I doubt that we will have time to get to this text amendment discussion, but be thinking about what uses you think should be allowed by right, by special use, and by a temporary use downtown. This is a draft, so please think about it and bring your thoughts to the work session.

Thanks!
Martha

Sec. 16-3-360. - MU-C-D Mixed Use Commercial - Downtown District.

(a) Intent. The Mixed Use Commercial-Downtown District is intended to reflect the character of the original downtown and to provide for a mixture of uses that will strengthen and expand the core community and provide a transitional zoning area within the downtown as its land uses evolve and change over time.

(b) Uses by Right. Uses by right in the MU-C-D District shall be as follows:

(1) Residential Uses:

a. Single-family dwellings.
b. Two-family dwellings.
c. Home occupations.
d. Foster care homes.
e. Group homes for up to eight (8) developmentally disabled, mentally ill or elderly persons.

(2) Institutional/Civic/Public Uses:

a. Police and fire stations or facilities.
b. Public and private schools for primary education (K-12).
c. Utility service facilities.
d. Community facilities.
e. Places of worship.
f. Clubs and lodges.

(3) Commercial/Retail Uses:

a. Artisan and photography studios and galleries.
b. Workshops and custom small industry uses.
c. Retail sales.
d. Personal and business services.
e. Professional services.
f. Medical and dental offices and clinics.

g. Financial services.
h. Restaurants, including drive through and walk up.
i. Bars and taverns.
j. Grocery stores.
m. Child care centers.
n. Veterinary facilities and overnight boarding associated with veterinary care on the same lot or parcel; small animal clinic
o. Laundromats

o. Dwelling units above commercial or retail uses.
p. Open air farmers' market.

q. Private recreational facilities.
r. Tourist facilities.
s. Commercial recreational facilities.

t. Parking lots

(c) Uses by Special Review. Uses by special review in the MU-C-D District shall be as follows:

(1) Gasoline service stations, with repair and servicing facilities or capabilities
(2) Entertainment facilities and theaters, seating capacity not over one thousand (1,000).
(3) Gas, oil and other hydrocarbon well drilling and production (subject to state and local regulations).
(4) Hospitals and long-term care facilities.
(5) Hotels and motels.
(6) Restaurants, drive-in.
(7) Public and private schools for secondary education.
(8) Mini-storage facilities.
(9) Research and development and/or laboratories.
(10) Welding and manufacturing shops
(11) Automobile, motorcycle, truck, and/or heavy equipment service and repair.
(12) Establishments for the rental of tools, equipment and vehicles.
(13) Lumber yard not including outdoor storage.
(14) Print shops.
(15) Funeral homes and cemeteries.

(d) Temporary Uses. Uses requiring a temporary use permit in the MU-C-D District shall be as follows:

(1) Food carts, trucks, and trailers.
(2) Farmer's produce stands with local produce, plants, crafts, and items made by scratch by the seller or seller's team.
(3) Festivals, special events, and related temporary community oriented activities.
(4) Sidewalk sales, restaurant tables and chairs, and other outside retail related uses temporary in nature.
(4) Firewood sales.
(5) Christmas tree sales.

The Commission will still need to approve a text amendment for temporary use permits for temporary, seasonal or transitional types of uses. We may just want a separate section to address temporary uses by a permit limited to x numbers of days within a 6 months or 3 months through staff administrative approval or Commission approval. Quite of few temporary uses lend themselves to different zoning districts. I know that we talked about having a temporary use permit for temporary housing while building a house, for an RV in the mobile/manufactured home parks, for camping by the lakes or in our parks, for sidewalk sales, for selling firewood, for the sale of Christmas trees, outdoor carnivals/festivals, produce stands, contractor offices/sales offices, etc.

For the downtown temporary uses, the Code will need to require a site plan and narrative addressing parking, access, where the vendor is setting up, hours of operation, days of the week, duration of expected temporary use, liability insurance, signage, noise, etc.

(Ord. 480 §3.4, 2003; Ord. 666 §6, 2012)

This is the current Code's allowed uses by commercial zoning district. The mixed-use downtown zone took out much of this zoning downtown. I thought this might be a good reference too.

Sec. 16-3-390. - C-1 Office District.

