

ORDINANCE NO. 2656

INTRODUCED BY: CHACON, DOUGLAS, DOUGLAS DUKES, FORD, KIM, MADERA,
NOBLE, TETER

AN ORDINANCE AMENDING SECTIONS 21-5200, 21-5239.5, AND 21-11200 OF THE LAND DEVELOPMENT CODE PERTAINING TO THE REGULATION OF NATURAL MEDICINE HEALING CENTERS AND NATURAL MEDICINE CULTIVATION, MANUFACTURE, AND TESTING FACILITIES

WHEREAS, the City of Commerce City, Colorado (the “City”), is a home rule municipality and political subdivision of the State of Colorado (the “State”) organized and existing under a home rule charter pursuant to Article XX of the Constitution of the State;

WHEREAS, pursuant to the Charter of the City of Commerce City (the “Charter”), the City has all legislative powers and functions of municipal government as reserved to it by the Colorado Constitution and the laws of the State;

WHEREAS, the City Council desires to update the Land Development Code to allow for the creation and use of natural medicine uses within in specific zoning districts in the City; and

WHEREAS, the Planning Commission of the City reviewed the proposed amendments to the Land Development Code at a public hearing held on December 2, 2024, and recommends approval of the same.

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

SECTION 1. Findings. The recitals to this ordinance are incorporated as findings of the City Council. This ordinance is found to be necessary for the preservation of the public health, safety, and welfare and in the public interest.

SECTION 2. Amendment to Chapter 21. Chapter 21 of the Commerce City Revised Municipal Code (Land Development Code), specifically Sections 21-5200, 21-5239.5, and 21-11200 are hereby amended as shown in Exhibit A, with the changes reflected in Exhibit B.

SECTION 3. Inconsistencies; Conflicts. Except as specifically modified herein, the provisions of the Commerce City Revised Municipal Code shall remain unchanged and in full force and effect. All ordinances and provisions of the Commerce City Revised Municipal Code, or portions thereof, inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

SECTION 4. Effective Date. This ordinance shall be effective as provided in the City Charter.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED THIS 6TH DAY OF JANUARY, 2025.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED
THIS 3RD DAY OF FEBRUARY, 2025.

CITY OF COMMERCE CITY, COLORADO

Steven J. Douglas, Mayor

ATTEST

Dylan A. Gibson, City Clerk

EXHIBIT A

**COMMERCE CITY COLORADO LAND DEVELOPMENT CODE
ARTICLE V – USES AND ACCESSORY STRUCTURES
DIVISION 2 – PRINCIPAL USES
SUBDIVISION A – GENERAL PROVISIONS**

**Sec. 21-5200 – Land Use Table.
Table V-1. Land Use Table**

Table V-1. Land Use Table

Uses Allowed by Zoning District																		
R = Allowed by Right P = Use by Permit C = Conditional Use OG = Oil & Gas Permit Blank Cell = Excluded																		
Use Classification	Specific Use Type	NAICS Code	R-1	R-2	R-3	R-4	MHP	C-1	C-2	C-3	MU-1	I-1	I-1S	I-2	I-3	AG	PUBLIC	Additional Regulations
AGRICULTURAL USES																		
Agriculture	Crop production, including the sale of agricultural products directly from the grower to the consumer on land that is part of the farm unit	111														R		
	Dairy products manufacturing, exclusively grown on premises	3115														R		
	Food manufacturing, miscellaneous, all other, exclusively grown on premises	3119														R		
	Food manufacturing, specialty and fruit and vegetable preserving, exclusively grown on premises	3114														R		
	Grain and oilseed milling, exclusively grown on premises	3112														R		
	Wineries, processing fruits exclusively grown on premises	31213														R		
Agricultural Services	Agricultural support businesses and services	1151												C	C	R		
	Animal production, excluding NAICS 112990	112														R		21-5246
	Animal production support services	1152													R	R		
	Cattle feedlot, stockyard, and the commercial sale of livestock	112112													C	C		
	Firewood; commercial storage and sales	454319												R	R	R		
	Fish hatchery	112511														R		
	Poultry house or pigeon coop	1123														R		
	Riding stables/equestrian training	115210														R		
	Rodeo	711310														C		
	Veterinary services (livestock)	541940														R		
	Community garden		R	R	R	R	R	R	R	R	R	P		P	P	R	R	21-5226

Horticulture and Nurseries	Greenhouse/nursery/tree production (with no outdoor storage)	11142								R		R		R	R	R		21-5236
	Greenhouse/nursery/tree production (with outdoor storage)	11142												R	R	R		21-5236
	Sod farm	11142														R		
COMMERCIAL USES																		
Adult Businesses	Sexually Oriented Businesses											R		R	R			21-5262
Animal Services	Animal boarding (indoor/outdoor kennels) and training											P		P	P	R		21-5242
	Doggie day care centers									P	P	P		P	P	R		21-5228
	Veterinary offices or clinics							R	R	R	R	R		R	R	R		
Antennas	Antennas for commercial/industrial use accessory to principal use									P		R		R	R			
	Antenna and support structure for amateur radio communications		P	P	P	P	P									P		21-5216
	Radio or television broadcasting offices								R	R	R	R					C	
Building Materials and Services (Retail)	All other similar uses (plumbing, electrical, lumber and building equipment-without outdoor storage)									R	R	R		R	R			
	All other similar uses (plumbing, electrical, lumber and building equipment-with outdoor storage)													R	R			21-5254
	Landscape equipment, hardscape materials (without outdoor storage)											R		R	R	R		21-5236
	Landscape equipment, hardscape materials (with outdoor storage)													R	R	R		21-5254
Eating and Drinking Establishments	Bar, tavern, night club								R	R	R	R		R	R			21-5214
	Brewpub						R	R	R	R	R							21-5214
	Catering services						R	R	R	R	R		R					
	Restaurant with drive-thru/up							R	R		R							21-5230
	Restaurant without drive-thru/up				**			R	R	R	R	R						21-5268
	Tasting Room							R	R	R	R	R						21-5214
Financial Institutions	Bank or financial institution						C	R	R	R	R							

