



AGENDA
WOODLAND PARK PLANNING COMMISSION
Thursday, March 13, 2025, 6:30 P.M.
Council Chambers – 220 W. South Avenue

Zoom link from the calendar at the bottom of the front page of the City website (www.woodlandpark.gov).

1. **CALL TO ORDER & ROLL**
2. **PLEDGE OF ALLEGIANCE**
3. **APPROVE MINUTES:** February 13, 2025
4. **PUBLIC HEARINGS:**
 - A. **(25-0010) Pines at Stone Ridge Preliminary Plat Extension:** Request by Kevin Kofford (applicant) and Craig O'Boyle, Go Beyond, LLC (Property Owner) for approval of a 1-year extension of the approved Pines at Stone Ridge preliminary plat for 49 townhomes and 20 patio homes on the 9.01± acre tracts located southeast of Ridgestone Drive and Research Drive, zoned PUD and legally described as Tracts A & F, Stone Ridge Subdivision (a portion of Sections 12, 13 & 14, T12S, R69W of the 6th PM, in the City of Woodland Park, Teller County, CO). **(QJ)**
 - B. **ITEM PULLED – TO BE RESCHEDULED**
~~(A25-0022) Woodland Station Filing No. 2 Final Plat:~~ A request by TAVA House Properties LLC (Applicant and Property Owner).
 - C. **An Ordinance of the Woodland Park City Council Amending Title 18** of the City's Municipal Code by Adopting a New Chapter 18.80 Regarding Local Regulation of Natural Medicine and Amending Chapter 18.09.090 Regarding Table of Permitted Uses **(L)**
The City Council Public Hearing is currently scheduled for Thursday, April 17, 2025 at 6:30 P.M.
 - D. **An Ordinance of the Woodland Park City Council Amending Title 17 and Title 18** of the Woodland Park Municipal Code, Concerning Subdivisions and Zoning, to Address Water Availability Necessary for Future Development and Expansion of Uses and Impact **(L)**
The City Council Public Hearing is currently scheduled for Thursday, April 17, 2025 at 6:30 P.M.
5. **REPORTS**
6. **ADJOURN**

WOODLAND PARK PLANNING COMMISSION
MEETING MINUTES for February 13, 2025
Council Chambers, 220 W. South Avenue, Woodland Park

This meeting was a hybrid meeting with in-person and virtual attendance. The Zoom meeting link is in the calendar on the City website front page. Public input is very important to the Planning Commission. Comments were encouraged in writing in advance of the meeting to be submitted by mail to the Planning Department at PO Box 9007, Woodland Park, CO, 80866 or email to kschminke@woodlandpark.gov.

1. CALL TO ORDER & ROLL:

Vice-Chair Larry Larsen called the meeting to order at 6:30 pm.

Present	Commissioner Don Hoying
Present	Vice-Chair Larry Larsen
Present	Commissioner Kenneth Kennedy
Present	Commissioner Jarrod Newcom
Present	Commissioner Don Dezelle
Absent	Chair Lee Brown
Present	Commissioner Ken Hartsfield
Staff Present:	Planning Director Karen Schminke via Zoom
	Senior Planner CJ Gates

2. PLEDGE OF ALLEGIANCE

- 3. APPROVE MINUTES:** Commissioner Hartsfield moved and Commissioner Jarrod Newcom seconded the approval of the January 23, 2025 Planning Commission minutes. Commissioner Kennedy chose to abstain from the vote because he did not attend the the January 23, 2025 Planning Commission Meeting. Motion carried unanimously.

ADJOURN: The meeting was adjourned at 6:33 p.m. and the Planning Commission continued with the scheduled work session.

Approved this ____ day of _____, 2025 by

Lee Brown, Chair



Planning Commission Staff Report PC Public Hearing March 13, 2025

Agenda Item

4A

Department

Planning

Presenter

C.J. Gates
Senior Planner

AGENDA ITEM 4A

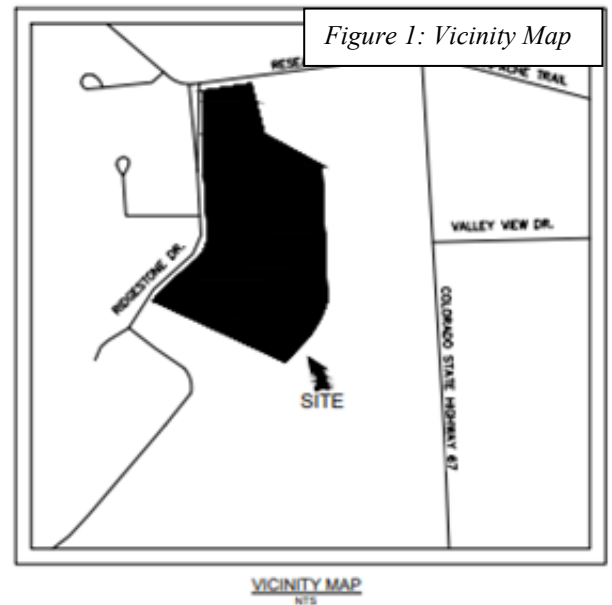
(25-0010) Pines at Stone Ridge Preliminary Plat Extension: Request by Kevin Kofford (applicant) and Craig O'Boyle, Go Beyond, LLC (Property Owner) for approval of a 1-year extension of the approved Pines at Stone Ridge preliminary plat for 49 townhomes and 20 patio homes on the 9.01± acre tracts located southeast of Ridgestone Drive and Research Drive, zoned PUD and legally described as Tracts A & F, Stone Ridge Subdivision (a portion of Sections 12, 13 & 14, T12S, R69W of the 6th PM, in the City of Woodland Park, Teller County, CO). **(QJ)**

BACKGROUND

Annexation of the 200-acre Stone Ridge Village property was approved by City Council on July 18, 2002. Two years later, a PUD zone district was established with approval of a PUD Final Development Plan and Preliminary Plat. Stone Ridge PUD is a unique blend of single-family residential neighborhoods, a variety of multi-family units, commercial tracts for offices, churches, institutional uses and neighborhood services with more than 51 acres of public open space.

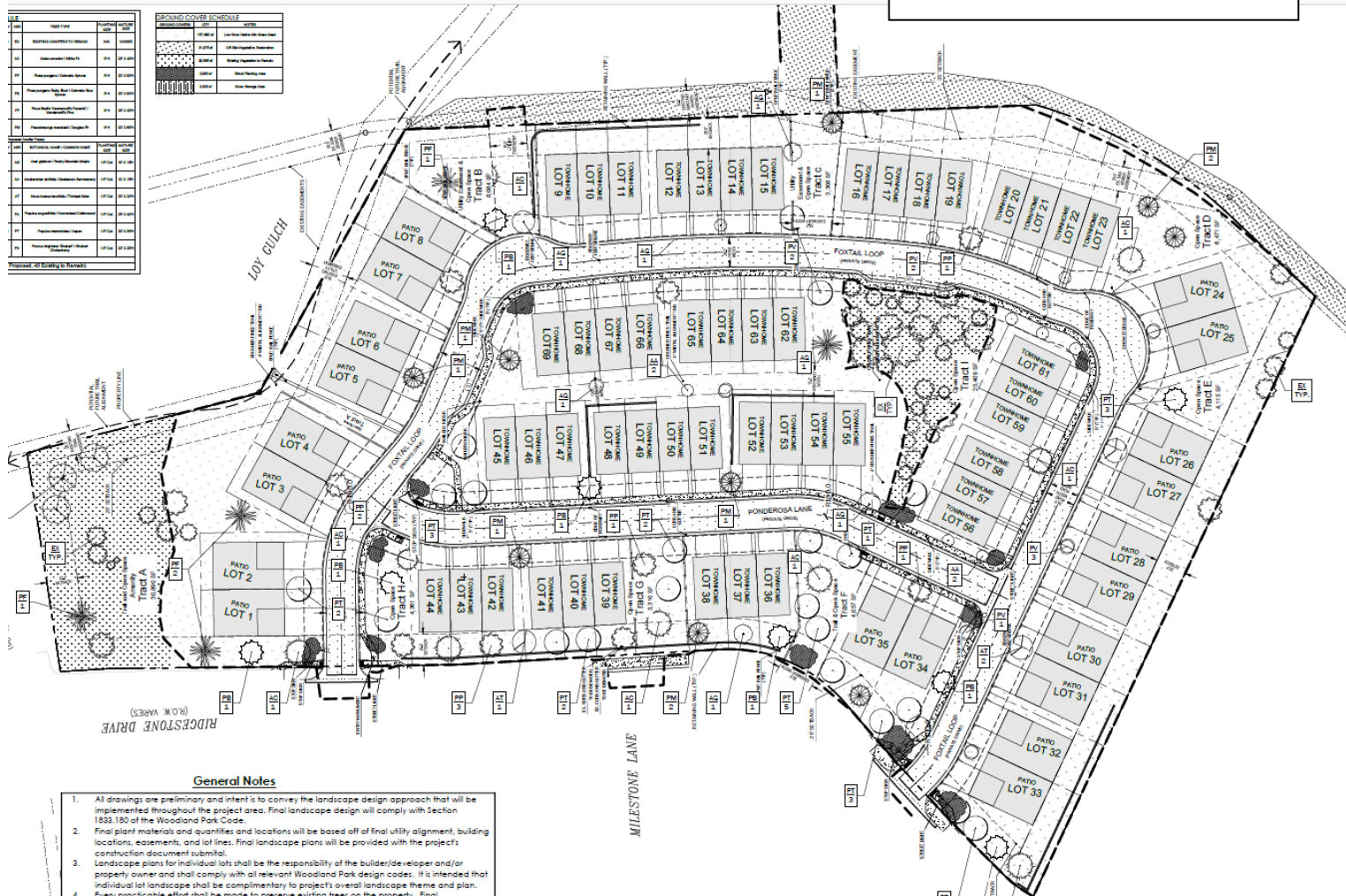
The Preliminary Plat and PUD Final Development Plan for the Stone Ridge Village development were approved March 18, 2004. Stone Ridge Village Filings No. 1 and No. 2 were approved October 5, 2006 with 71 single-family lots. Stone Ridge Village Filing No. 3 was approved on September 21, 2017 with 28 lots on 11.87 acres. Stone Ridge Village Filing No. 4 was approved on July 18, 2019 with 21 lots 9.44 acres. Most recently, Stone Ridge Village Filing No. 5 was approved by City Council on April 20, 2023. Filing 5 consisted of a total of 18 single-family lots.

