



PLANNING COMMISSION MEETING

7:00 PM

May 8, 2025

Planning Commission meeting packets are prepared several days prior to the meeting. This information is reviewed and studied by the Commissioners 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 the Planning Commission.

Public comment on agenda items may only be made in person.

Public Viewing Only - YouTube: Planning Commission meetings may be viewed through YouTube at: <https://www.youtube.com/townofparkerco>.

PLEASE NOTE: Public participation is NOT available through YouTube.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. ADDITIONS TO OR DELETIONS FROM THE AGENDA**
- 5. APPROVAL OF MINUTES**
 - A. Planning Commission Meeting Minutes 3.27.25**
- 6. CONSENT AGENDA**
- 7. PUBLIC MEETINGS**
 - A. ORDINANCE NO. 3.372.4 - A Bill for an Ordinance to Amend Section 13.08.040 of the Parker Municipal Code Concerning Sensitive Lands Avoidance**

Applicant:	Town of Parker
Location:	Townwide
Department:	Town Attorney, Kelsey Hall
- 8. PLANNING COMMISSION ITEMS**

9. STAFF ITEMS

10. ADJOURNMENT



PLANNING COMMISSION MINUTES

March 27, 2025

Planning Commission Chairperson Gary Poole called the meeting to order at 7:01 p.m.

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

Also, present and seated were Commissioners Jane Lane, Erik Rieger, Ruth Ann Nelson, Angela Lindstrom and Bret Tueller.

ADDITIONS TO OR DELETIONS FROM THE AGENDA

None.

APPROVAL OF MINUTES

Commissioner Eric Rieger moved to approve the February 13, 2025 meeting minutes. Commissioner Ruth Ann Nelson seconded; a vote was taken and passed unanimously.

PUBLIC HEARING OPENED: 7:03 P.M. – AN ORDINANCE TO AMEND SUBSECTION 13.05.030(E) OF THE PARKER MUNICIPAL CODE CONCERNING CAR WASHES

Applicant:	Town of Parker
Location:	Townwide
Department:	Community Development, Bryce Matthews

APPLICANT AND STAFF PRESENTATION

Bryce Matthews, Assistant Director - Planning, presented the staff report proposing to amend Section 13.05.030(e)(28) Car Wash of the Parker Municipal Code. The proposed changes will incorporate use-specific standards for car washes that will apply to all zone districts including Planned Developments (PD's). Mr. Matthews concluded with the determinations in the staff report that the Planning Commission recommend Town Council approve an ordinance to amend the Parker Municipal Code regarding car washes.

COMMISSIONER DISCUSSION WITH STAFF OR APPLICANT

- Commissioner Ruth Ann Nelson stated that the Town currently has car washes within the hard corners and if the property were to be redeveloped in the future, would a car wash be allowed to be built there or would the new LDO amendment prevent a new car

wash from being built; *(staff said within 660 ft of a hard corner, none of these areas have more than two, so they would be legal, but the existing car washes would count towards the two permitted in the 660 ft; also if there were a car wash within 250' of a hard corner, that use would be legal non-conforming, which means that it could continue in perpetuity, but couldn't expand in the future).*

- Commissioner Ruth Ann Nelson asked a follow-up question that if the property were redeveloped, it could not be redeveloped as another car wash; *(staff said yes).*
- Commissioner Jane Lane asked if this issue concerning the restriction on car washes allowed at or near hard corners were left to market forces, wouldn't it take care of itself by process of elimination; *(staff said it is not planning's role to understand market conditions and predict which businesses can survive).*
- Commissioner Jane Lane asked a follow-up question that if this LDO Amendment wasn't approved, there could be additional car washes at hard corners and how does this harm the Town; *(staff said there is the potential impact of a proliferation of car washes upon community character and economic vitality. The car washes would prevent other types of commercial uses that promote economic vitality and the proposed code would protect sensitive uses that may be impacted by car washes).*
- Commissioner Erik Rieger asked if an existing legal, non-conforming car wash were damaged beyond the point of repair, would they be allowed to continue as a car wash if it was repaired and what would that process look like; *(staff said for nonconforming uses, code says that if the damage is less than 50% of the value, then the use can be rebuilt and continue and if it was more than 50%, such as 75% or 100% of the value, it could not be rebuilt).*
- Commissioner Ruth Ann Nelson asked if stricter rules for new car washes were discussed; *(staff said they had several meetings with Town Council and staff presented a range of options from taking no action to a suspension and council directed staff to move forward with a middle ground option which is being presented tonight).*

PUBLIC COMMENT

None.

