



ERIE
COLORADO

Natural Medicine Ordinance

Town Council

Kelsey Thede, Deputy Town Clerk

Kelly Driscoll, Planning Manager

Nov. 12, 2024



Overview

- Background
- Proposal
- Decision



Background – What is Natural Medicine?

Defined to include psilocybin/psilocyn

- The definition does not include synthetic or synthetic analogs of these substances. Nor does it include peyote (except ceremonial).
- “Natural medicine product” means products infused with natural medicine that is intended for consumption.



Background – State Action

Prop 122

Decriminalized cultivation, possession, consumption and sharing of natural medicine for personal use for persons 21 and over.

SB 23-290

Amended Prop 122 to clarify and establish regulatory framework.



Background - Timing

- **November 2022** – Prop 122 passed by Colorado voters (53.64%)
- **Dec. 30, 2022** – decriminalized personal use and possession by 21+
- **Dec. 31, 2024** – State licensing, certification, permitting and registration of businesses will be in place
- **Jan. 1, 2025** – State to issue licenses after this date



Background – State Requirements

- 1,000 feet from property line of childcare centers, preschools, elementary, middle, junior or high schools or residential childcare facilities.
- Municipalities can vary the distance restrictions or may eliminate one or more types of schools or facilities.



Background – State Restrictions

- Cannot prohibit establishment or operation of licenses within Town boundaries.
- Cannot adopt ordinances or regulations that are unreasonable or conflict with the Colorado Natural Medicine Code.
- Cannot prohibit transportation on public roads by licensed individuals.



Background – What can the Town regulate?

Time, place, and manner

- Hours of operation
- Zoning Districts, and distance requirements
- Other operational requirements



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Proposed Ordinance

Creation of new chapter in Title 10 (UDC)

- Chapter 15 – Natural Medicine
- Natural Medicine Healing Centers
 - Allowed in Business (B), and Community Commercial (CC) districts
- Natural Medicine Business
 - Allowed in Light Industrial (LI)



Proposed Ordinance





Distance

- 1,000 feet from childcare center, preschool, elementary, middle, junior or high school, residential childcare facility
- 250 feet from residences




Operations

- 8 a.m. to 8 p.m., Monday through Saturday for healing centers
- 8 a.m. to 5 p.m., Monday through Friday for all others
- Odor confined to premise
- Secure disposal of remnants or by-products
- Processing with hazardous materials is prohibited

