

**TOWN OF SEVERANCE, COLORADO  
ORDINANCE NO. 2025-22**

**AN ORDINANCE OF THE SEVERANCE TOWN COUNCIL  
ADOPTING A NEW ARTICLE 21 IN CHAPTER 16 REGARDING LOCAL  
REGULATION OF NATURAL MEDICINE AND AMENDING SECTION 16.6.40.3  
REGARDING DEVELOPMENT NODES USES**

**WHEREAS**, the Town of Severance, Colorado (Town) is duly organized and validly exists as a Home Rule Town under Article XX, Section 6 of the Colorado Constitution and the Town’s Home Rule Charter; and

**WHEREAS**, pursuant to C.R.S. § 31-15-401, the Town possesses the authority to adopt laws and ordinances within its police power in furtherance of the public health, safety, and welfare; and

**WHEREAS**, C.R.S. § 29-20-101, *et seq.*, provides the Town with the broad authority to plan for and regulate the use of land to best protect and promote the health, safety, and general welfare of the present and future inhabitants of the Town and to guide future growth, development, and distribution of land uses within the Town; and

**WHEREAS**, pursuant to C.R.S. § 31-23-301, *et seq.* the Council has authority to adopt and enforce zoning regulations; and

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

**WHEREAS**, the Colorado Natural Medicine Code (Regulatory Act), codified in C.R.S. §§ 44-50-101 through 904 authorizes Town Council to enact ordinances regulating the time, place, and manner of the operation of licenses issued pursuant to the 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 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 Regulatory Act authorizes Council to enact zoning ordinances identifying the area where cultivation, manufacturing, testing, storage, distribution, transfer, and dispensation of natural medicine and natural medicine products as defined by the Regulatory Act may be permitted in the Town; and

**WHEREAS**, the 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 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 Council finds that it is in the best interest of the health, safety, and welfare of the Town and its residents to adopt a new Article 21 in Chapter 16 titled *Natural Medicine* to encompass local regulations surrounding natural medicine in the Town; and

**WHEREAS**, the Council finds that it is in the best interest of the health, safety, and welfare of the Town and its residents to amend Section 16.6.30.3 and Section 16.6.40.3 to identify the areas where natural medicine healing centers and natural medicine businesses other than healing centers may operate within the Town; and

**WHEREAS**, on March 19, 2025, Council adopted Ordinance No. 2025-09 titled *An Emergency Ordinance of the Severance Town Council Imposing a Temporary Moratorium on the Submission, Acceptance, Processing, and Approval of Applications for and/or the Establishment of Natural Medicine Healing Centers and Businesses within Town Limits* (Temporary Moratorium); and

**WHEREAS**, on September 9, 2025, Council adopted Ordinance No. 2025-21 titled *An Emergency Ordinance of the Severance Town Council Extending the Temporary Moratorium on the Submission, Acceptance, Processing, and Approval of Applications for and/or the Establishment of Natural Medicine Healing Centers and Businesses within Town Limits* (Temporary Moratorium Extension); and

**WHEREAS**, Section 2(b) of the Temporary Moratorium Extension established that the Temporary Moratorium shall terminate on the 9th day of October, 2025 unless terminated at an earlier date or extended by further Ordinance by Council; and

**WHEREAS**, the Temporary Moratorium Extension shall expire upon the effective date of the adoption of this Ordinance.

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

**Section 1.** The foregoing recitals are incorporated herein as conclusions, facts, determinations, and findings by the Town Council.

**Section 2.** Chapter 16 of the Severance Municipal Code is hereby amended by the adoption of a new Article 21 titled *Natural Medicine* to read in its entirety as follows:

**Sec. 16.21.10            Definitions**

For purposes of this Chapter, the following words, terms, and phrases shall have the following meanings:

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

*Natural Medicine Business* means any of the following entities licensed under the Regulatory Act and includes a natural medicine healing center, a natural medicine cultivation facility, a natural medicine products manufacturer, or 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 Regulatory Act, to provide and supervise natural medicine services for a participant as defined by the 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 Regulatory Act.

*Natural medicine services* mean a preparation session, administrative session, and integration session, as provided by the 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 Regulatory Act.

