

TOWN OF EAGLE, COLORADO
ORDINANCE NO. 2025-__

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO
AMENDING TITLE 4 OF THE TOWN CODE TO REGULATE NATURAL MEDICINE
FACILITIES.

WHEREAS, pursuant to C.R.S. § 31-15-103, municipalities shall have power to make and publish ordinances which are necessary and proper to provide for the safety, to preserve the health, promote the prosperity, and improve the morals, order, comfort, and convenience of such municipality and the inhabitants thereof not inconsistent with the laws of this state; and

WHEREAS, the Town of Eagle (the "Town") is a home-rule municipality organized under Article XX of the Colorado Constitution and with the authority of the Eagle Home Rule Charter (the "Charter"); and

WHEREAS, pursuant to Section 1.01.080 of the Eagle Town Code (the "Code"), the Town Council may amend the Code and pursuant to Section 4.17.120 of the Code, the Town may amend the Land Use and Development Code (the "LUDC"); and

WHEREAS, in 2022, Colorado voters approved "Proposition 122: Access to Natural Psychedelic Substances," which is now codified in C.R.S. §§ 12-170-101 through 115 (the "Natural Medicine Health Act"); and

WHEREAS, the Natural Medicine Health Act allows the supervised use of psychedelic mushrooms by individuals aged 21 and over at licensed facilities and requires the state to create a regulatory structure for the operation of these licensed facilities; and

WHEREAS, the Natural Medicine Health Act prohibits local governments from banning licensed facilities, services, and use of natural medicines permitted by the Natural Medicine Health Act, while allowing local governments to regulate the time, place, and manner of operation of these facilities; and

WHEREAS, the State legislature enacted Senate Bill 23-290, which is codified in C.R.S. §§ 44-50-101 through 904 (the "Colorado Natural Medicine Code"), to create the regulatory structure for the operation of these licensed facilities, which includes the licensing and registration of facilities and related businesses that provide the use, cultivation, manufacture, and testing of these substances; and

WHEREAS, the Town Council desires to enact this ordinance to regulate the time, place, and manner of the operation of licenses issued pursuant to the Colorado Natural Medicine Code; to establish the appropriate zoning districts for the operation of licenses issued pursuant to the Colorado Natural Medicine Code; and to establish distance restrictions for buildings where natural medicine services are provided within the vicinity of a child care center; preschool; elementary, middle, junior or high school; or a residential child care facility pursuant to the Colorado Natural Medicine Code; and

WHEREAS, it is in the interest of the public health, safety, and welfare of the Town to amend the Code as set forth in this Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO:

Section 1. Recitals. The foregoing recitals are hereby incorporated as it set forth herein in full.

Section 2. Section 4.09.030 – Amended. Table 4.09-1: Primary Use Table, under Section 4.09.030 – Uses permitted by district (use tables), is hereby amended with the addition of natural medicine uses, as follows:

Table 4.09-1: Primary Use Table																		
	Residential Districts					Rural and Agriculture Districts			Mixed-Use, Commercial and Industrial Districts							Govt. and Civic Districts		
Zone Districts	R1	R2	R3	R4	OTR	RR1	RR2	R	CMU1	CMU2	BD	CG	CGE	CI	IND	PC1	PC2	Use-Specific Standards
KEY: P = Permitted / M = Minor Review (no notice) / A = Administrative Review / C = Conditional Use / S = Special Use / - = Not Permitted																		
Use definitions are located in Section 4.20.050, Use Category Definitions																		
NATURAL MEDICINE USES																		
Natural medicine cultivation facility	-	-	-	-	-	-	-	-	-	-	-	S	S	-	S	-	-	Section 4.09.070.H
Natural medicine healing center	-	-	-	-	-	-	-	-	-	-	-	P	P	-	P	-	-	Section 4.09.070.H
Natural medicine products manufacturer	-	-	-	-	-	-	-	-	-	-	-	S	S	-	S	-	-	Section 4.09.070.H
Natural medicine testing facility	-	-	-	-	-	-	-	-	-	-	-	S	S	-	S	-	-	Section 4.09.070.H
Other natural medicine business entity licensed to perform operations related to natural medicine by the state	-	-	-	-	-	-	-	-	-	-	-	S	S	-	S	-	-	Section 4.09.070.H

Section 3. Section 4.09.070 – Amended. Section 4.09.070 - Standards for commercial uses is hereby amended with the addition of natural medicine uses, as follows:

Section 4.09.070. - Standards for commercial uses.

