

**PLANNING AND COMMUNITY DEVELOPMENT COMMISSION
TOWN OF LYONS, COLORADO
RESOLUTION 2026-01-PCDC**

**A RESOLUTION OF THE PLANNING AND COMMUNITY DEVELOPMENT
COMMISSION OF THE TOWN OF LYONS, COLORADO RECOMMENDING THAT
THE TOWN OF LYONS BOARD OF TRUSTEES ADOPT AN ORDINANCE
CREATING REGULATIONS FOR NATURAL MEDICINE**

WHEREAS, pursuant to Section 2-8-170 of the Lyons Municipal Code (“LMC”), the Town’s Planning and Community Development Commission (“PCDC”) is charged with advising, recommending, and assisting the Board of Trustees in matters relating to planning the physical growth of the Town of Lyons (“the Town”) in accordance with the powers granted pursuant to Article 23 of Title 31, C.R.S.; and

WHEREAS, the Town is authorized by C.R.S. § 31-23-301 to regulate zoning and land use within the Town’s boundaries, and the Town has in fact adopted a comprehensive zoning scheme; and

WHEREAS, Section 16-15-10 of the LMC authorizes the Town to initiate text amendments to Chapter 16 of the LMC titled *Lyons Zoning Regulations*; and

WHEREAS, the text of Chapter 16 of the LMC shall not be amended unless such amendment complies with any of the criteria set forth in § 16-15-50 of the LMC, which, among other criteria, permits an amendment “to accommodate innovations in land use and development practices that were not contemplated at [the time of the adoption of the *Lyons Zoning Regulations*] and “to further the implementation of the goals and objectives of the Comprehensive Plan” among other reasons; and

WHEREAS, Colorado voters adopted citizen-initiated Proposition 122 which amended Title 12 of the Colorado Revised Statutes to include Article 170, which is titled the “Natural Medicine Health Act of 2022” (NMHA); and

WHEREAS, the Colorado Natural Medicine Code (“Natural Medicine Regulatory Act”), codified in C.R.S. §§ 44-50-101 through 904 authorizes the Town to enact ordinances regulating the time, place, and manner of the operation of licenses issued pursuant to the Natural Medicine Regulatory Act; and

WHEREAS, C.R.S. §§ 12-170-115 and 44-50-104 establish that the Town shall not adopt, enact, or enforce any ordinance, rule, regulation, or resolution that is otherwise in conflict with the provisions of the NMHA or the Natural Medicine Regulatory Act.; and

WHEREAS, the Natural Medicine Regulatory Act authorizes the Town to enact zoning ordinances identifying the area where cultivation, manufacturing, testing, storage, distribution, transfer, and dispensation of natural medicine and natural medicine product as defined by the Natural Medicine Regulatory Act may be permitted in the Town; and

WHEREAS, the Town's Municipal Code (Code) contains land use and development standards enacted to protect the health, safety, and welfare of residents of the Town; and

WHEREAS, under the Town's current land use and development standards, the operation of natural medicine healing centers and natural medicine businesses are not permitted land uses and the Town has not approved any such land use; and

WHEREAS, the Town does not currently have any zoning regulations addressing natural medicine healing centers and natural medicine businesses; and

WHEREAS, the PCDC believes it to be in the best interest of the Town to adopt such regulations; and

WHEREAS, the PCDC recommends that the Town of Lyons Board of Trustees adopt the Proposed Ordinance in substantially the form attached hereto as **Exhibit A**.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND COMMUNITY DEVELOPMENT COMMISSION OF THE TOWN OF LYONS, COLORADO:

Section 1. The above recitals are incorporated by reference.

Section 2. Based on the evidence in the record and testimony provided at the public hearing held before the PCDC, the PCDC finds that the text of the proposed Ordinance, a copy of which is attached hereto as **Exhibit A** complies with the criteria set forth in LMC Sections 16-15-50 of the LMC and is supported by the Town of Lyons Comprehensive Plan.

