

17.64.140 – Legal Nonconforming Use.

- A. Any person who is the owner and/or operator of an existing business within the Town and is seeking to expand that business by operating a natural medicine healing center may apply to the Director for an exemption from the location requirements set forth in Section 17.64.030 and/or the distance restrictions set forth in Section 17.64.050 if such person:
1. Submits written notice of their intent to seek an exemption pursuant to this section to the Director by no later than December 31, 2024;
 2. Submits information in a form reasonably acceptable to the Director by no later than January 31, 2025, demonstrating that such person:
 - (i) Has filed an application for a natural medicine healing center license with the State of Colorado natural medicine division; and
 - (ii) Has employed or contracted with, or will employ or contract with at least one natural medicine facilitator licensed by the State of Colorado Natural Medicine Division; and
 3. Submits information in a form reasonably acceptable to the Director by no later than June 30, 2025, demonstrating that such person:
 - (i) Has been issued a valid natural medicine healing center license by the State of Colorado Natural Medicine Division; and
 - (ii) Is currently employing or contracting with at least one natural medicine facilitator licensed by the State of Colorado Natural Medicine Division.
 4. No person may commence the operation of a natural medicine healing center under an exemption granted pursuant to this section unless and until each of the requirements of subsection A.3 have been met and such person has submitted to the Director:
 - (i) A diagram or map of the physical location of the natural medicine healing center; and
 - (ii) A security plan for the security and/or surveillance of the natural medicine healing center and for the secure storage of natural medicine and natural medicine products approved by the State of Colorado Natural Medicine Division.
- B. In order to be eligible for an exemption pursuant to this section, a natural medicine center must be located within the boundaries of:
1. A B-Business/Commercial zoning district;

2. An I-1-Light Industrial or I-2-General Industrial zoning district;
 3. An underlying B-Business or Commercial zoning district within the Downtown Overlay District, Wolfensberger Overlay District or Front Street Overlay District;
or
 4. A business or commercial use area within a PD Planned Development District in which clinics are a permitted use under the applicable zoning regulations.
- C. For purposes of this section, a natural medicine healing center that is granted an exemption by the Director pursuant to this section shall be considered a nonconforming use within the meaning of Section 17.16.040, and shall be subject to restrictions governing continuance of a nonconforming use set forth in Section 17.16.050.