

**TOWN OF PARACHUTE  
ORDINANCE NO. 704-2016**

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**AN EMERGENCY ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO, AMENDING SECTION 15.03.215 OF THE PARACHUTE MUNICIPAL CODE CONCERNING THE SCHEDULE OF USES PERMITTED IN ZONE DISTRICTS RELATED TO TEMPORARY USES AND CHAPTERS 15.05 AND 15.06 OF THE PARACHUTE MUNICIPAL CODE CONCERNING REVIEW PROCESS FOR TEMPORARY USES.**

WHEREAS, Title 15 of the Parachute Municipal Code (the “Code”) contains the Town of Parachute’s land use regulations;

WHEREAS, Section 15.03.215 of the Code contains the Schedule of Uses in Zone Districts (“Schedule of Uses”);

WHEREAS, the Board of Trustees of the Town of Parachute (the “Board”) wishes to amend the Schedule of Uses to set forth new temporary uses and review requirements for temporary uses in the Town’s zone districts;

WHEREAS, the Board finds that allowing for delegated administrative review of temporary uses pursuant to Section 15.05.212 of the Code, and additional criteria adopted by this ordinance, will serve to more timely accommodate such temporary uses, while still ensuring the life, health, and safety of the Town and its residents;

WHEREAS, the Board initiated an application for text amendment to Title 15 pursuant to Section 15.01.110 and 15.05.202 of the Code (the “Text Amendment”);

WHEREAS, the Town Manager determined the Text Amendment was complete pursuant to Section 15.05.203 of the Code;

WHEREAS, the Town of Parachute Planning and Zoning Commission reviewed the Text Amendment at a public meeting held on June 9, 2016 pursuant to Sections 15.05.205 and 15.05.206 of the Code;

WHEREAS, a public hearing before the Board of Trustees scheduled and noticed for June 16, 2016 was unable to be heard due to lack of a quorum;

WHEREAS, the Board considered the Text Amendment at a public hearing on July 21, 2016 pursuant to Section 15.05.208 of the Code and said hearing was properly noticed in accordance with Section 15.01.106 of the Code;

WHEREAS, Section 1-12 of the Town Charter authorizes the Board of Trustees to enact an emergency ordinance that is immediately necessary for the preservation of public peace, health, or safety by the affirmative vote of every member of the Board of Trustees present or by affirmative

votes equal to a quorum plus one (1), whichever is less;

WHEREAS, pursuant to Section 15.01.110 and Chapter 15.05 of the Code, the Board finds and determines the proposed amendments to the Schedule of Uses and the designated administrative review procedure for temporary uses to be desirable and in the best interests of the Town and wishes to amend the Schedule of Uses adopt the review procedure in accordance with the Text Amendment; and

WHEREAS, the Board further finds that it is necessary to declare an emergency for the preservation of public peace, health, and safety to amend the Schedule of Uses and adopt the designated administrative review procedure for temporary uses to ensure timely review of temporary uses and special events.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO THAT:**

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. Section 15.05.103 of the Parachute Municipal Code is hereby amended as follows, with additions shown in **bold, underlined text** and ~~strike through language deleted~~:

**15.05.103 General procedures.**

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D. *Delegated Administrative ~~Review-Approval of Boundary Line Adjustments.~~* Boundary line adjustments, **minor subdivisions, and other applications over which the Town Manager has discretion to review** are approved by the Town Manager who will utilize the Town staff, consultants and review agencies as necessary to review and approve or deny boundary line adjustments. On a case-by-case basis, the Town Manager may refer the ~~boundary line adjustment application~~ **application** to the Planning Commission and/or, **as applicable,** the Board of Trustees for a decision.