Section 3. Based on the findings set forth in Section 2 above, the PCDC recommends that the Town of Lyons Board of Trustees approve and adopt **Exhibit A** in substantially the form attached hereto.

Section 4. This resolution shall become effective immediately upon approval by the Planning and Community Development Commission.

ADOPTED this 26th DAY OF January 2025.

**PLANNING AND COMMUNITY
DEVELOPMENT COMMISSION FOR THE
TOWN OF LYONS, COLORADO**

By: _____
Chair

ATTEST:

Maria Marquez-Rubio
Deputy Town Clerk

Proposed Ordinance

**TOWN OF LYONS,
COLORADO**

ORDINANCE XXXX

**AN ORDINANCE OF THE TOWN OF LYONS, COLORADO, AMENDING CHAPTER
16, ARTICLE 10 ET SEQ. OF THE LYONS MUNICIPAL CODE CONCERNING
NATURAL MEDICINE**

WHEREAS; pursuant to C.R.S. Section 13-15-103 the Town has the authority to create and publish ordinances; and

WHEREAS, the Colorado Revised Statutes and the Colorado Constitution, Chapter XX, Section 6 provide broad authority to local governments to plan for and regulate the use of land within their jurisdictions, as authorized in Article 20 of Title 29, *et seq.*, and Article 23 of Title 31, *et seq.*, C.R.S.; and

WHEREAS, Section 16-15-10 of the Lyons Municipal Code (“LMC”) authorizes the Town to initiate text amendments to Chapter 16 of the LMC titled *Lyons Zoning Regulations*; and

WHEREAS, the text of Chapter 16 of the LMC shall not be amended unless such amendment complies with any of the criteria set forth in § 16-15-50 of the LMC, which, among other criteria, permits an amendment “to accommodate innovations in land use and development practices that were not contemplated at [the time of the adoption of the *Lyons Zoning Regulations*]” and “to further the implementation of the goals and objectives of the Comprehensive Plan” among other reasons; and

WHEREAS, Colorado voters adopted citizen-initiated Proposition 122 which amended Title 12 of the Colorado Revised Statutes to include Article 170, which is titled the “Natural Medicine Health Act of 2022” (NMHA); and

WHEREAS, the Colorado Natural Medicine Code (“Natural Medicine Regulatory Act”), codified in C.R.S. §§ 44-50-101 through 904 authorizes the Town to enact ordinances regulating the time, place, and manner of the operation of licenses issued pursuant to the Natural Medicine Regulatory Act; and

WHEREAS, C.R.S. §§ 12-170-115 and 44-50-104 establish that the Town shall not adopt, enact, or enforce any ordinance, rule, regulation, or resolution that is otherwise in conflict with the provisions of the NMHA or the Natural Medicine Regulatory Act.; and

WHEREAS, C.R.S. §§ 12-170-104(8) and 44-50-103(6) define “healing center” as a facility licensed by the state licensing authority that permits a facilitator to provide and supervise natural medicine services for a participant; and

WHEREAS, C.R.S. § 44-50-103(14) defines “natural medicine business” as “a natural medicine healing center, a natural medicine cultivation facility, a natural medicine products manufacturer, a natural medicine testing facility, or another licensed entity created by the state licensing authority;” and

WHEREAS, the Natural Medicine Regulatory Act authorizes the Town to enact zoning ordinances identifying the area where cultivation, manufacturing, testing, storage, distribution, transfer, and dispensation of natural medicine and natural medicine product as defined by the Natural Medicine Regulatory Act may be permitted in the Town; and

WHEREAS, the Natural Medicine Regulatory Act authorizes Council to enact ordinances to establish the distance restrictions for buildings where natural medicine services are provided within the vicinity of a child care center, preschool, elementary school, middle school, junior high school, or high school, and a residential child care facility; and

WHEREAS, the Lyons Municipal Code (LMC) contains land use and development standards enacted to protect the health, safety, and welfare of residents of the Town; and

