

3-3.6. Natural Medicine Land Uses

A. INTENT

To provide regulations implementing Colorado Proposition 122 Natural Medicine regarding cultivation, manufacturing, administering, and consuming natural medicine products.

B. NON-COMMERCIAL CULTIVATION

1. The non-commercial growing, cultivation, storage, or production of natural medicine products may only be conducted as a non-primary use in an agricultural (A-1, AE), rural residential (RR-A, RR-B, RR-C), or residential (R-1-A, R-1-B, R-1-C, R1-D, R-2-A, R-2-B, or R-M), obsolete residential (R-2, R-3, R-3S, R-4, R-5), or the residential portion of a PUD zone district (including those originally zoned in a R-P, R-PSF, R-PM, R-PH, MU, or SH).
2. Restrictions
 - a. The cumulative non-commercial cultivation area on any lot or parcel shall not exceed twelve feet by twelve feet.
 - b. All cultivation shall be conducted within a dwelling unit or enclosed and locked accessory structure and shall not be visible to the general public.
 - c. All cultivation areas shall be enclosed and locked in accordance with Colorado Revised Statutes Section 18-18-434(3)(b) or as may be amended.
 - d. All such uses shall not cause odors, smoke, heat, glare or light that is detectable to a person of normal senses beyond the property line of the property upon which the use is being conducted, or in an adjacent dwelling unit or public area.

C. NATURAL MEDICINE BUSINESSES

1. Natural medicine businesses shall operate in compliance with all applicable state and local regulations and state licensing requirements.
2. Natural medicine businesses are allowed in conventionally zoned districts as specified in Table 3.2.1, Permitted Use Table.
3. Natural medicine businesses are allowed in PUD zone districts with similar uses as described below:
 - a. Natural medicine cultivation facilities are similar to light industrial uses.
 - b. Natural medicine healing centers are similar to office uses.
 - c. Natural medicine products manufacturers are similar to light industrial uses.
 - d. Natural medicine testing facilities are similar to laboratory uses.
4. All natural medicine businesses shall be located at least one thousand feet away from a child care center; preschool; elementary, middle, junior or high school; and/or a residential child care facility. The distance shall be calculated by direct measurement from the nearest property line of the land used for a school or facility to the nearest portion of the building in which the natural medicine business is located, using a route of direct pedestrian access.
5. Natural medicine cultivation and manufacturing may be accessory uses to a natural medicine healing center in any zone district allowing natural medicine healing centers, provided that the cultivation/manufacturing occupies no more than 20% of the total floor area.
6. All such uses shall not cause odors, smoke, heat, glare or light that is detectable to a person of normal senses beyond the property line of the property upon which the use is being conducted, or in an adjacent dwelling unit or public area.

7. No natural medicine business shall be operated as a home occupation; this does not preclude facilitators from providing services at a person's residence in compliance with state regulations.

TABLE 3-2.1 PERMITTED USE TABLE

P = Permitted, A = Accessory, SR = Use by Special Review, SE = Use by Special Exception, T= Temporary Use/Temporary Use Permit Required, Blank = Not Permitted

	Agriculture and Residential ^[1]											Non-Residential ^[1]							PUD Districts ^[2]	Overlay	Use Specific Standard		
	A-E	A-1	RR-A	RR-B	RR-C	R-1-A	R-1-B	R-1-C	R-1-D	R-2-A	R-2-B	R-M	B-1	B-3	B-4	B-5	I-1	I-2				F ^[3]	O
Residential Uses																							
Household Living																							
Single family detached dwelling	P	P	P	P	P	P	P	P	P	P	P											P	
Single family cluster, detached dwelling								P	P													P	Error! Reference source not found.
Single family attached dwelling, other than 2-family or townhome										P	P											p ^[4]	Error! Reference source not found., Error! Reference source not found.
2-Family Dwelling										P	P											p	Error! Reference source not found.
Townhome Dwelling											P											p ^[4]	Error! Reference source not found.
Multi-family dwelling New Multi-family requires a PUD																						p ^[4]	Error! Reference source not found., Error! Reference source not found.
*Accessory Dwelling Unit	A	A	A	A	A	A	A	A	A	A												A	3-3.2.D
Manufactured home	P	P	P								P												Error! Reference

