

**TOWN OF NEW CASTLE, COLORADO  
RESOLUTION NO. PZ 2024-1**

**A RESOLUTION OF THE NEW CASTLE PLANNING AND ZONING COMMISSION  
RECOMMENDING THE AMENDMENT OF SECTIONS 17.04.050 and 17.36.040 OF THE  
TOWN MUNICIPAL CODE TO ADD MICROBREWERY AS A PERMITTED USE IN THE  
C-1 ZONE DISTRICT.**

WHEREAS, pursuant to Chapter 17.08 of the New Castle Municipal Code (“Code”), the Town of New Castle (“Town”) has established a Planning & Zoning Commission (“Commission”); and

WHEREAS, pursuant to Section 17.92.030(B) of the Code, the Commission must consider and provide a recommendation regarding amendments to Title 17 of the Code; and

WHEREAS, Chapter 17.36 of the Code establishes the use, dimensional, and other zoning regulations for the C-1 commercial zone district; and

WHEREAS, there is a growing interest to operate microbreweries in the Town; and

WHEREAS, microbreweries are not listed as permitted, conditional, or prohibited uses in Chapter 17.36; and

WHEREAS, based on the characteristics of the C-1 zone district, the nature of microbreweries, and how other Colorado municipalities define and regulate microbreweries, Town staff believes that microbreweries would be an appropriate permitted use in the C-1 zone district; and

WHEREAS, Town staff believes that allowing microbreweries in the Town will promote economic development; and

WHEREAS, in accordance with Section 17.92.030(B) of the Code, the Commission held a public hearing on January 10, 2024, to consider whether Section 17.36.040 of the Code should be amended to include microbreweries as a permitted use in the C-1 district; and

WHEREAS, based on the testimony and evidence presented at the hearing, the Commission now desires to recommend that the Town Council approve an amendment to Chapter 17.36 of the Code as set forth below.

NOW, THEREFORE, BE IT RESOLVED BY THE NEW CASTLE PLANNING AND ZONING COMMISSION AS FOLLOWS:

1. Recitals. The foregoing recitals are incorporated by reference herein as findings and determinations of the Commission.

2. Recommendation. The Commission recommends that “microbrewery” be added as a permitted use in the C-1 zone district and that the Code be amended as set forth in the following section to accomplish the same.

3. Code Amendment. The Commission recommends that Code Sections 17.04.050 and 17.36.040 be amended as set forth below, with added language in **bold** and underlined:

17.04.050 – Definitions

**“Microbrewery” means a facility or establishment that manufactures no more than five thousand (5,000) barrels per year of fermented malt beverages or malt liquors on site. For purposes of this definition, fermented malt beverage and malt liquors have the meaning assigned to them in the Colorado Liquor Code, as amended from time to time, and a barrel shall equal 31 US gallons.**

17.36.040 – Permitted Uses

...

C. Personal service establishment, including:

...

**9a. Microbrewery**

4. Effective Date. This Resolution shall be effective upon adoption.

THIS RESOLUTION PZ 2024-1 was adopted by the New Castle Planning and Zoning Commission by a vote of \_\_\_ to \_\_\_ this 10<sup>th</sup> day of January, 2024.

TOWN OF NEW CASTLE, COLORADO,  
PLANNING & ZONING COMMISSION

By: \_\_\_\_\_  
Chuck Apostolik, Chair

ATTEST:

\_\_\_\_\_  
Remi Bordelon, Deputy Town Clerk