PUBLIC HEARING CLOSED: 7:11 P.M. – AN ORDINANCE TO AMEND SUBSECTION 13.05.030(E) OF THE PARKER MUNICIPAL CODE CONCERNING CAR WASHES

Commissioner discussion:

- Commissioner Ruth Ann Nelson said that market forces work to a certain extent, for example look at all the banks at hard corners such as Parker Rd. and Mainstreet; that she would have preferred a stricter ordinance, but that this is a good starting point and if Town Council feels they haven't gone far enough, they can make changes prior to its adoption and she will be voting in favor of this amendment.

- Commissioner Angela Lindstrom appreciates Town Council taking this issue under consideration, that Town Council plans carefully for the Town and its development which is really appreciated, that this amendment is consistent with the language and spirit of the Town's LDO and Master Plan, is in favor of this and will be voting in support of the amendment.
- Commissioner Erik Rieger said he will also be voting in support of this amendment, that it does a fantastic job making sure that the Town's character is preserved, providing for development in the correct areas.
- Commissioner Jane Lane said this is the sort of thing that overall, the population of the Town is in support of, and she too is in support.
- Commissioner Gary Poole agrees with his fellow commissioners, that this is a step in the right direction, that we'd like to see variety at the hard corners and the economic impetus it brings.

Commissioner Angela Lindstrom moved the Planning Commission recommend Town Council approve an ordinance to amend the Parker Municipal Code regarding car washes. Commissioner Bret Tueller seconded, a vote was taken and passed unanimously.

PLANNING COMMISSION ITEMS

None.

STAFF ITEMS

None.

ADJOURNMENT

Commissioner Ruth Ann Nelson moved that the meeting be adjourned. Commissioner Jane Lane seconded the motion, a vote was taken and passed unanimously. The meeting was adjourned.

Jeff Miller
Recording Secretary

Gary Poole



Planning Commission Staff Report

Planning Commission Date: 5/8/2025

Town Council Date: 5/19/2025

Hearing Type: Public Meeting
An Ordinance to Amend Section 13.08.040(a)(6)c. of the
Parker Municipal Code Concerning Camping in the
Floodplain

Location: Townwide

Project Planner: Bryce Matthews, Assistant Director - Planning
Kelsey Hall, Town Attorney's Office

Applicant: Town of Parker

Executive Summary: The Town proposes to amend *Section 13.08.040(a)(6)c. – Sensitive Lands Avoidance* of the Parker Municipal Code. The proposed changes will delete existing language regarding the removal, storage, and disposal of property recovered from unauthorized campsites and replace it with a cross-reference to Section 8.07.100 of the Code in order to assure that all property recovered from unauthorized campsites is treated uniformly.

Staff Recommendation: Approval

RECOMMENDED MOTION

“I move the Planning Commission recommend Town Council approve an ordinance to amend the Parker Municipal Code regarding camping in the floodplain.”

ALTERNATIVE MOTIONS

“I move the Planning Commission recommend Town Council approve an ordinance to amend the Parker Municipal Code regarding camping in the floodplain with the following conditions:”
-List proposed conditions

“I move the Planning Commission recommend Town Council deny an ordinance to amend the Parker Municipal Code regarding camping in the floodplain:”
-List criteria not met (either by staff or Planning Commission)

“I move the Planning Commission vote to continue an ordinance to amend the Parker Municipal Code regarding camping in the floodplain.”

I. BACKGROUND/DISCUSSION

Section 13.08.040 of the Code prohibits individuals from camping within the floodplain. Unauthorized campsites may be subject to abatement, including the storage and disposal of property left at such campsites after adequate notice has been provided. This ordinance, if passed, would ensure that abatement follows the process set forth in Section 8.07.100 of the Code, and any policy adopted by the Town Council governing such abatement.

The changes to Title 8 are minor. However, the major changes include a new section regarding when no notice is required for abatement. Typically, the Town will provide a minimum of 72 hours notice that a campsite is unlawful and will be subject to abatement. The new language would permit abatement without prior notice in circumstances when abatement of the campsite is necessary due to the presence of an emergency, or is otherwise considered high risk because its continued presence would constitute an immediate threat to health, safety, or welfare.

