



TOWN COUNCIL WORK SESSION & MEETING

Zoom Webinar and Town Council Chamber
3 S. Timber Ridge Parkway, Severance, CO 80550

AGENDA

TOWN COUNCIL WORK SESSION & MEETING 2022-09

Tuesday, May 10, 2022, at 6:00 PM

A. CALL TO ORDER WORK SESSION

The Goal of the Work Session is to have the Town Council receive information on topics of Town business from the Town Manager, Town Attorney and Town Staff in order to exchange ideas and opinions regarding these topics.

1. Pledge of Allegiance

2. Proposed Noise Ordinance

- Discussion
- Staff Presentation: Jim Gerdeman, Chief of Police

B. CALL TO ORDER REGULAR MEETING

1. Roll Call

2. Agenda Review by Town Manager

3. Consent Calendar

The Consent Calendar is intended to allow the Town Council to spend time and energy on the important items and not routine actions. A Council Member may request an item on this calendar to be "pulled" off the Consent Calendar and considered separately as a regular agenda item. Items remaining on the Consent Calendar will be approved by Town Council with one vote.

- a. 4.26.22 Minutes - 2022-08

4. Approval of Agenda

5. Public Comment

The purpose of the Public Comment is for members of the public to speak to the Town Council on any subject not scheduled on the agenda. To accomplish scheduled agenda items, comments should be limited to three minutes for those attending in person or an appropriate time as deemed by the Mayor. The Town Council is not obligated to make decisions or take action on comments but may choose to schedule the matter for a later discussion. Those addressing the Town Council, please state your name and address.

6. Communications

Council approval may be sought for administrative actions in association with staff reports.

- a. Town Attorney
- b. Town Staff
- c. Town Management
- d. Town Commission Members
- e. Mayor

C. PROCLAMATION

1. Public Works Week

2. Law Enforcement Week

D. EXECUTIVE SESSION

1. ***Pursuant to Section 24-6-402(4)(b) of the Colorado Revised Statutes to confer with the Town Attorney for the purpose of receiving legal advice on specific legal questions regarding integrated water resource planning actions within the boundaries of the Town Water Utility Enterprise service area.***

E. TOWN COUNCIL

1. Ordinance 2022-11: Ordinance Regarding Suspension on the Community Development Department's Acceptance and Processing of Certain New Land Use Applications for Residential Development on Land Within the Boundaries of the Town of Severance Water Utility Enterprise (Second Reading)

- Legislative
- Staff Presentation: Keith Martin, Town Attorney

2. Vacant Council Member Seat Interviews & Appointment

- Legislative
- Staff Presentation: Nicholas Wharton, Town Manager

3. Severance Safebuilt Scholarship Program 2022

- Discussion
- Staff Presentation: Lindsay Radcliff, Deputy Town Manager

4. Alternate Planning Commissioner Removal from Office

- Legislative
- Staff Presentation: Nicholas Wharton, Town Manager

5. Land Use Code: Parking Requirements

- Legislative
- Staff Presentation: Abdul Barzak, Town Planner

6. Land Use Code: Lighting Requirements

- Legislative
- Staff Presentation: Abdul Barzak, Town Planner

7. Land Use Code: Commercial Design Requirements

- Legislative
- Staff Presentation: Abdul Barzak, Town Planner

F. COUNCIL MEMBER PETITIONS

Council Members may ask for items to be added to future agendas.

G. ADJOURN

Town Council MEETING

Tuesday, May 10, 2022, 6:00 PM (MDT)

Registration URL

https://us02web.zoom.us/webinar/register/WN_GSL5tq02RNOARXxagWeWpA



AGENDA ITEM SUMMARY

AGENDA ITEM	SUBMITTED BY	PRESENTED BY
Proposed Noise Ordinance	Jim Gerdeman, Chief of Police	Jim Gerdeman, Chief of Police
ACTION REQUESTED		
The Police Chief and Management ask that the Town Council review and discuss the proposed Noise Ordinance and provide any changes they deem necessary.		<u>Discussion</u>
BRIEF SUMMARY		
Open for Discussion with Town Council		
PUBLIC SUPPORT/CONCERN		
None at this time.		
ANALYSIS AND RECOMMENDATION		
Management and Staff recommend that the Town Council provide any changes they deem necessary, and if appropriate, Management will bring this Ordinance to Town Council at the next available meeting.		
MATERIALS SUBMITTED		
The following materials were submitted and included in this packet:		
1. Draft Ord Town of Severance Unreasonable Noise - O042922		

**TOWN OF SEVERANCE
ORDINANCE NO. 2022-XX**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SEVERANCE,
COLORADO, AMENDING CHAPTER 7 OF THE SEVERANCE MUNICIPAL CODE
BY THE ADDITION OF A NEW ARTICLE 7, ENTITLED “NOISE”**

WHEREAS, the Town Council finds that noise is a major source of environmental pollution, which represents a threat to the serenity and quality of life to the community; and

WHEREAS, unreasonable noise often has an adverse physiological and psychological effect on human beings, thus contributing to an economic loss to the community; and

