

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. 5244

AN ORDINANCE AMENDING SECTIONS OF THE ZONING AND DEVELOPMENT CODE (TITLE 21 OF THE GRAND JUNCTION MUNICIPAL CODE) CREATING PROVISIONS TO REGULATE NATURAL MEDICINE AS THE SAME IS DEFINED BY THE COLORADO NATURAL MEDICINE HEALTH ACT

Recitals

The City Council desires to maintain effective zoning and development regulations (Code) that implements the vision and goals of the Comprehensive Plan while being flexible and responsive to changing State law. Accordingly, the Code is reviewed and amended as necessary. This Ordinance provides certain amendments to the Code.

During the 2023 legislative session, the Colorado General Assembly enacted legislation concerning natural medicine, such as psilocybin and psilocyn, allowing those substances to be provided in a regulated access model at licensed Healing Centers by and with Licensed Facilitators. If the initial program is found to be successful and recommended by the Natural Medicine Advisory Board, the natural medicines provided could be expanded to include ibogaine, mescaline, and dimethyltryptamine.

Local jurisdictions are preempted from prohibiting a Facilitator from operating within a jurisdiction's boundaries, provided the Facilitator is properly licensed, but may adopt reasonable regulations that are consistent with the Natural Medicine Health Act. The purpose of this Ordinance/the proposed regulations is to respond to the new State law and ensure that there is clarity if a facility(ies) locates within City limits.

After public notice and public hearing, the Grand Junction City Council finds that the amendments to the Code implement the vision and goals of the Comprehensive Plan and that the amendments provided in this Ordinance are responsive to the community's desires, encourage orderly development of real property in the City, and otherwise advance and protect the public health, safety, and welfare of the City and its residents.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:

In consideration of the foregoing Recitals the following sections of the zoning and development code (Title 21 of the Grand Junction Municipal Code) are amended as follows (deletions ~~struck through~~, added language underlined):

...

21.04.020 PRINCIPAL USE TABLE

(e) Use Table

Zone Districts	..	RH-24	MU-1	MU-2	MU-3	CG	I-OR	I-1	I-2	P-1	P-2	Use-Specific Standards
Public, Institutional, and Civic Uses												
...												
Health Facilities												
Hospital			C	A	C	C	C				C	
Medical or dental clinic		A	A	A	A	A	A	A				§21.04.030(c)(3)
...												
Industrial Uses												
Manufacturing and processing												
...												
Industrial, light				A	A	A	A	A	A			§21.04.030(e)(9)
...												

21.04.030 USE-SPECIFIC STANDARDS

(c) Public, Institutional, and Civic Uses

...

(3) Natural Medicine Healing Center

- (i) A Natural Medicine Healing Center shall be an allowed use in all districts in which Medical or dental clinics are allowed, except RH-24.
- (ii) No Natural Medicine Healing Center shall be permitted to operate within 1000 feet of any Child Day Care Center or Public or Private School.
- (iii) Subsections (ii) above shall not apply to a Natural Medicine Healing Center that was actively doing business under a valid license prior to any other use referenced in subsection (ii) being constructed.
- (iv) No Natural Medicine Healing Center shall be permitted to operate in the City unless it is licensed by the State Licensing Authority.

...

(e) Industrial Uses.

...

(9) Natural Medicine Cultivation Facilities, Products Manufacturers, and Testing Facilities.

- (i) Natural Medicine Cultivation Facilities, Products Manufacturers, and Testing Facilities shall be allowed uses in any zone in which the Industrial, light use is allowed.
- (ii) No Natural Medicine Cultivation Facility, Products Manufacturer, or Testing Facility shall be permitted to operate within 1000 feet of any Child Day Care Center or Public or Private School.
- (iii) Subsection (ii) above shall not apply to a Natural Medicine Cultivation Facility, Products Manufacturer, or Testing Facility that was actively doing business under a valid license prior to any other use referenced in subsection (ii) being constructed.
- (iv) No Natural Medicine Cultivation Facility, Products Manufacturer, or Testing Facility shall be permitted to operate in the City unless it is licensed by the State Licensing Authority.

21.14.010 MEASUREMENTS

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(b) Distances. Unless otherwise specified, separation distances shall be calculated as a radial buffer extending from property lines of the use to be buffered (i.e., 'as the crow flies').

...