The original preliminary plat for this development, Pines at Stone Ridge, was originally designed with a 50' access and utility easement between two Tracts (A & F) and the approved uses allowed for a total of 77 dwelling units with 58 apartment units on Tract A and 19 patio homes on Tract F. In 2022, the applicant applied for a PUD amendment to change the uses for this area. The modifications to the previous approved PUD were to allow townhomes instead of apartments; an



integrated design with 20 patio homes and 49 townhouses intermixed; two entrances from Ridgestone Drive with an internal road that loops through the property; and the open space was changed from a linear strip on the perimeter of each Tract to a larger central area with several smaller areas and trail connections. Lot sizes for patio homes are a minimum of 3,581 SF with the average being 4,672 SF; townhomes have a minimum lot size of 1,862 SF with an average of 2,452 SF. The anticipated building footprints are 2,185 SF for patio homes and 1,287 SF for townhomes. Planning Commission approved this application on April 14, 2022, and Figure 2 below is the approved Development Plan for the Pines at Stone Ridge.

Figure 2: Approved Development Plan



Since the approval of the new preliminary plat on April 14, 2022, the City of Woodland Park Planning department issued Grading and Infrastructure Zoning Development Permits for the subject property on January 16, 2024. While a permit to begin grading and installation of the infrastructure has been issued, this work has yet to commence. If construction does not commence by January 16, 2026, the applicant will need to renew the approved Grading and Infrastructure Zoning Development.

The initial approval of the amended PUD and Preliminary Plat was valid for two years. On April 18, 2024, City Council approved Resolution 921, Series 2024 that extended the approved Preliminary Plat for one year to April 14, 2025, and Planned Unit Development for two years to April 14, 2026.

Extensions of PUD plans are governed by Municipal Code §18.30.050 and run for two years with the ability to obtain two-year extensions. After an initial two-year approval, preliminary plats are subject to annual renewal as specified in the following Code section:

Pursuant to Municipal Code §17.20.090 – Approval – Extension:

Approval of the preliminary plat shall be valid for no longer than twenty-four months. One-year extensions of time may be applied for in writing to the planning commission. Submission of the final plat extends approval of the preliminary plat until the final plat is acted upon. All, or any portion of an approved preliminary plat, may be submitted for final plat purposes. In the case of partial submission, the approval of the remaining portion of the preliminary plat shall automatically gain an extension of one year before another phase of the plat must be submitted in final form. (Ord. 327 § 2 (Sec. 2(C) (9)), 1984)

On January 13, 2025 City Planning staff received an application from the applicant and property owner to extend the approved Preliminary Plat for one-year. If this extension is approved by Planning Commission, the Preliminary Plat will expire April 14, 2026.

REFERRALS AND NOTIFICATIONS

Adjacent property owners within 150 feet were mailed a letter notifying them of the application as well as all meeting dates including the scheduled Planning Commission public hearing. Staff has received no written comments regarding this extension proposal.

The application was referred to the City Utilities/Public Works Director, the City Attorney, the City Inspector, the City Engineer, and the City Manager as well as external referral agencies including CORE, Black Hills Energy, CDOT, North East Teller County Fire Protection District (NETCFPD), and the City of Woodland Park Police Department.

CORE submitted a written response to City staff on February 14, 2025 and stated, “CORE Electric Cooperative does not approve the Preliminary Plat Extension. The Preliminary Plat submitted with the applicant does meet CORE’s utility easement requirements communicated to the applicant on previous referral responses.” CORE provided a similar comment during the initial review of this application in 2022, which was addressed by the applicant and Planning Commission at that time. The approved preliminary plat and condition 6 within Resolution 921, Series 2024 (attached) that specifies minimum driveway length for each unit in the subdivision was found to address CORE’s original comments. This application does not seek to change any prior conditions of approval but is merely a request for an extension of the prior approval of the Preliminary Plat for the Pines at Stone Ridge.

STAFF FINDINGS

As there are no regulations to assess, staff does not have a position or recommendation on this extension request.

If the Planning Commission finds that an extension is warranted and grants the one-year extension of the Preliminary Plat, then the approved Preliminary Plat will expire April 14, 2026 and the development is still subject to all of the conditions and standards with the original approval.

ATTACHMENTS

1. Application
2. 2022 PUD Amendment Approval Letter
3. Resolution 921, Series 2024



2024 GENERAL APPLICATION

(Revised 1/1/2024)

Project # A25-0010
Case # SUB2021-014
Fee(s): See City of Woodland Park
Fees Sheet (Plus publication/recording
fees, as applicable)

REC. 1/9/2025

Type of Application (Check one or more as applicable)

- | | | |
|--|---|---|
| ☐ Site Plan Review Permitted Use | ☐ Special Use Permit | ☐ Preliminary Plat |
| ☐ Site Plan Review Conditional Use | ☐ Planned Unit Development (PUD) | ☐ Exemption Plat |
| ☐ Conditional Use Permit | ☐ PUD Amendment | ☐ Final Plat |
| ☐ Zoning Change | ☐ Appeal | ☐ Townhouse Plat |
| ☒ Extension of Development | ☐ Variance | ☐ Condominium Plat |

1. Applicant Information

- a. Applicant Name Kevin Kofford
- b. Project Coordinator ☒ Property Owner ☐
- c. Mailing Address 2 North Nevada, Suite 900 Colorado Springs, CO 80903
- d. E-mail Address kevin.kofford@kimley-horn.com
- e. Phone Numbers Home 719-453-0181 Work _____ Mobile 719-352-9194

2. Property Owner Information (if different from above)

- a. Name Craig O'Boyle, Go Beyond, LLC Project Contact? Yes ☒ No ☐
- b. Mailing Address 1685 W Uintah St. Suite 213, Colorado Springs, CO 80904
- c. E-mail Address craig.oboyle@oboylegroups.net
- d. Phone Numbers Home 719-576-7373 Work _____ Mobile _____

3. Site Information

- a. Site Address Millstone Ln. & Stone Ridge Dr., Woodland Park, CO, 80863 (Parcel ID: 6229.132000880)
- b. Lot _____ Block _____ Subdivision _____ Parcel ID: 6229.132000900
- c. Property Zoning PUD Lot Size +/- 9.01 ac Acres ☒ Square Feet ☐

4. Is the property subject to covenants? Yes ☐ No ☒ If yes, then submit copy of covenants and current contact for HOA. It is the responsibility of the landowner to submit HOA approval with this application.

5. Project Information

- a. Project Name The Pines at Stone Ridge
- b. Brief Description of Project/Request Request of a Preliminary Plat Extension (12 month Extension from April 14th)

Project Narrative (On a separate sheet provide additional project details and how the proposal complies with the applicable code requirements, which can be found in Section 8 of this application.)

5. Consultant Information (if applicable)

a. Architect

- i. Project Contact Scott Schuster
- ii. Firm Name Echo Architecture + Interiors
- iii. Physical Address 4 South Wahsatch #120, Colorado Springs, CO 80903
- iv. Mailing Address 4 South Wahsatch #120, Colorado Springs, CO 80903
- v. E-mail Address scott@echo-arch.com
- vi. Phone Numbers: Business 719-0387-7836 #102 Mobile _____

b. Engineer

- i. Project Contact Kevin Kofford
- ii. Firm Name Kimley-Horn and Assoicates, Inc.
- iii. Physical Address 2 North Nevada Avenue, Suite 900, Colorado Springs, CO 80903
- iv. Mailing Address 2 North Nevada Avenue, Suite 900, Colorado Springs, CO 80903
- v. E-mail Address Kevin.Kofford@kimley-horn.com
- vi. Phone Numbers: Business 719-453-0181 Mobile 719-352-9194

c. Planner

- i. Project Contact Kevin Kofford
- ii. Firm Name Kimley-Horn and Assoicates, Inc.
- iii. Physical Address 2 North Nevada Avenue, Suite 900, Colorado Springs, CO 80903
- iv. Mailing Address 2 North Nevada Avenue, Suite 900, Colorado Springs, CO 80903
- v. E-mail Address 2 North Nevada Avenue, Suite 900, Colorado Springs, CO 80903
- vi. Phone Numbers: Business 719-453-0181 Mobile 719-352-9194

d. Surveyor

- i. Project Contact Kevin LLOYD
- ii. Firm Name Rampart Surveys, LLC
- iii. Physical Address 1050 Tamarac Parkway Woodland Park, CO 80863
- iv. Mailing Address PO Box 5101 Woodland Park, CO 80866
- v. E-mail Address klloyd1320@gmail.com
- vi. Phone Numbers: Business 719.650.0798 Mobile _____

e. Other (specify role) Transportation Consultants

- i. Project Contact Jeff Hodsdon
- ii. Firm Name LSC Transportation Consultants, Inc.
- iii. Physical Address 2504 East Pikes Peak Avenue, Suite 304, Colorado Springs, CO 80909
- iv. Mailing Address 2504 East Pikes Peak Avenue, Suite 304, Colorado Springs, CO 80909
- v. E-mail Address colleen@lsctrans.com
- vi. Phone Numbers: Business 719-633-2868 Mobile _____

6. Submittal Requirements

The following items must be included at time of submittal (in addition to items on the submittal checklists) or the application will not be processed (additional copies may be requested).

