



TOWN COUNCIL STUDY SESSION AGENDA
September 27, 2021
4:00 PM

I. Town Council Items

II. Study Session Items

1. General Fund Budget - Brown - 1 hour
2. Police Department Update - Tsurapas - 45 minutes
3. Draft Environmental Assessment Concept - Fussa - 1 hour
4. Meeting Locations/Set Up Discussion - Kivela - 15 minutes
5. Review Future Council Agendas - Hoffmann - 30 minutes



MEMORANDUM

TO: Honorable Mayor and Members of Town Council
FROM: Mary Lou Brown, Finance Director
DATE: September 27, 2021
SUBJECT: General Fund Budget

ISSUE:

The Town of Parker 2022 Budget will be presented to Town Council for consideration in two study sessions - September 27 and October 4, 2021. The first study session will focus on the General Fund and the second study session will focus on the remaining large funds. The presentation and summary budget document will be available following the presentations.

FISCAL/BUDGET IMPACT:

The total 2022 Appropriations Budget for all funds is \$117,769,749.

BACKGROUND:

Internal work on the 2022 Town of Parker Budget began in mid-July and is first presented to Town Council through the two study sessions. A summary 2022 Annual Projected Budget is legally required to be posted no later than October 15, 2021. Two public hearings are also scheduled for the November Town Council meetings.

RECOMMENDATION:

The 2022 Budget is presented for discussion; the request for approval occurs in November.

REQUESTED DIRECTION:

The 2022 budget materials are presented for discussion at the two study sessions. The public hearings for the budget will occur at the two meetings in November and it is at those meetings Council will be requested to approve the 2022 Town Budget.

ATTACHMENT:

None



MEMORANDUM

TO: Honorable Mayor and Members of Town Council

FROM: Jim Tsurapas, Chief of Police
Ron Combs, Deputy Chief of Police
Chris Peters, Commander

DATE: September 27, 2021

SUBJECT: Police Department Update

ISSUE:

Police Department staff update to Council.

FISCAL/BUDGET IMPACT:

There is no fiscal impact associated with this presentation.

BACKGROUND:

Police Command staff will provide an update to Town Council regarding Town of Parker crime statistics, traffic data, dispatch information, staffing information, information related to specific units, community outreach, and other highlights from recent Police Department activities and areas of interest.

RECOMMENDATION:

This presentation is for informational purposes only.

REQUESTED DIRECTION:

For informational purposes only. No action is required.

ATTACHMENT:

None



MEMORANDUM

TO: Honorable Mayor and Members of Town Council
FROM: John Fussa, Community Development Director
DATE: September 27, 2021
SUBJECT: Draft Environmental Assessment Concept

ISSUE:

As requested by the Town Council, Community Development staff will continue the policy discussion about addressing wildlife management through a concept for an Environmental Assessment (EA) provision in connection with certain types of development. Staff most recently discussed the EA concept with the Town Council at the March 29, 2021; November 9, 2020; and August 10, 2020 Council Study Sessions. The Council was unable to make a policy decision at the March 29, 2021 Study Session and directed staff to return for continued discussion in the third quarter (Q3) of 2021 after the April 20, 2021 Town Council special election so the full Council may participate in the discussion.

FISCAL/BUDGET IMPACT:

N/A

BACKGROUND:

Prior Discussion

Community Development staff has discussed wildlife management including the Environmental Assessment (EA) concept with Town Council multiple times during the past two and one-half (2-1/2) years at the Council's request including at the following Study Sessions:

1. July 22, 2019
2. September 9, 2019
3. September 23, 2019
4. February 10, 2020
5. August 10, 2020
6. November 9, 2020
7. March 29, 2021

Context

The Town has experienced substantial growth and development during the past thirty (30) years like many communities in the Denver Metro region. This growth and development has the potential to impact wildlife and wildlife habitat as development proposals are approved and land is disturbed by construction activities. This issue is of concern to a segment of Parker and Douglas County residents who have commented upon it at Planning Commission and Town Council meetings in connection with public hearings for development projects during the past few

years. In response, the Town Council directed the Community Development Department to research potential options for how to mitigate the impact of development upon prairie dogs and other wildlife as well as wildlife habitat. Community Development staff has presented several options at the above-referenced meetings including the most recent March 29, 2021 Town Council Study Sessions (copies attached). To date, the Town Council has given staff the following direction:

1. Prepare a Prairie Dog Management Ordinance with an emphasis upon humane management and relocation. Staff prepared the Ordinance and it was adopted by Town Council at a public hearing on April 6, 2020 (copy attached). **Complete**
2. Prepare an amendment to the Prairie Dog Management Ordinance to incorporate a due diligence period in which an applicant should make a good faith effort to relocate prairie dogs consistent with the intent of the Ordinance. Staff prepared the ordinance amendment and it was adopted by Town Council at a public hearing on June 21, 2021. **Complete**
3. Prepare a concept for an Environmental Assessment (EA) provision in the Land Development Ordinance that would apply to certain types of development with the goal of identifying, evaluating and mitigating potential impacts to environmentally sensitive land, wildlife and wildlife habitat (copy attached) **Complete**
4. Convene a meeting of the Developer Liaison Committee (DLC) to seek their comments and input regarding the concept for an Environmental Assessment. Staff met with the DLC on October 1, 2020 and has had several subsequent conversations with individual members since then. Staff also updated the DLC by email last week and offered the opportunity for members to provide additional comment(s), which several have done. **Complete**

Staff has also researched the Town Council's question about whether there are other communities in Colorado that have an EA provision and has confirmed that there are other jurisdictions in the State that utilize this planning and environmental assessment tool. This list includes Broomfield, Fountain and Summit County.

Concept for Environmental Assessment (EA) Provision

Community Development staff has provided a draft of the concept for an EA provision for continued Town Council review and discussion on September 27, 2021 with this staff memorandum. This topic will constitute the majority of the staff presentation and planned discussion on Monday evening. The EA concept is summarized as follows:

- The EA provision is a common planning and environmental assessment tool in fairly wide use throughout the U.S. including in Colorado.
- The Town Council directed staff to prepare a concept for an EA provision for review and consideration in 2020. The EA is a mid-way approach between maintaining the status quo; creating a limited process change to add Colorado Parks/Wildlife and U.S. Fish and Wildlife Service as referral agencies; or pursuing a complex, potentially burdensome Environmental Impact Statement (EIS) approach. The EA approach was recommended by the Community Development Department after multiple discussions about wildlife management in 2019 and 2020.
- The draft EA is a tool used for assessment, evaluation and mitigation of potential environmental impacts arising from development. It is not intended to slow or stop the Town's future growth and development. A balanced approach is important to ensure this

approach may be implemented in an effective manner.

- The draft EA applies to private development proposals only subject to the proposed criteria for applicability.
- The draft EA applies to certain private development proposals only that have potential impacts upon environmentally sensitive areas, land or natural features as well as property with State or Federally designated endangered, threatened or protected species.
- The draft EA requires an applicant(s), with a development proposal(s) that is subject to the provision, to prepare and submit a professionally prepared, technical study to be reviewed concurrently with a development application(s) to the Town.
- The draft EA will have the potential benefit of providing the Town with an additional planning and environmental assessment tool with which to review proposed development applications and identify potential environmental impacts, avoid such impacts where feasible and mitigate such impacts where avoidance is not possible.
- The draft EA will have the potential detriment of affecting the Town's development process by creating additional submittal requirements, increasing the cost of submittals, extending the time frame for development review and potentially creating greater uncertainty in the Town's development process for an applicant(s) who may be subject to the EA provision.

Staff requests that the Town Council consider the merits of an EA provision; how it affects the Council's goals for future growth and development; and balance or weigh the potential benefits and detriments of such an approach. If Town Council directs that staff proceed with the EA provision, the Community Development Department will work with the Town Attorney's Office, Engineering/Public Works Department, Parks and Recreation Department and other stakeholders to prepare an ordinance for Town Council consideration in 2022. As a courtesy, staff will also update the DLC about wildlife management and the concept for an EA provision once we receive Town Council direction.

Staff has prepared a summary chart (attached and below) entitled Wildlife Management Process Options to assist the Town Council in its discussion and summarize the various options and the benefits/detriments associated with them. Please note the comment found in the bottom right of the chart identifying one (1) additional option based upon a Phase 1/2 Assessment should Town Council not support the concept for an EA provision but wish to consider a code change that provides additional disclosure of environmental issues with certain development proposals.