Food and Beverage Sales	Convenience store/grocery store (<5,000 sf)			**			R	R	R	R	R						21-5268
	Grocery store (>5,000 sf)							R	R	C	R						
	Liquor store							R	R	R	R						21-5214
	All other similar uses (e.g., delicatessen, retail bakery, specialty food market, coffee shop)			**			R	R	R	R	R						21-5268
Fuel Sales	Fuel sales with no vehicle repair							P	R		R		R				21-5235
	Fuel sales with minor vehicle repair							P	R		R		R	R			21-5235
	Fuel sales with major vehicle repair										R		R	R			21-5235
	Natural gas fuel sales								R		R		R				21-5235
	Natural gas fuel sales for trucks										R		R	R			21-5235
Funeral and Internment Services	Cemetery/pet cemetery/mausoleum														R	R	
	Crematory or mausoleum when incidental or supplemental to primary cemetery use														R	R	
	Crematory as principal use											P	R				
	Funeral home						C	R	R		R						
Office	Business or professional (including medical/dental office/clinics)			**			R	R	R	R	R						21-5268
	Courier services						R	R	R	R	R		R	R			
	Healing Centers						R	R	R	R	R						21-5239.5
	Massage therapy office/clinics						R	R	R	R	R						
	Substance Abuse Treatment Facility, Inpatient Residential										C		C	C	C	C	21-5238
	Substance Abuse Treatment Facility, Outpatient Clinic						P	R	R		R						
Personal Services	Instructional services, studios			**			R	R	R	R	R		R	R			21-5268
	Temporary/day labor facilities/offices								C		C		C	C			
	Bail bonds										P		P	P			21-5220
	All other similar uses						R	R	R	R	R		R				
	Bingo establishments/social gaming outlet/performance centers							R	R	R	R						

Recreation or Amusement Facilities, Private	Bowling, billiards, movie theaters and similar uses							R	R	R	R							
	Drive-in theater							C	C									21-5230
	Health clubs							R	R	R	R							
	Outdoor recreation				P			R	R							P		
	Race track (animal or vehicle)								C		C							
Repair Services (Not Including Vehicles)	Furniture or major household appliance repair								R		R		R	R				
	All other similar uses								R	R	R		R	R				
Retail Establishments	Flea markets, indoor/outdoor								P	P	P		P					
	Machinery sales, excluding truck trailers, heavy equipment, and farm machinery								R		R							
	Pawn shop								P		P							
	Retail business store <25,000 square feet				**		R	R	R	R	R							21-5268
	Retail business store >25,000 square feet						C	R	R	C	R							
	Tattoo parlor						P	R	R	R	R							
	Thrift/consignment store						R	R	R	R	R							
Vehicle/Equipment Sales and Services	Automobile rentals								R		R		R					21-5272
	Automobile washing facility							R	R		R		R					21-5218
	Limited moving truck (<30 feet)/equipment self-rental facilities								P		R		R	R				21-5272
	Major equipment repair										R		R	R				
	Mobile home dealer/sales												R	R				
	Motor vehicle dealer/sales, new and used automobiles <3 acres								R		R							21-5272
	Motor vehicle dealer/sales, new and used automobiles >3 acres								C		C							21-5272
	Motor vehicle dealer/sales, new and used RV's, trailers, and campers)										R		R	R				21-5272
	Tire shop								R		R		R	R				21-5271
	Towing Services with Impound Yard												R	R				21-5241

	Towing Services without Impound Yard											R		R	R			21-5241	
	Vehicle repair, major (includes auto body repair, paint shops, and incidental sales of parts)											R		R	R			21-5271	
	Vehicle repair, minor							P	R			R		R	R			21-5271	
	Vehicle storage (inoperable vehicles)														C				
	Vehicle storage (operable vehicles only)													R	R				
Visitor Accommodations	Bed and breakfast establishments		P	P	P	P		R									R		
	Lodging establishments								P	R	R	R							21-5248
	Overnight campground																P	P	
OFFICE FLEX																			
Office Flex	Office flex											R		R	R			21-5251	
INDUSTRIAL USES																			
Auction House or Yard	Auction house (inside)	453998										C	R	C	C				
	Auction house or yard (outside)	453998												C	C				
Artisan/Handcrafted Manufacturing	Artisan/handcrafted manufacturing						R	R	R	R	R	R	R	R	R		R		
Contractor Operations	Building, developing, general contracting	236										R	R	R	R				
	Construction Crane Uses														R				
	Contractor's shop and storage yard	236-238										*	*	R	R			21-5254	
	Contractor—landscaping	561730												R	R	R			
	Heavy construction equipment (new/used sales and storage)	237												R	R				
	Special trade contractors	238											R	R	R	R			
Manufacturing, Chemical	Basic chemical manufacturing	3251												C	R				
	Explosives, including ammunition and fireworks	32592													C			21-5239	
	Fertilizer manufacture, organic or nonorganic, and pesticides	32531													C	C			
	Fiberglass manufacturing	327993												R	R				

	Glue, gelatin (animal), or caulking compound manufacturing	32552													C			
	Hazardous Materials														C			21-5120/21-5239
	Industrial launderers/dry cleaning plants	812332													C			
	Insecticides, fungicides, disinfectants, and related industrial and household chemical compounds (blending only)	3253													C			
	Nitrate manufacturing	32592													C			
	Paint, coating, and adhesive product manufacturing	3255													R			
	Pharmaceutical and medical product manufacturing	3254												R	R			
	Plastic product manufacturing, including extrusion of plastic	3261												R	R			
	Resin, synthetic rubber, artificial and synthetic fibers/fill manufacturing	3252												R	R			
	Rubber product manufacturing	3262												R	R			
	Soaps, cleaner and toilet preparation manufacturing	3259												R	R			
	Tire manufacturing	32621													C			
Manufacturing, Food	Animal food manufacturing	311119													C			
	Bakeries, pasta and tortilla manufacturing	3118									R	R	R	R				
	Beverage manufacturing	3121									R	R	R	R				
	Brewery										P	R	R	R				21-5214
	Bulk grain transfer												P	P				21-5223
	Dairy product manufacturing	3115									R	R	R	R				
	Distillery										P	R	R	R				21-5214
	Fruit and vegetable preserving, and specialty food manufacturing	3114									R	R	R	R				
	Grain and oilseed milling, including grain elevator	3112													R	R		
Meat products, including slaughtering	31161													C				

