



**TOWN OF COLUMBINE VALLEY  
PLANNING & ZONING COMMISSION MEETING**

April 13, 2021  
6:30PM

**A G E N D A**

**VIRTUAL MEETING PARTICIPATION:**

Due to COVID-19 and the closure of Town Hall until further notice, the Town of Columbine Valley is providing alternate means for public participation at meetings of the Planning and Zoning Commission.

To view the meeting click on the “Join P & Z Meeting” link at the top of the Town’s web site [www.ColumbineValley.org](http://www.ColumbineValley.org)

To provide written remarks during the public comment or public hearing, send an email by 4:00 p.m. on the date of the meeting to [jdmccrumb@columbinevalley.org](mailto:jdmccrumb@columbinevalley.org) with your name, address, agenda item and comment. You may also join at the web link above.

1. ROLL CALL 6:30
2. PUBLIC COMMENT  
*Each speaker will be limited to three minutes. The Planning and Zoning Commission is not authorized by the Colorado Open Meetings Law to discuss, comment, or act at the meeting on any issue raised by public comment. The Chair may refer the matter to the Town staff for immediate comment or to obtain additional information and report back to the Commission as appropriate.*
3. APPROVAL OF MINUTES FROM FEBRUARY 9, 2021 MEETING
4. OLD BUSINESS
  - a. There is no old business
5. NEW BUSINESS
  - a. Development Update Mr. Kaslon
  - b. Planning Commission Orientation Mr. McCrumb & Mr. Kaslon
  - c. Presentation of 3-Mile Plan Mr. Kaslon
6. ADJOURNMENT



### **Planning Commission Presentation**

**Date:** April 13, 2021

**Title:** Planning Commission Orientation Packet

**Presented By:** JD McCrumb, Town Administrator & Brent Kaslon, Town Planner

**Background:** With all of the new members of the planning commission. Town Staff thought it would be good to create a planning commission orientation packet. This packet is a broad overview of the role of a commissioner, planning ethics, meeting expectations, officers, order of business, meeting conduct and Colorado Open Meeting Law.

**Attachments:** Planning Commission Orientation Packet

**Staff Recommendations:** None at this time.

**Recommended Motion:** None at this time

## I. Planning Commission Service

### Planning Commission Role:

The primary role as a commission member is (1) to contribute to the Town of Columbine Valley's organizational mission, and (2) to serve in an advisory capacity to the Board of Trustees on land use and development issues and comprehensive plan policy.

As a commission member, the focus will be on the development and recommendation of broad-based policies, regulations, programs, or services that affect the entire Town.

## II. Statement of Ethical Principles for Planning

1. Planning officials ought to serve the public interest.
2. Planning officials ought to recognize the right of citizens to influence decisions.
3. Planning officials ought to recognize the long-range nature of planning decisions.
4. Planning officials ought to strive to expand choice and opportunity for all persons.
5. Planning officials ought to encourage the coordination of activities and efforts in accommodation of all interests.
6. Planning officials ought to avoid conflicts of interest.
7. Planning officials ought to be thorough and diligent.
8. Planning officials ought not to seek or offer favors to special interests.
9. Planning officials ought not disclose or improperly use confidential information for financial gain.
10. Planning officials ought to insure equal access to public records.
11. Planning officials ought to ensure that all relevant information is disclosed at public meetings.
12. Planning officials ought to maintain the public confidence.
13. Planning officials ought to respect the professional code of ethics (published by the American Institute of Certified Planners as a guide to its members).

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## III. Rules of Procedure of the Town of Columbine Valley Planning Commission

### SECTION I. MEETINGS:

- A. **Regular Meetings.** The Planning Commission meets on the second Tuesday of each month as needed, in the Town of Columbine Valley Town Hall Meeting Room, commencing at 6:30 p.m. unless otherwise noted.
- B. **Special Meetings.** The Planning Commission shall meet for special meetings at the call of the Chair or a majority of the Planning Commission.
- C. **Open Meeting Requirements and Notification:**
  1. The open meeting provisions of state law shall apply to Planning Commission meetings.
  2. Notification procedures shall follow the requirements of the Zoning Code and Land Use Regulations, as applicable.