Type of Application	24" x 36" Plan Set	11" x 17" Plan Set	Adobe Acrobat Portable Document Format (.pdf) electronic Plan Set on a flash drive	Warranty Deed or Title Policy	List of adjoining property owners within 150'	Copies of reports (narrative, traffic study, drainage, etc.)
All Types	1	1	1	1	1	1

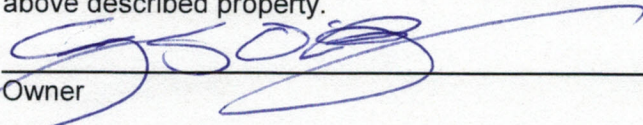
7. Applicable Code Sections

The following are the applicable code sections by type of application and are for assisting applicants in completing the required project narrative. The City of Woodland Park's Municipal Code can be found at www.city-woodlandpark.org/Charter&Code. Subdivision requirements are in Title 17 and Zoning is in Title 18 of the Municipal Code.

Type of Application	Applicable Code Sections
Site Plan Review Permitted Use	Chapters 18.34, 18.33 and 18.39
Site Plan Review Conditional Use	Chapters 18.34, 18.57, 18.33 and 18.39
Conditional Use Permit	Chapter 18.57 plus applicable site plan regulations
Zoning Change	There are no specific standards, but the applicant should provide supporting argument for a zoning change, including how it complies with the Comprehensive Plan
Special Use Permit	Chapter 18.61 plus applicable site plan regulations
Planned Unit Development	Chapters 18.30, 18.33, 18.39, Sections 17.20.070, and 17.20.080
Appeal	Chapter 18.54
Variance	Chapter 18.60
Preliminary Plat	Chapter 17.20 plus applicable subdivision sections
Exemption Plat	Section 17.52.030 plus applicable subdivision sections
Final Plat	Chapter 17.24 plus applicable subdivision sections
Townhouse Plat	Chapter 17.32 plus applicable subdivision sections
Condominium Plat	Chapter 17.32 plus applicable subdivision sections

8. Certification of Ownership

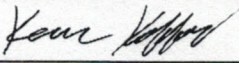
I (We) do hereby declare and affirm that I (we) am (are) the exclusive owner(s) and title holder(s) of the above described property.

→  1-9-25
Owner Date

→ _____
Owner Date

9. Certification: The undersigned applicant certifies under oath and under penalties of perjury that the information found in the application is true and accurate to the best of their knowledge.

I certify that I understand that the proposed development is in accordance with all provisions of the City of Woodland Park's Municipal Code and other applicable regulations.

→  1/8/2025
Applicant Date

City Use Only

1. Submission _____, 20____, taken by _____
Fee Received _____, 20____, taken by _____
2. Application is deemed complete – OR – deemed incomplete and returned to applicant to complete on ____/____/____.
3. Public Hearing Notice
Published _____, 20____
Posted _____, 20____
Adjacent Property Notification _____, 20____.
4. Planning Commission Public Hearing _____, 20____.
Board of Adjustment Public Hearing (when applicable) _____, 20____.
5. City Council First Reading of Ordinance (if applicable) _____, 20____.
City Council Public Hearing _____, 20____.
Notes _____

6. Letter of Approval/Denial to applicant sent _____, 20____.
7. Additional Information



January 9, 2025

Karen Schminke, AICP
Planning Director
City of Woodland Park
220 W South Avenue
Woodland Park, CO 80866

RE: *Pines at Stone Ridge PUD and Preliminary Plat Extension*

Dear Karen:

On behalf of Go Beyond, LLC (the Owner), Kimley-Horn and Associates, Inc. (the Applicant) requests a 12 month extension of the approved Preliminary Plat for the Pines at Stone Ridge project. The property is located on parcel number 6229.132000880 in the City of Woodland Park, County of Teller, State of Colorado.

Justification

During the past year the Owner has been evaluating when to start construction. He has been in discussions with multiple parties and is aware of the pending Preliminary Plat approval with a need to start construction before the deadline. There are many factors affecting the start of construction including macro-economic conditions, timing and mobilization. In the past year interest rates have started to stabilize along with leadership changes on a national and local level. The Owner will proceed on projects without using debt whenever possible, but debt is required during construction and would like to proceed cautiously as the interest rate market stabilizes. From a timing perspective, the owner has been talking with contractors to understand availability and timing. Contractors usually take several months to mobilize and have constraints on their timing and demand. Also, the owner does not want to mobilize the project until it is fully ready to go, as to avoid having to put the brakes on a project during construction. This requires having the contractor and the financing all in place. The Owner is working on these items, with the hopes of starting construction in the spring or summer of 2025.

Schedule

Both the PUD and Preliminary Plan were extended approved on April 18, 2024, as part of Resolution No. 921, Series 2024. Should the request for the extension be approved, the Preliminary Plat would be valid until April 14, 2026. Based on the justification above, anticipated construction could potentially start in the spring of 2025 pending factors previously discussed. The PUD amendment is valid until April 14, 2026. It is a not a part of this request.

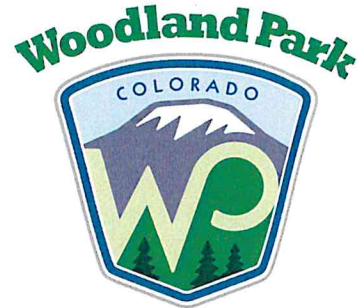
Please contact me at (719) 435-0181 or Kevin.Kofford@kimley-horn.com should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Kofford", written over a white background.

Kevin Kofford. P.E.

City of Woodland Park
Planning Department
220 W. South Avenue
Woodland Park, CO 80866



Planning and
Building

Craig O'Boyle, Go Beyond LLC (property owner)
and
Jeffery Webb, Populus Planning and Design, LLC (applicant)
9570 Canyon Dr., Woodland Park, CO 80863
By email to: jefferyallenwebb@gmail.com

June 13, 2022

**RE: PUD AMENDMENT FINAL PLAN, PRELIMINARY PLAT, AND SITE PLAN
REVIEW FOR 49 TOWNHOMES AND 20 PATIO HOMES ON +/-9.01 ACRES LOCATED
SOUTHEAST OF RIDGESTONE DRIVE AND RESEARCH DRIVE, ZONED PUD AND
LEGALLY DESCRIBED AS TRACTS A & F, STONE RIDGE SUBDIVISION
CERTIFICATION OF APPROVAL**

Case Number:	PUD #2021-03 & SUB #2021-14 & SPR#2021-05
Case Manager:	Karen Schminke, Planning Director
Property Owner:	Craig O'Boyle, Go Beyond LLC
Location:	Tracts A & F, Stone Ridge Subdivision
Address:	TBD
Zone:	Planned Unit Development (PUD)
Current Use:	Vacant
Lot Size:	9.01 acres
Proposal:	49 Townhomes and 20 Patio Homes (69 units total)

Dear Mr. Webb,

The purpose of this letter is to provide official notice that your request for a PUD Amendment, Preliminary Plat, and Site Plan Review (PUD #2021-03 & SUB #2021-14 & SPR#2021-05) to create 49 townhomes and 20 patio homes on +/-9.01 acres with a gross density of 7.6 dwelling units/acre on Tracts A & F, Stone Ridge Subdivision (located southeast of Ridgestone Drive and Research Drive,) in the Planned Unit Development (PUD) zone district, has been approved by the Planning Commission on April 14, 2022. The approval was subject to the following conditions:

1. Prior to installation of infrastructure, the applicant shall submit and receive approval of a Zoning Development Permit for infrastructure, which application shall include:
 - Final utility plan with profiles for all water, storm and sewer systems; a fire flow analysis for all water main line extensions;
 - Note street lighting location and provide conforming specifications;
 - Relocate fire hydrant across from lot 19 to lot 11/12 and add another one at lot 30 for a total of three hydrants.
 - Final grading and erosion control plan for the entire site and off-site improvements
 - Final on- and off-site street plan with profiles with curb and gutter on both sides of roads.
 - Final drainage plan and report including volume calculations for the existing regional pond
 - Approved SWMP
 - Finalize road right-of-way width and resolve utility easements per CORE comments
2. Multi-family projects, triplex and larger, require a water tap allotment. This will require City Council approval. MC 13.27.050 D
3. Street names must be submitted for review and approval
4. Prior to conveyance of any proposed lot, the applicant shall record a Final Plat
5. Prior to recording the final plat, the applicant shall submit covenants, which include deed restrictions satisfactory to the City, that establish a homeowners association to guarantee the architectural and landscape design and maintenance of the private road and open space.
6. The minimum driveway length for each unit in the subdivision be 18' measured from the nearer of the curb or sidewalk to the front of the garage.

For your use, additional planning comments are attached to this letter. Engineering comments were sent via email from the City Engineer, Ben Schmitt, to your engineer Kevin Kofford at Kimley-Horn on May 26, 2022.

Please note that, per Section 17.20.090 of the City of Woodland Park Municipal Code, approval of the Preliminary Plat shall be valid for no longer than twenty-four months. One-year extensions of time may be applied for in writing to the planning commission. Submission of the final plat extends approval of the preliminary plat until the final plat is acted upon. All, or any portion of an approved preliminary plat, may be submitted for final plat purposes. In the case of partial submission, the approval of the remaining portion of the preliminary plat shall automatically gain an extension of one year before another phase of the plat must be submitted in final form.