Wildlife Management Process Options

Extent of LDO Change & Environmental Review: Minimum to Maximum

	Option 1 Do Nothing/ Status Quo	Option 2 Greater Review by CPW, USFW, Etc...	Option 3 Environmental Assessment	Option 4 Environmental Impact Statement	Comments
Prior TC Direction	N/A	Do Not Proceed	Proceed w/Discussion	Do Not Proceed	
Extent of Review	None	Low	Medium	High	
Balance of Environmental Review v. Process Efficiency	Process Efficiency	Process Efficiency	Environmental Review	Environmental Review	
Addresses Wildlife?	No-except Prebles Meadow Jumping Mouse, Prairie Dogs	No-except Prebles Meadow Jumping Mouse, Prairie Dogs, species identified by agencies	Yes-but limited to identified State, Federal endangered and threatened species.	Yes-includes identified State, Federal endangered and threatened species. May include species not designated.	
Addresses Habitat?	No – only indirectly	No - only indirectly	Yes – directly if TC wishes	Yes – typical element	
Potential to Address Other Issues - Ridgelines, Views, Contamination?	No	No	Yes	Yes	
Process Impacts- Additional Cost, Time & Uncertainty?	None	Low	Medium	High	
Staff Impacts- Additional Resources Required?	No	Low	Medium	High	
DLC Support?	Yes	Perhaps	No	No	
Other Alternatives?					Concept based upon typical Phase 1/2 Assessment

RECOMMENDATION:

Staff recommends that Town Council provide direction regarding wildlife management policy and the concept for an EA provision (or identified alternative).

REQUESTED DIRECTION:

Staff requests Town Council policy direction about wildlife management and the concept for an Environmental Assessment (EA) provision (or identified alternative).

ATTACHMENT:

1. EA_Revised Draft Concept_TC-SS 3-29-21_PDF.docx
2. Chart_Environmental Review_Process Options_September 2021
3. CD_Presentation_Wildlife Mgmt_3-29-21
4. Summary_Wildlife Mgmt-EA_Prior TC Mtgs_September 2021

DRAFT Concept

Town of Parker Environmental Assessment

- (a) Adoption of Environmental Assessment Standards.
- (b) Compliance with Environmental Assessment Standards. The Environmental Assessment Standards shall be applicable to and require the preparation of an Environmental Assessment Study in connection with the following:
 - 1. Properties with environmentally sensitive features such as steep slopes, ridgelines, natural water bodies, wetlands, 100-year floodplain, etc...
 - 2. Properties with federal state designated endangered, threatened or protected wildlife species
 - 3. Properties with known or potential site contamination arising from prior use
 - 4. Properties of 100 acres or greater where a development proposal for Preliminary Site Plan, Site Plan, Minor Development Plat and Sketch or Preliminary Plat will cause disturbance on 50 percent or more of the property.
 - 5. Properties or proposals that involve or raise substantive environmental considerations as determined by the Planning Director
- (c) The Environmental Assessment Standards shall be used by the Town, Planning Commission and Town Council as a tool to evaluate development submittals for the type of projects described herein. The Assessment Standards shall be satisfied by the applicant prior to receiving approval for a development application or proposal subject to the standards herein.

ENVIRONMENTAL ASSESSMENT STANDARDS

Purpose

- A. The purpose of an Environmental Assessment is to determine if a development proposal may have a detrimental impact to the environmental condition and character of the Town or a subarea of the Town. The provisions of this Chapter are intended to achieve the following goals:
 - 1. Implement the Parker 2035 Master Plan Natural Resource Protection policies and recommendations.
 - 2. To ensure that complete information on the potential impacts of the proposed development are available to the Town, Town Council, Planning Commission, Town staff and the public.
 - 3. To ensure that future conservation of the environment, protection of natural resources and mitigation of impacts is considered in the review and approval of certain development proposals. This review should utilize clear and transparent procedures for municipal review and evaluation of the impacts of proposed projects include the consideration of potential alternatives and mitigation measures where deemed necessary.

B. Reserved

Requirements and Applicability

- A. Where required, applications for development shall include the preparation and submission of an Environmental Assessment Study pursuant to Section 13.10.250(b).
- B. When an Environmental Assessment is required, the study should address the following considerations where applicable:
 - 1. A substantial alteration of terrain, environmentally sensitive feature or unique landform such as a peak, ridgeline, steep slope, water body or wetlands as identified in the Parker 2035 Master Plan and associated plans.
 - 2. A direct impact on an identified wildlife habitat, migration corridor, feeding ground or birthing/nesting area where designated endangered, threatened or protected wildlife species exist.
 - 3. Activity or development that will block or substantially diminish view corridors to the west of the Front Range of the Rocky Mountains from adjacent properties and publicly accessible facilities such as parks, open space and Town-owned facilities.
 - 4. Property conditions where there is known or potential site contamination arising from prior use.
 - 5. Commercial or industrial uses where activities or processes result in the discharge of hazardous or toxic substances; excessive emission of smoke, gas, steam, dust or other particulate matter; or substantive impacts related to noise, vibration, odor, discharge of waste or other nuisances.

Section 1.3 - Preparation

- A. An independent, qualified consultant or professional shall prepare the Environmental Assessment Study.
- B. The range of studies needed to develop the technical data for an Environmental Assessment Study shall be determined by the Town in consultation with the applicant and interested parties. Where appropriate, studies may include data from sources such as Colorado Parks and Wildlife, U.S. Fish and Wildlife Service, Parker Water and Sanitation District, Cherry Creek Basin Water Quality Authority, etc....
- C. The Environmental Assessment Study shall summarize the findings and recommendations of the technical and other supporting studies in terms that can be assessed and evaluated by Town officials, external referral review partners, stakeholders and the public. Technical data shall be submitted as supporting documentation. Technical data prepared as a part of any other procedure or requirement of this or of any ordinances or federal, state, county or city regulations also may be used to support the Study.
- D. Contents:
 - 1. The Environmental Assessment Study shall contain information and analysis, in sufficient detail and adequately supported by technical studies to determine if the proposal has a substantial detrimental impact and to evaluate measures to reduce or mitigate such impact(s).

2. The Environmental Assessment Study shall include a general statement identifying and describing the proposed project and its purpose.
3. The Environmental Assessment Study shall include descriptive materials, maps and plans showing the following information:
 - a. Summary of existing conditions as to environmentally sensitive features, wildlife habitat and corridors and view corridors.
 - b. Project boundaries and boundaries of the area within which environmental impact may be substantial. This may include areas outside of the project boundaries if there is reasonable cause to believe the project is likely to have impacts beyond the project boundaries.
 - c. Present and proposed uses of the site.
 - d. Present and proposed zoning of the site.
 - e. A summary of the proposed site development as to number and location of structures, bulk/mass of development, intensity of development, areas to be disturbed and areas to be protected or left undisturbed.
 - f. A list of regulatory or review agencies and approvals or permits to which the proposed development is subject.
4. The analysis portion of the Environmental Assessment Study shall assess the following items in reasonable detail:
 - a. Substantial and adverse impacts that cannot be avoided if the proposal is implemented.
 - b. Possible alternatives to the proposed action.
 - c. Mitigation measures proposed to minimize the impact if alternatives are not feasible.
 - g. Cumulative and long-term effects of the proposal that substantially impact environmentally sensitive features, wildlife habitat and corridors and view corridors.
 - h. A summary indicating whether, on balance, the benefits of the proposed development outweigh any identified substantial, detrimental impacts including consistency with Town development criteria and standards as well as the Parker 2035 Master Plan.
- E. Cost. The applicant shall pay the cost of preparing the Environmental Assessment Study for the proposed development.
- F. Submission. When required, the Environmental Assessment Study shall be submitted to the Town with all required development applications. The Town shall transmit the Study to all applicable federal, state or local agencies for review and comment as deemed necessary.