3. All special meetings shall be noticed by:
  - a. Delivering written notice personally by mail, fax, or by electronic mail at least 24 hours in advance to Planning Commission members.
  - b. Posted at Town Hall.
  - c. Specification of the time and place of the meeting and the business to be transacted.
- D. **Record**. A record will be made of all public hearing proceedings. This record will normally be an audio recording by means of electronic equipment.
- E. **Minutes**. The Town Staff will prepare minutes of each meeting that include all pertinent information, motions, decisions made, and actions and votes taken.

## SECTION 2. OFFICERS:

- A. **Appointment**. The Planning Commission has the following officers:
  1. The Chair;
  2. A Vice Chair; and
- B. **Temporary Chair**. If both the Chair and Vice Chair are absent from a meeting, the Planning Commission shall, by a majority vote of those members present, elect a temporary Chair for that meeting.
- C. **Duties of Officers**. The duties and powers of the officers of the Planning Commission are as follows:
  1. Chair:
    - a. To preside at all meetings of the Planning Commission;
    - b. To call meetings of the Planning Commission;
    - c. To sign documents of the Planning Commission;
    - d. To act as liaison between the Planning Commission and other Town entities; and
  2. Vice Chair: During the absence, disability, or disqualification of the Chair, or upon the request of the Chair, the Vice Chair shall exercise all the duties and be subject to all the responsibilities of the Chair. The Vice Chair shall also maintain any other responsibilities that are assigned to him/her by the Chair.

The Chair and Vice Chair and other officers shall be elected by a majority vote of the Planning Commission at the first regular meeting each May, and may be reelected.
  3. Chairing the Meetings  
The person chairing the meeting shall make every effort to facilitate the orderly discussion of the Planning Commission and to guide the Commission in providing direction to staff and making recommendations to the Board of Trustees.

## SECTION 3. ORDER OF BUSINESS:

- A. Generally, the Planning Commission will follow the following order of business at all meetings:
  1. Call to order / roll call.
  2. Comments from the audience on any topic that is not the subject of public hearing - limited to 3 minutes per speaker.
  3. Reading and/or approval of minutes.
  4. Administrative reports.
  5. Old Business.

6. New Business.
  7. Adjournment.
- B. The order of business may be changed during the meeting by the Chair with the consent of a majority of the Planning Commission members present.

#### **SECTION 4. QUORUM:**

A majority of the appointed members of the Planning Commission constitutes a quorum. A quorum must be in attendance or participating via a conference call or other electronic media before business can be transacted. Every motion by the Planning Commission requires approval of a majority of the Planning Commission members present to pass.

#### **SECTION 5. DISQUALIFICATION:**

No member of the Planning Commission should participate in any Planning Commission discussion or vote on any matter in which the member has a personal or financial interest potentially sufficient to create a conflict between the interest in serving the public good and the other interest. The other interest may be private gain, financial or personal, and it may benefit the member, a relative, a friend, or an employer. Any disqualified member must leave the room when the matter is presented. The minutes shall show that the member left the room.

#### **SECTION 6. VOTING:**

- A. Each member present at a meeting shall cast one vote on each motion. Voting may be by voice call or by roll call.
- B. Although it is the duty of every member to vote, a member may abstain. An abstention has the same effect as a negative vote.

#### **SECTION 7. VACANCIES:**

Should any vacancy occur among the membership of the Planning Commission by reason of death, resignation, disability, or otherwise, the Town Clerk shall be immediately notified. If a member resigns, the member shall tender his or her resignation in writing to the Town Administrator. The Chair of the Planning Commission shall request that the Mayor and Board of Trustees consider an appointment to the vacancy on the Planning Commission at the earliest possible time.