Section 3. Section 15.05.212 of the Parachute Municipal Code is hereby amended as follows, with additions shown in **bold, underlined text** and ~~strike through language deleted~~:

**15.05.212 Delegated administrative review-~~decision.~~**

A. *Review Procedures.* The Town Manager, **or his/her designee,** will review complete applications for boundary line adjustments, minor subdivisions, and other applications over which the Town Manager has discretion to review and render a decision to approve, approve with conditions, or deny the application within thirty (30) calendar days of receipt of a complete

application and satisfaction of notice requirements under PMC 15.01.106 and 15.05.213. Alternatively, the Town Manager may, on a case-by-case basis, refer the application to the Planning Commission and/or, as applicable, the Board of Trustees for review and decision under the provisions of PMC 15.05.201.

B. *Review Criteria.* The Town Manager, or his/her designee, shall consider all the evidence presented by the applicant and other interested parties, comments of review agencies, recommendations of the Town Engineer, staff and consultants and comments from the public. At a minimum, the Town Manager, or his/her designee, shall also consider the following criteria:

1. Conformance of the proposal with the Town of Parachute Municipal Code;
2. The compatibility of the proposal with the character of the surrounding area including, but not limited to, the architectural character of the neighborhood;
3. The desirability for the proposed use in the specific area of the Town;
4. The potential for adverse environmental effects that might result from the proposed use;
5. Compatibility of the proposed use and the site plan with the Parachute Plan;
6. Conformance of any minor subdivision and/or boundary line adjustment with the requirements of the Town of Parachute public works improvements manual; and
7. Additional criteria that may apply to a specific application. ~~Verification that the minor subdivision and/or boundary line adjustment will not result in a nonconforming lot or any other deviation from Town zoning and land use requirements.~~
8. ~~Verification that the minor subdivision will conform to the requirements of Chapter 15.04 PMC.~~

**C. *Additional Review Criteria for Minor Subdivision and Boundary Line Adjustment Applications.*** In addition to the review criteria of Section 15.05.212.B PMC, the Town Manager, or his designee, shall consider the following criteria for review of minor subdivision and boundary line adjustment applications:

1. Verification that the minor subdivision and/or boundary line adjustment will not result in a nonconforming lot or any other deviation from Town zoning and land use requirements.

**2. Verification that the minor subdivision will conform to the requirements of Chapter 15.04 PMC.**

**D. Additional Review Criteria for Temporary Use Applications. In addition to the review criteria of Section 15.05.212.B PMC, the Town Manager, or his designee, shall consider the following criteria for review of temporary use applications minor subdivision and boundary line adjustment applications**

- 1. Ability to protect public health and safety;**
- 2. Proper vehicle and pedestrian ingress/egress and circulation;**
- 3. Sufficient refuse collection and disposal;**
- 4. Provision for utilities and toilet facilities;**
- 5. Assurances that the site is capable of being restored to a satisfactory condition; and**
- 6. Obtaining any other necessary permits.**

Section 4. Chapter 15.06 of the Parachute Municipal Code is hereby amended by the addition of a new Section 15.06.215 as follows:

**15.06.215. Temporary Uses.**

A. Applications for temporary uses shall be submitted in accordance with any current application form and include the submittal requirements contained at Section 15.06.102, except as may be waived by the Town Manager, or his/her designee, on a case-by-case basis.

B. Town Manager, or his/her designee, may approve, approve with conditions, or deny any application. Town Manager may also impose conditions on any approval to mitigate any anticipated adverse impacts

C. Temporary uses shall only be permitted for the time period specified in the approval. Failure to terminate an approved temporary use by the specified time shall constitute a violation of this Chapter.

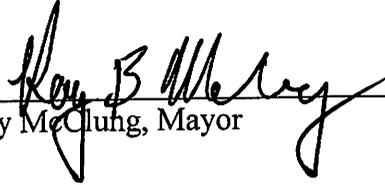
D. Two (2) renewals of an approved temporary use may be granted.

Section 5. The Schedule of Uses contained in Section 15.03.215 of the Code shall be amended to read as set forth in Exhibit A enclosed herewith and incorporated herein by this reference.