WHEREAS, under the Town’s current land use and development standards, the operation of natural medicine healing centers and natural medicine businesses are not permitted land uses and the Town has not approved any such land use; and

WHEREAS, the Town does not currently have any zoning regulations addressing natural medicine healing centers and natural medicine businesses; and

WHEREAS, Title 18 of the City’s Municipal Code addresses zoning regulations and Council finds it is appropriate to implement amendments to Title 18 through the addition of Chapter 18.80, which shall be titled Local Regulation of Natural Medicine; and

WHEREAS, the Town of Lyons Board of Trustees finds that it is in the best interest of the health, safety, and welfare of the Town and its residents, businesses, and visitors to adopt regulations concerning natural medicine in the LMC.

THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS, THAT:

Section 1. The recitals set forth above are incorporated as if set fully forth herein.

Section 2. Section 16-10-70 of the LMC is hereby amended in accordance with the revisions of the LMC attached hereto as **Exhibit A** and incorporated by

reference.

Section 3. Code Revisions. Because this Ordinance revises an entire Chapter of the Lyons Municipal Code, minor changes such as the format, numbering, and other such changes may be necessary to unify the revised code. The Town Clerk is hereby authorized to make such changes provided that neither the intent of this Ordinance nor substantive content is altered.

Section 4. Severability. Should any one or more sections or provisions of this Ordinance enacted hereby be judicially determined invalid or unenforceable, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 5. Repeal. Any and all ordinances, resolutions, or codes, or parts thereof, which are in conflict or inconsistent with this ordinance are repealed, to the extent of such conflict or inconsistency exists. The repeal of any such ordinance, resolution, or code or part thereof, shall not revive any other section or part of any ordinance, resolution, or code provision. This repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance or code hereby repealed prior to this ordinance taking effect.

Section 6. Codification of Amendments. The codifier of the Town's Municipal Code, Municipal Code Corporation, is hereby authorized to make such numerical and formatting changes as may be necessary to incorporate the provisions of this Ordinance within the Lyons Municipal Code.

Section 7. Effective Date. This Ordinance shall become effective thirty (30) days after publication following final passage in accordance with Section 2-2-160 of the Lyons Municipal Code.

**INTRODUCED AND PASSED ON FIRST READING THIS ____ DAY OF _____
2026.**

**INTRODUCED, AMENDED, PASSED, ADOPTED AND ORDERED PUBLISHED ON
SECOND READING THIS ____ DAY OF _____ 2026.**

TOWN OF LYONS, COLORADO

Hollie Rogin, Mayor

ATTEST:

Dolores Vasquez, CMC, Town Clerk

EXHIBIT A

Chapter 16 Zoning

ARTICLE 1 – General Provisions

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Sec. 16-1-160. – Definitions

...

"Natural medicine" means psilocybin or psilocyn and other substances described in the Natural Medicine Regulatory Act as "natural medicine."

"Natural medicine business" means any of the following entities licensed under the Natural Medicine Regulatory Act including a natural medicine healing center, a natural medicine cultivation facility, a natural medicine products manufacturer, and a natural medicine testing facility or another licensed entity created by the state licensing authority.

"Natural medicine healing center" means a facility where an entity is licensed by the state licensing authority that permits a facilitator as defined by the Natural Medicine Regulatory Act, to provide and supervise natural medicine services for a participant as defined by the Natural Medicine Regulatory Act, which includes a participant consuming and experiencing the effects of regulated natural medicine or regulated natural medicine product under the supervision of a facilitator.

"Natural medicine product" means a product infused with natural medicine that is intended for consumption, as provided by the Natural Medicine Regulatory Act.

"Natural Medicine Regulatory Act" means the Colorado Natural Medicine Code codified in Colorado Revised Statutes.

"Natural medicine services" means a preparation session, administrative session, and integration session, as provided by the Natural Medicine Regulatory Act.

...

"Participant" means an individual who is twenty-one (21) years of age or older who receives natural medicine services prescribed by and under the supervision of a facilitator, as provided by the Natural Medicine Regulatory Act.

