



## AGENDA

### Planning Commission Regular Meeting

Tuesday, August 25, 2020, at 6:00 pm

Evans Community Complex, City Council Chambers, 1100 37<sup>th</sup> Street

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### REGULAR MEETING

1. **CALL TO ORDER:**

2. **ROLL CALL:**

Chairman: Billy Castillo  
Vice-Chairman:  
Commissioners: Lyle Achziger  
Mark LeClere  
Kalen Myers  
Robert Phillips  
Dan Usery

3. **APPROVAL OF THE AGENDA:**

A. **\*\*Motion/Vote:**

4. **APPROVAL OF THE MINUTES:**

A. 07/28/2020 **\*\*Motion/Vote:**

5. **PUBLIC HEARING:**

5.A **Consideration of Ordinance No. 727-20**

Ordinance No. 727-20 presents modifications to Municipal Code Section 18.07.120 designed to clarify process and intent, and streamline processing requirements for replats, vacations of easements or rights-of-way, and lot line adjustments.  
Anne Best Johnson for City of Evans

6. **AGENDA ITEMS:**

6.A **Planning Commission Officer Election**

Anne Best Johnson for City of Evans

7. **ADJOURNMENT:**

**\*\*Motion/Vote:**



## AGENDA

### Planning Commission Regular Meeting

**Tuesday, July 28, 2020, at 6:30 pm**

Evans Community Complex, City Council Chambers, 1100 37<sup>th</sup> Street

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### REGULAR MEETING

1. **CALL TO ORDER: -- 06:31 pm**
2. **ROLL CALL: -- 06:31 pm**
  - Chairman: Billy Castillo – present
  - Vice-Chairman:
  - Commissioners: Lyle Achziger – present  
Mark LeClere – present  
Kalen Myers – present  
Robert Phillips – present  
Dan Usery – not present
3. **APPROVAL OF THE AGENDA: -- 06:32 pm**
  - A. **\*\*Motion to amend the agenda. Lauren Richardson will present both Arrowhead Lake open space. Second. Passes unanimously.**
  - B. **\*\*Motion to approve amended agenda. Second. Passes unanimously.**
4. **APPROVAL OF THE MINUTES: -- 06:34 pm**
  - A. 06/04/2020 **\*\*Motion to approve 06.04.2020 minutes/Second. Passes unanimously.**
5. **AGENDA ITEMS: -- 06:35 pm**
  - 5.A **Arrowhead Project Overview**

Anne Best Johnson for City of Evans. Gives overview of project. 11-acre parcel that is designated as future park in the City's 2010 Comprehensive Plan. Annexation and change of zone happen simultaneously and need to be approved through both Planning Commission and City Council.

Question: Can you confirm acreage of the parcel?  
Answer: Acreage is 11 acres with extensive ROW.
6. **PUBLIC HEARING: -- 06:39 pm**
  - 6.A **Arrowhead Change of Zone – 20-ZA-02**

Lauren Richardson for City of Evans. Lauren Richardson, City Planner, identifies location and size of Arrowhead Park. Ten acres plus, or 11 acres, depending on level of water. City is requesting a zone of Agriculture, and the intended use of the land is as a public park. City does not currently have a zone district for parks or open space. That use requires a use by special review application within the agriculture zone district.

Reviews pre-application and application process. SPO Notice was sent out 07.01.2020; Notice was published in the paper on 06.26.2020, and Notice was posted on property



07.01.2020. Staff intends to take next step of this process to City Council on 08.03 and 08.18.

Reviews review criteria in the Municipal Code and explains how proposed site meets those criteria. See .pptx for details (attached).

Question: Are we going to create a Park zone within the City? Or does Agriculture zone work for this purpose?

Answer: City may consider adding a zone district for parks and open space in a future code change. Riverside Park was zoned PUD, but a PUD designation requires more intensive permitting including a Neighborhood Development Plan that may be too intensive for a small space such as Arrowhead. The Agriculture Zone District seemed like it was the most compatible with the surrounding area.

Question: What do they use the water in the lake for?

Answer: The water association for Arrowhead uses that water for irrigation of the Arrowhead subdivision.

Question: So Evans has no rights to that water?

Answer: Correct.

Comment: We want to be careful in our zoning that we don't negatively impact our neighbors at Arrowhead.

City Response: The City has been working closely with lake owners association and the homeowners association and we have had quite a bit of interaction with surrounding property owners, including residents of Arrowhead, about our intended use of this property.

Open the floor for public comment: **06:50 pm**

No public comment.

Public comments closed: **06:51 pm**

Commission Discussion: **06:51 pm**

Comment: Zone seems to make sense the way Staff has presented it.

