



Council Agenda Summary

May 2, 2023

Key Staff Contact: Don Threewitt, Interim Community Development Director

Title:

Public hearing and second reading of an Ordinance amending Title 12, Chapter 2, Article IV, Section 12-151 and Title 24 of the Greeley Municipal Code relating to the allowance of private tobacco smoking establishments

Summary:

The City was presented with a request from a local businessperson who wishes to establish a venue at which smoking of cigars and consumption of other incidental refreshments could occur. Greeley’s Municipal Code Article IV, Section 12.153 expressly bans any form of smoking in any public or private establishment.

To enable such a use, an ordinance is required to amend the Greeley Municipal Code in order to 1) permit an exception for smoking of tobacco products in certain circumstances; and 2) establish the zoning category and define the physical and operational characteristics associated with such a use.

At its January 24, 2023 work session, City Council reviewed the options to allow such a use and indicated its willingness to have staff prepare an ordinance for consideration. The Planning Commission will review the proposed amendments to the Development Code at its April 25, 2023. The results of their review will be provided at the May 2, 2023 meeting.

This ordinance was introduced at the Council’s April 18, 2023 meeting.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	No
Is there grant funding for this item?	N/A

Legal Issues:

Consideration of this matter is a legislative process which includes the following public hearing steps:

- 1) City staff presentation (if requested)
- 2) Council questions of staff
- 3) Public input (hearing opened, testimony - up to three minutes per person, hearing closed)
- 4) Council discussion
- 5) Council decision

Other Issues and Considerations:

None.

Strategic Focus Area:



Business Growth

Decision Options:

- 1) Adopt the ordinance as presented; or
- 2) Amend the ordinance and adopt as amended; or
- 3) Deny the ordinance; or
- 4) Continue consideration of the ordinance to a date certain.

Council's Recommended Action:

A motion to adopt the ordinance and publish with reference to title only.

Attachments:

Ordinance

Planning Commission Minutes (April 25, 2023) - Draft

Presentation