



ARAPAHOE COUNTY
PUBLIC WORKS & DEVELOPMENT

Proposition 122 – Natural Medicine Implementation

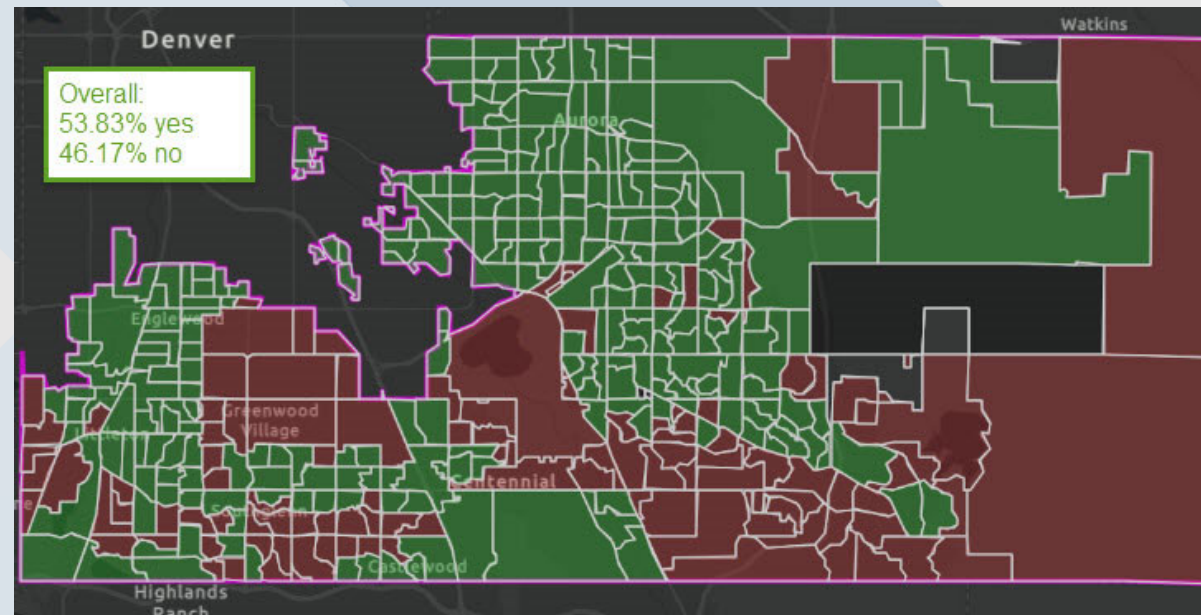


Proposition 122 Background



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- Approved by voters in 2022
- Decriminalized personal use and possession/cultivation of certain psychedelics
- Required Colorado to establish natural medicine program, including rules for cultivation, lab testing, product manufacturing, and healing centers
- State must issue licenses starting January 2025





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Differences from Amendment 64/Marijuana

- Local bans on natural medicine businesses are prohibited
- No dispensaries/retail sale allowed; medicine is administered on-site at licensed facilities and by licensed facilitators

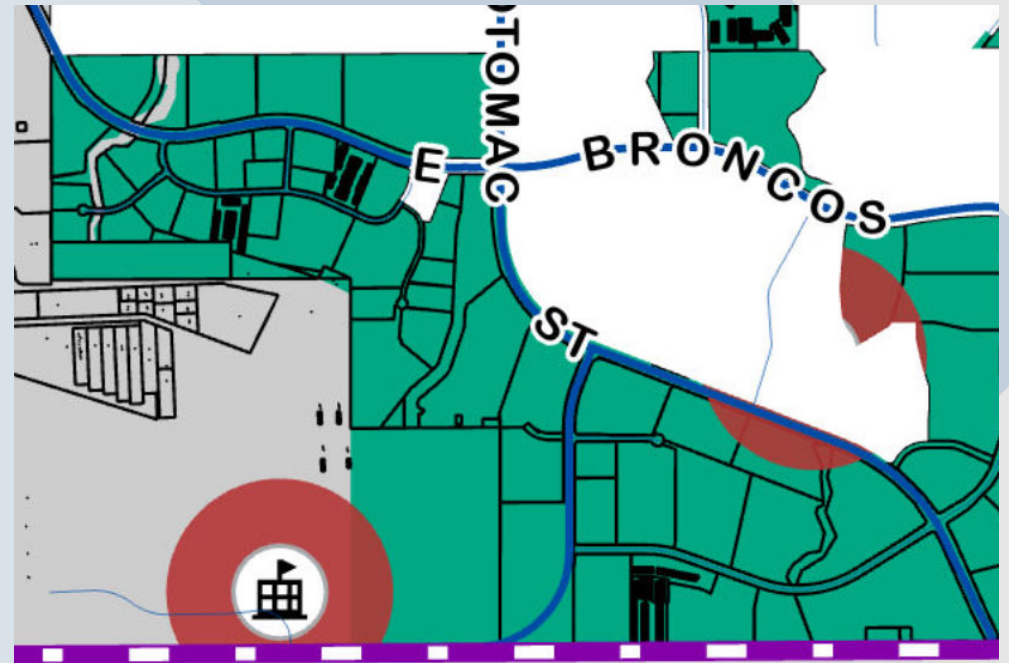




What Can We Regulate?