(a) Intent. This is a commercial zoning district intended to establish and preserve areas for office uses and related commercial goods and services.
(b) Uses by Right. Uses by right in the C-1 District shall be as follows:
  (1) Accessory buildings and accessory uses.
  (2) Artisan and photography studios and galleries.
  (3) Community facilities.
  (4) Child care centers.
  (5) Churches.
  (6) Financial services.

(7) Funeral homes.
(8) Hospitals and long-term care facilities.
(9) Medical and dental offices and clinics.
(10) Personal and business service shops.
(11) Police and fire stations and facilities.
(12) Professional offices.
(13) Public and private primary and secondary schools.
(14) Public recreational facilities.
(15) Utility service facilities.

(c) Uses by Special Review. Uses by special review in the C-1 District shall be as follows:
(1) Those referred to in Section 16-3-310 of this Article, with the exception of child care centers.
(2) Clubs and lodges.
(3) Parking lots or parking garages with six (6) or fewer parking stalls.
(4) Private recreational facilities.

(Ord. 480 §3.4, 2003; Ord. 666 §7, 2012)

Sec. 16-3-400. - C-2 Local Business District.

(a) Intent. This is a commercial zoning district intended to establish and preserve areas for local business uses serving Milliken residents.

(b) Uses by Right. Uses by right in the C-2 District shall be as follows:
(1) All uses by right in the C-1 District.
(2) Grocery stores.
(3) Restaurants, excluding drive-ins.
(4) Retail sales facilities with a gross floor area less than five thousand (5,000) square feet.

(c) Uses by Special Review. Uses by special review in the C-2 District shall be as follows:
(1) Those referred to in Section 16-3-310 of this Article, with the exception of child care centers.
(2) Clubs and lodges.
(3) Convenience retail stores.
(4) Gasoline service stations without repair and servicing facilities or capability.
(5) Mini-storage facilities.
(6) Private recreational facilities.

(Ord. 480 §3.4, 2003; Ord. 666 §8, 2012)

Sec. 16-3-410. - C-3 General Business District.

(a) Intent. This is a commercial zoning district intended to establish and preserve areas for a wide range of commercial goods and services, including retail stores and convenience services. The character of these uses requires convenient vehicular access from major streets.

(b) Uses by Right. Uses by right in the C-3 District shall be as follows:
   (1) All uses by right in the C-1 and C-2 districts.
   (2) Bars and taverns.
   (3) Bed and breakfasts.
   (4) Clubs and lodges.
   (5) Commercial recreational facilities.
   (6) Convenience retail stores.
   (7) Entertainment facilities and theaters, seating capacity not over one thousand (1,000).
   (8) Gasoline service stations with and without repair and servicing facilities or capability.
   (9) Hotels and motels.
   (10) Lumber yard not including outdoor storage.
   (11) Parking lots and parking garages.
   (12) Print shops.
   (13) Private recreational facilities.
   (14) Restaurants, including drive-ins.
   (15) Retail sales facilities with a gross floor area of five thousand (5,000) square feet or greater.
   (16) Supermarkets.
   (17) Transportation headquarters, without repair and servicing facilities or capability.
   (18) Veterinary facilities, small animal clinics.

(c) Uses by Special Review. Uses by special review in the C-3 District shall be as follows:
   (1) Those referred to in Section 16-3-310 of this Article, with the exception of child care centers.
   (2) Entertainment facilities and theaters, seating capacity over one thousand (1,000).
   (3) Mini-storage facilities.

(Ord. 480 §3.4, 2003; Ord. 666 §9, 2012)

Sec. 16-3-420. - C-4 Service Business District.

(a) Intent. This is a commercial zoning district intended to establish and preserve areas for more intense commercial and wholesale uses, including automobile-related service and sales.

(b) Uses by Right. Uses by right in the C-4 District shall be as follows:

(1) All uses by right in the C-1, C-2 and C-3 Districts.
(2) Auto, recreational vehicle, boat and truck sales.
(3) Commercial storage facilities.
(4) Establishments for the rental of tools, equipment and vehicles.
(5) Gasoline service stations, repair garages and car washes.
(6) Lumberyards, not including those with outside storage areas.
(7) Small equipment repair facilities.
(8) Wholesale merchandise establishments.
(9) Workshops and small custom industry uses.

