



PLANNING COMMISSION

MEETING 7:00 PM

October 8, 2020

Prior to the Meeting: 5:30 p.m. *Planning Commissioner Training*

Town Administrator Emergency Order No. 2-2020: All municipal facilities, including Town Hall where Planning Commission meetings are physically held, are closed to all members of the general public in response to the COVID-19 pandemic.

Town Administrator Emergency Order No. 4-2020: Planning Commission meetings are closed to members of the general public in response to the COVID-19 pandemic. The Town will provide for **electronic, virtual participation** by the general public, including applicants, residents and other interested parties during regular and special Planning Commission meetings via two (2) media types:

- VIRTUAL PUBLIC PARTICIPATION: VIA ZOOM WEBINAR

Instructions on how to participate in the public hearing are available by viewing the individual Planning Commission meeting listing on the Town's online calendar at www.parkeronline.org/calendar.

- PUBLIC VIEWING ONLY: FACEBOOK LIVE

Planning Commission meetings may be viewed through Facebook Live from the Town of Parker website: www.facebook.com/townofparkerco.

- **PLEASE NOTE: PUBLIC PARTICIPATION IS NOT AVAILABLE THROUGH FACEBOOK LIVE.**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. ADDITIONS TO OR DELETIONS FROM THE AGENDA
5. APPROVAL OF MINUTES

September 24, 2020 Minutes

6. PUBLIC HEARINGS

A. BOWEY PROPERTY - Zoning (Continued from September 10, 2020)

Applicant: Town of Parker
Location: Northeast Corner of Parker Road and Pine Drive
Department: Community Development, BrieAnna Simon
TRAKiT No.: Z20-001

B. ORDINANCE NO. 3321.3 -A Bill for an Ordinance to Amend Section 1302.010 and Subsection 13.07.140(c) of the Parker Municipal Code Concerning Dedications for Parks, Trails, Open Space and Schools

Department: Community Development, Mary Munekata and Stacey Nerger
Parks and Recreation, Dennis Trapp

7. PLANNING COMMISSION ITEMS

8. STAFF ITEMS

9. ADJOURNMENT



PLANNING COMMISSION MINUTES

September 24, 2020

Chair Gary Poole called the meeting to order at 7:00 p.m.

The Planning Commission and audience joined in saying the Pledge of Allegiance.

Also, present were Commissioners John Howe, Richard Foerster, Ruth Ann Nelson, Erik Frandsen, Kimberly Rodell and Eliana Burke. Alternates Susan Caudill, Tracie Manske and Anthony Matthews were present.

ADDITIONS TO OR DELETIONS FROM THE AGENDA

None

APPROVAL OF MINUTES

Commissioner John Howe moved to approve the September 10, 2020 meeting minutes. Commissioner Eliana Burke seconded; a vote was taken and passed 7:0.

PUBLIC HEARING: OPENED: 7:03 P.M. - RESOLUTION NO. 20-043 - A Resolution to Adopt the Chambers and Hess Roads Subarea Plan as a Part of the 2035 Master Plan

Applicant: Town of Parker

Location: Generally located northeast of Chambers and Hess Roads intersection; and southeast and southwest of Chambers and Hess Roads intersection

Department: Community Development, Carolyn Washee-Freeland

Carolyn Washee-Freeland, Planner, presented the staff report for the Chambers and Hess Roads Subarea Plan. Ms. Freeland concluded with the determinations in staff's report and recommended the Planning Commission recommend Town Council approve Resolution No. 20-043 to adopt the Chambers and Hess Roads Subarea Plan as an element of the Parker 2035 Master Plan.

Commissioners discussed with staff:

- if there is any developer interest on any segment of the plan to date; (*Staff said Douglas 234 is in process of a subdivision plat.*)
- if the identified wetland, open and drainage spaces will be preserved; (*Staff said yes, the identified wetland, open and drainage spaces will be preserved and will include trails.*)

APPLICANT PRESENTATION

Staff presentation only.

Chair Gary Poole stated this is the time where citizens are encouraged to speak publicly. The use of video conference technology can be challenging when inviting public comment. Therefore, to help us proceed in an organized fashion, we request that you use the "Raise Your Hand" feature to indicate you would like to speak. We will acknowledge speakers in the order they are received. When you are acknowledged for your turn to speak, we request that you introduce yourself by stating your name and address and speak respectfully. Your comments will be limited to three (3) minutes.

PUBLIC COMMENT OPENED

Ian Elfner, 15750 E Indian Brook Circle spoke against recommending approval, as:

- the size for the proposed mixed-use/commercial areas is massive
- proposed commercial development by surrounding municipalities
- there is not a need for 350 thousand square-feet of commercial in the area
- there will be increased traffic
- there is a need for more residential in the area
- he recommended denial

PUBLIC COMMENT CLOSED

Commissioners discussed with staff:

- the long-term timeline to build-out the Plan; (*Staff said the Anthology North development is planned out in phases for the next 20 to 25 years for build-out; The Plan area may be built-out in 10 to 20 years.*)
- trail connection alternatives if a bridge over the gulch is not feasible; (*Staff said as each phase of Anthology North is planned, park dedications and trail connections will be incorporated into the plans to meet town requirements.*)
- the difference between a Community Center and a Neighborhood Center; (*Staff confirmed the Plan is for a Community Center which is larger, providing for 250 to 500 thousand square-feet of commercial area serving multiple neighborhoods; whereas a Neighborhood Center provides for 100 to 250 thousand square-feet of commercial area serving the immediate neighborhood. Staff said this area is designated a Community Center due to its proximity to a major intersection.*)
- the effects of Lone Tree's planned development on this Plan; (*Staff said development in the Lone Tree area may affect the commercial square-footage in the Town's Plan area being down-sized by the trade area/market.*)
- the proposed Plan, if approved is fluid and offers options for development; (*Staff said the Plan is a policy document that is at a very high level and is an element of the Parker 2035 Master Plan. It is based on the community's vision to guide the development of the area for the good of future residents, as markets change. It does not change the existing zoning.*)
- the number of homes from the north side of Hess Road to Mainstreet; (*Staff said the existing inventory in that area is about 6,330 homes.*)

- if the surrounding municipalities of the Plan area are commercially developed the Plan will allow for residential development; *(Staff said the zoning for Anthology North is already approved and the Plan supports the Anthology North Planned Development but plans are living documents and the Town can respond to changes to the market and demand as the area builds out.)*

PUBLIC HEARING: CLOSED: 7:36 P.M. - RESOLUTION NO. 20-043 - A Resolution to Adopt the Chambers and Hess Roads Subarea Plan as a Part of the 2035 Master Plan

PLANNING COMMISSION DISCUSSION

Commissioners discussed the request:

- is a long- term policy document; not set in stone and can be tweaked
- is a comprehensive plan built on feedback from many sources and public involvement
- is comprised of many hours of staffs thorough work and is appreciated
- provides a plan that fits the Parker 2035 Master Plan
- allows for changes in the area, as well as in the market, to best serve the immediate and surrounding neighborhoods
- allows for conceptual options in an area that is being developed
- supports the need to serve the community and provide revenue for Town supported services

Commissioner John Howe moved that the Planning Commission recommend Town Council approve the proposed Resolution No. 20-043 to adopt the Chambers and Hess Roads Subarea Plan as an element of the Parker 2035 Master Plan. Commissioner Richard Foerster seconded; a vote was taken and passed 7:0.

PLANNING COMMISSION ITEMS

Commissioner Ruth Ann Nelson commended planning staff and past Planning Commissioners on the Town of Parker being named the second best place to live in America. She said she is proud of our community.

STAFF ITEMS

Reminder: October 8, 2020 Planning Commissioner training, prior to the meeting, on: Annexation and Zoning

ADJOURNMENT

The meeting was adjourned at 7:43 p.m.

Rosemary Sietsema
Recording Secretary

Gary Poole
Chair



Planning Commission Staff Report

Planning Commission Date: 10/8/2020

Town Council Date: 11/2/2020

Hearing Type: Public Hearing (Continued from September 10, 2020)
BOWEY PROPERTY – Zoning
TRAKiT No.: Z20-001

Location: Generally located on the northeast corner of Parker Road and Pine Drive

Project Planner: BrieAnna Simon, Associate Planner

Applicant(s): Town of Parker Community Development Department

Executive Summary: The 48.9 acre Bowey Property is proposed to be zoned Agricultural in conjunction with an annexation (ANX20-001). The site is an unplatted parcel located on the northeast corner of Parker Road and Pine Drive. The property is currently zoned Agricultural One (A1) in Douglas County.

Staff Recommendation: Approval

RECOMMENDED MOTION

“I move the Planning Commission recommend Town Council approve Ordinance No. 3.356, the Bowey Property zoning request.”

ALTERNATIVE MOTIONS

*“I move the Planning Commission recommend Town Council approve **Ordinance No. 3.356**, the **Bowey Property** zoning request, subject to the following conditions:”*

-List proposed conditions

*“I move the Planning Commission recommend Town Council deny **Ordinance No. 3.356**, the **Bowey Property** zoning as the request does not meet the following approval criteria:”*

-List criteria not met (either by staff or Planning Commission)

*“I move the Planning Commission vote to continue **Ordinance No. 3.356**, the **Bowey Property** zoning to a future date.”*

I. BACKGROUND/DISCUSSION

The subject property, known as the Bowey Property, is located in unincorporated Douglas County and is surrounded by the Town of Parker. The Town is processing an enclave annexation of the Bowey Property and will zone the property A-Agricultural District, which is the Town zoning most similar to the existing County zoning.

The Bowey Property is located on the northeast corner of Parker Road and Pine Drive. The subject property is approximately 48.9 acres owned by the Bowey Family Partnership LLLP. The property has been completely surrounded by the Town of Parker for a period of not less than three (3) years and is considered an enclave under the Municipal Annexation Act of 1965. The Town has committed to a policy of actively pursuing the annexation of enclaves. The subject property is located within the Town's Planning Area described in the Parker 2035 Master Plan and the proposed annexation is consistent with the Parker 2035 Master Plan.

Vicinity Map



II. PRIOR ACTIONS

Date	Action
N/A	The annexation and zoning requests are the first actions by the Town related to the subject properties.