...

"Regulated natural medicine" means natural medicine that is cultivated, manufactured, tested, stored, distributed, transported, or dispensed, as provided by the Natural Medicine Regulatory Act.

“Regulated natural medicine product” means a natural medicine product that is cultivated, manufactured, tested, stored, distributed, transported, or dispensed, as provided by the Natural Medicine Regulatory Act.

...

“State licensing authority” means the authority created under the Natural Medicine Regulatory Act for the purpose of regulating and controlling the licensing of the cultivation, manufacturing, testing, storing, distribution, transfer, and dispensation of regulated natural medicine and regulated natural medicine product, as provided by the Natural Medicine Regulatory Act.

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ARTICLE 1 - Zoning Districts and Boundaries

Division 1 - General Provisions

Sec. 16-3-190. - B Business District.

(a) Intent. The B District is intended to provide business uses that primarily serve the daily needs of the immediate neighborhood, as opposed to community-wide needs.

(b) Principal Uses. Permitted principal uses in the B District shall be as follows:

- (1) Accessory building or use.
- (2) Club or lodge.
- (3) Dwelling unit when it provides a place of residence in conjunction with a place of employment, provided that there are six thousand (6,000) square feet of lot area per each dwelling unit.
- (4) Medical or dental office or clinic.
- (5) **Natural medicine healing center**
- (6) Neighborhood business use, such as grocery store, drug store, gift shop, hardware store, florist shop and bank.
- (7) Professional office.
- (8) Personal service shop, such as barber shop, beauty parlor, shoe repair shop, dry-cleaning retail outlet and self-service laundry.
- (9) Restaurant, bar or other eating and drinking place.
- (10) Keeping, harboring, boarding, caring for or maintaining not more than four (4) dogs over the age of three (3) months.

(c) Conditional Uses. Permitted conditional uses in the B District shall be as follows:

- (1) Use with a drive-up window.
- (2) Telecommunications facility.
- (3) Electric vehicle (EV) charge station (see Section 16-10-100).

(4) **Natural medicine business other than a natural medicine healing center**

(d) Prohibited Uses. Prohibited uses in the B District shall include those that are intended to serve community-wide needs as opposed to the needs of the immediate neighborhood in which it is located. Prohibited uses shall include, but not be limited to, the following:

- (1) Department store.
- (2) Discount store.
- (3) Gasoline station.

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Sec. 16-3-200. - C Commercial District.

(a) Intent. The C District is intended to provide commercial uses to meet community-wide needs.

(b) Principal Uses. Permitted principal uses in the C District shall be as follows:

- (1) Accessory building or use.
- (2) Business use, including but not limited to the following:
 - a. Club or lodge.
 - b. Entertainment facility.
 - c. Financial institution.
 - d. Gallery.
 - e. Hotel or motel.
 - f. Medical or dental office or clinic.
 - g. Marijuana center.
 - h. Minor automobile repair.
 - i. Mortuary or funeral chapel.
 - j. Museum.
 - k. Professional office.
 - l. Parking garage or lot.
 - m. Personal service shop, such as barber shop, beauty parlor, computer repair shop, dry-cleaning retail outlet, self-service laundry, shoe repair shop or television or small appliance repair shop.
 - n. Recreational facility.
 - o. Restaurant, bar or other eating and drinking place.
 - p. Retail business, such as bakery, department store, discount store, drug store, florist shop, furniture store, gift shop, grocery store, hardware store or pet store.
 - q. Studio.
 - r. Farmer's market (see Section 16-10-90).
 - s. **Natural medicine healing center**
- (3) Residential use as follows:
 - a. Associated residential unit, or
 - b. Dwelling unit when it provides a place of residence in conjunction with a place of employment, provided that there are one thousand six hundred

(1,600) square feet of lot area per each dwelling unit.(4) Keeping, harboring, boarding, caring for or maintaining not more than four (4) dogs over the age of three (3) months.

