

Natural Medicine Land Use Code Amendments

CITY COUNCIL - October 7, 2025

City Staff Representative:

Summer McCann, AICP, Senior Planner

Background – Senate Bill 23-290

- SB 23-290 formally implemented the framework for "natural medicine" services and businesses.
- "A local jurisdiction may enact ordinances or regulations governing the time, place, and manner of licenses issued pursuant to this Article 50 within its boundaries."

However,

- A municipality may not prohibit natural medicine facilities or create regulations "that are unreasonable or conflict with [state law]."

Land Use & Development Code

Natural Medicine Uses:

- Healing Centers
- Cultivation
- Manufacturing
- Testing

Natural Medicine Healing Centers

- Natural Medicine Healing Centers Definition — CRS § 44-50-103(6) (2023)

"Healing center means a facility licensed by the state licensing authority pursuant to this article 50 that permits a facilitator to provide and supervise natural medicine services for a participant."

- Medical Care Definition — Land Use & Development Code

"A commercial service use providing medical, dental, or physical health or wellness care to the public."

Regulating Time, Place, and Manner

- The LUDC allows Medical Care uses to operate during normal business hours. This language provides flexibility based on the specific type of medical care offered and what is considered "normal" hours for that use.
- Natural Medicine Healing Centers operating within the City shall require participants to provide proof of a safe ride home from sessions, excluding rideshare services and taxis.

Article 4 – Zoning District and Uses

Table 4-2

“P” = Permitted
 “C” = Conditional Use
 “-” = Use not allowed

USES	DT	MU - NC	MU - CC	MU- REC	CO	C1	C2	C3	BP	I1	S4CR	S4G W	PL
Medical Care – Small (under 10K)	P	P	P	P	P	P	P	P	P	P	P	P	P
Medical Care – General (10K- 40K)	C	-	C	P	C	C	P	P	P	-	-	-	P
Medical Care – Large (40K- 100K)	-	-	C	P	-	-	-	P	P	-	-	-	P
Medical Care – Campus/Comple x (100K+)	-	-	-	P	-	-	-	P	P	-	-	-	P
Medical Care – Rehabilitation Clinic	C	-	C	C	-	-	C	C	C	C	-	-	-

Natural Medicine Cultivation, Manufacturing, and Testing

- Staff proposes the addition of ‘Natural Medicine Cultivation, Manufacturing, and Testing Facility’ as a new industrial use.

Regulating Time, Place, and Manner

- No time restrictions for industrial uses in the LUDC; therefore, no specific hours of operation are proposed.
- Permitted by right in Light Industrial (I-1) and Heavy Industrial (I-2). A Conditional Use permit is required for allowance in Business Park (BP) and General Commercial (C-3).
- No additional regulations beyond those required by the state are proposed.

LUDC Table 4-2

USE	C3	BP	I1	I2
Natural Medicine Cultivation, Manufacturing, and Testing Facility	C	C	P	P

“P” = Permitted
“C” = Conditional Use

Land Use & Development Code

Article 4 – Zoning Districts and Land Uses – Accessibility Improvements

- In accordance with House Bill 21-1110, staff has updated the formatting of tables and related language in Article 4 to align with Americans with Disabilities Act (ADA) standards. These changes are intended to improve clarity and ensure compatibility with screen readers and other assistive technologies.
- Revised Tables:
 - Table 4-1
 - Table 4-2
 - Table 4-3

Land Use & Development Code

Article 11 – Definitions and Terms

- New definition for ‘Natural Medicine Cultivation, Manufacturing, and Testing Facility’.
- Modify definition for ‘Medical Care’ to clarify allowance of a Healing Center as defined by State Statutes.

Staff Analysis - Land Use & Development Code

In making its decision, the City Council shall use the following criteria (Sec. 2.10 B.):

- 1. The amendment furthers the purposes of these regulations in Section 1.01.C.*
- 2. The amendment is in accordance with the Comprehensive Plan and has been considered for both its long-range effects as well as immediate impacts.*

Staff Analysis – Comprehensive Plan

Chapter Four: Citywide Principles, Policies & Strategies

- *Policy 2.1 - Brighton Will Continue to Develop in a Self-Sufficient and Sustainable Manner (Live, Learn, Work, Shop and Play) with an Appropriate Balance between Residential and Non-Residential Uses*
 - 3. Diverse industry will be encouraged with the goals of reducing the percentage of citizens commuting out of Brighton; expanding the City's economy beyond retail services, construction, and trade industry jobs; and providing the opportunity for employment and upward mobility within the community.
- *Policy 5.4 - Expand the Base of Commercial and Industrial Businesses Through Proactive Economic Development Activities*

Staff Analysis – Land Use & Development Code Cont'd

3. *The amendment promotes the public safety, health and general welfare of the community in the City of Brighton.*
4. *The amendment improves the effectiveness and efficiency of administering the Land Development Code.*

Public Notice and Comment

- Public Notice was provided in accordance with the *Land Use & Development Code*.
- On September 16th
 - ✓ Notice was published on the City's Website.
- Planning staff has not received any formal comments in advance of this hearing.

Summary of Findings

- ✓ The Development Review Committee has reviewed the code amendments and recommends approval.
- ✓ The Planning Commission heard the request on September 11, 2025, and unanimously recommended approval.
- ✓ Staff finds the code amendments are in compliance with the requirements as outlined in the *Land Use & Development Code*.

City Staff Recommendation

- ✓ Staff recommends approval of the *Land Use & Development Code* amendments.

Options for City Council

- ❑ Approve the code amendments as presented via ordinance as drafted;
- ❑ Approve the code amendments with changes to the drafted ordinance;
- ❑ Deny the code amendments with specific findings to justify the denial, or;
- ❑ Continue the item to be heard at a later, specified date if the City Council feels it needs additional information to ensure compliance with the approval criteria as set forth in the *Land Use & Development Code*.