Another major change is that abatements would follow the policy adopted by Town Council. This policy provides guidance to staff and contractors who abate campsites. Guidance includes the notice to be posted, timelines, the types of property that is deemed essential and must be stored, and what to do if items such as drugs, weapons, or evidence of a crime are recovered, etc.

II. PARKER 2035 MASTER PLAN

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

MASTER PLAN CONSISTENCY	
Master Plan Designation	Choose an item. ☒ Consistent ☐ Inconsistent ☐ Not Applicable
Master Plan Character Discussion	The proposed amendment would align with Chapter 6 Goal 1.J. 1.J. Continue to review our Land Development Ordinance to assure that it is fair, consistent and understandable
Consistent Goals/Strategies	<u>Land Use 1.J</u>
Inconsistent Goals/Strategies	None
Staff Analysis	Amending the code regarding camping in the floodplain will ensure that all unauthorized campsites within the Town are treated consistently.

III. CONCLUSION

The draft LDO amendment will ensure that campsites within and outside of the floodplain are treated identically. Additionally, it will ensure that when abated, these campsites are subject to the same protections and due process as other campsites in the Town.

Staff recommends that the Planning Commission recommend that Town Council approve an ordinance that will amend the Land Development Ordinance regarding camping in the floodplain.

RECOMMENDED CONDITIONS

None

IV. ATTACHMENTS

1. Draft Ordinance for Title 13
2. Draft Ordinance for Title 8 – For informational purposes

ORDINANCE NO. 5.06.40.2, Series of 2025

TITLE: A BILL FOR AN ORDINANCE TO AMEND SECTION 8.07.100 OF THE PARKER MUNICIPAL CODE CONCERNING UNAUTHORIZED CAMPING ON PUBLIC PROPERTY PROHIBITED

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

Section 1. Section 8.07.100 of the Parker Municipal Code is amended to read as follows:

8.07.100 Unauthorized camping on public property prohibited.

* * *

(b) In this Section, the ~~following~~ words and phrases below shall have the meanings respectively ascribed to them as follows:

~~*Camp* means to reside or dwell temporarily in a place, with shelter. The term "shelter" includes, without limitation, any tent, tarpaulin, lean-to, sleeping bag, bedroll, blankets, or any form of cover or protection from the elements other than clothing. The term "reside or dwell" includes, without limitation, conducting such activities as eating, sleeping, or the storage of personal possessions.~~

~~*Personal property* means any item that is reasonably recognizable as belonging to a person and that has apparent utility, including, without limitation, personal identification, eyeglasses, money or jewelry.~~

~~*Camp or camping* means using a public place for living accommodation purposes. Camp or camping does not include incidental napping or picnicking in a public place. Factors to consider when determining whether a person is using a public place for living accommodation purposes include whether an individual is:~~

~~a. Remaining for prolonged or repetitious periods of time, not associated with ordinary recreational use of a public place.~~

~~b. Sleeping or making preparations to sleep, including the lying down of bedding, blankets, sleeping pads, sleeping bags, or other materials for the purpose of sleeping.~~

~~c. Occupying a shelter outdoors.~~

~~d. The presence or use of a campfire, camp stove, or other heating source or cooking device, except for those grills that are already fixtures of parklands owned by the Town, or as expressly permitted by the Town's rules and regulations.~~

e. Keeping or storing property, other than certain personal property, such as a purse, backpack, or picnic supplies, that is also incidental to temporarily being in a public place.

Public place means any street, alley, sidewalk, pedestrian or transit mall, bike path, greenway, or any other structure or area encompassed within the public right-of-way; any park, parkway, ~~mountain park~~, or other recreational facility; or any other grounds, buildings, or other facilities owned or leased by the Town or by any other public owner, regardless of whether such public property is vacant or occupied and actively used for any public purpose.

Shelter means any cover or protection from the elements other than clothing, such as a tent, shack, sleeping bag, lean-to, tarpaulin, enclosure, or other structure or material used for living purposes.

Store, stored, storing, or storage mean to put property aside or accumulate for use when needed, to put for safekeeping, and/or to place or leave in any public place. Moving property to another location in a public place or returning property to the same area on a daily or regular basis shall be considered storing and shall not be considered to be removing property from a public place.