(c) Conditional Uses. Permitted conditional uses in the C District shall be as follows:

- (1) Car wash facility.
- (2) Place of worship.
- (3) Day care center.
- (4) Gasoline station.
- (5) Major automobile repair.
- (6) Lumber yard.
- (7) Small manufacturing facility with fewer than ten (10) employees.
- (8) Telecommunications facility.
- (9) Use with drive-up window.
- (10) Wholesale commercial facility.
- (11) Farmer's market (see Section 16-10-90).
- (12) Electric vehicle (EV) charge station (see Section 16-10-100).
- (13) **Natural medicine business other than a natural medicine healing center**

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Sec. 16-3-210. - CD Commercial Downtown District.

(a) Intent. The CD District is intended to reflect the character of the original downtown and to provide for a mixture of uses that will strengthen and expand the core community with zero-lot-line development. The desired character for the Commercial Downtown District includes retail uses and restaurants on the first floor of buildings, with offices and residential uses on the upper floors.

(b) Principal Uses. Permitted principal uses in the CD District shall be as follows:

- (1) Accessory building or use.
- (2) Business use, including, but not limited to, the following:
 - a. Club or lodge.
 - b. Entertainment facility.
 - c. Financial institution.
 - d. Gallery.
 - e. Hotel or motel.
 - f. Museum.
 - g. Professional office.
 - h. Personal service shop, such as barber shop, beauty parlor, computer repair shop, dry-cleaning outlet, self-service laundry, shoe repair shop or television or small appliance repair shop.
 - i. Recreational facility.
 - j. Restaurant, bar or other eating and drinking place.
 - k. Retail store, such as bakery, department store, discount store, drug store, furniture store, gift shop, grocery store or pet store.

- l. Studio.
- m. Artisan manufacturing that does not alter the footprint of the existing building
- n. Artisan studio and gallery
- o. Farmer's market (see Section 16-10-90).
- (3) Residential use, but only if a business use occupies the portion of the building immediately adjacent to the street frontage.
- (4) Keeping, harboring, boarding, caring for or maintaining not more than four (4) dogs over the age of three (3) months.

(c) Conditional Uses. Permitted conditional uses in the CD District shall be as follows:

- (1) Place of worship.
- (2) Day care center.
- (3) Medical or dental office or clinic.
- (4) Municipal administrative office.
- (5) Use with drive-up window.
- (6) Artisan manufacturing that does alter the footprint of the existing building.
- (7) Farmer's market (see Section 16-10-90).
- (8) Electric vehicle (EV) charge station (see Section 16-10-100).
- (9) **Natural medicine healing center**

(d) Prohibited Uses. Prohibited uses in the CD District shall include those uses that cause excessive air, water, pesticide, or solid waste pollution, create substantial amounts of offensive noise, vibration, smoke, dust, odors, heat, and glare, or is a use that does not otherwise fit the intent and character [of] the CD District. Prohibited uses shall include, but not be limited to, the following:

- (1) Automobile sales and repair.
- (2) Gasoline station.
- (3) Minor or major automotive repair.
- (4) Mortuary or funeral chapel.
- (5) Use with drive-up window.
- (6) Firearms sales.
- (7) Firearms manufacturing.
- (8) Ammunition sales.
- (9) Ammunition manufacturing.

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Sec. 16-3-230. - CEC Commercial East Corridor District.

(a) Intent.

- (1) The Commercial East Corridor District (CEC) is intended to help localize Lyons' economy, provide employment opportunities in Town and encourage the Town's economic sustainability. It is intended to serve as an employment area within the Town and to provide locations for a variety of workplaces, including but not limited

to office and business parks, tourism-related uses, light industrial uses, research and development offices and educational facilities. Further, the CEC District is intended to complement the downtown area, be compatible with Lyons' small-town character and quality of life, and protect the St. Vrain River and its associated riparian areas and floodplain.