Per Approved General, Specific, Preliminary or Final Development Plan

A*
*Unless expressly prohibited by the approved PUD plan

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																					Preliminary or Final Development Plan		source not found.	
Mobile home												P											Error! Reference source not found.	
Ranch Hand/Agricultural Worker Housing	SE	SE	SE																				Error! Reference source not found.	
Home Occupation, General	A	A	A	A	A	A		A	A	A	A	A									A		Error! Reference source not found.	
Home Occupation, Day Care	A	A	A	A	A	A		A	A	A	A	A									A		Error! Reference source not found.	
Home Occupation, Day Care Experienced Provider or Large	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE									SE		Error! Reference source not found.	
Marijuana, Non-commercial use	<i>See Sections Error! Reference source not found., Error! Reference source not found. and Error! Reference source not found.</i>												<i>See Sections Error! Reference source not found. and Error! Reference source not found.</i>								<i>See Sections Error! Reference source not found. and Error! Reference source not found.</i>		Error! Reference source not found.	
<u>Natural Medicine, Non-commercial use</u>	<u>See Section 3-3.6.B</u>												<u>See Section 3-3.6.B</u>								<u>See Section 3-3.6.B</u>		<u>3-3.6</u>	
Pets	A	A	A	A	A	A		A	A	A	A	A									A		Error! Reference source not found.	
Backyard Bees or Chickens					A	A		A	A	A	A	A									A		Error! Reference source not found.	
Temporary Residence	T	T	T																					
Group Living																								

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Group Home – Type A	P	P	P	P	P	P	P	P	P	P	P										Per Approved General, Specific, Preliminary or Final Development Plan	SBC-O	Code Section
Group Home – Type B	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR											SR	Error! Reference source not found.
Civic, Cultural, and Public Uses																							
Art, cultural, educational, or other similar exhibits and displays	T	T	T										T	T	T	T					Per Approved General, Specific, Preliminary, or Final Development Plan		
Cemetery																			P				
Circus, Fair or Carnival, Temporary	T	T	T										T	T	T	T							Error! Reference source not found.
Circus, Fair or Carnival, Exceeding TUP limits													SE	SE	SE	SE	SE						
Community Event and Conference Center	SR	SR											P	P	P	P	P	P		SR			
Day care, Day Care Centers													P	P	P	P	P	P				SR	Error! Reference source not found.
Farm museum	SE	SE																					
Farm and gardening classes	P	P																					
Outdoor entertainment and outdoor assembly events including but not limited to festivals and concerts	T	T	T										T	T	T	T							Error! Reference source not found.
Outdoor sporting or athletic events	T	T	T										T	T	T	T							
Public park																				P			
Quasi-public use	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR			SR		
Agriculture and Animal Services																							
Agricultural or Ranch Use	P	P	P	A															P	P		Error! Reference	

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																					PUD	SBC-O	Code Section
																					Per Approved General, Specific, Preliminary or Final Development Plan		source not found., Error! Reference source not found.
Biosolids land application	P	P	P																				3-3.1.F
Shelter for agricultural implements and tools used to maintain premises	P	P	A	A																			
Office incidental to the operation of the permitted use	A	A	A																				
Temporary Residence	T	T	T																				
Community Garden	<i>See Community Garden Regulations, Section Error! Reference source not found.</i>																						Error! Reference source not found.
Animal Assisted Therapy Activities	P	P																					
Animal Day Care Facility													P	P	P	P	P	P				Error! Reference source not found.	
Animal hospital and veterinary clinic	SE	SE	SE										P	P	P	P	P	P			P	Error! Reference source not found.	
Kennel	SE	SE	SE																				
Commercial Feed Lot	SE																					Error! Reference source not found.	
Farm or Ranch Animal Center	P	P	P																				
Flower Farms	P	P																					
Greenhouses, wholesale or retail	P	P												P	P	P							
Greenhouses, non-commercial, exceeding accessory structure limits	P	P	A	A																		Error! Reference	

