



City of Woodland Park

City Council

April 3, 2025 at 6:30 PM

AGENDA

1. **CALL TO ORDER AND ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **CEREMONIES, PRESENTATIONS AND APPOINTMENTS**
 - A. Celebration of a Proclamation declaring the week of May 5th through May 9th, 2025, as National Small Business Week. (A)
(Presenter Deb Miller, President of the Greater Woodland Park Chamber)
4. **ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA**
5. **CONSENT CALENDAR**
 - A. Approval of the March 20, 2025 City Council Meeting Minutes. (A)
(Presenter Deputy City Manager/City Clerk Leclercq)
6. **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA (1)**
7. **UNFINISHED BUSINESS**
(Public Comment may be heard)
8. **ORDINANCES ON INITIAL POSTING**
(Public comment may be heard)
 - A. Approval of Ordinance No. 1494, Series 2025, on initial posting, 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, and set the Public Hearing for April 17, 2025. (L)
(Presenter Planning Director Schminke)
 - B. Approval of Ordinance No. 1495, Series 2025, on initial posting 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, and set the Public Hearing for April 17, 2025, and set the Public Hearing for April 17, 2025. (L)
(Presenter Planning Director Schminke)
9. **PUBLIC HEARINGS**
(Public comment may be heard)
 - A. Approval of a new Beer & Wine Liquor License for Feather Petroleum dba Stop N Save #28, located at 519 W. US Highway 24, Woodland Park, Colorado

80863. (A)
(Presenter Deputy City Manager/City Clerk Leclercq)

10. NEW BUSINESS

(Public comment may be heard)

11. REPORTS

(Public comment not necessary)

A. Mayor's Report

B. Council Reports

C. City Attorney's Report

D. City Manager's Report

12. ADJOURNMENT

Key to agenda abbreviations:

(A) Administrative- matters involving day-to-day decisions such as approving contracts, hiring staff and the procurement of goods and services. Administrative actions generally do not require formal actions by the elected body.

(L)Legislative- typically in the policy arena; legislative matters affect large areas and large groups of people, such as enacting dog regulations or amending the City code. Legislative action generally involves motions, resolutions and ordinances.

(QJ)Quasi-Judicial- apply general rules to a specific interest, such as zoning change affecting a single piece of property, or a special use permit. Quasi-Judicial actions generally involve adjudication, sometimes in writing, but not a resolution or ordinance. Decision for Quasi-Judicial proceedings are made exclusively based upon the testimony presented on the record. Ex-parte communication (communication outside the official hearing) between elected officials and citizens is not permitted on Quasi-Judicial



STAFF REPORT

TO: Mayor Case and City Council

FROM:

DATE: April 3, 2025

SUBJECT: Celebration of a Proclamation declaring the week of May 5th through May 9th, 2025, as National Small Business Week. (A)
(Presenter Deb Miller, President of the Greater Woodland Park Chamber)

BACKGROUND:

RECOMMENDATION:

ATTACHMENTS: 1. Proclamation National Small Business Week

PROCLAMATION

National Small Business Week

WHEREAS, National Small Business Week recognizes the many contributions of America's entrepreneurs and small business owners who create opportunities for families, workers, and neighbors, driving local and national economic growth; and

WHEREAS, small businesses are the backbone of the economy and the guardians of the free market, representing **99.5% of all businesses in Colorado** and providing nearly **47.6% of the state's workforce**; and

WHEREAS, small businesses in Woodland Park play a vital role in fostering economic prosperity, job creation, and community development, making the city a vibrant place to live, work, and visit; and

WHEREAS, the *Pikes Peak Small Business Development Center (SBDC)* exists to help existing and new businesses grow and prosper by providing free one-on-one consulting, low-cost educational seminars, and events to support business success in Woodland Park and throughout the region; and

WHEREAS, the *Better Business Bureau of Southern Colorado (BBB)* has worked to advance marketplace trust by setting ethical business standards, providing consumer education and business resources, and supporting local enterprises in the region; and

WHEREAS, the *Greater Woodland Park Chamber of Commerce* continues to be a champion for small businesses, fostering a strong business environment through advocacy, networking, and economic development initiatives in Woodland Park and the region; and

WHEREAS, small businesses in Woodland Park have demonstrated remarkable resilience, overcoming challenges such as economic fluctuations, workforce shortages, and supply chain disruptions, all the while remaining committed to serving the local community; and

WHEREAS, without the individuals who take risks to start and sustain small businesses, and without the local resources dedicated to supporting their growth, a significant portion of our city's and nation's economy would be diminished and unable to function; and

WHEREAS, the SBDC, the BBB, and the CSCEDC are hosting, for the 17th year, special events from May 5th through May 9th throughout the region, giving business owners an opportunity to learn more about topics of business marketing, evolution, and purpose through workshops and the Small Business Week Awards Celebration; and

WHEREAS, the *Small Business Week of the Pikes Peak Region* continues to be the largest celebration of small businesses throughout Colorado and one of the most significant in the United States;

NOW, THEREFORE, the City Council of Woodland Park, Colorado, hereby recognizes **May 5th through May 9th, 2025**, as

NATIONAL SMALL BUSINESS WEEK

Dated this ____ day of April, 2025

THE CITY COUNCIL OF
WOODLAND PARK, COLORADO

Kellie Case, Mayor
City of Woodland Park, Colorado



City of Woodland Park

March 20, 2025 at 6:30 PM

MINUTES

1. CALL TO ORDER AND ROLL CALL

The time being 6:30 PM, Mayor Case called the regularly scheduled City Council Meeting to order with the following members of Council being in attendance: Mayor Case, Mayor Pro-tem Nakai, Councilmember Geer, Councilmember Jones, Councilmember Harvey and Councilmember Smith.

The following staff members were in attendance: City Manager Vassalotti, Parks and Recreation Director Keating, Utilities Director Wiley, Communications Manager Higginbotham, IT Technician Barnes and Deputy City Clerk Sauer. Planning Director Schminke appeared via zoom.

2. PLEDGE OF ALLEGIANCE

3. CEREMONIES, PRESENTATIONS AND APPOINTMENTS

- A. Celebration declaring March 20, 2025 as "Grandpa Terry Day!" (A)
(Presenter Parks and Recreation Director Keating)

The City Council celebrated and declared March 20, 2025, as "Grandpa Terry Day". Terry Patton was celebrated for all of his kindness and generosity to the varsity soccer teams at the High School.

- B. Recognition and thank you of donors to the Avenger Open Space project. (A)
(PRAB Chair Jeff Webb)

PRAB Chair Jeff Webb and Parks and Recreation Director Keating celebrated all the generous donors to the Avenger Open Space project.

- C. Graduation of the Class of 2025 Citizens Academy. (A)
(Presenter Communications Manager Higginbotham)

Communications Manager Higginbotham celebrated the Citizens Academy graduating class of 2025.

- D. Presentation of the January 2025 Sales Tax Update. (A)
Presenter City Manager Vassalotti)

City Manager Vassalotti presented the Sales Tax Update for January 2025.

4. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA

None.

5. CONSENT CALENDAR

- A. Approval of the March 6, 2025, Regularly Scheduled City Council Meeting Minutes. (A)

Mayor Case introduced both items on the Consent Calendar and Council decided to consider them together. The following motion was made.

Motion: to approve the March 6, 2025, regularly scheduled Council Meeting Minutes and the February 2025, Statement of Expenditures. Geer/Nakai. Motion carried 6-0.

- B.** Approval of the February 2025 Statement of Expenditures and authorize the Mayor to sign warrants in payment thereof. (A)
(Presenter City Manager Vassalotti).

6. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA (1)

Mary Sekowski shared her disapproval of the Cease and Desist letters that were posted on the illegal STR's this past week.

Colten Montgomery shared his sentiments on the Sales Tax fallout with the School District and said that the kids would be successful despite the Council's decision.

Andrew Smith (via zoom) asked how does he remove a Cease and Desist letter from the door of his STR.

7. UNFINISHED BUSINESS

(Public Comment may be heard)

None.

8. ORDINANCES ON INITIAL POSTING

(Public comment may be heard)

None.

9. PUBLIC HEARINGS

(Public comment may be heard)

None.

10. NEW BUSINESS

(Public comment may be heard)

- A.** Approval of Resolution 931, Series 2025 establishing water and sewer plant investment fees effective April 1, 2025. (A)
(Presenter Utilities Director Wiley)

Utilities Director Wiley shared his staff report with the Council regarding the fact that this tap fee rate increase would go into effect on April 1, 2025. Wiley shared how the numbers were formulated and recommended an increase of 15%. Wiley added that this increase was also supported unanimously by the UAC. . Wiley also reported how the various tiers were determined.

Skip Howes recommended that we do a new evaluation to determine tap fees. Howes shared his disappointment with the timing of the tap fee increase and that he felt there was not enough time between the last week of March and the first of April before announcing these new rates.

- B.** Discussion of appointment to vacant council seat (Presenter Aaron Vassalotti)
(A)

Mayor Case asked Attorney Stewart to discuss the options for appointment to the Council vacancy. Councilmember Geer shared that he knew the options and Councilmember Harvey

shared they are very clear in the Charter. Council decided to consider applications for the vacancy with them being due to the Clerk for the April 17, 2025, Council Packet.

11. REPORTS

(Public comment not necessary)

A. Mayor's Report

Mayor Case shared the upcoming events for the next two weeks. Case also shared that the Air Force graduation would be occurring this year on May 29, 2025.

Councilmember Harvey expressed interest in taking the position on the Colorado Policy Committee left open by Teri Baldwin's resignation. Council gave consensus to Harvey for this position.

B. Council Reports

Mayor Pro-tem Nakai shared an update of the UAC and Charter Review Committees.

Councilmember Geer shared an update³ on Parks and Recreation events.

C. City Attorney's Report

Attorney Stewart gave an update on the STR ruling and the Natural Medicine ordinance.

D. City Manager's Report

City Manager Vassalotti thanked Kristen for her hard work on a successful Citizen's Academy. Vassalotti shared that due to the ruling on the STR injunction, the City would begin enrolling illegal STRs. Vassalotti also shared information on Highway 67 tree removal for the construction of the four lanes from Evergreen Heights Road to Kelleys Road.

12. ADJOURNMENT

There being no further City business, Mayor Case concluded the Council Meeting at 8:00 PM.

Respectfully submitted:

Suzanne Leclercq MMC, City Clerk

APPROVED THIS ____ DAY OF _____, 2025

Kellie Case, Mayor



STAFF REPORT

TO: Mayor Case and City Council

FROM: Karen Schminke, Director of Planning & Building Services

DATE: April 3, 2025

SUBJECT: Approval of Ordinance No. 1494, Series 2025, on initial posting, 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, and set the Public Hearing for April 17, 2025. (L) (Presenter Planning Director Schminke)

BACKGROUND: The purpose of the proposed ordinance is to establish regulations for Natural Medicine Businesses and Natural Medicine Healing Centers. See attached detailed staff report from the City Attorney's Office.

RECOMMENDATION: Approve on initial posting, Ordinance No. 1494, 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, and set the Public Hearing for April 17, 2025.

ATTACHMENTS:

1. Ordinance 1494 - Natural Medicine
2. 2025-03-26 - Staff Memo - Ordinance - Natural Medicine

CITY OF WOODLAND PARK, COLORADO
ORDINANCE NO. 1494
(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) and may be permitted as a Conditional Use in the Community Commercial District (CC) and the Service Commercial District (SC) 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 10:00 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 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 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.

18.80.130 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 18.80.
 - (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 City.
- (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.

Section 3. Section 18.09.090 of the Woodland Park Municipal Code contains the table of permitted uses for businesses, industrial, and residential districts and is hereby amended to read as follows:

P=Permitted Use C=Conditional Use PC=Permitted Conditionally													
PERMITTED USES	SR	UR	MFS	MFU	MHP	AG	P/SPL	NC	CC	SC	CBD	HSC LI	PUD
...													
W. Natural Medicine Businesses													
1. Natural Medicine Healing Centers								P	P	P			
2. Natural Medicine Businesses									C	C		P	

Other Than Natural 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 17TH DAY OF APRIL, 2025.

City of Woodland Park

Mayor Kellie Case

ATTEST:

City Clerk, Suzanne Leclercq

STAFF MEMO

To: Mayor Case and City Council
From: City Attorney's Office – Betsy L. Stewart
Date: 03/26/2025
Subject: Natural Medicine Ordinance

I. Procedural Background re: *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 (Natural Medicine Ordinance)*

The attached Natural Medicine Ordinance is set for first reading on April 3, 2025 and public hearing on April 17, 2025. In short, this Ordinance is before City Council as a result of the following events:

- Adoption of the state wide voter initiated Proposition 122 regarding natural medicine;
- Adoption of the Natural Medicine Act and the Natural Medicine Code in Colorado Revised Statutes and the adoption of Colorado Department of Revenue (CDOR) and Colorado Department of Regulatory Agencies (DORA) Regulations;
- Council's adoption of a Temporary Moratorium re: the establishment and operation of natural medicine healing centers and businesses in the City;
- A work session with City Council;
- Receipt of policy direction from City Council;
- A work session with Planning Commission;
- A public hearing with Planning Commission; and
- Public comment from prospective natural medicine practitioners and recipients.

II. Planning Commission Recommendation

The draft ordinance that initially appeared before Planning Commission was modeled after Castle Rock's Natural Medicine Ordinance and followed policy direction from Council re: time, manner, and place regulations. The purpose of this memo is to provide you with some background regarding the few changes Planning Commission recommended to Council for adoption regarding the proposed natural medicine ordinance:

- **18.80.040 – Permitted location for natural medicine businesses.**

Planning Commission expanded the areas where natural medicine businesses other than natural medicine healing centers can exist beyond a permitted use in the Heavy Service Commercial Light Industrial District (HSC/LI) based on public comments made by prospective natural medicine practitioners.

Prospective natural medicine practitioners requested Planning Commission to consider allowing natural medicine healing centers to engage in cultivation of natural medicine to use in their practice.¹ This request was made due to the fact that only 7 cultivation centers were approved by CDOR at the time of public comment and none of those cultivation centers were located in Woodland Park. This request was also made due to the significant expenses associated with obtaining the appropriate licensure and operating a natural medicine business.

In response to these comments, Planning Commission recommends allowing natural medicine businesses other than healing centers to exist as a Conditional Use in the Community Commercial District (CC) and the Service Commercial District (SC).

- **18.80.060 – Hours of operation – natural medicine services.**

Following receipt of public comment from prospective natural medicine practitioners, the Planning Commission concluded that natural medicine healing centers and natural medicine businesses providing natural medicine services should be permitted to operate any day of the week between 7:00 a.m. and 10:00 p.m. These time frames are recommended to allow prospective natural medicine practitioners to hold at least 2 sessions a day and to allow people to utilize such services outside of typical business hours.

- **18.80.070 – Public view of natural medicine businesses and natural medicine services.**

Following public comment from prospective natural medicine practitioners, Planning Commission concluded that all activities of natural medicine businesses and services should occur indoors unless the access to an outdoor area is confined to a space such as an atrium or courtyard that is shielded from public view so long as such outdoor space complies with the remaining requirements of this section.

¹ This is permitted by state law.



STAFF REPORT

TO: Mayor Case and City Council

FROM: Karen Schminke, Director of Planning & Building Services

DATE: April 3, 2025

SUBJECT: Approval of Ordinance No. 1495, Series 2025, on initial posting 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, and set the Public Hearing for April 17, 2025, and set the Public Hearing for April 17, 2025. (L)
(Presenter Planning Director Schminke)

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 or expand a use or impact.

RECOMMENDATION: Approve on initial posting, Ordinance No. 1495, 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, and set the Public Hearing for April 17, 2025.

ATTACHMENTS: 1. Ordinance 1495 - Development Water Availability

**CITY OF WOODLAND PARK, COLORADO
ORDINANCE NO. 1495, 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 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 17TH DAY OF APRIL, 2025.

City of Woodland Park

Kellie Case, Mayor

ATTEST:

City Clerk, Suzanne Leclercq



STAFF REPORT

TO: Mayor Case and City Council

FROM: Suzanne Leclercq, Deputy City Manager/City Clerk

DATE: April 3, 2025

SUBJECT: Approval of a new Beer & Wine Liquor License for Feather Petroleum dba Stop N Save #28, located at 519 W. US Highway 24, Woodland Park, Colorado 80863. (A)
(Presenter Deputy City Manager/City Clerk Leclercq)

BACKGROUND: CITY OF WOODLAND PARK Liquor License Summary

Note: Liquor License forms contain a mixture of confidential and public information. In an effort to protect the confidentiality of items such as Social Security Numbers, Drivers License numbers, and dates of birth, liquor application forms will no longer be available to the public. This summary is intended to give Council and citizens the public content of the issue at hand.

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Type of Action Requested: Conduct Public Hearing for a NEW BEER & WINE Liquor License.

Applicant: FEATHER PETROLEUM dba STOP N' SAVE #28 located at 519 W. US-HWY 24, Woodland Park, CO 80863

Application details:

- Applicant is Feather Petroleum dba Stop N' Save #28
- The corporation has a current sales tax license and FEIN number.
- A petition of needs and desires IS necessary for a NEW Beer & Wine liquor license since the location has previously been licensed.
- The location is eligible to be licensed.
- Possession of the property is documented by a LEASE expiring May 2, 2034.

Factual Findings:

- The application was submitted on February 26, 2025.
- A petition of needs and desires was completed with 33 verified signatures.
- Subject property was posted on March 24, 2025 as required by law.

- Public Notice was published on the City's Website March 24, 2025.
- Character of the applicant is not an issue for this hearing. A master file has been granted for Feather Petroleum Company in the State of Colorado.
- All applicable fees have been paid.

Recommended Action:

Following Public Hearing, approve application from Feather Petroleum dba Stop N' Save #28 for a NEW Beer & Wine Liquor License located at 519 West US-Hwy 24, Woodland Park, Colorado 80863.

RECOMMENDATION:

ATTACHMENTS: None