

**TOWN OF MEAD, COLORADO
PLANNING COMMISSION
RESOLUTION NO. 04-PC-2024**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF MEAD,
COLORADO, RECOMMENDING APPROVAL TO THE BOARD OF TRUSTEES OF CERTAIN
AMENDMENTS TO THE MEAD MUNICIPAL CODE ESTABLISHING DEVELOPMENT
STANDARDS FOR NATURAL MEDICINE BUSINESSES**

WHEREAS, Section 16-3-160(d) of the Town of Mead Municipal Code ("MMC") sets forth that any amendments to the text of Chapter 16 of the MMC ("**Land Use Code**") may be initiated by the Board of Trustees, the Planning Commission, Town Staff, or the written application of any property owner or resident of the Town, and certain of such text amendments shall be reviewed and considered by the Planning Commission, prior to consideration by the Board of Trustees for enactment by ordinance; and

WHEREAS, pursuant to Proposition 122, approved by Colorado voters at the November 2022 general election ("**Prop122**"), limited use of certain psychedelic substances, or "**natural medicine**," as that term is defined in Colorado statutes, is decriminalized; and

WHEREAS, the State legislature enacted Senate Bill 23-290 (§ 44-50-101, et seq., C.R.S.) ("**Colorado Natural Medicine Code**") to create a regulatory structure for the operation and licensing of facilities involved in natural medicine services as permitted by Prop122, including use, cultivation, manufacture, and testing of natural medicines; and

WHEREAS, the Colorado Natural Medicine Code, as well as Prop122, prohibits local governments from banning licensed facilities, services, and use of natural medicines permitted by Prop122, while allowing local governments to regulate the time, place, and manner of operation of licensed facilities; and

WHEREAS, Town Staff has prepared amendments to Chapter 16 of the MMC, including the addition of Article XVI – Development Standards for Natural Medicine Businesses, as detailed in **Exhibits A and B**, attached to this Resolution and incorporated herein ("**Amendments**"), to establish development standards for natural medicine businesses in the Town of Mead; and

WHEREAS, the criteria by which text amendments to the Land Use Code are evaluated are set forth in Section 16-3-160(f) of the MMC; and

WHEREAS, in accordance with applicable requirements of the MMC, the Town Clerk has caused a notice of the Planning Commission public hearing on the Amendments to be published no later than fifteen (15) days prior to the hearing in a newspaper of general circulation; and

WHEREAS, the Planning Commission conducted the duly noticed public hearing on December 18, 2024, to consider the Amendments; and

WHEREAS, the MMC requires the Planning Commission to make a recommendation to the Board of Trustees to approve, conditionally approve or deny any proposed text amendment; and

WHEREAS, based upon evidence set forth in the Agenda Item Summary that was presented to the Planning Commission and other evidence offered and accepted at the public hearing, the Planning Commission has determined that the Amendments satisfy the approval criterion set forth in Sec. 16-3-160(f)(2) and (3) of the MMC and, if approved by the Board of Trustees, will provide for changes in

administrative practices necessary to accommodate changing community needs, and assist with the accommodation of innovations in land use and development practices that were not contemplated at the adoption of the Town's existing Code.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the Town of Mead, Colorado, that:

Section 1. Recitals incorporated. The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the Planning Commission.

Section 2. Findings. The Planning Commission finds and determines that it reviewed the Amendments in accordance with the procedure set forth in Sec. 16-3-160 of the MMC and that the public hearing on the Amendments was held, conducted, and concluded in accordance with Sec. 16-3-160 of the MMC.

Section 3. Recommendation. The Planning Commission recommends that the Board of Trustees approve the Amendments.

Section 4. Effective Date. This resolution shall become effective immediately upon adoption.

INTRODUCED, READ, PASSED AND ADOPTED THIS 18TH DAY OF DECEMBER, 2024.

ATTEST:

TOWN OF MEAD PLANNING
COMMISSION:

By: _____
Ana Bohl, Secretary

By: _____
Karen Peterson, Chair Pro Tem

EXHIBIT A

Amendments to Mead Municipal Code
Section 16-3-40 – Use regulations.

