

**CITY OF WOODLAND PARK, COLORADO
ORDINANCE NO. 1494
(Series 2025)**

**AN ORDINANCE OF THE WOODLAND PARK CITY COUNCIL AMENDING
TITLE 18 OF THE CITY'S MUNICIPAL CODE BY ADOPTING A NEW
CHAPTER 18.80 REGARDING LOCAL REGULATION OF NATURAL MEDICINE
AND AMENDING CHAPTER 18.06 REGARDING ZONING DEFINITIONS AND
CHAPTER 18.09.090 REGARDING TABLE OF PERMITTED USES**

WHEREAS, the City of Woodland Park, Colorado (City) is duly organized and validly exists as a Home Rule City under Article XX, Section 6 of the Colorado Constitution and the City Charter; and

WHEREAS, pursuant to Section 7.2 of the City Charter, the City Council (Council) shall act by ordinance, resolution, or motion and all legislative enactments of a permanent nature shall be in the form of ordinances; and

WHEREAS, pursuant to the City Charter and C.R.S. § 31-16-101, *et seq.* Council has the authority to adopt and enforce all ordinances and enact laws to govern and regulate the use of land within its territory; and

WHEREAS, pursuant to C.R.S. § 31-23-301, *et seq.* the Council has authority to adopt and enforce zoning regulations; and

WHEREAS, Colorado voters adopted citizen initiated Proposition 122 which amended Title 12 of the Colorado Revised Statutes to include Article 170, which is titled the "Natural Medicine Health Act of 2022" (NMHA); and

WHEREAS, the Colorado Natural Medicine Code (Natural Medicine Regulatory Act), codified in C.R.S. §§ 44-50-101 through 904 authorizes Council to enact ordinances regulating the time, place, and manner of the operation of licenses issued pursuant to the Natural Medicine Regulatory Act; and

WHEREAS, C.R.S. §§ 12-170-115 and 44-50-104 establish that the City shall not adopt, enact, or enforce any ordinance, rule, regulation, or resolution that is otherwise in conflict with the provisions of the NMHA or the Natural Medicine Regulatory Act.; and

WHEREAS, C.R.S. §§ 12-170-104(8) and 44-50-103(6) define "healing center" as a facility licensed by the state licensing authority that permits a facilitator to provide and supervise natural medicine services for a participant; and

WHEREAS, C.R.S. § 44-50-103(14) defines "natural medicine business" as "a natural medicine healing center, a natural medicine cultivation facility, a natural medicine products manufacturer, a natural medicine testing facility, or another licensed entity created by the state licensing authority;" and

WHEREAS, the Natural Medicine Regulatory Act authorizes Council to enact zoning ordinances identifying the area where cultivation, manufacturing, testing, storage, distribution, transfer, and dispensation of natural medicine and natural medicine product as defined by the Natural Medicine Regulatory Act may be permitted in the City; and

WHEREAS, the Natural Medicine Regulatory Act authorizes Council to enact ordinances to establish the distance restrictions for buildings where natural medicine services are provided within the vicinity of a child care center, preschool, elementary school, middle school, junior high school, or high school, and a residential child care facility; and

WHEREAS, the City's Municipal Code (Code) contains land use and development standards enacted to protect the health, safety, and welfare of residents of the City; and

WHEREAS, under the City's current land use and development standards, the operation of natural medicine healing centers and natural medicine businesses are not permitted land uses and the City has not approved any such land use; and

WHEREAS, the City does not currently have any zoning regulations addressing natural medicine healing centers and natural medicine businesses; and

WHEREAS, Title 18 of the City's Municipal Code addresses zoning regulations and Council finds it is appropriate to implement amendments to Title 18 through the addition of Chapter 18.80, which shall be titled Local Regulation of Natural Medicine; and

WHEREAS, the Council finds that it is in the best interest of the health, safety, and welfare of the City and its residents to adopt Chapter 18.80 for incorporation in the City's Municipal Code; and

WHEREAS, on December 7, 2024, Council adopted Ordinance No.1484, Series 2024, *An Ordinance of the Woodland Park City Council Imposing a Temporary Moratorium on the Submission, Acceptance, Processing, and Approval of Applications for the Establishment of a Business that Cultivates, Processes, or Dispenses Natural Medicine and the Establishment of any Business, Occupation, or Operation for Healing Centers* ("Temporary Moratorium"); and

WHEREAS, Section 2(b) of the Temporary Moratorium established that it shall terminate on the 7th day of May, 2025 unless terminated at an earlier date or extended by further Ordinance by the Woodland Park City Council and the Temporary Moratorium shall expire upon the effective date of the adoption of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOODLAND PARK, COLORADO, AS FOLLOWS:

Section 1. The foregoing recitals are incorporated herein as conclusions, facts, determinations, and findings by City Council.