WHEREAS, the Town Council has determined that the Town lacks adequate regulations and standards regarding unreasonable noise; and

WHEREAS, this ordinance is enacted pursuant to the Town of Severance’s home rule authority under Article XX, § 6 of the Constitution of the State of Colorado, and pursuant to the Town of Severance’s police powers, in order to safeguard and preserve the public health, safety and welfare of the community.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE
TOWN OF SEVERANCE, COLORADO:**

Section 1. Chapter 7, “Health, Sanitation, and Animals,” of the Severance Municipal Code is hereby amended by the addition of a new Article 7, entitled “Noise,” to read as follows:

ARTICLE 7 - NOISE

Sec. 7-7-10. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Amplified outdoor music means the use of musical instruments or sound equipment to produce or amplify sound that is not fully enclosed by permanent, solid walls, and a roof.

db(A) means sound levels in decibels measured on the “A” scale of a standard sound level meter having characteristics defined by the American national standards institute, publication S1. 4 – 1971.

Decibel is a unit used to express the magnitude of a change in sound level. The difference in decibels between two sound pressure levels is twenty times the common logarithm of their ratio. In sound pressure measurements sound levels are defined as twenty times the common logarithm of the ratio of that sound pressure level to a reference level of 2×10^{-5} N/m² (Newton’s/meter squared). As an example of the effect of the formula, a three-decibel change is a one hundred

percent increase or decrease in the sound level, and a ten-decibel change is a one thousand percent increase or decrease in the sound level

Domestic power equipment means any power equipment rated five horsepower or less used for home or building repair or grounds maintenance, including but not limited to lawn mowers, garden tools, snow blowers and chain saws.

Engine compression brake device means any device which, when activated, impedes or retards a motor vehicle's forward motion through compression of air in the engine's cylinder to provide braking power, which device is also known as a "brake retarder."

Muffler means an apparatus consisting of a series of chambers or baffle plates designated for the purpose of transmitting gases while reducing sound emanating from such apparatus.

Neighborhood services officer means any person empowered by the Town of Severance to enforce the provisions of this chapter, including peace officers, as defined in C.R.S. §§ 18-3-201(2) and 30-15-105, personnel of the Severance Police Department, or any employee of the town designated or authorized by the town manager or by the town manager's authorized representative.

Sound equipment means a loudspeaker, public address system, amplification system, or other sound producing device.

Unreasonable noise shall mean any sound of such level, intensity or duration as may or tends to be injurious to human health or welfare, or that unreasonably interferes with the enjoyment of life or property, or causes damage to any property, but excludes all aspects of the employer-employee relationship; concerning health and safety hazards within the confines of a place of employment.

Vehicle means any machine propelled by power other than human power, designed to travel along the ground by use of wheels, treads, runners or slides to transport persons or property or pull machinery and includes, without limitation, automobile, airplane, truck, trailer, motorcycle, motor scooter, tractor, buggy and wagon.

Sec. 7-7-20. Noise prohibited.

- (a) It is unlawful for any person to make, cause to be made, or to permit any unreasonable noise upon any premises or within any vehicle owned, possessed or operated or controlled by such person.
- (b) Neighborhood services officers, may, in the determination of a violation of subsection (a) above, consider factors that include, but, are not limited to:
 - (1) The time of day;
 - (2) The size of any gathering of persons creating or contributing to the noise;

- (3) The underlying zone district in which the source of sound is located;
 - (4) The presence or absence of noise amplification equipment;
 - (5) Whether the officer witnesses the activity or source of the sound;
 - (6) The number of witnesses reporting or complaining about the sound; and
 - (7) Any other factors tending to show the magnitude, intensity, loudness, or disruptive effect of the noise.
- (c) With regard to sound from activities conducted upon, or other sources located, within private property, the determination of unreasonable noise, in addition to the previously stated factors shall include, but not be limited to:
- (1) The sound from a source on private property used or developed for commercial, retail or service land uses, having been measured at a distance of at least twenty-five feet from the property line, exceeded the following decibel levels for the following time periods:
 - a. 60 db(A) from 7:00 a.m. until 7:00 p.m. of the same day; or
 - b. 55 db(A) from 7:00 p.m. until 7:00 a.m. of the following weekday and until 8:00 a.m. of the following weekend (Saturday and Sunday) day.
 - (2) The sound from a source on private property used or developed for light industrial land uses, having been measured at a distance of at least twenty-five feet from the property line, exceeded the following decibel levels for the following time periods:
 - a. 70 db(A) from 7:00 a.m. until 7:00 p.m. of the same day; or
 - b. 65 db(A) from 7:00 p.m. until 7:00 a.m. of the following weekday and until 8:00 a.m. of the following weekend (Saturday and Sunday) day.
 - (3) The sound from a source on private property used or developed for heavy industrial land uses, having been measured at a distance of at least twenty-five feet from the property line, exceeded the following decibel levels for the following time periods:
 - a. 80 db(A) from 7:00 a.m. until 7:00 p.m. of the same day
 - b. 75 db(A) from 7:00 p.m. until 7:00 a.m. of the following weekday and until 8:00 a.m. of the following weekend (Saturday and Sunday) day.
- (d) With regard to vehicles, the determination of unreasonable noise, in addition to the previously stated factors shall include, but not be limited to:

- (1) The continuous or repeated sounding of any horn, alarm or signal device of a vehicle, except where an actual emergency or danger exists. For the purposes of this subsection, "continuous" shall mean continuing for an unnecessary or unreasonable period of time.
 - (2) The operation of any vehicle in a manner which causes unreasonable noise as a result of unnecessary rapid acceleration, deceleration, revving the engine or tire squeal.
- (e) All sound measurements shall be made on a sound level meter that meets ANSI specification S1.4-1974 for Type I and Type II equipment. The manufacturer's published indication of compliance with such specifications is prima facie evidence of compliance with this Subsection.
- (f) For noise disturbances that are not witnessed by a neighborhood services officer, complaints by at least two (2) disinterested witnesses are required to issue a summons and citation under this section, but are not required to prove that a person violated this section.

Sec. 7-7-30. Exceptions.

The prohibitions set forth in subsection 7-7-20(a) shall not apply to sound from:

- (1) Any bell or chime from any building clock, school or church;
- (2) Any siren, whistle, or bell lawfully used by emergency vehicles or any other alarm system used in case of fire, collision, civil defense, police activity or other imminent danger; provided however, that burglar alarms not terminated within 20 minutes after being activated shall not be excepted;
- (3) Aircraft which are operated in accordance with federal laws or regulations;
- (4) Town authorized or sponsored events including, but not limited to, parades and fireworks displays;
- (5) Any domestic power equipment, except as provided within this sub-section, operated upon any residential, commercial, industrial or public place between 7:00 a.m. and 7:00 p.m.
- (6) Any lawful construction, maintenance, or repair activities in residentially zoned areas between 7:00 a.m. and 7:00 p.m.
- (7) Activities directly connected with the abatement of an emergency.
- (8) Noise from public; street, sidewalk, curb and gutter projects, utility work, education projects, environmental remediation, nuisance abatement and redevelopment projects.

- (9) Noise from snow blowers, snow throwers and snow plows when operated with a muffler for the purpose of snow removal.
- (10) Noise from golf course maintenance equipment.
- (11) Noise from authorized public school, parks and recreation district activities between the hours of 6:00 am. to 11:00 pm.
- (12) Noise from railroad operation.

Sec. 7-7-40. Exhaust, mufflers.

No person shall discharge the exhaust of any steam engine, internal combustion engine, air compressor equipment, motorboat, or other power device which is not equipped with a properly maintained exhaust system with a muffler or a spark arrestor. It is unlawful for any person to operate a muffler or exhaust using a cutout, bypass or other similar device.

Sec. 7-7-50. Use of sirens and red lights restricted.

It is unlawful for any person to carry or use upon any vehicle other than police, fire department or emergency vehicles, any gong, siren, whistle or red light similar to that used on police, fire department or emergency vehicles.

Sec. 7-7-60. Use of air compression brakes prohibited.

It is unlawful and shall constitute a nuisance for the operator of a motor vehicle equipped with an engine compression brake device to use such device while operating the vehicle within the town.

Section 2. 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 Town Council hereby declares it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 4. This ordinance is deemed necessary for the immediate protection of the health, welfare and safety of the community.

Section 5. Violations of this ordinance shall be punishable in accordance with Section 1-4-20 of the Severance Municipal Code.

INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED IN FULL this 10th day of May, 2022.

TOWN OF SEVERANCE, COLORADO

Matthew Fries, Mayor

ATTEST:

Leah Vanarsdall, MMC, Town Clerk

APPROVED AS TO FORM:

Hayashi & Macsalka, LLC, Town Attorney

DRAFT



TOWN COUNCIL MEETING
Zoom Webinar and Town Council Chamber
3 S. Timber Ridge Parkway, Severance, CO

MINUTES
REGULAR MEETING 2022-08
Tuesday, April 26, 2022
6:00 p.m.

Present:

Mayor:

Matthew Fries

Mayor Pro-tem:

Stephen Gagliardi

Council Members:

Frank Baszler
Dennis'Zeke'Kane
Michelle Duda
Tad Stout
Vacancy

Absent:

Audience: Kurt Wolf/JeAnn Soren, Jessie/Milnor Herrera, Mark Randolph, Dan/Lynn Meyers, Bobbi Haas, Dan Collins & Larry Buckendorf

Staff:

Nicholas Wharton, Town Manager
Leah Vanarsdall, Town Clerk
Nancy Mueller CPA, Finance Director
Abdul Barzak, Town Planner
Keith Martin, Town Attorney
Jim Gerdeman, Police Chief

A. CALL TO ORDER WORK SESSION

1. Pledge of Allegiance

2. Policy Regarding Electronic Participation for Town Council Meetings

- Discussion
- Staff Presentation: Nicholas Wharton

B. CALL TO ORDER REGULAR MEETING

1. Roll Call - 6:18 pm

2. Agenda Review: Town Manager

3. Consent Calendar

- A. Minutes- April 12, 2022 2022-07**
- B. March Payables**
- C. March Financials**