III. CURRENT SITE DATA

Existing Zoning	Agriculture One (Douglas County)		
Overlay District	N/A		
PD & Plan Area	Agriculture (proposed)		
Master Plan Area	Medical		
Site Acreage	48.912 acres		
Subdivision	Unplatted		
Existing Use	Vacant		
Surrounding Uses			
	Master Plan Land Use	Zoning	Existing Use
North	Medical	PD – Planned Development	Parker Adventist Hospital
South	Central Commercial	Modified C - Commercial District	Commercial
East	Medical	Public Facilities District	Sierra Middle School
West	Regional Commercial Retail	PD - Planned Development	Mixed Office/ Commercial/Restaurants

IV. PARKER 2035 MASTER PLAN

[Parker 2035 Master Plan | Town of Parker - Official Website](#)

MASTER PLAN CONSISTENCY	
Master Plan Designation	Medical ☒ Consistent ☐ Inconsistent
Master Plan Character Discussion	Medical: This Character Area focuses on state of the art medical care, preventative health care and wellness to create an industry synergy that ensures a successful business environment. Appropriate uses include hospitals, medical offices, health care clinics and facilities, rehabilitation centers and hotels. Retail uses are appropriate where they provide an ancillary service in size, scale and purpose to the medical uses.
Consistent Goals/Strategies	<u>Land Use 1.C</u> <u>Land Use 1.E</u>
Staff Analysis	The subject property is part of an enclave annexation where the proposed zoning is consistent with the property's current Douglas County zoning. The subject property is located along Parker Road surrounded by properties within the Town boundaries and located within the Town's growth boundary. The annexation and zoning fulfills the Town of Parker goal of actively pursuing annexation of enclaves and roads to allow for continuity of services within the Parker 2035 Master Plan's Planning Area.

V. LAND DEVELOPMENT ORDINANCE

DEVELOPMENT POTENTIAL (Rezoning)			
Provisions	As recommended by the Master Plan	Proposed	Analysis
Units Per Acre	None	One unit is allowed per every 10 acres	☐ Consistent ☐ Inconsistent ☐ No Change ☒ N/A
Allowed Uses	Hospitals, medical offices, health care clinics and facilities, rehabilitation centers, hotels, and retail uses	Agricultural uses	☐ Consistent ☐ Inconsistent ☒ No Change
Height/Stories	None	35 feet	☒ Consistent ☐ Inconsistent ☐ No Change
Staff Analysis	The proposed zoning will be compatible with the current zoning in Douglas County. As detailed in the analysis above, the proposed annexation provides an opportunity to bring the proposed zoning into compliance with the Town's Master Plan. An additional rezoning and associated analysis of compliance of the future request will be required when the property is developed in the future. The annexation and zoning fulfills the Town of Parker goal of actively pursuing annexation of enclaves and roads to allow for continuity of services within the Parker 2035 Planning Area.		

VI. ACCESS, CIRCULATION & TRAFFIC ANALYSIS

The subject property currently has a right-in/right-out access to Pine Lane that serves as access to the existing agricultural uses. This access is sufficient for the current use of the property. Additional access will be required when the property is developed in the future.

VII. APPROVAL CRITERIA

Title 13.04.240.f. Approval Considerations for Rezoning Requests:

1. A need exists for the proposal.

A need exists for the annexation and zoning of the subject property, for the reasons that it will (1) allow the Town to consolidate services and recognize efficiencies of scale and delivery of services; (2) promote orderly growth, continuity of development and certainty of development within the subject property and surrounding areas within the Town and the Town Urban Growth Area; and (3) The Town Charter requires that properties annexed into the Town be zoned at the time of annexation.

Based on this analysis, staff has determined that this criterion has been met.

2. The particular parcel of ground is indeed the correct site for the proposed development.

This property is considered an enclave, located within unincorporated Douglas County but surrounded by the Town of Parker. The Town has been working for several years to clean up the Town's boundaries and annex enclave areas. The subject property is contiguous with the Town and is located within the Town's Planning Area as described in the Parker 2035 General Land Use Plan. The current zoning of the property is Agricultural One in the County, A-Agricultural District under the Town's Land Development Ordinance, which is mostly consistent with the current development standards and uses of the existing zoning in Douglas County.

For the reason that the subject property has been identified as property to be annexed, zoned and developed in the Town, the subject property is indeed the correct site for annexation and zoning.

Based on this analysis, staff has determined that this criterion has been met.

3. There has been an error in the original zoning; or
N/A

4. There have been significant changes in the area to warrant a zone change.

The subject property is currently zoned Agriculture One in unincorporated Douglas County. The zoning application for the subject property is for A-Agricultural District under the Town's Land Development Ordinance, which is mostly consistent with the current development standards and uses of the existing zoning in Douglas County. The property proposed for annexation is entirely surrounded by the Town and has been surrounded for more than three years.

Based on this analysis, staff has determined that this criterion has been met.

5. Adequate circulation exists and traffic movement would not be impeded by development; and

Roadway infrastructure exists around the property. No additional improvements are anticipated with the property's zoning. When the property develops in the future, additional access and circulation will be required.

Based on this analysis, staff has determined that this criterion has been met.

6. Additional municipal service costs will not be incurred which the Town is not prepared to meet.

The Town does not anticipate significant additional municipal service costs with the proposed zoning.

Based on this analysis, staff has determined that this criterion has been met.

7. There are minimal environmental impacts or impacts can be mitigated.

No new development is proposed as part of the zoning. Therefore, no additional environmental impacts are anticipated at this time. Any future development will be required to meet all environmental criteria set forth in the Land Development Ordinance.

Based on this analysis, staff has determined that this criterion has been met.

- 8. The proposal is consistent with the Town Master Plan, maps, goals, and policies.**
As detailed in Section IV of this staff report, the A-Agricultural District is consistent with the objectives identified within the Parker 2035 Master Plan.