	Meat products, packing and processing (no slaughtering)	311612										R	R	R	R			
	Microbrewery							P	R	R	R	R	P					21-5214
	Micro-winery						R	R	R	R	R	R						21-5214
	Rendering and meat byproduct processing	311613													C			
	Other food manufacturing	311999									R	R	R	R				
	Poultry packing and slaughtering	311615													C			
	Sugar and confectionary product manufacturing	3113													C			
	Tobacco manufacturing	3122													C			
	Winery							P	R	R	R	R	P					21-5214
Manufacturing, Machinery	Aerospace product and parts manufacturing	3364												R	R			
	Commercial and service industry machinery manufacturing	3333									R	R	R	R				
	Computer and electronic product manufacturing	334									R	R	R	R				
	Electrical equipment, appliance and component manufacturing	335									R	R	R	R				
	Furniture and related product manufacturing	337									R	R	R	R				
	HVAC and commercial refrigeration equipment manufacturing	3334											R	R				
	Metalworking machinery	3335									R	R	R	R				
	Miscellaneous manufacturing	339										R	R	R	R			
	Motor vehicle and transportation manufacturing	3361												R	R			
	Power distribution and specialty transformer	335311													C			
	Relay and industrial control manufacturing	335314													C			
	Ship and boat building/repair	33661												R	R			
	Signs manufacturing	339950												R	R			
	Switchgear and switchboard apparatus	335313													C			
Manufacturing, Metal	Alumina refining and production	33131												C				
	Architectural metals manufacturing	3323											R	R				

	Boiler, tank and shipping container manufacturing	3324												R			
	Coating/engraving/heat treating processes	3328												R			
	Cutlery and hand tool manufacturing	3322									R	R	R	R			
	Electrometallurgical manufacturing	33111												C			
	Electroplating, Plating, Polishing, Anodizing, and Coloring (Sandblasting)	332813											R	R			
	Fabricated metal product manufacturing	332												R			
	Ferroalloy product manufacturing	331112												C			
	Foundries	3315												C			
	Forging and stamping	3321											R	R			
	Hardware manufacturing	3325									R	R	R	R			
	Machinery shops; turn products; screw, nut, and bolt manufacturing	3327									R	R	R	R			
	Metal and metal ores, reduction, refining, smelting, and alloying	33131/33141												C			
	Metal Coating, Engraving (including Galvanizing and Powdercoating)	332812												R			
	Other fabricated metal product manufacturing	33299												R			
	Primary metal manufacturing	331												C			
	Spring and wire product manufacturing	3326											R	R			
	Steel and iron works and rolling mills (ferrous)	33111												C			
	Steel product manufacturing	3312												C			
Manufacturing, nonmetallic Mineral	Brick, firebrick refractories and clay products	32712												R			
	Concrete/cement batching plant (ready-mix)	3273												C			
	Concrete product manufacturing													R			
	Construction/building, masonry/veneer/block, manufacturers/fabrication													R			
	Fly ash storage/distribution												P	P			
	Nonmetallic mineral product manufacturing	3271												R	R		

	Monument or gravestone processing and shaping, including sales	327991												R	R			
	Stucco manufacturing	327999													R			
Manufacturing, Oil and Gas	Asphalt batch plant	324121													C			
	Petroleum and coal products manufacturing	324													C			
	Petroleum product containment (including asphaltic oil)														C			
	Refining operations including bio-diesel														C			
	Support activities for oil and gas operations (pipelines, etc.)	213112	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Manufacturing, Textile	Apparel manufacturing	31521										R	R	R	R			
	Fabric mills	3132												R	R			
	Leather and allied product manufacturing	316													C			
	Leather and hide tanning and finishing	3161													C			
	Textile/fabric finishing/fabric coating mills	3132													C			
	Textile products mills	314												R	R			
Manufacturing, Wood Product	Basket and hamper (wood, reed, rattan, etc.) manufacturing	32192										R	R	R	R			
	Box and crate manufacturing	32192										R	R	R	R			
	Pulp good, pressed or molded (including paper mache products)	32229												R	R			
	Veneer, plywood, and engineered wood product manufacturing	3212													C			
	Wood preservation	321114												C	C			
	Wood product manufacturing	3212-3219										R	R	R	R			
	Wood pulp or fiber; reduction or processing	3212													R			
	Wood pulp, paper, and paperboard mills	3221													C			
Marijuana Uses	Marijuana Store								R		R	R	R	R				21-5249
	Marijuana product manufacturer										R	R	R	R				21-5249
	Marijuana cultivation facility										R	R	R	R				21-5249

	Trade and technical uses											R	R	R	R		
Resource Extraction	Borrow pit	212319													C	C	21-5222
	Construction sand and gravel mining	21232													C	C	
	Minerals and earths: quarrying, extracting, grinding, mining, crushing, and processing	212													C	C	
	Ore dumps and elevators	212													C	C	
	Subsurface extraction (including oil and natural gas extraction)	211-213										OG	OG	OG	OG	OG	21-5266
Toxic/Hazardous Uses	The parking and storage of toxic or hazardous material														C		21-5239
	The manufacturing, processing, use, sale, or storage of any flammable, corrosive, explosive, or toxic substance														C		21-5239
Truck/Transportation Services	Private Bus Station with repair											P	P	R			
	Private Bus Station without repair								P			R	C	R			
	Transportation terminal	488490										C		R	R		21-5270
	Transportation terminal where vehicles carry flammable, explosive, hazardous, or high toxic materials														C		21-5270
	Trailer sales and service limited to use for private passenger motor vehicles								R			R	R	R	R		21-5272
	Truck sales (nontrailer)											R	R	R	R		21-5272
	Truck stop (natural gas sales)	488490										C	C	C	C		21-5270
	Truck and/or truck trailer sales, repair, and/or maintenance (including oil, lube, and/or wash)	811111										*	*	R	R		21-5218
Warehousing and Distribution	Commercial indoor self-storage facility								R			R	R	R	R		21-5225
	Household moving center	4842										R	R	R	R		
	Motor freight transportation terminal and shipping, excluding couriers	4841										R	R	R	R		
	Mini-storage and warehouse with outdoor storage	531130												R	R		21-5250
	Mini-storage and warehouse without outdoor storage	531130										R	R	R	R		21-5250
	Produce storage and warehousing	49313										R	R	R	R		