#### **SECTION 8. CONDUCT OF MEETINGS:**

- A. **General.** The Chair has broad authority over all matters regarding the conduct of meetings. He/she shall exercise this authority to promote the fullest possible presentation of information and discussion of matters before the Planning Commission while permitting the orderly and timely completion of Planning Commission business.  
  
As a general protocol, the Chair of the meeting should introduce the agenda topic, provide for a staff presentation and questions from the Commission, and call for discussion among the Commission members.  
  
The Chair should generally provide for each Commission member to offer a comment prior to weighing in on an issue. The Chair should ensure that all members have an opportunity to speak. The Chair should also expedite the discussion in a timely manner and summarize the recommendation or direction from the Commission as appropriate.
- B. **Use of Roberts Rules of Order.** The Planning Commission may refer to the applicable provision of Roberts Rules of Order for guidance for items not addressed by these Rules and Procedures.

- C. On specific agenda items, other than public hearings which are discussed in Section 9, the Chair may allow comments from the audience as appropriate. This usually occurs following a staff presentation and/or the completion of discussion by the Commission on the agenda item. Comments may be subject to the limitations noted in Section 3.A.

## SECTION 9. RULES OF PROCEDURE FOR PUBLIC HEARINGS:

### A. Presentation at the Hearing.

- 1. The Chair shall declare the Public Hearing open before the staff presentation is given. After the staff presentation and after everyone has had the opportunity to speak, the Chair shall announce that the hearing continues to remain open, but only for the benefit of the Planning Commission members who may seek further information during their deliberation. Reopening the hearing to give persons an opportunity to speak shall require a motion and a vote. If the hearing is reopened, the Commission may limit the topics to be addressed.
- 2. Nature of Presentation:
  - a. Written Comments. Any person wishing to comment on an application may do so by submitting his/her written comments to the Town Clerk before the hearing or the Chair during the hearing. These comments will become part of the official record and shall be considered by the Planning Commission in its action.
  - b. Oral Comments. The Chair shall permit any person to make a brief oral presentation at the hearing. Comments are limited to three minutes per speaker unless otherwise authorized by the Chair. The speaker shall first give his/her name and address.
- 3. Questions from the Planning Commission. Members may question a speaker on any matter related to his/her comments.
- 4. Questions from the Speaker. All comments and questions shall be directed to the chair.

### B. Planning Commission Deliberation. After all speakers have been heard, the Planning Commission shall close the public comment portion of the hearing, consider all the information and deliberate on the matter. This deliberation shall include:

- 1. The information submitted;
- 2. The written comments received;
- 3. Any presentation and discussion made at the hearing; and
- 4. The staff report.

### C. Planning Commission Recommendation. After discussion and deliberation, the Commission shall make a recommendation to the Board of Trustees by a motion and approval of a majority of those members present. Once a motion for recommendation has been passed, the Chair shall declare the public hearing closed.

### D. Continuance. The Planning Commission may continue the matter by an affirmative vote of a majority of the members present on a motion to continue to a specific date. The Planning Commission may also agree to keep the public hearing open solely for written comments to be submitted by an agreed upon date. In that event oral comments would not be permitted unless the Commission decides to re-open the public hearing following additional public noticing.

