

ORDINANCE NO 629

AN ORDINANCE OF THE TOWN OF MILLIKEN, WELD COUNTY, COLORADO ADOPTING BY REFERENCE AMENDMENTS REGARDING THE C-5 SPECIAL BUSINESS DISTRICT AS PART OF THE MILLIKEN LAND USE CODE AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF MILLIKEN, WELD COUNTY, COLORADO:

Section 1. Adoption

Pursuant to parts 1 and 2 of Article 16 of Title 31 C.R.S., amendments to Sec 16-1-150, 16-3-450 and 16-3-480 regarding the C-5 Special Zoning District to the Town of Milliken are hereby adopted by reference as a portion of the Milliken Land Use Code. The subject matter of the amendments corrects inconsistencies within the regulations due to the addition of the C-5 Special Business District. Three (3) copies of the amendments to Sec 16-1-150, 16-3-450 and 16-3-480 of the Milliken Land Use Code are now filed in the office of the Clerk of the Town of Milliken, Colorado and may be inspected during regular business hours.

Section 2. Application

This ordinance shall apply to all future development throughout the Town of Milliken.

Section 3. Validity

If any part or parts of this ordinance are for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Trustees hereby declares that it would have passed this ordinance and each part or parts thereof, irrespective of the fact that any one part or parts be declared invalid.

Section 4. Repeal

Existing or parts of ordinances covering the same matters as embraced in this ordinance of the Milliken Land Use Code are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this ordinance.

Section 5. Certification

The Town Clerk shall certify to the passage of this ordinance and make not less than three (3) copies of the adopted portion of the Code available for inspection by the public during regular business hours.

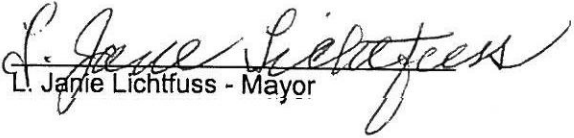
Section 6. Effective Date

At the regular meeting of the Board of Trustees of the Town of Milliken on June 9, 2010 this ordinance was introduced, and a public hearing held. Notice of the public hearing was published in a newspaper of general circulation in the Town of Milliken.

The Board of Trustees of the Town of Milliken herewith finds, determines and designates that this Ordinance shall take effect and be in force 30 days after publication.

The Ordinance was read, passed and ordered published by the Board of Trustees at its meeting this 9th day of June, 2010.


TOWN OF MILLIKEN:


L. Janie Lichtfuss - Mayor

ATTEST:


Cheryl Powell, Town Co-Clerk

APPROVED AS TO FORM:


R.B. Fickel II, Attorney

Published:

Sec 16-1-150. Definitions.

The following definition will be added.

Medical Marijuana Dispensary (MMD) means Facilities offering for sale, wholesale or retail, marijuana for medically authorized purposes and other Medical Marijuana related businesses, as generally permitted by *Colorado Revised Statutes* §18-18-406.3 and §14 of Article XVIII of the Colorado Constitution.

Sec. 16-3-450. I-3 Heavy Industrial District.

(a) Intent. This zoning district is intended to provide a location for a variety of heavy industrial uses.

(b) Uses by Right. Uses by right in the I-3 District shall be as follows: All uses by right in the I-2 District.

(c) Uses by Special Review. Uses by special review in the I-3 District shall be as follows:

(1) One (1) or more uses by right in commercial districts that are not specifically permitted as uses by right in the industrial districts.

(2) Facilities for the manufacturing and storage of explosives.

(3) Foundries.

(4) Grain feed elevators.

(5) Junkyards and salvage operations.

(6) Livestock processing facility.

(7) Signs not meeting the requirements of Article VII of this Chapter.

Sec. 16-3-480. Matrix of uses by right and uses by special review by zoning district.