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Hunting Club	SR	SR																						source not found.
Roadside Sales Stands	A	A	A																					Error! Reference source not found.
Farming or Ranching Events	P	P																						Error! Reference source not found.
Stable, Riding Academy – Public or Commercial Riding,	P	P	P																p ^[5]	SE				Error! Reference source not found.
Stable – Private Riding	P	P	P	A																				Error! Reference source not found.
Storage Container	A	A	A																					3-3.1.F
Commercial and Industrial																								
Automotive and Parking																								
Auto sales with or without minor auto repair as an accessory use													P	P	P	P	P						p ^[6]	
Auto service station													P	P	P	P	P							
Car wash and/or auto detailing													P	P	P	P	P						SR	
Parking lot or structure, principal use (public or commercial)													P	P	P								SE	
Parking lot or structure, accessory													A	A	A	A	A	A						
Parking Lot, accessory to park or public facility																				A				
Parking, Temporary	T	T	T										T	T	T	T								
Vehicle Repair, Minor													P	P	P	P	P							
Vehicle Repair, Major														P	SR	P	P							
Vehicle Sales/Leasing/Rental													P	P	P	P	P							
Contractors, Trades and Construction																								
Building/landscape material sales yard														P		P	P							Per Approved General, Specific, P Error! Reference

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																					Preliminary, or Final Development Plan		source not found.	
Contractors including but not limited to plumbing, heating, and electrical (no outdoor storage)													P	P	P	P	P						Error! Reference source not found.	
Contractors including but not limited to plumbing, heating, and electrical (with outdoor storage)														P		P	P						Error! Reference source not found.	
Specialty Trade Shop, including but not limited to cabinet, electric, plumbing, heating, lithographic and/or printing shops, furniture reupholstering														P	P	P	P					p ^[7]		
Temporary Concrete and/or Batching Plant with materials stockpiling	SE	SE																						
Temporary construction yard and/or office	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T					T	T	Error! Reference source not found.
Recreation																								
Agri-tainment	SR	SR																						
Amateur Motorsports Facility	SR																							Error! Reference source not found.
Amusement park																					SE			
Ball fields																				P				
Drive-in theater																					SE			
Go-cart and skateboard tracks																					SE			
Driving range, miniature golf and "par 3" course																					SE			
Golf course and country club																				P	P			Error! Reference source not found.
Health Club													P	P	P	P	P	A				P		

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Nature areas, picnic areas, and trails																				P			
Play courts / Playground equipment																				P			
Recreation – Indoor													P	P	P	P	P				P		
Recreation – Outdoor, including recreational clubs and camps													P	P	P	P	SR	P	P ^[8]				
Rodeo	SE	SE	SE	SE																			
Shooting Range (outdoor)	SR																						
Trails and paths open to the general public																				P			
Wildlife sanctuary																				P			
Manufacturing, Warehousing, Industrial and Utilities																							
Explosion welding, cladding, or metallurgical bonding of metal or other similar uses	SE																						Error! Reference source not found.
Heavy equipment repair and fabrication conducted indoors																					Per Approved General, Specific, Preliminary, or Final Development Plan	P	
Manufacturing, Light														P			P	P					
Manufacturing, Light – Commercial bakery, creamery, bottling plant																						P	
Manufacturing, Heavy																				P			
<u>Natural Medicine Cultivation Facility</u>														P			P	P					<u>3-3.6</u>
<u>Natural Medicine Products Manufacturer</u>														P			P	P					<u>3-3.6</u>
Processing, packaging, and selling of an agricultural Commodity, no on-site manufacturing of refined product	P	P																			Per Approved General, Specific, Preliminary, or Final Development Plan		
Processing, packaging, and selling of an agricultural Commodity w/ manufacturing	SR	SR															P	P					