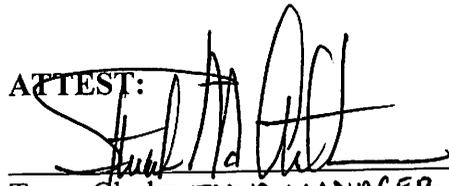
**INTRODUCED, READ, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY** by a vote of 6 to 0 of the Board of Trustees of the Town of Parachute, Colorado at a regular meeting held at Town Hall in the Town of Parachute, Colorado, on the ~~16<sup>th</sup>~~ <sup>21<sup>st</sup></sup> day of ~~June~~ <sup>July</sup>, 2016 and approved by the Mayor on the 21 day of ~~June~~ <sup>July</sup>, 2016.

**BOARD OF TRUSTEES OF THE TOWN  
OF PARACHUTE, COLORADO**

By:

  
Roy McClung, Mayor

ATTEST:

  
~~Town Clerk~~ TOWN MANAGER

**PUBLIC NOTICE**

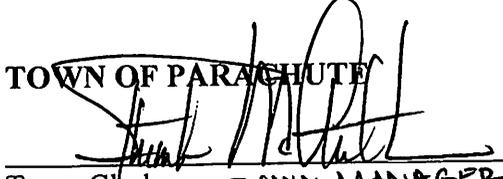
Public notice is hereby given that an Ordinance entitled:

**AN EMERGENCY ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO, AMENDING SECTION 15.03.215 OF THE PARACHUTE MUNICIPAL CODE CONCERNING THE SCHEDULE OF USES PERMITTED IN ZONE DISTRICTS RELATED TO TEMPORARY USES AND CHAPTERS 15.05 AND 15.06 OF THE PARACHUTE MUNICIPAL CODE CONCERNING REVIEW PROCESS FOR TEMPORARY USES.**

was introduced before the Board of Trustees on July 21, 2016; that a copy of said Ordinance is posted at Town Hall; and that the Ordinance was approved at a regular meeting of the Board of Trustees held on July 21, 2016, and approved by the Mayor on July 21, 2016.

Copies of the adopted ordinance are available for inspection at the Town Hall, Parachute, Colorado and available on the internet at <http://www.parachutecolorado.com>.

Dated this 21 day of July, 2016.

TOWN OF PARACHUTE  
  
Town Clerk \_\_\_\_\_ TOWN MANAGER \_\_\_\_\_

Land Use	RA	LDR	MDR	HDR	OTC	NC	HT	SC	LI	GI	P
<b>AGRICULTURAL USE</b>											
Agricultural uses including crops, grazing, ranching	P										
Agricultural-related business	S							S	S		
Equestrian stable with or without training facility	S										
Greenhouse and /or nursery without retail sales	P							P	S	S	
Greenhouse and/or nursery with retail sales	S							P	S	S	
Landscape business including equipment sales/rental, landscape & hardscape materials	S							S	P	P	
Poultry hatcheries, fish hatcheries, commercial ranching and dairy farms or animals raised or kept for profit or production	P								S	S	
Riding academies and stables	P							S	S	S	S
Rodeo grounds	S										S
Soil amendments packaging and processing such as peat moss, top soil and composted manure; but excluding raw manure or chemical fertilizers	S								P	P	
<b>ANIMAL SERVICES</b>											
Animal boarding and training	P								S	S	S
Animal hospital, large; without outside kennels	S							S	P	S	
Animal hospital, small; without outside kennels	P							P	P	P	
Outside Kennels in association with animal hospital or veterinary use	S							S	S	S	
Veterinary offices or clinics; without outside kennels	P							P	P	P	
<b>COMMERCIAL / RETAIL USES</b>											
Bakeries – Retail					P	P	P	P	P		
Bakeries - Commercial					S		S	S	P	P	
Business services, courier services, catering and others	P	S	S	S	P	P	P	P	P	P	
Car washes							S	P	P	S	
Commercial parking lots or garages						S	S	S	P	P	
Convenience retail stores					P	P	P	P	P	S	
Convenience retail stores with more than four fueling stations							S	S	P	S	
Convenience retail stores with or without motor vehicle fuel sales (maximum four fuel pumps)							P	P	P	S	

