



TOWN OF MILLIKEN

ORDINANCE NO. 2025-823

AN ORDINANCE OF THE TOWN OF MILLIKEN, COLORADO, AMENDING PORTIONS OF SECTIONS 16-2-190, 16-2-200, AND 16-4-600 OF CHAPTER 16 OF THE MILLIKEN MUNICIPAL CODE

WHEREAS, the Town of Milliken, Colorado ("Town") is a municipal corporation duly organized and existing under the constitution and laws of the State of Colorado; and

WHEREAS, the Town desires to improve the readability and ease of use of the Municipal Code to the benefit of citizens, the development community and staff by alphabetizing uses and correcting formatting in Sections 16-2-190 and 16-2-200; and

WHEREAS, it has come to the Town's attention that section 16-2-190 and section 16-2-200 in Chapter 16 of the Milliken Municipal Code conflict one another, hindering effective implementation of production, fabrication, or assembly activities, including oil and gas services and repair facilities; and

WHEREAS, the Town finds it is necessary to balance the need for new oil and gas development with the protection of existing and future development in existing subdivisions, to ensure public safety and minimize potential conflicts between land uses; and

WHEREAS, the Board of Trustees for the Town desires to amend Subsections 16-2-190(b), 16-2-200(b) and Section 16-4-600 of the Milliken Municipal Code;

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF MILLIKEN, COLORADO, AS FOLLOWS:

Section 1. Subsection 16-2-190(b), Light Industrial District, of The Milliken Municipal Code ("Code") is amended to read in its entirety as follows:

(b) Use Regulations.

- (1) Uses by Right.** The following uses by right are allowed in the Light Industrial District (I-1), provided that outside storage and activity areas, other than employee and visitor parking or loading areas, do not exceed fifty (50%) percent.
 - a.** Agriculture - education or research related to agriculture, horticulture, and animal sciences.
 - b.** Agriculture - keeping and grazing livestock.
 - c.** Animal boarding, including kennels.

- d. Animal clinics and veterinary facilities with boarding.
- e. Auto, recreational vehicle, boat, and truck sales including repair stations.
- f. Autobody and paint shops.
- g. Childcare centers, public or private spaces.
- h. Educational or research facilities.
- i. Food and beverage processing.
- j. Gas stations, with or without repair and servicing facilities or car wash capabilities.
- k. Light manufacturing and assembly.
- l. Lumberyards and building supply facilities, including outdoor storage.
- m. Mini-storage facilities.
- n. Nursery or tree farm.
- o. Outdoor storage of materials, screened from view.
- p. Parks and Open Space.
- q. Places of worship.
- r. Professional trade, and contractor/trade services including related outdoor storage of equipment, materials, and vehicles.
- s. Public buildings, including police and fire stations or facilities, and civic facilities.
- t. Public or private recreational facilities, within a structure or outside.
- u. Rental of tools, equipment, and vehicles.
- v. Research and development.
- w. RV Parks
- x. RV sales, service, and storage.
- y. Sale and repair of farm machinery and diesel trucks and buses.
- z. Self-storage facilities.
- aa. Solar energy systems - accessory.
- bb. Solar energy systems - small.
- cc. Transportation terminals and trucking.
- dd. Uses that are compatible or customarily incidental to any of the permitted principal uses and are located on the same lot.
- ee. Utility facilities - minor.
- ff. Vocational/technical schools and Colleges.
- gg. Wholesale merchandise establishments.
- hh. Wireless communication facility - ATS in right-of-way.
- ii. Wireless communication facility - base stations, ATS.

- jj. Wireless communication facility - tower.
 - kk. Workshops and custom small industry uses enclosed within a building or structure.
 - ll. Uses not listed as either uses by right or conditional uses that are similar to and compatible with the intent of this district.
- (2) Conditional Uses.
- a. Accessory dwelling unit or caretaker unit.
 - b. Cemetery.
 - c. Congregate living health facilities with no more than six (6) beds.
 - d. Commercial mineral extraction activities, as restricted.
 - e. Gas, oil, and other hydrocarbon well drilling and production (subject to state and local regulations).
 - f. Indoor gun ranges, public or private.
 - g. Outdoor gun ranges, public or private.
 - h. Production, fabrication, or assembly activities, including oil and gas services and repair facilities.
 - i. Public and private schools
 - j. Solar energy systems - large.
 - k. Wireless communication facility - towers.
 - l. Uses not listed as either uses by right or conditional uses that are similar to and compatible with the intent of the Light Industrial District.

