

ORDINANCE NO: 2190

INTRODUCED BY: DAVIS, DOUGLAS, ELLIOTT, FORD, FRANK, GUARDIOLA,
HUSEMAN, MADERA, TETER

AN ORDINANCE AMENDING SECTIONS 21-5200 AND 21-11200 OF THE LAND DEVELOPMENT CODE AND ENACTING A NEW SECTION 21-5223 IN THE LAND DEVELOPMENT CODE RELATING TO BULK GRAIN TRANSFER FACILITIES

WHEREAS, the City Council of the City of Commerce City adopted the Land Development Code, effective March 1, 2009, by Ordinance 1720, which has been amended from time to time;

WHEREAS, the ongoing application and interpretation of the Land Development Code has identified a need to establish provisions for the regulation of bulk grain transfer facilities, including the identifying of zoning districts where such use is allowable and a related definition;

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

SECTION 1. Section 21-5200 (Table V-1) (Land Use Table) of the Land Development Code is amended as set forth in Exhibit A, which is attached and incorporated by reference.

SECTION 2. A new Section 21-5223 is enacted in the Land Development Code to be entitled “Bulk Grain Transfer Facilities,” as set forth in Exhibit A.

SECTION 3. Section 21-11200 of the Land Development Code relating to Definitions is amended by the addition of a definitions for “Bulk Grain Transfer,” as set forth in Exhibit A.

SECTION 4. Exhibit A is attached and incorporated by reference.

SECTION 5. This ordinance is necessary and appropriate to protect the public health, safety, and welfare and in the general public interest.

SECTION 6. Except as specifically modified herein, the provisions of the Land Development Code shall remain unchanged and in full force and effect.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED THIS 19TH DAY OF NOVEMBER, 2018.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED THIS 17TH DAY OF DECEMBER, 2018.

CITY OF COMMERCE CITY, COLORADO

Sean Ford, Mayor

ATTEST:

Laura J. Bauer, MMC, City Clerk

EXHIBIT A TO ORDINANCE 2190

(Unless otherwise indicated, underlined text indicates new material; strikethrough text indicates deletions.)

Sec. 21-5200 (Table V-1) of the Land Development Code is amended as follows:

“Bulk Grain Transfer” shall be added as a use by permit in the I-2 zone district and a use by right in the I-3 zone district.

A new Section 21-5223 is enacted in the Land Development Code as follows.

Sec. 21-5223. Bulk Grain Transfer Facilities

The following standards shall apply to all bulk grain transfer facilities:

- (1) Operations shall comply with all applicable rules and regulations of State of Colorado and Tri-County Health Department.
- (2) Rodent and pest control programs must be provided and maintained at all times. Upon request, the operator of a bulk grain transfer facility shall submit to the city a written vector control plan.
- (3) No storage of grain is allowed on the property, including in trucks, piles, containers, or within the conveyor system.

Sec. 21-11200 of the Land Development Code is amended by the addition the following definition, to be inserted alphabetically and all paragraphs renumbered as needed:

Bulk Grain Transfer shall mean the direct transfer of grain from one truck or container to another via conveyor belt. No on-site storage of grain, either in piles or containers, shall occur.

[END OF EXHIBIT A TO ORDINANCE 2190]