- Time (hours of operation)
- Manner (facility design)
- Place (zone districts where allowed)

“A local jurisdiction shall not adopt ordinances or regulations that are unreasonable or in conflict with this Article 170.”





Types of State-Licensed Facilities

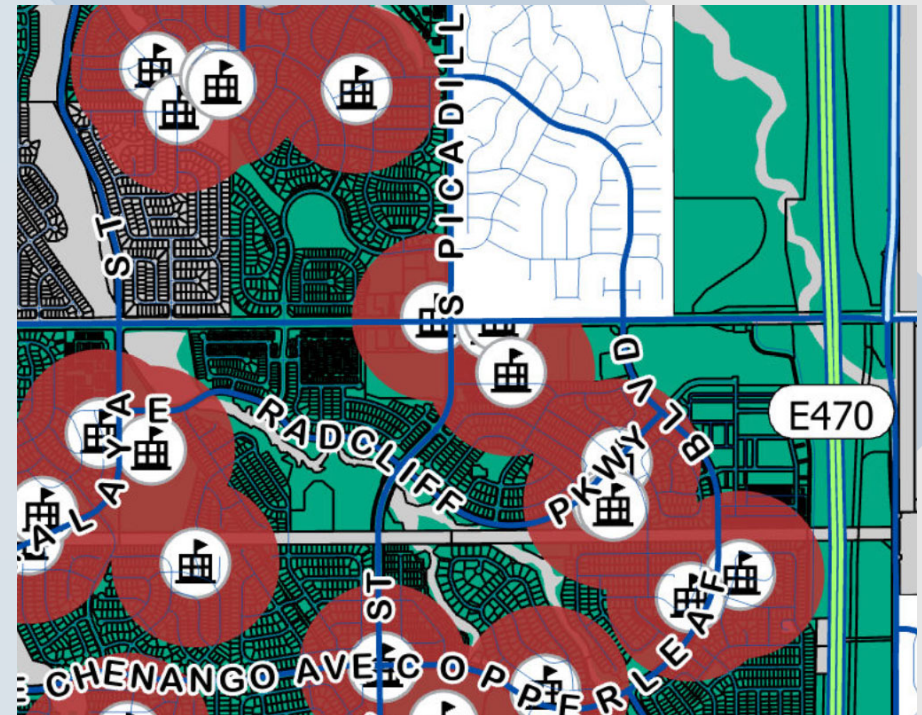
- Natural medicine healing center Similar to office uses
- Natural medicine cultivation center Similar to indoor agriculture/industrial uses
- Natural medicine product manufacturer Similar to food manufacturing/industrial uses
- Natural medicine testing facility Similar to laboratory uses





State Requirements

- Licensing, security, and operational
- 1,000-foot buffer from:
 - *Elementary/middle/high schools*
 - *Residential child care facilities*
 - *Child care centers*

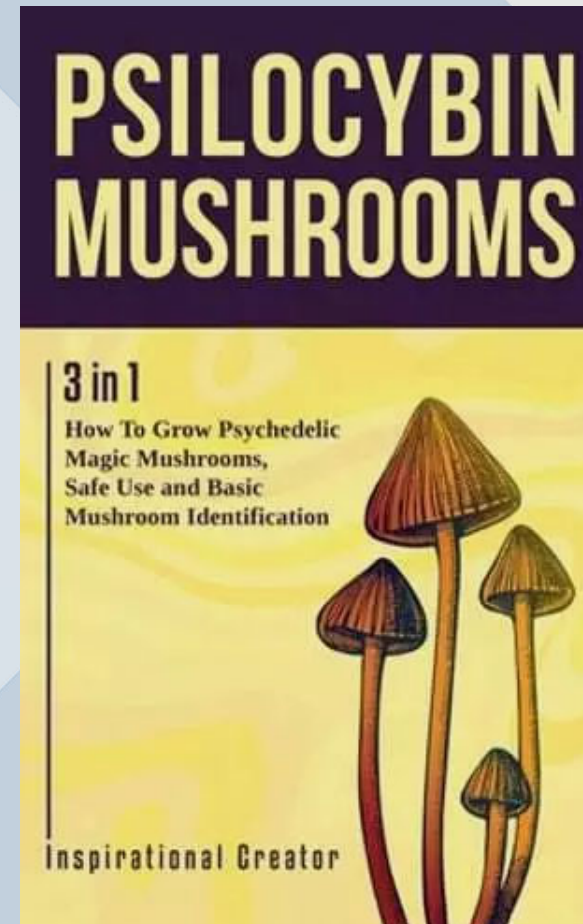


Personal Cultivation

- State limit of 12-foot x 12-foot cumulative cultivation space
- Must be enclosed and locked (and can be inside a residence)
- Local jurisdictions can allow larger cultivation areas but cannot require smaller ones



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Implementation Options

Rely on interpretation or revise the Land Development Code?