(2) Because the CEC District is intended to be along Lyons' eastern gateway and the St. Vrain River, it shall promote excellence in environmentally sensitive design and construction of buildings, outdoor spaces and streetscapes. The corridor's commercial viability relies on careful planning for automobiles, but it should be designed and improved to accommodate pedestrians, bicycles and transit as well. Because of the highway traffic, special design features may be necessary for the buildings to be accessible and visible to passing motorists, while also accommodating practical multi-modal transit.

(b) Permitted Uses. Permitted principal uses in the CEC District shall be as follows:

- (1) Accessory building or use.
- (2) Accessory dwelling.
- (3) Agri-tourism business and sustainable agricultural use.
- (4) Artisan studio and/or gallery.
- (5) Bed and breakfast.
- (6) Day care center (all ages).
- (7) Event center, small.
- (8) Farmer's market.
- (9) Financial institution.
- (10) Greenhouse and plant nursery.
- (11) Group home for people with disabilities.
- (12) Hospital.
- (13) Hotel or motel, small.
- (14) Light industrial uses not required to hold operating permits for air emissions with the Colorado Department of Public Health and Environment.
- (15) Long-term care facility.
- (16) Medical and dental office and clinic.
- (17) Marijuana center.
- (18) Marijuana-infused product manufacturer.
- (19) Marijuana optional premises cultivation operation.
- (20) Mixed-use building (a building with less than fifty percent (50%) of the total gross floor area of the building consisting of residential uses, all of which residential uses are located on upper floors, where combined with a permitted nonresidential use on the ground level).
- (21) Museum.
- (22) Personal and business service shop.
- (23) Professional office.
- (24) Public and private school, including college, vocational training and technical training.
- (25) Public facilities, including municipal offices, parks and trails.
- (26) Recreational facility, limited indoor and limited outdoor.

- (27) Research, experimental or testing laboratory.
- (28) Restaurant and/or bar without drive-up food or beverage service, small (four thousand [4,000] square feet or less).
- (29) Retail establishment (including grocery store), small.
- (30) Solar garden, as an accessory use.
- (31) Stone cutting, finishing and sales establishment.
- (32) Veterinary hospital and veterinary facility.
- (33) Workshop and custom small industry.
- (34) Electric vehicle (EV) charge station (see Section 16-10-100).
- (35) **Natural medicine healing center**
- (36) **Natural medicine business other than a natural medicine healing center**

(c) Uses by Special Review. Uses allowed only upon approval by special review in the CEC District shall be as follows:

- (1) Automobile, boat and motorcycle rental and sales.
- (2) Automotive and motorcycle repair (major and minor).
- (3) Campground.
- (4) Dog day care facility.
- (5) Event center, large.
- (6) Gasoline station.
- (7) Hotel/motel, large.
- (8) Kennel.
- (9) Mini storage facility.
- (10) Mixed-use building (a building with at least fifty percent (50%) of the total gross floor area of the building consisting of residential uses, all of which residential uses are located on upper floors, where combined with a special review use on the ground level).
- (11) Light industrial uses required to hold operating permits for air emissions with the Colorado Department of Public Health and Environment.
- (12) Restaurant and/or bar with a drive-up window for food or beverage service, or that otherwise serves food or beverages to customers in parked motor vehicles, or a restaurant and/or bar with more than four thousand (4,000) square feet.
- (13) Retail establishment, large.
- (14) Solar garden, as a principal use.
- (15) Telecommunication facility.
- (16) Electric vehicle (EV) charge station (see Section 16-10-100).

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Sec. 16-3-240. - LI Light Industrial District.

(a) Intent. The LI District is intended to provide locations for a variety of workplaces, including light industrial uses, research and development offices and institutions.

(b) Permitted Uses. Permitted principal uses in the LI District shall be as follows:

- (1) Marijuana center.