MOTION WAS MADE BY COUNCIL MEMBER BASZLER, second by Mayor Pro-tem Gagliardi to approve the Consent Calendar, All Council Members present voting Yes,

MOTION PASSED

4. Approval of Agenda

MOTION WAS MADE BY COUNCIL MEMBER BASZLER, second by Mayor Pro-tem Gagliardi to approve the Agenda as presented. All Council Members present voting Yes,

MOTION PASSED

5. Public Comment: Open: 6:20 pm - Closed: 6:23 pm

- Bobbi Haas-309 3rd St

6. COMMUNICATIONS

- Town Attorney
- Town Staff
- Town Management

MOTION WAS MADE BY COUNCIL MEMBER DUDA, second by Council Member Baszler to remove Planning Commission Alternate, Justin Swartz for non-attendance.

YEAS: Duda,Baszler,Fries, 3

NAYS: Stout,Kane,Gagliardi 3

MOTION DOES NOT PASS

This issue will be brought back as an Agenda Item for the May 10th meeting

- Town Commission Members
- Mayor

C. TOWN COUNCIL

1. Special Use Review - 519 Lowland St - Applicant Joe Hager Presents

- Legislative Action
- Staff Presentation: Abdul Barzak, Town Planner
- Public Comment:
- Kurt Wolf-167 Rosedale St, Brandon Swope-522 Rowland St, Dan Collins-401 Audubon, JeAnn Soren-167 Rosedale St, Milnor Herrera-919 Ponderosa Dr. Chief Gerdeman spoke re: bi-annual inspections will be implemented for these types of businesses.

MOTION WAS MADE BY COUNCIL MEMBER BASZLER, second by Council Member Kane to approve the Special Use for 519 Lowland St with conditions of obtaining temp Business/Sales Tax License for the Town and pay associated fees valid for 60 days and obtain all required Federal Licenses and provides the Town a copy. All Council Members present voting Yes,

MOTION PASSED

2. Resolution 2022-21R: Fee Schedule Amendment to Include Oversize/Overweight Permits

- Legislative Action
- Staff Presentation: Abdul Barzak, Town Planner

MOTION WAS MADE BY COUNCIL MEMBER BAZLER, second by Mayor Pro-tem Gagliardi to approve Resolution 2022-21R: Fee Schedule Amendment to Include Oversize/Overweight Permits. All Council Members present voting Yes,

MOTION PASSED

Council Member Stout recuses himself at 7:19 pm

3. Ordinance 2022-11: Ordinance Regarding Suspension on the Community Development Department's Acceptance and Processing of Certain New Land Use Applications for Residential Development on Land Within the Boundaries of the Town of Severance Water Utility Enterprise

- Legislative Action
- Staff Presentation: Keith Martin, Town Attorney
- Public Comment: Larry Buckendorf-Journey Homes, Bobbi Haas-309 3rd St

COUNCIL MEMBER BASZLER requests this item to be brought back at the next meeting for second reading.

Council Member Stout returns at 8:02 pm

4. 209 1st St Building and Downtown Discussion

- Discussion
- Staff Presentation: Nicholas Wharton, Town Manager
- Public Comment: Mark Randolph-312 1st St

D. COUNCIL MEMBER PETITIONS

E. EXECUTIVE SESSION

Pursuant to C.R.S. Section 24-6-402(4)(e) for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategies for negotiations, and instructing negotiators with respect to a land purchase.

Executive Session was canceled

F. ADJOURN – 8:55 pm

TOWN OF SEVERANCE

Matthew Fries, Mayor

ATTEST:

Leah Vanarsdall, MMC, Town Clerk



**TOWN OF SEVERANCE
PROCLAMATION**

**PUBLIC WORKS WEEK
MAY 15 – MAY 21, 2022**

WHEREAS, Public Works services provided in our community are an integral part of our citizens' everyday lives; and

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of Public Works systems and programs such as water, sewers, streets and highways, public buildings, and snow removal; and

WHEREAS, the health, safety, and comfort of this community greatly depend on these facilities and services; and

WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design and construction, are vitally dependent upon the efforts and skill of Public Works officials; and

WHEREAS, the efficiency of the qualified and dedicated personnel who staff Public Works departments is materially influenced by the community's knowledge and understanding of the importance of the work they perform; and

NOW, THEREFORE, the Town Council of the Town of Severance, State of Colorado, urges our citizens to acquaint themselves with what is involved in providing our Public Works services and to recognize the contributions which Public Works staff members make every day to our health, safety, comfort, and quality of life.