Also note that, per Section 18.30.050, PUD's are valid for a time period of two years, beginning with the approval of the required detailed PUD plan. Failure to begin construction within this

two-year period shall void the plan as approved, unless a request for extension of time is granted by the city Planning Commission. Application for extension of time shall be made to the Planning Commission and shall be accompanied by such evidence as is necessary to show substantial need, and shall be made before the two-year expiration date. The Planning Commission will hold at least one public hearing on the request and if, from the evidence submitted, the Commission finds that an extension is warranted, a recommendation will then be made to the City Council. If the Council concurs with the recommendation of the Commission, it may then by resolution grant the extension.

Should you have any questions, please contact the Planning Department at 687-5209.

Sincerely,



Karen L. Schminke, AICP
Planning Director

Attachment: Planning Comments

Cover Sheet – PUD Final Development Plan (DP1)

1. Retitle cover sheet from “The Pines at Stone Ridge Site Plan” to “The Pines at Stone Ridge PUD Final Development Plan”
2. Cover Sheet, The Pines Site Data, under Master Plan, remove entirely and replace with “Stone Ridge Planned Unit Development, as amended”
3. Cover Sheet, Dimensional Standards, include “Minimum Driveway length 18’ (measured from the nearer of the curb or sidewalk to the front of the garage).
4. Land Use Summary should be consistent with that shown on Preliminary Plat. Specifically Tracts A, F and I need to be revised.
5. Add/amend an approval certification block that is signed by the Applicant and planning director with the following language:

“I, the undersigned hereby certify that I am the owner of the subject property and that I shall abide by the provisions as specified upon this Final Development Plan as specified by the City of Woodland Park Planning Commission on April 14, 2022 in rendering their approval.

Date _____, owner

I certify that I am the Planning Director of the City of Woodland Park, Colorado, and that I attest that this Final Development Plan was approved subject to conditions contained herein by the City of Woodland Park Planning Commission on April 14, 2022 and the establishment of the dimensional standards previously approved by City Council on March 18, 2004 after properly conducted public hearings.

Date Karen L. Schminke, AICP, Planning Director

Preliminary Plat

1. Ensure Dimensional Standards on the Preliminary Plat are consistent with those shown on the Cover Sheet.
2. Add the Minimum Separation Standard to the Legend – Dimensional Standards. (Refer to Site Plan comment 3, above.)
3. Amend the Certifications to reflect the correct owner, hearing body, and hearing date.

Site Plan Sheets DP3 – DP7

1. Show the 100 Year Floodplain Boundary on sheets DP3 – DP7. A City Floodplain Development Permit may be required.

Landscape Plan (DP6)

1. Landscape Plan, General Note #5, refers to Tract E, this should be changed to Tract I.
2. Landscape Plan, General Notes, add an additional note regarding Tracts A, B, C, D, E, F, G, and H where landscape, trails, and open space features, amenities and snow storage are included regarding the tracts' design.
3. Change label in bottom right corner from "Site Plan" to "Landscape Plan".

CITY OF WOODLAND PARK, COLORADO

RESOLUTION NO. 921, SERIES 2024

**A RESOLUTION EXTENDING THE PLANNED UNIT DEVELOPMENT
(PUD) APPROVAL FOR THE PINES AT STONE RIDGE DEVELOPMENT
FROM APRIL 14, 2024 TO APRIL 14, 2026 AND THE PRELIMINARY
PLAT APPROVAL FOR THE PINES AT STONE RIDGE DEVELOPMENT
FROM APRIL 14, 2024 TO APRIL 14, 2025**

WHEREAS, the subject property is located southeast of the intersection of Ridgestone Drive and Research Drive, and is legally described as Tracts A & F, Stone Ridge Subdivision (a portion of Sections 12, 13 & 14, T12S, R69W of the 6th PM, in the City of Woodland Park, Teller County, CO) (Property) and the Property is owned by Craig O'Boyle, Go Beyond, LLC; and

WHEREAS, the original PUD for the entire Stone Ridge Village development was approved by the City Council on March 18, 2004; and

WHEREAS, application number PUD2021-03 & SUB2021-14 amending the original PUD and Preliminary Plat to allow for the development of 20 patio homes and 49 townhouses was approved by the City of Woodland Park Planning Commission on April 14, 2022; and

WHEREAS, pursuant to Municipal Code §18.30.050, failure to begin construction within a two-year period shall void the PUD unless a request for extension of time is granted by recommendation of the Planning Commission and by resolution of City Council; and

WHEREAS, pursuant to Municipal Code §17.20.090, approval of the preliminary plat shall be valid for no longer than twenty-four months, however one-year extensions of time may be applied for in writing to the planning commission; and

WHEREAS, the applicant obtained a Grading and Infrastructure Zoning Development Permit on January 16, 2024, however construction of the development has yet to begin; and

WHEREAS, the applicant has yet to submit a Final Plat Application; and

WHEREAS, the applicant submitted an extension request of the PUD and Preliminary Plat on January 23, 2024 prior to the April 14, 2024 expiration date; and

WHEREAS, this PUD & Preliminary Plat request for extension was subject to a Planning Commission public hearing on March 28, 2024, and a City Council public hearing on April 28, 2024, and public notice of all public hearings was posted on the property, published in the Pikes Peak Courier, and mailed to all adjacent property owners pursuant to all applicable Municipal Code requirements.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Woodland Park:

Section 1. PUD 2021-03 for the development of 20 patio homes and 49 townhouses for the property legally described as Tracts A & F, Stone Ridge Subdivision (a portion of Sections 12, 13 & 14, T12S, R69W of the 6th PM, in the City of Woodland Park, Teller County, CO) is hereby extended for two-years. Construction must commence by February 14, 2026.

Section 2. SUB2021-14 for the development of 20 patio homes and 49 townhouses for the property legally described as Tracts A & F, Stone Ridge Subdivision (a portion of Sections 12, 13

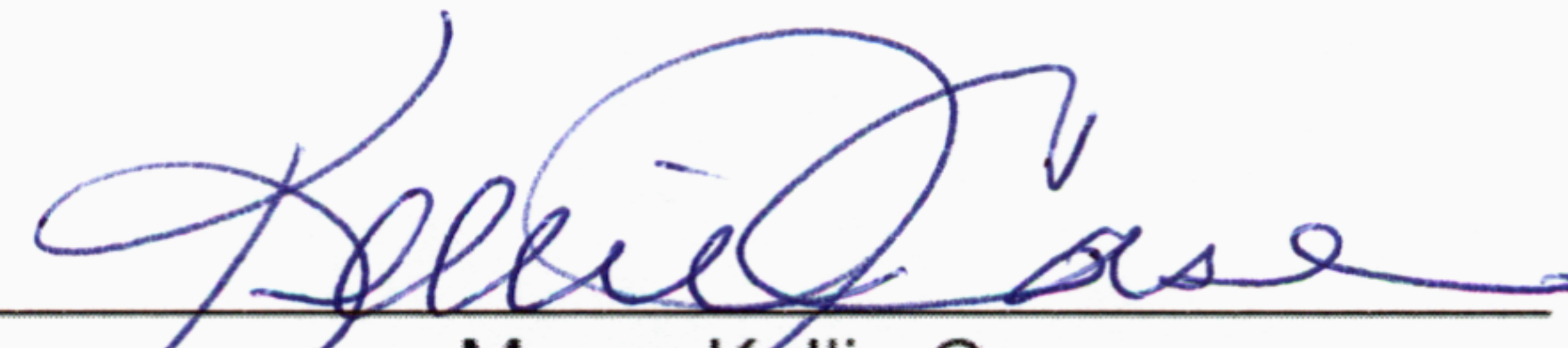
&14, T12S, R69W of the 6th PM, in the City of Woodland Park, Teller County, CO) is hereby extended for one-year to April 14, 2025 subject to the following conditions assigned with the initial 2022 approval:

1. Prior to installation of infrastructure, the applicant shall submit and receive approval of a Zoning Development Permit for infrastructure, which application shall include:
 - Final utility plan with profiles for all water, storm and sewer systems; a fire flow analysis for all water main line extensions;
 - Note street lighting location and provide conforming specifications;
 - Relocate fire hydrant across from lot 19 to lot 11/12 and add another one at lot 30 for a total of three hydrants.
 - Final grading and erosion control plan for the entire site and off-site improvements
 - Final on- and off-site street plan with profiles with curb and gutter on both sides of roads.
 - Final drainage plan and report including volume calculations for the existing regional pond
 - Approved SWMP
 - Finalize road right-of-way width and resolve utility easements per CORE comments
2. Multi-family projects, triplex and larger, require a water tap allotment. This will require City Council approval. MC 13.27.050 D
3. Street names must be submitted for review and approval
4. Prior to conveyance of any proposed lot, the applicant shall record a Final Plat
5. Prior to recording the final plat, the applicant shall submit covenants, which include deed restrictions satisfactory to the City, that establish a homeowners association to guarantee the architectural and landscape design and maintenance of the private road and open space.
6. The minimum driveway length for each unit in the subdivision be 18' measured from the nearer of the curb or sidewalk to the front of the garage.

Section 3. This request only approves an extension. All conditions and terms of the original approval of PUD 2021-03 & SUB2021-14 remain in place and are unchanged.

Section 4. This PUD & Preliminary Plat extension is warranted based on sufficient evidence showing substantial need provided by the applicant in the application and in public hearings.

ADOPTED THIS 18th DAY OF April, 2024.


Mayor Kellie Case

ATTEST: 
City Clerk Suzanne Leclercq



City of Woodland Park Planning Commission

Public Hearing: March 13, 2025

AGENDA ITEM 4.C.: An Ordinance of the Woodland Park City Council Amending Title 18 of the City's Municipal Code by Adopting a New Chapter 18.80 Regarding Local Regulation of Natural Medicine and Amending Chapter 18.09.090 Regarding Table of Permitted Uses (Legislative)

BACKGROUND:

The purpose of this proposed ordinance is to establish standards and requirements for the regulation of the time, place, and manner of the operation of Natural Medicine Healing Centers and Natural Medicine Businesses within the City of Woodland Park. This ordinance change is necessary in order to implement the Natural Medicine Act in C.R.S. § 12-170-101, *et seq.* and the Natural Medicine Code (Regulatory Act) found in C.R.S. §44.50.101, *et seq.* For additional background information on this topic, attached is a detailed memo dated February 20, 2025, from City Attorney, Betsy Stewart.