Based on this analysis, staff has determined that this criterion has been met.

- 9. There is adequate waste and sewage disposal water, schools, parks and recreation, and other services to the proportional degree necessary due to the impacts created by the proposed land uses.**

The property is located adjacent to Cottonwood Water and Sanitation District, when developed in the future, it will be required to include in the district. Infrastructure exists serving adjoining properties. When included in the District and developed the property will be able to receive adequate services.

Based on this analysis, staff has determined that this criterion has been met.

VIII. SUMMARY REFERRAL AGENCY COMMENTS AND CONDITIONS

Agency	Comments
Parker Engineering	No Comment
Aztec Consultants	Minor corrections to be made on the zoning map - Corrections were made
Parker Building	No Comment
Fire Life Safety	No Comment
Douglas Country Planning	No Comment
Douglas County Public Works	No Comment
Douglas County Assessor's Office	No Comment
Douglas County School District	No Comment
Parker Police	No Comment
Parker Comprehensive Planning	The property is located within the E-470 Corridor/Medical Planning Area which recommends future medical uses and other supportive uses. The Agricultural zoning is similar to the current zoning in Douglas County and is consistent with the Parker 2035 Master Plan.
Parker Economic Development	Approved
IREA	No Comment
CenturyLink	No Comment
Comcast	No Comment
Cottonwood Water and Sanitation District	No Comment

IX. CONCLUSION

This zoning request is being processed concurrently with the annexation application as provided by the Town of Parker Home Rule Charter and Section 13.04.250 of the Parker Municipal Code and has been determined to meet the zoning approval criteria of the Parker Land Development Ordinance. Based on the analysis contained in this staff report, staff recommends that the Planning Commission recommend Town Council approve the request.

X. RECOMMENDED CONDITIONS

None

XI. ATTACHMENTS

1. Ordinance No. 3.356
2. Zoning Map

Report Approved By: Bryce Matthews, Planning Manager

ORDINANCE NO. 3.356, Series of 2020

TITLE: A BILL FOR AN ORDINANCE ZONING CERTAIN PROPERTY WITHIN THE TOWN OF PARKER, COLORADO, KNOWN AS THE BOWEY PROPERTY TO A-AGRICULTURAL DISTRICT PURSUANT TO THE TOWN OF PARKER LAND DEVELOPMENT ORDINANCE AND AMENDING THE ZONING ORDINANCE AND MAP TO CONFORM THEREWITH

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, THAT:

Section 1. Finding of Fact.

a. Application has been made for zoning certain property described in attached **Exhibit 1**, within the Town of Parker, Colorado, as A-Agricultural District, pursuant to the Town of Parker Land Development Ordinance (the “Property”).

b. Public notice has been given by publication on the Town’s website at least fifteen (15) days prior to the public hearing of such zoning.

c. Written notice was sent by first class mail to all owners of property that abut the Property, at least fifteen (15) days prior to the public hearing.

d. Notice of such proposed hearing was posted on the Property for fifteen (15) consecutive days prior to said hearing.

d. The requirements contained in Section 13.04.240(f) of the Parker Land Development Ordinance are satisfied for zoning the Property to A-Agricultural District, as described in the Parker Land Development Ordinance.

Section 2. The Property is hereby zoned A-Agricultural District, as described in the Parker Land Development Ordinance.

Section 3. The Zoning Ordinance and Zoning Map are hereby amended to conform with the zoning change to the Property.

Section 4. Approval of this Ordinance does not create a vested property right. Vested property rights may arise and accrue, pursuant to the provisions of Ordinance No. 3.65.1, as amended, of the Town of Parker.

Section 5. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, 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 Town Council further determines that the Ordinance bears a rational relation to the proper

legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

Section 6. 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 7. This Ordinance shall become effective upon the later to occur of: (i) the date that is ten (10) days after final publication; or (ii) the date the Annexation Ordinance for the Property goes into effect, whichever occurs last.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2020.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2020.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

EXHIBIT 1

Legal Description

A parcel of land being a part of the Northwest Quarter of Section 10, Township 6 South, Range 66 West of the Sixth Principal Meridian, County of Douglas, State of Colorado, more particularly described as follows:

Commencing at the center quarter corner of said Section 10, whence the west quarter corner of said Section 10 bears south 89°47'29" west, a distance of 2,645.54 feet;

Thence along the east line of said northwest quarter north 00°07'00" west, a distance of 205.66 feet to the northerly boundary of the Town of Parker Ordinance 2.218 Pine Lane Northeast Annexation Map recorded at Reception No. 2011014832 in the records of the Douglas County, Colorado, Clerk and Recorder and the **point of beginning**:

Thence along the northerly boundary of said Annexation Map the following (4) courses:

1. North 89°21'44" west, a distance of 60.01 feet;
2. South 00°07'00" east, a distance of 160.01 feet;
3. North 89°21'44" west, a distance of 987.61 feet to the beginning of a tangent curve concave southerly having a radius of 5,805.00 feet;
4. Westerly along said curve through a central angle of 06°27'37", an arc length of 654.54 feet to the northerly boundary of the Town of Parker Ordinance 2.212 Pine Lane East Annexation Map recorded at Reception No. 2009096857 in said records.

