	N	—	—	—	—
Theaters, meeting rooms and convention centers (street level)	N	N	N	N	N	N	—	—	—	—
Theaters, meeting rooms and convention centers (second floor or above)	N	C	N	N	C	N	—	—	—	—
Travel and ticket agencies	N	R	N	N	R	N	—	—	—	—

Refer to BD.2 in Appendix B for Active Use requirements on ground floor.

* Professional activities and offices may be allowed on the street level fronting Williams Street and Eagle River Street in the 100 Block, with conditional approval from Town Council depending on the use and parking demand.

** Historic property is exempt from the two-year ownership requirement. Historic properties within the 100 Block Zones are allowed to function as short-term rentals on all floors.

*** Residential is allowed on the back fifty percent (50%) of the proposed ground floor area of historic properties within the 100 Block Zones while meeting all residential parking requirements.

* * * *

Sec. 16-7-60. South Town Character Area use table.

The following Table 16-3 sets forth the uses for the South Town Character Area.

TABLE 16-3
South Town Character Area Use Table

<i>Use</i>	<i>All Residential Zones</i>	<i>All Commercial Zones</i>	<i>All Mixed-Use Zones</i>	<i>All Recreation & Open Space Zones</i>	<i>All Federally Regulated Zones</i>	<i>Light Industry and Public Facilities Zone</i>	<i>PUD Holding Zone</i>	<i>Railroad Right-of-Way/ Transportation Zone</i>
R - Use by right	C - Conditional use		L - Limited use		N - Not allowed			
Accessory apartments	L	L	—	—	N	—	—	—
Accessory dwellings	L	L	—	—	N	—	—	—
Automotive detail shops	N	R	—	—	N	—	—	—
Automotive parts sales	N	R	—	—	N	—	—	—
Bakeries and confectioneries	N	R	—	—	N	—	—	—
Bakeries and delicatessens with food service	N	R	—	—	N	—	—	—
Banks and financial institutions	N	R	—	—	N	—	—	—
Barbershops	N	R	—	—	N	—	—	—
Beauty shops	N	R	—	—	N	—	—	—
Business and office services	N	R	—	—	N	—	—	—
Car washes	N	C	—	—	N	—	—	—
Cocktail lounges, taverns	N	R	—	—	N	—	—	—
Commercial accommodations	N	R	—	—	N	—	—	—
Convenience stores	N	R	—	—	N	—	—	—
Delicatessens and specialty food stores	N	R	—	—	N	—	—	—
Drive-thru/up establishments	N	C	—	—	N	—	—	—

Drugstores and pharmacies	N	R	—	—	N	—	—	—
Dry cleaners	N	R	—	—	N	—	—	—
Duplexes	R	R	—	—	N	—	—	—
Garden landscaping supply and seed stores	N	R	—	—	N	—	—	—
Gas stations	N	C	—	—	N	—	—	—
Grocery stores	N	R	—	—	N	—	—	—
Health/medical offices	N	R	—	—	N	—	—	—
Institutional uses	N	R	—	—	N	—	—	—
Laundries	N	C	—	—	N	—	—	—
Laundromats	N	R	—	—	N	—	—	—
Liquor stores	N	R	—	—	N	—	—	—
Manufacturing, light	N	C	—	—	N	—	—	—
Multi-family dwellings	C	C	—	—	N	—	—	—
<u>Natural medicine healing center</u>	<u>N</u>	<u>R</u>	<u>—</u>	<u>—</u>	<u>N</u>	<u>—</u>	<u>—</u>	<u>—</u>
Office uses	N	R	—	—	N	—	—	—
Pawn shops	N	R	—	—	N	—	—	—
Photographic studios	N	R	—	—	N	—	—	—
Professional activities	N	R	—	—	N	—	—	—
Professional offices, business offices and studios	N	R	—	—	N	—	—	—
Radio and television stores and repair shops	N	R	—	—	N	—	—	—
Restaurant	N	R	—	—	N	—	—	—
Retail uses greater than 5,000 square feet	N	C	—	—	N	—	—	—
Retail stores including: apparel stores; art supply stores and galleries; bookstores; camera stores and photographic studios; candy	N	R		N	—	—	—	—

stores; chinaware and glassware stores; florists; gift stores; hobby stores; household appliance stores; jewelry stores; leather goods stores; luggage stores; music and record stores; newsstands and tobacco stores; sporting goods stores; stationery stores; toy stores; variety stores; yardage and dry goods stores.								
Service businesses	N	R	—	—	N	—	—	—
Short-term rental*	R	R	—	—	N	—	—	—
Single-family residential dwellings	R	R	—	—	N	—	—	—
Small appliance repair shops, excluding furniture repair	N	R	—	—	N	—	—	—
Tailors and dressmakers	N	R	—	—	N	—	—	—
Theaters	N	R	—	—	N	—	—	—
Theaters, meeting rooms and convention centers	N	R	—	—	N	—	—	—
Travel and ticket agencies	N	R	—	—	N	—	—	—

** Historic property is exempt from the two-year ownership requirement.

* * * *

CHAPTER 16 - Zoning

ARTICLE 27 - Natural Medicine Businesses

The premises for a natural medicine healing center is permitted in the Town subject to the requirements included in this Code, including but not limited to Chapter 6 and this Chapter.

Sec. 16-27-10. - Definitions.

