

Posted: _____



Town of New Castle
450 W. Main Street
PO Box 90
New Castle, CO 81647

Administration Department
Phone: (970) 984-2311
Fax: (970) 984-2716
www.newcastlecolorado.org

Agenda

New Castle Planning and Zoning Commission Workshop Wednesday, November 13, 2019, 7:00 PM

1. Review Procedure for Code Amendments
2. Discuss Draft Ordinance for Sketch Plan Amendment
3. Consider Other Possible Code Amendments

Item Attachment Documents:

1. Review Procedure for Code Amendments

Land Use Application Procedures – Side-by-Side Comparison:

Current Procedures	Proposed Procedures
	<p>Compulsory Pre-Application Meeting</p> <p>7 day notification Non-binding compliance check with staff</p>
<p>\$400 Sketch Plan Application</p> <p>Non-binding review & recommendation from staff PnZ meeting after 15 days Town Council approval next meeting</p>	<p>\$400 Compulsory Sketch Plan Application</p> <p>Agreement to pay consulting fees Determination of completeness 7 days Staff compliance check PnZ hearing after 14 days Approval expires after 6 months</p>
	<p>Sketch Plan Community Meeting</p> <p>Upon approval of sketch plan 14 day noticed meeting May run concurrent with preliminary plat application HOA approval?</p>
<p>\$660 Preliminary Plat Application or \$1,060 “Combo” Application</p> <p>Staff compliance check PnZ hearing after 45 days (30 day notice) Decision within 30 days</p>	<p>\$660 Preliminary Plat Application</p> <p>Determination of completeness 7 days Staff compliance check PnZ hearing after 45 days (30 day notice) Decision within 30 days Approval expires after 1 year</p>
<p>\$350 Final Plat Application</p> <p>Staff compliance check PnZ hearing after 45 days (30 day notice) Decision within 30 days Approval expires after 1 year</p>	<p>\$350 Final Plat Application</p> <p>Determination of completeness 7 days Staff compliance check PnZ hearing after 45 days (30 day notice) Decision within 30 days Approval expires after 1 year</p>
<p>Council Approval of Final Plat</p> <p>As early as next scheduled council meeting Decision within 60 days Approval expires after 1 year</p>	<p>Council Approval of Final Plat</p> <p>As early as next scheduled council meeting HOA DRC approval Decision within 60 days Approval expires after 1 year</p>

Except for emergency ordinances, ordinances making general codification of existing ordinances, and ordinances adopting standard codes, the following procedure for enactment of ordinances shall be followed:

- (A) The ordinance shall be introduced at any regular or special meeting of the Council by any Council Member.
- (B) The ordinance shall be read in full, or in cases where copies of the ordinance are available to the Council and to those persons in attendance at said Council meeting, said ordinance may be read by title only.
- (C) After the first reading of the ordinance, the same shall be approved or rejected by a vote of the Council.
- (D) If passed upon first introduction, the ordinance shall be published in full and also posted in at least two public places within the Town, except as otherwise provided herein.
- (E) The ordinance shall be introduced a second time at a regular or special meeting of the Council held not sooner than seven (7) days after first publication. The ordinance shall be read by title and number at the second introduction.
- (F) The ordinance may be amended as to form at the second introduction. Any amendments shall be read in full, unless copies of all amendments are available to the Council and to those persons in attendance at said Council meeting.
- (G) After the second reading, including any amendments, the ordinance shall be passed or rejected by a vote of the Council.
- (H) After final passage, the ordinance shall be published by its original title and number. Any amendments in the title or text of the ordinance adopted after the first publication shall also be published with the second publication. The publication shall contain a notice regarding the effective date. Unless the ordinance provides for a later effective date, it shall be in force and take effect fourteen (14) days after final publication.

(Res. No. TC-2010-4, § 4, 4-6-2010)

Item Attachment Documents:

2. Discuss Draft Ordinance for Sketch Plan Amendment

*****DRAFT*****
TOWN OF NEW CASTLE, COLORADO
ORDINANCE NO. TC-20-***

AN ORDINANCE OF THE NEW CASTLE TOWN COUNCIL AMENDING
SECTION 16.16.010 & 17.100.040 OF THE NEW CASTLE MUNICIPAL CODE
CONCERNING THE PROCESS FOR PUD AND SUBDIVISION
DEVELOPMENT SKETCH PLANS.

