



TOWN COUNCIL MEETING UPDATE

Oct. 7, 2019



PARKER
C O L O R A D O

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PUBLIC HEARINGS AND SECOND READINGS

Public Hearings

- **E-470 Right of Way Northeast - Annexation and Zoning**

Town Council approved four items related to the annexation and zoning of a portion of the E-470 right-of-way located adjacent to the northeastern section of the Town of Parker in unincorporated Douglas County. The Town, acting on behalf of the E-470 Public Highway Authority (the “Authority”), propose the annexation of this right-of-way in order to ensure that the entirety of E-470 within the Town’s Planning Area is annexed into the community. The zoning of this property is the E-470 Area Planned Development (PD), the same zoning for the rest of E-470 within the Town limits.

Approved 5-0 (In Favor: Diak, Lewis, Poage, Rivero, Toborg)

- **Special Districts Annual Report Requirements and Application Fees**

Town Council approved this ordinance that amends the section of the Parker Municipal Code concerning special districts to update the annual report requirements and application fees. The fee increase will capture the actual costs for staff and outside counsel review time. Most service plan amendments are actually amended and restated service plans, requiring nearly as much review time as original service plans. Additionally, the ordinance will now multiple districts that are submitting separate service plans or amendments, which are substantially similar, to pay one fee, rather than separate fees for each plan or amendment.

Approved 5-0 (In Favor: Diak, Lewis, Poage, Rivero, Toborg)

- **Kratom Sale Prohibition**

Town Council approved an ordinance that prohibits the sale of Kratom for human consumption in the Town of Parker. Kratom is an herbal substance featuring active ingredients that have effects similar to an amphetamine or opioids. The U.S. Food and Drug Administration is warning consumers not to use kratom and the Tri-County Health Department has recommended that the Town ban the sale of kratom.

Approved 5-0 (In Favor: Diak, Lewis, Poage, Rivero, Toborg)

- **Elementary and Middle School Marshall Program IGA**

The Town previously entered into an Intergovernmental Agreement (IGA) with the Douglas County School District to make available its police officers to function as School Marshal Officers (SMOs) at district elementary schools in addition to four charter schools within the District: Challenge to Excellence, Global Village Academy, Parker Performing Arts School and Lemay Academy. Town Council approved this amended agreement, which will result in DCSC paying the Town \$84,000 towards the costs of the School Marshall Program and an additional \$10,400 per charter school (\$45,600).

Approved 5-0 (In Favor: Diak, Lewis, Poage, Rivero, Toborg)

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CONSENT AGENDA

First Readings - Second Readings Scheduled for Oct. 21

- **Homebuilder Sign Kiosk Program**

Town Council will consider an ordinance that will allow the Town to designate a third party to provide homebuilder kiosk signs within the Town right-of-way (ROW). Section 10.13.080 of the Parker Municipal Code allows the Town to administer a kiosk program for homebuilders to advertise new residential developments on kiosk signs located in the Town ROW. Town staff is concerned that future development in Anthology North and Hess Ranch would increase home sales sign clutter and negatively impact the Town's desirable visual environment.

Approved 5-0 (In Favor: Diak, Lewis, Poage, Rivero, Toborg)

- **Tourist Home Definition**

Community Development staff recently discussed the issue of short-term home rentals in residential neighborhoods such as Airbnb with the Town Council. The Council directed staff to review and, if necessary, amend the Land Development Ordinance (LDO) to address the issue. Staff has proposed an ordinance that would amend the LDO by adding a definition of tourist home that would not allow short-term home rentals while continuing to permit long-term home rentals. The proposed amendment would be added to Chapter 13.02 of the LDO and provide clarification that short-term rentals of less than 30 days are defined as tourist homes and are not permitted in areas zoned for residential use.