Wildlife Management Process Options

Extent of LDO Change & Environmental Review: Minimum to Maximum

	Option 1 Do Nothing/ Status Quo	Option 2 Greater Review by CPW, USFW, Etc...	Option 3 Environmental Assessment	Option 4 Environmental Impact Statement	Comments
Prior TC Direction	N/A	Do Not Proceed	Proceed w/Discussion	Do Not Proceed	
Extent of Review	None	Low	Medium	High	
Balance of Environmental Review v. Process Efficiency	Process Efficiency	Process Efficiency	Environmental Review	Environmental Review	
Addresses Wildlife?	No-except Prebles Meadow Jumping Mouse, Prairie Dogs	No-except Prebles Meadow Jumping Mouse, Prairie Dogs, species identified by agencies	Yes-but limited to identified State, Federal endangered and threatened species.	Yes-includes identified State, Federal endangered and threatened species. May include species not designated.	
Addresses Habitat?	No – only indirectly	No - only indirectly	Yes – directly if TC wishes	Yes – typical element	
Potential to Address Other Issues - Ridgelines, Views, Contamination?	No	No	Yes	Yes	
Process Impacts- Additional Cost, Time & Uncertainty?	None	Low	Medium	High	
Staff Impacts- Additional Resources Required?	No	Low	Medium	High	
DLC Support?	Yes	Perhaps	No	No	
Other Alternatives?					Concept based upon typical Phase 1/2 Assessment

Town Council Study Session

Wildlife Management Discussion - Prairie Dog Management and Environmental Assessment

March 29, 2021



Background & Context

- **Issue:** Growth/development may impact wildlife, wildlife habitat depending upon the project, location, wildlife present and natural features that exist.
- **Response:** Town Council directed staff to research the issue, discussed publicly in 2019-2020, considered options and took certain actions.
- **Prior Discussion:** July 22, 2019; September 9, 2019; September 23, 2019; February 10, 2020; August 10, 2020; November 9, 2020
- **Prairie Dog Mgmt. Ordinance:** Adopted April 6, 2020
 - Promotes humane management
 - Encourages relocation if feasible
 - Requires humane extermination if relocation infeasible
 - Protects other species to minimize impacts
- **Wildlife/Wildlife Habitat:**
 - Considered multiple options in 2019 – 2020
 - Town Council accepted recommendation for Environmental Assessment
 - Town Council directed preparation of concept for further consideration



Prairie Dog Mgmt. Ordinance Amendment

- **Issue:** Ordinance does not specify duration for good faith relocation effort w/application
- **Feedback:** Applicants, Planning Commission and staff request/recommend a standard
- **Benefit:** Provides additional clarity about requirements and a standard where none exists
- **Town Council:** Provided direction to revise Ordinance on August 10, 2020
- **Summary:** Applicant should address Ordinance during application
 - Shall not perform humane extermination until a development application is approved and for a period of not less than 30 days after approval.
 - May request an administrative extension of approval for maximum 6 months if relocation feasible to allow time for effort and preserve approval



Environmental Assessment (EA)

- Discussed w/Town Council 2019 - 2020
- Issue(s): Growth/development has and may impact wildlife and wildlife habitat
- Options Discussed:
 - No action
 - Increased Coordination w/CPW, USFW
 - Phase One (1) Assessment
 - **Environmental Assessment (EA)**
 - Environmental Impact Statement
- Council directed staff to refine EA concept, review w/Developer Liaison Committee and return for discussion, direction
- Issues:
 - Goal/Purpose?: Recommend identification of impacts, avoidance or mitigation as appropriate
 - Applicability?: Recommend apply to private development only
 - How Broad?: Recommend apply to priority issues only
 - Approach?: Recommend ordinance w/clear standards and requirements for technical document
 - Overlap?: Recommend coordinate, consistency w/existing Town environmental standards



Environmental Assessment (EA)

- **Applicability:**
 - Certain private development applications only
 - Properties with specified environmentally sensitive features
 - Properties with Federal, State designated endangered or threatened wildlife species
 - Properties with known or potential contamination from prior use
 - Properties of 100 acres or greater where development will disturb 50+ percent of site
 - Properties where development raises substantive environmental considerations
- **Purpose:**
 - Allow development consistent with Land Development Ordinance and Master Plan
 - Identify potential impacts that may be caused by development proposals
 - Avoid identified potential impacts through development review if feasible
 - Mitigate identified potential impacts through development review if avoidance infeasible
 - Achieve a balance of growth/development with preservation of wildlife, habitat, natural features
- **Method:** Preparation of EA study to Town criteria with development application
- **Limitations:** Town will continue to grow/develop. All development has impacts, mitigation more feasible than avoidance
- **Seek Balance:** Pursue approach that balances benefits, detriments



Next Steps

- Refine EA concept to address Town Council comments
- Update new Town Council members in Q3
- Share revised concept with DLC in Q3
- Continue discussion w/Town Council at Study Session in Q3
- Prepare draft ordinance in Q3 for Town Council consideration if Council directs this action





MEMORANDUM

TO: Honorable Mayor and Members of Town Council
FROM: John Fussa, Community Development Director
DATE: March 29, 2021
SUBJECT: Wildlife Management Discussion-Environmental Assessment & Prairie Dog Management Ordinance Update

ISSUE:

Community Development staff will update the Town Council about wildlife management including a proposed minor revision to the Prairie Dog Management Ordinance and the concept for an Environmental Assessment provision in connection with certain types of development. Staff last discussed wildlife management with the Council at the August 10, 2020 and November 9, 2020 Town Council Study Sessions. The Council took no action at that time, but gave staff the following direction:

1. Prepare a recommendation for the due diligence period in which an applicant shall make a good faith effort to relocate prairie dogs consistent with the Prairie Dog Management Ordinance.
2. Meet with the Developer Liaison Committee to seek their comments and input regarding the concept for an Environmental Assessment provision.
3. Follow-up with Town Council for a continued discussion of #1 - 2 above and direction regarding same.

FISCAL/BUDGET IMPACT:

None

BACKGROUND:

Prior Discussion

Community Development staff has discussed wildlife management with Town Council at the Council's request multiple times during the past two (2) years including at the following Study Sessions:

- July 22, 2019
- September 9, 2019
- September 23, 2019
- February 10, 2020
- August 10, 2020
- November 9, 2020

Context

The Town has experienced substantial growth and development during the past ten (10) years like many communities in the Denver Metro region since the end of the Great Recession. This growth and development has the potential to impact wildlife and wildlife habitat as development proposals are approved and land is disturbed by construction activities. This issue is of concern to a segment of Parker and Douglas County residents who have commented upon it at several Town Council meetings in 2019 - 2020 in connection with public hearings for development projects.

In response, the Town Council directed the Community Development Department to research potential options for how to mitigate the impact of development upon prairie dogs and other wildlife as well as wildlife habitat. Community Development staff presented several options at the July 22, 2019; September 23, 2019; February 10, 2020 and August 10, 2020 Town Council Study Sessions (copies attached). The Town Council gave staff the following direction:

1. Prepare a Prairie Dog Management Ordinance with an emphasis upon humane management and relocation. Staff prepared the Ordinance and it was adopted by Town Council at public hearing on April 6, 2020 (copy attached).
2. Prepare a concept for an Environmental Assessment (EA) provision in the Land Development Ordinance that would apply to certain types of development with the goal of identifying, evaluating and mitigating potential impacts to environmentally sensitive land, wildlife and wildlife habitat (copy attached)
3. Convene a meeting of the Developer Liaison Committee (DLC) to seek their comments and input regarding the concept for an Environmental Assessment. Staff met with the DLC on October 1, 2020 and has had several subsequent conversations with individual members since then.

Staff has also researched the Town Council's question about whether there are other communities in Colorado that have an EA provision and has confirmed that there are other jurisdictions in the State that utilize this planning and environmental assessment tool. This list includes Broomfield, Fountain and Summit County.

Revision to Prairie Dog Management Ordinance

Community Development staff has discussed with the Town Council the need to revise the Prairie Dog Management Ordinance to incorporate a due diligence period in which an applicant should make a good faith effort to relocate prairie dogs consistent with the Prairie Dog Management Ordinance. The recommended concept is summarized as follows:

- Applicant(s) shall indicate with a development application whether the property that is the subject of a proposed development contains prairie dogs
- If the property contains prairie dogs, applicant(s) shall address the Prairie Dog Management Ordinance and indicate how they will comply with the Ordinance during the course of the processing of the application(s). The applicant(s) and/or property owner(s) shall not exterminate prairie dogs located on the property during the course of the processing of an application(s).
- If the relocation of prairie dogs on the property is feasible, the applicant(s) and/or property owner(s) may relocate prairie dogs located on the property in accordance with the Prairie Dog Management Ordinance during the course of the processing of an application(s), but should take care to time the relocation to limit the possibility of prairie

dogs reestablishing on the property.

- If the relocation of prairie dogs on the property is feasible, the applicant(s) and/or property owner(s) may request and obtain administrative approval of their development application for a period not to exceed six (6) months to allow time for the relocation effort and in recognition of the difficulty of obtaining a relocation site.
- If the relocation of prairie dogs on the property is infeasible, the applicant(s) shall comply with the Prairie Dog Management Ordinance regarding humane extermination and shall not humanely exterminate the prairie dogs prior to Town approval of a development application(s) and for a period of not less than 30 days after Town approval of a development application(s). The applicant(s) and/or property owner(s) shall not obtain a grading permit prior to Town approval of a development application(s) and for a period of not less than 30 days after Town approval of a development application(s).