	Retail sales in conjunction with warehouse establishment										R	R	R	R			
	Warehousing and storage, general	4931									R	R	R	R			
Waste-Management and Remediation Services	Composting facilities (nonhazardous)	56221												C	C		
	Hazardous waste collection, treatment, and disposal	562211												C	C	C	21-5258
	Landfill, construction/demolition	562219												C	C	C	21-5244
	Landfill, solid waste	562212												C	C	C	21-5244
	Radioactive waste handling	562211												C			
	Recycling facilities/material resource recovery facility	56292												C		R	21-5256
	Scrap metal collection and transfer facility	56292												C			21-5258
	Solid waste combustors and incinerators	56221												C	R		
	Tire collection, reduction and transfer facility (including scrap tires)	56211												C			21-5260
	Refuse transfer facility and/or transfer facility													C			21-5258
Wholesale Establishments (Including Accessory Offices)	Auto crushing													C			
	Auto dismantling, storage or used parts sales (inoperable vehicles)													C			
	Building materials, garden equipment, and supply dealers	4441									R	R	R	R			
	Food Production	4244									R	R	R	R			
	Grocery and related product wholesale	4244									R	R	R	R			
	Junkyards, open or enclosed													C			
	Machinery, equipment and supplies, wholesale	4234												R	R		
	Metal and mineral (except petroleum) wholesale	4235												R	R		
	Retail sales in conjunction with wholesaling								C		R	R	R	R			
	Salvage yard	493190												C			
Warehousing and wholesaling establishments excluding explosives and live animals										R	R	R	R				

	Wholesale establishments incidental to other principal uses										C		R	R	R	R			
	Wholesale houses and distributors (including warehouse clubs)	45291									R		R	R	R	R			
PUBLIC, INSTITUTIONAL and CIVIC USES																			
Airport/Heliport	Public or private airport or heliport												C		C	C	C	C	
Ambulance Service	Garage and office for ambulance service							R	R	R			R		R	R		R	
Arts and Cultural Uses	Arts and cultural uses				**			R	R	R	R	R			R	R		R	21-5268
Clubs and Lodges	Private lodge or club							P	R	R	R	R			R	R			
	Gun club (indoor)												R		R	R	R	R	
	Gun club (outdoor)																C	C	
Community Services	Events center <15,000 sf								R	R			R		R	R			
	Events center > 15,000 sf									R			R		R	R			
Day Care Facilities, Adult or Child	Child care center		P	P	P	P	P	R	R	R	R	R					P		21-5224
	Adult day care center		P	P	P	P	P	R	R	R	R	R					P		
	Family child care home		R	R	R	R	R	R	R										21-5224
Golf Course	Golf course/driving range								C	C							P	R	
Hospitals	Hospital								C	R			R					R	
	Outpatient surgical centers								R	R			R					R	
Public Lands, Parks, and Buildings	Library				P	P		R	R	R	R	R						R	
	Public administrative office or service building							R	R	R	R	R			R	R		R	
	Public park or recreational facilities		R	R	R	R	R	R	R	R	R	R			R	R	R	R	
	Public stadium, arena, or auditorium																	R	
	Police or fire station																	R	
	Other public facility																	R	
Religious Institutions	Church or religious institution		P	P	P	P	P	R	R	R	R	R							
Educational Facilities	Elementary and secondary education schools		P	P	P	P	P	R	R	R	P	R					P	R	21-5232
	Private business, trade, and vocation schools		P	P	P	P	P	R	R	R	P	R			R		P	P	21-5232

	Post secondary colleges and universities								C	C	C	C				R	21-5232	
	Schools of special instruction		P	P	P	P	P	R	R	R	P	R				P	21-5232	
Transportation Facilities	Private automobile parking lots or parking garages as a principal use									C		C		C	C			
	Parking garage									R	R	R		R	R		R	
	Public parking lot																R	
Utilities	Electric substation or gas regulator station							C	C	C		C		C	C	C	C	21-5234
	Power plant														C			
	Public utility installation		C	C	C	C	C	C	C	C	C	C		C	C	C	C	
	Public utility office								R	R	R	R					R	
	Public utility storage yard													R	R			
	Water or wastewater treatment facility														C		C	
	Wind energy conversion systems (windmills)		P	P	P	P	P	P	P	P	P	P		P	P	P	P	21-5264
Zoos, Arboretum, Botanical Gardens	Zoos, arboretum, botanical gardens									C						C	R	
RESIDENTIAL USES																		
Group Living Facilities	Group Home—Type A		R	R	R	R	R				R	R				R		21-5238/21.5259
	Group Home—Type B		C	C	C	C	C					C				C		21-5238/21.5259
	Correctional institution or halfway house											C		C	C	C	C	21-5238/21.5259
Household Living	Foster care home		R	R	R	R	R				R					R		21-5259
	Mobile home						R											21-5259
	Multi-family dwelling				R	R					R							21-5259
	Single-family detached dwelling		R	R												R		21-5259
	Single-family attached dwelling			R	R													21-5259
	Boarding or rooming house				R	R					R							21-5259
	Home occupation		R	R	R	R	R				R					R		21-5240

Senior Housing	Assisted living facility				R	R		P	R	R	R							21-5259
	Nursing homes				P	P		P	R	R	P							21-5259

*In accordance with section 21-5254.

**In accordance with section 21-5268.

- (Ord. No. 1785, June 2010; Ord. No. 1854, April 2011; Ord. No. 1887, July 2012; Ord. No. 1897, July 2012; Ord. No. 1891, August 2012; Ord. No. 1956, June 2013; Ord. No. 2020, February 2015; Ord. No. 2048, June 2015; Ord. No. 2068, January 2016; Ord. No. 2078, April 2016; Ord. No. 2189, December 2018; Ord. No. 2190, December 2018; Ord. No. 2191, December 2018; Ord. No. 2194, December 2018; Ord. No. 2203, July 2019; Ord. No. 2266, § 7(Exh. E), 2-15-2021; Ord. No. 2420, § 2(a)(Exh. B), 9-19-2022; Ord. No. 2452, § 2(c)(Exh. E), 12-5-2022; Ord. No. 2540, § 2(Exh. A), 9-18-2023)

ARTICLE V – USES AND ACCESSORY STRUCTURES
DIVISION 2 – PRINCIPAL USES
SUBDIVISION B – SUPPLEMENTAL REGULATIONS FOR
PARTICULAR USES

Sec. 21-5239.5 – Healing Centers

(1) *Hours of Operation.* Healing Centers may only be open between the hours of 8:00 a.m. and 8:00 p.m. daily.

ARTICLE XI – MEASUREMENTS AND DEFINITIONS
DIVISION 2 – DEFINITIONS

Sec. 21-11200 – Definitions.

**** (to be inserted numerically and renumbered as appropriate.)**

“...” designates no changes)**

(...)