Thence along said northerly boundary nontangent to said curve, north 74°14'22" west, a distance of 102.99 feet to the easterly boundary of the Town of Parker Ordinance 2.75 State Highway 83 Annexation Map recorded at Reception No. 9002842 of said records;

Thence along the easterly boundary of said Annexation Map the following (3) courses:

1. North 24°22'30" west, a distance of 630.01 feet;
2. North 27°14'15" west, a distance of 300.40 feet;
3. North 24°22'30" west, a distance 166.90 feet to the southerly boundary of the Town of Parker Ordinance 2.71 Crown Pointe Center Annexation Map recorded at Reception No. 9001001 of said records;

Thence along said southerly boundary north 89°47'25" east, a distance of 2,264.52 feet to said east line of the northwest quarter;

Thence along said east line, south 00°07'00" east, a distance of 851.29 feet the **point of beginning**.

Containing an area of 46.482 acres (2,024,739 square feet), more or less.



Planning Commission Staff Report

Planning Commission Date: 10/8/2020

Town Council Date: 10/19/2020

Hearing Type: Public Hearing
ORDINANCE NO. 3.321.3 – A Bill for an Ordinance to Amend Section 13.02.010 and Subsection 13.07.140(c) of the Parker Municipal Code Concerning Dedications for Parks, Trails, Open Space and Schools

Location: Townwide

Project Planner: Mary Munekata, Senior Planner
Stacey Nerger, Senior Planner
Dennis Trapp, Project Administrator/Parks & Recreation

Applicant: Town of Parker

Executive Summary: The Town of Parker Land Development Ordinance (LDO) requires that new residential development incorporate parks, trails, open space and, where necessary, schools depending upon the nature of the development proposal. The current Parks Dedication Standards (the Standards) for new residential development in Section 13.07.140 of the LDO were adopted in 2001 and updated in 2005. They guide the planning and design of residential development including the acreage required to be dedicated for parks and the type of parks to be created.

Parks, trails and open space are important community assets as they promote residential quality of life, supplement the Town park and recreation system, and contribute to the preservation of community character. In 2018, the Community Development and Parks and Recreation Departments determined that the current Standards were in need of updating.

In 2019, Community Development and Parks and Recreation commissioned a study to analyze the Standards and provide recommendations for improving them.

Staff from both departments presented the resulting *Parks Dedication Standards Update Recommendations Report* (the Report) to Town Council and Planning Commission in Fall 2019, and were subsequently directed to confirm Council support via a resolution adopted by Council in December, 2019.

Since then, staff has implemented the Report recommendations until such time as additional Parks Dedication Standards could be prepared and adopted in advance of the LDO Modernization Project that will continue into 2021. The proposed ordinance establishes updated Parks Dedication Standards including a table of parks amenity options and requirements based on the Report recommendations. Residential developers would be required to address the updated parks standards in the planning and design of future residential development proposals if the ordinance is adopted.

Staff Recommendation: **Approval**

RECOMMENDED MOTION

“I move the Planning Commission recommend Town Council approve ORDINANCE NO. 3.321.3 – A Bill for an Ordinance to Amend Section 13.02.010 and Subsection 13.07.140(c) of the Parker Municipal Code Concerning Dedications for Parks, Trails, Open Space and Schools.”

ALTERNATIVE MOTIONS

“I move the Planning Commission recommend Town Council approve ORDINANCE NO. 3.321.3 – A Bill for an Ordinance to Amend Section 13.02.010 and Subsection 13.07.140(c) of the Parker Municipal Code Concerning Dedications for Parks, Trails, Open Space and Schools, subject to the following conditions:”

-List proposed conditions

“I move the Planning Commission recommend Town Council deny ORDINANCE NO. 3.321.3 – A Bill for an Ordinance to Amend Section 13.02.010 and Subsection 13.07.140(c) of the Parker Municipal Code Concerning Dedications for Parks, Trails, Open Space and Schools as the request does not meet the following approval criteria:”

-List criteria not met (either by staff or Planning Commission)

“I move the Planning Commission vote to continue ORDINANCE NO. 3.321.3 – A Bill for an Ordinance to Amend Section 13.02.010 and Subsection 13.07.140(c) of the Parker Municipal Code Concerning Dedications for Parks, Trails, Open Space and Schools to a future date.”

I. BACKGROUND/DISCUSSION

The LDO Parks Dedication Standards (the Standards) in Section 13.07.140 – Dedications for Parks, Trails, Open Space and Schools govern the acreage of park land required to be dedicated, designed and constructed with new residential development. However, the current park Standards provide limited guidance regarding the design and amenities for required parks.

Community Development and Parks and Recreation staff coordinate with land development applicants on the planning and design of required parks with new residential development. Over the years, staff has identified issues with inconsistent park quality outcomes and in 2018 determined there was a need to update the Standards. The Town is currently updating them as part of the LDO Modernization Project to require improved parks with new residential development to better align with the Town's 2018 *Parks, Recreation and Open Space Master Plan* and the *Parker 2035 Master Plan*. However, the early adoption of updated parks amenity standards has been necessitated by continued residential development activity. The proposed ordinance will provide updated guidance to applicants, staff and the public with regard to parks amenities for new residential development.

The 2019 *Parks Dedication Standards Update Recommendations Report* has been an important interim tool for staff to implement the recommendations for park improvements during the development review process. The proposed ordinance formalizes the recommendations as new standards in the LDO. These early amendments will also serve as a bridge to the LDO Modernization Project that is on-going and scheduled for completion in late 2021.