## SECTION 10. PLANNING COMMISSION CONDUCT AND OPERATIONS

- A. **Planning Commission Recommendations.** The Planning Commission may make recommendations to the Board of Trustees and Town staff as appropriate. Unless otherwise determined, the Chair is authorized to review and approve the Planning Commission's transmittal memorandum. The Chair shall determine who will present the Commission's recommendation to the Board of Trustees.
- B. **Representing the Commission.** The Planning Commission shall act as a body. A member, when representing the Commission may speak or act for the Commission in accordance with the recommendation or direction taken by the Commission. The Chair or Chair's designee shall serve as the official spokesperson of the Commission.
- Individual Commission members may speak as an individual, clearly specifying they are speaking as an individual articulating their own views and concerns (e.g. I am speaking as an individual, not representing the Planning Commission.)
- C. **Majority and Minority Opinions.** As determined by the Commission, a minority report may accompany a voted decision or recommendation. An additional spokesperson may be designated to present the minority report.
- D. **Duties and Responsibilities.** Commission members shall exercise their duties and responsibilities with integrity, collegiality and care. Members should establish a high priority to attend all meetings and to come prepared to contribute to the discussion of issues and business to be addressed. Members should respect the opinions of other members of the Commission and be receptive to diverse viewpoints in Commission discussions. Members should represent the Commission and the Town in a positive and supportive manner through appearance, conduct and attitude.

### IV. Colorado Open Meetings Law

- A. **Open Meetings Law (OML) CO Rev Stat § 24-6-402 (2016)** which is part of the Colorado Sunshine Law, generally requires any state or local governmental body to discuss public business or to take formal action in meetings that are open to the public. A "meeting" refers to any kind of gathering, convened to discuss public business, whether in person, by telephone, electronically, or by other means of communication. The Colorado Supreme Court has held that "a meeting must be part of the policy-making process to be subject to the requirements of the OML. Therefore, for example, emails can be considered "meetings", but the term does not include chance meetings or social occasions where public business is not the central purpose of the meeting. Per the state statute, all meetings of a quorum or three or more members of any local public body, whichever is fewer, at which any public business is discussed or at which any formal action may be taken are declared to be public meetings open to the public at all times. Likewise, minutes of any meeting of a local public body at which the adoption of any proposed policy, position, resolution, rule, regulation, or formal action occurs or could occur shall be taken and promptly recorded, and such records shall be open to public inspection.



### **Planning Commission Presentation**

**Date:** April 13, 2021

**Title:** Town of Columbine Valley - 3-Mile Plan

**Presented By:** Brent Kaslon, Town Planner

**Background:** In 2019, the Town completed a rigorous Master Planning effort that concluded with a comprehensive vision moving forward into a new decade. With the approval of the 2020 Master Plan, it was directed that the Town complete a three-mile plan. This three-mile plan shows the area of influence of a town and is required by state statute for any future annexation. The 3-Mile Plan shows the area in which the Town can expand and also how services will be provided.

**Attachments:** Town of Columbine Valley – 3 Mile Plan

**Staff Recommendations:** Approve as presented.

**Recommended Motion:** “I move to recommend approval the Town of Columbine Valley 3-Mile Plan as presented (or with the changes discussed).



# **Town of Columbine Valley Three Mile Plan**

**April 2021**

## **Areas Eligible for Annexation**

This document constitutes the Three-Mile Plan for the Town of Columbine Valley, as required by and in conformance with Section 31-12-105(1)(e) of the Colorado Revised Statutes (C.R.S.). This document is adopted as an addendum to the Town’s Master Plan and updated annually.

### **I. Introduction**

The purpose of this document is to satisfy the requirements of Section 31-12-105(1) (e), C.R.S. This statute limits municipal annexations to no more than “three miles in any direction from any point of such municipal boundary in any one year.” Contiguity as required by Section 31-12-104(1)(a), C.R.S., may be achieved by annexing a platted street or alley, public or private right-of-way, a public or private transportation right-of-way or area, or a lake, reservoir, stream, or other natural or artificial waterway. The three-mile limit may be exceeded if it would divide a property held in identical ownership, if at least 50% of the property is within the three-mile limit. The limit can also be exceeded to annex an enterprise zone.

Section 32-12-105(1)(e), C.R.S., further requires that prior to annexing any property within the three-mile limit, a municipality shall have in place a plan that generally describes the following:

Location, character, and extent of proposed streets, subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks, aviation fields, other public ways, grounds, open spaces, public utilities, and terminals for water, light, sanitation, transportation, and power to be provided by the municipality; and proposed land uses for the area.