The following codes are used in the table below:

P – Uses by Right (permitted uses) S – Uses by Special Review * – Use Prohibited US – Unspecified Use

PERMITTED USES		A	AE	E-1	R-1	R-1E	R-2	R-3	MU-C-D	CD	R-M	R-MH	C-1	C-2	C-3	C-4	C-5	I-1	I-2	I-3	
Institutional/Civic Public Uses (Cont'd)																					
Utility service facilities, with buildings and/or storage structures	S	*	S*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	S	P	P
Water treatment and wastewater treatment plants	*	*	*	*	*	*	*	*	*	*	*	*	P	P	P	P	*	*	P	P	P
Business/Commercial/Retail Uses																					
Accessory buildings and accessory uses ¹	*	*	*	*	*	*	*	*	P	*	*	*	P	P	P	P	*	*	P	P	P
Adult uses including product sales and entertainment	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	S	*	*	*	*
Artisan and photography studios and galleries	*	*	*	*	*	*	*	*	P	*	*	*	P	P	P	P	*	*	*	*	*
Auto, recreational vehicle, boat and truck sales ²	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	P	*	*	P	P	P
Bars and taverns	*	*	*	*	*	*	*	*	S	*	*	*	*	*	P	P	*	*	*	*	*
Bed and breakfasts	*	*	*	*	S	S	S	S	P	*	*	*	*	*	P	P	*	*	*	*	*
Child care centers	S	S	S	S	S	S	S	S	P	*	S	S	S	S	S	S	*	*	*	*	*
Clubs and lodges	*	*	*	*	*	*	*	*	S	*	*	*	S	S	P	P	*	*	*	*	*
Commercial recreational facilities	*	*	*	*	*	*	*	*	P	*	*	*	*	*	P	P	*	*	P	P	P
Convenience retail stores	*	*	*	*	*	*	*	*	P	*	*	*	*	S	P	P	*	*	*	*	*
Drive-in theaters	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	S	*	*	*	*	*
Entertainment facilities and theaters, seating up to 1,000	*	*	*	*	*	*	*	*	S	*	*	*	*	*	P	P	*	*	P	P	P

¹ See Section 16-3-240.

² Includes establishments with incidental repair and service facilities.

PERMITTED USES		A	AE	E-1	R-1	R-1E	R-2	R-3	MU-C-D	CD	R-M	R-MH	C-1	C-2	C-3	C-4	C-5	I-1	I-2	I-3
Business/Commercial/Retail Uses (Cont'd)																				
Entertainment facilities and theaters, seating over 1,000	*	*	*	*	*	*	*	*	*	*	*	*	*	*	S	S	*	P	P	P
Establishments for rental of tools, equipment and vehicles	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	P	*	P	P	P
Financial services	*	*	*	*	*	*	*	*	P	*	*	*	P	P	P	P	*	*	*	*
Funeral homes	*	*	*	*	*	*	*	*	*	*	*	*	P	P	P	P	*	*	*	*
Gasoline stations without repair or servicing facilities or capabilities	*	*	*	*	*	*	*	*	*	*	*	*	*	S	S	*	*	*	*	*
Gasoline service stations, repair garages and car washes	*	*	*	*	*	*	*	*	P	*	*	*	*	*	P	P	*	P	P	P
Grocery stores	*	*	*	*	*	*	*	*	P	*	*	*	*	P	P	P	*	*	*	*
Home occupations	P	P	P	P	P	P	P	P	*	*	P	P	*	*	*	*	*	*	*	*
Hospitals and long-term care facilities	*	*	*	*	*	*	*	S	S	*	*	*	P	P	P	P	*	*	*	*
Hotels and motels	*	*	*	*	*	*	*	S	S	*	*	*	*	*	P	P	*	*	*	*
Long-term care facilities	*	S	S	S	S	S	S	S	S	*	S	S	P	P	P	P	*	*	*	*
Lumberyards, not including outside storage	*	*	*	*	*	*	*	*	*	*	*	*	*	*	P	P	*	P	P	P
Lumberyards and builders supply facilities w/outside storage	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Medical and dental offices and clinics	*	*	*	*	*	*	*	*	P	*	*	*	P	P	P	P	*	S	*	*
Medical Marijuana Dispensaries	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	S	*	*	*
Mixed-use dwelling units	*	*	*	*	*	*	*	*	P	*	*	*	*	*	*	*	*	*	*	*
Open-air farmers' markets	P	*	*	*	*	*	*	*	P	*	*	*	*	*	*	*	*	*	*	*
Parking lots and parking garages	*	*	*	*	*	*	*	S	S	*	*	*	S ³	*	P	P	*	P	P	P
Personal and business service shops	*	*	*	*	*	*	*	*	P	*	*	*	P	P	P	P	*	*	*	*

³ With 6 or fewer parking stalls for use by automobiles, trucks or both.