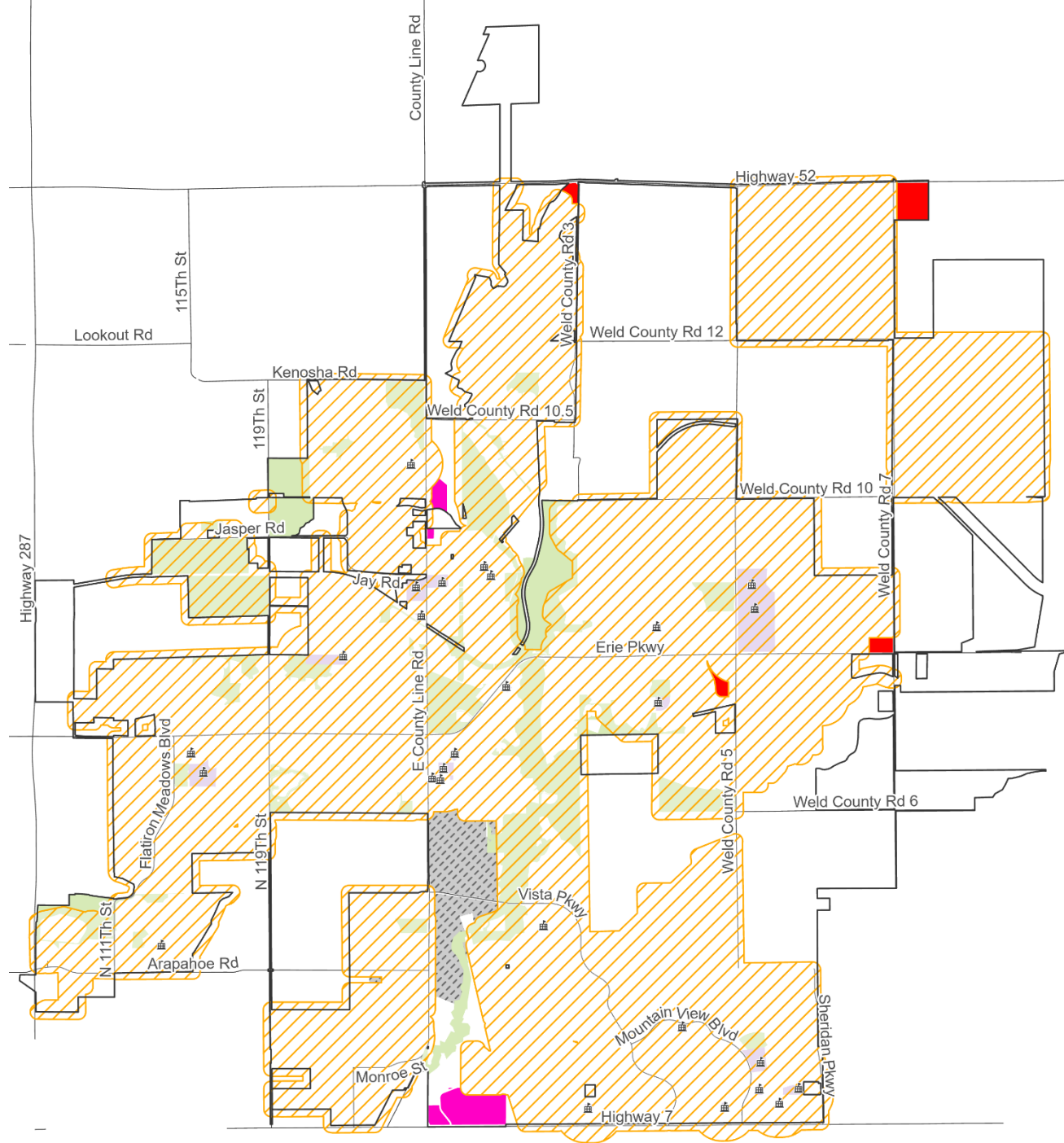


-  Schools or Childcare Facilities
-  School or Childcare Property
-  Parks & Open Spaces
-  Ineligible Areas*

Proposed Zoning Districts Allowing Natural Medicine Businesses

-  Community Commercial (CC)
-  Business (B)
-  Light Industrial (LI)

**areas within 1,000 feet from schools or childcare, and 250 feet from residential*





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Approval Criteria – 10-7-18

- a. The proposed amendment will promote the public health, safety, and general welfare;
- b. The proposed amendment is generally consistent with the Town's Comprehensive Master Plan and the stated purposes of this UDC; and
- c. The proposed amendment is necessary or desirable because of changing conditions, new planning concepts, or other social or economic conditions.



Public Notice

Published in the Colorado Hometown Weekly Oct. 23, 2024



Planning Commission Summary

Considered the draft ordinance at their Oct. 16 meeting

Discussion included:

- Allowed zoning districts and potential overlap with retail marijuana
- Limits on number of stores
- Operational hours
- Listing of carbon dioxide as hazardous

Unanimously passed resolution P24-15

Operational Hours

Setting operational hours of healing centers could be restrictive and exclude indigenous practices

- Sessions typically last six to eight hours
- State laws in place to ensure safe discharge, transportation, etc.

Alternative version of ordinance provided removing the operational hours for healing centers:

- M-F, 8 a.m. to 5 p.m., hours of operation remain for cultivation facility, manufacturer, or medicine testing



Staff Recommendation

Adopt Ordinance 041-2024, or alternate, amending Title 10 of the Erie Municipal Code regarding Natural Medicine



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