Section 2. The Woodland Park Municipal Code is hereby amended by adopting a new Chapter 18.06.346 titled Natural Medicine within Title 18, Chapter 18.06 concerning Zoning Definitions to read in its entirety as follows:

18.06.346 Natural Medicine.

"Natural medicine" means psilocybin or psilocyn and other substances described in the Natural Medicine Regulatory Act as "natural medicine."

"Natural medicine business" means any of the following entities licensed under the Natural Medicine Regulatory Act including a natural medicine healing center, a natural medicine cultivation facility, a natural medicine products manufacturer, and a natural medicine testing facility or another licensed entity created by the state licensing authority.

"Natural medicine healing center" means a facility where an entity is licensed by the state licensing authority that permits a facilitator as defined by the Natural Medicine Regulatory Act, to provide and supervise natural medicine services for a participant as defined by the Natural Medicine Regulatory Act, which includes a participant consuming and experiencing the effects of regulated natural medicine or regulated natural medicine product under the supervision of a facilitator.

"Natural medicine product" means a product infused with natural medicine that is intended for consumption, as provided by the Natural Medicine Regulatory Act.

"Natural Medicine Regulatory Act" means the Colorado Natural Medicine Code codified in Colorado Revised Statutes.

"Natural medicine services" means a preparation session, administrative session, and integration session, as provided by the Natural Medicine Regulatory Act.

"Participant" means an individual who is twenty-one (21) years of age or older who receives natural medicine services prescribed by and under the supervision of a facilitator, as provided by the Natural Medicine Regulatory Act.

"Regulated natural medicine" means natural medicine that is cultivated, manufactured, tested, stored, distributed, transported, or dispensed, as provided by the Natural Medicine Regulatory Act.

"Regulated natural medicine product" means a natural medicine product that is cultivated, manufactured, tested, stored, distributed, transported, or dispensed, as provided by the Natural Medicine Regulatory Act.

"State licensing authority" means the authority created under the Natural Medicine Regulatory Act for the purpose of regulating and controlling the licensing of the cultivation, manufacturing, testing, storing, distribution, transfer, and dispensation of regulated natural medicine and regulated natural medicine product, as provided by the Natural Medicine Regulatory Act.

Section 3. The Woodland Park Municipal Code is hereby amended by adopting a new Chapter 18.80 titled Local Regulation of Natural Medicine within Title 18 concerning Zoning to read in its entirety as follows:

CHAPTER 18.80 – LOCAL REGULATION OF NATURAL MEDICINE

18.80.010 Purpose.

The purpose of this Chapter is to provide standards and requirements for the regulation of the time, place, and manner of operation of natural medicine healing centers and natural medicine businesses within the City of Woodland Park.

18.80.030 Permitted location for natural medicine healing centers.

Natural medicine healing centers are a use permitted by right in the Community Commercial District (CC), the Service Commercial District (SC), and the Neighborhood Commercial District (NC) subject to the distance, time, manner, and place requirements contained in this Chapter 18.80. Natural medicine healing centers are prohibited in all other zoning districts in the City, including the PUD-Planned Unit Development District.

18.80.040 Permitted location for natural medicine businesses.

Natural medicine businesses - other than natural medicine healing centers - including, but not limited to, cultivation facilities, natural medicine products manufacturers, natural medicine testing facilities, and other licensed natural medicine business entities created by the state licensing authority are uses permitted by right in the Heavy Service Commercial Light Industrial District (HSC/LI) and may be permitted as a Conditional Use in the Community Commercial District (CC) and the Service Commercial District (SC) subject to the distance, time, manner, and place requirements contained in this Chapter 18.80. Such natural medicine businesses are prohibited in all other zoning districts of the City, including the PUD-Planned Unit Development District.

18.80.050 Distance from schools.

- (a) No natural medicine healing center or natural medicine business shall operate out of a building that is within one thousand (1,000) feet of a child care center, preschool, elementary, middle, junior, or high school, or a residential child care facility (collectively "School").
- (b) Subsection (a) does not apply to a properly licensed natural medicine healing center or natural medicine business that was actively doing business before a School was established and/or constructed within one thousand (1,000) feet of such natural medicine healing center or natural medicine business.
- (c) The distances referred to in this Section shall be computed by direct measurement from the nearest property line of the parcel used for a School to the nearest portion of the building in

which the natural medicine healing center or natural medicine business is located and includes right-of-way widths.

18.80.060 Hours of operation – natural medicine services.

Natural medicine healing centers and natural medicine businesses providing natural medicine services shall be permitted to operate any day of the week between 7:00 a.m. and 10:00 p.m.

