

ORDINANCE NO: 2191

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

AN ORDINANCE ENACTING A NEW SECTION 21-5239 TO THE LAND DEVELOPMENT CODE PROVIDING FOR SUPPLEMENTAL REGULATION OF HAZARDOUS MATERIALS

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 supplemental regulations relating to hazardous material;

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

**SECTION 1.** A new Section 21-5239 is established in the Land Development Code to be entitled "Hazardous Materials," as set forth in Exhibit A, which is attached and incorporated by reference.

**SECTION 2.** This ordinance is necessary and appropriate to protect the public health, safety, and welfare and in the general public interest.

**SECTION 3.** 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

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Sean Ford, Mayor

ATTEST:

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Laura J. Bauer, MMC, City Clerk

## EXHIBIT A TO ORDINANCE 2191

*(Underlined text indicates new material.)*

**A new Sec. 21-5239 is added to the Land Development Code as follows:**

### **Sec. 21-5239 Hazardous Materials**

In addition to the performance standards in section 21-5120, those uses which store, manufacture, or utilize quantities of hazardous or toxic materials so as to require an H occupancy under the building and/or fire codes shall be allowed only in the I-3 zone district upon approval of a Conditional Use Permit.

**[END OF EXHIBIT A TO ORDINANCE 2186]**