[To begin on the next page. Additions are shown underlined and in red.]

Sec. 16-3-40. Use regulations.

The principal uses allowed within the Residential, Nonresidential and Agricultural zoning districts are identified in Table 3.1 of this Section.

- (1) Use categories and specific uses. All of the use categories listed in the first column of Table 3.1 are defined in this code (Definitions and Terms). The first column of each of the use tables contains an abbreviated definition of the respective use category. If there is a conflict between the abbreviated definition and the full explanation contained in this code the provisions of full explanation will control. In some cases, "Specific Use Type" is listed in the second column of the table. If a Specific Use Type is listed in the table, that use type is allowed only within the districts that allow the broader use category.
- (2) Allowed uses. An "A" indicates that the listed use is allowed by right within the respective zoning district. Allowed uses are subject to all other applicable standards of the land use code.
- (3) Conditional uses. A "C" indicates that the listed use is allowed within the respective zoning district only after review and approval of a conditional use permit, in accordance with the review procedures in this code. Conditional uses are subject to all other applicable standards of the land use code.
- (4) Prohibited uses. A blank cell (one without an "A" or "C") indicates that the listed use type is not allowed within the respective zoning district, unless it is expressly allow by other regulation of this land use code.
- (5) Uses subject to specific regulations. Many uses are subject to use-specific regulations (in addition to general regulations that apply to development in general). The last column of the use table contains references to applicable use-specific standards.

Table 3.1 Principal Uses Allowed

Use Category	Specific Use Type	Residential					Nonresidential				T	Specified Use Standard (Reference No.)
		RSF-E	RSF-1	RSF-4	RMF-8	RMF-14	DMU	HC	GC	LI	AG	
RESIDENTIAL												
Household Living	Accessory dwelling unit	A	A	C			A				A	
	Duplex				A	A	C	C				
	Manufactured housing park			C	C	A	C					
	Multi-family units				A	A	A	C	C			16-350(14)
	Rooming/boarding house				A	A	A					
	Single-family detached (include manufactured housing)	A	A	A	A	A	C				A	
	Townhomes				A	A	A	C	C			
	All other household living			A	A	A	A	C	C			
Group Living	Assisted living facility	C	C	C	C	C	C	C	C		C	16-3-50(9)
	Large group living facility				C	C	C	C	C	C		
	Small group living facility	C	C	C	C	C	C	C	C		C	
	Treatment facility	C	C	C	C	C	C	C	C	C	C	
INSTITUTIONAL AND CIVIC												

Colleges & Vocational Schools	Colleges & universities				C	C	C	A	A	C		
	Vocational/technical/trade schools						C	A	A	A		
	All other educational institutions						C	C	C	C		
Community Service	Community activity building	A	A	A	A	A	A	A	A		C	
	All other community services	C	C	C	C	C	C	A	A	C	C	
Cultural	Museums, art galleries, libraries						A	A	A	C	C	
Day Care	Child care center, large					C	C	A	A	C		
	Child care center, small	C	C	C	C	C	C	C	A	C		
	Family child care, home	A	A	A	A	A						
Detention Facilities	Jails, honor camps, reformatories									C		Vote by Trustees
	Law enforcement rehab centers									C		Vote by Trustees
Hospital/Clinic	Medical & dental clinics					C	A	A	A	A		
	Counseling centers (nonresidential) (including healing centers in accordance with Article XVI of this Chapter 16)						A	A	A	A		
	Hospital/mental hospital						C	A	C	A		
	Physical & mental rehab (residential)						C	A	C	A		
	All other						C	C	C	C		
Public Property	Cemetery	A	C	C	C	C	C	C	A	A	A	
	Golf course	A	A	C	C	A	C	C	A	A	A	
	Golf driving range	A	C	C	C	C	C	C	A	A	C	
	Parks	A	A	A	A	A	A	A	A	A	A	
	Lakes and Reservoirs	A	A	C	C	C	C	C	C	A	A	
	All other Define	A	A	A	A	A	A	A	A	A	A	
Religious Assembly	Churches, temples, synagogues & mosques	A	A	A	A	A	A	A	A	A	A	16-3 50(15)
Safety Services	Fire station, police station, all others	C	C	C	C	C	A	A	A	A	C	
Schools	Boarding school	C	C	C	C	A	A	A	A			
	Elementary schools	A	A	A	A	A	A	A	A		A	
	Secondary schools	A	A	A	A	A	A	A	A		A	
Utilities, Basic	Utility service facilities (underground)	A	A	A	A	A	A	A	A	A	A	
	All other basic utilities	C	C	C	C	C	C	C	A	A	C	