Section 2. Subsection 16-2-200(b), Medium Industrial District (I-2), of the Code is amended to read in its entirety as follows:

(b) Use Regulations.

(1) Uses by Right.

- a. Accessory buildings or structures 720 square feet or under per acre or 40% lot coverages whichever is less.
- b. Agriculture - central farm distribution hub for agricultural products.
- c. Agriculture including farming, ranching, and gardening.
- d. Animal clinics and veterinary facilities with no boarding.
- e. Auto, recreational vehicle, boat, and truck sales, with or without repair facilities.
- f. Autobody and paint shops.
- g. Bars, taverns, brew pubs, micro-breweries, and liquor stores.
- h. Eating and drinking establishments
- i. Educational or research facilities.
- j. Farming, ranching, and gardening.

- k. Food and beverage processing.
- l. Gas stations, with or without repair and or car wash capabilities.
- m. General services including repair.
- n. Light manufacturing.
- o. Lumberyards and building supply facilities including outdoor storage.
- p. Machine shops.
- q. Outdoor storage of materials, screened from view.
- r. Parks and open space.
- s. Production, fabrication, or assembly activities, including oil and gas services and repair facilities.
- t. Professional trade, and construction contractor services including related outdoor storage of equipment, materials, and vehicles.
- u. Public buildings, including police and fire stations or facilities, and civic facilities.
- v. Railroad yards and stations.
- w. Recreational facilities, dining facilities, and personal and professional services as an accessory use incidental to the primary use of the parcel.
- x. Recycling facilities.
- y. Rental of tools, equipment, and vehicles.
- z. Research and development.
- aa. Restaurants, drive-in or drive through.
- bb. RV sales, service, and storage.
- cc. Sale and repair of farm machinery and diesel trucks and buses.
- dd. Self-storage facilities.
- ee. Solar energy systems - accessory
- ff. Solar energy systems - small.
- gg. Storage facilities.
- hh. Transportation headquarters, with incidental repair and servicing facilities.
- ii. Transportation terminals and trucking.
- jj. Truck stop.
- kk. Uses that are compatible or customarily incidental to any of the permitted principal uses and are located on the same lot.
- ll. Utility Facilities - minor.
- mm. Utility Facilities - major.
- nn. Warehousing and distribution facilities with outside storage.

- oo. Wholesale merchandise establishments.
- pp. Wireless communication facility - ATS in right-of-way.
- qq. Wireless communication facility - base stations, ATS.
- rr. Wireless communication facility - eligible facilities.
- ss. Uses not listed as either uses by right or conditional uses that are similar to and compatible with the intent of this district.

(2) Conditional Review Uses.

- a. Above ground storage tanks for liquefied petroleum gas.
- b. Accessory dwelling unit or caretaker unit.
- c. Agriculture - concentrated animal feeding operations (CAFO).
- d. Airports and airstrips.
- e. Animal boarding including daycare.
- f. Cemetery.
- g. Congregate care.
- h. Gas, oil, and other hydrocarbon well drilling and production (subject to state and local regulations).
- i. Grain feed elevators, Homeland Security inspection required.
- j. Indoor gun ranges, public or private.
- k. Natural medicine business
- l. Outdoor gun ranges, public or private.
- m. RV Parks.
- n. Sanitary landfill/transfer stations.
- o. Solar energy systems - large.
- p. Wireless communication facility - tower.
- q. Uses not listed as either uses by right or conditional uses that are similar to and compatible with the intent of the Medium Industrial District.

Section 3. Section 16-4-600 of the Code is amended to read in its entirety as follows:

Sec. 16-4-600. Development Setbacks for Oil or Gas Wells and Facilities.

(a) New Oil or Gas Wells and Facilities.