**06:52 pm \*\*I move to forward a recommendation of approval of the Rezoning request as found in case file 20-ZA-02, for the Arrowhead Park/Open Space as proposed with Conditions of Approval and Development Standards to City Council (Phillips). Second (Myers). Motion passes unanimously.**

**6.B Arrowhead Use by Special Review – 20-USR-02 – 06:53 pm**

Lauren Richardson for City of Evans. Presents Arrowhead Park use by special review application. City is requesting permission to allow recreation facilities and outdoor extensive land use. Shows existing conditions of property and a proposed amenities map. Kite flying field should be identified on the map as in any area that shows as



green on the map. Identifies top uses as voted on by the public at several public engagement events. City wants to keep the land fairly natural.

Describes pre-application and application process within City Staff. SPO Notice was provided by mail on 07.01.2020. Notice was published in the newspaper on 06.26.2020, and Notice was posted on the property on 07.01.2020. Staff intends to take next step of this process to City Council on 08.03.

Reviews criteria of approval and explains how proposed property use meets those criteria. See .pptx for details (attached).

Addresses conditions of approval: Sign permit, grading permit.

Question: Will there be designated trails to protect wetlands?

Answer: Shows 10-ft. concrete trail planned with 3-ft. crusher fines shoulder. Trail will not touch the wetlands.

Question: If there's no City water at this property, how will water for landscaping be accessed?

Answer: The water in Arrowhead Lake is managed by Arrowhead Lake Association. The City does not have rights to that water at all. We are looking at options to possibly have some rights to that water, but that is not guaranteed or assumed. The water quality pond in the SE corner of the parcel is for storm water management to settle storm water before outfall into Arrowhead Lake. City does have a non-potable line nearby that could be extended south and under 37<sup>th</sup> Street. But at this point, there isn't any available water to the City for use at this location. That's why we aren't showing a lot of landscaping other than native and drought tolerant grasses. Our City Engineer has asked Arrowhead neighborhood to see if this parcel can use the water.

Question: As an entryway to the City, is there a thought that in the future we might do a City sign on the property?

Answer: Not at this point. Good idea.

Question: When you did your public outreach events, were there any concerns from the residents?

Answer: Most concerns were about no trespassing signs and a fence to keep people from going into the water. They were also concerned about parking along the side street. Considering this is low use area and parking will be provided on the property, Staff is not anticipating this will be a problem.

Question: What kind of fence will mark off the lake?

Answer: Split rail.

Question: Is the grant geared toward developing phase one?

Answer: GOCO opened up a special round this year called Resilient Communities for these COVID-times. We are asking for funding for this space and Tract O in Tuscany in one application. The City is intending on applying for a grant in early August and should hear about our success in this funding cycle in September. We don't have a



guarantee for any funding. If we aren't successful this year, we'll apply again next year. We do want to be responsible to our neighbors, so no trespassing on their property is the biggest concern. This property is intended to be passive land use, not active (like a playground).

Open the floor for public comment: **07:15 pm**

No public comment.

Closed the floor for public comment: **07:15 pm**

Commission Discussion: **07:15 pm**

Comment: Think it's a great project. Driven by it for many years and always thought it should be improved. Great opportunity for Evans to have a showpiece property where residents can have a little bit of fun.

Comment: Agreed. Good keystone property further west than Riverside.

**07:17 pm** **\*\*I move to forward a recommendation of approval of the Special Use Permit request as found in case file 20-USR-02, for the Arrowhead Park/Open Space as proposed with Conditions of Approval to City Council (Achziger). Second (Phillips). Passes unanimously.\*\***

7. **OTHER ITEMS:** -- **07:18 pm**

**7.A** Discussion of appointment of Vice-Chairman of Planning Commission

In August, staff would like to confirm whether Castillo would like to continue to serve as Chair and we need to nominate a vice-chair.

Question: Is there a resource that describes the duties of each role?

Castillo: Chair runs the meeting. Vice-chair is the backup for that. Be prepared to step in in an absence or coach the chair.

Question: Has Council ever asked for the chair to come present at a work session?

Answer: No. But Council does like to receive minutes in their packets. Assumption that if there was a controversial decision or recommendation, council could ask for chair to appear and speak.

Staff Comment: Chair and Staff speak briefly about agenda in advance. Items getting moved, public testimony expectations based on contact with staff, etc.

**7.B** Appointment of second Planning Commission member to Master Plan Steering Committee

Currently Achziger is on Steering Committee. We need one more from Planning Commission. Phillips, Castillo, and Myers all interested. Review anticipated Steering Committee schedule: 14-18 months in duration, two evenings per month and occasional weekend time when there is public engagement event.

Question: What would it look like for the Planning Commissioners who come to the meeting who aren't on the Steering Committee?



Answer: They would sit in the audience and listen, but they wouldn't take part in discussion or recommendations.

Phillips withdraws. Commissioner Myers appointed by name draw.

- 7.C** Master Plan Steering Committee meetings  
All meetings will be pre-published. All Planning Commissioners are always invited.