(c) It shall be unlawful for any person to camp upon any public ~~property place~~, except ~~in a location where camping has been expressly allowed pursuant to a permit or as otherwise when expressly~~ authorized by the Town.

(d) It shall be unlawful for any person to store property upon any public place. With the prerule notice as specified in Subsection (f) below, the Town may impound or dispose of any property left at the location of the unauthorized stored property.

(~~de~~) No officers of the Town of Parker Police Department shall issue a citation under this Section, make an arrest based on a violation of this Section, or otherwise enforce this Section against any person unless:

(1) The officer orally requests or orders the person to refrain from the alleged violation of this Section and, if the person fails to comply after receiving the oral request or order, the officer tenders a written request or order to the person warning that if the person fails to comply the person may be cited or arrested for a violation of this Section; and

(2) The officer attempts to ascertain whether the person is in need of medical or human services assistance, including, but not limited to, mental health treatment, drug or alcohol rehabilitation, or homeless services assistance. If the officer determines that the person may be in need of medical or human services assistance, the officer shall make reasonable efforts to contact and obtain the assistance of a designated human service outreach worker, who in turn shall assess the needs of the person and, if warranted, direct the person to an appropriate provider of medical or human services assistance in lieu of the person being cited or arrested for a violation of this Section. If the officer is unable to obtain the assistance of a human services outreach worker, if the human services outreach worker determines that the person is not in need of

medical or human services assistance, or if the person refuses to cooperate with the direction of the human services outreach worker, the officer may proceed to cite or arrest the person for a violation of this Section so long as the warnings required by Paragraph (1) of this Subsection have been previously given. If the person refuses any offered services, the officer may use discretion to determine the appropriate next steps, to include a citation, arrest, or, if appropriate, an involuntary mental health hold.

(3) Officers may make an arrest of the individual, if appropriate, for other criminal conduct occurring not under this Section for outstanding warrants.

(ef) Cleanup-Abatement of unauthorized ~~camping-campsites~~ and storage of property. Upon violation of this Section, ~~officers~~ the appropriate Town staff, or such individuals specifically contracted by the Town for this purpose, may remove and store ~~all unclaimed personal~~ property found at an unauthorized ~~camping~~ campsite in accordance with the Town's policies and procedures. Illegal items, such as illicit drugs and any items that reasonably appear to be evidence of a crime, will be turned over to the appropriate law enforcement agency. ~~Any items otherwise not regarded as having apparent utility or that are in an unsanitary condition will be immediately discarded.~~ Removal of personal property under this Section shall be executed pursuant to the following procedure:

(1) At least seventy-two (72) hours prior to the proposed ~~cleanup~~ abatement date, the Town will post a notice stating the campsite is prohibited and the date and time of the ~~cleanup~~ abatement. The notice will be posted in the general vicinity of the personal property to be removed.

~~(2) In the event of the existence of a condition posing an imminent danger of damage or injury to or loss of life, limb, property or health, the Town shall provide a notice of cleanup no more than twenty-four (24) hours prior to the proposed cleanup date.~~

(32) ~~Personal property~~ Property removed from ~~illegal camp sites~~ shall unauthorized campsites may be stored in a secure location ~~and shall be held for~~ a period of ~~at least~~ thirty (30) days from the date the ~~cleanup-abatement~~ occurred, in accordance with the Town's policies and procedures for campsite abatement.

(43) An individual may claim ownership of an item of ~~personal~~ property within thirty (30) days from the ~~last~~ date that the ~~cleanup-abatement~~ occurred. The Town will not return items reasonably believed to be marijuana or natural medicine, as defined under state law, or products containing marijuana or natural medicine, and will dispose of such products in accordance with its Parker Police Department policies and procedures for the disposal of illicit substances.

(54) After the thirty- (30-) day storage period elapses, unclaimed ~~personal~~ property will be disposed of by either discarding, recycling, or otherwise disposing of such items as determined by the Chief of Police.

(g) Abatement when no notice is required. No notice shall be required if any campsite or property on a public place: (i) is a “high-risk area” as defined in this section; (ii) constitutes evidence of a crime or contraband; (iii) interferes with any activity in a public place for which the Town has issued a permit; (iv) obstructs a public street or right-of-way; (v) interferes with the Town’s or other governmental entity’s operations; or (vi) constitutes a threat to the public health, safety, or welfare.