Concept for Environmental Assessment (EA) Provision

Community Development staff has provided a draft of the concept for an EA provision for Town Council review and discussion on March 29, 2021 with this staff memorandum. This topic will constitute the majority of the staff presentation and planned discussion on Monday evening.

The EA concept is summarized as follows:

- The EA provision is a common planning and environmental assessment tool in fairly wide use throughout the U.S. including in Colorado.
- The Town Council directed staff to prepare a concept for an EA provision for review and consideration in 2020. The EA is a mid-way approach between maintaining the status quo, using a limited Phase 1 Assessment approach or considering a complex, potentially burdensome Environmental Impact Statement (EIS) approach. The EA approach was recommended by the Community Development Department after multiple discussions about wildlife management in 2019 and 2020.
- The draft EA is a tool used for assessment, evaluation and mitigation of potential environmental impacts arising from development. It is not intended to slow or stop the Town's future growth and development.
- The draft EA applies to private development proposals only subject to the proposed criteria for applicability.
- The draft EA applies to certain private development proposals only that have potential impacts upon environmentally sensitive areas, land or natural features as well as property with State or Federally designated endangered, threatened or protected species.
- The draft EA requires an applicant(s), with a development proposal(s) that is subject to the provision, to prepare and submit a professionally prepared, technical study to be reviewed concurrently with a development application(s) to the Town.
- The draft EA will have the potential benefit of providing the Town with an additional planning and environmental assessment tool with which to review proposed development applications and identify potential environmental impacts, avoid such impacts where feasible and mitigate such impacts where avoidance is not possible.
- The draft EA will have the potential detriment of affecting the Town's development process by creating additional submittal requirements, increasing the cost of submittals, extending the time frame for development review and potentially creating greater uncertainty in the Town's development process for an applicant(s) who may be subject

to the EA provision.

Staff requests that the Town Council consider the merits of an EA provision; how it affects the Council's goals for future growth and development; and balance or weigh the potential benefits and detriments of such an approach. If Town Council directs that staff proceed with the EA provision, the Community Development Department will work with the Town Attorney's Office, Engineering/Public Works Department and Parks and Recreation Department to prepare an ordinance for Town Council consideration in Q3. It will also be necessary to update the two (2) new Town Council members who will be seated in late May after the April 20, 2021 special election. As a courtesy, staff will also update the DLC once we receive Town Council direction.

RECOMMENDATION:

Request direction to proceed with amendment to Prairie Dog Management Ordinance in Q2 and concept for Environmental Assessment in Q3 (after updating new Town Council Members)

REQUESTED DIRECTION:

Staff requests direction about how to proceed

ATTACHMENT:

1. EA_Revised Draft Concept_TC-SS 3-29-21_PDF.docx
2. Ordinance No. 3.353
3. CD Update_Wildlife_TC SS_9-23-19
4. Staff Memo_Wildlife_TC SS_2-10-20
5. CD_Mid Yr Update_TC_8-10-20_PDF

DRAFT Concept

Town of Parker Environmental Assessment

- (a) Adoption of Environmental Assessment Standards.
- (b) Compliance with Environmental Assessment Standards. The Environmental Assessment Standards shall be applicable to and require the preparation of an Environmental Assessment Study in connection with the following:
 - 1. Properties with environmentally sensitive features such as steep slopes, ridgelines, natural water bodies, wetlands, 100-year floodplain, etc...
 - 2. Properties with federal state designated endangered, threatened or protected wildlife species
 - 3. Properties with known or potential site contamination arising from prior use
 - 4. Properties of 100 acres or greater where a development proposal for Preliminary Site Plan, Site Plan, Minor Development Plat and Sketch or Preliminary Plat will cause disturbance on 50 percent or more of the property.
 - 5. Properties or proposals that involve or raise substantive environmental considerations as determined by the Planning Director
- (c) The Environmental Assessment Standards shall be used by the Town, Planning Commission and Town Council as a tool to evaluate development submittals for the type of projects described herein. The Assessment Standards shall be satisfied by the applicant prior to receiving approval for a development application or proposal subject to the standards herein.

ENVIRONMENTAL ASSESSMENT STANDARDS

Purpose

- A. The purpose of an Environmental Assessment is to determine if a development proposal may have a detrimental impact to the environmental condition and character of the Town or a subarea of the Town. The provisions of this Chapter are intended to achieve the following goals:
 - 1. Implement the Parker 2035 Master Plan Natural Resource Protection policies and recommendations.
 - 2. To ensure that complete information on the potential impacts of the proposed development are available to the Town, Town Council, Planning Commission, Town staff and the public.
 - 3. To ensure that future conservation of the environment, protection of natural resources and mitigation of impacts is considered in the review and approval of certain development proposals. This review should utilize clear and transparent procedures for municipal review and evaluation of the impacts of proposed projects include the consideration of potential alternatives and mitigation measures where deemed necessary.

B. Reserved

Requirements and Applicability

- A. Where required, applications for development shall include the preparation and submission of an Environmental Assessment Study pursuant to Section 13.10.250(b).
- B. When an Environmental Assessment is required, the study should address the following considerations where applicable:
 - 1. A substantial alteration of terrain, environmentally sensitive feature or unique landform such as a peak, ridgeline, steep slope, water body or wetlands as identified in the Parker 2035 Master Plan and associated plans.
 - 2. A direct impact on an identified wildlife habitat, migration corridor, feeding ground or birthing/nesting area where designated endangered, threatened or protected wildlife species exist.
 - 3. Activity or development that will block or substantially diminish view corridors to the west of the Front Range of the Rocky Mountains from adjacent properties and publicly accessible facilities such as parks, open space and Town-owned facilities.
 - 4. Property conditions where there is known or potential site contamination arising from prior use.
 - 5. Commercial or industrial uses where activities or processes result in the discharge of hazardous or toxic substances; excessive emission of smoke, gas, steam, dust or other particulate matter; or substantive impacts related to noise, vibration, odor, discharge of waste or other nuisances.

Section 1.3 - Preparation

- A. An independent, qualified consultant or professional shall prepare the Environmental Assessment Study.
- B. The range of studies needed to develop the technical data for an Environmental Assessment Study shall be determined by the Town in consultation with the applicant and interested parties. Where appropriate, studies may include data from sources such as Colorado Parks and Wildlife, U.S. Fish and Wildlife Service, Parker Water and Sanitation District, Cherry Creek Basin Water Quality Authority, etc....
- C. The Environmental Assessment Study shall summarize the findings and recommendations of the technical and other supporting studies in terms that can be assessed and evaluated by Town officials, external referral review partners, stakeholders and the public. Technical data shall be submitted as supporting documentation. Technical data prepared as a part of any other procedure or requirement of this or of any ordinances or federal, state, county or city regulations also may be used to support the Study.
- D. Contents:
 - 1. The Environmental Assessment Study shall contain information and analysis, in sufficient detail and adequately supported by technical studies to determine if the proposal has a substantial detrimental impact and to evaluate measures to reduce or mitigate such impact(s).

2. The Environmental Assessment Study shall include a general statement identifying and describing the proposed project and its purpose.
3. The Environmental Assessment Study shall include descriptive materials, maps and plans showing the following information:
 - a. Summary of existing conditions as to environmentally sensitive features, wildlife habitat and corridors and view corridors.
 - b. Project boundaries and boundaries of the area within which environmental impact may be substantial. This may include areas outside of the project boundaries if there is reasonable cause to believe the project is likely to have impacts beyond the project boundaries.
 - c. Present and proposed uses of the site.
 - d. Present and proposed zoning of the site.
 - e. A summary of the proposed site development as to number and location of structures, bulk/mass of development, intensity of development, areas to be disturbed and areas to be protected or left undisturbed.
 - f. A list of regulatory or review agencies and approvals or permits to which the proposed development is subject.
4. The analysis portion of the Environmental Assessment Study shall assess the following items in reasonable detail:
 - a. Substantial and adverse impacts that cannot be avoided if the proposal is implemented.
 - b. Possible alternatives to the proposed action.
 - c. Mitigation measures proposed to minimize the impact if alternatives are not feasible.
 - g. Cumulative and long-term effects of the proposal that substantially impact environmentally sensitive features, wildlife habitat and corridors and view corridors.
 - h. A summary indicating whether, on balance, the benefits of the proposed development outweigh any identified substantial, detrimental impacts including consistency with Town development criteria and standards as well as the Parker 2035 Master Plan.
- E. Cost. The applicant shall pay the cost of preparing the Environmental Assessment Study for the proposed development.
- F. Submission. When required, the Environmental Assessment Study shall be submitted to the Town with all required development applications. The Town shall transmit the Study to all applicable federal, state or local agencies for review and comment as deemed necessary.