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

*Regulatory Act* means the Colorado Natural Medicine Code codified in Colorado Revised Statutes. *State licensing authority* means the authority created under the 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 Regulatory Act

**Sec. 16.21.20 Permitted location for natural medicine healing centers.**

Natural medicine healing centers shall be a use permitted by right in the Development Nodes Zone Districts subject to the distance, time, manner, and place requirements contained in this Chapter 16.21. Natural medicine healing centers are prohibited in all other zoning districts in the Town.

**Sec. 16.21.30 Permitted locations for natural medicine businesses other than healing centers.**

Natural medicine businesses other than natural medicine healing centers including, but not limited to, cultivation facilities, natural medicine products manufacturers, natural medicine testing facilities, and other licensed natural medicine business entities created by the state licensing authority shall be a use permitted by right in the Development Node Zone Districts subject to the distance, time, manner, and place requirements contained in this Chapter 16.21. Such natural medicine businesses other than natural medicine healing centers are prohibited in all other zoning districts of the Town.

**Sec. 16.21.40 Distance from Schools.**

- (a) No natural medicine healing center or natural medicine business shall operate out of a building that is within one thousand (1,000) feet of a licensed childcare center, preschool, elementary, middle, junior, or high school, or a licensed residential childcare facility (collectively "School").
- (b) Subsection (a) does not apply to a properly licensed natural medicine healing center or natural medicine business that was actively doing business before a School was established and/or constructed within one thousand (1,000) feet of such natural medicine healing center or natural medicine business.
- (c) The distances referred to in this Section shall be computed by direct measurement from the nearest property line of the land used for a School to the nearest portion of the building in which the natural medicine healing center or natural medicine business exists or services are provided using a route of direct pedestrian access.

**Sec. 16.21.50                   Hours of operation – natural medicine services.**

Natural medicine healing centers and natural medicine businesses that provide natural medicine services shall be permitted to operate Monday through Friday between 8:00 a.m. and 6:00 p.m.

**Sec. 16.21.60                   Public view of natural medicine businesses and natural medicine services.**

All doorways, windows, and other openings of natural medicine business buildings shall be located, covered, or screened in such a manner to prevent a view into the interior from any exterior public or semipublic area. All activities of natural medicine businesses and natural medicine services shall occur indoors.

**Sec. 16.21.70                   Lighting of natural medicine businesses.**

Primary entrances, parking lots, and exterior walkways of natural medicine businesses shall be clearly illuminated with downward facing security lights to provide after-dark visibility for facilitators, participants, and employees, subject to all applicable Town lighting standards.

**Sec. 16.21.80                   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.

**Sec. 16.21.90                   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.

**Sec. 16.21.100                 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.

**Sec. 16.21.110                Processing of Natural Medicine.**

- (a) 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.
- (b) 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.

- (c) The processing of natural medicine shall meet the requirements of all adopted Town building and life/safety codes.
- (d) The processing of natural medicine shall meet all of the requirements of all adopted water and sewer regulations promulgated by the applicable water and sewer provider.

**Sec. 16.21.120          Nuisance**

- (a) It is unlawful and deemed a nuisance to:
  - (1) Operate a natural medicine business in violation of any of the requirements set forth in state law or regulation or this Chapter 16.21.
  - (2) Dispose of, discharge out of or from, or permit to flow from any facility associated with natural medicine any foul or noxious liquid or substance of any kind whatsoever including, without limitation, by-products of the natural medicine process into or upon any adjacent ground or lot, into any street, alley, or public place or into any municipal storm sewer and/or system in the Town.

Any such violation of this Chapter is subject to the General Penalty provision of the Severance Municipal Code Chapter 1 Article 4.

**Section 3.**      Section 16.6.40.3(c) – Development Nodes – Uses – of the Severance Municipal Code is hereby amended to read as follows:

**Sec. 16.6.40.3. – Development Nodes – Uses.**

- (a) Uses by right.

...

- (2) Mixed land uses:

- a. Live/work units and buildings
- b. Mixed-used buildings (residential, commercial, office, workshops, etc.)
- c. Agricultural uses (ranching, farming, grazing, etc.).
- d. **Natural medicine healing centers.**
- e. **Natural medicine businesses other than healing centers.**

**Section 5.**      Severability. The provisions of this Ordinance are severable and the invalidity of any section, phrase, clause, or portion of the Ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of the ordinance.