(c) Uses by Special Review. Uses by special review in the C-4 District shall be as follows:
(1) Those referred to in Section 16-3-310 of this Article, with the exception of child care centers.
(2) Drive-in theaters.
(3) Entertainment facilities and theaters, seating capacity over one thousand (1,000).
(4) Horseback riding stables and arenas.
(5) Mini-storage facilities.

(Ord. 480 §3.4, 2003; Ord. 666 §10, 2012)

Sec. 16-3-425. - C-5 Special Business District.

(a) Intent. This is a special business zoning district intended to establish and preserve areas for adult-oriented uses as defined in Section 16-1-150 within the Town of Milliken.

(b) There is hereby established a C-5 Special Business Zone District. All uses within this C-5 District require a change of zoning and approval as a use by special review.

(c) Uses by Special Review. Uses by special review in the C-5 District shall include:
(1) Establishments which are operated for and open to the public in which persons who are engaged in adult-oriented uses defined in Section 16-1-150 and include persons who are engaged in sexually related activities and/or who are partially nude or appear nude and/or products offered for sale as a substantial portion of the business (10% of gross sales or 10% of gross floor area) are for the purpose of providing sexually related entertainment to the patrons.
(2) Facilities offering for sale, wholesale or retail, marijuana for medically authorized purposes as generally permitted by Section 18-18-406.3, C.R.S., or for marijuana facilities pursuant to Section 16 of Article XVIII of the Colorado Constitution, as initiated by Colorado Amendment 64.

(d) Implementation. At such time as a petition requesting a change of zoning to the C-5 Zone District is submitted to the Town for processing, the Planning Commission shall recommend and the Board of Trustees shall review, revise and adopt as appropriate,

regulations which are not tantamount to a complete prohibition of such operations. Such regulations may include addressing the following issues if not already completely pre-empted by the statutes and regulations adopted by the State:

(1) Minimum age requirements for admittance to, management and employees of such establishments;
(2) Limitations on the hours during which such establishments may be open for business;
(3) Restrictions on the location of such establishments with regard to schools, churches and residential areas; and
(4) Regulations which ensure the health and safety of the employees and customers of the business.

(Ord. 629 §§1—5, 2010; Ord. 676 §2, 2013)

Sec. 16-3-430. - I-1 Light Industrial District.

(a) Intent. This zoning district is intended to provide locations for a variety of light industrial uses, research and development offices and institutions.

(b) Uses by Right. Uses by right in the I-1 District shall be as follows:

(1) Accessory uses and accessory buildings.
(2) Agricultural services establishments.
(3) All uses by right in the A District.
(4) Auto, recreational vehicle, boat and truck sales.
(5) Churches.
(6) Commercial recreational facilities.
(7) Commercial storage facilities.
(8) Community facilities.
(9) Cultivation, storage and sale of crops, vegetables, plants, flowers and nursery stock produced on the premises.
(10) Entertainment facilities and theaters, seating capacity over one thousand (1,000).
(11) Establishments for the rental of tools, equipment and vehicles.
(12) Farming, ranching and gardening.
(13) Gasoline service stations, repair garages and car washes.
(14) Grazing and keeping of livestock.
(15) Lumberyards, not including those with outside storage areas.
(16) Manufacturing, assembly packaging or processing from previously prepared materials.
(17) Mini-storage facilities.
(18) Newspaper plants.
(19) Parking lots and parking garages.
(20) Police and fire stations and facilities.
(21) Print shops.

(22) Private recreational facilities.
(23) Professional offices.
(24) Research, experimental or testing laboratories.
(25) Small equipment repair facilities.
(26) Transportation headquarters, without repair and servicing facilities or capability.
(27) Wholesale merchandise establishments.
(28) Water treatment and wastewater treatment plants.
(29) Wireless telecommunications facilities (as permitted in Section 16-3-610 of this Article).
(30) Workshops and custom small industry uses.
(31) Utility service facilities.

(c) Uses by Special Review. Uses by special review in the I-1 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) Establishments for food and beverage processing.
(3) Establishments for the sale and repair of farm machinery and diesel trucks and buses.
(4) Public recreation facilities.
(5) Signs not meeting the requirements of Article VII of this Chapter.
(6) Utility service facilities with buildings and/or storage structures.
(7) Mini-storage facilities.

(Ord. 480 §3.4, 2003; Ord. 659 §1, 2012)

Sec. 16-3-440. - I-2 Medium Industrial District.

(a) Intent. This zoning district is intended to provide a location for a variety of medium industrial uses, warehousing and distributing, indoor and outdoor storage and a wide range of commercial and industrial operations.

(b) Uses by Right. Uses by right in the I-2 District shall be as follows:
(1) Agricultural services establishments.
(2) All uses by right in the I-1 District.
(3) Cultivation, storage and sale of crops, vegetables, plants, flowers and nursery stock produced on the premises.
(4) Establishments for food and beverage processing.
(5) Establishments for the sale and repair of farm machinery and diesel trucks and buses.
(6) Farming, ranching and gardening.
(7) Grazing and keeping of livestock.
(8) Lumberyards and builders supply facilities (with outdoor storage).
(9) Machine shops.

(10) Mini-storage facilities.
(11) Outside storage facilities.
(12) Railroad yards and stations.
(13) Recycling facilities.
(14) Transportation headquarters, with incidental repair and servicing facilities.
(15) Utility service facilities with buildings and/or storage structures.

(c) Uses by Special Review. Uses by special review in the I-2 District shall be as follows:
(1) Establishments for bulk storage of flammable liquids and gases.
(2) Radio towers over sixty (60) feet in height.
(3) Signs not meeting the requirements of Article VII of this Chapter.

(Ord. 480 §3.4, 2003; Ord. 659 §1, 2012)

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) Agricultural service establishments.
(3) Cultivation, storage and sale of crops, vegetables, plants, flowers and nursery stock produced on the premises.
(4) Facilities for the manufacturing and storage of explosives.
(5) Farming, ranching and gardening.
(6) Foundries.
(7) Grain feed elevators.
(8) Grazing and keeping of livestock.
(9) Junkyards and salvage operations.
(10) Livestock processing facility.
(11) Signs not meeting the requirements of Article VII of this Chapter.

(Ord. 629, 2010; Ord. 659 §1, 2012)

Kent also pulled the uses Loveland allows downtown, which is attached.

Martha Perkins

From: Kent Brown
Sent: Tuesday, April 26, 2016 12:39 PM
To: Linda Michow; Martha Perkins
Subject: mucd - loveland

Linda, Martha - - - - Loveland's example - - - Kent

18.29.020 Uses permitted by right.
The following uses are permitted by right in a MAC district:
A. Art gallery, studio, and workshop including live/work studio and workshop. Such facilities may include the display, sale, fabrication or production of paintings, sculptures, ceramics and other art media. Limited outdoor fabrication of art work may be permitted subject to special review as provided in Chapter 18.40.
B. Restaurant, standard;
C. Car wash;
D. Commercial child day care center licensed according to the statutes of the state;
E. Clubs and lodges;
F. Convention and conference center;
G. Entertainment facilities and theaters, indoor;
H. Financial services;
I. Food catering;
J. Funeral home;
K. Gas station with or without convenience goods or other services subject to Sections 18.52.060 and 18.50.135 and located three hundred feet or more from a residential use or zone district (measurement shall be made from the nearest site or lot line of the gas station to the nearest lot line of the residential use or zone district);
L. Health care service facility;
M. Hospital;
N. Indoor recreation;
O. Lodging establishment (hotel and motel);
P. Long term care facilities;
Q. Medical, dental, or professional clinic or office;
R. Nightclub;
S. Office, general administrative;
T. Parking garage;
U. Parking lot;
V. Personal and business service shops;
W. Place of worship or assembly;
X. Print shop;
Y. Professional office/clinic;
Z. Public and private schools;
AA. Restaurant, drive-in or fast food;
BB. Restaurant, standard indoor;
CC. Restaurant, standard outdoor;
DD. Retail laundry (laundromat);
EE. Retail store;
FF. Veterinary facilities, small animal;
GG. Workshop and custom small industry (entirely enclosed within a building and provided there is no excessive odor, glare, smoke, heat, vibration, etc.). Limited outdoor fabrication of products may be permitted subject to special review as provided in Chapter 18.40;
HH. Dwelling, attached single-family;

II. Dwelling, detached single-family;
JJ. Dwelling, multi-family;
KK. Dwelling, two-family;
LL. Elderly housing;
MM. Dwelling, mixed use;
NN. Community facility;
OO. Park or recreation area;
PP. Antennas as defined in Section 18.55.020, co-located on an existing tower or structure as provided in Section 18.55.030 and meeting all other requirements of Chapter 18.55;
QQ. Accessory buildings and uses; and
RR. Shelter for victims of domestic violence, subject to Section 18.52.070.