(305) *Native Seed* shall mean any live landscaping, including dryland grasses and vegetation, but not including weeds capable of growing in the local environment without supplementary watering once established.

Natural medicine shall have the meaning ascribed to it in Title 12, Article 170 of Colorado Revised Statutes.

Natural medicine cultivation facility shall have the meaning ascribed to it in Title 44, Article 50 of Colorado Revised Statutes.

Natural Medicine healing center shall have the meaning ascribed to it in Title 44, Article 50 of Colorado Revised Statutes.

Natural medicine manufacturer shall have the meaning ascribed to it in Title 44, Article 50 of Colorado Revised Statutes.

Natural medicine testing facility shall have the meaning ascribed to it in Title 44, Article 50 of Colorado Revised Statutes.

(306) *Non-Combustible* shall mean a building construction material which, in the form in which it is used, is either one of the following:

- (a) Material of which no part will ignite and burn when subjected to fire; or
- (b) Material having a structural base of non-combustible material as defined in paragraph (a) above, with a surfacing material not over one-eighth inch thick, and a flame-spread rating of 50 or less.

Non-combustible does not apply to surface finish materials. Material required to be non-combustible for reduced clearances to flues, heating appliances, or other sources of high temperature shall refer to material conforming to paragraph (a) above. No material shall be classified as noncombustible which is subject to increase in combustibility or flame-spread rating beyond the limits herein established, through the effects of age, moisture, or other atmospheric conditions.

(...)

EXHIBIT B

(Blue indicates additions; red strikethrough indicates removals)

**COMMERCE CITY COLORADO LAND DEVELOPMENT CODE
ARTICLE V – USES AND ACCESSORY STRUCTURES
DIVISION 2 – PRINCIPAL USES
SUBDIVISION A – GENERAL PROVISIONS**

**Sec. 21-5200 – Land Use Table.
Table V-1. Land Use Table**

Table V-1. Land Use Table

Uses Allowed by Zoning District																		
R = Allowed by Right P = Use by Permit C = Conditional Use OG = Oil & Gas Permit Blank Cell = Excluded																		
Use Classification	Specific Use Type	NAICS Code	R-1	R-2	R-3	R-4	MHP	C-1	C-2	C-3	MU-1	I-1	I-1S	I-2	I-3	AG	PUBLI	Additional Regulations
AGRICULTURAL USES																		
Agriculture	Crop production, including the sale of agricultural products directly from the grower to the consumer on land that is part of the farm unit	111														R		
	Dairy products manufacturing, exclusively grown on premises	3115														R		
	Food manufacturing, miscellaneous, all other, exclusively grown on premises	3119														R		
	Food manufacturing, specialty and fruit and vegetable preserving, exclusively grown on premises	3114														R		
	Grain and oilseed milling, exclusively grown on premises	3112														R		
	Wineries, processing fruits exclusively grown on premises	31213														R		
Agricultural Services	Agricultural support businesses and services	1151												C	C	R		
	Animal production, excluding NAICS 112990	112														R		21-5246
	Animal production support services	1152													R	R		
	Cattle feedlot, stockyard, and the commercial sale of livestock	112112													C	C		
	Firewood; commercial storage and sales	454319												R	R	R		
	Fish hatchery	112511														R		
	Poultry house or pigeon coop	1123														R		
	Riding stables/equestrian training	115210														R		
	Rodeo	711310														C		
Veterinary services (livestock)	541940														R			
Horticulture and Nurseries	Community garden		R	R	R	R	R	R	R	R	R	P		P	P	R	R	21-5226
	Greenhouse/nursery/tree production (with no outdoor storage)	11142								R		R		R	R	R		21-5236
	Greenhouse/nursery/tree production (with outdoor storage)	11142												R	R	R		21-5236
	Sod farm	11142														R		
COMMERCIAL USES																		
Adult Businesses	Sexually Oriented Businesses											R		R	R			21-5262
Animal Services	Animal boarding (indoor/outdoor kennels) and training											P		P	P	R		21-5242
	Doggie day care centers									P	P	P		P	P	R		21-5228
	Veterinary offices or clinics							R	R	R	R	R		R	R	R		
Antennas	Antennas for commercial/industrial use accessory to principal use									P		R		R	R			
	Antenna and support structure for amateur radio communications		P	P	P	P	P									P		21-5216
	Radio or television broadcasting offices								R	R	R	R					C	

Building Materials and Services (Retail)	All other similar uses (plumbing, electrical, lumber and building equipment-without outdoor storage)								R	R	R		R	R			
	All other similar uses (plumbing, electrical, lumber and building equipment-with outdoor storage)												R	R			21-5254
	Landscape equipment, hardscape materials (without outdoor storage)										R		R	R	R		21-5236
	Landscape equipment, hardscape materials (with outdoor storage)												R	R	R		21-5254
Eating and Drinking Establishments	Bar, tavern, night club							R	R	R	R		R	R			21-5214
	Brewpub						R	R	R	R	R						21-5214
	Catering services						R	R	R	R	R		R				
	Restaurant with drive-thru/up							R	R		R						21-5230
	Restaurant without drive-thru/up				**		R	R	R	R	R						21-5268
	Tasting Room						R	R	R	R	R						21-5214
Financial Institutions	Bank or financial institution						C	R	R	R	R						
Food and Beverage Sales	Convenience store/grocery store (<5,000 sf)				**		R	R	R	R	R						21-5268
	Grocery store (>5,000 sf)							R	R	C	R						
	Liquor store							R	R	R	R						21-5214
	All other similar uses (e.g., delicatessen, retail bakery, specialty food market, coffee shop)				**		R	R	R	R	R						21-5268
Fuel Sales	Fuel sales with no vehicle repair							P	R		R		R				21-5235
	Fuel sales with minor vehicle repair							P	R		R		R	R			21-5235
	Fuel sales with major vehicle repair										R		R	R			21-5235
	Natural gas fuel sales								R		R		R				21-5235
	Natural gas fuel sales for trucks										R		R	R			21-5235
Funeral and Internment Services	Cemetery/pet cemetery/mausoleum														R	R	
	Crematory or mausoleum when incidental or supplemental to primary cemetery use														R	R	
	Crematory as principal use												P	R			
	Funeral home						C	R	R		R						
Office	Business or professional (including medical/dental office/clinics)				**		R	R	R	R	R						21-5268
	Courier services						R	R	R	R	R		R	R			
	Healing Centers						R	R	R	R	R						21-5239.5
	Massage therapy office/clinics						R	R	R	R	R						
	Substance Abuse Treatment Facility, Inpatient Residential										C		C	C	C	C	21-5238
	Substance Abuse Treatment Facility, Outpatient Clinic						P	R	R		R						
Personal Services	Instructional services, studios				**		R	R	R	R	R		R	R			21-5268
	Temporary/day labor facilities/offices								C		C		C	C			
	Bail bonds										P		P	P			21-5220
	All other similar uses						R	R	R	R	R		R				