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Repair, rental, and servicing of commodities produced or warehoused in zone district																	P	P					
Wholesale business, storage, or warehousing															P		P	P				P	
Mini-warehouse/self-storage																P	P	P					
Showroom/Warehouse															P	P	P	P					
Slaughter House																		SR					
Mining																							
Mining, Quarry and Earth Extraction/sand and gravel extraction	SR	SR																	SR	SR			Error! Reference source not found.
Office																							
<u>Natural Medicine Healing Center</u>															<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			<u>3-3.6</u>
<u>Natural Medicine Testing Facility</u>															<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>				<u>3-3.6</u>
Office – General, executive, professional, and business offices; medical and dental clinics													P	P	P	P	P	P				P	
Laboratories														P	P	P	P	P					
Research & Development w/ indoor use only																P	P	P	P				Error! Reference source not found.
Research & Development w/ outdoor use															SR		P	P					Error! Reference source not found.
Restaurants, Bars and Hospitality																							
Bar/Tavern															P	P	P	P				P	
Bed and Breakfast	SE	SE																					Error! Reference source not found.
Guest Ranch	SE																						

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Hotel/Motel													P	P	P	P	P	SR			Per Approved General, Specific, Preliminary or Final Development Plan	P	
Microbrewery													P	P	P	P						P	
Nightclub													P	P	P							P	
Restaurant – without drive through													A	P	P	P	P	P					
Restaurant – with drive through													P	P	P	P	P						
Retail and Commercial Service																							
Bank (with or without drive-through)													P	P	P	P	P	A				P	
Convenience store with or without gas pumps													P	P	P							P	
Convenience store, 24-hour operation, with or without gas pumps													SR	SR	SR	SR	SR					SR	
Farmer's Market (Year-Round)	SE	SE																					
Farmer's Market (Seasonal)	P	P	T										T	T	T	T					T		Error! Reference source not found.
Firewood, Storage and Sale Marijuana, Commercial uses	SE	SE	SE																				Error! Reference source not found., Error! Reference source not found.
Retail													A	P	P	P	A	A					Error! Reference source not found.
Retail - Department, hardware, dry good, ranching and farm supply stores																					P		

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Retail - Appliance, furniture, and carpet stores																						P			
Retail -- Specialty retail sales, antique stores and gift shops																						P			
Retail sale of any commodity manufactured, processed, fabricated and/or warehoused only on the premises																	SE	SE					Per Approved General, Specific, Preliminary or Final Development Plan	Error! Reference source not found.	
Retail sale of any commodity designed especially for use in agriculture, mining, industry, business, transportation, or construction																		SE							
Retail, Service													P	P	P	P	A	SE				P			
Retail, Service -- Dry cleaning and commercial laundries																						P			
Seasonal sales or events including, but not limited to pumpkin sales lots, corn mazes, hayrides, haunted houses, and other similar events or uses	T	T	T										T	T	T	T									
Sexually-oriented business																								Error! Reference source not found.	
Swap meets/flea markets	T	T	T										T	T	T	T								Error! Reference source not found.	
Tent/sidewalk sales																								Error! Reference source not found.	
Telecommunications and Towers																									
Broadcast Tower Facility and Other Commercial antennas and radio towers	SE																				SE		Per Approved General, Specific,		