Utility Corridors	Transmission lines (aboveground)	C	C	C	C	C	C	C	C	A	C	16-3-50(5)
	Transmission lines (underground)						C	C	A	A	C	
	Utility treatment, production or service facility								C	C		
	All other	C	C	C	C	C	C	C	C	C	C	
COMMERCIAL												
Entertainment Event, Major	Indoor facilities						C	C	C	C	C	
	Outdoor facilities							C	C	C	C	
Lodging	Bed & breakfast (1—3 guest rooms)	A	A	A	A	A	A	A	A		A	16-3-50(2)
	Bed & breakfast (4—5 guest rooms)	C	C	C	C	C	A	A	A		A	
	Hotels and motels						A	A	A			
Mixed Use Building	Mixed use building						A	A	A			
Offices	General offices						C	A	A	A		
	Office with drive-through							A	A			
Parking, Commercial	Parking lots or structure						A	A	A	A		
Recreation & Entertainment, Outdoor	Amusement park							C	C	C		
	Campgrounds							A	A		A	16-3-50(4)
	Drive-in theater							C	C	C		
	Miniature golf								A	A		
	Riding academy or equestrian area										A	
	RV park									C		
	Shooting ranges										C	
	Swimming pools					A	A	A	A		A	
	Zoos							C	C		C	
	All other outdoor recreation							C	C	C	C	
Retail Sale & Services	Adult entertainment									C		Subject to site approval.
	Alcohol sales, retail						A	A	A	C		
	Alcohol sales, by the drink (primary use)						A	A	A	C		
	Animal care/boarding/sales, indoor	A						A	A	A	A	
	Animal care/boarding/sales, outdoor							C	C	C		

	Brew pub						A	A	A	C		As accessory to an allowed restaurant use only
	Contractors & trade shops, indoor operation & storage							A	A	A		
	Contractors & trade shops, indoor operation & outdoor storage (including heavy vehicles)								C	A	A	
	Contractors & trade shops, outdoor operation & outdoor storage							C	C	A		
	Deliver & dispatch service (vehicles on-site)							C	C	A		
	Drive-through uses							C	C	C		
	Farm implement/equipment sales & service							A	A	A	C	Site Plan Required, 16-4-100
	Farmer's market/flea market						A	A	A	A	A	Subject to Site Approval.
	Feed store								A	A	C	
	Food services, catering						A	A	A	A		
	Food services, restaurant (including alcohol sales)						A	A	A	A		
	Food services, restaurant with drive-through							C	C	C		
	Fuel sales, automotive/appliance							A	A	A		
	Fuel sales, heavy vehicle							A		A		
Retail Sale & Services, (cont'd>	General retail sales, indoor operations display & storage						A	A	A	A		
	General retail sales, outdoor							C	C	A		16-3 50(11)

	operations display & storage											16-3 50(16)
	Landscape material sales								A	A		
	Manufactured building sales, service & storage								A			
	Rental service, indoor display/storage						A	A	A			
	Rental service, outdoor display/storage						C	C	A			
	Repair, small appliance						A	A	A			
	Repair, large appliance							A	A			
	Personal services					A	A	A	A			
	All other retail sales & services					A	A	A	C			
Self-Service Storage	Mini-storage warehouse, self-service storage, open air storage facilities							A	A			16-3-50 (18), Site Plan Required, 16-4-100
Vehicle Repair	Auto & light truck mechanical repair						A	A	A			
	Body shop							A	A			
	Truck stop/travel plaza						C		A			
	Tire recapping & storage								A			
	All other vehicle repair							C	A			
	Car wash						C	C	A			
Vehicle Service, Limited	Gasoline service station						A	A	A			
	Quick lubrication						A	A	A			
	All other vehicle service, limited							A	A			
INDUSTRIAL												
Manufacturing & Production - Indoor Operation - Indoor Storage	Assembly								A			
	Brewery, distillery, winery (5,000 sq. ft. or less, with an on-site tasting room)					A	A	A	A	A		
	Brewery, distillery, winery (over 5,000 sq. ft. with an onsite tasting room)						A	A	A	A		
	Brewery, distillery, winery without an on-site tasting room								A			
	Hazardous materials								C			
	Food products								A			