City Council had a work session on this topic on January 16, 2025 and provided guidance for preparing this ordinance. Planning Commission held their own work session on February 27, 2025 to review and make recommendations on the draft ordinance.

Attached for your consideration is the proposed ordinance, including the revisions requested during your February 27, 2025 work session. Also attached is a map that identifies the areas of the City where these uses may be located under this ordinance. At Thursday's meeting, Planning Commission will hold a public hearing on this ordinance and is being asked to make a recommendation to City Council regarding its adoption.

RECOMMENDATION:

Should the Planning Commission find the provisions in the proposed Ordinance satisfactory, the Planning Commission should recommend that City Council approve the Code amendments as presented.

NEXT STEPS:

As of this memo, City Council is scheduled to have initial posting of the proposed ordinance at the April 3rd meeting and a public hearing at their April 17th meeting.

ATTACHMENTS:

Proposed Ordinance Amending Title 18 to include regulation of Natural Medicine
Natural Medicine Healing Center and Business Area Exclusion Map 2025-0305
Memo dated 02/20/2025 regarding natural medicine and healing centers

CITY OF WOODLAND PARK, COLORADO
ORDINANCE NO. ____
(Series 2025)

**AN ORDINANCE OF THE WOODLAND PARK CITY COUNCIL AMENDING
TITLE 18 OF THE CITY'S MUNICIPAL CODE BY ADOPTING A NEW
CHAPTER 18.80 REGARDING LOCAL REGULATION OF NATURAL MEDICINE
AND AMENDING CHAPTER 18.06 REGARDING ZONING DEFINITIONS AND
CHAPTER 18.09.090 REGARDING TABLE OF PERMITTED USES**

WHEREAS, the City of Woodland Park, Colorado (City) is duly organized and validly exists as a Home Rule City under Article XX, Section 6 of the Colorado Constitution and the City Charter; and

WHEREAS, pursuant to Section 7.2 of the City Charter, the City Council (Council) shall act by ordinance, resolution, or motion and all legislative enactments of a permanent nature shall be in the form of ordinances; and

WHEREAS, pursuant to the City Charter and C.R.S. § 31-16-101, *et seq.* Council has the authority to adopt and enforce all ordinances and enact laws to govern and regulate the use of land within its territory; 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, which is titled the “Natural Medicine Health Act of 2022” (NMHA); and

WHEREAS, the Colorado Natural Medicine Code (Natural Medicine Regulatory Act), codified in C.R.S. §§ 44-50-101 through 904 authorizes Council to enact ordinances regulating the time, place, and manner of the operation of licenses issued pursuant to the Natural Medicine Regulatory Act; and

WHEREAS, C.R.S. §§ 12-170-115 and 44-50-104 establish that the City 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 Natural Medicine 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 Natural Medicine 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 product as defined by the Natural Medicine Regulatory Act may be permitted in the City; and

WHEREAS, the Natural Medicine 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 City's Municipal Code (Code) contains land use and development standards enacted to protect the health, safety, and welfare of residents of the City; and

WHEREAS, under the City'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 City has not approved any such land use; and

WHEREAS, the City does not currently have any zoning regulations addressing natural medicine healing centers and natural medicine businesses; and

WHEREAS, Title 18 of the City's Municipal Code addresses zoning regulations and Council finds it is appropriate to implement amendments to Title 18 through the addition of Chapter 18.80, which shall be titled Local Regulation of Natural Medicine; and

WHEREAS, the Council finds that it is in the best interest of the health, safety, and welfare of the City and its residents to adopt Chapter 18.80 for incorporation in the City's Municipal Code; and

WHEREAS, on December 7, 2024, Council adopted Ordinance No.1484, Series 2024, *An Ordinance of the Woodland Park City Council Imposing a Temporary Moratorium on the Submission, Acceptance, Processing, and Approval of Applications for the Establishment of a Business that Cultivates, Processes, or Dispenses Natural Medicine and the Establishment of any Business, Occupation, or Operation for Healing Centers* ("Temporary Moratorium"); and

WHEREAS, Section 2(b) of the Temporary Moratorium established that it shall terminate on the 7th day of May, 2025 unless terminated at an earlier date or extended by further Ordinance by the Woodland Park City Council and the Temporary Moratorium shall expire upon the effective date of the adoption of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOODLAND PARK, COLORADO, AS FOLLOWS:

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

Section 2. The Woodland Park Municipal Code is hereby amended by adopting a new Chapter 18.06.346 titled Natural Medicine within Title 18, Chapter 18.06 concerning Zoning Definitions to read in its entirety as follows:

18.06.346 Natural Medicine.

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

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

"Natural Medicine Regulatory Act" means the Colorado Natural Medicine Code codified in Colorado Revised Statutes.

"Natural medicine services" means a preparation session, administrative session, and integration session, as provided by the Natural Medicine 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 Natural Medicine Regulatory Act.

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

"State licensing authority" means the authority created under the Natural Medicine 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 Natural Medicine Regulatory Act.

Section 3. The Woodland Park Municipal Code is hereby amended by adopting a new Chapter 18.80 titled Local Regulation of Natural Medicine within Title 18 concerning Zoning to read in its entirety as follows:

CHAPTER 18.80 – LOCAL REGULATION OF NATURAL MEDICINE

18.80.010 Purpose.

The purpose of this Chapter is to provide standards and requirements for the regulation of the time, place, and manner of operation of Natural Medicine Healing Centers and Natural Medicine Businesses within the City of Woodland Park.

18.80.030 Permitted location for natural medicine healing centers.

Natural medicine healing centers are a use permitted by right in the Community Commercial District (CC), the Service Commercial District (SC), and the Neighborhood Commercial District (NC) subject to the distance, time, manner, and place requirements contained in this Chapter 18.80. Natural medicine healing centers are prohibited in all other zoning districts in the City, including the PUD-Planned Unit Development District.

18.80.040 Permitted location for natural medicine businesses.

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 are uses permitted by right in the Heavy Service Commercial Light Industrial District (HSC/LI) subject to the distance, time, manner, and place requirements contained in this Chapter 18.80. Such natural medicine businesses are prohibited in all other zoning districts of the City, including the PUD-Planned Unit Development District.

18.80.050 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 child care center, preschool, elementary, middle, junior, or high school, or a residential child care 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 parcel used for a School to the nearest portion of the building in which the natural medicine healing center or natural medicine business is located and includes right-of-way widths.

18.80.060 Hours of operation – Natural Medicine Services.

Natural medicine healing centers and natural medicine businesses providing natural medicine services shall be permitted to operate any day of the week between 7:00 a.m. and 8:00 p.m.

18.80.070 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, subject to applicable City design standards. All activities of natural medicine businesses and natural medicine services shall occur indoors unless access to an outdoor area is available in compliance with the requirements of this section, i.e., an atrium, courtyard, or other outdoor area that is shielded from public view pursuant to the requirements set forth in this paragraph.

18.80.080 Lighting of natural medicine businesses.

Primary entrances, parking lots, and exterior walkways of natural medicine businesses shall be clearly illuminated subject to all applicable City lighting standards set forth in 18.33.180.F. All exterior lighting shall be downcast and shielded with a temperature of 3,000 Kelvin or warmer.

18.80.090 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.

18.80.100 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.

18.80.110 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.

18.80.120 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

- (c) The processing of natural medicine shall meet the requirements of all adopted City 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.

(a) It is unlawful and deemed a nuisance to:

- (b) Any such violation of this Chapter is punished by a fine or imprisonment or both pursuant to Section 1.12.110 of the Woodland Park Municipal Code.

[illegible]

Medicine Healing Centers													
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Section 4. Termination of Temporary Moratorium. Ordinance No. 1484, Series 2024, titled *An Ordinance of the Woodland Park City Council Imposing a Temporary Moratorium on the Submission, Acceptance, Processing, and Approval of Applications for the Establishment of a Business that Cultivates, Processes, or Dispenses Natural Medicine and the Establishment of any Business, Occupation, or Operation for Healing Centers* shall terminate upon the effective date of this Ordinance.

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.

Section 6. Effective Date. This Ordinance shall be in full force and effect upon its publication as required by law.