Community Development and Parks and Recreation Department staff along with consultant MIG presented the *Parks Dedication Standards Update Recommendations Report* to Town Council on September 23, 2019. The Council directed staff as follows:

1. Prepare a resolution supporting the Parks Dedication Standards Update Recommendations Report to be used in development review on an interim basis until the recommendations are codified in an ordinance.
2. Proceed with writing updated Parks Dedication Standards including for park amenities based on the recommendations of the Parks Dedication Standards Update Recommendations Report.

Planning Commission was updated on the project and the Report at their October 10, 2019 Study Session, and recommended approval of the *Parks Dedication Standards Update Recommendations Report* on November 14, 2019. Town Council subsequently approved a resolution supporting the *Parks Dedication Standards Update Recommendations Report* on December 2, 2019. Staff has since used this document as a tool to provide updated guidance to applicants for the planning and design of parks in connection with new residential development. The ultimate goal of this effort is to improve the quality of new parks constructed with residential development to ensure they have diverse amenities necessary to support local quality of life and the Town-owned parks system.

The proposed ordinance updates the LDO Section 13.07.140 – Dedications for Parks, Trails, Open Space and Schools as follows:

- **Clarifies Community-serving parks**, their size requirements and lands that will not be considered for parks dedication (utility easements, public streets, right-of-way, etc.)
- **Clarifies Neighborhood-serving parks**, their size requirements, and lands that will not be considered for parks dedication (utility easements, public streets, right-of-way, etc.)
- **Clarifies required amenities for all parks**
- **Provides a new table of options** for additional amenities in Neighborhood-serving parks, Community-serving parks and open space. The table is divided into parks amenity categories with various options and requirements from each category depending on the type or size of the park
- **Provides alternative equivalent compliance** but only if the alternative results in a higher quality park or open space. This option is subject to review by staff and approval by the Town Council as applicable

Additionally, LDO Section 13.02.010 is being amended to align the following definitions with the updated Parks Dedication Standards:

- Open Space
- Park
- Park, Community-serving
- Park, Neighborhood-serving

Town Council is scheduled to consider the proposed ordinance on first reading at its October 5, 2020 meeting, and second reading on October 19, 2020.

II. PRIOR ACTIONS

Date	Action
12/2/2019	Town Council adopts the <i>Parks Dedication Standards Update Recommendations Report</i> as an interim policy document to be used as a an additional guidance tool by staff and the development community for the planning and design of new residential development parks.

III. PARKER 2035 MASTER PLAN

[Parker 2035 Master Plan | Town of Parker - Official Website](#)

MASTER PLAN CONSISTENCY	
Master Plan Designation	☒ Consistent ☐ Inconsistent
Master Plan Character Discussion	N/A
Consistent Goals/Strategies	<u>Land Use 1.I</u> <u>Land Use 1.J</u>

	Open Space & Recreation
Inconsistent Goals/Strategies	None
Staff Analysis	The proposed additional park standards support the vision, goals and strategies of the <i>Parker 2035 Master Plan</i> Chapter 6 – Land Use and, Chapter 13 – Open Space and Recreation.

IV. OTHER MASTER PLANNING DOCUMENTS

OTHER PLANNING DOCUMENTS CONSISTENCY	
Other Planning Documents	Parks, Recreation & Open Space Master Plan
Policies/Guidelines/Strategies	In link above -
Consistency Review	☒ Consistent ☐ Inconsistent ☐ N/A
Staff Analysis	The proposed additional park standards also support the goals and strategic actions of the 2018 <i>Parks, Recreation & Open Space Master Plan</i> , as well as the strategic goals of the Parker Parks & Recreation Department to maintain and enhance recreational facilities, and to provide diverse/quality/safe/accessible recreation opportunities for the citizens of Parker.

V. CONCLUSION

The addition of new standards for parks amenity options and the amendment of the associated definitions will provide additional guidance and clarity for the future planning, design and construction of parks within new residential development – resulting in higher quality park facilities that offer more diverse and inclusive amenities.

VI. ATTACHMENTS

1. Ordinance 3.321.3

Report Approved By: Bryce Matthews, Planning Manager

ORDINANCE NO. 3.321.3, Series of 2020

TITLE: A BILL FOR AN ORDINANCE TO AMEND SECTION 13.02.010 AND SUBSECTION 13.07.140(c) OF THE PARKER MUNICIPAL CODE CONCERNING DEDICATIONS FOR PARKS, TRAILS, OPEN SPACE AND SCHOOLS

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, ORDAINS:

Section 1. Section 13.02.010 of the Parker Municipal Code is amended by the addition of the definitions (inserted alphabetically) to read as follows:

Open space means public or private land and aquatic areas without visible evidence of residential, commercial or industrial development that are regulated or managed to protect the natural environment and significant cultural, historical, geological and ecological resources. ~~These areas, generally left in a natural state, provide passive recreation and agricultural opportunities, shape the patterns of urban development, provide environmental protection and educational, scientific or aesthetic benefits and may include trail corridors, greenways and undeveloped parks.~~ Such areas may include natural, cultural, and visual resources, trail corridors, community buffers, greenways and environmental hazard areas, such as floodplains and steep slopes.