Land Use	RA	LDR	MDR	HDR	OTC	NC	HT	SC	LI	GI	P
Convenience retail stores without motor vehicle fuel sales					P	S	P	P	P		
Drive-in banks							P	P	P		
Farmers' and flea markets	P				S	S	S	S	P		
Financial institutions					P	S	P	P			
Grocery stores							P	P	P		
Hotels and motels							P	P			
Laundromats and dry cleaning facilities					P	P	P	P	P		
Laundry - commercial									P	P	
Manufactured and modular home sales								S	P	P	
Medical Marijuana Optional Premises Cultivation Operation								S	S	S	
Medical Marijuana Infused Products Manufacturer					P	P	P	P	P	P	
Medical Marijuana Testing Facility					P	P	P	P	P	P	
Mixed-use commercial uses and multiple commercial uses in the same building					P	S	P	P	P	P	S
Other food retail (delicatessen, retail bakery, specialty food market)					P	P	P	P	P	S	
Outdoor retail display and sales					P	S	P	P	P	P	
Outfitter/guide business	S				S		S	S	P	S	
Pawnshops					P		P	P	P		
Personal service establishments					P	P	P	P	P	S	
Pet shop - Retail					P	P	P	P	S		
Printing and bookbinding - commercial					S	S	P	P	P	S	
Rental services					S		S	S	P	P	
Repair, furniture and major household appliance					S	S	P	P	P	P	
Repair, Small equipment, Appliances					P	S	P	P	P	P	
Restaurant, other					P	S	P	P	P	S	
Restaurants - fast food type with drive through pick-up facilities							P	P	P	S	
Retail establishments					P	S	P	P	S	S	
Retail marijuana cultivation facility								S	S	S	
Retail marijuana product manufacturing facility					P	P	P	P	P	P	
Retail marijuana store					P	P	P	P	P	P	
Retail marijuana testing facility					P	P	P	P	P	P	
Sexually oriented business									S	S	
Wholesale retail sales in conjunction with wholesaling								S	P	P	
Wholesaling Business								S	P	P	
<b>CLUBS AND LODGES</b>											

Land Use	RA	LDR	MDR	HDR	OTC	NC	HT	SC	LI	GI	P
Clubs and lodges, fraternal organizations					P	S	P	P	S		
<b>COMMUNITY SERVICES</b>											
Assembly hall or exhibition facilities					S	S	P	P	S		P
Cultural facilities	S				P	S	P	P			P
Events center	S				S		P	P	P		P
<b>INDUSTRIAL USES</b>											
Auction house or yard							S	S	P	P	
Building materials and services							S	S	P	P	
Commercial trash business without trash storage or trash transfer operations									P	P	
Concrete products production									P	P	
Contractor yards - heavy equipment									P	P	
Contractors shops (carpentry, machine, electrical, plumbing)							S	S	P	P	
Custom crafts	S	S	S	S	P	P	P	P	P	S	
Dry cleaning - large scale non-retail								S	P	P	
Food and beverage processing								S	P	P	
Frozen food lockers								P	P	P	
General machine shops							S	P	P	P	
Light trade and technical uses					S	S	P	P	P	P	
Manufacturing, fabrication and assembly operations or industrial uses subject to limitations of subsection 15.03.209								S	P	P	
Meat processing plant									P	P	
Mixed industrial uses and multiple uses in the same building or on the same lot									S	S	
Natural Gas or Oil Extraction Support Facilities	S					S	S	S	P	P	S
Natural gas production and warehousing						S	S	S	P	P	S
Oil/petroleum product production, warehousing and storage						S	S	S	P	P	S
Open sales yards								S	P	P	
Paint and body shops								S	P	P	
Primary manufacturing, assembly, finishing or fabrication								S	P	P	
Publishing facility					S	S	P	P	P	P	
Recycling facilities, large									S	P	
Refining or initial processing of basic raw materials									S	P	
Refuse collection facilities									S	P	
Retail firewood storage and sales								S	P	P	
Salvage operations									S	S	