ORDINANCE NO. 3.353, Series of 2020

TITLE: A BILL FOR AN ORDINANCE TO AMEND TITLE 13 OF THE PARKER MUNICIPAL CODE BY THE ADDITION THERETO OF A NEW SECTION 13.10.250 ENTITLED PRAIRIE DOG MANAGEMENT

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

Section 1. Chapter 13.10 of the Parker Municipal Code is amended by the addition thereto of a new Section 13.10.250, entitled prairie dog management, to read as follows:

13.10.250 Prairie dog management.

(a) Intent. The purpose of this Section is to provide for the humane management of prairie dogs in connection with development. It is the intent of the Town of Parker that prairie dogs shall be managed humanely, with preference given to relocation, if feasible, and if not, humanely exterminated.

(b) Applicability. The provisions contained in this Section are in addition to, and do not supersede, any state or federal rules, regulations or standards concerning the management of prairie dogs. They shall apply to the following application types when prairie dogs are present on a site:

- (1) Demolition permit;
- (2) Grading plan;
- (3) Sketch/preliminary plan;
- (4) Minor development plat;
- (5) Replat; and
- (6) Site plan or preliminary site plan

(c) Relocation. Applicants are encouraged to partner with nonprofit conservation and public interest groups to relocate existing prairie dogs; provided, however, no relocation of prairie dogs shall occur between April 1 and June 1, which is the birthing season.

(d) Use of humane extermination. If relocation of prairie dogs is infeasible or prohibited, except as provided in Subsection (c) above, the applicant shall utilize humane extermination using a licensed professional exterminator to eradicate all or part of a prairie dog colony. All products shall be approved for use by the Colorado Department of Agriculture, U.S. Fish and Wildlife Service, and U.S. Environmental Protection Agency. Humane extermination shall not occur when endangered or threatened species such as the Western Burrowing Owl or Black-Footed Ferret are

present on a site until such species are protected or relocated in accordance with the requirements of the U.S. Fish and Wildlife Service. For purposes of this Section, humane extermination shall include the use of products that (1) are nontoxic (such as carbon dioxide and carbon monoxide); (2) eliminate secondary poisoning; and (3) eliminate impacts to nontarget species.

(e) Certification. As a condition of approval and prior to the commencement of site development, the applicant shall provide a certification in a form acceptable to the Town indicating compliance with the provisions of this Section.

Section 2. 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 3. 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 4. 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

Town Council Study Session

September 23, 2019

Follow-up Discussion of Wildlife Management



Prairie Dog Management

July 22, 2019 Recommendation

- **Issue:** Growth and development is impacting existing prairie dog colonies and habitat. How to effectively and humanely manage the impacts?
- **Option 1:** Status quo
- **Option 2:** Encourage relocation
- **Option 3:** Encourage relocation, require humane mitigation *Staff recommendation*
- **Option 4:** Require relocation, require humane mitigation

Prairie Dog Management - Potential Approach

- **Intent:** Criteria and standards for the preservation of prairie dogs where appropriate and effective management of prairie dogs in connection with development inc. humane management
- **Applicability:** Applications for property where prairie dogs are present and certain Town approvals sought
- **Mechanism:** Applicant prepares a management plan (MP)
- **Relocation:** Good faith effort required, document in MP
- **Humane Management:** Lethal extermination permitted after good faith effort to relocate as documented in MP
- **Public Notice:** Standard notice w/all applications or additional notice? If additional notice recommend linked to MP
- **Alternative:** Limited text amendment encouraging prairie dog relocation and humane management

Wildlife Management

July 22, 2019 Recommendation

- **Issue:** Growth and development is impacting existing wildlife, wildlife habitat and natural ecosystems. How to protect animals, preserve habitat and provide opportunity for wildlife to re-establish?
- **Option 1:** Status quo
- **Option 2:** Status quo but seek greater review by C.P.W., U.S.F.W. and other relevant entities
- **Option 3:** Create Environmental Assessment Requirement **Staff recommendation**
- **Option 4:** Create Environmental Impact Statement Requirement

Wildlife Management – Environmental Assessment

- **Purpose:** Evaluation of proposal to determine potential to cause significant environmental effects inc. upon wildlife.
- **Threshold:** Significant environmental effects
- **Major Elements:**
 - Need for proposal
 - Alternatives
 - Environmental impact of proposal and alternatives
 - Mitigation of impacts
- **Applicability:** Presence of threatened/endangered wildlife, environmentally sensitive land, migration corridors, site contamination, etc...
- **Other Issues TBD:** Corridor preservation, land use conflicts, mating season protection, mitigation of construction impacts, review by other agencies, etc...
- **Administrative Considerations:** Cost to implement, inter-agency coordination, professional expertise, land use process, staff capacity, etc.

Wildlife Management – Potential Approach #1

- **Environmental Assessment** *Light*
- **Approach:** Modeled on Phase 1 Site Assessment
- **Basis:** Standard scope inc. consultation w/ property owner and stakeholders, review of records, site inspection, governmental regulations review, use analysis w/mapping, etc...
- **Outcome:** If known or likely environmental effects, proceed to version of Phase II Site Assessment
- **Phase II Site Assessment:** Further analysis of environmental effects, alternatives and mitigation

Wildlife Management – Potential Approach #2

- **Standard Environmental Assessment**
- **Approach:** General project review w/a more detailed analysis of proposal for potential environmental effects. Originated from NEPA
- **Major Elements of Review:**
 - Project purpose
 - Project need
 - Alternatives analysis
 - Potential environmental effects, impacts
 - Mitigation options
 - Additional approvals, clearances and permits required
 - Public comment and input
 - Mapping and supporting information
- **Outcome:** If known or likely environmental effects, identify mitigation actions or alternatives to address effects
- **Follow-up:** Coordinate w/development application review and incorporate mitigation where feasible



Wildlife Management

Next Steps if Town Council directs action:

Prairie Dog Management

- Draft ordinance w/Town Attorney's Office
- Consult w/Council
- Public hearing on proposed ordinance(s)

Wildlife Management

- Draft ordinance w/Town Attorney's Office
- Determine public outreach inc. DLC, other stakeholders
- Consult w/Council
- Public hearing on proposed ordinance(s)

Proposed Completion

- Q1 2020





MEMORANDUM

TO: Honorable Mayor Waid and Members of Town Council
FROM: John Fussa, Community Development Director
DATE: February 10, 2020
SUBJECT: Wildlife Management/Environmental Assessment Follow-Up

ISSUE:

Community Development staff last presented on the topic of wildlife management and Environmental Assessment (EA) at the September 23, 2019 Town Council Study Session. The Council took no action at that time but gave staff the following direction:

1. Revise the concept for management of prairie dogs to be simpler with an emphasis upon humane management;
2. Address several comments and questions about the concept for an EA provision in the Land Development Ordinance.

Staff will update the Town Council in follow-up to their direction at the September 23, 2019 meeting.

FISCAL/BUDGET IMPACT:

None

BACKGROUND:

The Town has experienced substantial growth and development during the past five to ten years like many communities in the Denver Metro region since the end of the Great Recession. This growth and development has the potential to impact wildlife and wildlife habitat as development proposals are approved and land is disturbed by construction activities. This issue is of concern to a segment of Parker and Douglas County residents who have commented upon it at Town Council meetings in 2019 in connection with public hearings for development projects.

In response, the Town Council directed the Community Development Department to research potential options for how to mitigate the impact of development upon prairie dogs and other wildlife as well as wildlife habitat. Community Development staff presented several options at the September 23, 2019 Town Council Study Session (copy attached). Council took no action at that time but gave staff the following direction:

1. Revise the concept for management of prairie dogs to be simpler with an emphasis upon humane management;

2. Address several comments and questions about the concept for an Environmental Assessment (EA) provision in the Land Development Ordinance. The principal question was *"Are there other communities in Colorado that have adopted an EA provision to assist in the evaluation of development proposals?"*

Staff has attached a draft of the revised, simpler concept for prairie dog management for Town Council review.

Staff has researched the question of other communities in Colorado that have an EA provision and has confirmed that there are other jurisdictions in the State that utilize this planning and assessment tool. We have provided an example of an EA ordinance from the City of Fountain as an example (copy attached).