**IN WITNESS WHEREOF, I have hereto set my hand
and caused the seal of the Town of Severance, Colorado
to be affixed the Tenth Day of May, 2022**

Matthew Fries, Mayor



2022 Police Week

Proclamation

WHEREAS, the Congress and the President of the United States have designated May 15 as Peace Officers Memorial Day, and the week in which it falls as Police Week; and

WHEREAS, the International Association of Chiefs of Police has declared law enforcement officer safety and wellness a top priority, and the IACP's Center for Officer Safety and Wellness promotes the importance of individual, agency, family and community safety and wellness awareness; and

WHEREAS, the members of the Severance Police Department play an essential role in safeguarding the rights and freedoms of the citizens of the Town of Severance; and

WHEREAS, it is important that all citizens know and understand the problems, duties and responsibilities of their Police Department, and that members of our Police Department recognize their duty to serve the people by safeguarding life and property, by protecting them against violence or disorder, and by protecting the innocent against deception and the weak against oppression or intimidations; and

WHEREAS, the Severance Police Department has grown to be a modern and scientific law enforcement agency which unceasingly provides a vital public service;

NOW, THEREFORE, I Mayor Matthew Fries call upon all citizens of the Town of Severance and upon all patriotic, civil and educational organizations to observe the week of May 10-16, 2022 as Police Week with appropriate ceremonies in which all of our people may join in commemorating Police Officers, past and present, who by their faithful and loyal devotion to their responsibilities have rendered a dedicated service to their communities and, in doing so, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

I FURTHER call upon all citizens of the Town of Severance to remember May 15, 2022 as Peace Officers Memorial Day to honor those who, through their courageous deeds, have lost their lives or have become disabled in the performance of duty.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Town of Severance Colorado, this 12th day of May, 2022.

Matthew Fries, Mayor



AGENDA ITEM SUMMARY

AGENDA ITEM	SUBMITTED BY	PRESENTED BY
Ordinance 2022-11: Ordinance Regarding Suspension on the Community Development Department's Acceptance and Processing of Certain New Land Use Applications for Residential Development on Land Within the Boundaries of the Town of Severance Water Utility Enterprise (Second Reading)	Keith Martin, Town Attorney	Keith Martin, Town Attorney
ACTION REQUESTED		
Management and Legal ask the Town Council to discuss the proposed Ordinance 2022-11 regarding a suspension on the Community Development Department's acceptance and processing of certain new land use applications and take action: • Actions that may be taken: ○ Move to approve Ordinance 2022-11 ○ Take no action		<u>Ordinance</u>
BRIEF SUMMARY		
The current Water Service Agreement (inclusive of the 1st and 2nd Amendments thereto) between the Town and North Weld County Water District ("District") confers upon the Town's water utility enterprise the right to use and receive a defined daily peak demand capacity (or flow) of water based upon 1,040 plant investment taps amounting to 1,040 GPM ("Water Flow Requirement") for operation of the Town's potable water system. The current Water Flow Requirement is adequate to serve all existing customers and all approved projects within the boundaries of the Town's water utility enterprise service area. It is not, however, sufficient to meet anticipated maximum peak flow demands for any new residential projects within the Town's water enterprise service area that may receive future land use approvals. Moreover, unless and until the Town and the District execute a new water service agreement, the Town is unable to purchase any additional, new plant investment taps from the District under the terms of the current Water Service Agreement. This ordinance would direct the Community Development Department to halt the acceptance and processing of subdivision, zoning, use by additional review or site plan applications regarding prospective residential developments on land within the boundaries of the Town's water utility enterprise service area until December 31, 2022 to allow the Town and the District to negotiate and execute a new water service agreement that would provide for the future purchase of additional plant investment taps, and in the meantime prevent certain land use applications from going forward that, if ultimately approved before an agreement is in place, would entitle the creation of future residential dwellings without the		

availability of water service, posing a risk of eroding the overall operation of the Town's potable water system and the quality of service to be provided to customers of the Town's potable water utility enterprise.

PUBLIC SUPPORT/CONCERN

None at this time.

ANALYSIS AND RECOMMENDATION

Management recommends the Town Council move to approve Ordinance 2022-11.

MATERIALS SUBMITTED

The following materials were submitted and included in this packet:

1. C.3- Ord 2022-11-Development Land Use Applications Suspension
2. C.3- Ord 2022-11-Exhibit A

**TOWN OF SEVERANCE
ORDINANCE NO. 2022-11**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SEVERANCE,
COLORADO, REGARDING A SUSPENSION ON THE COMMUNITY
DEVELOPMENT DEPARTMENT'S ACCEPTANCE AND PROCESSING OF CERTAIN
NEW LAND USE APPLICATIONS FOR RESIDENTIAL DEVELOPMENT ON LAND
WITHIN THE BOUNDARIES OF THE TOWN OF SEVERANCE WATER UTILITY
ENTERPRISE**

WHEREAS, the Town of Severance Water Utility Enterprise ("Town") owns, maintains and operates a system for the storage and distribution of potable water ("Town System") to its residents and customers within the area described and depicted on **Exhibit A**, attached hereto ("Town Service Area"), utilizing the Town's own water supply that includes water resulting from existing water supplies, future water supply projects and existing and after-acquired water rights; and

WHEREAS, North Weld County Water District ("District") owns, maintains and operates a system for the treatment, storage and distribution of potable water ("District System") within Weld County; and