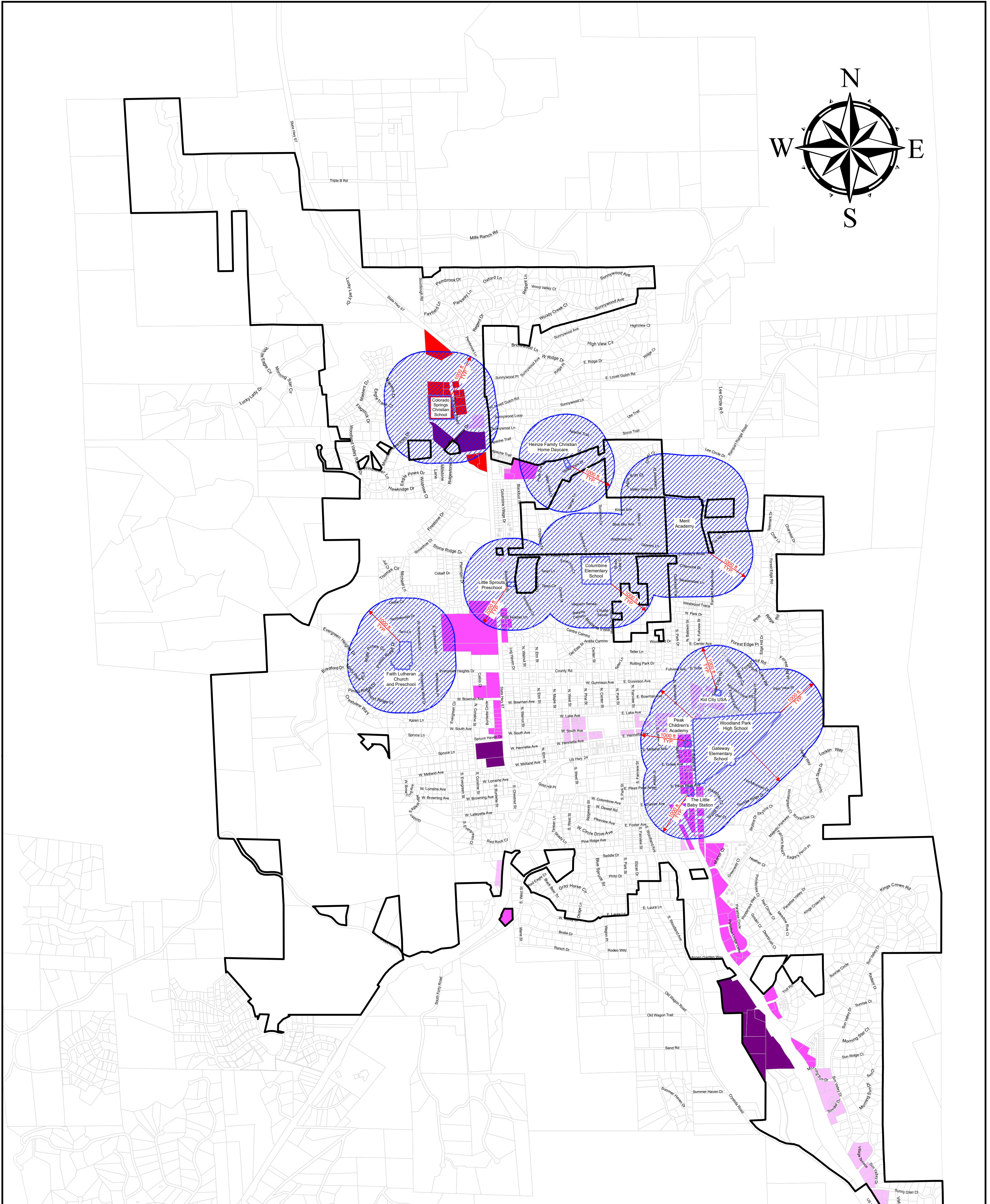
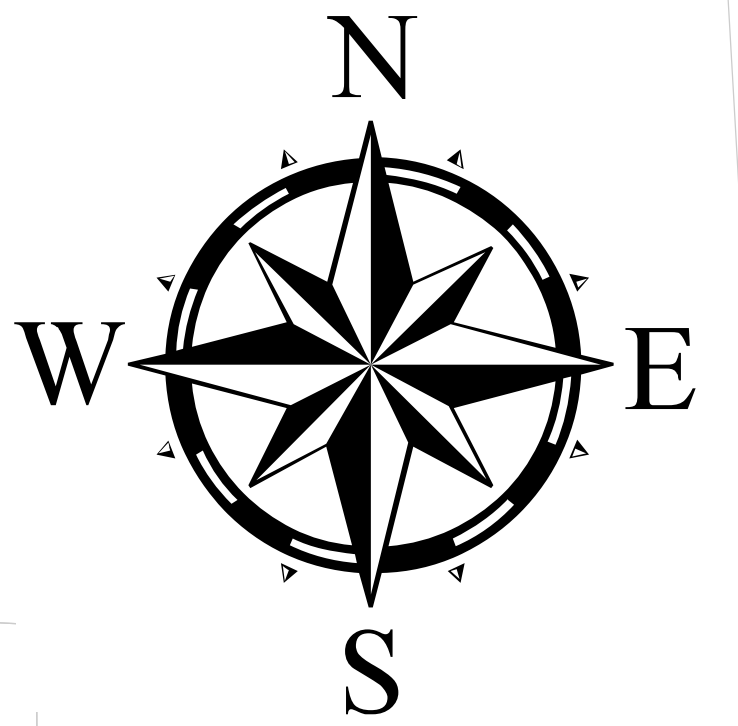
PASSED BY CITY COUNCIL ON SECOND AND FINAL READING FOLLOWING PUBLIC HEARING THIS -- DAY OF -----, 2025.

City of Woodland Park

Mayor Kellie Case

ATTEST:

City Clerk, Suzanne Leclercq



City of Woodland Park Natural Medicine Healing Center and Business Area Exclusion Map

Commercial Zoning Districts

- Neighborhood Commercial (NC)
- Community Commercial (CC)
- Service Commercial (SC)
- Heavy Service Commercial
Light Industrial (HSC/LI)

- Areas Excluded from Healing Centers
Minimum 1000' from Schools and
Licensed Child Care Facilities
- City Limits



0 500 1,000 2,000 3,000 4,000 Feet
Scale: 1" = 1000'

Updated: March 5, 2025 (D. Burgess)

MEMORANDUM

To: Planning Commission
From: City Attorney's Office – Betsy L. Stewart
Date: 02/20/2025
Re: Planning Commission - Work Session - Local Regulation of Natural Medicine

A. Introduction

This memo contains an overview of the laws and regulations surrounding natural medicine as well as the proposed draft of Woodland Park's Ordinance *Amending Title 18 of the City's Municipal Code by Adopting a New Chapter 18.80 Regarding Local Regulation of Natural Medicine and Amending Chapter 18.09.090 Regarding Table of Permitted Uses*.

B. Historical Background of the Natural Medicine Act

In 2022 Colorado voters adopted Proposition 122 which is now codified as the Natural Medicine Act (NMA) in C.R.S. § 12-170-101, *et seq.* In 2023, the legislature adopted the Natural Medicine Code (Regulatory Act) which sets forth additional guidelines for the use and cultivation of natural medicine in C.R.S. § 44-50-101, *et seq.*¹

In short, Colorado voters determined that natural medicine should be utilized as an additional tool to address mental health issues in the state.² As a result, the purpose of the NMA is to establish a “new, compassionate, and effective approach to natural medicine” by (1) removing criminal penalties for personal use of natural medicine for adults 21 years of age and older; (2) developing and promoting public education regarding the use of natural medicine and appropriate training for first responders; and (3) establishing regulated access by adults 21 years of age and older to natural medicines that show promise in improving well-being, life satisfaction, and overall health.³ The legislature also recognized that the NMA and its regulations must balance the health and safety risks to consumers and the cultural harms it could cause to American tribes and Indigenous and traditional communities with connections to natural medicine.⁴

The Department of Regulatory Agencies (DORA) issued licensure and training regulations for natural medicine facilitators.⁵ Meanwhile, the Colorado Department of Revenue's (DOR) regulations address all regulated natural medicine and natural medicine product businesses for the purposes of the cultivation, manufacturing, testing, storage, distribution, transport, transfer, dispensation, and fees.⁶

¹ See <https://www.cpr.org/2023/06/21/colorado-psychedelic-law-for-psilocybin-mushrooms/> for a Colorado Public Radio News Article re: the historical background of Proposition 122.

² C.R.S. § 12-170-102(1).

³ C.R.S. § 12-170-102(1)(j).

⁴ C.R.S. § 12-170-102(2)(d).

⁵ 4 CCR 755-1.

⁶ 1 CCR 213-1.

C. Analysis of the NMA, the Regulatory Act, and Regulations

1. What is natural medicine?

The term “natural medicine” currently applies to the hallucinogenic compounds of psilocybin and psilocin found in psychedelic mushrooms.⁷

2. How can natural medicine be used?

a. Personal Cultivation and Personal Possession

Personal cultivation of natural medicine is permitted on private property in an enclosed and locked space in an area of no more than 12 x 12 feet. Such cultivation area can be non-contiguous, i.e. in one 12 x 12 plot or twelve 1 x 1 plots, etc. Municipalities are permitted to exceed the space limitation by ordinance or resolution.

Unlike the state’s personal possession limit of 2 ounces for marijuana, there is no limit on personal possession of natural medicine in the state for adults 21 years of age and older (21+). 21+ adults can share natural medicine with other 21+ adults in the context of counseling, spiritual guidance, community based use, supported use, or related services so long as no remuneration is received except in bona fide harm reduction or support services used concurrently with sharing. It is important to note that the open and public display or consumption is prohibited as is the unlawful distribution and possession of natural medicine by or to individuals under the age of 21.⁸

b. Natural Medicine Healing Centers

A Natural Medicine Healing Center is a state licensed facility in which a facilitator can provide and supervise natural medicine services to a participant. Participants must be 21+ to receive natural medicine services by and under a facilitator’s services and a facilitator is a 21+ licensed individual with necessary qualifications, training, experience, and knowledge required by law to perform and supervise natural medicine services for a participant.⁹ The administration of natural medicine in a Healing Center consists of the following three phases:

- A “preparation session” meeting between a participant and facilitator that occurs before an administration session;
- An “administration session” at a healing center or other permitted location where a participant consumes and experiences the effects of regulated natural medicine under the supervision of a facilitator; and
- An “integration session” between a participant and a facilitator after the administration session is completed.

⁷ C.R.S. § 12-170-104(12)(a)(I)-(II). However, C.R.S. §§ 12-170-104(12)(b)(I)-(III) and (d) permit the state licensing authority to extend this definition to include dimethyltryptamine (DMT) and mescaline (excluding peyote) on or after June 1, 2026 and ibogaine at any time.

⁸ See C.R.S. § 18-18-434 regarding *Offenses relating to natural medicine and natural medicine products*.