The following words, terms and phrases, when used in this Article, shall have the following meanings unless the context clearly indicates otherwise:

Natural medicine means psilocybin or psilocyn and other substances described as “natural medicine” in C.R.S. §§ 44-50-101 through 904 (the “Colorado Natural Medicine Code”).

Natural medicine business shall have the meaning provided in the Colorado Natural Medicine Code, as may be amended from time to time, and shall include the following:

- (a) Natural medicine healing centers;
- (b) Natural medicine cultivation facilities;
- (c) Natural medicine products manufacturers;
- (d) Natural medicine testing facilities; and
- (e) Any other business entity licensed to perform operations related to natural medicine by the state licensing authority.

Natural medicine cultivation facility shall have the meaning provided in the Code of Colorado Regulations, Natural Medicine Division, 1 CCR § 213-1, as may be amended from time to time.

Natural medicine healing center shall have the same meaning as “healing center” as provided in the Colorado Natural Medicine Code, as may be amended from time to time.

Natural medicine product shall have the meaning provided in the Colorado Natural Medicine Code, as may be amended from time to time.

Natural medicine products manufacturer shall have the meaning provided in the Code of Colorado Regulations, Natural Medicine Division, 1 CCR § 213-1, as may be amended from time to time.

Natural medicine services shall have the meaning provided in the Colorado Natural Medicine Code, as may be amended from time to time.

Natural medicine testing facility shall have the meaning provided in the Code of Colorado Regulations, Natural Medicine Division, 1 CCR § 213-1, as may be amended from time to time.

Participant shall have the meaning provided in the Colorado Natural Medicine Code, as may be amended from time to time.

Regulated natural medicine shall have the meaning provided in the Colorado Natural Medicine Code, as may be amended from time to time.

State licensing authority shall have the meaning provided in the Colorado Natural Medicine Code, as may be amended from time to time.

Sec. 16-27-20. - Zoning.

Natural medicine businesses may be allowed in the zone districts as set forth in the Schedule of Use Tables in Sections 16-5-40, 16-6-70, and 16-7-60 and if in compliance with the requirements of this Article 27. A natural medicine business is prohibited unless specifically permitted by this article and by the zoning district regulations applicable to the subject property.

Sec. 16-27-30. - Location limits for natural medicine businesses.

The premises for a natural medicine business permitted under State Law may be approved provided they satisfy:

- (a) The Town business licensing requirements outlined in [Chapter 6](#); and,
- (b) The State Licensing requirements under C.R.S. § 44-50-101, et seq; and,
- (c) The character area use requirements outlined in Sections 16-5-40, 16-6-70, and 16-7-60 and are located within areas zoned for that use as outlined below:
 - (1) Natural medicine healing centers must be located within the Grouse Creek Commercial Zone, the 100 Block Commercial Zones (second floor or above), the Old Town Commercial Zone, the Old Town Mixed Use Zone, or the South Town Commercial Zone.
 - (2) Natural medicine cultivation facilities, natural medicine products manufacturers, natural medicine testing facilities, and any other business entity licensed to perform operations related to natural medicine must be located within the Grouse Creek Commercial Zone.

Sec. 16-27-40. - Additional limitations.

- (a) As determined by the Colorado Natural Medicine Code, no natural medicine business shall be within one thousand (1,000) feet as measured by means of direct pedestrian route of any:
 - (1) Day care center;
 - (2) Preschool;
 - (3) Elementary, middle, junior, or high school; or
 - (4) Family child care home.
- (b) The hours of operation of any natural medicine business are restricted to 7:00 a.m. to 9:00 p.m.

- (c) All natural medicine businesses shall have a security plan for the secure storage of natural medicine and natural medicine products approved by the State of Colorado Natural Medicine Division and shall provide the plan to the Town prior to beginning operation, and shall provide any updated plans to the Town within ten (10) business days.
- (d) All doorways, windows and other openings of natural medicine business buildings shall be located, covered, or screened in such a manner to prevent a view into the interior from any exterior public or semipublic area. All activities of natural medicine businesses shall occur indoors.
- (e) Primary entrances, parking lots and exterior walkways shall be clearly illuminated with downward facing security lights to provide after-dark visibility for facilitators, participants, and employees.
- (f) All storage for natural medicine businesses shall be located within a permanent building and may not be located within a trailer, tent, or motor vehicle. All storage of regulated natural medicine and regulated natural medicine products shall be in a secured and locked container.
- (g) Natural medicine businesses shall provide secure disposal of natural medicine and natural medicine product remnants or by-products. Natural medicine and natural medicine product remnants or by-products shall not be placed within the facilities' exterior refuse container, nor discharged into any street, alley, or public place, or into any municipal storm sewer and/or system in the Town.
- (h) The processing of natural medicine or natural medicine product that includes the use of hazardous materials, including, without limitation, and by way of example, flammable and combustible liquids, carbon dioxide, and liquified petroleum gases, such as butane, is prohibited.
- (i) Licenses. All natural medicine businesses must obtain:
 - (1) A business license from the Town under Chapter 6; and,
 - (2) A license from the state licensing authority pursuant to the conditions set forth in the Colorado Natural Medicine Code.
- (j) Indemnification of the Town. By accepting a license issued pursuant to this article, a licensee, jointly and severally if more than one, agrees to indemnify and defend the Town, its officers, elected officials, employees, attorneys, agents, insurers and self-insurance pool against all liability, claims and demands on account of injury, loss or damage, including, without limitation, claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage or any other loss of any kind whatsoever, which arise out of or are in any manner connected with the operation of the natural medicine business that is the subject of the license. The licensee further agrees to investigate, handle, respond to and provide defense for and defend against any such liability, claims or demands at its expense and to bear all other costs and expenses related thereto, including court costs and attorney fees. The Town Manager

may require a licensee to execute a written instrument confirming the provisions of this section.