WHEREAS, the Town System, although separate and independent from the District's System, relies solely and exclusively upon the District System to treat and deliver the Town's water supply to the Town's System through two master meters ("Delivery Points"); and

WHEREAS, the Town does not presently own separate and independent water infrastructure or facilities capable of treating and delivering the Town's water supply to the Town System; and

WHEREAS, the District and the Town have entered into an Amended and Restated Water Service Agreement, dated March 9, 2019, as amended by that certain First Amendment to Amended and Restated Water Service Agreement, dated October 25, 2019, and as amended by that certain Second Amendment to Amended and Restated Water Service Agreement, dated April 12, 2022 (collectively, the "Water Service Agreement"), which outlines the rights, duties, and obligations of the District and Town regarding the Town's purchase of taps or plant investment taps from the District and the District's obligation to provide and deliver treated, potable water to the Town System up to the Delivery Points; and

WHEREAS, the Water Service Agreement confers upon the Town the right to use the District System upstream of the Delivery Points to treat and deliver to the Delivery Points a defined annual and daily peak demand capacity (or flow) of water based upon 1,040 plant investment taps ("Water Flow Requirement"), for the operation of the Town System downstream of the Delivery Points and, ultimately, the furnishing of potable water service by the Town to customers within the Town Service Area; and

WHEREAS, presently, the Town System serves approximately 2,595 existing single-family dwellings in the Town; and

WHEREAS, the Town anticipates permitting the construction of approximately 370 additional single-family dwellings for two fully-entitled existing residential developments located entirely within the Town Service Area; and

WHEREAS, the current Water Flow Requirement is capable of serving the 2,595 existing structures in the Town, and is capable of meeting the anticipated needs of new customer demand generated by the approximately 370 new single-family dwellings to be constructed over the course of the next two years; and

WHEREAS, the current Water Flow Requirement, however, would be insufficient to meet anticipated maximum peak flow demands for any new residential projects within the Town Service Area that may receive future land use approvals; and

WHEREAS, the Town and the District, in recognition of the deficiencies and limitations presently existing under the terms of the current Water Service Agreement, agreed as part of the Second Amendment to work in good-faith to negotiate and enter into a new water service agreement; and

WHEREAS, unless and until the Town and the District execute a new water service agreement, the Town is unable to purchase any additional, new plant investment taps from the District under the terms of the current Water Service Agreement; and

WHEREAS, without any additional plant investment taps immediately available for purchase from the District, the Town cannot deliver any amount of additional water to the Delivery Points above and beyond the current Water Flow Requirement now or in the foreseeable future, much less serve *new* residential development in the Town's Service Area (beyond what is already approved and entitled) at a level that would be adequate even to meet minimum health and safety standards and at the same time provide a level of service adequate to meet the needs of existing customers and of the new customers to be generated by residential developments already approved and entitled; and

WHEREAS, halting the acceptance and processing of certain new land use applications for new residential development on land within the Town Service Area is necessary to safeguard and preserve the public health, safety and welfare of the community, because allowing the creation of future residential dwellings within the Town Service Area without adequate water service available from the Town System, would render such dwellings uninhabitable, posing a serious health and safety hazard to their occupants; and

WHEREAS, suspending the acceptance and processing of certain new land use applications for new residential development on land within the Town Service Area is also necessary to protect existing service levels and the overall operation of the Town System, because the entitlement of any new residential development projects within the Town Service Area would pose an imminent risk of eroding the overall operation of the Town's potable water system and the quality of service to be provided to existing customers of the Town's System; and

WHEREAS, the duration of the moratorium imposed by this ordinance is reasonable in length and is no longer than is required to allow the Town to work with the District on negotiating, finalizing and executing a new water service agreement; and

WHEREAS, owners and developers of real property affected by this ordinance desiring to apply for land use approvals to entitle future residential development projects will not be unfairly prejudiced by the imposition of the short, temporary interruption proposed by this ordinance; and

WHEREAS, this ordinance is enacted pursuant to the Town of Severance's home rule authority under Article XX, § 6 of the Constitution of the State of Colorado, and pursuant to the Town of Severance's police powers, in order to safeguard and preserve the public health, safety and welfare of the community.

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

Section 1. Incorporation of recitals. The preceding recitals contained in the ordinance are hereby adopted and made a part of this ordinance and serve as findings of fact by the Town Council.

Section 2. Suspension of Development Review. The Community Development Department is directed not to accept, process, analyze, review or approve the following types of land use applications:

- (a) any *new* applications for subdivision approval for residential lots (of any size) on land or residential zoned property within the Town Service Area, including without limitation, concept plan, preliminary plat, final plat, replats, or minor plat approvals sought pursuant to Article IV, Chapter 16 of the Severance Land Use Code;
- (b) any *new* applications for subdivision approval for planned residential development projects or activities on land or residential zoned property within the Town Service Area, including without limitation, concept plan, preliminary plat, final plat, replats, or minor plat approvals sought pursuant to Article IV, Chapter 16 of the Severance Land Use Code;
- (c) any *new* applications for subdivision approval for mixed-use development projects proposing a residential use on land within the Town Service Area, including without limitation, concept plan, preliminary plat, final plat, replats, or minor plat approvals sought pursuant to Article IV, Chapter 16 of the Severance Land Use Code;
- (d) any *new* applications for site plans seeking development of multi-family dwellings or structures on land within the Town Service Area pursuant to Article V, Chapter 16 of the Severance Land Use Code
- (e) any *new* applications for site plans seeking development of residential accessory dwelling units on land or residential zoned property within the Town Service Area pursuant to Article V, Chapter 16 of the Severance Land Use Code;

- (f) any *new* applications for a major amendment to an existing, approved site plan proposing an expansion of a residential dwelling unit on land or residential zoned property within the Town Service Area or that would have the effect of increasing the gross square footage or net livable area pursuant to Section 16.5.10(c) of the Severance Land Use Code;
- (g) any *new* land use applications for any residential uses requiring additional review approval on land within the Town Service Area pursuant to Article V, Chapter 16 of the Severance Land Use Code;
- (h) any *new* applications for initial zoning of land within the Town Service Area to the Rural Residential or Suburban Perimeter zoning districts for all residential uses pursuant to Article III, Chapter 16 of the Severance Land Use Code; and
- (i) any *new* applications for rezoning of land within the Town Service Area seeking a change in use from an existing non-residential use to a residential use or to allow for a new residential use pursuant to Article III, Chapter 16 of the Severance Land Use Code.

Section 3. Duration. The suspension imposed on the Community Development Department in processing certain land use applications for proposed residential development in the Town Service Area through this ordinance shall commence as of the effective date of this ordinance, and shall expire on December 31, 2022, unless sooner repealed by the Town Council.

Section 4. Exclusions. The Community Development Department shall continue to accept, process, analyze, review or approve the following:

- (a) any application for a residential subdivision or residential development project or activity on land within the Town Service Area that has received final plat or final site plan approval prior to or at the time of passage of this ordinance, so long as such subdivision or development project is confined to the limits, provisions, and conditions of its respective existing Town approvals;
- (b) any application for a phase or filing of a phased residential subdivision or residential development project or activity on land within the Town Service Area that has received final plat or final site plan approval prior to or at the time of passage of this ordinance, so long as such phase or filing is confined to the limits, provisions, and conditions of their respective existing Town approvals;
- (c) any application for a mixed-use subdivision or development project or activity involving a residential use on land within the Town Service Area that has received final plat or final site plan approval prior to or at the time of passage of this ordinance, so long as such subdivision or development project is confined to the limits, provisions, and conditions of its respective existing Town approvals;
- (d) any application for a phase or filing of a phased mixed-use subdivision or development project or activity involving a residential use on land within the Town Service Area that has received final plat or final site plan approval prior to or at the

time of passage of this ordinance, so long as such phase or filing is confined to the limits, provisions, and conditions of their respective existing Town approvals;

- (e) any application for a development, as that term is defined in Section 16.7.10 of the Severance Land Use Code, on land within the Town Service Area submitted on or before the effective date of this ordinance and deemed complete by Town staff, including payment of all development review fees, or currently being processed by the Community Development Department;
- (f) any application for a minor variation to existing, approved site plan pursuant to Section 16.5.10(c) of the Severance Land Use Code;
- (g) building permit applications for any approved development projects or activities on land within the Town Service Area;
- (h) building permit applications for demolition or repair of uninhabitable residential structures on land within the Town Service Area; or
- (i) any application for a development project or activity on land within the Town Service Area that has received or is otherwise eligible to receive a building permit on or at any time after the effective date of this ordinance.

Section 5. Special exceptions. The Town Council shall have the power to grant a special exception to the suspension established in Section 2 of this ordinance, and to order the acceptance and processing of applications that would otherwise be prohibited by this ordinance, if the following conditions are met to the sole satisfaction and discretion of the Town Council:

- (a) A written application for the special exception must be submitted to the Town Clerk, indicating the specific nature of the project proposed, the specific application sought to be submitted, and the land use approval or request sought to be obtained, and stating with particularity the circumstances of the undue, substantial hardship that the applicant will suffer if a special exception is not granted.
- (b) Within 30 days of the Town Clerk's receipt of written application for a special exception, the Town Council shall hold a public hearing on the application for a special exception. Notice shall be given by mail to the owner of the property and applicant, or its agent, at least seven (7) days in advance of the public hearing. Notice of such hearing shall be posted on the property and shall be published in a newspaper of general circulation within the Town of Severance at least seven (7) days prior to the public hearing.
- (c) The Town Council may grant a special exception if it finds all of the following:
 - (i) The acceptance and processing of the subdivision, zoning, use by additional review or site plan application is necessary to: (1) prevent undue, substantial hardship for the applicant, or (2) to allow beneficial use of property that has no adverse impact on the public health, safety, or welfare of the community and such use will not endanger the overall operation of the Town's potable

water system and the quality of service to be provided to existing customers of the Town's System; and

- (ii) The acceptance and processing of the subdivision, zoning, use by additional review or site plan application will not affect the public interest in, or the purpose and reasons for, postponing the processing and review of any such application
- (d) The acceptance and processing of any subdivision, zoning, use by additional review or site plan application pursuant to a special exception granted by the Town Council shall be in accordance with all of the ordinances and regulations of the Town of Severance as if the suspension were not in effect.