Recommended zoning:

- Natural medicine healing centers: wherever office uses are allowed, subject to state requirements
- Natural medicine cultivation centers: I-1 and I-2 industrial zone districts, subject to state requirements
- Natural medicine product manufacturer: wherever light manufacturing is allowed, subject to state requirements
- Natural medicine testing facilities: wherever laboratories are allowed, subject to state requirements

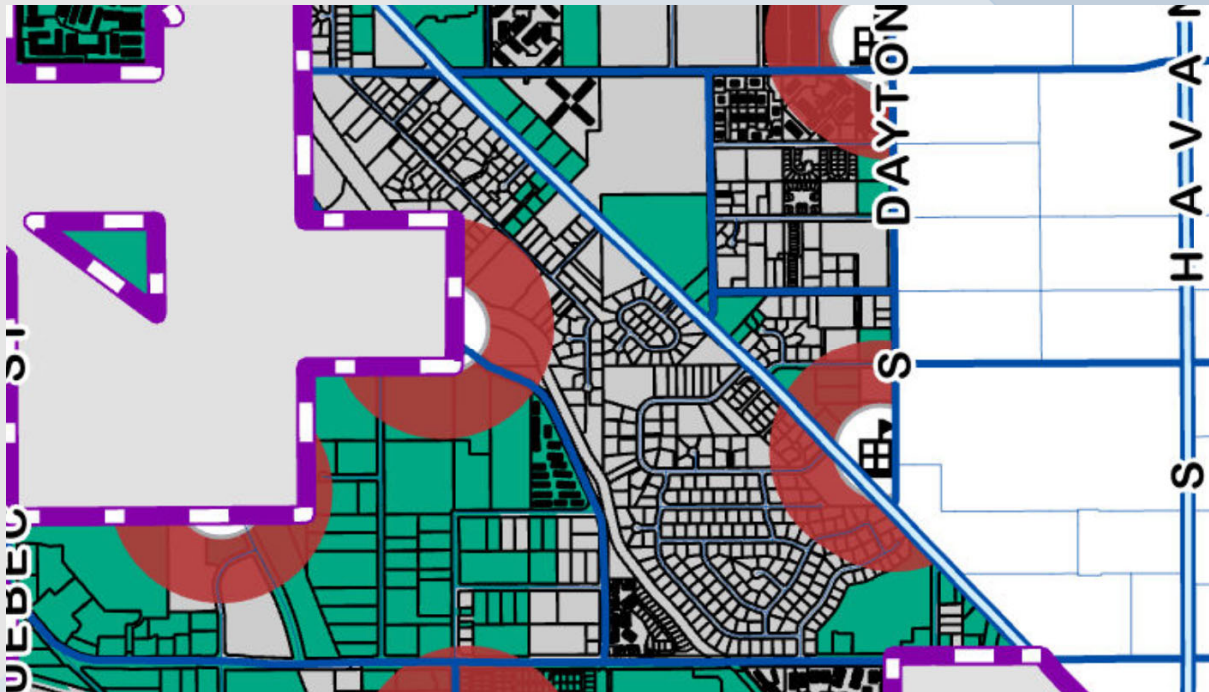


Implementation - Buffer Requirements

Modify state buffer requirements?
(we are only allowed to reduce them)

Recommendation:

- No modification to state buffer requirements





Implementation Options - Time

Require specific hours of operation,
prohibit 24-hour uses, or no
restrictions?

Recommendation:

- Staff does not recommend restricting hours of operation for cultivation, testing, or production
- No specific hours of operation recommendation for Natural Medicine Healing Centers
- Options if the Board would like to consider restricting Healing Center hours:
 - *No 24-hour use (this would allow operations 18 hours per day and operator would pick the hours)*
 - *Must be closed 11 pm to 5 am (similar to Denver's massage business restriction)*





Implementation Options – Private Cultivation

Increase state-allowed private cultivation area? (12' x 12' cumulative maximum)

Recommendation:

- Staff recommends referencing the state requirement, like how we treat marijuana home grows
- Staff does not recommend increasing the allowable cultivation area



Next Steps and Questions

July/early August – draft LDC changes

August – public comment on draft LDC changes

September – Planning Commission study session

October – Planning Commission public hearing

November/December – Board public hearing



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