⁹ C.R.S. §§ 12-170-104 and 44-50-103 and 4 CCR 755-1-1.4

DORA's regulations establish time frames that a participant must remain in an administration session under a facilitator's care based on dosage administered as a way to prevent impaired driving.¹⁰ Natural medicine product is not permitted to leave a licensed Healing Center except in narrow circumstances when a facilitator is traveling to another location for an administrative session and any unconsumed product must be returned to a Natural Medicine business.¹¹ Finally, as a general rule, Healing Centers must be at least 1,000 feet from a child care center, preschool, elementary, middle, junior, or high school, or a residential child care facility.¹²

3. What does the NMA mean for municipalities?

a. What is prohibited?

The most controversial aspect of the NMA is that, unlike marijuana, a municipality **cannot prohibit** a properly licensed facilitator from providing natural medicine services in a Healing Center within the boundaries of Woodland Park.¹³ Likewise, the City **cannot prohibit** the establishment or operation of a natural medicine business with the purpose of cultivating, manufacturing, testing, storing, distributing, transporting, transferring, or dispensing regulated natural medicine within its boundaries.¹⁴ Furthermore, the City **cannot prohibit** the transportation of natural medicine or natural medicine product within its boundaries on public roads by a person licensed to exercise such privileges nor can it adopt ordinances or regulations that are unreasonable or conflict with the NMA or the Regulatory Act.¹⁵ However, it is important to note that state laws and regulations do not allow natural medicine dispensaries where an individual can purchase natural medicine over the counter (as they can do with recreational marijuana in a marijuana dispensary) and take it home for personal use.

b. What is permitted?

The City may enact ordinances or regulations governing the time, place, and manner of the operation of natural medicine related licenses within its boundaries.¹⁶ Practically speaking, this means the City can restrict hours of operation, enact zoning ordinances to locate the area where cultivation, manufacturing, testing, storage, distribution, transfer, and dispensation of natural medicine and natural medicine product occurs, and set distance requirements within the vicinity of a child care center, preschool, elementary, middle, junior, or high school, and a residential child care facility.

¹⁰ 4 CCR 755-1 § 6.17(F).

¹¹ 4 CCR 755-1 § 6.18.

¹² 1 CCR 213-1 § 2125(A)(2).

¹³ C.R.S. § 12-170-112; C.R.S. § 44-50-104(5)(b).

¹⁴ C.R.S. § 44-50-104(1) and (5).

¹⁵ C.R.S. § 44-50-104(5)(c)-(d).

¹⁶ C.R.S. § 44-50-104(5)(a); C.R.S. § 12-170-112; 4 CCR 755-1; 1 CCR 213-1.

c. State Licensure Timeline and Notification to Municipalities

The DOR was required to begin accepting licensure applications no later than 12/31/2024 and anticipated that it would begin issuing licenses in February or March of 2025 with operations beginning in April or May of 2025. The DOR intends to notify a municipality when it receives a licensure application in its jurisdiction in order to ensure that the license application conforms with locally enacted ordinances regarding natural medicine. Meanwhile, DORA's applications for facilitator licenses became available at the end of 2024.

d. What are the effects of decriminalization?

Natural medicine actions and conduct permitted pursuant to a license, registration, permit, or certificate, or those who allow property to be used for such items, are lawful and not an offense under state or local law. Also, as stated in more detail above, personal cultivation and possession for adults 21+ is now legal in Colorado, subject to a few restriction.

Chief Deisler and the Woodland Park Police Department are aware and well-informed regarding these laws and the manner in which they may enforcement C.R.S. § 18-18-434. It is clear that local law enforcement has the authority to make arrests or issue citations within the parameters of this statute.

4. What can the City do?

As stated above, the City can implement time, place, and manner restrictions in the form of ordinances that do not conflict with state law or regulations in its Municipal Code. I attached the current draft Ordinance *Amending Title 18 of the City's Municipal Code by Adopting a New Chapter 18.80 Regarding Local Regulation of Natural Medicine and Amending Chapter 18.09.090 Regarding Table of Permitted Uses* that was prepared following guidance from City Council.



City of Woodland Park Planning Commission

Public Hearing: March 13, 2025

AGENDA ITEM 4.D.: An Ordinance of the City Council for the City Of Woodland Park, Colorado Amending Title 17 and Title 18 of the Woodland Park Municipal Code, Concerning Subdivisions and Zoning, to Address Water Availability Necessary for Future Development and Expansion of Uses and Impact (Legislative)

BACKGROUND:

The purpose of this proposed ordinance is to ensure water availability is a factor/criteria/requirement for certain land use applications which propose new development ore expand a use or impact. The initial proposed ordinance prepared at the request several Council members made to the City Manager who in turn directed the City Attorney to prepare a draft ordinance. That initial draft was previously reviewed and recommended by the City's Utility Advisory Committee.

Planning Commission held a work session on February 27, 2025 and requested some revisions and that additional language be added to the Code sections that address Chapter 18.34 – Site Plan, (18.34.070 E.), Chapter 18.57 – Conditional Use Permits, (18.57.040 B.9.), and Chapter 18.61 – Special Use Permits, (18.61.040 I.).

Attached for your consideration is the proposed ordinance, including the requested revisions and additions.

The attached ordinance proposes amendments to sections:

- **17.04.050 – Approval requirements** (part of Subdivision General Provisions). **Add subsection C.**
- **17.20.080 – Supplemental material** (part of Subdivision Preliminary Plat). **Add subsection A.10.**
- **17.24.090 – Supplemental material** (part of Subdivision Final Plat). **Add subsection C.**
- **17.36.045 – Zone changes and conditional use permits which increase density** (part of Subdivision Dedications). **Add sentence at end of section.** *Side note: This code section was originally drafted as part of establishing park capital fees.*
- **18.30.030 – Requirements for approval** (part of Planned Unit Development District). **Additions at the end of the first paragraph.**
- **18.30.040 – Application – Preliminary development Plan** (part of Planned Unit Development District). **Add subsection F.**
- **18.30.140 – Plan changes** (part of Planned Unit Development District). **Add subsection D.**

And it proposes the following new sections:

- **18.09.085 – Zone change or modification**
- **18.72.021 – Zoning development permit – Water availability**

Within the current Code, there is already language within the Site Plan, Conditional Use Permit, and Special Use Permit sections that includes water supply as a review criteria. The proposal is to keep that language in its current form:

*“The proposed development shall be designed, constructed, and **maintained with adequate water supply**, wastewater disposal, solid waste disposal, air quality protection methods, and surface water drainage.”*

But as requested by the Planning Commission on February 27th, a review criteria that says:

“The proposed development shall require approval of the City that connection and availability of a water source exists that is sufficient to serve the needs of the proposed uses and structures.”

is proposed to be added to each of these code sections as follows:

Chapter 18.34 – Site Plan, (18.34.070 H.)

Chapter 18.57 – Conditional Use Permits, (18.57.040 B.12.)

Chapter 18.61 – Special Use Permits, (18.61.040 L.)

RECOMMENDATION: Should the Planning Commission find the provisions in the proposed Ordinance satisfactory, the Planning Commission should recommend that City Council approve the Code amendments as presented.

NEXT STEPS: As of this memo, City Council is schedule to have initial posting of the proposed ordinance at the April 3rd meeting and a public hearing at their April 17th meeting.

ATTACHMENT:

Proposed Ordinance Amending Title 17 and Title 18 to Address Water Availability Necessary for Future Development and Expansion of Uses and Impact

CITY OF WOODLAND PARK, COLORADO
ORDINANCE NO. _____, SERIES 2025

**AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WOODLAND
PARK, COLORADO AMENDING TITLE 17 AND TITLE 18 OF THE WOODLAND
PARK MUNICIPAL CODE, CONCERNING SUBDIVISIONS AND ZONING, TO
ADDRESS WATER AVAILABILITY NECESSARY FOR FUTURE
DEVELOPMENT AND EXPANSION OF USES AND IMPACT**

WHEREAS, the City of Woodland Park, Colorado (the “City”) has been duly organized and is validly existing as a home rule city under Article XX, Section 6 of the Colorado Constitution and the City Charter; and

WHEREAS, pursuant to Section 7.2 of the City Charter, the City Council (“Council”) shall act by ordinance, resolution, or motion and all legislative enactments of a permanent nature shall be in the form of ordinances; and

WHEREAS, pursuant to C.R.S. § 31-15-401, the City by and through its City Council (“Council”), possesses the authority to adopt laws and ordinances within its police power in furtherance of the public health, safety and welfare; and

WHEREAS, pursuant to C.R.S. § 31-23-301 the City also possesses the authority to adopt and enforce zoning regulations; and

WHEREAS, pursuant to such authority, the City has previously adopted certain regulations within Title 17 and Title 18, concerning zoning, in the Woodland Park Municipal Code (“Code”); and

WHEREAS, City staff, consultants and the City’s Utilities Director have researched, analyzed, and studied the current water resources within Woodland Park, as well as the future needs and anticipated development of the community, which is resulting in the adoption of several plans and recommended processes; and

WHEREAS, as a result of this work, due to increasing demands on the City’s water supply, and to ensure that water rights will meet existing and anticipated water service obligations, the City finds it is necessary for the health, safety, and welfare of its citizens to adopt certain water availability requirements throughout the development process to ensure sufficient and adequate water supply to appropriately service the needs of future developments and expansions of uses and impact within the City; and

WHEREAS, in order to protect integrity and character of the City while ensuring the sustainability of future commerce and development, the Council finds and determines it is necessary to amend certain provisions of Title 17 and Title 18 of the Code to adopt such water requirements and to ensure sufficient and adequate water supply to service the needs of future developments and expansions in use and impact within the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF WOODLAND PARK, COLORADO, AS FOLLOWS:

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

Section 2. Section 17.04.050 of the Woodland Park Municipal Code, regarding approval requirements, within Chapter 17.04 regarding general subdivision provisions, is hereby amended to read as follows:

17.04.050 – Approval Requirements.