- (k) *Existing Uses.* Any natural medicine healing center that has applied for or received a license from the State licensing authority prior to the effective date of the ordinance establishing this Article 27 shall be treated as a legal nonconforming use under the Town Code.

MEMORANDUM

DATE: August 21, 2025
TO: Minturn Town Council
FROM: Karp Neu Hanlon, P.C.
RE: Natural Medicine Businesses

In 2022, Colorado voters approved Proposition 122: “Access to Natural Psychedelic Substances” (the “Natural Medicine Health Act” or the “Act”), which legalizes the supervised use of psychedelic mushrooms at licensed facilities by individuals 21 years and older. The Act authorizes the State to promulgate rules and regulations for the operation of licensed natural medicine businesses. Local governments may not prohibit licensed natural medicine facilities but may regulate the time, place, and manner of operation of such facilities.

In 2023, the State published the Colorado Natural Medicine Code, establishing the regulatory structure for the operation of natural medicine businesses, including licensing and registration and requirements for the use, cultivation, manufacture, and testing of natural medicine substances.

The purpose of the Ordinance, attached as **Exhibit A**, is to regulate the time, place, and manner of operation of licenses issued pursuant to the Colorado Natural Medicine Code. Staff has determined that the most appropriate zoning districts for operation of natural medicine healing centers—where natural medicine services are provided under supervision—are in the Grouse Creek Character Area Commercial Zone, the 100-Block Commercial Zones, the Old Town Commercial Zone, the Old Town Mixed Use Zone, and the South Town Character Area Commercial Zone. Planning Commission recommended natural medicine healing centers be permitted on the second floor or above, not on the first floor, in the 100-Block Commercial Zones. Other natural medicine businesses, including cultivation facilities, products manufacturers, testing facilities, and other licensed natural medicine businesses would be permitted in the Grouse Creek Area Commercial Zone. The Ordinance also limits any natural medicine business to be at least 1,000 feet from any day care center, preschool, school, or family child care home. The hours of operation of natural medicine businesses are restricted from 7:00 a.m. to 9:00 p.m. All other operations of natural medicine businesses must conform to state regulations.

On August 13, 2025, Planning Commission recommended Town Council approve the Ordinance. Staff advises Town Council adopt the Ordinance.



INTERIM AD DRAFT

This is the proof of your ad scheduled to run in **Vail Daily (Eagle Valley Enterprise Alternative)** on the dates indicated below. If changes are needed, please contact us prior to deadline at **(970) 949-0555**.

Notice ID: zRhzvPISdNCBmh4xMKKn | **Proof Updated: Aug. 21, 2025 at 02:36pm MDT**
Notice Name: 8CD09 Ord. No. 08-Series 2025

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TOWN OF MINTURN Vail Daily (Eagle Valley Enterprise
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Number of Lines: 32

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Affidavit Fee	10.00

Subtotal	\$26.32
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Tax	\$0.00
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Processing Fee	\$2.63
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Total	\$28.95
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TOWN OF MINTURN, COLORADO
ORDINANCE NO. 08 – SERIES 2025
AN ORDINANCE OF THE TOWN OF MINTURN,
COLORADO AMENDING THE MINTURN
MUNICIPAL CODE TO ADD ARTICLE 27,
NATURAL MEDICINE BUSINESSES, IN CHAPTER
16 AND TO MAKE CHANGES TO THE USE
TABLES IN SECTIONS 16-5-40, 16-6-70, AND
16-7-60

INTRODUCED, READ BY TITLE, APPROVED
ON THE FIRST READING AND ORDERED
PUBLISHED BY TITLE ONLY AND POSTED
IN FULL ON THE OFFICIAL TOWN WEBSITE
THE 20TH DAY OF AUGUST 2025. A PUBLIC
HEARING ON THIS ORDINANCE SHALL BE
HELD AT THE REGULAR MEETING OF THE
TOWN COUNCIL OF THE TOWN OF MINTURN,
COLORADO ON THE 3rd DAY OF SEPTEMBER
2025 AT 5:30 p.m. AT THE MINTURN TOWN HALL
302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor
ATTEST:

By:
Jay Brunvand, Town Clerk

**PUBLISHED IN THE VAIL DAILY ON SATURDAY,
AUGUST 23, 2025.**

TOWN OF MINTURN, COLORADO
ORDINANCE NO. 08 – SERIES 2025
AN ORDINANCE OF THE TOWN OF MINTURN,
COLORADO AMENDING THE MINTURN
MUNICIPAL
CODE TO ADD ARTICLE 27, *NATURAL MEDICINE
BUSINESSES*, IN CHAPTER 16 AND TO MAKE
CHANGES
TO THE USE TABLES IN SECTIONS 16-5-40,
16-6-70, AND
16-7-60