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Commercial Mobile Radio Facilities (CMRS), Attached (Structure, roof, or building-mounted)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	Preliminary or Final Development Plan	P	Error! Reference source not found.
Commercial Mobile Radio Facilities (CMRS), Freestanding Concealed	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P		P	Error! Reference source not found.
Commercial Mobile Radio Facilities (CMRS), Freestanding Not Concealed	P	P	P										P	P	P	P	P						Error! Reference source not found.
Commercial Mobile Radio Service Facilities, Temporary	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T		T	Error! Reference source not found.
Over-height Commercial Mobile Radio Service (CMRS) freestanding towers, public and private freestanding communication towers	SE	SE	SE										SE	SE	SE	SE	SE	SE				SE	Error! Reference source not found.
Telephone exchanges and similar buildings housing tele-communication equipment																	P	P					
Small Wind Energy Conversion System	P	P	P	P	P	P	P					SE											Error! Reference source not found.
Transportation																							
Helipad operations													SE	SE	SE	SE	SE	SE		SE	Per Approved General, Specific Preliminary or Final Development Plan		Error! Reference source not found.
Airport																				SE			
Landing Strip for Private Aircraft and/or aircraft-related recreational facilities	SE	SE																		SE			

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Utilities and Infrastructure																								
Major Electrical, Natural Gas, and Petroleum-Derivative Facilities of a private company	SR	SR																SR					Error! Reference source not found.	
Major Public Utility Facility													P	P	P	P	P	P					Error! Reference source not found.	
Minor public utility facility (distribution substation, underground distribution lines)													P	P	P	P	P	P					Error! Reference source not found.	
Minor public utility facility (including above-ground distribution lines and underground utilities)																	P	P	P ^[9]			Per Approved General, Specific Preliminary or Final Development Plan		
Oil and Gas Facility	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR		SR		SR	5-3.6	
Sewage disposal treatment plant																	P	P					Error! Reference source not found.	
Small Solar System Facility	SR	SR															SR	SR					5-3.5	
Water treatment plant																	P	P					Error! Reference source not found.	
Waste and Recycling																								
Automobile Wrecking/Salvage																		P						
Junk Yard																		P						
Resource recovery operation/recycling facility	P																	P					Error! Reference source not found.	
Sanitary Landfill, Commercial																		P					Error! Reference source not found.	

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	Agriculture and Residential ^[1]											Non-Residential ^[1]								PUD Districts ^[2]	Overlay	Use Specific Standard		
	A-E	A-1	RR-A	RR-B	RR-C	R-1-A	R-1-B	R-1-C	R-1-D	R-2-A	R-2-B	R-M	B-1	B-3	B-4	B-5	I-1	I-2	F ^[B]				O	PUD
Solid Waste Disposal Site and Facility	P																						Error! Reference source not found.	
Injection Well, Commercial																		SR					Error! Reference source not found.	
Accessory Uses/Structures																								
Building and use customarily appurtenant to the permitted use	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		Per Approved General, Specific, Preliminary or Final Development Plan	A	
Residence required for caretaker or night watchman employed by the premises																	A	A	A					
Temporary Uses/Structures																								
Temporary residential sales office (Model Homes)						T	T	T	T	T	T											T	Error! Reference source not found.	
Fireworks stands													T	T	T	T	T	T					Error! Reference source not found.	
Christmas tree lots													T	T	T	T	T	T					Error! Reference source not found.	
Storage containers/pods	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T				T	Error! Reference source not found.	

NOTES:
 [1] Overlay District Regulations may apply: Airport Influence Area (AIA), Centennial Airport Environs Planning Area (CAEPA) and/or Mineral Resource and Geologic Hazard Areas. See Sections **Error! Reference source not found.**, **Error! Reference source not found.**, and **Error! Reference source not found.**
 [2] Prior to April 1, 2017, the Permitted and Special Review uses are established by previously approved PUDs, including R-PSF, R-PM, R-PH, SH, MU and C. All existing PUDs with these zone district designations will continue to be governed by the existing approved PUD Preliminary and Final Development Plans. Temporary Uses listed in the Table may be permitted in non-residential portions of a PUD with an approved Temporary Use Permit. Temporary uses in residential portions of a PUD are allowed as shown in the Table with an approved Temporary Use Permit.