- 8. ADJOURNMENT: -- 07:28 pm**  
**\*\*Motion to adjourn the meeting. Second. Passes unanimously.**

Attachments: Arrowhead ZA .pptx  
Arrowhead USR .pptx

DRAFT



City of  
**Evans, Colorado**

# Planning Commission

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Hearing – Arrowhead Change of Zone  
July 28, 2020



Vicinity Map



Sign Posting



# Arrowhead Park/Open Space Change-of-Zone

- Location: south and adjacent to 37<sup>th</sup> Street and west of and adjacent to Arrowhead Drive/ 47<sup>th</sup> Avenue.
- The property is +/- 10 acres.
- Previously a part of Weld County.
- Location had an approved Site Plan for Mini-Storage Units.
- Is a major entry point into the City of Evans

# Change of Zone

Vicinity Map

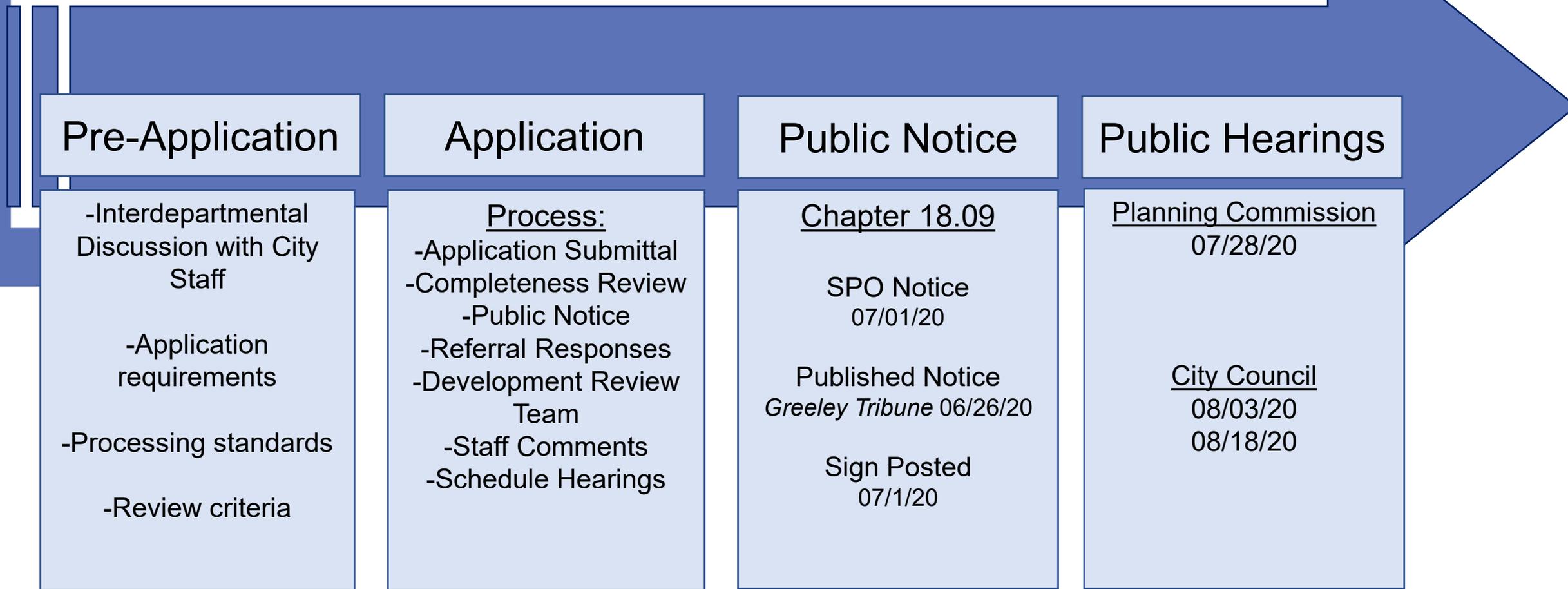


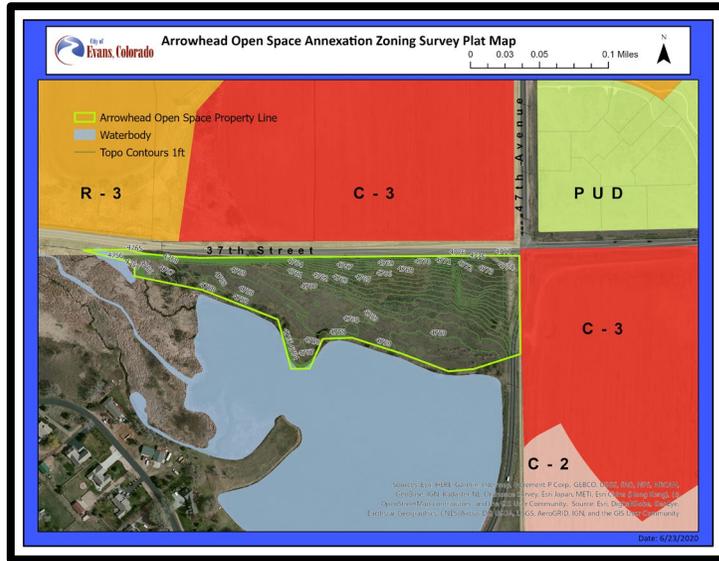
- **City is requesting a zoning classification of Agriculture, AG.**
- The intended land use for this property is that of a public park.
- Currently, the City does not have a zone district that is separate for Parks.
- Future, final land use of Recreational facilities, Outdoor Extensive is a use that requires a Use by Special Review within the Agriculture district.