THE TOWN OF MINTURN, COLORADO, ORDAINS
THIS ORDINANCE ENACTED ON
SECOND READING AND ORDERED PUBLISHED
BY TITLE ONLY AND POSTED IN
FULL ON THE OFFICIAL TOWN WEBSITE THIS
3RD DAY OF SEPTEMBER 2025.
TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:

By: Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO

ORDINANCE NO. 09 – SERIES 2025
AN ORDINANCE OF THE TOWN OF MINTURN,
COLORADO AMENDING CHAPTER 7, ARTICLE
8 OF THE MINTURN MUNICIPAL CODE TO
ALLOW FOR THE INSTALLATION OF PHASE
III CERTIFIED WOOD BURNING DEVICES IN
COMPLIANCE WITH COLORADO DEPARTMENT
OF PUBLIC HEALTH AIR QUALITY CONTROL
COMMISSION REGULATION NO. 4

INTRODUCED, READ BY TITLE, APPROVED
ON THE FIRST READING AND ORDERED
PUBLISHED BY TITLE ONLY AND POSTED IN
FULL ON THE OFFICIAL TOWN WEBSITE THE 3rd
DAY OF SEPTEMBER 2025. A PUBLIC HEARING
ON THIS ORDINANCE SHALL BE HELD AT THE
REGULAR MEETING OF THE TOWN COUNCIL OF
THE TOWN OF MINTURN, COLORADO ON THE
17th DAY OF SEPTEMBER 2025 AT 5:30 p.m. AT
THE MINTURN TOWN HALL 302 PINE STREET,
MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:

By: Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO

ORDINANCE NO. 10 – SERIES 2025
AN ORDINANCE OF THE TOWN OF MINTURN,
COLORADO AMENDING CHAPTER 19, ARTICLE
5 OF THE MINTURN MUNICIPAL CODE ADDING
THE SECRETARY OF INTERIOR'S DESIGN
GUIDELINES AS A REVIEW STANDARD

INTRODUCED, READ BY TITLE, APPROVED
ON THE FIRST READING AND ORDERED
PUBLISHED BY TITLE ONLY AND POSTED IN
FULL ON THE OFFICIAL TOWN WEBSITE THE 3rd
DAY OF SEPTEMBER, 2025. A PUBLIC HEARING
ON THIS ORDINANCE SHALL BE HELD AT THE
REGULAR MEETING OF THE TOWN COUNCIL OF
THE TOWN OF MINTURN, COLORADO ON THE
17th DAY OF SEPTEMBER, 2025 AT 5:30 p.m. AT
THE MINTURN TOWN HALL 302 PINE STREET,
MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:

By: Jay Brunvand, Town Clerk

PUBLISHED IN THE VAIL DAILY ON SATURDAY,
SEPTEMBER 6, 2025.

TOWN OF BASALT Action Items	Date: June 24, 2025 From: James Lindt, Assistant Planning Director
SUBJECT: Continued Public Hearing and Second Reading of Ordinance No. 08, Series of 2025, Approving code amendments to Town Code Section 16-4, <i>Definitions</i> , and Section 16-22, <i>Schedules of uses and requirements:C-1, C-3, Industrial Zone Districts</i> , and the Addition of Section 16-192, <i>Natural medicine</i> , for the purpose of regulating the Sale, Manufacturing, and Use of Natural Medicine in Basalt	
DETAILS: Colorado voters approved Proposition 122, “Access to Natural Psychedelic Substances”. The Enabling Act allows the supervised use of psychedelic mushrooms by individuals aged twenty-one and over at licensed facilities and requires the State to create a regulatory structure for the operation of these licensed facilities. The Enabling Act prohibits local governments from banning licensed facilities, services, and use of natural medicines permitted by the Enabling Act, while allowing local governments to regulate the time, place, and manner of operation of these facilities. In response to this Enabling Act, Town Staff in consultation with the Town Attorney proposed code amendment language that would have limited the disbursement of natural psychedelic medicine approved by Proposition 122 only in Medical Centers in the C-3 Zone District, similar to the way the Town initially regulated marijuana when it was legalized by the State in 2012. However, Town Council reviewed the ordinance at the last meeting and directed Staff to make amendments to the ordinance to permit the disbursement of Natural Medicine in the C-2 and C-3 Zone Districts by Special Review outside of Medical Centers. Staff has amended the ordinance (attached as Exhibit A) accordingly and maintained the language to limit cultivation, manufacturing, and testing as a special review use in the Industrial Zone District. The code amendment language considered at the last meeting is also attached for reference as Exhibit B .	
RECOMMENDATION FROM OTHER BOARDS: The P&Z recommended approval of code amendments to limit natural medicine disbursement to medical centers in the C-3 Zone District.	
RELATED TOWN STATUTE AND TOWN ACTIONS: Town Code Section 16-4, <i>Definitions</i> ; Section 16-22, <i>Schedule and Use Requirements</i> ; Natural Medicine State Enabling Act	
ATTACHMENTS: A) Draft Ordinance and Proposed Amendment Language, B) Code Amendment Language Considered on June 10 th	

**TOWN OF BASALT, COLORADO
ORDINANCE NO. 08
SERIES OF 2025**

AN ORDINANCE OF THE TOWN OF BASALT, COLORADO APPROVING AMENDMENTS TO TOWN CODE SECTION 16-4, *DEFINITIONS* AND SECTION 16-22, *SECHEDULES OF USES AND REQUIREMENTS*, AND THE ADDITION OF SECTION 16-192, *NATURAL MEDICINE*, FOR THE PURPOSE OF REGULATING THE SALE, MANUFACTURING, AND USE OF NATURAL MEDICINE IN BASALT, COLORADO