- (1) Cannabis Operation or Natural Medicine Separation. The separation distance shall be computed by direct measurement from the nearest property line of the land use to the nearest portion of the building or unit in which the ~~regulated cannabis is to be sold~~ use is to occur, using a route of direct pedestrian access, measured as a person would walk safely and properly, without trespassing or utilizing alleys, following striping or parking patterns or on-site designated pedestrian routes, with right angles at crossings and with the observance of traffic regulations and traffic signals.

21.14.020 DEFINITIONS

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(b) Terms Defined

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Industrial, light

means the assembly, fabrication, or processing of goods and materials using processes that ordinarily do not involve significant truck traffic or railroad operations and do not create material amounts of noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building or lot where such assembly, fabrication, or processing takes place, and where such processes are

housed entirely within an enclosed building, except as may be authorized in this Code. Light manufacturing generally includes processing and fabrication of finished products predominantly from previously prepared materials and includes processes not involving flammable or explosive materials. Examples of activities include but are not limited to commercial laundries, food products and wholesale bakeries, newspaper and printing establishments, hair products and barbering supplies, signs and other metal workings, architectural and artist supplies, ceramics and miscellaneous clothing or accessories, small medical or specialty equipment, or musical instruments; and assembly of small appliances or equipment. This use includes research, testing, and non-medical laboratory facilities, and Natural Medicine Cultivation Facilities, Products Manufacturers, and Testing Facilities.

...

Medical or dental clinic

means a health care facility where patients are admitted for examination and treatment on an outpatient basis by one or more physicians, dentists, other medical personnel, psychologists, counselors, therapists, or social workers, and where patients are not usually lodged overnight. This use includes dialysis and other outpatient services clinics and emergency care clinics without ambulance services. This use includes establishments providing support to the medical profession and patients, such as medical and dental laboratories, blood banks, oxygen, and miscellaneous types of medical supplies and services. This use also includes Natural Medicine Healing Centers.

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Natural Medicine-Related Definitions

Facilitator

A natural person who meets the criteria for a “facilitator” as that term is defined in the Colorado Natural Medicine Code.

Natural Medicine

Psilocybin or psilocin and other substances described in the Colorado Natural Medicine Code as “Natural Medicine.”

Natural Medicine Cultivation Facility

A location where Regulated Natural Medicine is grown, harvested, and prepared in order to be transferred and distributed to either a Healing Center, a Natural Medicine Products Manufacturer, or to another Natural Medicine Cultivation Facility.

Natural Medicine Healing Center

A facility licensed by the state licensing authority pursuant to the Colorado Natural Medicine Code that permits a facilitator to provide and supervise natural medicine services for a participant.

Natural Medicine Product

A product that is infused with natural medicine and intended for consumption.

Natural Medicine Products Manufacturer

A person who manufactures Regulated Natural Medicine Products for transfer to a Natural Medicine Healing Center or to another Natural Medicine Products Manufacturer.

Natural Medicine Testing Facility

Means a public or private laboratory licensed and certified or approved by the division of professions and occupations to perform testing and research on Regulated Natural Medicine and Regulated Natural Medicine Product.

Participant

A person who is at least twenty-one years of age receives natural medicine services performed by and under the supervision of a Natural Medicine Facilitator as provided in the Colorado Natural Medicine Code.

Regulated Natural Medicine

Natural medicine that is cultivated, manufactured, tested, stored, distributed, transported, or dispensed as provided in the Colorado Natural Medicine Code.

Regulated Natural Medicine Product

A Natural Medicine Product that is cultivated, manufactured, tested, stored, transported, or dispensed as provided in the Colorado Natural Medicine Code.

State Licensing Authority

The authority created for the purpose of regulating and controlling the licensing of the cultivation, manufacturing, testing, storage, distribution, transportation, transfer, and dispensation of regulated natural medicine and regulated natural medicine product pursuant to the Colorado Natural Medicine Code.

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INTRODUCED on first reading this 18th day of December 2024 and ordered published in pamphlet form.

ADOPTED on second reading this 15th day of January 2025 and ordered published in pamphlet form.

ATTEST:



Abram Herman
President of the City Council



Selestina Sandoval
City Clerk

I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 5244 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 18th day of December 2024 and the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, in pamphlet form, at least ten days before its final passage.

I FURTHER CERTIFY THAT a Public Hearing was held on the 15th day of January 2025, at which Ordinance No. 5244 was read, considered, adopted, and ordered published in pamphlet form by the Grand Junction City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 21st day of January 2024.


Deputy City Clerk

Published: December 21, 2024
Published: January 18, 2025
Effective: February 17, 2025