# Process Flow

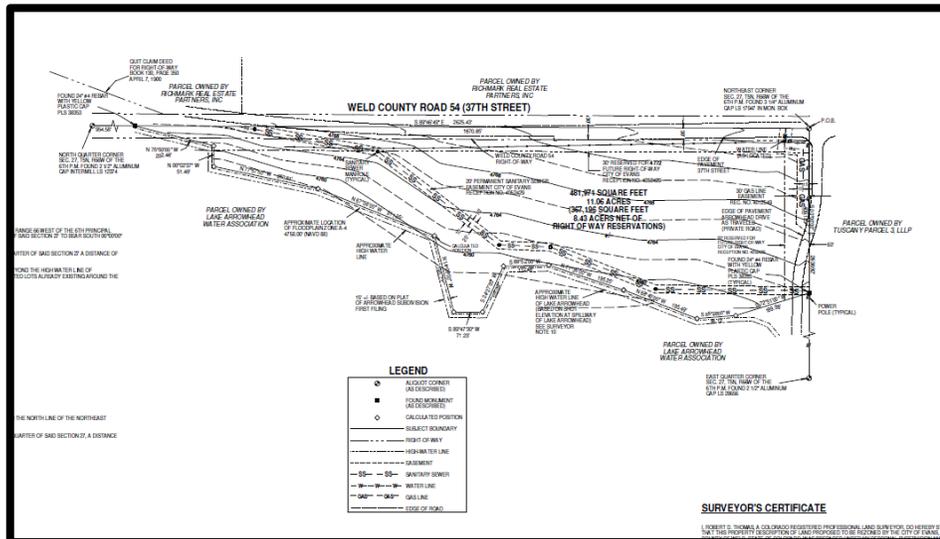
## Chapter 18.06.030





# Criteria for Review & Approval

- ✓ 18.06.030.D1 *That a need exists for the proposal*
- ✓ 18.06.030.D2 *The particular parcel is indeed the correct site for the proposed development*
- ✓ 18.06.030.D3 & 4 *There has been an error in the original zoning OR 4. There have been significant changes in the area to warrant a change of zone*
- ✓ 18.06.030.D5 *Adequate circulation exists and traffic movement would not be impeded by development*
- ✓ 18.06.030.D6 *Additional municipal service costs will not be incurred which the City cannot meet*
- ✓ 18.06.030.D7 *There are minimal environmental impacts or impacts can be mitigated*
- ✓ 18.06.030.D8 *The proposal is consistent with the Evans Comprehensive Plan maps, goals and policies*
- ✓ 18.06.030.D9 *There is adequate waste and sewage disposal, water, schools, parks and recreation, and other services to the proportional degree necessary due to the impacts created by the proposed land uses.*





City of  
**Evans, Colorado**

# Planning Commission

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Hearing – Arrowhead Special Use Permit/ Use  
by Special Review

July 28, 2020



## Vicinity Map



# Arrowhead Park/Open Space SUP

- The Applicant is requesting a Special Use Permit to allow Recreation Facilities, Outdoor Extensive land use.
- This would be the only approved land use on the site.
- The desired outcome of the site is to be a passive park, no structures are planned for the site.

