

STATE OF COLORADO  
COUNTY OF GILPIN  
CITY OF BLACK HAWK

COUNCIL BILL NUMBER: 21

ORDINANCE NUMBER: 2019-21

**TITLE: AN ORDINANCE AMENDING CHAPTER 16 OF THE BLACK HAWK MUNICIPAL CODE TO AMEND THE COMMERCIAL/BUSINESS SERVICES ZONING DISTRICT, THE HISTORY APPRECIATION RECREATION DESTINATION DISTRICT, AND THE DEFINITIONS SECTIONS OF THE CITY'S ZONING CODE**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLACK HAWK, GILPIN COUNTY:

Section 1. Section 16-24 of the Black Hawk Municipal Code is amended by the addition thereto of the following definitions:

*Event Center:* A multi-purpose venue facility hosting special events such as graduations, weddings, anniversaries, holiday gatherings, trade shows, concert settings, and corporate functions or parties. An event center may have a catering kitchen, indoor and/or outdoor seating and a stage or event area.

*Mini-Warehouse/Storage:* Enclosed warehouse units which are rented or leased to second parties for storage purposes, and which have no outside storage. No residential unit is allowed with this use.

*Campground:* Any area that is occupied or intended or designed or improved for occupancy by transients (no permanent residency is allowed) using recreational vehicles, travel trailers, tent trailers, or tents for temporary dwelling, lodging, or sleeping purposes wherein sites are offered for the use of the public or members of any organization for no longer than fifteen (15) days.

Section 2. Section 16-93 of the Black Hawk Municipal Code is amended by the addition thereto of a new subsection (4) to read as follows:

**Sec. 16-93. Objectives.**

The objectives of the C/BS zoning district are to:

\* \* \*

(4) Support existing commercial uses in the City.

Section 3. Section 16-94 of the Black Hawk Municipal Code is amended by the addition thereto of new subsections (a)(12) and (a)(13) to read as follows:

**Sec. 16-94. Use regulations.**

(a) Permitted principal uses. Any of the following uses, provided that the gross floor area of a single building or structure containing the use does not exceed **twenty five thousand (25,000)** ~~fifteen thousand (15,000)~~ square feet.

\* \* \*

- (12) Event Center (indoor and outdoor)
- (13) Mini-Warehousing/Storage (indoor only)

Section 4. Section 16-94 of the Black Hawk Municipal Code is amended by the deletion of subsection (c), and the re-lettering of subsection (d) to subsection (c) to read as follows:

**Sec. 16-94. Use regulations.**

\* \* \*

(c) Special review uses.

(1) Any of the permitted principal uses where the gross floor area of a single building containing the use exceeds ~~fifteen thousand (15,000)~~ **twenty-five thousand (25,000)** square feet may be permitted if the building and accessory facilities are designed to be consistent with the desired character of the area, and do not adversely affect other uses in the area.

(2) Outdoor recreation and amusements may be permitted if they are designed to be consistent with the desired character of the area, do not adversely affect other uses in the area and do not pose a threat to public safety.

(3) Surface transportation related facilities such as private shuttle stops not located on public rights-of-way and shuttle stations with indoor areas designed for passenger waiting and comfort.

(4) Fixed guideway transportation systems such as trains, cogways and aerial tramways. Fixed guideway transportation systems shall be subject to specific regulations found in Section 16-363(g).

(5) Residential use *for a caretakers unit that is* secondary to the principal use, subject to the criteria contained in Subsection 16-363(h) of this Chapter.

(6) *Indoor Shooting ranges may be permitted if they are designed to be consistent with the desired character of the area, do not adversely affect other uses in the area and do not pose a threat to public safety.*

(7) *Campgrounds, including those providing recreational vehicle hookups. These specific uses shall be required to provide for on-site sanitary facilities, all-weather accessibility and road surfacing, and a caretaker residence. Campgrounds shall also be required to have a source of water contained on-site considered sufficient for fire protection. No campground shall be located within five hundred (500) feet of a preexisting residentially developed property.*

Section 5. Section 16-121, subsection (b) of the Black Hawk Municipal Code is amended to read as follows:

**Sec. 16-121. Purpose and objectives.**

\* \* \*

(b) Objectives. The objectives of the HARD zoning district are to allow for such uses that are dedicated to serving the public, and to minimize the adverse impacts and adjacent uses and the community. *Within the commercial land use areas of the district, the close proximity of buildings to each other and their close proximity to the street will create a personal commercial experience.* In addition, the objectives of the HARD zoning district are to allow for such uses that are dedicated to serving the public and may include passive recreational activities, as well as active recreational activities such as mountain biking, hiking, and water sports associated with lakes, reservoirs, and water storage facilities.

Section 6. Section 16-122, subsection (c) of the Black Hawk Municipal Code is amended to read as follows:

**Sec. 16-122. Use regulations.**

\* \* \*

- (c) Dimensional regulations.
  - (1) Minimum lot area: none.
  - (2) Minimum lot dimensions:
    - a. ~~One hundred (100)~~ **Fifty (50)** feet deep.
    - b. ~~Forty (40)~~ **Twenty (20)** feet wide.
  - (3) Minimum setbacks.
    - a. Front yard: zero (0) feet.

- b. Side yard: ~~ten (10)~~-zero (0) feet.
  - c. Rear yard: ~~twenty (20)~~-zero (0) feet.
- (4) Maximum height: thirty-five (35) feet.

Section 7. Safety Clause. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Black Hawk, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.


Section 8. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 9. Effective Date. The City Clerk is directed to post the Ordinance as required by the Charter. This Ordinance shall become effective upon posting by the City Clerk.

READ, PASSED AND ORDERED POSTED this 25<sup>th</sup> day of September, 2019.

  
David D. Spellman, Mayor

ATTEST:

  
Melissa A. Greiner, CMC, City Clerk

