

Natural Medicine

CITY COUNCIL STUDY SESSION
July 15, 2025

City Staff Representatives: James Gallagher, Assistant City Attorney
Summer McCann, Senior Planner

Natural Medicine Regulation and Legalization

- **Proposition 122**

- The "Access to Natural Psychedelic Substances" Initiative, commonly known as the Natural Medicine Health Act.
- On the ballot as an initiated state statute in November 2022.
- Statewide, the initiative was approved with a "Yes" voting percentage of 53.64%.
 - Locally, Adams County voted "Yes" with a voting percentage of 56.2%.

Natural Medicine Regulation and Legalization

- **Senate Bill 23-290**

- The Colorado legislature enacted SB 23-290 in April 2023.
- Governor Polis signed SB 23-290 into law on May 23, 2023.
- SB 23-290 formally implemented the framework for "natural medicine" services and businesses.
- SB 23-290 additionally decriminalized certain natural medicine substances, such as Psilocybin, Psilocin, Dimethyltryptamine, Ibogaine, and Mescaline.

Senate Bill 23-290

- "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]."

Senate Bill 23-290

- A natural medicine license will not be granted when:
 - Not permitted under local zoning laws, and
 - Located within 1,000 feet of a childcare center; preschool; elementary, middle, junior, or high school; or a residential childcare facility.
 - Municipalities may lessen the distance restrictions or eliminate one or more types of schools or facilities from the application of a distance restriction.

Decision Items

- Time
- Place
- Manner

Examples of Time, Place, and Manner Regulations

- **Time**

- Monday through Friday, 8:00am - 5:00pm.
- May not operate in excess of 18 consecutive hours in any 24-hour day.
- May operate each day of the week, 8:00am - 12:00am.
- No time restrictions.

Examples of Time, Place, and Manner Regulations

- **Place**

- Parker: Healing Centers – Permitted in business and commercial zoning districts. Cultivation Facilities – Light industrial zoning.
- Centennial: 300 feet from another Natural Medicine Service. 300 feet from any Centennial residential zone district. Healing Centers and Cultivations Facilities – Industrial zoning.
- Boulder: Healing Centers – Mixed use zoning. Cultivation Facilities – Light industrial zoning.

Examples of Time, Place, and Manner Regulations

- **Manner**

- Parker

- Restrictions regarding: 1) public view of natural medicine businesses; 2) permissible lighting; 3) storage of natural medicine; 4) odor from natural medicine businesses; and 5) natural medicine disposal and processing of natural medicine.

- Centennial

- Visual Restrictions - The operations of a natural medicine business shall not be perceptible from the exterior of the premises by means including common visual operation.
 - Private Cultivation – May not cumulatively exceed 12 feet long by 12 feet wide.

Recap – Senate Bill 23-290

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

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.
- No additional regulations beyond those required by the state are proposed.

Article 4 – Zoning District and Uses

Table 4-2

P – Permitted	DT	MU-NC	MU-CC	MU-REC	CO	C1	C2	C3	BP	II	S4CR	S4GW	PL
C – Conditional Use													
Blank use not allowed													
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/Complex (100K+)				P				P	P				P
Medical Care – Rehabilitation Clinic	C		C	C			C	C	C	C			

Natural Medicine Cultivation, Manufacturing, and Testing

Regulating Time, Place, and Manner

- No time restrictions for industrial uses in the LUDC; therefore, no specific hours of operation are proposed.
- Staff proposes the addition of 'Natural Medicine Cultivation and Manufacturing Facility' as a new industrial use.
- 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

P – Permitted	C3	BP	I1	I2
C – Conditional Use				
Blank use not allowed				
Natural Medicine Cultivation and Manufacturing Facility	C	C	P	P

Land Use & Development Code

Article 11 – Definitions and Terms

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

Options for Consideration

The City Council has the following options to consider:

- ❑ Direct staff to proceed with the code amendments as presented.
- ❑ Direct staff to proceed with the code amendments with modifications.
- ❑ Direct staff not to proceed with the code amendments and adopt the State's regulatory framework.