The Three-Mile Plan is required to be updated on an annual basis.

### **II. Three-Mile Plan**

The central element of this Three-Mile Plan is a map that illustrates the existing and potential streets and other transportation ways, public areas, public utilities, and transportation facilities. The map is a tool to use in evaluating annexation proposals and their potential impacts and weighing the ability to provide municipal services to lands proposed for annexation to Town of Columbine Valley. The Town of Columbine Valley city map contains the city limits and its environs. Major roadways and surrounding developments are also shown on this map. The unincorporated portions of Arapahoe County, Douglas County and Jefferson County within three miles of the Town of Columbine Valley boundary are considered to be legally available for annexation pursuant to Section 31-12-105(1)(e), C.R.S., if otherwise eligible for annexation pursuant to the Municipal Annexation Act of 1965.

Existing Town of Columbine Valley, Arapahoe County, Douglas County and Jefferson County zoning regulations will be considered for potential land uses within the Town of Columbine Valley and the three-mile limit for annexation by the City. If any land within the three-mile area is proposed to be

annexed in the future, specific proposals should be reviewed with some consideration for County-adopted plans as well as applicable approved subarea plans.

### III. Utilities

Xcel Energy provides natural gas and electric utilities within Town of Columbine Valley and the three-mile limit for annexations. It is anticipated that adequate supplies and distribution systems for natural gas and electricity are available to serve anticipated development within the three-mile area. CenturyLink and Comcast provide communication service.

### IV. Public Improvements and Services

Much of the public services, public improvements, and public infrastructure within Town of Columbine Valley and the three-mile limit are provided by Platte Canyon Water and Sanitation District, Southwest Water and Sanitation District, Columbine Water and Sanitation District and other Denver Water subsidiaries, South Suburban Parks and Recreation, numerous special districts, including metropolitan districts, and other water and sanitation districts. It is anticipated that in most cases, to the extent that public improvements do not already exist to serve areas that might be annexed to the Town, these special districts, including metropolitan districts, will be the vehicles to construct or acquire the necessary infrastructure and provide the public services.

Significant water and sanitation service providers within the three-mile limit include Denver Water, Southwest Metro Water and Sanitation District, South Arapahoe Sanitation District, Columbine Sanitation District, Centennial Water and Sanitation District, Dominion Water and Sanitation District, Grant Water and Sanitation District, Southgate Water and Sanitation District, City of Englewood and Cherry Hills Village.

Fire protection and emergency medical and ambulance service is provided to the Town of Columbine Valley and the area within the three-mile limit by Columbine Valley Police Department, South Metro Fire Rescue Authority, and the West Metro Fire Protection District.

Park and recreation facilities are provided to the Town of Columbine Valley and the area within the three-mile limit by the Town of Columbine Valley, City of Littleton, South Suburban Parks and Recreation, Foothills Parks and Recreation, Jefferson County, Douglas County, City of Sheridan, City of Englewood, Denver Parks and Recreation, Highlands Ranch Metropolitan District and Colorado Parks and Wildlife (Chatfield State Park).

Library services are provided to the Town of Columbine Valley and the area within the three-mile limit by the Arapahoe Library District, City of Littleton, and Jefferson County Public Library.