18.29.030 Uses permitted by special review.
The following uses are permitted by special review in a MAC district subject to the provisions of Chapter 18.40:
A. Domestic animal day care facility;
B. Gas station with or without convenience goods or other services subject to Section 18.52.060 and located less than three hundred feet from a residential use or zone district (measurement shall be made from the nearest site or lot line of the gas station to the nearest lot line of the residential use or zone district);
C. Open-air farmers market;
D. Outdoor recreation facility;
E. Self-service storage facility;
F. Vehicle minor repair, servicing, and maintenance;
G. Vehicle rentals for cars, light trucks, and light equipment;
H. Vehicle sales and leasing for cars and light trucks;
I. Research laboratory;
J. Essential public utility uses, facilities, services, and structures;
K. Group care facility;
L. Long term care facility (nursing home);
M. Personal wireless service facility as defined in Section 18.55.020, located on a new structure, meeting all requirements of Chapter 18.55;
N. Public service facility;
O. Crematorium, subject to Section 18.52.080; and
P. Firing range, indoor.

Kent Brown
Town Administrator
Town of Milliken
(970) 660-5047 office
(970) 776-0429 cell
kbrown@millikenco.gov

Martha Perkins

From: Seth Hyberger
Sent: Wednesday, May 11, 2016 11:44 AM
To: Martha Perkins
Cc: Kent Brown
Subject: Food Carts, Food Vehicle, or Temporary Food Vendors
Attachments: Loveland Temporary Food Vendors.docx; Greeley Temporary Food vendors.docx; Longmont Temporary Food Vendors.docx

Martha:

If the Board is ok allowing food carts or vehicles. We could develop a license or permit process to address our concerns. Another option would be to allow for a temporary use permit which could cover food carts and other uses such as temporary mobile home parking for folks waiting for their home to be built. We can limit operations (location, hours, days per year), ensure Weld County Department of Public Health is adhered to, and other parameters as well.

I attached components of Loveland, Greeley, and Longmont's code that address allowing food vendors to operate. All three communities use licensing and permits as opposed to zoning or site plan requirements. Longmont does restrict food vendors in residential areas, but ice cream trucks are allowed. Longmont shall not allow food vendors near state or federal highways. Listed below are comments noted for each code.

Loveland:

Loveland only precludes temporary food sales, food carts, or food vehicles on federal or state highways. Everything is controlled through the issuance of a permit, proof of liability insurance, compliance with Larimer County Department of Public Health, licenses are good for one year and can be renewed, filing an application with specifics (day, hours of operation, and etc.) and having a land owner's permission.

Considerations such as parking, traffic at site, design and operation of the temporary use shall be compatible with the design and operation of the principal site, can't vend within 100 feet of an established restaurant without permission, public right-of-way and setbacks must be adhered to, availability of restrooms, and keeping sales area clean and sanitary.

Greeley:

Greeley does not preclude temporary food sales, food carts, or food vehicles in any of its land use zones. Everything is controlled through licensing with a $500.00 fee, proof of liability insurance, compliance with Weld County Department of Public Health and Environment, ninety days per year maximum, filing an application with specifics (day, hours of operation, and etc.) and having a land owner's permission.

Considerations such as parking, signs, design and operation of the temporary use shall be compatible with the design and operation of the principal site, potential impacts to City Departments, public right-of-way and setbacks must be adhered to, availability of restrooms, and keeping sales area clean and sanitary.

Longmont:

Longmont only precludes temporary food sales, food carts, or food vehicles in residential areas with the exception of ice cream trucks. Everything is controlled through the issuance of a permit, proof of liability insurance, compliance with Boulder County Department of Public Health, 60 days per year maximum, filing an application with specifics (day, hours of operation, and etc.) and having a land owner's permission.

Considerations such as parking, signs, design and operation of the temporary use shall be compatible with the design and operation of the principal site, potential impacts to City Departments, public right-of-way and setbacks must be adhered to, availability of restrooms, and keeping sales area clean and sanitary.

Seth Hyberger
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