RECITALS:

- A. The Town of Basalt (the “Town”) acting by and through its Town Council has the power to amend the Municipal Code of the Town of Basalt (the “Town Code”) pursuant to state statutes, Section 1.3, Home Rule Charter, and Section 1-58, Town Code, and all such amendments shall become a part of the Town Code.
- B. The State of Colorado passed Proposition 122: “Access to Natural Psychedelic Substances,” which is now codified in C.R.S. §§ 12-170-101 through 115 (the “Natural Medicine Health Act”).
- C. The Natural Medicine Health Act allows the supervised use of psychedelic mushrooms by individuals aged 21 and over at licensed facilities and requires the state to create a regulatory structure for the operation of these licensed facilities.
- D. The Natural Medicine Health Act prohibits local governments from banning licensed facilities, services, and use of natural medicines permitted by the Natural Medicine Health Act, while allowing local governments to regulate the time, place, and manner of operation of these facilities.
- E. The State legislature enacted Senate Bill 23-290, which is codified in C.R.S. §§ 44-50-101 through 904 (the “Colorado Natural Medicine Code”), to create the regulatory structure for the operation of these licensed facilities, which includes the licensing and registration of facilities and related businesses that provide the use, cultivation, manufacture, and testing of these substances.
- F. The Town Council desires to enact this ordinance to regulate the time, place, and manner of the operation of licenses issued pursuant to the Colorado Natural Medicine Code; to establish the appropriate zoning districts for the operation of licenses issued pursuant to the Colorado Natural Medicine Code; and to establish distance restrictions for buildings where natural medicine services are provided within the vicinity of a child care center; preschool; elementary, middle, junior or

high school; or a residential child care facility pursuant to the Colorado Natural Medicine Code.

- G. At a public hearing held on April 15, 2025, the Planning and Zoning Commission considered the proposed amendments and heard evidence and testimony from the Town Staff, and members of the public. The Planning and Zoning Commission recommended that the Town Council approve the proposed amendments to limit disbursement of Natural Medicine to Medical Centers in the C-3 Zone District.
- H. At a public hearing held on May 27, 2025, the Town Council considered the Town Code amendments to regulate the sale, manufacturing, and use of Natural Medicine, as shown in **Exhibit "A"** on first reading and scheduled a public hearing and second reading for the ordinance for June 10, 2025, for a meeting beginning no earlier than 6:00 PM at the Basalt Town Hall, 101 Midland Avenue, Basalt, Colorado.
- I. At a public hearing and second reading on June 10, 2025, the Town Council heard evidence and testimony as offered by the Town Staff and members of the public. Town Council continued the public hearing and second reading to June 24, 2025.
- J. At a continued public hearing and second reading on June 24, 2025, the Town Council heard evidence and testimony as offered by the Town Staff and members of the public and approved the ordinance on second reading.
- K. The Town Council finds and determines that the proposed amendments to the Town Code outlined herein are reasonably necessary to promote the legitimate public purposes of the public health, safety and welfare.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BASALT, COLORADO AS FOLLOWS:

1. The Town Council hereby incorporates by reference and conclusively makes the above recitals as findings of fact.

2. The Town Code is hereby amended as shown in **Exhibit "A"**.

3. If any part, section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance and the Town Council hereby declares it would have passed this Ordinance and each part, section, subsection, sentence, clause or phrase thereof regardless of the fact that any one or more parts, sections, subsections, sentences, clauses or phrases be declared invalid.

4. This Ordinance shall be effective 14 days after final publication of the Ordinance in accordance with the Town Home Rule Charter.

READ ON FIRST READING, ORDERED PUBLISHED AND SET FOR PUBLIC HEARING TO BE HELD ON June 10, 2025, by a vote of 7 to 0, on May 27, 2025.

READ ON SECOND READING AND ADOPTED, by a vote of __ to __ on _____, 2025.

TOWN OF BASALT, COLORADO

By: _____
David Knight, Mayor

ATTEST:

Pamela K. Schilling, Town Clerk

Date of first publication: Thursday, _____, 2025
Date of Second Publication: Thursday, _____, 2025
Effective Date: Thursday, _____, 2025

Ord__-Natural Medicine Amendments

Exhibit “A”

(Deletions are shown in ~~striketrough~~ and additions shown in underlined text.)

Amend Town Code Section 16-4 to add the following definition:

Natural medicine business” means any of the following entities defined under Section 16-192 that are licensed under C.R.S. § 44-50-101, *et seq.* and includes:

1. Natural medicine healing centers;
2. Natural medicine cultivation facilities;
3. Natural medicine products manufacturers;
4. Natural medicine testing facilities; and
5. Any other business entity licensed to perform operations related to natural medicine by the state licensing authority.

Language underlined is being added to the current code and ~~strike through~~ text is being deleted.