Land Use	RA	LDR	MDR	HDR	OTC	NC	HT	SC	LI	GI	P
Sand and gravel, stone, and mineral extraction and processing									S	S	
Sand and gravel, stone, mineral - extraction and processing - excluding asphalt production	S								S	S	
Secondary manufacturing, assembly, finishing or fabrication								S	P	P	
Warehousing and distribution									P	P	
Waste-related uses, trash transfer station									P	P	
Wholesale establishments								S	P	P	
<b>LABORATORY, RESEARCH AND DEVELOPMENT</b>											
General research and development					S	S	S	P	P	P	
Laboratory: medical, dental, optical, scientific					P	S	P	P	P	S	
<b>MEDICAL FACILITIES</b>											
Medical, dental or other health-related offices					P	S	P	P	S		
Hospital					S		P	P	P		P
<b>MOTOR VEHICLE-RELATED SALES AND SERVICE OPERATIONS</b>											
Automobile rentals							P	P	P	P	
Automobile washing facility						S	P	P	P	P	
Equipment sales and service with associated storage							S	S	P	P	
Limited equipment rental						S	P	P	P	P	
Major vehicle/equipment repair							S	S	P	P	
Motor vehicle dealer/sales, new and/or used							P	P	P	P	
Recreational vehicle sales and service							S	P	P	P	
Service stations						S	P	P	P	P	
Truck stops							S	S	P	P	
Truck washes							S	S	P	P	
Vehicle repair							S	S	P	P	
Vehicle fueling facilities with minor repair							S	S	P	P	
Vehicle or automobile wrecking or salvage yard									S	P	
Vehicle storage									P	P	
Vehicle towing services and associated storage									P	P	
Vehicle/equipment sales and rentals					S		S	S	P	P	
<b>OTHER USES</b>											
Ambulance service					S	S	P	P	P	P	S
Cemetery	S	S	S	S							S
Day care center, adult or child	S	S	S	S	S	S	S	P			

Land Use	RA	LDR	MDR	HDR	OTC	NC	HT	SC	LI	GI	P
Funeral homes and mortuaries					P		P	P	P		
Government facilities with or without associated operations	S	S	S	S	P	P	P	P	P	P	P
Heliports/helistops	S							S	S	S	S
Home occupations	P	P	S	S		P					
Overnight campground and travel trailer parking	S						S	S	S		S
Public assembly - indoor	S				P	S	P	P	P		P
State licensed day care facilities	P	P	S	S	S	P	P	P			
Uses Not Itemized / Similar Usage	S	S	S	S	S	S	S	S	S	S	S
Zoos, arboretum, botanical gardens	S	S				S	P	P	P		S
<b>OFFICE, CLERICAL AND SERVICES NOT RELATED TO GOODS OR MERCHANDISE</b>											
Administrative and executive; business and professional; and general offices					P	P	P	P	P	P	
Financial services no drive-in facilities					P	P	P	P	P		
Financial services with drive-in facilities						S	P	P	P		
Instructional services, studies	S				P	P	P	P	P	P	
Offices - business or professional					P	P	P	P	P	P	
<b>RESIDENTIAL</b>											
Accessory Dwelling Unit (ADU)	S	S									P
Assisted living facility					S	S	S	P			
Bed and Breakfast accommodations	S	S	S	S	P	P	P	P			
Dwelling unit accessory to a permitted business use	S				S	P	P	P	P	S	
Dwelling unit accessory to permitted uses and located in the same building or on the same lot as the principal use	S				S	S	S	S	S	S	
Employee housing provided employees are in the employ of property owner	S				S	P	P	P	P	P	S
Group homes for the developmentally disabled or for persons sixty years of age or older		S	S	S		S	S	S			
Mobile home parks			S	S							
Mobile homes			S	S							
Multiple-family dwelling and townhouses		S	P	P	S	S	S	S			
Nursing home			S	S	S	S					
One-family dwelling (Single-family dwelling)	P	P	P	P	S	S		S	S	S	
Rooming, lodging or boarding houses			S	P	S	S	S	S			
Two-family dwelling		S	P	P	S	S		S			
<b>RESTAURANT FOOD SERVICE</b>											
Bar, tavern, nightclub					P	P	P	P	S		