- (2) Marijuana-infused products manufacturer.
- (3) Cultivation operation.
- (4) **Natural medicine healing center**
- (5) **Natural medicine business other than a natural medicine healing center**

(c) Conditional Uses. Permitted conditional uses in the LI District shall be as follows:

- (1) Special nonpolluting developments, such as research facilities, testing laboratories and facilities for the manufacturing, fabrication, processing or assembly of products, provided that such facilities are completely enclosed and located in planned industrial parks.
- (2) Telecommunications facility.
- (3) Electric vehicle (EV) charge station (see Section 16-10-100).

This District may only be used in conjunction with the PUD Overlay District.

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Sec. 16-3-250. - GI General Industrial District.

(a) Intent. The GI District is intended to provide a location for a variety of employment opportunities, such as manufacturing, warehousing and distributing, indoor and outdoor storage and a wide range of commercial and industrial operations.

(b) Principal Uses. Permitted principal uses in the GI District shall be as follows:

- (1) Any use permitted in the C and CEC Districts.
- (2) Any manufacturing operation or industrial use (including outdoor storage) which does not create any danger to safety in surrounding areas, does not cause water pollution and does not create substantial amounts of offensive noise, vibration, smoke, dust, odors, heat and glare.
- (3) Marijuana center.
- (4) Marijuana-infused products manufacturer.
- (5) Cultivation operation.
- (6) **Natural medicine healing center**
- (7) **Natural medicine business other than a natural medicine healing center**

(c) Conditional Uses. Permitted conditional uses in the GI District shall be as follows:

- (1) Adult-oriented use.
- (2) Extractive or mining industry.
- (3) Impound lot.
- (4) Junk and salvage yard.
- (5) Mini-storage facility.
- (6) Stone cutting and finishing.
- (7) Telecommunications facility.

(8) Electric vehicle (EV) charge station (see Section 16-10-100).

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ARTICLE 5 - District Uses and Standards

Sec. 16-5-10. Permitted and conditional uses and uses by special review by zoning district.

Please note that, in case of conflict between the matrix and written regulations, the written regulations govern.

Matrix of Permitted and Conditional Uses and Uses by Special Review by Zoning District

Permitted Uses	A-1	A-2	E	EC	R-1	R-2	R-2A	R-3	B	C	CD	CEC	LI	GI	M	POS
Business/Commercial/Retail Uses																
Adult-oriented use															C	
Agritourism business and sustainable agricultural use												P				
Ammunition sales											*					
Artisan studio											P	P				
Artisan manufacturing											P/C					
Automobile, boat and motorcycle rental and sales												S				
Automobile sales											*					
Automotive and motorcycle repair (major and minor)												S				
Bed and breakfast	C	C	C	C	C	C	C	C				P				
Boarding or rooming house									C							
Business use										P	P	P		P		
Campground												S			C	
Car wash										C				P		
Club or lodge										P	P	P			P	
Day care center	C	C	C	C	C	C	C	C		C	C	P		P		
Department store									*	P	P			P		
Discount store									*	P	P			P		
Dog day care facility												S				
Entertainment facility										P	P			P		
Event center, large												S				
Event center, small												P				
Financial institution										P	P	P		P		
Firearms sales											*					
Gallery										P	P	P		P		
Gasoline station									*	C	*	S		P		

Greenhouse and plant nursery									P				
Grocery store									P				
Group home for people with disabilities									P				
Hospital									P				
Hotel or motel							P	P		P			
Hotel or motel, large									S				
Hotel or motel, small									P				
Kennel									S				
Long-term care facility									P				
Lumber yard							C			P			
Machine shop										P			
Major automobile repair							C	*		P			
Marijuana center							P		P	C	P		
Marijuana-infused products manufacturer									P	C	P		
Cultivation operation									P				
Medical or dental office or clinic						P	P	C	P		P		
Minor automobile repair							P	*			P		
Mixed use building (a building with at least 50% of the total gross floor area of the building consisting of residential uses, all of which residential uses are located on upper floors, where combined with a special review use on the ground level)									S				
Mixed use building (a building with less than 50% of the total gross floor area of the building consisting of residential uses, all of which residential uses are located on upper floors, where combined with a									P				