Amend Town Code Section 16-22, Commercial Districts Use Table as follows:

Town Code Sec. 16-22.	<i>Use</i>	<i>C-1 Neighborhood</i>	<i>C-3 Community</i>
Retail business/ commercial uses		P	P
Wholesale business commercial		X	S
Personal services		P	P
Automobile sales and services		X	S
Gas stations		X	S
Parking lots		S	P
Fast-food and drive-in restaurant		X	S
Restaurants		X	P
Commercial recreation facilities, including pool halls, bowling alleys, clubs, theaters, skating rinks		X	S
Professional and business offices		S	P
Hotels and motels		X	P
Temporary multi-family or lodge		X	S
Dental or medical clinics		X	P
Churches		X	S
School		X	S
Private education or instructional facility		X	P
Transportation facilities, terminals		X	P
Campgrounds		X	S
Public and governmental facilities		S	S
Single-family residential units or apartments in conjunction with a business		S	P
Community centers		X	S
Banking, savings and loan with drive-up window		X	S
Multi-family dwellings		X	S
Mobile home parks		X	S
Mobile home sales		X	S
Extraction, processing and transportation of natural resource materials		X	S
Park and recreation areas		P	P
Child care and day nurseries		S	P
Lumberyards		X	P
Small day care		S	X
Large day care		S	S
Small total care		X	X
Large total care		S	S
Bed & breakfast establishment		X	X
Small animal veterinary clinic		X	P
Adult entertainment establishments		X	X
Medical center (may include a medical marijuana center or marijuana store_if it satisfies the definitions included in the Code and the special review approval)		X	S
Medical Marijuana Center Premises		X	S6
Retail marijuana store		X	P6
<u>Natural medicine healing center</u>		<u>X</u>	<u>S</u>
Small cell facility		P	P
Alternative tower structure for non-small cell facility		S	S

Alternative tower structure	S	S
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Base station	S	S
Base Station for non-small cell facility	X	X
Wall-mounted or roof-mounted wireless facilities	S	S
Tower	X	X
<u>Natural medicine cultivation facility, natural medicine products manufacturer, natural medicine testing facility, and any other business entity licensed to perform operations related to natural medicine</u>	<u>X</u>	<u>X</u>

6. See Requirements in Section 16-190 and Article V, Chapter 6.

P = Permitted use S = Permitted by special review

X = Prohibited

NOTES:

1. For C-2, see Section 16-29, C-2 Downtown Business District.

...

Amend Town Code Section 16-22, Industrial Zone District Use Table as follows:

Town Code Sec. 16-22.	<i>Use</i>	<i>IN</i>
Facilities for research, testing, fabrication, processing, manufacture, repair, cleaning and/or assembly of:		
- sporting goods		P
- electronic components		P
- computers		P
- steel (no manufacturing)		P
- textiles		P
- food processing		P
- cosmetics		P
- musical instruments, toys, novelties		P
- artwork, pottery		P
- ceramics, glass, metal and plastic products		P
- natural or cultured stone products		S
- furniture		P
- paper products		P
- other products and materials similar to and compatible with the above products and materials as determined by the Town Planner		P

- other products and materials similar to and compatible with the above products and materials for which the Town Planner determines that Special Review Approval is necessary	S
Bottling plants	P
Office for conduct of a business or profession	P
Automobile, mobile home or recreational vehicle sales, and sales of parts and accessories	P
Automotive leasing	P
Industrial equipment sales and leasing and the sale of parts and accessories	P
Automobile, mobile home or recreational vehicle general service, repair, painting body work and storage	P
Gasoline stations and/or automobile washing facilities, with retail sales of automotive accessories only	P
Gasoline stations with accessory sales of convenience items not to exceed 2,000 sq. ft. of floor area	S
Restaurants not including drive-through establishments	P
Restaurants including drive-through establishments	S
Lumberyards, including sale of building and construction materials	P
Nursery stock production and sales, and greenhouse	P
General storage and warehouses for goods	P
Mini storage warehouse	P
Contractors supply yards	P
Shop for:	
- blacksmith	P
- cabinetworks and furniture	P
- glazing	P
- machining	P
- printing and publishing	P
- plumbing	P
- electrician	P
- sheet metal	P
- handicraft products	P
- upholstery	P
- general repair	P
- welding	P

- shops for uses and products similar to and compatible with the above uses and products as determined by the Town Planner	P
- shops for uses and products similar to and compatible with the above products and materials for which the Town Planner determines that Special Review Approval is necessary	S
Retail sales of products directly related to the primary use on the property within the IN Zone District for which the gross floor area related to on-site retail sales is 20% or less of the gross floor area of the use	P
Retail sales of furniture, household appliances and electrical equipment	P
Vocational or trade school	S
Bulk dry cleaning and commercial laundries	P
Motor or railroad freight depot	S
Cold storage lockers	P
Storage, repair, manufacture, rental and/or sales with contract installation for durable goods (by way of example, kitchen appliances, saunas, jacuzzis, sheet metal products, sheet rock, office equipment, solar energy equipment, etc.)	P
School	S
Private educational or instructional facilities	S
Health club not more than 12,000 sq. ft. of total floor area	P
Health club more than 12,000 sq. ft. of total floor area	S
Public and governmental building	S
Major utility facilities, including transmission lines and substations	S
Small day care	S
Large day care	S
Wholesale sales operation	P
Outdoor storage	S
Recycling facility	S
Parking lot	S
Drive-through bank, automatic teller machine/mini bank	S
Studio for motion picture or video production	P
Accessory dwelling units (accessory to a primary use)	S
Catalog sales outfit	P
Any of the above uses, with the exception of lumberyards and mini storage warehouses, which exceed 35,000 sq. ft. of building and/or covered storage areas on a single lot	S
Salvage yard, junkyard	X