~~*Parks, developed* means land that is privately or publicly held that has been fully developed for active recreational uses. This land benefits the entire community and meets the demands of the public for outdoor recreational facilities.~~ means public or private land used for active or passive recreational uses that may include facilities for organized activities, including playing fields, playgrounds, and ball courts. Accessory uses may include group picnic shelters, hard-surfaced pathways, restrooms, parking lots, and similar facilities.

Park, community-serving means parks providing a variety of recreation opportunities and specialized uses for several neighborhoods or the entire community. These sites may support organized sports, large group gatherings, active and passive uses, and trails, while also providing access to unique landscapes and natural areas. This type of park is referred to as a regional park for purposes of calculating excise taxes and credits in Chapter 4.07.

Park, neighborhood-serving means subdivision level or smaller parks providing essential recreation opportunities, play space, and small group gathering space to nearby neighborhoods.

Section 2. Paragraph 13.07.140(c)(7), Subparagraphs a. and b. of the Parker Municipal Code are amended as follows, and Paragraph (7) is amended by the addition of a new paragraph (10), to read as follows:

13.07.140 Dedications for parks, trails, open space and schools.

* * *

(c) Lands for parks, trails and open space.

* * *

(7) Selection criteria for public parks, open space and trails.

a. Community-serving parks. Land may be considered for acceptance for community-serving park land dedication requirements if the following criteria are met:

* * *

2. Land will not be considered for community-serving park land dedication if it is an exclusive utility or other easement, public street right-of-way or pedestrian walkway required under other regulations or contains topographical or hazardous obstructions that would preclude development as a community-serving park;

* * *

6. The minimum size of community-serving parks shall be eight (8) acres. The preferred size of community-serving parks is ten (10) to twenty-five (25) acres. A minimum of ninety percent (90%) of the land shall be developable for park uses.

b. Neighborhood-serving parks. Land may be considered for acceptance for neighborhood-serving park land dedication requirements if the following criteria are met:

* * *

2. Land will not be considered for a neighborhood-serving park land dedication if it is an exclusive utility or other easement, public street right-of-way or pedestrian walkway required under other regulations or contains topographical or hazardous obstructions that would preclude development as a neighborhood-serving park;

* * *

5. The minimum size of neighborhood-serving parks shall be one (1) acre. The preferred size of neighborhood-serving parks is one and one-half (1.5) to five (5) acres. A minimum of ninety percent (90%) of the land shall be developable for park uses.

* * *

(10) Parks and open space amenities. Development subject to parks and open space dedication requirements in this Subsection (c) shall provide amenities such as, but not limited to, benches, play equipment, game courts, and playing fields in accordance with the following standards.

a. Required amenities for all parks. The following amenities are required for all parks regardless of the optional amenities selected from Subparagraph b. below.

1. Landscaping shall be provided for all impervious areas not used for other amenities.

2. Tables and seating shall be provided, such as benches, chairs, picnic tables, and ADA seating.

3. Internal access pathways shall be provided to and between park amenities, parking areas, and the perimeter.

4. Open turf play areas shall be provided.

5. Universal and inclusive play elements shall be provided to accommodate all ages and abilities.

6. Dog waste stations shall be provided at all pedestrian access points into the park, with a minimum of three (3) per park.

7. Trash receptacles shall be provided at all seating areas with a minimum of three (3) per park.

8. All neighborhood parks shall provide a small shelter serving a capacity of between five (5) and ten (10) users.

9. All community-serving parks shall provide:

a) A large shelter serving a capacity of between thirty-one (31) and one hundred (100) users;

b) a loop path with mileage markers;

c) a large destination-scale play area;

d) programmed space;

e) drinking fountains, with one located at each ball field and sports court area;

f) a diamond or rectangular ball field;

g) a minimum of two (2) sport courts;

h) a bicycle rack and bicycle repair station;

i) permanent restrooms shall be provided;

j) barbecues, single or dual with ash disposal; and

k) off-street parking.

b. Table of options for additional amenities. Schedule 13.07.140A below includes the optional amenities for neighborhood parks, community-serving parks, and open space. The table is divided into categories, with various options and requirements from each category depending on the type of park or open space, and in some cases, the size of the park.

1. Cells marked “C” indicate that the amenity is compatible with that type of park or open space.

2. Cells marked “MC” indicate that the amenity may be compatible with that type of park or open space based on park or open space size, demographic need, or topography.

3. Cells remaining blank indicate that the amenity is not appropriate for that type of park or open space and is not allowed.

4. Cells with a cross-reference to another Subsection indicate that the amenity is required pursuant to that referenced section and is not an option that may be chosen to fulfill amenity requirements.

Schedule 13.07.140A Options for Parks and Open Space Amenities			
	Neighborhood-Serving Park	Community-Serving Park	Open Space
Category 1 – Gathering Spaces & Self-directed Group Activities			
	Pick 1	Pick 1 from each subcategory	Optional
Gardens			
Arboreta/decorative garden, irrigated	MC	MC	MC
Community garden/raised garden, irrigated	MC	MC	MC
Gathering and Social Space			
Amphitheater		MC	
Festival/event space		MC	