WHEREAS, Chapter 16.16.010 of the Town of New Castle (“Town”) municipal code (“Code”) sets forth the provisions and regulations for sketch plans relevant to the plat requirements of subdivision applications; and

WHEREAS, Chapter 17.100.040 of the Code sets forth the provisions and regulations for sketch plans relevant to Planned Unit Development (“PUD”) applications; and

WHEREAS, sketch plans provide opportunity for the Town to review and provide comment as to the level of conformance with Town regulations and requirements before significant expense is incurred; and

WHEREAS, it is unclear whether sketch plans are obligatory for both PUD and subdivision applications in the current provisions of 16.16.010 & 17.100.040; and

WHEREAS, sketch plan application requirements within provisions 16.16.010 & 17.100.040 are insufficient for assessing the initial level of conformance of an application with Town regulations and requirements; and

WHEREAS, pursuant to section 17.92.030(B) of the New Castle Municipal Code the Planning Commission (“Commission”) held a public hearing on December ??, 2019, to consider a proposed amendment of the text of Code sections 16.16.010 & 17.100.040; and

WHEREAS, as set forth in Resolution PZ 2020-??, the Commission recommended approval of the proposed text amendment; and

NOW, THEREFORE, BE IT ORDAINED BY THE NEW CASTLE TOWN COUNCIL AS FOLLOWS:

1. Recitals Incorporated by Reference. The foregoing recitals are incorporated by reference herein as findings and determinations of the New Castle Town Council.
2. Amendment. The Town Planning Commission hereby approves the following amendments to the New Castle Municipal Code. Language added to the Code is underlined, while language removed from the Code is ~~stricken~~:

3. Current code for 16.16.010

~~16.16.010 – Sketch plan requirements.~~

~~A. The sketch plan shall be submitted to the town clerk at least fifteen (15) days prior to a regularly scheduled meeting of the planning commission and shall be accompanied by a letter from the subdivider requesting subdivision plat review and including an estimate of the number of residents and projected water usage and sewage load. The town clerk shall determine the number of copies to be submitted. The letter, a request for annexation, if applicable, and the sketch plan shall be submitted by the town clerk to the town administrator or his or her designee who shall review the proposed subdivision's conformance with the town's comprehensive plan and special plans adopted by the town. Agreement on the sketch plan by the town administrator or his or her designee shall not constitute a commitment on the part of the planning commission to accept the preliminary plat.~~

~~B. The town administrator or his or her designee shall present the sketch plan at the next regularly scheduled meeting of the planning commission, which shall make a recommendation to the town council. At the next regularly scheduled meeting of the town council after the planning commission's review, the sketch plan shall be presented with all recommendations of the planning commission. The council may instruct the subdivider to proceed with submittal of the preliminary plat to the planning commission developed in a manner generally following the scheme outlined in the sketch plan or may suggest to the subdivider changes in the sketch plan prior to referral to the planning commission.~~

~~(Ord. 2005-9 § 2 (part))~~

4. 16.16.010 is amended as follows:

16.16.010 - Sketch Plan Requirements.

A. Purpose

All subdivisions of a single lot into more than five (5) lots or condominium units shall be deemed a major subdivision per 16.04.020. Any major subdivision proposal shall require a 3- step subdivision plat review: sketch, preliminary, and final. An Applicant may receive an exemption of the sketch plan at the discretion of the Town Administrator. Otherwise the sketch plan application will be reviewed by both the Planning Commission and Council. The purpose is to ensure: compliance with Town Code, provisions for utilities and infrastructure, and substantial conformance with the Comprehensive Plan. No formal approval decisions are made at the sketch phase. In instances of combined PUD/Subdivision development applications, the sketch plans for both shall be processed concurrently pursuant to 17.100.030. Application content from each phase of the land use application process shall be posted on the Town website.

B. Pre-Application Meeting

A pre-application meeting will be conducted by the Town Administrator or by designated town staff at least seven (7) days after written request and all relevant review materials for the meeting are received. Additional review materials may be requested at the discretion of the Administrator. Pre-application meetings are non-binding for both applicant and Town and is a chance for the applicant to receive initial feedback about any obvious issues related to the comprehensive plan, zoning standards, application requirements, or the approval process. An additional pre-application meeting may be required by the Administrator if a complete sketch plan application is not submitted within six months. Exemptions of the pre-application meeting are made solely at the discretion of the Town Administrator.

C. Submittal Requirements

The sketch plan application shall indicate no less than the following components:

1. Estimated number of residents
2. Water & sewer loads
3. Size of site;
4. Lot Sizes;
5. Density;
6. Approved & Proposed land uses;
7. Location of proposed public and semi-public uses (dedicated and otherwise).
8. Open Space, Trails, and/or Parks;
9. Site Plan showing approximate lot lines (when combined with PUD sketch plan)

D. Completeness Determination

The sketch plan will be assessed for completeness within fourteen (14) days of submission. An application is deemed complete once all fees, signed documentation, and necessary review materials from section A are submitted. If the application is determined to be incomplete, the applicant will be notified of any deficiencies. The application process will not continue until these deficiencies are corrected.