Adult entertainment establishments	S ¹
Construction waste compaction facility	P
Minor utility facilities ²	P
Minor utility lines	P
Major utility lines	S
Medical office	P
Medical clinic	S
Medical marijuana center premises and retail marijuana store	P
Optional premises for a medical marijuana center	X
Premises for infused products manufacturing	X
Small cell facility	P
Alternative tower structure for non-small cell facility	S
Alternative tower structure	S
Base station	S
Base station for non-small cell facility	X
Wall-mounted or roof-mounted wireless facilities	S
Tower	X
Eligible facilities request	P
<u>Natural medicine cultivation facility, natural medicine products manufacturer, natural medicine testing facility, and any other business entity licensed to perform operations related to natural medicine</u>	<u>S</u>

P = Permitted use S = Permitted by special review

For the purpose of an application for special review approval of an adult entertainment establishment in the IN Zone District, the Planning and Zoning Commission and the Town Council shall, when approving or denying the special review request for approvals, rely upon all special review criteria set forth in Section 16-44 through 16-47 but for Sections 16-44(e)(1)(c) through (f).

2. ;hg;Structures owned or operated by a utility solely for office purposes, shall be reviewed as office uses not as a utility facility

Amend Town Code Section 16-29, Table 1 Schedule of Uses in the C-2 Zone District as follows:

<i>Use</i>	<i>Use-Specific Standards</i>
Permitted uses	
Retail business	Community vitality use; see Section 16-29(c)
Restaurant	Community vitality use; see Section 16-29(c)
Hotel and motel	Community vitality use; see Section 16-29(c)
Personal services	Community vitality use; see Section 16-29(c)
Movie and other theaters, pool hall and game room	Community vitality use; see Section 16-29(c)
Professional offices	
Business offices	See Note 2, below, for real estate offices
Banking and mortgage lending	
Offices for public and nonprofit uses	See Paragraph 16-28(3)
Parking garage	See Subparagraph 16-29(e)(4)d.2.
One or two apartments in conjunction with a business	Permitted only on the upper floor(s) of the building; limited to no more than 1,400 sq. ft. per unit ³ . Apartments shall not be separated in ownership from the business use and may be used to satisfy community housing requirements for the business use with appropriate deed restrictions.
Single-family residential units	Permitted only where the residential unit fronts along Homestead Drive; limited to no more than 2,500 total sq. ft. per unit ³
Small day care or small total care	
Parks and recreation areas	
Temporary outdoor uses and vendors	See Sections 6-14 and 16-181
Retail marijuana store	Community vitality use: See Subsection 16-29(c) : See Note 4.
Small cell facility	See Section 16-191
Eligible facilities request	See Section 16-191

Uses permitted by special review	
Bed and breakfast establishment	Community vitality use; see Section 16-29(c)
Bowling alley and skating rink	
Clubs	
Gas station with or without food market	
Banking with drive-up window	
Dental or medical clinic	
Medical marijuana center	Community vitality use; see Section 16-29(c) .
Temporary multi-family or lodge	
Multi-family dwellings	Permitted only on the upper floors of the building; limited to no more than 1,400 sq. ft. per unit ³
Mobile home park	
Church	
School, public or private	
Public and nonprofit facilities, other than those typically occurring within an office building	See Paragraph 16-28(3)
Community center	
Large day care or large total care	
Transportation facilities, terminals	
Alternative tower structure for non-small cell facility	See Section 16-191
Alternative tower structure	See Section 16-191
Base station	See Section 16-191
Wall-mounted or roof-mounted wireless facilities	See Section 16-191
<u>Natural medicine healing center</u>	
Prohibited uses	
Wholesale business	
Automobile sales and services	

Campground	
Mobile home sales	
Extraction, processing and transportation of natural resource materials	
Lumberyard	
Small animal veterinary clinic	
Adult entertainment establishment	
Drive-in restaurant	
Medical center	
Base station for non-small cell facility	See Section 16-191
Tower	See Section 16-191

NOTES:

1. See [Section 16-29](#)(b) which states that any use that is not specifically listed as permitted by right or special review shall be deemed to be a prohibited use.
2. A real estate office that exclusively markets a single real estate development is prohibited to be located in the vitality zone.
3. Total square feet is defined in [Section 16-4](#). For the purposes herein, total square feet also includes any common storage space that is assigned to an individual unit but excludes any parking space that is assigned to the unit.
4. Subject to compliance with the requirements set forth in [Section 16-190](#) and the licensing requirements in Article V, [Chapter 6](#).

Language underlined is being added to the current code and ~~strike through~~ text is being deleted.

Add Town Code Section 16-192 as follows:

Section 16-192: Natural medicine.

The premises for a natural medicine healing center is permitted in the Town subject to the requirements included in this Code, including but not limited to Chapter 6 and this Chapter.