Schedule 13.07.140A Options for Parks and Open Space Amenities			
	Neighborhood-Serving Park	Community-Serving Park	Open Space
Outdoor nature classroom		MC	C
Outdoor performance space/stage	MC	MC	
Programmable space (indoor or outdoor)	C	See Subparagraph 13.07.140(c)(10)a.9.	C
Seating and tables	See Subparagraph 13.07.140(c)(10)a.	See Subparagraph 13.07.140(c)(10)a.	MC
Shelter, small (5-10 users)	See Subparagraph 13.07.140(c)(10)a.8.	C	MC
Shelter, medium (11-30 users)	C	C	
Shelter, large (31-100 users)		See Subparagraph 13.07.140(c)(10)a.9.	
Shelter, pavilion (more than 100 users)		C	
Interpretive and Placemaking			
Interactive, functional, or visual art	C	C	
Interpretive signage or elements	C	C	C
Site design theme	C	C	
Outdoor Specialized			
Activity hubs (ping pong, foosball, chess table, cornhole, etc.)	C	C	
Bike park, skills area, or pump track	MC	C	
Climbing spire or wall		C	
Disc golf course	MC	C	
Dog off-leash area (fenced)	C	C	MC
Horseshoe pit	C	C	
Skate park		C	

Category 2 – Active Uses			
	Pick 2, but only 1 may be from paths, trails	Pick as shown below for each subcategory	Pick as shown below for each subcategory
Paths, Trails, and Trailheads		Pick 1 per acre	Pick 1 per acre
Greenway connection or trailhead	C	C	C
Hard-surfaced multi-use trail	C	C	C
Internal access pathway	See Subparagraph 13.07.140(c)(10)a.	See Subparagraph 13.07.140(c)(10)a.	C
Loop path (with mileage markers)	C	See Subparagraph 13.07.140(c)(10)a.9.	C
Soft-surface jogging/hiking trail	MC	C	C
Soft-surface equestrian or bike trail		C	C
Play Space and Equipment		Pick 1 per acre from this section, or substitute 1 additional amenity from the sports and fitness section below	Optional
Climbing structure or boulders	C	C	
Nature play features	C	C	C
Open turf play area	See Subparagraph 13.07.140(c)(10)a.	See Subparagraph 13.07.140(c)(10)a.	
Playground, small-scale	C	C	
Play area, large destination-scale		See Subparagraph 13.07.140(c)(10)a.9.	

Schedule 13.07.140A Options for Parks and Open Space Amenities			
	Neighborhood-Serving Park	Community-Serving Park	Open Space
Thematic play features	C	C	
Universal and inclusive play elements	See Subparagraph 13.07.140(c)(10)a.	See Subparagraph 13.07.140(c)(10)a.	
Zip line		C	
Sports and Fitness		Pick 1 per acre [or 2 per acre if no play space and equipment amenity is provided]	Not allowed
Artificial turf field, multi-purpose		C	
Ball field (baseball, softball, or multi-use)	C	See Subparagraph 13.07.140(c)(10)a.9.	
Field with lighting		C	
Outdoor fitness equipment	C	C	
Specialty sport field or stadium		C	
Sport court (e.g., badminton, basketball, bocce, futsal, pickleball, shuffleboard, tennis, volleyball)	C	See Subparagraph 13.07.140(c)(10)a.9.	--
Tournament sports court or multi-court complex		C	

Category 3 – Support Amenities			
	Pick 1 per acre		Optional
Support Amenities			
Barbecues, single or dual with ash disposal	C	See Subparagraph 13.07.140(c)(10)a.9.	
Bike rack and repair station	C	See Subparagraph 13.07.140(c)(10)a.9.	MC
Dog waste station	See Subparagraph 13.07.140(c)(10)a.	See Subparagraph 13.07.140(c)(10)a.	MC
Drinking fountain	C	See Subparagraph 13.07.140(c)(10)a.9.	
Parking, off-street	MC	See 13.06.050	MC
Parking, on street	C	C	C
Restroom, portable (screened)	MC	C	MC
Restroom, permanent (full or vault)	C	See Subparagraph 13.07.140(c)(10)a.9.	MC
Signage (identification)	See Subparagraph 13.07.140(c)(10)a.	See Subparagraph 13.07.140(c)(10)a.	MC
Trash receptacles	See Subparagraph 13.07.140(c)(10)a.	See Subparagraph 13.07.140(c)(10)a.0	MC

Category 4 – Specialized Facilities			
	Optional	Pick 1	Optional
Aquatics and Water Access			
Splash pad or water play feature	C	C	
Swimming pool	C	C	
Indoor Facilities			
Activity building/clubhouse	C	MC	
Environmental education center		MC	MC
Recreation center or fieldhouse		MC	

c. Calculation of required amenities per-acre. Where Schedule 13.07.140A above requires the provision of one (1) or two (2) amenities per acre, the number of amenities required shall not be based on any fractions of an acre. For example, where Schedule 13.07.140A requires one (1) amenity per acre, and a park includes two and three-fourths (2.75) acres of land, two (2) amenities (not three (3)) will be required.

d. Alternative equivalent compliance. The Planning Director may allow alternatives to the requirements in Schedule 13.07.140A above with approval by the Parks and Recreation Department, and where an applicant achieves a higher quality while meeting the intent of these standards. Alternatives may include adjustments to the types of amenities provided or the number of amenities required. Under either scenario, the applicant shall clearly demonstrate how such alternatives meet the intent of the Land Development Ordinance and result in a higher quality park or open space.

e. Installation and maintenance. All amenities included in provided parks and open space shall be installed, irrigated and maintained in accordance with the Town standards and specifications in coordination with the Parks and Recreation Department.

Section 3. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, 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 Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

Section 4. 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 5. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____,
2020.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this _____ day of _____, 2020.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney