

**TOWN OF FREDERICK, COLORADO
ORDINANCE NO. 1169**

**AN ORDINANCE OF THE TOWN OF FREDERICK, COLORADO, AMENDING
ARTICLE 3 OF THE FREDERICK LAND USE CODE, 2004 THROUGH
ADOPTION OF THE “2014 LAND USE CODE REVISIONS”; AMENDING
CERTAIN SECTIONS OF THE FREDERICK LAND USE CODE IN
CONNECTION WITH THE ADOPTION; AND REPEALING ALL
ORDINANCES IN CONFLICT THEREWITH.**

WHEREAS, the Board of Trustees of the Town of Frederick finds it necessary to amend the Town of Frederick Land Use Code, 2004, to improve and expedite the procedure to regulate land use and development within the Town and to clarify the community design standards, zoning and subdivision regulations, and specific use tables in the present land use codes, as previously adopted; and

WHEREAS, on April 1, 2014 and May 6, 2014 the Frederick Planning Commission held public meetings to review the subject revisions to the Land Use Code, and approved those revisions pursuant to Resolution PCR-14-02A and PCR-14-04A.

**BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF
FREDERICK, COLORADO, AS FOLLOWS:**

Section 1. Section 3.4 of the Frederick Land Use Code, 2004, is hereby amended to include the following uses in the Table of Permitted Uses, to read as set forth on Exhibit A, attached hereto and incorporated herein by this reference:

- *Archery range, Indoor and Outdoor*
- *Assisted Living Facility*
- *Crematorium*
- *Marijuana Grow Facility*
- *Marijuana Retail Operation*
- *Shooting Range, Indoor and Outdoor*

Section 2. Within Table 3.1, the Table of Permitted Uses of the Frederick Land Use Code, 2004, the zoning districts where the following uses, *Multi-family, Schools for kindergarten, elementary, intermediate, and high school education, both public and private, Bed and breakfasts, Boarding and rooming houses* are permitted or conditionally allowed are hereby repealed in their entirety, and re-enacted to read as set forth on Exhibit A hereto.

Section 3. Within Table 3.1, the Table of Permitted Uses of the Frederick Land Use Code, 2004, the following uses, *Bars and taverns, brewery, Winery, Distillery, Microbreweries, Microdistilleries, and Microwineries, and Restaurants* had additional regulation number twenty

eight applied and are hereby repealed in their entirety, and re-enacted to read as set forth on Exhibit A hereto.

Section 4. Section 3.4.2.b.(9), Vehicle stacking standards, of the Frederick Land Use Code, 2004, is hereby repealed in its entirety and re-enacted to read as set forth on Exhibit A hereto.

Section 5. Section 3.4.2.b.(13), Special Development Standards for the C-E District, is hereby amended by the addition of the language as set forth in Exhibit A.

Section 6. Section 3.4.2.b.(15) of the Frederick Land Use Code, 2004, is hereby amended by the addition of the language as set forth in Exhibit A.

Section 7. Section 3.4.2.b.(17) is hereby repealed in its entirety and re-enacted to read as set forth on Exhibit A hereto.

Section 8. Section 3.4.2.b.(26) is hereby repealed in its entirety and re-enacted to read as set forth on Exhibit A hereto.

Section 9. Section 3.4.2.b. of the Frederick Land Use Code, 2004 is amended with the addition of items (28) and (29) as set forth on Exhibit A hereto.

Section 10. Effective date. This ordinance shall be published and become effective as provided by law.

Section 11. Severability. If any part, section, subsection, sentence, clause, or phrase of this ordinance is for any reason held invalid, such invalidity shall not affect the validity of the remaining sections of the ordinance. The Town hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more part, sections, subsections, sentences, clauses, or phrases be declared invalid.

Section 12. Repealer. All ordinances or resolutions and motions of the Board of Trustees of the Town of Frederick or parts thereof in conflict with this ordinance are, to the extent of such conflict, hereby superseded and repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance, resolution or motion, nor revive any ordinance, resolution, or motion thereby.

**INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED
THIS 27th DAY of MAY, 2014.**

ATTEST:

TOWN OF FREDERICK

By 
Meghan C. Martinez, Town Clerk




Tony Carey, Mayor

(d) No bay door shall orient directly towards residential, public open space or right-of-way unless there is an intervening building located between the use and the residential/public space.

(e) If washing areas are provided, these areas shall be covered and have drains connected to the sanitary sewer system. The drains shall be constructed with an oil/water separator. All treatment facilities shall be approved by the Town Engineer.

Amendment 3.18

Section 3.4.2.b.(17)(c) is amended to read as follows:

(c) Accessory buildings

i. In the Agricultural zoning districts:

1. Accessory buildings are those buildings not related to the primary agricultural use such as barns or storage buildings for agricultural products. Garages for non-agricultural vehicles and other similar non-agricultural buildings are required to meet these standards.

2. May have a maximum footprint of 5,000 square feet.

3. The maximum height of the accessory building is the maximum height of the zoning district.

ii. In all other zoning districts:

1. If the lot size is greater than two (2) acres:

a. The maximum footprint of the accessory building is 90% of the principal building total size as measured in square feet.

b. The maximum height of the accessory building is the maximum height of the zoning district.

2. If the lot size is less than two (2) acres:

a. The maximum footprint of the accessory building is 90% of the principal building footprint.

b. The maximum height of the accessory building is the maximum height of the zoning district.

Amendment 3.19

Section 3.4.2.b.(26) is amended to read as follows:

(26) The term "brewery" as used in this code includes both regional breweries, which produce between 15,000 and 6,000,000 barrels per year; and large breweries, which produce more the 6,000,000 barrels per year. A Winery produces more than one hundred thousand (100,000) gallons per year of vinous beverages on site. A Distillery produces more than fifteen thousand (15,000) gallons per year of spirituous beverages on site. All three of these uses may, but are not required to, include a tap or tasting room in which guests/customers may sample and/or purchase the product as with bar, tavern and restaurant uses.

Amendment 3.20

Section 3.4.2.b.(28) is amended to read as follows:

(28) Development standards for establishments serving or making alcoholic beverages: (table to remain the same)

Amendment 3.21

Section 3.4.2.b.(29) is added and reads as follows:

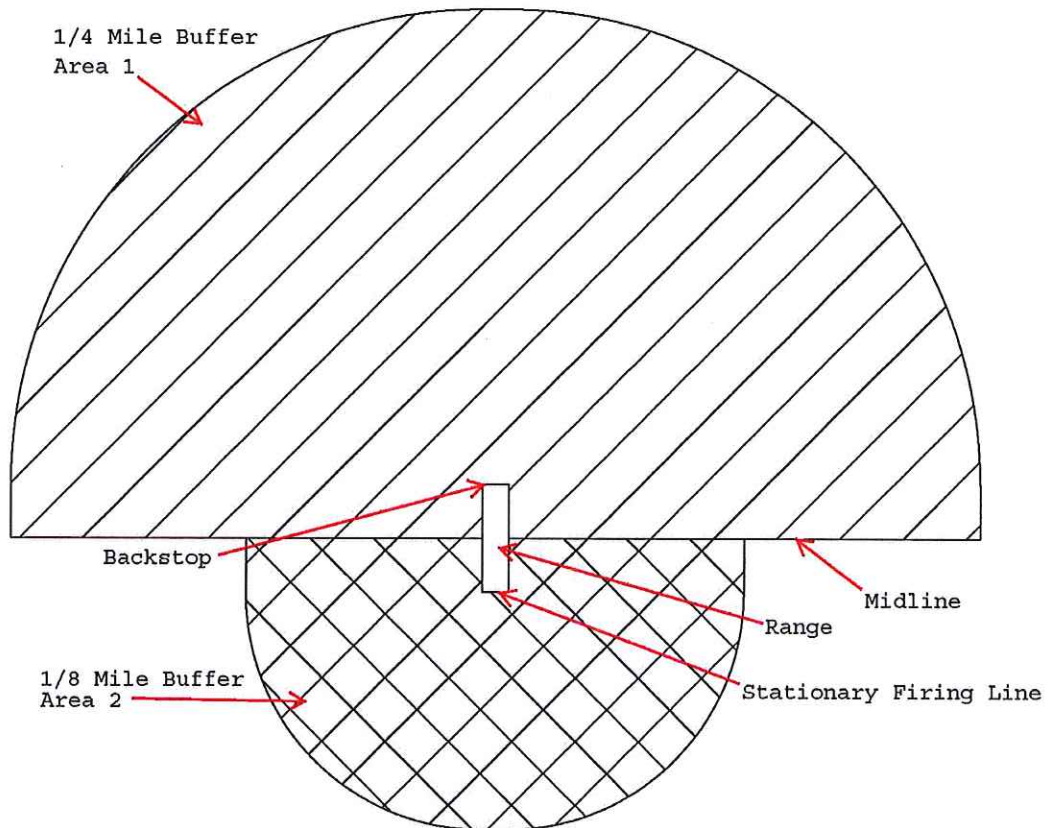
(29) Development standards for outdoor shooting ranges are as follows:

(a) All shooting ranges will be reviewed by the Town of Frederick Police Department through the Development Review process.

(b) Hours of Operation: Shooting ranges shall be allowed to operate between sunrise and sunset, except that the hours may be extended until 10:00 p.m. one night per week with the approval of the Planning Director for purposes of subdued lighting certification of law enforcement officers or civilians as part of a formal course of instruction.

(c) All shooting stations shall be located a minimum of two hundred (200) feet from any property line.

(d) When an outdoor range is proposed, all existing, habitable dwellings in the area shall be mapped. Please refer to the following diagram to understand the terms used here. No existing habitable dwelling is permitted within Area 1 or Area 2. Area 1 represents a one-fourth (1/4) mile (one thousand three hundred twenty (1,320) feet) buffer measured from the exterior berm and backstop. Area 2 represents a one-eighth (1/8) mile (six hundred sixty (660) feet) buffer from the exterior berm and stationary firing line. The midline is the dividing line between Area 1 and Area 2 and is half the distance between the backstop and the stationary firing line.



(e) Stationary firing lines shall be covered by a baffle system beginning at least three (3) feet behind the firing line, unless used for skeet or trap shooting.

(f) A baffle system covering all firing lines shall eliminate "blue-sky" above the shooter's vision of the bullet backstop. Blue sky elimination is used for the purpose of eliminating the likelihood that any bullet will travel over the backstop area, leaving the shooting range. This requirement may be waived if a Range Technical Team Advisor provides evidence that the baffles are not necessary to ensure the safety of neighboring properties and this evidence is verified by a Town expert as established by the Planning Director and Chief of Police.

(g) The perimeter of the outdoor range shall be surrounded by a fence, wall, or other impediment to pedestrians with a minimum height of six (6) feet and meeting all other applicable regulations identified in Article 2.

(h) Warning signs shall be posted at one hundred fifty (150) foot intervals along the entire perimeter of the outdoor range. The signs shall state in both English and Spanish, "CAUTION Firearms in Use Keep Out" and be made of a weather proof material. Signs shall be yellow and black and must be able to be read from a distance of five (5) feet.

(i) In addition to the standard requirements for a conditional use application, the application for an outdoor shooting range shall also include the following:

- i. A complete layout of each range, including firing lines, blue sky elimination technique, target areas, backstops, and berms.
- ii. Sound study or projected noise contours.
- iii. Existing and proposed structures; occupied dwellings within one-fourth (1/4) mile (one thousand three hundred twenty (1,320) feet); roads, streets, or other access areas; buffer areas, and parking areas for the facility.