### V. Transportation

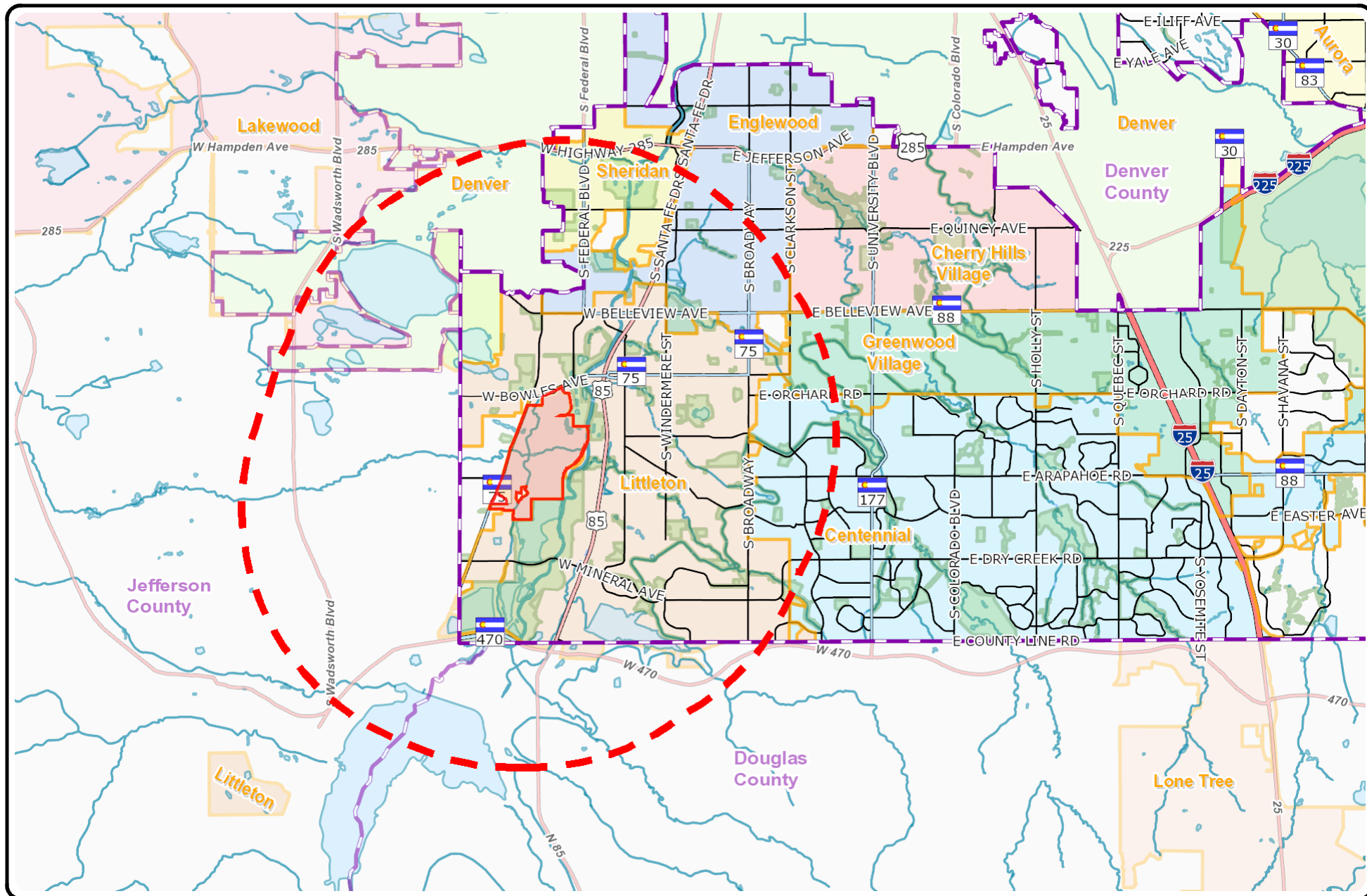
Town of Columbine Valley and the area within the three-mile limit are and will be served by several significant transportation systems, including US Hwy 285, US Hwy 85 (Santa Fe Drive), C- 470 and the Regional Transportation District's southwest corridor light-rail line.

Other significant roadway corridors serving the Town of Columbine Valley and the area within the three-mile limit include West Bowles Avenue, West Mineral Avenue/Ken Caryl Avenue, South Platte Canyon Road/Lowell Boulevard, West Belleview Avenue, South Pierce Street, West Coal Mine Avenue, South Broadway, South Federal Boulevard, and South Wadsworth Boulevard.