permitted nonresidential use on the ground level)														
Mortuary or funeral chapel								P	*			P		
Natural medicine healing center							P	P	C	P	P	P		
Natural medicine business other than a natural medicine healing center							C	C		P	P	P		
Neighborhood business						P								
Nursing and assisted living facility										P				
Optional premises cultivation operation										P	C	P		
Parking garage						P					P			
Parking lot						P					P		C	
Permitted principal use with drive-up window					C	C	C				P			
Personal and business service shop										P				
Personal service shop					P	P	P	P	P		P			
Professional office					P	P	P	P	P		P		P	
Restaurant and/or bar without drive-up food or beverage service, small										P				
Restaurant, bar or other eating and/or drinking place					P	P	P				P			
Restaurant and/or with a drive-up window for food or beverage service, or that otherwise serves food or beverages to customers in parked motor vehicles, or a restaurant and/or bar with more than 4,000 square feet										S				
Retail establishment, large									S					

Retail establishment (including grocery store), small										P				
Retail store or establishment								P	P	P		P		
Studio							P	P	P		P			
Veterinary hospital and veterinary facility									P					
Wholesale commercial facility							C				P			

:hg;P = Permitted Principal Use

C = Permitted Conditional Use

S = Use by Special Review

* = Use Prohibited

ARTICLE 10 - Supplementary Regulations

Sec. 16-10-110 – Natural Medicine

(a) *Districts permitted.* It shall be unlawful to operate or to cause the operation of a natural medicine business except in the following zone districts:

1. *B.* Natural medicine healing center is a use by right. Natural medicine business other than a natural medicine healing center requires a conditional use permit.
2. *C* Natural medicine healing center is a use by right. Natural medicine business other than a natural medicine healing center requires a conditional use permit.
3. *CD* Natural medicine healing center requires a conditional use permit.
4. *CEC* Natural medicine healing center is a use by right. Natural medicine business other than a natural medicine healing center requires a conditional use permit.
5. *LI* Natural medicine healing center is a use by right. Natural medicine business other than a natural medicine healing center requires a conditional use permit.
6. *GI* Natural medicine healing center is a use by right. Natural medicine business other than a natural medicine healing center requires a conditional use permit.

(b) Distance from other uses

Natural medicine businesses. Must be at least 1,000 feet from a licensed childcare center, preschool, elementary, middle, junior, or high school, or a licensed child day care center (collectively “School”). The distances referred to in this Section shall be computed by direct measurement from the nearest property line of the parcel used for a School to the nearest portion of the building in which the natural medicine healing center or natural medicine business is located and includes right-of-way widths.

(c) Storage of natural medicine businesses.

All storage for natural medicine businesses shall be located within a permanent building and may not be located within a trailer, tent, or motor vehicle.

(c) Odor from natural medicine businesses.

Natural medicine businesses shall use an air filtration and ventilation system designed to ensure that the odors from natural medicine and natural medicine products are confined to the premises and are not detectable beyond the property boundaries on which the facility is located.

(d) Natural medicine businesses secure disposal.

Natural medicine businesses shall provide secure disposal of natural medicine and natural medicine product remnants or by-products. Natural medicine and natural medicine product remnants or by-products shall not be placed within the facilities' exterior refuse container.

(e) Processing of natural medicine.

1. The processing of natural medicine that includes the use of hazardous materials, including, without limitation, and by way of example, flammable and combustible liquids, carbon dioxide, and liquified petroleum gases, such as butane, is prohibited.
2. Nonhazardous materials used to process natural medicine shall be stored in a manner so as to mitigate and ensure odors are not detectable beyond the property boundaries on which the processing facility is located or the exterior walls of the processing facility associated with the processing of natural medicine.
3. The processing of natural medicine shall meet the requirements of all adopted Town building and life/safety codes.
4. The processing of natural medicine shall meet all of the requirements of all adopted water and sewer regulations promulgated by the Town.