Recreation or Amusement Facilities, Private	Bingo establishments/social gaming outlet/performance centers								R	R	R	R							
	Bowling, billiards, movie theaters and similar uses								R	R	R	R							
	Drive-in theater								C	C									21-5230
	Health clubs								R	R	R	R							
	Outdoor recreation				P				R	R								P	
	Race track (animal or vehicle)									C		C							
Repair Services (Not Including Vehicles)	Furniture or major household appliance repair									R		R		R	R				
	All other similar uses									R	R	R		R	R				
Retail Establishments	Flea markets, indoor/outdoor									P	P	P		P					
	Machinery sales, excluding truck trailers, heavy equipment, and farm machinery									R		R							
	Pawn shop									P		P							
	Retail business store <25,000 square feet				**			R	R	R	R	R							21-5268
	Retail business store >25,000 square feet							C	R	R	C	R							
	Tattoo parlor							P	R	R	R	R							
	Thrift/consignment store							R	R	R	R	R							
Vehicle/Equipment Sales and Services	Automobile rentals									R		R		R					21-5272
	Automobile washing facility								R	R		R		R					21-5218
	Limited moving truck (<30 feet)/equipment self-rental facilities									P		R		R	R				21-5272
	Major equipment repair											R		R	R				
	Mobile home dealer/sales													R	R				
	Motor vehicle dealer/sales, new and used automobiles <3 acres										R		R						21-5272
	Motor vehicle dealer/sales, new and used automobiles >3 acres										C		C						21-5272
	Motor vehicle dealer/sales, new and used RV's, trailers, and campers)												R		R	R			21-5272
	Tire shop										R		R		R	R			21-5271
	Towing Services with Impound Yard														R	R			21-5241
	Towing Services without Impound Yard													R	R	R			21-5241
	Vehicle repair, major (includes auto body repair, paint shops, and incidental sales of parts)												R		R	R			21-5271
	Vehicle repair, minor									P	R		R		R	R			21-5271
	Vehicle storage (inoperable vehicles)																C		
	Vehicle storage (operable vehicles only)														R	R			
Visitor Accommodations	Bed and breakfast establishments		P	P	P	P		R									R		
	Lodging establishments								P	R	R	R							21-5248
	Overnight campground																P	P	
OFFICE FLEX																			
Office Flex	Office flex													R		R	R		21-5251
INDUSTRIAL USES																			
Auction House or Yard	Auction house (inside)	453998												C	R	C	C		

	Auction house or yard (outside)	453998													C	C				
Artisan/Handcrafted Manufacturing	Artisan/handcrafted manufacturing							R	R	R	R	R	R	R	R	R		R		
Contractor Operations	Building, developing, general contracting	236										R	R	R	R					
	Construction Crane Uses														R					
	Contractor's shop and storage yard	236-238										*	*	R	R				21-5254	
	Contractor—landscaping	561730												R	R	R				
	Heavy construction equipment (new/used sales and storage)	237												R	R					
	Special trade contractors	238											R	R	R	R				
Manufacturing, Chemical	Basic chemical manufacturing	3251													C	R				
	Explosives, including ammunition and fireworks	32592														C			21-5239	
	Fertilizer manufacture, organic or nonorganic, and pesticides	32531														C	C			
	Fiberglass manufacturing	327993													R	R				
	Glue, gelatin (animal), or caulking compound manufacturing	32552														C				
	Hazardous Materials															C			21-5120/21-5239	
	Industrial launderers/dry cleaning plants	812332														C				
	Insecticides, fungicides, disinfectants, and related industrial and household chemical compounds (blending only)	3253														C				
	Nitrate manufacturing	32592															C			
	Paint, coating, and adhesive product manufacturing	3255														R				
	Pharmaceutical and medical product manufacturing	3254														R	R			
	Plastic product manufacturing, including extrusion of plastic	3261														R	R			
	Resin, synthetic rubber, artificial and synthetic fibers/fill manufacturing	3252														R	R			
	Rubber product manufacturing	3262														R	R			
	Soaps, cleaner and toilet preparation manufacturing	3259														R	R			
Tire manufacturing	32621															C				
Manufacturing, Food	Animal food manufacturing	311119														C				
	Bakeries, pasta and tortilla manufacturing	3118										R	R	R	R					
	Beverage manufacturing	3121										R	R	R	R					
	Brewery											P	R	R	R				21-5214	
	Bulk grain transfer														P	P			21-5223	
	Dairy product manufacturing	3115										R	R	R	R					
	Distillery											P	R	R	R				21-5214	
	Fruit and vegetable preserving, and specialty food manufacturing	3114										R	R	R	R					
	Grain and oilseed milling, including grain elevator	3112														R	R			
	Meat products, including slaughtering	31161														C				
	Meat products, packing and processing (no slaughtering)	311612										R	R	R	R					
	Microbrewery											P	R	R	R	P				21-5214
Micro-winery								R	R	R	R	R	R						21-5214	