E. Review Process

The Applicant will be scheduled with the Planning Commission on the first available meeting date at least fifteen (15) days after the date that the sketch plan application is determined to be complete. The Town Administrator shall determine the number of copies to be submitted. The Planning Commission shall make a recommendation to on the sketch plan to Town Council. At the next regularly scheduled meeting of the town council after the Planning Commission's review, the sketch plan shall be presented with all recommendations of the Planning Commission. Council may instruct the Applicant to proceed with the submittal of the preliminary plat to the Planning Commission or may suggest to the Applicant changes in the sketch plan prior to referral to the planning commission.

F. Community Open House

At the conclusion of the sketch plan phase, and prior to preliminary application, the Applicant will conduct a Community Open House. The Open House is an occasion for a developer to share the project directly with residents and stakeholders. Feedback from attendees should be expected.

(Ord. 2005-9 § 2 (part))

5. Current code for 17.100.040

17.100.040 – Sketch plan

~~Before a preliminary application can be filed, the applicant must review the sketch plan with the planner. The sketch plan shall consist of the following information:~~

~~Lot Size~~

- ~~A. Map of the proposed area;~~
- ~~B. Size of site;~~
- ~~C. Proposed land uses;~~
- ~~D. Water and sewer line location maps with anticipated connection sites;~~
- ~~E. Location of proposed public and semi-public uses (dedicated and otherwise).~~

~~(Prior code § 13-10-040)~~

6. 17.100.040 is amended as follows:

17.100.040 - Sketch Plan Requirements.

A. Purpose

The PUD development plan shall require a 3-step approval process: sketch, preliminary, and final. An Applicant may receive an exemption on the sketch plan at the discretion of the Town Administrator. Otherwise the sketch plan application will be reviewed by both the Planning Commission and Council. The purpose of the sketch plan is to offer nonbinding feedback to the Applicant regarding compliance with Codes and the Comprehensive Plan before significant expenses are incurred. No formal approval decisions are made on the application, however, recommendations, endorsements, or criticisms based on the application approval criteria can be expected. In instances of combined PUD/Subdivision development applications the sketch plans for both shall be processed concurrently pursuant to 17.100.030. Application content from each phase of the land use application process shall be posted on the Town website.

B. Pre-Application Meeting

A pre-application meeting will be conducted by the Town Administrator or by designated town staff at least seven (7) days after written request and all relevant review materials for the meeting are received. Additional review materials may be requested at the discretion of the Administrator. Pre-application meetings are non-binding for both applicant and Town and is a chance for the applicant to receive initial feedback about any obvious issues related to the comprehensive plan, zoning standards, application requirements, or the approval process. An additional pre-application meeting may be required by the Administrator if a complete sketch plan application is not submitted within six months. Exemptions of the pre-application meeting are made solely at the discretion of the Town Administrator.

C The sketch plan application should address at least the follow components:

1. Site Plan;
2. Size of site;
3. Lot Size;
4. Density;
5. Proposed land uses;
6. Water and sewer line location maps with anticipated connection sites;
7. Location of proposed public and semi-public uses (dedicated and otherwise).
8. Open Space, Trails, and/or Parks;
9. View Plains;
10. Floor Plans;
11. A letter which addresses how the development will serves the Town of New Castle;

D. Completeness Determination

The sketch plan will be assessed for completeness within fourteen (14) days of submission. An application is deemed complete once all fees, signed documentation, and necessary review materials from section A are submitted. If the application is determined to be incomplete, the applicant will be notified of any deficiencies. The application process will not continue until these deficiencies are corrected.

E. Review Process

The Applicant will be scheduled with the Planning Commission on the first available meeting date at least fifteen (15) days after the date that the sketch plan application is determined to be complete. The Town Administrator shall determine the number of copies to be submitted. The Planning Commission shall make a recommendation to on the sketch plan to Town Council. At the next regularly scheduled meeting of the town council after the Planning Commission's review, the sketch plan shall be presented with all recommendations of the Planning Commission. Council may instruct the Applicant to proceed with the submittal of the preliminary plat to the Planning Commission or may suggest to the Applicant changes in the sketch plan prior to referral to the planning commission.

F. Community Open House

At the conclusion of the sketch plan phase, and prior to preliminary application, the Applicant will conduct a Community Open House. The Open House is an occasion for a developer to share the project directly with residents and stakeholders. Feedback from attendees should be expected.

~~(Prior code § 13-10-040)~~

7. Effective Date. This Ordinance shall be effective fourteen days after final publication pursuant to section 4.3 of the Town Charter.

INTRODUCED on August 18, 2015, at which time copies were available to the Council and to those persons in attendance at the meeting, read by title, passed on first reading, and ordered published in full and posted in at least two public places within the Town as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the Town of New Castle, Colorado on September 1, 2015, read by title and number, passed without amendment, approved, and ordered published as required by the Charter.

TOWN OF NEW CASTLE, COLORADO

By: _____
Art Riddle, Mayor

ATTEST:

Melody Harrison, Town Clerk