## Existing Condition



Photo by: Heather Utrata

# Special Use Permit



Photo by:  
Martha Richmond and Dale Richardson



Photo by:  
Martha Richmond and Dale Richardson



# GOCO Application



Photo by:  
Martha Richmond and Dale Richardson



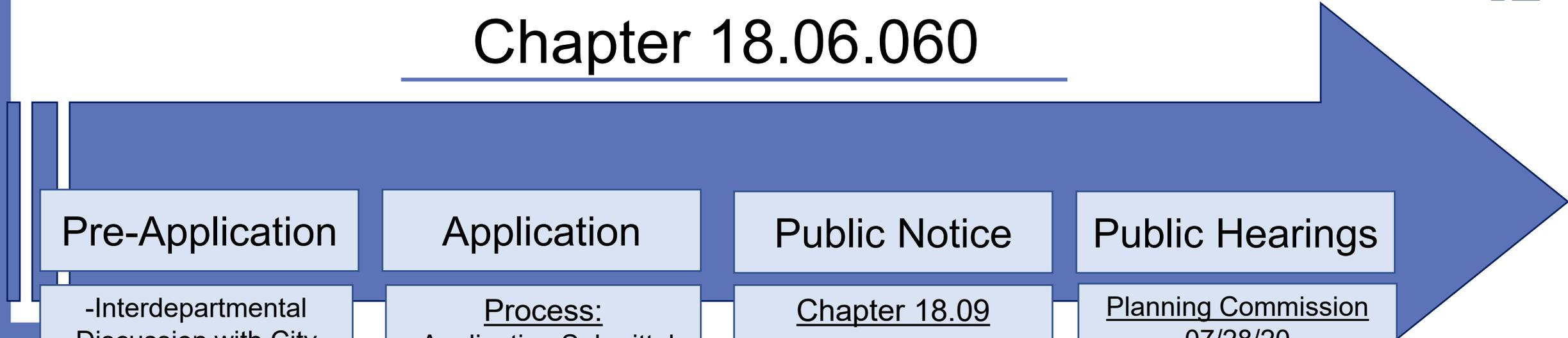
Photo by:  
Martha Richmond and Dale Richardson





# Process Flow

## Chapter 18.06.060



### Pre-Application

- Interdepartmental Discussion with City Staff
- Application requirements
- Processing standards
- Review criteria

### Application

- Process:
- Application Submittal
  - Completeness Review
  - Public Notice
  - Referral Responses
  - Development Review Team
  - Staff Comments
  - Schedule Hearings

### Public Notice

- Chapter 18.09
- SPO Notice  
07/01/20
  - Published Notice  
*Greeley Tribune* 06/26/20
  - Sign Posted  
07/1/20

### Public Hearings

- Planning Commission  
07/28/20
- City Council  
08/03/20  
08/18/20



Photo by: Heather Utrata

## Criteria for Review & Approval

- ✓ **18.06.060.C2.1** *The proposed use is found to be unlikely to harm the health, safety and welfare of the City or its residents.*
- ✓ **18.06.060.C2.2** *The proposed use would benefit the City in terms of employment, tax revenue or other similar effects, as compared to the absence of the proposed use.*
- ✓ **18.06.060.C2.3** *The proposed use shall be consistent with the Comprehensive Plan and shall be compatible with the surrounding area.*
- ✓ **18.06.060.C2.4** *The location, size, design and operating characteristics of the proposed use shall be compatible with the existing and proposed future land uses within the general area in which the proposed use is to be located and will not create significant noise, traffic or other conditions or situations that may be objectionable or detrimental to other permitted uses in the vicinity. Reasonable conditions may be placed on uses by special review to protect the public health, safety and welfare by mitigating impacts.*



Photo by: Heather Utrata

# Criteria for Review & Approval



Photo by: Heather Utrata



Photo by: Heather Utrata

- ✓ 18.06.060.C2.5 *The site shall be physically suitable for the type and intensity of the proposed land use.*
- ✓ 18.06.060.C2.6 *The proposed land use shall not adversely affect traffic flow and parking in the neighborhood.*
- ✓ 18.06.060.C2.7 *The location of other approved special uses in the neighborhood shall be determined, in order to avoid an over-concentration of such uses.*
- ✓ 18.06.060.C2.8 *Not applicable, only for mini-storage facilities.*
- ✓ 18.06.060.C2.9 *Not applicable, only for car-wash facilities.*
- ✓ 18.06.060.C2.10 *Not applicable, only for oil and gas facilities.*
- ✓ 18.06.060.C2.11 *Not applicable, only for outdoor storage.*

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# PLANNING COMMISSION AGENDA REPORT

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**DATE:** August 23, 2020  
**AGENDA ITEM:** 5.A  
**SUBJECT:** Public Hearing: Consideration of Ordinance Number 727-20 An Ordinance Repealing and Replacing Chapter 18, Section 18.07.120 Plat Modifications, Replats, Vacations and Lot Line Adjustments to clarify application material requirements, criteria for approval and processing standards in the City of Evans.  
**PRESENTED BY:** Anne Best Johnson, Community Development Director

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## AGENDA ITEM DESCRIPTION:

Plat modifications including replats, vacations of easements or rights-of-way, and lot line adjustments are common land use applications in the City of Evans. In an effort to be more user-intuitive, to foster a transparent land use application process, and to provide Criteria for Approval, Staff has prepared the attached Ordinance for consideration to repeal and replace Section 18.07.120 of the Land Use Code. Staff has worked with the City Attorney's office to ensure compliance with Colorado Revised Statutes.