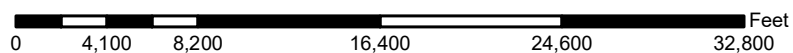
## VI. Summary

The Town of Columbine Valley and the area within the three-mile limit for annexation by the Town consists of a well-established system of existing roadways and other transportation networks, public areas, utilities, public services, infrastructure, and transportation facilities. Special districts are relied upon to provide many of the public services, both infrastructure and improvements. In some cases where the Town of Columbine Valley cannot provide all of the direct services, properties in the three-mile area may need to rely on services provided by contracts with special districts and/or other jurisdictions. Special districts will be considered to serve newly annexed areas. Generally, it is anticipated that there will be sufficient capability to provide utility and public services and well as improvements and necessary facilities within the three-mile area.

All proposed annexations shall be required to conform to the Colorado Municipal Annexation Act as amended, building code, electric code, environmental covenants, Town of Columbine Valley Master Plan, and any additional planning documents approved by the Town of Columbine Valley.



## 3-Mile Buffer



ARAPAHOE COUNTY MAKES NO REPRESENTATION OR WARRANTY AS TO THE ACCURACY OF THIS MAP OR THE DATA THAT IT DISPLAYS. ARAPAHOE COUNTY ASSUMES NO RESPONSIBILITY OR LIABILITY TO ANY USER. THIS MAP IS NOT A LEGAL DOCUMENT. IT IS INTENDED TO SERVE AS AN AID IN GRAPHIC REPRESENTATION ONLY.

Map Generated On: 4/8/2021

Generated by Arapahoe County's ArapaMAP



Map Location

RESOLUTION NO. 1  
SERIES OF 2021

A RESOLUTION ADOPTING A THREE MILE PLAN FOR THE TOWN OF COLUMBINE VALLEY.

WHEREAS, heretofore the Board of Trustees has adopted the Master Plan for the Town of Columbine Valley; and

WHEREAS, C.R.S. 31-12-105 (1)(e) provides that no annexation may take place that would have the effect of extending a municipal boundary more than three (3) miles in any direction, from any point of such municipal boundary in any one (1) year; and

WHEREAS, prior to the completion of any annexation within the three (3) mile area, a municipality must have in place a plan for that area that generally describes the proposed location character and extent of streets including but not limited to bridges, parkways, playgrounds, open spaces, public utilities, and proposed land uses for the areas, (the “Three Mile Plan”); and

WHEREAS, the Three Mile Plan may be adopted as an addendum to the Town’s Master Plan; and

WHEREAS, the Planning and Zoning Commission has recommended approval of the Three Mile Plan as an addendum to the Master Plan, a copy of the Three Mile Plan is attached hereto as Exhibit A; and

WHEREAS, the governing body of a municipality may by resolution adopt the Three Mile Plan for the municipality; and

WHEREAS the Board of Trustees of the Town of Columbine Valley having reviewed the Three Mile Plan for the Town, find that it is in the best interest of the Town to approve the Three Mile Plan.

NOW THEREFORE, BE IT RESOLVED as follows:

Section 1. The Three Mile Plan is attached hereto as Exhibit A is hereby approved by the Board of Trustees in the Town of Columbine Valley.

Section 2. Should any one or more sections or provisions of this Resolution be judicially determined invalid or unenforceable, such judgment shall not affect, impair, or invalidate the remaining provisions of this Resolution, the intention being that the various sections and provisions are severable.

Section 3. Any and all Resolutions or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided however, that the repeal of any such Resolution or part thereof shall not revive any other section or part of any Resolution heretofore repealed or superseded.

PASSED, ADOPTED AND APPROVED by a vote of \_\_\_\_\_ for and \_\_\_\_\_ against this \_\_\_\_ day of April, 2021.

\_\_\_\_\_  
JD McCrumb, Clerk

\_\_\_\_\_  
Roy Palmer, Mayor