Approved 5-0 (In Favor: Diak, Lewis, Poage, Rivero, Toborg)

- **Entitled Planning Department Adjustments**

Parker's Land Development Ordinance (LDO) currently allows for Town staff to make certain minor administrative adjustments to approved site plans and planned developments. However, proposed revisions to approved building elevations and materials are not permitted to be reviewed and approved administratively. Instead, they require a full site plan amendment process that is costly and time consuming for applicants many of whom are small businesses. This process is also time intensive for staff and limits its ability to assist applicants in obtaining the timely approval of minor revisions to building architecture. This proposed LDO amendment would support existing small businesses by allowing staff to process limited changes to building architecture such as color revisions, material changes and the addition of doors or windows on an administrative basis through a simple site plan adjustment. This would save applicants the expense and time of going through the current process. All applicants would still be required to comply with the requirements of the LDO and related design standards

Approved 5-0 (In Favor: Diak, Lewis, Poage, Rivero, Toborg)

- **Entitled Association Requirements**

Town staff recently discussed with Town Council the issue of requiring the formation of Homeowners' Associations (HOAs) with new residential development and their commercial equivalents. The purpose of this proposed amendment to the Land Development Ordinance (LDO) is to add a new provision that would require the formation of a residential homeowners' or commercial property owners' association during the platting process. This change would ensure enforcement of covenant controls, maintenance and repair of common areas and the provision of services such as trash collection.

Approved 5-0 (In Favor: Diak, Lewis, Poage, Rivero, Toborg)

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CONSENT AGENDA (con't)

First Readings - Second Readings Scheduled for Oct. 21 (con't)

- **Moore Property Water Rights Conveyance**

The Town owns a 24-acre parcel of property commonly known as the Pine Curve property, which is an assemblage of the “Kime Property,” which was approximately 21 acres, and the Moore Property, which was approximately 3 acres. The Kime Property was included into the Parker Water and Sanitation District several years ago. In order to include the Moore Property into the water district, the Town will need to convey the underlying ground water to the District by special warranty deed. The cost of the inclusion process is \$5,000 an acre (for 3 acres) and the conveyance of the deep ground water under the Moore property to the District. The cost to include is approximately \$15,000, plus administrative costs to process the inclusion. In exchange, the Town will receive six water credits from the District, which are valued at \$30,000 (\$5,000/acre) to be retained by the Town for use on other Town property. Water credits can be used to reduce the cost of taps sold by the District.

Approved 5-0 (In Favor: Diak, Lewis, Poage, Rivero, Toborg)

Motions, Contracts, Resolutions, Proclamations, Agreements

- **E-470 Maintenance Support Site Subdivision Exemption Plat**

The Town is proposing a Subdivision Exemption Plat for the property located at 16600 Parkerhouse Road that is owned by the E-470 Public Highway Authority and currently used as a maintenance facility. The property was annexed into the Town in 2012 but remains unplatted. A site plan amendment application for this property has been submitted by the E-470 Public Highway Authority. The Land Development Ordinance (LDO) requires that property be platted prior to approval of a site plan amendment. Pursuant to the LDO, the Town Council approved this subdivision exemption plat by resolution that exempts the property from certain subdivision procedures before the site plan amendment may proceed.

Approved 5-0 (In Favor: Diak, Lewis, Poage, Rivero, Toborg)

- **Referendum Petition Protest Procedure**

Town Council passed this resolution that establishes alternative protest procedures, which apply for all municipal initiatives and referenda in the Town of Parker, in lieu of the requirements contained in Section 31-11-110 of the Colorado Revised Statutes. Article XIV of the Town Charter provides the procedures and requirements for initiatives and referenda. Section 31-11-110 of the Colorado Revised Statutes provides the procedures regarding the protest of any initiative or referendum petition. The protest procedures, established in Section 31-11-110, apply to municipal initiative, referenda and referred measures unless alternative procedures are provided by charter, ordinance or resolution. The statute provides that a protest may be filed within 40 days after a petition is filed, notwithstanding the fact that the Home Rule Charter requires the Town Clerk to complete a certificate of sufficiency within 10 days of the filing of a petition and the Town Council to take action within 30 days of a petition being finally determined sufficient by the Town Clerk. This resolution establishes alternative protest procedures to comport with the timing requirements contained in Article XIV of the Town Charter.

Approved 3-2 (In Favor: Diak, Lewis, Rivero; Opposed: Poage, Toborg)