Section 18.07.120 does contain different application types, however, Staff is recommending a reorganization of this Section for the following reasons:

- Consolidate all applications that can be processed administratively to eliminate confusion and create a transparent process;
- Consolidate all applications that are to be processed with a City Council hearing to eliminate confusion and create a transparent process;
- More clearly communicate what the required application materials are;
- Include Criteria for Approval to communicate expectations to applicants and provide guidance to Staff and City Council on the approval process;
- Remove the need for an Ordinance as the Final Plat process only requires a Resolution. Currently, Staff prepares both an Ordinance and a Resolution. An Ordinance requires two public hearings before City Council whereas a Resolution requires one hearing before City Council.

Ordinance No. 727-20 is attached for your review. Due to the reorganization of the existing Section, proposed language is in red font. A summary of the attached Ordinance can be found below:

- Section 18.07.120 A: Intent. No changes are proposed.
- Section 18.07.120.B: Pre-Application conference expectations and outcomes
- Section 18.07.120.C: Administrative process is defined. The types of applications are listed and the process is outlined

- Section 18.07.120.D: Processes requiring a land use hearing are listed and the process is defined [Final Plat process referenced]. No changes are proposed.
- Section 18.07.120.E: Provides a list of application submittal requirements
- Section 18.07.120.F: Provides Criteria for Approval. The current Code does not offer Criteria for Approval. The only Criteria for Approval of a Final Plat is found in Section 18.07.090.D as, “The only basis for rejection of a final plat shall be its nonconformance to adopted rules, regulations and ordinances currently in force and affecting the land and its development in the City, its lack of conformance with the approved preliminary plan, and changes required in the public interest.” The proposed Criteria for Approval offer more substantive guidance to applicants, Staff and City Council for these types of applications and safeguard any easement holders, those who also benefit from rights-of-way, etc.
- Section 18.07.120.G: Provides direction on how the document is to be recorded. No changes are proposed.

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**FINANCIAL SUMMARY:**

There is no financial implication to the proposed Code language change. There is a potential positive financial implication when the City has a Land Use Code that is clear and easy for both the applicant and staff to follow. Clear expectations, a transparent land use process, and Criteria for Approval are beneficial attributes in a Land Use Code.

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**RECOMMENDATION:**

Staff recommends approval of the ordinance.

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**SUGGESTED MOTIONS:**

*“I recommend that the Planning Commission forward a recommendation of approval to the City Council to repeal Section 18.07.120 in its entirety and replace with the proposed language presented in Ordinance No. 727-20;” or*

*“I recommend that the Planning Commission forward a recommendation of denial to the City Council to repeal Section 18.07.120 in its entirety and replace with the proposed language presented by Staff in Ordinance No. 727-20 for the following reasons \_\_\_\_\_.”*

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**ATTACHMENTS:**

- Ordinance No. 727-20

**CITY OF EVANS, COLORADO**

**ORDINANCE NO. 727-20**

**AN ORDINANCE REPEALING AND REPLACING CHAPTER 18.07.120 OF THE EVANS MUNICIPAL CODE TO CLARIFY INTENT, PROVIDE CRITERIA FOR APPROVAL AND PROVIDE TRANSPARENT APPLICATION PROCESSING STANDARDS FOR PLAT MODIFICATIONS, REPLATS, VACATIONS AND LOT LINE ADJUSTMENTS IN THE CITY OF EVANS**

**WHEREAS**, the City Council of the City of Evans, Colorado, pursuant to Colorado statute and the Evans City Charter, is vested with the authority of administering the affairs of the City of Evans, Colorado; and

**WHEREAS**, Title 18 of the Evans Municipal Code addresses Land Development, and in particular, Section 18.07.120 addresses plat modifications, replats, vacations and lot line adjustments; and

**WHEREAS**, the Planning Commission has recommended a repeal and replacement of Section 18.07.120 to clarify intent, provide criteria for approval, and provide transparent application processing standards.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANS, COLORADO AS FOLLOWS:**

1. Section 18.07.120 is repealed in its entirety and replaced as follows:

18.07.120 - Plat Modifications, Replats, **Vacations**, and Lot Line Adjustments.

- A. Intent. The intent of this Section is to provide a review process to make changes that are consistent with the applicable zone district requirements. This process may be used for the following:
1. Corrections to a recorded plat;
  2. Adjustment or vacation of a lot line;
  3. Vacation of a plat without rights-of-way or easements;
  4. Vacation of a right-of-way, an easement or portion thereof; or
  5. Replats of previously platted lots not involving the creation of more than five (5) lots.
- B. Preapplication conference. This stage of review is designed to provide the applicant with a means of understanding regulations, policies and procedures prior to formal submission of a proposal. **The application process best suited for the application will be provided at the preapplication conference.**
1. The applicant should make an appointment with the Community Development Department to discuss the proposal being considered and **follow the published preapplication conference procedures.**

2. The Community Development Department shall arrange for an informal meeting with a staff planner. The goal is to have constructive dialogue occur and for the applicant to receive some guidance on the request and this amendment process.
3. Should the applicant decide to proceed further, formal submission of a complete application, based upon the recommendation of the Community Development Department, City regulations and the applicant's desires should then occur.
4. If a formal application is not submitted within six (6) months of the preapplication conference, then the applicant must attend a new preapplication conference.
5. The submittal process may vary according to the nature of the proposed amendment based on, but not limited to the following: degree of change, design, size, impact to public facilities, services, roads and overall impacts.