18.80.070 Public view of natural medicine businesses and natural medicine services.

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, subject to applicable City design standards. All activities of natural medicine businesses and natural medicine services shall occur indoors unless access to an outdoor area is available in compliance with the requirements of this section, i.e., an atrium, courtyard, or other outdoor area that is shielded from public view pursuant to the requirements set forth in this paragraph.

18.80.080 Lighting of natural medicine businesses.

Primary entrances, parking lots, and exterior walkways of natural medicine businesses shall be clearly illuminated subject to all applicable City lighting standards set forth in 18.33.180.F. All exterior lighting shall be downcast and shielded with a temperature of 3,000 Kelvin or warmer.

18.80.090 Storage of natural medicine businesses.

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.

18.80.100 Odor from natural medicine businesses.

Natural medicine businesses shall use an air filtration and ventilation system designed to ensure that the odors from natural medicine and natural medicine products are confined to the premises and are not detectable beyond the property boundaries on which the facility is located.

18.80.110 Natural medicine businesses secure disposal.

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.

18.80.120 Processing of natural medicine.

- (a) The processing of natural medicine 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.

- (b) Nonhazardous materials used to process natural medicine shall be stored in a manner so as to mitigate and ensure odors are not detectable beyond the property boundaries on which the processing facility is located or the exterior walls of the processing facility associated with the processing of natural medicine.
- (c) The processing of natural medicine shall meet the requirements of all adopted City building and life/safety codes.
- (d) The processing of natural medicine shall meet all of the requirements of all adopted water and sewer regulations promulgated by the applicable water and sewer provider.

18.80.130 Nuisance.

- (a) It is unlawful and deemed a nuisance to:
 - (1) Operate a natural medicine business in violation of any of the requirements set forth in state law or regulation or this Chapter 18.80.
 - (2) Dispose of, discharge out of or from, or permit to flow from any facility associated with natural medicine any foul or noxious liquid or substance of any kind whatsoever including, without limitation, by-products of the natural medicine process into or upon any adjacent ground or lot, into any street, alley, or public place or into any municipal storm sewer and/or system in the City.
- (b) Any such violation of this Chapter is punished by a fine or imprisonment or both pursuant to Section 1.12.110 of the Woodland Park Municipal Code.

Section 3. Section 18.09.090 of the Woodland Park Municipal Code contains the table of permitted uses for businesses, industrial, and residential districts and is hereby amended to read as follows:

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|--|----|----|-----|-----|-----|----|-------|----|----|----|-----|--------|-----|--|
| P=Permitted Use C=Conditional Use PC=Permitted Conditionally | | | | | | | | | | | | | | |
| PERMITTED USES | SR | UR | MFS | MFU | MHP | AG | P/SPL | NC | CC | SC | CBD | HSC LI | PUD | |
| ... | | | | | | | | | | | | | | |
| W. Natural Medicine Businesses | | | | | | | | | | | | | | |
| 1. Natural Medicine Healing Centers | | | | | | | | P | P | P | | | | |
| 2. Natural Medicine Businesses | | | | | | | | | C | C | | P | | |

| | | | | | | | | | | | | | | |
|---|--|--|--|--|--|--|--|--|--|--|--|--|--|--|
| Other Than Natural Medicine Healing Centers | | | | | | | | | | | | | | |
|---|--|--|--|--|--|--|--|--|--|--|--|--|--|--|

Section 4. Termination of Temporary Moratorium. Ordinance No. 1484, Series 2024, titled *An Ordinance of the Woodland Park City Council Imposing a Temporary Moratorium on the Submission, Acceptance, Processing, and Approval of Applications for the Establishment of a Business that Cultivates, Processes, or Dispenses Natural Medicine and the Establishment of any Business, Occupation, or Operation for Healing Centers* shall terminate upon the effective date of this Ordinance.

Section 5. Severability. The provisions of this Ordinance are severable and the invalidity of any section, phrase, clause, or portion of the Ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of the ordinance.

Section 6. Effective Date. This Ordinance shall be in full force and effect upon its publication as required by law.

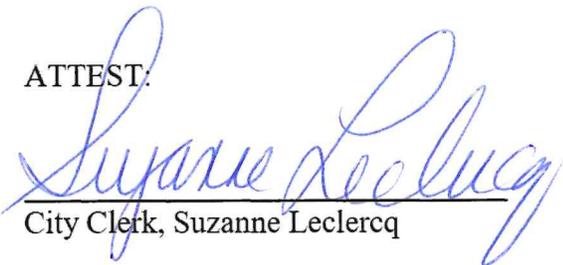
PASSED BY CITY COUNCIL ON SECOND AND FINAL READING FOLLOWING PUBLIC HEARING THIS 17TH DAY OF APRIL, 2025.

City of Woodland Park



 Mayor Kellie Case

ATTEST:



 City Clerk, Suzanne Leclercq