- (1) When buildings with occupancy classifications listed as Groups A, B, E, F, H, I, M or R in Section 302.1 (as amended) of the Town's adopted International Building Code codified in Article II of Chapter 18 of this code are existing, new oil or gas wells and facilities shall not be located within the following distances:
 - a. On any property zoned or used for agriculture, commercial or industrial, new wellheads shall not be located closer than one hundred fifty (150) feet from any

existing building or structure, and tank batteries and production equipment shall not be closer than two hundred (200) feet from any existing building or structure;

- b. In any zoning district, wellheads, tank batteries, and/or associated oil production equipment must be three hundred fifty (350) feet away from any building or structure used for a place of assembly or school;
 - c. On any property zoned or used for residential uses, no new wellhead, tank battery, or associated oil production equipment shall be constructed within three hundred fifty (350) feet of any building or structures; and
 - d. Buildings or structures necessary to the operation of the oil and gas production facility or not included in the occupancies in Section 302.1 of the International Building Code may be allowed pursuant to the issuance of a building permit.
- (2) When platted lots, streets and subdivisions are existing, new oil or gas wells, tank batteries and facilities shall not be located within the following distances:
- a. Oil or gas wells, tank batteries, and production facilities shall not be constructed within one hundred fifty (150) feet of platted lots and subdivisions intended to be used for commercial and industrial.
 - b. Oil or gas wells, tank batteries, and production facilities shall not be constructed within three hundred fifty (350) feet of platted lots and subdivisions intended to be used for residential.
 - c. Oil or gas wells, tank batteries, and production facilities shall not be constructed within three hundred fifty (350) feet of platted lots intended to be used as a place of assembly or a school.
 - d. Oil or gas wells, tank batteries, and production facilities shall not be constructed within fifty (50) feet of a street or right-of-way.

(b) Existing Oil or Gas Wells and Facilities.

- (1) When oil or gas wells are existing, buildings with occupancy classifications listed as Groups A, B, E, F, H, I, M or R in Section 302.1 (as amended) of the Town's adopted International Building Code codified in Article II of Chapter 18 of this Code shall not be constructed within the following distances:
- a. On any property zoned or used for agricultural, commercial or industrial uses, no building or structure shall be constructed within one hundred fifty (150) feet of any wellhead, two hundred (200) feet from tank batteries, and twenty-five (25) feet from plugged or abandoned wells;
 - b. In any zoning district, no building or structure used as a place of assembly or school shall be constructed within three hundred fifty (350) feet of any wellhead, tank battery, and/or associated oil production equipment, and twenty-five (25) feet from any plugged or abandoned wells;
 - c. On any property zoned or used for residential uses, no structure or building shall be constructed within three hundred fifty (350) feet of an oil and gas production facility which includes any wellhead, tank battery, or associated oil production equipment or within twenty-five (25) feet from plugged or abandoned wells; and

- d. Buildings or structures necessary to the operation of the oil and gas production facility or not included in the occupancies in Section 302.1 of the International Building Code may be allowed pursuant to the issuance of a building permit.
- (2) When oil or gas wells are existing, lots and streets shall not be platted within the following distances:
- a. Lots shall not be platted within one hundred fifty (150) feet of an existing oil or gas well, tank battery or its production facilities.
 - b. Lots intended to be used as a place of assembly or school shall not be platted to allow a building site within three hundred fifty (350) feet of an existing oil or gas well, tank battery or its production facilities.
 - c. Streets shall not be platted within fifty (50) feet of an existing oil or gas well or its production facilities; provided, however, that streets may intersect collection pipes or flowlines at right angles.
 - d. Lots and streets may be platted over oil or gas wells and production sites that have been abandoned and reclaimed. Such platting shall only occur after the completion of the abandonment and reclamation process.

Section 4. Effective Date. Unless otherwise specified herein, this ordinance shall take effect thirty days after publication as provided by law.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 12 DAY OF March 2025.

TOWN OF MILLIKEN




By: Elizabeth Austin, Mayor

ATTEST:

APPROVED AS TO FORM:


Caree Rinebarger, Town Clerk


Matthew T. Gould, Town Attorney

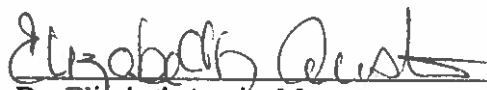
- d. Buildings or structures necessary to the operation of the oil and gas production facility or not included in the occupancies in Section 302.1 of the International Building Code may be allowed pursuant to the issuance of a building permit.
- (2) When oil or gas wells are existing, lots and streets shall not be platted within the following distances:
- a. Lots shall not be platted within one hundred fifty (150) feet of an existing oil or gas well, tank battery or its production facilities.
 - b. Lots intended to be used as a place of assembly or school shall not be platted to allow a building site within three hundred fifty (350) feet of an existing oil or gas well, tank battery or its production facilities.
 - c. Streets shall not be platted within fifty (50) feet of an existing oil or gas well or its production facilities; provided, however, that streets may intersect collection pipes or flowlines at right angles.
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