C. Administrative application process. The following applications may be processed administratively:

1. Corrections to approved and/or recorded plans and plats shall be considered as minor if the modifications or adjustments:
  - a. Do not impact more than fifteen (15) percent of any element or portion within a proposed planned development including land use area boundaries, roadways, alignments, open space tracts, park sites and similar elements (this does not apply to the number of **lots or** units).
  - b. Do not require the movement or shifting of any structure, building, roadway, or other improvement to the site, by more than fifteen (15) feet.
  - c. Is a minor change needed in the location, siting, or character of buildings, structures, alignment of streets, **easements**, or setbacks.
  - d. A replat of a lot or tract; an adjustment to, or vacation of a lot line; vacation of a plat (without rights-of-way or easements); a minor reconfiguration of an easement; or a replat of a lot or tract resulting in a total of no more than five (5) lots.
  - e. Is required due to unanticipated reasons which were not known at the time of **the original** final approval by the Planning Commission or Council.
  - f. Does not violate the strict application of this Title.
  - g. Shall not cause any lot or structure on a lot to be out of conformance with any Municipal Code requirement; for example, lot sizes and setbacks.
  - h. Shall not change any drainage easements or rights-of-way reserved for drainage, unless supported by complete engineering data **to be provided by the applicant for review by** the Director of Public Works **and/or their designee**.
  - i. This process shall not change any street locations and street rights-of-way.
2. The administrative process is outlined below:
  - a. An application is submitted to the City Community Development Department.
  - b. The City has ten (10) days to review application materials to determine if the application is complete.
  - c. An internal review process is conducted.
  - d. External referral agencies are contacted and their input is solicited as applicable.

- e. Staff shall issue a staff report with or without Conditions of Approval and Development Standards for the application.
- f. The applicant shall address Conditions of Approval and resubmit materials, if needed.
- g. The Community Development Director may then approve or deny the request.
- h. A map illustrating the change shall be recorded with the Weld County Clerk and Recorder. Staff will coordinate recording.
- i. Should the request be denied, the applicant has the option to either:
  - i. Withdraw the request fully;
  - ii. Modify the request and resubmit for review; or
  - iii. Appeal the administrative decision by written request to the Planning Commission.

D. A Major Replat, Plat Modification, or Lot Line Adjustment Application will be reviewed through the public hearing process. If an application is determined to be a Major Application during the Preapplication conference or after an application has been submitted, the Major Application process will follow the Final Plat process as defined in this Chapter.

- 1. Applications that may be processed through this method shall include the following:
  - a. A significant change in the use or character of the development or elements contained therein;
  - b. An increase in overall coverage of structures;
  - c. An increase in the intensity of the uses;
  - d. A modification in overall traffic circulation;
  - e. A modification in the method of providing adequate water and sewer service;
  - f. A reduction in the approved percentage of required open space or landscaping;
  - g. A change to the Neighborhood Development Plan;
  - h. A replat of a lot or tract resulting in more than five additional (5) lots;
  - i. A change to approved building elevations or other design elements of a structure; and
  - j. Vacation of a platted or unplatted easement or right-of-way including the following:
    - i. Vacation of a public right-of-way or easement that is NOT constructed; and
    - ii. Vacation of a public right-of-way or easement that was constructed;
  - k. An amendment to a plat which includes a redesign of streets, blocks, lots and easements.

E. Application submittal requirements. The following requirements shall be provided to the City **by the applicant** for either an Administrative application or a Major application to be considered complete. The following application materials are in addition to the Final Plat application requirements found in this Title:

- 1. Application form provided by the City;
- 2. Application fee(s);
- 3. **Application Narrative describing the project, the reason for the project and how the application meets the Criteria for Approval;**