The other questions to be discussed include:

1. If Town Council supports the EA concept, should it be developed into an ordinance now or folded into the LDO Modernization project?
2. Should an EA provision be narrowly focused upon wildlife and wildlife habitat or more broadly constructed to address other issues such as contaminated sites, view corridors, ridgeline preservation, etc....?
3. The EA provision should include criteria for applicability but is Town Council supportive of some level of staff discretion?
4. Does the Town Council view the goal of an EA provision as preservation (of wildlife or natural features), mitigation (of impacts) or both depending upon the issue?
5. Does the Town Council wish to have staff discuss the EA provision with the DLC at the appropriate point?

RECOMMENDATION:

1. Staff recommends proceeding with an ordinance implementing the revised, simpler concept for prairie dog management subject to Council revisions and direction.
2. Staff recommends proceeding with the EA concept and preparation of a draft ordinance for further review and discussion.

REQUESTED DIRECTION:

Update to Town Council and request for direction

ATTACHMENT:

1. CD Update_Wildlife_TC SS_9-23-19
2. Final_Concept_Revised_Prairie Dog Mgmt_2-10-20
3. EA_Ordinance_Fountain

Town Council Study Session

September 23, 2019

Follow-up Discussion of Wildlife Management



Prairie Dog Management

July 22, 2019 Recommendation

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Prairie Dog Management - Potential Approach

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Wildlife Management

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Wildlife Management – Potential Approach #1

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 - Mitigation options
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Wildlife Management

Next Steps if Town Council directs action:

Prairie Dog Management

- Draft ordinance w/Town Attorney's Office
- Consult w/Council
- Public hearing on proposed ordinance(s)

Wildlife Management

- Draft ordinance w/Town Attorney's Office
- Determine public outreach inc. DLC, other stakeholders
- Consult w/Council
- Public hearing on proposed ordinance(s)

Proposed Completion

- Q1 2020



REVISED DRAFT

Prairie Dog Management

- A. Intent: The purpose of this Section is to provide for the humane management of prairie dogs in connection with development. It is the intent of the Town of Parker that prairie dogs shall be managed humanely, with preference given to relocation, if feasible, and if not, humanely exterminated.
- B. Applicability: The provisions contained in this Section are in addition to, and do not supersede, any state or federal rules, regulations or standards concerning the management of prairie dogs. They shall apply to the following application types when prairie dogs are present on a site:
 - 1. Demolition Permit
 - 2. Grading Plan
 - 3. Sketch/Preliminary Plan
 - 4. Minor Development Plat
 - 5. Replat
 - 6. Site Plan or Preliminary Site Plan
- C. Relocation: Applicants are encouraged to relocate existing prairie dogs, provided however, no relocation of prairie dogs shall occur between April 1 and June 1, which is the birthing season.
- D. Use of Humane Extermination: If relocation of prairie dogs is infeasible or prohibited except as provided in subsection (c), the applicant may utilize humane extermination using a licensed professional exterminator to eradicate all or part of a prairie dog colony. All products shall be approved for use by the Colorado Department of Agriculture, U.S Fish and Wildlife Service and U.S. Environmental Protection Agency. Humane extermination shall not occur when endangered or threatened species such as the Western Burrowing Owl or Black-Footed Ferret are present on a site until such species are protected or relocated in accordance with the requirements of the U.S. Fish and Wildlife Service. For purposes of this section, humane extermination shall include the use of products that (1) are non-toxic (such as carbon dioxide and carbon monoxide), (2) eliminate or reduce secondary poisoning, and (3) eliminate or reduce impacts to non-target species.
- E. Certification: As a condition of approval, the applicant shall provide a certification to the Town indicating compliance with the provisions of this Section.

C. Within thirty (30) days after notification of violation of conditional use approval, the applicant shall rectify the violation. Upon completion of any required changes, the applicant shall notify the Zoning administrator in writing that said changes have been made.

D. Failure of the applicant to rectify said violations within thirty (30) days shall be cause for cancellation and revocation of the conditional use approved by the city council. A revocation hearing shall be conducted by the city council prior to any revocation. Notice of the hearing shall be provided as required by subsection (B) above. The revocation of the conditional use approval shall require the applicant to vacate the premises of or stop the use authorized by the conditional use approval. After revocation, the applicant may reapply for approval of a conditional use pursuant to the procedures outlined in this chapter.

E. Resubmittal of Denied Application. Same as the reconsideration requirements for zoning and rezoning requests.

Chapter 17.57 Environmental Assessment Study

Section 17.570 Purpose of Provisions

A. The purpose of an environmental assessment study is to determine if a land development proposal may affect to any significant degree the quality of the environment in the city. The provisions of this chapter achieve the following objectives:

1. To ensure that complete information on the effects of the proposed development is available to the Zoning administrator, the planning commission, city council and the public.
2. To ensure that long-term protection of the environment is a criterion to be considered in development planning, and that land use and development decisions, both public and private, take into account the relative merits of possible alternative actions.
3. To provide procedures for local review and evaluation of the impacts of proposed projects prior to granting of permits or other authorization for commencement of building and development.

Section 17.571 Required When; Applicable Projects Designated

A. The Zoning administrator, planning commission or Zoning administrator may require an environmental assessment study for any land development application. Conditions under which an environmental assessment study may be necessary include but are not necessarily limited to any significant impact defined as:

1. A major or unnecessary altering of an ecological unit or landform, such as a ridgeline, saddle, draw, ravine, hillside, cliff, slope, creek, marsh, watercourse or other natural landform feature.
2. A direct or indirect affect on an identified wildlife habitat, feeding ground or nesting ground.
3. An impact on the appearance or character of a significant scenic area, cultural or historic resource as identified by the Colorado State Historical Society or other recognized preservation organization.

4. Earth moving or other landform change that will cause landslides, or further the siltation, settlement, or flooding and thereby create a greater hazard to health and safety.
5. Hydrologic conditions, such as surface drainage and watershed characteristics, groundwater and soil permeability characteristics, natural water features and characteristics and any potential changes or impacts.
6. Geologic conditions, such as landforms, slope, soil characteristics, potential hazards and any potential changes or impacts.
7. Circulation and transportation conditions, such as volumes and traffic-flow patterns, alternative transit systems and potential changes or impacts to the region's investment or planned investment in transportation systems.
8. The discharge of toxic or thermally abnormal substance or use of herbicides or pesticides, or the emission of smoke, gas, steam, dust or other particulate matter.
9. Any waste treatment, cooling or settlement pond, or transportation of solid or liquid wastes to a treatment or disposal site.
10. The discharging of significant volumes of solid or liquid wastes.
11. A substantial increase in demand on existing or planned sewage disposal, storm drainage or other utility systems to a level, which is likely to cause an adverse impact on the environment or require new plant investments or improvements.

Section 17.572 Preparation

A. An independent, qualified professional consultant or personnel shall prepare the environmental assessment study.

B. The range of studies needed to develop the technical data for an environmental assessment study require natural systems and other studies as determined by the Zoning administrator. Where feasible, studies may include secondary data from such sources as the Colorado Department of Transportation, the Colorado Division of Wildlife, data collected and updated by the Pikes Peak Regional Council of Governments, studies commissioned by the Regional Flood Management District, USGS or other studies.

C. The environmental assessment study shall summarize the findings and recommendations of the technical and other supporting studies in terms that can be assessed and evaluated by city officials and the general public. Technical data shall be submitted as supporting documentation. Technical data prepared as a part of any other procedure or requirement of this or of any ordinances or federal, state, county or city regulation also may be used to support the environmental assessment study.

D. Contents.

1. The environmental assessment report study shall contain information and analysis, in sufficient detail and adequately supported by technical studies, to enable the Zoning administrator, planning commission and the city council to judge the impact of the proposal and to judge measures proposed to reduce or negate any harmful impacts.
2. The environmental assessment study shall include a general statement identifying and describing the proposed project and its purpose.