	Spring and wire product manufacturing	3326													R	R		
	Steel and iron works and rolling mills (ferrous)	33111														C		
	Steel product manufacturing	3312														C		
Manufacturing, nonmetallic Mineral	Brick, firebrick refractories and clay products	32712														R		
	Concrete/cement batching plant (ready-mix)	3273														C		
	Concrete product manufacturing															R		
	Construction/building, masonry/veneer/block, manufacturers/fabrication															R		
	Fly ash storage/distribution														P	P		
	Nonmetallic mineral product manufacturing	3271														R	R	
	Monument or gravestone processing and shaping, including sales	327991														R	R	
	Stucco manufacturing	327999															R	
Manufacturing, Oil and Gas	Asphalt batch plant	324121															C	
	Petroleum and coal products manufacturing	324															C	
	Petroleum product containment (including asphaltic oil)																C	
	Refining operations including bio-diesel																C	
	Support activities for oil and gas operations (pipelines, etc.)	213112	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Manufacturing, Textile	Apparel manufacturing	31521												R	R	R	R	
	Fabric mills	3132														R	R	
	Leather and allied product manufacturing	316															C	
	Leather and hide tanning and finishing	3161															C	
	Textile/fabric finishing/fabric coating mills	3132															C	
	Textile products mills	314														R	R	
Manufacturing, Wood Product	Basket and hamper (wood, reed, rattan, etc.) manufacturing	32192											R	R	R	R		
	Box and crate manufacturing	32192											R	R	R	R		
	Pulp good, pressed or molded (including paper mache products)	32229														R	R	
	Veneer, plywood, and engineered wood product manufacturing	3212															C	
	Wood preservation	321114															C	C
	Wood product manufacturing	3212-3219											R	R	R	R		
	Wood pulp or fiber; reduction or processing	3212															R	
	Wood pulp, paper, and paperboard mills	3221															C	
Marijuana Uses	Marijuana Store									R		R	R	R	R			21-5249
	Marijuana product manufacturer											R	R	R	R			21-5249
	Marijuana cultivation facility											R	R	R	R			21-5249
	Primary caregiver											R	R	R	R			21-5249
	Marijuana cultivation facility											R	R	R	R			21-5249
	Marijuana testing facility											R	R	R	R			21-5249
	Medical marijuana transportation facility											R	R	R	R			21-5249
	Marijuana off-site storage facility											R	R	R	R			21-5249
	Marijuana research and development facility											R	R	R	R			21-5249

	All other marijuana businesses											R	R	R	R			21-5249
Motion Picture and Video Industry	Motion picture and video industry	51211							R	P		R	R	R	R			
Natural Medicine Uses	Natural medicine cultivation, manufacturer, or testing facility											R	R	R	R			
Outdoor Storage	Above-ground storage tanks < 48,000 gallons											R		R	R		R	21-5212
	Above-ground storage tanks > 48,000 gallons														C		R	21-5212
	Above-ground storage tanks of propane < 10,000 cubic feet capacity		R	R	R	R	R	R	R	R	R	R		R	R	R	R	
	Material piles > 8 feet in height													C	C			21-5254
	Modular nonresidential unit (sales, rental, or service)													R	R			21-5254
	Outdoor storage of vehicles (RVs, boats, or buses)													R	R			21-5254
	Outdoor storage												*		R	R		21-5254
Printing and Publishing	Printing and related support activities	3231										R	R	R	R			
	Publishing industry	511										R	R	R	R			
Railroad Services	Railroad spur													C	C			
	Rail transportation and support facilities including rail yard	482 and 4882												C	C			
Research and Development Services	Scientific R and D services	5417										R	R	R	R			
	Solar panel array, production and distribution														R			
	Testing laboratories, nonmedical	54138										R	R	R	R			
	Testing of jet engines or rockets	54138													C			
	Trade and technical uses											R	R	R	R			
Resource Extraction	Borrow pit	212319													C	C		21-5222
	Construction sand and gravel mining	21232													C	C		
	Minerals and earths: quarrying, extracting, grinding, mining, crushing, and processing	212													C	C		
	Ore dumps and elevators	212													C	C		
	Subsurface extraction (including oil and natural gas extraction)	211-213											OG	OG	OG	OG	OG	21-5266
Toxic/Hazardous Uses	The parking and storage of toxic or hazardous material														C			21-5239
	The manufacturing, processing, use, sale, or storage of any flammable, corrosive, explosive, or toxic substance														C			21-5239
Truck/Transportation Services	Private Bus Station with repair											P	P	R				
	Private Bus Station without repair								P			R	C	R				
	Transportation terminal	488490										C		R	R			21-5270
	Transportation terminal where vehicles carry flammable, explosive, hazardous, or high toxic materials														C			21-5270
	Trailer sales and service limited to use for private passenger motor vehicles								R			R	R	R	R			21-5272
	Truck sales (nontrailer)											R	R	R	R			21-5272
	Truck stop (natural gas sales)	488490										C	C	C	C			21-5270

	Truck and/or truck trailer sales, repair, and/or maintenance (including oil, lube, and/or wash)	811111									*	*	R	R			21-5218
Warehousing and Distribution	Commercial indoor self-storage facility							R			R	R	R	R			21-5225
	Household moving center	4842									R	R	R	R			
	Motor freight transportation terminal and shipping, excluding couriers	4841									R	R	R	R			
	Mini-storage and warehouse with outdoor storage	531130											R	R			21-5250
	Mini-storage and warehouse without outdoor storage	531130									R	R	R	R			21-5250
	Produce storage and warehousing	49313									R	R	R	R			
	Retail sales in conjunction with warehouse establishment										R	R	R	R			
	Warehousing and storage, general	4931									R	R	R	R			
Waste-Management and Remediation Services	Composting facilities (nonhazardous)	56221												C	C		
	Hazardous waste collection, treatment, and disposal	562211												C	C	C	21-5258
	Landfill, construction/demolition	562219												C	C	C	21-5244
	Landfill, solid waste	562212												C	C	C	21-5244
	Radioactive waste handling	562211												C			
	Recycling facilities/material resource recovery facility	56292												C		R	21-5256
	Scrap metal collection and transfer facility	56292												C			21-5258
	Solid waste combustors and incinerators	56221												C	R		
	Tire collection, reduction and transfer facility (including scrap tires)	56211													C		21-5260
	Refuse transfer facility and/or transfer facility														C		21-5258
Wholesale Establishments (Including Accessory Offices)	Auto crushing														C		
	Auto dismantling, storage or used parts sales (inoperable vehicles)														C		
	Building materials, garden equipment, and supply dealers	4441									R	R	R	R			
	Food Production	4244									R	R	R	R			
	Grocery and related product wholesale	4244									R	R	R	R			
	Junkyards, open or enclosed														C		
	Machinery, equipment and supplies, wholesale	4234												R	R		
	Metal and mineral (except petroleum) wholesale	4235													R	R	
	Retail sales in conjunction with wholesaling								C		R	R	R	R			
	Salvage yard	493190													C		
	Warehousing and wholesaling establishments excluding explosives and live animals										R	R	R	R			
	Wholesale establishments incidental to other principal uses								C		R	R	R	R			
	Wholesale houses and distributors (including warehouse clubs)	45291							R		R	R	R	R			
PUBLIC, INSTITUTIONAL and CIVIC USES																	
Airport/Heliport	Public or private airport or heliport										C		C	C	C	C	
Ambulance Service	Garage and office for ambulance service						R	R	R		R		R	R		R	