- A. Whoever divides, or participates in the combining or division of lots, tracts, or parcels of land for the purpose, whether immediate or future, of sale or building development, whether residential, commercial, industrial, or any other use shall make the transaction subject to the provisions of these regulations and a plat therefore must be submitted to and approved by the city with such approval entered in writing on the plat and signed by the mayor and attested by the city clerk.
- B. No building shall be erected on any lot, nor shall a building permit be issued for a building unless the street giving access to the lot upon which such building is proposed to be placed shall have been dedicated and approved by the city as a part of an official subdivision.
- C. No building shall be erected on any lot nor shall a building permit be issued for a building unless the owner has established, to the approval and acceptance of the City, that connection and availability of water exists as evidenced by detailed, verifiable, and authenticated documentation of the availability to connect to a water source that is sufficient and adequate to service the needs of the intended uses and structures of such lot(s).**

Section 3. Section 17.20.080 of the Woodland Park Municipal Code regarding Supplemental material, located within Chapter 17.20 regarding preliminary plat, is hereby amended by the addition of new subsection A.10 as follows:

17.20.080 – Supplemental material.

The preliminary plat shall be accompanied by the following supplemental material:

- A. A letter of intent addressed to the city council and planning commission containing the following:
 - ...
 - 10. Detailed, verifiable, and authenticated documentation of the availability to connect to a water source that is sufficient and adequate to service the needs of the proposed lots, uses, and structures.**

Section 4. Section 17.24.090 of the Woodland Park Municipal Code regarding Supplemental material, located within Chapter 17.24 regarding final plat, is hereby amended by the addition of a new subsection C to read as follows:

17.24.090 – Supplemental material.

The final plat shall be accompanied by the following supplemental material:

...

C. The final plat application for both a Major Subdivision and a Minor Subdivision must include detailed, verifiable, and authenticated documentation of the availability to connect to a water source that is sufficient and adequate to service the needs of the proposed lots, uses, and structures.

Section 5. Section 17.36.045 of the Woodland Park Municipal Code regarding zone changes and conditional use permits which increase density, located within Chapter 17.36 regarding subdivision dedications, is hereby amended to read as follows:

17.36.045 – Zone changes and conditional use permits which increase density.

Every parcel of land for which the owner applies and receives a change in either a zoning classification or a conditional use permit which results in increased density as a result of subdivision or site plan approval shall pay to the city clerk upon the granting of such rezoning, site plan or conditional use permit a park capital fee established per resolution per increased residential dwelling unit. Increased residential dwelling unit shall mean the increased number of residential dwelling units authorized for the parcel of land solely because of the change in zoning classification or the granting of the conditional use permit as compared to the number previously authorized. Any park capital fee paid pursuant to this section shall be credited toward any requirements of Sections 17.36.020, and conversely any land dedication, or park fees paid pursuant to the said sections shall be credited toward the requirements of this section. **Such change in either a zoning classification or a conditional use permit which results in increased density shall also trigger the water connection and availability requirements of Sections 17.04.050 and 18.72.021.**

Section 6. A new section 18.09.085 of the Woodland Park Municipal Code entitled Zone change or modification, located within Chapter 18.09 – Districts established, is hereby adopted to read as follows:

18.09.085 – Zone change or modification.

Change in a zoning classification which results in increased density shall not be approved unless the owner (applicant/developer) has established, to the approval and acceptance of the City, that connection and availability of water exists that is sufficient to service the needs of the intended uses and structures of such lot(s).

Section 7. Section 18.30.030 of the Woodland Park Municipal Code regarding requirements for approval, located within Chapter 18.30 regarding Planned Unit Development (PUD) District, is hereby amended to read as follows:

18.30.030 – Requirements for approval.

A planned unit development district shall be approved only on a tract of land proposed to be developed under the PUD concept and may be approved by the planning commission; provided, that **the proponents have established, to the approval and acceptance of the City, that connection and availability of water exists that is sufficient to service the needs of the proposed uses and structures and that** one or more of the following conditions exist:

- A. Because of unusual physical features of the property itself or of the neighborhood in which it is located, a substantial deviation from the regulations otherwise applicable is necessary or appropriate in order to conserve a physical or topographic feature of importance to the city;
- B. The property or its neighborhood has an historical character or economic or cultural importance to the community that will be protected by use of a PUD;
- C. The property is adjacent to or across a street from property which has been developed or redeveloped under a PUD and it is determined that a PUD will contribute to the maintenance of the amenities and values of the neighboring property;
- D. The design of the PUD illustrates a unique urban design concept that properly relates to adjoining properties;
- E. Planned business development proposal shall meet one or more of the above conditions, in addition to the following:
 - 1. That the planned business development shall maintain or enhance the environmental integrity of the city and the vicinity in which it is to be located,
 - 2. That the planned business development shall be determined to be compatible with vicinity existing and proposed uses,
 - 3. That the planned business development shall provide identified economic development opportunities, while successfully mitigating impacts.

Section 8. Section 18.30.040 of the Woodland Park Municipal Code regarding preliminary development plan, located within Chapter 18.30 regarding Planned Unit Development (PUD) District, is hereby amended to read as follows:

18.30.040 - Application—Preliminary development plan.

The proponents of a planned unit development district shall make written application in accordance

with the provisions of this chapter to the planning commission for the rezoning of property for a planned unit development district. The request of a PUD zone change shall be accompanied by a preliminary development plan and a detailed statement of the type of development proposed for the property in question, said statement to include but not to be limited to the following:

- A. The character of the residential development proposed, to include the type of dwelling units, approximate dwelling unit density per tract, general height of buildings, building lot coverage, etc.;
- B. The type of open space and recreational facilities proposed;
- C. A statement as to whether or not a homeowners association is intended;
- D. Nonresidential uses proposed; detailed description of said use must be included in the statement;
- E. For planned business developments: a detailed description of proposed uses, the proposed character of the development, the approximate number of buildings, the extent of parking, a statement of compatibility with vicinity existing and proposed uses, and proposed methods to mitigate impacts.
- F. Detailed, verifiable, and authenticated documentation of the availability to connect to a water source that is sufficient and adequate to service the needs of the proposed uses and structures.**

Section 9. Section 18.30.140 of the Woodland Park Municipal Code regarding plan changes, located within Chapter 18.30 regarding Planned Unit Development (PUD) District, is hereby amended to read as follows:

18.30.140 – Plan changes.

No changes in a plan for a PUD shall be made, nor shall there be any deviation from the plan, without first obtaining approval as follows:

- A. Changes in general character or land use shall require approval of the planning commission and such approval may be granted only after a publication of notice of public hearing, and after the public hearing has been conducted as advertised.
- B. Changes in location of buildings, structures, or exceeding ten feet in lineal distance or changes in the angle of location exceeding fifteen degrees shall require approval of the planning commission to be granted at any regular or special meeting for which the item in question has first appeared on the published agenda for the meeting.
- C. Changes in location not exceeding ten feet or changes in angle of location not exceeding fifteen degrees may be approved or denied by the city manager. A denial of change may be appealed to the planning commission. The city manager may refer any change to the

planning commission for decision, if he deems it in the best interest of the city; provided, that all changes granted by the city manager shall be reported in writing to the planning commission within fifteen days of the decision rendered by the city manager.

D. Changes in general character or land use shall require approval of the City that connection and availability of water exists that is sufficient to service the needs of the intended uses and structures of such lot(s).

Section 10. A new section 18.72.021 of the Woodland Park Municipal Code entitled Zoning development permit – Water availability, located within Chapter 18.72 – Administration and Permit Issuance, is hereby adopted to read as follows:

18.72.021 – Zoning development permit – Water availability.

- A. No building shall be erected on any lot, nor shall a building permit be issued for a building unless the owner has established, to the approval and acceptance of the City, that connection and availability of a water source exists that is sufficient to service the needs of the intended uses and structures of such lot(s).
- B. Change in either a zoning classification or a conditional use permit which results in increased density shall trigger the water connection and availability requirements of Section 18.72.021.A.

Section 11. Section 18.34.070 of the Woodland Park Municipal Code regarding Standards for the Site Plan Review, located within Chapter 18.34 Site Plans, is hereby amended by the addition of a new subsection H. to read as follows:

18.34.070 – Standards for Site Plan Review

The standards for site plan review are intended

...

H. The proposed development shall require approval of the City that connection and availability of a water source exists that is sufficient to serve the needs of the proposed uses and structures.

Section 12. Section 18.57.040 of the Woodland Park Municipal Code regarding Standards for Conditional Use Permits, located within Chapter 18.57 Conditional Use Permits, is hereby amended by the addition of a new subsection B.12. to read as follows:

18.57.040 – Standards

- B. The following shall apply to all uses requiring a conditional use permit:

...

12. The proposed development shall require approval of the City that connection and availability of a water source exists that is sufficient to serve the needs of the proposed uses and structures.

Section 13. Section 18.61.040 of the of the Woodland Park Municipal Code, regarding Standards for Special Use Permits, located within Chapter 18.61 Special Use Permits, is hereby amended by the addition of a new subsection L. to read as follows:

18.61.040 – Standards

... The following shall apply to all uses requiring a special use permit...

L. The proposed development shall require approval the of the City that connection and availability of a water source exists that is sufficient to serve the needs of the proposed uses and structure.

Section 14. 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.

Section 15. Effective Date. This Ordinance shall be in full force and effect from and after its publication as required.

PASSED BY CITY COUNCIL ON SECOND AND FINAL READING FOLLOWING PUBLIC HEARING THIS ___ DAY OF _____, 2025.

City of Woodland Park

Kellie Case, Mayor

ATTEST:

City Clerk, Suzanne Leclercq