

**TOWN OF MORRISON, COLORADO
BOARD OF TRUSTEES**

ORDINANCE NO. 536

**AN ORDINANCE AMENDING THE TOWN OF MORRISON'S ZONING MAP AND
APPROVING THE REZONING OF REAL PROPERTY TO THE MIXED USE
COMMERCIAL AND OFFICE (MU-CO) ZONE DISTRICT**

WHEREAS, the Town of Morrison (Town) is a Colorado home rule municipality operating under a Home Rule Charter approved by the electorate pursuant to Article XX of the Colorado Constitution and governed by its elected Board of Trustees (Board); and

WHEREAS, pursuant to the Home Rule Charter and C.R.S. § 31-16-101, *et seq.*, the Town's Board holds the authority to adopt and enforce all ordinances; and

WHEREAS, in the exercise of this authority, the Board has previously adopted Title X of the Morrison Municipal Code, entitled zoning and land development; and

WHEREAS, the real property at issue, Lot 3, Red Rocks Ranch Subdivision, Filing No. 1 (Lot 3), is owned by the Town, and a depiction of Lot 3 is attached hereto as **Exhibit A**; and

WHEREAS, on December 20, 2022, through its approval of Ordinance No. 525, the Board approved the leasing of Lot 3 to LivWell, XVII, LLC (LivWell) for use as the site of a retail marijuana store; and

WHEREAS, pursuant to its lease with the Town, LivWell intends to use Lot 3 as the site of a retail marijuana store; and

WHEREAS, on December 15, 2022, through its approval of Ordinance No. 510, the Board amended the Mixed Use Commercial and Office (MU-CO) zone district to include a Retail Marijuana Store as a permitted use within this zone district; and

WHEREAS, pursuant to Section 10-1K-1 of the Morrison Municipal Code, the Town's Board may initiate an amendment to the Town's zoning map; and

WHEREAS, the Town's Board initiated this amendment to the Town's zoning map to rezone Lot 3 to the Mixed Use Commercial and Office (MU-CO) zone district (hereinafter "Application"); and

WHEREAS, on July 11, 2023, the Planning Commission approved the Application *without conditions*; and

WHEREAS, the Board finds and determines that it has jurisdiction to consider the Application; and

WHEREAS, the Board held the required public hearing on the Application and has taken the testimony of its staff, the Applicant, review agencies, and all members of the public wishing to testify; and

WHEREAS, having considered the Application, the recommendations of its staff and the Planning Commission, and the comments of the public and interested agencies, the Board now approves the Application.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Morrison, Colorado, that:

Section 1. Findings. The Board of Trustees hereby makes the following findings in connection with the Application:

1. The findings made in the "Whereas" clauses of this ordinance appearing above are hereby fully incorporated herein as the Board's Findings.
2. The Application is complete.
3. The public hearings required by the Morrison Municipal Code have been properly noticed and conducted, and the Board has jurisdiction to act on the Application.
4. The Application was properly reviewed by the Town staff and by the Planning Commission, which provided a recommendation of approval of the Application *without conditions*.
5. The Application is governed by Sections 10-1K-1, *et seq.* of the Morrison Municipal Code.
6. The Application meets the requirements of the Morrison Municipal Code and is now granted.

Section 2. Application granted; zoning map amended. The Board hereby approves the Application and amends the Town's zoning map to rezone Lot 3, Red Rocks Ranch Subdivision, Filing No. 1, as depicted on **Exhibit A**, to the Mixed Use Commercial and Office (MU-CO) zone district, with the following conditions:

1. _____.
2. _____.
3. _____.

The Zoning Map of the Town of Morrison is hereby amended to incorporate Lot 3 with a zoning designation of the Mixed Use Commercial and Office (MU-CO) zone district.

Section 3. Effective date. This ordinance shall take effect 15 days after adoption and publication in accordance with Section 3.9 and 3.14 of the Home Rule Charter.

INTRODUCED, READ, PASSED AND ADOPTED this 1st day of August, 2023, by a vote of 5 ayes and 1 nays.



TOWN OF MORRISON:

Chris Wolfe, Mayor

ATTEST:

Ariana Neverdah, Town Clerk

EXHIBIT A

LOT 3, RED ROCKS RANCH SUBDIVISION, FILING NO. 1 Depiction and Description