4. Title Work from a title company **and an ALTA Survey** showing all who hold a legal interest in the affected property;
  5. The submittal may include letters of comment from any referral agencies, departments, and/or Homeowners Associations, where appropriate;
  6. A plat (map) shall be submitted to the Community Development Department and shall contain the following information in addition to the Final Plat mapping requirements found in this Chapter of the Municipal Code:
    - a. Subdivision name, in a format similar to the following: "[subdivision name], replat [A], being a replat of lot [lot number], Block [block number], [prior subdivision name], Section, Township, Range, City of Evans, County of Weld, 6<sup>th</sup> P.M., State of Colorado.";
    - b. Total area of the lot line adjustment and area of each lot, tract, and outlot;
    - c. Certification forms in the format of Section 18.06.090 C;
    - d. Dimensions (i.e., length, curve) of all property lines;
    - e. Existing and proposed easements and their purpose;
    - f. Lot and block numbers, and tract and outlot letters;
    - g. Scale (graphic and written), north arrow and date of preparation;
    - h. "Amendment History" section outlining previous approval dates of final plats and the changes being proposed;
    - i. **The easement holders shall sign the plat or provide written evidence of approval of the application. Evidence of approval shall be recorded; and**
    - j. **A Plat Correction Certificate shall be prepared by the Applicant, which identifies the error or omission, the specific plat to be corrected and the reception number of the plat, and the necessary corrective action in accordance with the form provided by the Community Development Department, approved by the City Attorney.**
    - k. **Other information deemed necessary by the Community Development Director.**
- F. **Criteria for Approval. Applicants are required to meet the following Criteria for Approval. Staff and City Council, as applicable, shall find that the application proposal complies with all of the following standards, as applicable:**
1. **The proposal is consistent with the goals and policies of the Evans Comprehensive Plan.**
  2. **The application complies with this Title and all other applicable engineering and design regulations and standards.**
  3. **The applicant has provided sufficient evidence all affected easement holders will not be negatively impacted.**
  4. **The resulting application cannot block or remove an access to an adjacent lot unless an alternative access is provided.**
  5. **The resulting property will be served by public water, public sanitary sewage disposal, public non-potable water system, and tied into the City's stormwater management system, as applicable.**
  6. **The application does not cause a nonconformity.**
  7. **The application is compatible with adjoining lots and the surrounding area.**

- 8. Will not cause the following:
  - a. Soil erosion or a reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result;
  - b. Cause unreasonable street or highway congestion or unsafe conditions with respect to the use of streets or highways, existing or proposed.
  - c. Cause unreasonable burden on the ability of a school district to provide educational services;
  - d. Cause unreasonable burden on the ability to provide water, sewage, fire, police, hospital, solid waste disposal and other services;
  - e. Have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites or rare and irreplaceable natural areas;
  - f. Have an undue adverse effect on wildlife and their habitat, and open space.

G. Recordation. The applicant is responsible to provide the requested plat or map and supporting documents, as necessary in a form requested by City Staff within the time period provided. The Replat and applicable materials shall be recorded by City Staff with the Weld County Clerk and Recorder.

2. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

3. Repeal. Existing ordinances or parts of ordinances covering the same matters embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this ordinance.

**INTRODUCED AND PASSED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF EVANS ON THIS \_\_\_\_\_ DAY OF SEPTEMBER, 2020.**

**ATTEST:**

**CITY OF EVANS, COLORADO**

\_\_\_\_\_  
Julie Roeder, City Clerk

BY: \_\_\_\_\_  
Brian Rudy, Mayor

**PASSED AND ADOPTED ON A SECOND READING THIS \_\_\_\_\_ DAY OF OCTOBER, 2020.**

**ATTEST:**

**CITY OF EVANS, COLORADO**

\_\_\_\_\_  
Julie Roeder, City Clerk

BY: \_\_\_\_\_  
Brian Rudy, Mayor

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# PLANNING COMMISSION AGENDA REPORT

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**DATE:** August 25, 2020  
**AGENDA ITEM:** 6.A  
**SUBJECT:** Planning Commission Officer Election  
**PRESENTED BY:** Anne Best Johnson, Community Development Director

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**AGENDA ITEM DESCRIPTION:**

Election and appointment of the Chair and Vice Chair of both the Planning Commission and the Zoning Board of Appeals is needed. Organization and officers for each the Planning Commission and the Board of Zoning Appeals can be found in Sections 2.52.070 and 2.56-060 respectively and are found below for reference. Chapter 13 of the Home Rule Charter does not provide additional information beyond these Sections.

**2.52.070 - Organization and officers.**

The officers of the **Planning Commission** shall be a chairperson and a vice chairperson, both of whom shall be elected by majority vote of the members of the Planning Commission. Their duties shall be those customarily performed by such officers and as specified by the rules of the Planning Commission. The Director of Planning shall provide a staff person to record minutes of each meeting and conduct correspondence for the Planning Commission.

**2.56.060 - Organization and officers.**

The **Zoning Board of Appeals** shall elect one (1) of its members as chairperson. The chairperson's duties shall be those customarily performed by such officer and as specified by the rules of the Zoning Board of Appeals. The chairperson shall hold office for one (1) year or until a successor is elected. The City Manager shall provide a staff person to record minutes of each meeting and conduct correspondence for the Zoning Board of Appeals.

Staff encourages Planning Commission and the Board of Zoning Appeals to elect and appoint one Chair and one Vice Chair to serve in the specific role for both committees.