3. To the extent that such items are not otherwise included in other materials submitted with any application or preliminary site development plan descriptive materials, maps and plans shall be submitted showing the following information:
 - a. Project boundaries and boundaries of the area within which environmental impact is likely to be significant, (may include areas outside of the project boundaries if there is reasonable cause to believe the project is likely to have impacts greater than the project boundaries).
 - b. Present and proposed uses of the site.
 - c. Present and proposed zoning of the site.
 - d. Quantitative information relative to the development, such as site area, numbers of residential units, proposed height and bulk of buildings, building floor area in square feet and such other data as will contribute to a clear understanding of the scale of the development.
 - e. A list of regulatory or review agencies and the specific regulations to which the proposed development will be subject.
4. The environmental assessment study shall include an inventory, providing reasonably complete information on the environmental setting existing prior to the proposed development and containing sufficient information to permit independent evaluation by reviewers of factors that could be affected by the proposed development.
5. The analysis portion of the environmental assessment study shall assess the following items in reasonable detail:
 - a. Adverse effects, which cannot be avoided if the proposal is implemented.
 - b. Mitigating measures proposed to minimize the impact.
 - c. Cumulative and long-term effects of the proposal, which significantly reduce or enhance the state of the environment.
 - d. Possible alternatives to the proposed action.
 - e. Irreversible environmental changes resulting from implementation of the proposal.

E. Cost. The applicant shall pay the cost of preparing the environmental assessment study for the proposed development.

F. Submission. When required, the environmental assessment study, shall be submitted to the Zoning administrator with any land development application. The Zoning administrator shall prescribe the number of copies to be submitted. The Zoning administrator shall transmit the report to applicable federal, state or county agencies for review and comment.

Chapter 17.58 Rezoning Procedures and Amendments

Section 17.580 Initiation of Procedures

A. The procedure for rezoning property may be initiated by the city council, planning commission, Zoning administrator, any citizen of the city, or any landowner within the city.

Town Council Study Session Community Development Update

August 10, 2020

COMMUNITY DEVELOPMENT
DEPARTMENT



PARKER
C O L O R A D O

2020 Mid-Year Summary

- Temp. Patio Extensions: 16 (0 pending)
- Single-Family Permits: 154 (<2019)
- Multi-Family Permits: 9 for 204 MFR (<2019)
- Commercial Permits: 401 (>2019)
- Total Permits: 2,023 (>2019)
- Total Valuation: \$90,967,265 (<2019)
- Total Inspections: 14,195 (<2019)
- Development Applications: 80 (<2019)
- Development Approvals: 66 (>2019)
- Development Pre-Applications: 37 (<2019)



Town Administrator's Report *Summer 2020*



Town of Parker
20120 E. Mainstreet
Parker, CO 80138

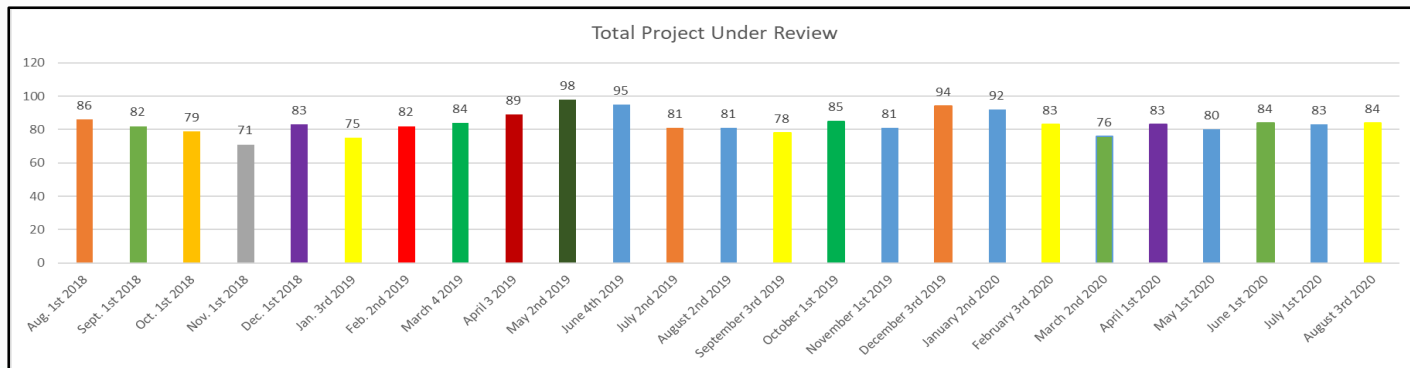
Tel: 303.841.0353
Fax: 303.805.3153
townadministrator@parkeronline.org

COMMUNITY DEVELOPMENT
DEPARTMENT



2020 Mid-Year Trends

- National recession impacting CO
- Impact on development trends uncertain
- All active construction projects continue
- Most approved development projects advancing
- Most submitted development projects advancing
- Continued development interest
- Residential: activity remains strong
- Commercial: activity weakening
- Lt. Industrial: activity weak



Major Project Update – Construction

- Compark: EDGE 470
- Crown Point: Parker Adventist MOB, St. Johns Hotel
- Downtown: No activity
- Parker Rd: Compass CU, Big Tool Box
- Stroh Ranch: Lemn Academy, South Range Crossing, Sunmarke
- Southwest: Meadowlark, Trails@Crowfoot, Looking Glass
- Westcreek: Century Condos



COMMUNITY DEVELOPMENT
DEPARTMENT



Planned Commercial Projects

- Douglas 234
- Eisenberg MXD
- E-470 Service Plaza
- Horseshoe Ridge Commercial
- Kaiser Permanente MOB
- NE Corner Parker/Ponderosa
- Havana Café
- Wild Goose Saloon
- QuikTrip Convenience/Gas
- West End MXD
- Chase Bank



COMMUNITY DEVELOPMENT
DEPARTMENT



PARKER
COLORADO

Planned Residential Projects

- Anthology North
- Compark Village South
- Chambers Highpoint
- Looking Glass Segment 2
- Newlin Crossing: SFR
- On Hold: Kime Ranch, Vantage Pt. Phase 2, Senderos Creek North



Community Development Projects

- Land Development Ordinance Modernization
- Chambers-Hess Subarea Plan
- Parker-Pine Subarea Plan
- Updated Parks Dedication Ordinance
- Bowey Annexation
- Noise Ordinance Amendment: consultant procurement
- Parking Fee In-Lieu Ordinance



COMMUNITY DEVELOPMENT
DEPARTMENT



PARKER
COLORADO

Environmental Assessment (EA)

- Discussed w/Town Council 2019-2020
- Issue(s): Growth, development is impacting wildlife, wildlife habitat and natural features
- Options Discussed:
 - No action
 - Increased Coordination w/CPW,USFW
 - **Environmental Assessment**
 - Environmental Impact Statement
- Council directed staff to refine EA concept and return for discussion, direction
- Issues:
 - Applicability? Recommend private development only
 - How Broad? Recommend apply to priority issues only
 - Goal(s)? Recommend identification/mitigation of impacts
 - Next Steps?: Draft ordinance, discuss w/DLC, follow-up w/Council in Sept-Oct.



Looking Ahead

- DCSD School Opening: Temporary bldgs.
- LDO Modernization
- Master Plan Update
- Bike/Ped Plan Update
- Parker Rd. Corridor Plan Follow-up



Title 13

Land Development Ordinance (LDO)

Installment #2: Development Standards
June 2020

CLARION

COMMUNITY DEVELOPMENT
DEPARTMENT



Comments, Questions, Follow-up???





MEMORANDUM

TO: Honorable Mayor and Members of Town Council
FROM: Michelle Kivela, Town Administrator
DATE: September 27, 2021
SUBJECT: Meeting Locations/Set Up Discussion

ISSUE:

Currently, Town Council Study Sessions and Executive Sessions are held in the Pikes Peak Conference Room. Council has requested a discussion on whether to keep Study Sessions in the Pikes Peak Conference Room or be moved to another meeting room.

FISCAL/BUDGET IMPACT:

BACKGROUND:

Currently, the Town Council Study Sessions and Executive Sessions are held in the Pikes Peak Conference Room, as they have for numerous years. Due to capacity restrictions and social distancing requirements put in place during COVID, both Study Sessions and Executive Sessions were moved to the Council Chambers for a period of time in 2020-2021.

When the COVID related restrictions were lifted, the Town Council elected to move both meetings back into Pikes Peak Conference Room. The decision was based on the belief that the size and organization (set up) of the Council Chamber may not encourage or facilitate discussion amongst the Mayor, Councilmembers, and staff.

Concerns and issues with the Council Chambers location for the Study Sessions and Executive Session articulated include:

- The high seats on the dais, which the Mayor and Councilmembers sit in during sessions, can create a sense of hierarchy.
- It can be difficult for Councilmembers to have effective dialogue with each other when sitting in a row and not in a conference table type of setting.
- It does not create a comfortable setting that facilitates discussion not only with individual Councilmembers but also staff or guests (presenters, consultants, etc.)
- The Chambers by character creates a more formal setting than needed or required for Study Sessions.

There are benefits to using the Council Chambers for Study Sessions, such as:

- The Town has invested in technology and hardware upgrades in the Chambers to provide remote viewing and recording of meetings, allowing for transparency and access for citizens.
- The Chambers provides more space for staff, guests and consultants/presenters.

- The Chambers provides a more professional setting.

RECOMMENDATION:

Staff recommends that Executive Sessions continue to be held in Pikes Peak. If the Town Council decides to continue to hold the Study Session meetings in Pikes Peak, staff recommends investing in improvements to the room to allow for a more appropriate and professional meeting room set up. This would include tables more conducive for a conference room/meeting room, as well as, technological improvements and upgrades to provide for ongoing/permanent virtual meeting technological capabilities.

REQUESTED DIRECTION:

Direction from Town Council on location, set up and any associated costs.

ATTACHMENT:

None

TOWN OF PARKER COUNCIL AGENDA

October 4, 2021

Notes:

Town Council meeting packets are prepared several days prior to the meeting. This information is reviewed and studied by the Councilmembers eliminating lengthy discussions to gain a basic understanding. Timely action and short discussion on agenda items does not reflect lack of thought or analysis on the part of Council.

Ordinances listed for first reading are being approved to introduce them. Public comment will be held upon second reading.

Start times for regular agenda items are tentative; some items may be held earlier than scheduled time.

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1. TOWN COUNCIL MEETING SCHEDULE

- A. 5:00 P.M. – Call to Order Town Council Meeting and Roll Call**
- B. Executive Session – Immediately following Call to Order/Roll Call – (See Attached)**
- C. Reconvene Town Council Meeting at 7:00 P.M. or as soon thereafter as the regular public meeting can be conducted.**

2. PARKER CHAMBER OF COMMERCE UPDATES

3. DOWNTOWN BUSINESS ALLIANCE UPDATES

- 4. PUBLIC COMMENTS (No action will be taken on these items.) *Public Comment is an opportunity for Town residents and other interested individuals to speak about items that are NOT on the agenda. This comment period is limited to 30 minutes total time, with each individual allowed a maximum of 3 minutes to speak. You must sign up ahead of time in order to comment, and that sign up begins 30 minutes before the start of the meeting. The Council will accommodate as many speakers as possible during this time—with preference to Town residents—but if public comment extends beyond the allotted 30 minutes, Town Council will continue the comment period at the end of the meeting, prior to adjourning for those who signed up before the meeting.***

5. REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

6. **CONSENT AGENDA**

Consent Agenda Items are considered to be routine and will be enacted by one motion and vote. There will be no separate discussion of Consent Agenda Items unless Council votes to remove an item for individual discussion. Ordinances on the Consent Agenda are for introduction only and will not be removed for discussion.

- A. *APPROVAL OF MINUTES - September 20, 2021*
- B. *AMENDED AND RESTATED SUBDIVISION AGREEMENT Stroh Ranch Filing No. 16 (Hunter's Chase)*
Department: Community Development, Bryce Matthews
- C. *RESOLUTION NO. 21-040*
A Resolution to Approve the First Amendment to Amended and Restated Employment Agreement for the Town Administrator
Department: Town Council
- D. *RESOLUTION NO. 21-041*
A Resolution to Approve the Fifteenth Amendment to Town Attorney Employment Agreement
Department: Town Council
- E. *RESOLUTION NO. 21-042*
A Resolution Finding Substantial Compliance of the Pine Drive Property's Annexation Petition with C.R.S. § 31-12-107 and Setting a Public Hearing on November 15, 2021, for the Purpose of Considering Said Annexation
Department: Community Development, Stacey Nerger
- F. *CONTRACTS OVER \$100,000*
1. *Final Design Contract for Mainstreet North Sidewalk (Victorian Drive to the Eastern Boundary of Town & County Village Townhomes)*
Amount: \$172,218
Contractor: Stanley Consultants, Inc.
Department: Engineering and Public Works, Bob Exstrom
2. *Conceptual/Preliminary Design Contract for Dransfeldt Widening (Mainstreet to Pony Express)*
Amount: \$130,544
Contractor: Felsburg Holt & Ullevig
Department: Engineering and Public Works, Bob Exstrom
3. *2021 Townwide Slurry/Chip Seal Program Contract (CIP21-005) Contract Modification*
Amount: \$1,744,610.34
Contractor: Vance Brothers, Inc
Department: Engineering and Public Works, Danny Smith

4. *Downtown Circulation Improvements (CIP21-018) Professional Services Agreement*

Amount: \$137,370

Contractor: Stanley Consulting, Inc.

Department: Engineering and Public Works, Tom Gill

G. *PROCLAMATION - Community Development Month - October 2021*

7. **RESOLUTIONS**

A. **RESOLUTION NO. 21-021**

A Resolution to Establish the Process for Administering the Kiosk Program as Outlined in Section 10.13.080 of the Town of Parker Municipal Code

Department: Community Development, John Fussa

B. **RESOLUTION NO. 21-033**

A Resolution to Consent to the Assignment and Assumption Agreement (Looking Glass) By and Between JEN Colorado 18, LLC, and LB Parker Owner LLC

Department: Town Attorney, Jim Maloney

8. **PUBLIC COMMENTS CONTINUED IF NECESSARY**

9. **ADJOURNMENT**

TOWN OF PARKER COUNCIL AGENDA

October 18, 2021

Notes:

Town Council meeting packets are prepared several days prior to the meeting. This information is reviewed and studied by the Councilmembers eliminating lengthy discussions to gain a basic understanding. Timely action and short discussion on agenda items does not reflect lack of thought or analysis on the part of Council.

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2. SPECIAL PRESENTATIONS

- 3. PUBLIC COMMENTS (No action will be taken on these items.)** *Public Comment is an opportunity for Town residents and other interested individuals to speak about items that are NOT on the agenda. This comment period is limited to 30 minutes total time, with each individual allowed a maximum of 3 minutes to speak. You must sign up ahead of time in order to comment, and that sign up begins 30 minutes before the start of the meeting. The Council will accommodate as many speakers as possible during this time—with preference to Town residents—but if public comment extends beyond the allotted 30 minutes, Town Council will continue the comment period at the end of the meeting, prior to adjourning for those who signed up before the meeting.*

4. REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

5. CONSENT AGENDA

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introduction only and will not be removed for discussion.

A. *APPROVAL OF MINUTES - October 4, 2021*

- B. *ORDINANCE NO. 5.28.27 – First Reading*
A Bill for an Ordinance to Amend Chapter 5.02 of the Parker Municipal Code Relating to Takeout and Delivery Permit Notification
Department: Town Attorney, Jim Maloney
Second Reading: November 1, 2021

- C. *ORDINANCE NO. 5.28.28 – First Reading*
A Bill for an Ordinance to Amend Chapter 5.02 of the Parker Municipal Code Authorizing Communal Outdoor Dining Areas
Department: Town Attorney, Jim Maloney
Second Reading: November 1, 2021

- D. *ORDINANCE NO. 5.28.29 – First Reading*
A Bill for an Ordinance to Amend Chapter 5.02 of the Parker Municipal Code Relating to Festival Permits
Department: Town Attorney, Jim Maloney
Second Reading: November 1, 2021

- E. *RESOLUTION NO. 21-043*
A Resolution Finding Substantial Compliance of the Kime Property's Annexation Petition with C.R.S. § 31-12-107 and Setting a Public Hearing on December 6, 2021, for the Purpose of Considering Said Annexation
Department: Community Development, Julia Duncan

- F. *RESOLUTION NO. 21-045*
A Resolution to Adopt the Town of Parker, Colorado, 2020 Three-Mile Area Plan
Department: Community Development, Jeremiah Fettig

- G. *CONTRACT OVER \$100,000*

6. **PUBLIC HEARINGS**

7. **ORDINANCES**

- A. **ORDINANCE NO. 9.332 - Second Reading (Continued from September 20, 2021)**
A Bill for an Ordinance to Approve the Intergovernmental Agreement Among Arapahoe County, the Town of Parker, and the City of Aurora Regarding High Plains Regional Trail Maintenance
Department: Parks, Recreation and Open Space, Brett Collins

8. RESOLUTIONS

A. RESOLUTION NO. 21-044

A Resolution to Approve the Articles of Incorporation and Bylaws of the Greater Parker Foundation

Department: Town Attorney, Jim Maloney

B. RESOLUTION NO. 21-015

A Resolution to Appoint the Board of Directors and Officers to the Greater Parker Foundation

Department: Town Attorney, Jim Maloney

9. PUBLIC COMMENTS CONTINUED IF NECESSARY

10. ADJOURNMENT