Land Use	RA	LDR	MDR	HDR	OTC	NC	HT	SC	LI	GI	P
Eating and/or drinking establishments excluding fast food restaurants					P	S	P	P	P		
Fast food w/o drive thru					P	P	P	P	P		
Fast food with drive-thru					S	S	P	P	P		
<b>RECREATION OR AMUSEMENT FACILITIES, PRIVATE OR PUBLIC</b>											
Events / Indoor Recreation Center	S				S	S	S	S	S		
Golf course	S										S
Indoor recreation facilities	S				S		P	P	P	P	P
Outdoor Recreation, not including ballparks	S				S		S	S	S	S	P
Outdoor Recreation (ballparks, etc.)	S										P
Parks	P	P	P	P	P	P	P	P			P
Public Recreation facilities with supporting accessory uses such as sports shops, snack shops, restaurants and equipment rental	S	S	S	S	S	S	P	P			S
<b>RELIGIOUS INSTITUTIONS</b>											
Religious assembly and worship	P	P	P	P	P	P	P	P	P	P	P
<b>SCHOOLS</b>											
Educational facilities	S	S	S	S	S	S	S	S	S		P
Elementary and secondary education school	S	S	S	S	S	S	S	S			P
Postsecondary colleges, universities and technical schools	S	S	S	S	S	S	S	S	S	S	P
Private business, trade and vocational school	S	S	S	S	S	S	S	S	S	S	S
Schools - private	S	S	S	S	S	S	S	S	S	S	
Schools of special instruction	S	S	S	S	S	S	S	S	S	S	
<b>STORAGE</b>											
Indoor storage	P					S	P	P	P	P	P
Outside storage - Unscreened	S					S	S	S	P	P	S
Outside storage - Screened	P					S	P	P	P	P	S
Personal storage units (Mini-storage)						S		S	P	P	
<b>TEMPORARY USES</b>											
Circuses, carnivals, <b>concerts, festivals, other special events, and associated uses</b>	<b>A</b>										
Contractor's office/temporary construction uses	<b>A</b>										
Temporary Construction Facilities with or without outdoor storage	<b>A</b>										
Temporary real estate sales office	<b>A</b>										
<b>Other temporary uses</b>	<b>A</b>										
<b>TELECOMMUNICATIONS FACILITIES AND SATELLITE DISH ANTENNAS</b>											
Cellular communications facilities	S							S	S	S	S

Land Use	RA	LDR	MDR	HDR	OTC	NC	HT	SC	LI	GI	P
Freestanding tower	S							S	S	S	S
Radio and television transmission towers	S								S	S	S
Telecommunication facilities other	S	S							S	S	S
<b>TRANSPORTATION FACILITIES</b>											
Passenger terminal					S		S	S	P	S	S
Private automobile parking lots or parking garages as a principal use					S		S	S	P	P	
Public automobile park 'n' ride lots	S						S	S	P	S	S
<b>UTILITIES</b>											
Above Ground electric transmission lines 110 kV or more	S	S	S	S	S	S	S	S	S	S	S
Electric substations	S								S	S	S
Public utilities, major	S								P	P	P
Public utilities, minor	P	P	P	P	P	P	P	P	P	P	P
Public utility facilities - above ground	S	S	S	S	S	S	S	S	S	S	S
Public utility facilities - underground	P	P	P	P	P	P	P	P	P	P	P

P: Permitted Use

S: Use by Special Review

**A: Delegated Administrative Review pursuant to PMC § 15.05.212.**

“ “: Uses not designated as “P” or “S” are not allowed in the respective zoning category.