A. Definitions. The words and phrases used in this section shall have the meanings defined below.

1. “Natural medicine” means psilocybin or psilocyn and other substances described as “natural medicine” in C.R.S. §§ 44-50-101 through 904 (the “Colorado Natural Medicine Code”).
2. “Natural medicine business” shall have the meaning provided in the Colorado Natural Medicine Code, as may be amended from time to time, and shall include the following:
 - a. Natural medicine healing centers;
 - b. Natural medicine cultivation facilities;
 - c. Natural medicine products manufacturers;
 - d. Natural medicine testing facilities; and
 - e. Any other business entity licensed to perform operations related to natural medicine by the state licensing authority.
3. “Natural medicine cultivation facility” shall have the meaning provided in the Code of Colorado Regulations, Natural Medicine Division, 1 CCR § 213-1, as may be amended from time to time.
4. “Natural medicine healing center” shall have the same meaning as “healing center” as provided in the Colorado Natural Medicine Code, as may be amended from time to time.
5. “Natural medicine product” shall have the meaning provided in the Colorado Natural Medicine Code, as may be amended from time to time.
6. “Natural medicine products manufacturer” shall have the meaning provided in the Code of Colorado Regulations, Natural Medicine Division, 1 CCR § 213-1, as may be amended from time to time.
7. “Natural medicine services” shall have the meaning provided in the Colorado Natural Medicine Code, as may be amended from time to time.

8. “Natural medicine testing facility” shall have the meaning provided in the Code of Colorado Regulations, Natural Medicine Division, 1 CCR § 213-1, as may be amended from time to time.
 9. “Participant” shall have the meaning provided in the Colorado Natural Medicine Code, as may be amended from time to time.
 10. “Regulated natural medicine” shall have the meaning provided in the Colorado Natural Medicine Code, as may be amended from time to time.
 11. “State licensing authority” shall have the meaning provided in the Colorado Natural Medicine Code, as may be amended from time to time.
- B. Zoning. Natural medicine businesses may be allowed in the zone districts as set forth in the Schedule of Use Table in Section 16-22 and if in compliance with the requirements of this section 16-192. A natural medicine business is prohibited unless specifically permitted by this section and by the zoning district regulations applicable to the subject property.
- C. Location limits for natural medicine businesses. The premises for a natural medicine business permitted under State Law may be approved provided they satisfy:
1. The Town business licensing requirements outlined in [Chapter 6](#); and,
 2. The State Licensing requirements under C.R.S. 44-50-101, et seq; and,
 3. The schedule of use requirements outlined in [Section 16-22](#) and are located within areas zoned for that use as outlined below:
 - a. Natural medicine healing centers must be located within areas zoned C-3 and within a medical center.
 - b. Natural medicine cultivation facilities, natural medicine products manufacturers, natural medicine testing facilities, and any other business entity licensed to perform operations related to natural medicine must be located within the Industrial (IN) zone district.
- D. Additional limitations.
1. As determined by the Colorado Natural Medicine Code, no natural medicine business shall be within one thousand (1,000) feet as measured by means of direct pedestrian route of any:
 - a. Child care center;
 - b. Preschool;
 - c. Elementary, middle, junior, or high school; or

- d. Residential child care facility.
2. The hours of operation of any natural medicine business are restricted to 7 a.m. to 9 p.m.
 3. All natural medicine businesses shall have a security plan for the secure storage of natural medicine and natural medicine products approved by the State of Colorado Natural Medicine Division and shall provide the plan to the Town prior to beginning operation, and shall provide any updated plans to the Town within ten (10) business days.
 4. All doorways, windows and other openings of natural medicine business buildings shall be located, covered, or screened in such a manner to prevent a view into the interior from any exterior public or semipublic area. All activities of natural medicine businesses shall occur indoors.
 5. Primary entrances, parking lots and exterior walkways shall be clearly illuminated with downward facing security lights to provide after-dark visibility for facilitators, participants, and employees.
 6. All storage for natural medicine businesses shall be located within a permanent building and may not be located within a trailer, tent, or motor vehicle. All storage of regulated natural medicine and regulated natural medicine products shall be in a secured and locked container.
 7. Natural medicine businesses shall provide secure disposal of natural medicine and natural medicine product remnants or by-products. Natural medicine and natural medicine product remnants or by-products shall not be placed within the facilities' exterior refuse container, nor discharged into any street, alley, or public place, or into any municipal storm sewer and/or system in the Town.
 8. The processing of natural medicine or natural medicine product that includes the use of hazardous materials, including, without limitation, and by way of example, flammable and combustible liquids, carbon dioxide, and liquified petroleum gases, such as butane, is prohibited.
 9. Licenses. All natural medicine businesses must obtain:
 - a. a business license from the Town under Chapter 6; and,
 - b. a license from the state licensing authority pursuant to the conditions set forth in the Colorado Natural Medicine Code.
 10. Indemnification of the Town. By accepting a license issued pursuant to this chapter, a licensee, jointly and severally if more than one, agrees to indemnify and defend

the Town, its officers, elected officials, employees, attorneys, agents, insurers and self-insurance pool against all liability, claims and demands on account of injury, loss or damage, including, without limitation, claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage or any other loss of any kind whatsoever, which arise out of or are in any manner connected with the operation of the natural medicine business that is the subject of the license. The licensee further agrees to investigate, handle, respond to and provide defense for and defend against any such liability, claims or demands at its expense and to bear all other costs and expenses related thereto, including court costs and attorney fees. The Town Manager may require a licensee to execute a written instrument confirming the provisions of this section.

11. *Existing Uses.* Any natural medicine healing center that has applied for or received a license from the State licensing authority prior to the effective date of the ordinance establishing this Section 16-192 shall be treated as a legal nonconforming use under the Town Code.