TABLE 3-2.1 PERMITTED USE TABLE																							
P = Permitted, A = Accessory, SR = Use by Special Review, SE = Use by Special Exception, T= Temporary Use/Temporary Use Permit Required, Blank = Not Permitted																							
	Agriculture and Residential ^[1]										Non-Residential ^[1]				PUD Districts ^[2]	Overlay	Use Specific Standard						
	A-E	A-1	RR-A	RR-B	RR-C	R-1-A	R-1-B	R-1-C	R-1-D	R-2-A	R-2-B	R-M	B-1	B-3	B-4	B-5	I-1	I-2	F ^[8]	O	PUD	SBC-O	Code Section
<p>[3] The uses and improvements listed as Permitted or Use by Special Review in the Floodplain District may be considered for approval within a floodplain if it is determined that the proposed use or improvement is in conformance with Section Error! Reference source not found., Floodplain Management, floodplain management goals, and is otherwise consistent with the zoning district standards of the Land Development Code. It must be demonstrated that none of the conditions in subsection Error! Reference source not found., will occur as a result of the proposed use or improvement.</p> <p>[4] May include stacked multi-family units, including second-story multi-family units above office and retail uses.</p> <p>[5] Provided that no permanent structure or shelter is located within the floodplain.</p> <p>[6] Includes truck, farm equipment and implement sales/service and repair, including indoor auto and truck bodywork and painting.</p> <p>[7] May include equipment yards and company vehicle storage.</p> <p>[8] Indoor uses are limited to 10% of site.</p> <p>[9] Underground utilities are permitted so long as adequate cover exists to protect the utilities.</p>																							

Chapter 7 – Definitions

“Facilitator” has the same meaning as in section 12-170-104(6), C.R.S.

“Healing Center” has the same meaning as in section 12-170-104(8), C.R.S.: a facility where an entity is licensed by the State Licensing Authority pursuant to article 50 of title 44 Colorado Revised Statutes that permits a Facilitator to provide and supervise Natural Medicine Services for a Participant.

“Natural Medicine” has the same meaning as in section 44-50-103(13), C.R.S.

“Natural Medicine Business” means any of the following entities licensed pursuant to the Natural Medicine Code:

- i. A Healing Center;
- ii. A Natural Medicine Cultivation Facility;
- iii. A Natural Medicine Products Manufacturer;
- iv. A Natural Medicine Testing Facility.

“Natural Medicine Cultivation Facility” means a location where Regulated Natural Medicine is grown, harvested, and prepared in order to be transferred and distributed to either a Healing Center,

Facilitator, a Natural Medicine Products Manufacturer, or to another Natural Medicine Cultivation Facility.

“Natural Medicine Product” has the same meaning as in section 44-50-103(15), C.R.S.

“Natural Medicine Products Manufacturer” means a person who manufactures Regulated Natural Medicine Products for transfer to a Healing Center, Facilitator, or to another Natural Medicine Products Manufacturer.

“Natural Medicine Services” has the same meaning as in section 12-70-104((14).

“Natural Medicine Testing Facility” means a public or private laboratory licensed, or approved by the Division, to perform testing and research on Regulated Natural Medicine and Regulated Natural Medicine Product.

“Regulated Natural Medicine” means Natural Medicine that is cultivated, manufactured, tested, stored, distributed, transported, transferred, or dispensed pursuant to the Natural Medicine Code. Regulated Natural Medicine includes:

- i. Psilocybin;
- ii. Psilocin; or
- iii. other substances included in the statutory definition and approved by the state licensing authority (see 12-170-104(12), C.R.S).

“Regulated Natural Medicine Product” means Natural Medicine product that is cultivated, manufactured, tested, stored, distributed, transported, transferred, or dispensed pursuant to the Natural Medicine Code.