[illegible]

	Confined animal feeding operation, feedlot	C									C	16-3-50(6)
	Pasture	A									A	
	All other agriculture	C									A	
Aviation or Surface Passenger Terminal	Airports/heliports										C	
	Hazardous materials										C	
	Bus/commuter stops	A	A	A	A	A	A	A	A	A	A	
	Bus/railroad depot								C	C	A	
	All other aviation or surface passenger terminal								C	C	C	
Mining	Oil and gas drilling	C	C	C	C	C	C	C	C	C	C	16-3 50(19)
	Hazardous materials										C	
	Sand or gravel extraction or processing										C	16-3 50(13)
	All other mining										C	
Telecom Facilities	Telecommunication support structures							C	C	C	C	Ch. 16, Art. IX
	Telecommunications facilities						C	C	C	C	C	Ch. 16, Art. IX
Parks, Open Space, Public Buildings, Publicly Owned Maintenance Facilities, Water And Sewer Facilities		A	A	A	A	A	A	A	A	A	A	
<u>Natural Medicine Businesses (other than healing centers)</u>										<u>A</u>		<u>Chap. 16, Art. XVI</u>
Renewable Energy Facilities	Alternative Power Generation Facilities									C	C	Chap. 16, Art. XV
	Solar Energy Facilities, Small									A	A	Chap. 16, Art. XV
	Solar Energy Facilities, Medium (without Battery Storage System and/or High Voltage Overhead Power Lines)									A	A	Chap. 16, Art. XV
	Solar Energy Facilities, Medium (with Battery Storage System									C	A	Chap. 16, Art. XV

	and/or High Voltage Overhead Power Lines)											
	Solar Energy Facilities, Large									C	C	Chap. 16, Art. XV

EXHIBIT B

Amendments to Mead Municipal Code Chapter 16, Articles

[Article XVI shown underlined as an addition to Chapter 16.]

CHAPTER 16 – Land Use Code

ARTICLE XVI – Development Standards for Natural Medicine Businesses.

Sec. 16-16-10. – Definitions.

The following definitions apply for purposes of Chapter 16 of this Code.

“Facilitator” means a natural person who is twenty-one years of age or older, has the necessary qualifications, training, experience, and knowledge to perform and supervise natural medicine services for a participant, and is licensed to engage in the practice of facilitation by the director of the division of professions and occupations in the department of regulatory agencies pursuant to Article 170 of Title 12 of the Colorado Revised Statutes.

“Healing center” means a facility licensed by the NMD pursuant to the Natural Medicine Code where a facilitator can provide and supervise natural medicine services for a participant.

“Natural medicine” means psilocybin, psilocin, or any other substances included as part of that term as provided in the Natural Medicine Code.

“Natural medicine business” means any entity licensed by the NMD pursuant to the Natural Medicine Code, and includes natural medicine healing centers, natural medicine cultivation facilities, natural medicine products manufacturers, and natural medicine testing facilities.

“Natural Medicine Code” means the Colorado Natural Medicine Code, codified at Article 50 of Title 44 of the Colorado Revised Statutes, as may be amended from time to time.

“Natural medicine product” means a product infused with natural medicine that is intended for consumption as provided by the Natural Medicine Code.

“Natural medicine services” means a preparation session, administration session, and integration session provided pursuant to Article 170 of Title 12 of the Colorado Revised Statutes.

“NMD” means the Natural Medicine Division of the Colorado Department of Revenue.

“Participant” means a person who is twenty-one years of age or older and who receives natural medicine services performed by and under the supervision of a facilitator, as provided by the Natural Medicine Code.