Arts and Cultural Uses	Arts and cultural uses				**			R	R	R	R	R		R	R		R	21-5268
Clubs and Lodges	Private lodge or club							P	R	R	R	R		R	R			
	Gun club (indoor)											R		R	R	R	R	
	Gun club (outdoor)															C	C	
Community Services	Events center <15,000 sf								R	R		R		R	R			
	Events center > 15,000 sf									R		R		R	R			
Day Care Facilities, Adult or Child	Child care center		P	P	P	P	P	R	R	R	R	R				P		21-5224
	Adult day care center		P	P	P	P	P	R	R	R	R	R				P		
	Family child care home		R	R	R	R	R	R	R									21-5224
Golf Course	Golf course/driving range								C	C						P	R	
Hospitals	Hospital								C	R		R						R
	Outpatient surgical centers								R	R		R						R
Public Lands, Parks, and Buildings	Library				P	P		R	R	R	R	R						R
	Public administrative office or service building							R	R	R	R	R		R	R			R
	Public park or recreational facilities		R	R	R	R	R	R	R	R	R	R		R	R	R	R	
	Public stadium, arena, or auditorium																	R
	Police or fire station																	R
	Other public facility																	R
Religious Institutions	Church or religious institution		P	P	P	P	P	R	R	R	R	R						
Educational Facilities	Elementary and secondary education schools		P	P	P	P	P	R	R	R	P	R				P	R	21-5232
	Private business, trade, and vocation schools		P	P	P	P	P	R	R	R	P	R		R		P	P	21-5232
	Post secondary colleges and universities								C	C	C	C						R
	Schools of special instruction		P	P	P	P	P	R	R	R	P	R				P		21-5232
Transportation Facilities	Private automobile parking lots or parking garages as a principal use									C		C		C	C			
	Parking garage									R	R	R		R	R			R
	Public parking lot																	R
Utilities	Electric substation or gas regulator station							C	C	C		C		C	C	C	C	21-5234
	Power plant														C			
	Public utility installation		C	C	C	C	C	C	C	C	C	C		C	C	C	C	
	Public utility office								R	R	R	R						R
	Public utility storage yard													R	R			
	Water or wastewater treatment facility														C			C
	Wind energy conversion systems (windmills)		P	P	P	P	P	P	P	P	P	P		P	P	P	P	21-5264
Zoos, Arboretum, Botanical Gardens	Zoos, arboretum, botanical gardens									C						C	R	
RESIDENTIAL USES																		
Group Living Facilities	Group Home—Type A		R	R	R	R	R				R	R				R		21-5238/21.5259
	Group Home—Type B		C	C	C	C	C					C				C		21-5238/21.5259
	Correctional institution or halfway house											C		C	C	C	C	21-5238/21.5259

Household Living	Foster care home		R	R	R	R	R				R					R		21-5259
	Mobile home					R												21-5259
	Multi-family dwelling				R	R					R							21-5259
	Single-family detached dwelling		R	R												R		21-5259
	Single-family attached dwelling			R	R													21-5259
	Boarding or rooming house				R	R					R							21-5259
	Home occupation		R	R	R	R	R				R					R		21-5240
Senior Housing	Assisted living facility				R	R		P	R	R	R							21-5259
	Nursing homes				P	P		P	R	R	P							21-5259

*In accordance with section 21-5254.

**In accordance with section 21-5268.

(Ord. No. 1785, June 2010; Ord. No. 1854, April 2011; Ord. No. 1887, July 2012; Ord. No. 1897, July 2012; Ord. No. 1891, August 2012; Ord. No. 1956, June 2013; Ord. No. 2020, February 2015; Ord. No. 2048, June 2015; Ord. No. 2068, January 2016; Ord. No. 2078, April 2016; Ord. No. 2189, December 2018; Ord. No. 2190, December 2018; Ord. No. 2191, December 2018; Ord. No. 2194, December 2018; Ord. No. 2203, July 2019; Ord. No. 2266, § 7(Exh. E), 2-15-2021; Ord. No. 2420, § 2(a)(Exh. B), 9-19-2022; Ord. No. 2452, § 2(c)(Exh. E), 12-5-2022; Ord. No. 2540, § 2(Exh. A), 9-18-2023)

ARTICLE V – USES AND ACCESSORY STRUCTURES
DIVISION 2 – PRINCIPAL USES
SUBDIVISION B – SUPPLEMENTAL REGULATIONS FOR
PARTICULAR USES

Sec. 21-5239.5 – Healing Centers

(1) *Hours of Operation.* Healing Centers may only be open between the hours of 8:00 a.m. and 8:00 p.m. daily.

ARTICLE XI – MEASUREMENTS AND DEFINITIONS
DIVISION 2 – DEFINITIONS

Sec. 21-11200 – Definitions.

**** (to be inserted numerically and renumbered as appropriate.)**

“...” designates no changes)**

(...)

(305) *Native Seed* shall mean any live landscaping, including dryland grasses and vegetation, but not including weeds capable of growing in the local environment without supplementary watering once established.

Natural medicine shall have the meaning ascribed to it in Title 12, Article 170 of Colorado Revised Statutes.

Natural medicine cultivation facility shall have the meaning ascribed to it in Title 44, Article 50 of Colorado Revised Statutes.

Natural Medicine healing center shall have the meaning ascribed to it in Title 44, Article 50 of Colorado Revised Statutes.

Natural medicine manufacturer shall have the meaning ascribed to it in Title 44, Article 50 of Colorado Revised Statutes.

Natural medicine testing facility shall have the meaning ascribed to it in Title 44, Article 50 of Colorado Revised Statutes.

(306) *Non-Combustible* shall mean a building construction material which, in the form in which it is used, is either one of the following:

- (a) Material of which no part will ignite and burn when subjected to fire; or
- (b) Material having a structural base of non-combustible material as defined in paragraph (a) above, with a surfacing material not over one-eighth inch thick, and a flame-spread rating of 50 or less.

Non-combustible does not apply to surface finish materials. Material required to be non-combustible for reduced clearances to flues, heating appliances, or other sources of high temperature shall refer to material conforming to paragraph (a) above. No material shall be classified as noncombustible which is subject to increase in combustibility or flame-spread rating beyond the limits herein established, through the effects of age, moisture, or other atmospheric conditions.

(...)