

TOWN OF MORRISON, COLORADO
BOARD OF TRUSTEES
ORDINANCE NO. 512

AN ORDINANCE AMENDING TITLE 10 OF THE MORRISON MUNICIPAL CODE, CONCERNING ZONING AND LAND DEVELOPMENT AND AMENDING SECTION 4-4-3 OF SAID CODE TO CONFORM TO THE ADOPTION OF ORDINANCE 510

WHEREAS, the Town of Morrison is a Colorado home rule municipality operating under a Charter approved by the electorate pursuant to Article XX of the Colorado Constitution and governed by its elected Board of Trustees; and

WHEREAS, the Board of Trustees has authority pursuant to the Home Rule Charter and C.R.S. §31-16-101, et seq. to adopt and enforce all ordinances; and

WHEREAS, in the exercise of this authority, the Board of Trustees has previously enacted Title 10 of the Morrison Municipal Code, entitled zoning and land development; and

WHEREAS, the Board of Trustees wishes to amend Title 10 to provide for enhanced clarity with respect to public notice requirements, applicability to Town projects and property, referral processes for development review, requirements for professional engineer or land survey application materials, and to include the Planning Commission as a recommending body for rezoning and special review applications; and

WHEREAS, in light of the approval of Ordinance 510 by the voters of the town, the Board wishes to make a conforming amendment to Code section 4-4-3.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Morrison, Colorado, that:

Section 1. Section 10-1F of the Code, concerning Special Review, is amended at subsections B and D, by re-lettering of existing subsections C and D as D and E, and the addition of a new subsection C, to read as follows:

B. Submittal: The applicant shall submit a complete special review use application that includes the following items:

1. Land Development Application Form;
2. Proof of ownership;
3. Written request and description of the proposal;
4. Special Review Site Plan. A scaled drawing showing the proposed development of the site, including details relating to the location of existing and proposed buildings and structures, utilities and drainage features, lighting, off street parking areas, traffic circulation, landscaping and signs;

5. Preliminary building plans and elevations. These plans and elevations must indicate the dimensions, general appearance, scale of all buildings;
6. A time schedule for development;
7. Any other information deemed necessary by Town Staff to make a fully informed and deliberate review of the special review use.

~~If, in the opinion of the town board,~~ insufficient information is provided to render a decision, the Zoning Administrator ~~town board~~ can request additional information from the applicant concerning a proposed special review use.

C. Recommendation by Planning Commission: Within thirty (30) days of submission of a complete application, as determined by the Zoning Administrator, the matter shall be scheduled for review by the Planning Commission. The Commission shall conduct such review in a public meeting and shall act to make a recommendation to the Board of Trustees that the application be approved, approved with conditions, or denied.

Relettered subsection D of section 10-1F-2 is amended to read:

D. Within FORTY-FIVE (45) ~~sixty (60)~~ days of RECEIPT OF THE PLANNING COMMISSION RECOMMENDATION, THE BOARD OF TRUSTEES ~~submittal of the letter of application to the town board, the town board~~ shall review the request and shall either grant the application, in whole or in part, with or without modifications and conditions, or deny the application. Before reviewing the request, the ~~town board~~ OF TRUSTEES shall have posted a public notice specifying subject, meeting time and place at least one week prior to the meeting on the request, advising the public that a special review use application will be considered. If the application is granted, the use shall be deemed approved.

Section 2. Section 10-1K-2 of the Code, is amended by the repeal and reenactment of subsections B and C thereof, to read in their entirety as follows:

B. Recommendation by Planning Commission: Within thirty (30) days of submission of a complete application, as determined by the Zoning Administrator, the matter shall be scheduled for review by the Planning Commission. The Commission shall conduct such review in a public meeting and shall act to make a recommendation to the Board of Trustees that the application be approved, approved with conditions, or denied.

C. Within forty-five (45) days of receipt of the Planning Commission recommendation, the Board of Trustees review the request and shall either grant the application, in whole or in part, with or without modifications and conditions, or deny the application. Before reviewing the request, the Board shall have posted a public notice specifying subject, meeting time and place at least one week prior to the meeting on the request, advising the public that the application will be considered. If the application is granted, the use shall be deemed approved.

Section 3. Section 10-4-8-3.G (3) c of the Code, concerning Landscaping Standards, is amended to read:

c. Where the perimeter boundary is adjacent to a residential development, a six foot (6') high solid screening fence or wall or solid screen planting shall be provided on the boundary line. PROJECTS OWNED BY THE TOWN ARE EXEMPT FROM THIS REQUIREMENT.

Section 4. Section 10-8-12 of the Code, concerning Lighting Requirements by Use, is amended by editing the reference in the third column in Table 12.1 (entitled multi-family, mixed, commercial, public and industrial uses) by revising the fifth entry as follows:

Required 30% reduction of light levels ~~during established curfew~~ FROM SUNSET UNTIL SUNRISE.

Section 5. Section 4-4-3 of the Code is amended to read:

4-4-3: PROHIBITION OF OPERATION:

The operation of marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities, ~~retail marijuana stores~~, and marijuana clubs is prohibited within the town of Morrison.

It is unlawful for any person to operate, cause to be operated, or permit to be operated, any marijuana cultivation facility, marijuana product manufacturing facility, marijuana testing facility, ~~retail marijuana store~~, or marijuana club, within the town of Morrison, and all such uses are hereby prohibited in any location within the town, or within any area hereinafter annexed to the town.

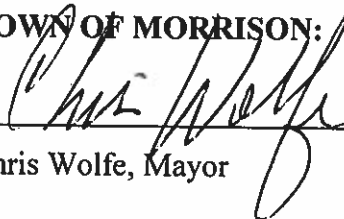
Section 6. Severability. If any article, section, paragraph, sentence, clause or phrase of this ordinance, or the standards adopted herein is held to be unconstitutional or invalid for any reason, such decision will not affect the validity or constitutionality of the remaining portions of this ordinance. The Board of Trustees hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part or parts are declared unconstitutional or invalid.

Section 7. Effective Date. This ordinance shall take effect fifteen (15) days after adoption and publication as provided by Section 3.14 of the Home Rule Charter.


INTRODUCED, READ, PASSED AND ADOPTED this 19th day of April, 2022, by a vote of 5 ayes and 0 nays.



TOWN OF MORRISON:


Chris Wolfe, Mayor

ATTEST:


Ariana Neverdahl, Town Clerk