A high-risk area means an area or location on public property designated by the Town as a high-risk area. Any area located on a public place may be designated as a high-risk area if it poses an ongoing threat to public health or safety, which may include, but is not limited to, any of the following circumstances:

- a. The death of, or the serious bodily injury to, any person in an unauthorized campsite due to the conditions present;
- b. Where criminal activity has or is being committed;
- c. Where fires have occurred that result in a response by emergency responders;
- d. Where evidence of rodent infestation has been found;
- e. Where human fecal matter has been found;
- f. Where hypodermic needles have been found;
- g. Where there is evidence of unauthorized electrical connections;
- h. Where there is evidence of an unauthorized public utility connection;
- i. Where the campsite layout prevents access by emergency services;
- j. Where no adequate evacuation route is present in the campsite due to the layout of the campsite;
- k. Where a public health order or a public health code violation is observed; or
- l. That physically undermines or erodes public infrastructure.

(h) The Town Manager shall develop a policy for the storage of property removed from an abated campsite. The policy shall be presented to the Town Council for approval by resolution. The policy shall address the types of property that may be stored, the length of the storage period for property, and the location and accessibility of the storage facility. All property recovered from an unauthorized campsite will be disposed of in accordance with such policy, as may be amended from time to time.

(i) For purposes of this Section, the property remaining at an unauthorized campsite after the notice period required by this Section has elapsed does not constitute lost or abandoned personal property for purposes of Chapter 8.14 of the Code.

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. **Effective Date.** This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2025.

Joshua Rivero, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2025.

Joshua Rivero, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

APPROVED AS TO FORM:

Jamie Wynn, Town Attorney

ORDINANCE NO. 3.372.4, Series of 2025

TITLE: A BILL FOR AN ORDINANCE TO AMEND SECTION 13.08.040 OF THE PARKER MUNICIPAL CODE CONCERNING SENSITIVE LANDS AVOIDANCE

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

Section 1. Section 13.08.040 of the Parker Municipal Code is amended to read as follows:

13.08.040 Sensitive lands avoidance.

(a) Floodplain regulations.

* * *

(6) Requirements for flood hazard reduction.

* * *

c. Unauthorized camping prohibited in designated floodplains.

* * *

2. General.

a) It shall be unlawful for any person to camp in a floodplain.

b) The Town may remove and store all property found at an unauthorized campsite in accordance with Section 8.07.100 of this Code. ~~unclaimed personal property found at an unauthorized camp site. Illegal items, such as illicit drugs and any items that reasonably appear to be evidence of a crime, will be turned over to the appropriate law enforcement agency. Any items otherwise not regarded as having apparent utility or that are in an unsanitary condition will be immediately discarded. Removal of personal property under this Section 13.08.040(a)(6)c shall be executed pursuant to the following procedure:~~

~~1) — At least seventy-two (72) hours prior to the proposed cleanup date, the Town will post a notice stating the date and time of the cleanup. The notice will be posted in the general vicinity of the personal property to be removed.~~

~~2) In the event of the existence of a condition posing an imminent danger of damage or injury to or loss of life, limb, property or health, the Town shall provide a notice of cleanup no more than twenty four (24) hours prior to the proposed cleanup date.~~

~~3) Personal property removed from illegal camp sites shall be stored in a secure location and shall be held for a period of at least thirty (30) days from the date the cleanup occurred.~~

~~4) An individual may claim ownership of an item of personal property within thirty (30) days from the last date that the cleanup occurred. The Town will not return items reasonably believed to be marijuana or products containing marijuana, and will dispose of such products pursuant to its Parker Police Department policies and procedures for the disposal of illicit substances.~~

~~5) After the 30-day storage period elapses, unclaimed personal property will be disposed of by either discarding, recycling, or otherwise disposing of such items, as determined by the Chief of Police.~~

* * *

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

INTRODUCED AND PASSED ON FIRST READING this _____ day of _____, 2025.

Joshua Rivero, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

ADOPTED ON SECOND AND FINAL READING this _____ day of _____, 2025.

Joshua Rivero, Mayor

ATTEST:

Chris Vanderpool, Town Clerk

APPROVED AS TO FORM:

Jamie Wynn, Town Attorney