Sec. 16-16-20. –Applicable Code provisions.

- (a) All approvals required pursuant to this Code, including Article IV of Chapter 16, shall be obtained to establish a natural medicine business.
- (b) All natural medicine businesses shall obtain a business license from the Town in conformance with Chapter 6 of this Code prior to commencing operations.
- (c) Except as otherwise provided in this Article XVI, applicable standards for the underlying zone district shall apply, including but not limited to:
 - 1. Dimensional standards including height limitations (Section 16-3-80)
 - 2. Lighting (Section 16-2-250)
 - 3. Signage (Chapter 16, Article VII)
 - 4. Architectural standards (Section 16-2-190)

Sec. 16-16-30. – Zoning limitations.

- (a) As long as the distance requirements and all other standards in this Article XVI are met, healing centers shall be permitted in all zone districts where counseling centers are permitted in accordance with Section 16-3-40 – Table 3.1.
- (b) As long as the distance requirements and all other standards in this Article XVI are met, all natural medicine businesses other than healing centers shall be permitted in the Light Industrial (LI) zone district, in accordance with Section 16-3-40 – Table 3.1

Sec. 16-16-40. – Specific use standards.

The following requirements shall apply to natural medicine businesses.

- (a) Security.
 - (i) All natural medicine businesses shall have a security plan for the secure storage of natural medicine and natural medicine products approved by the State of Colorado and shall provide the plan to the Town prior to Town’s issuance of a Certificate of Occupancy, and shall provide any updated plan(s) to the Town within ten (10) business days of approval by the State.
 - (ii) Window bars are required for all external windows in a natural medicine business, except for healing centers.
 - (iii) All natural medicine businesses shall have a video surveillance system that provides coverage of all facility entrances and exits.
 - (iv) All surveillance recordings shall be retained for a minimum of sixty (60) days and shall be in a digital format that can be easily accessed for viewing and that ensures authentication of the recording as being legitimately captured without alterations.
 - (v) In addition to maintaining surveillance recordings in a locked area on the licensed premises, a copy of the surveillance recordings must be stored at a secure off-site location or through a network “cloud” service that provides on-demand access to the recordings. The off-site location or network service provider shall be included in the security plan submitted to the Town and updated within seventy-two hours of any change to the location of cameras or provider.
 - (vi) Video surveillance records must be made available immediately upon request of the State or the Town Police Department.

(b) Screening, storage, secure waste disposal, and odor control.

- (i) All doorways, windows, and other building openings shall be located, covered, or screened in such a manner to prevent a view into the interior from any exterior public or semipublic area.**
- (ii) 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.**
- (iii) Natural medicine businesses shall provide secure disposal of natural medicine and natural medicine products, inclusive of natural medicine product remnants or by-products. Natural medicine and natural medicine products, inclusive of natural medicine product remnants or by-products, shall not be placed within the facility's exterior refuse container.**
- (iv) Natural medicine businesses shall use an air filtration and ventilation system designed to ensure that any 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.**

Sec. 16-16-50. – Distance requirements.

- (a) No natural medicine businesses shall be established within one thousand (1,000) feet of a child care center; preschool; elementary, middle, junior, or high school; or a residential child care facility, as provided in Section 44-50-302 of the Natural Medicine Code.**
- (b) No natural medicine businesses shall be established within one thousand (1,000) feet of any residential zoning district or public park, except that healing centers are exempt from this limitation.**
- (c) Distances referred to in this Section 16-16-50 shall be computed from the nearest property line of the land used for a school or other facility as contemplated in subsection (a) or zoned residential or used as a public park as contemplated in subsection (b). The distance shall be measured to the nearest portion of the building in which natural medicine services are provided, using a route of direct pedestrian access.**

Sec. 16-16-60. – State license(s).

- (a) Natural medicine businesses shall provide the Town with all required licenses, approved by and obtained from the State of Colorado, prior to Town's issuance of Certificate of Occupancy in accordance with the International Building Code, as adopted and amended by the Town.**
- (b) Natural medicine businesses shall notify the Town within five (5) days of revocation or suspension of any State-issued license.**