* * * *

H. *Natural medicine uses.*

1. Natural medicine uses may be allowed as permitted by Table 4.09-1: Primary Use Table.

Section 4. Section 4.12.040 – Amended. Table 4.12-1: Off-Street Parking Standards, under Section 4.12.040 – Required off-street vehicle parking, is hereby amended with the addition of a natural medicine subcategory as follows:

Table 4.12-1: Off-Street Parking Standards	
Use Category	Required Parking Spaces
KEY: DU = Dwelling Unit BR = Bedroom GFA = Gross Floor Area (total)	
COMMERCIAL [Category description: Section 4.20.050 C.]	
Natural Medicine Uses [Subcategory description: Section 4.20.050 C.2]	
Natural medicine cultivation facility	1 per 1,000 square feet
Natural medicine healing center	1 per 400 square feet
Natural medicine products manufacturer	1 per 1,000 square feet
Natural medicine testing facility	1 per 1,000 square feet
Other natural medicine business entity	1 per 400 square feet

Section 5. Section 4.20.020 – Amended. Section 4.20.020 is amended with the addition of the following definitions:

Natural medicine shall have the same meaning as provided in C.R.S. §§ 44-50-101 through 904 (the “Colorado Natural Medicine Code”), as may be amended from time to time.

Natural medicine business means any of the following entities licensed under the Colorado Natural Medicine Code and includes:

1. Natural medicine healing centers;
2. Natural medicine cultivation facilities;
3. Natural medicine products manufacturers;
4. Natural medicine testing facilities; and
5. Any other business entity licensed to perform operations related to natural medicine by the state licensing authority.

Natural medicine cultivation facility shall have the same meaning as provided in the Code of Colorado Regulations, Natural Medicine Division, 1 CCR 213-1, as may be amended from time to time.

Natural medicine facilitator or *facilitator* shall have the same meaning as provided in the Code of Colorado Regulations, Natural Medicine Division, 1 CCR 213-1, as may be amended from time to time.

Natural medicine healing center shall have the same meaning as “healing center” as provided in C.R.S. §§ 44-50-101 through 904 (the “Colorado Natural Medicine Code”), as may be amended from time to time.

Natural medicine participant or *participant* shall have the same meaning as “participant” as provided in C.R.S. §§ 44-50-101 through 904 (the “Colorado Natural Medicine Code”), as may be amended from time to time.

Natural medicine product shall have the same meaning as provided in C.R.S. §§ 44-50-101 through 904 (the “Colorado Natural Medicine Code”), as may be amended from time to time.

Natural medicine products manufacturer shall have the same meaning as provided in the Code of Colorado Regulations, Natural Medicine Division, 1 CCR 213-1, as may be amended from time to time.

Natural medicine services shall have the same meaning as provided in C.R.S. §§ 44-50-101 through 904 (the “Colorado Natural Medicine Code”), as may be amended from time to time.

Natural medicine testing facility shall have the same meaning as provided in the Code of Colorado Regulations, Natural Medicine Division, 1 CCR 213-1, as may be amended from time to time.

Regulated natural medicine shall have the same meaning as provided in C.R.S. §§ 44-50-101 through 904 (the “Colorado Natural Medicine Code”), as may be amended from time to time.

State licensing authority shall have the same meaning as “State licensing authority” as provided in C.R.S. §§ 44-50-101 through 904 (the “Colorado Natural Medicine Code”), as may be amended from time to time.

Section 6. **Section 4.20.050 – Amended.** Section 4.20.050 is amended with the addition of a natural medicine subcategory as follows:

Section 4.20.050. - Use category definitions.

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C. *Commercial uses.*

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2. *Use types.*

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m. *Natural medicine.* This use type includes the Town’s approved natural medicine uses.

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Section 7. **Safety Clause.** This Ordinance is deemed necessary for the protection of the public health, safety, and welfare.

Section 8. **Severability.** If any provision of this Ordinance or portion thereof is held by a court of competent jurisdiction to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect any other provision which can be given effect without the invalid portion.

Section 9. **Conflicts**. All prior ordinances, resolutions, or other acts, or parts thereof, by the Town of Eagle in conflict with this Ordinance are hereby repealed, except that this repeal shall not be construed to revive any previously repealed or expired act, ordinance or resolution, or part thereof.

INTRODUCED, READ, MOVED, AND ORDERED PUBLISHED ON APRIL 22, 2025.

TOWN OF EAGLE, COLORADO

By: _____

Scott Turnipseed, Mayor

ATTEST:

By: _____
Camille Deering, Town Clerk