Section 6. The provisions of this ordinance and the moratorium imposed hereby shall not affect or otherwise prohibit the acceptance and processing of land use applications for uses and development proposals outside of the specific scope defined herein.

Section 7. 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 Town Council hereby declares it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 8. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 9. This ordinance is deemed necessary for the immediate protection of the health, welfare and safety of the community.

INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED IN FULL this 26th day of April, 2022.

TOWN OF SEVERANCE, COLORADO

Matthew Fries, Mayor

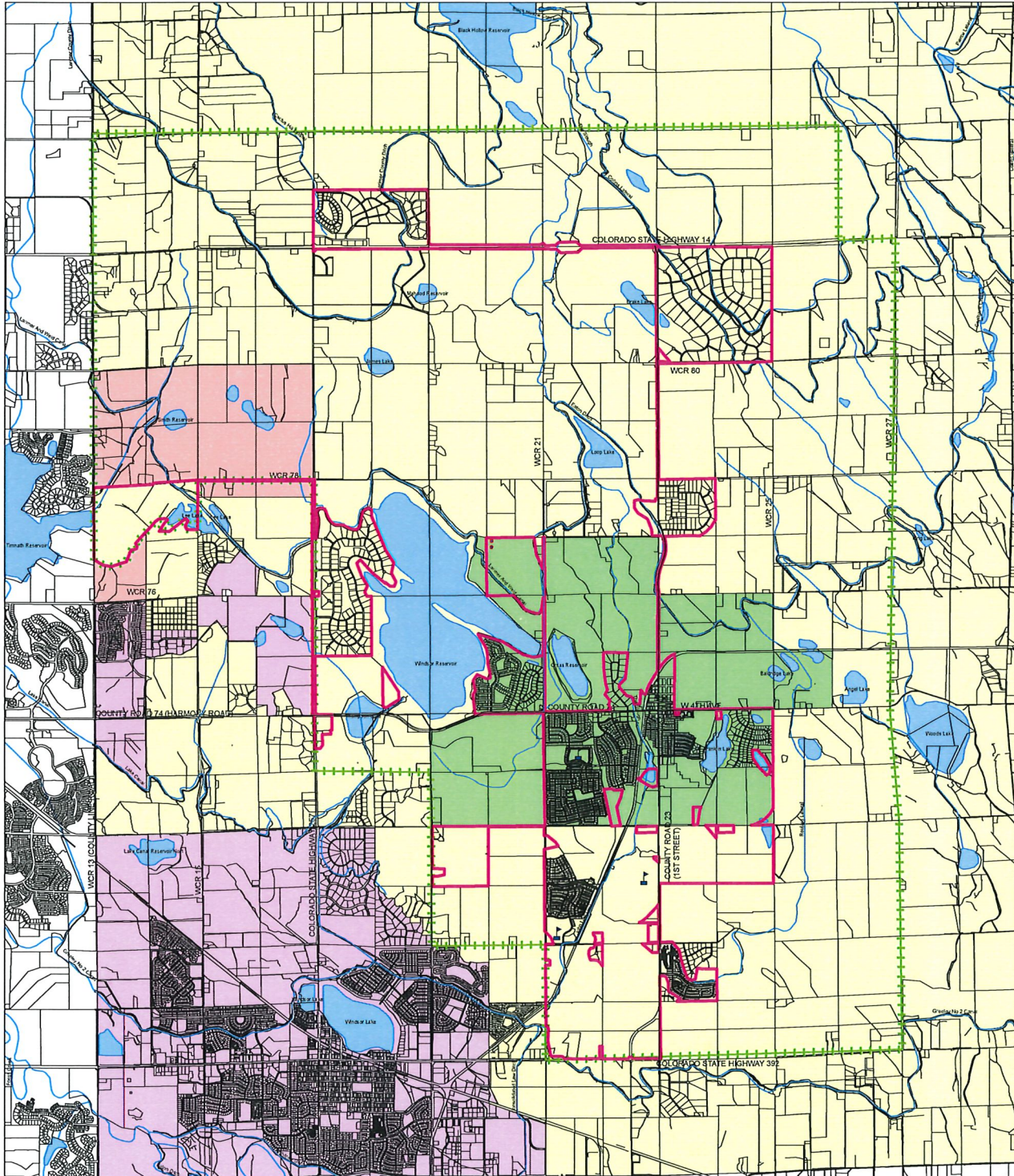
ATTEST:

Leah Vanarsdall, MMC, Town Clerk

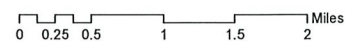
APPROVED AS TO FORM:

Hayashi & Macsalka, LLC, Town Attorney

WATER DISTRICTS MAP



UPDATED July 13, 2017





AGENDA ITEM SUMMARY

AGENDA ITEM	SUBMITTED BY	PRESENTED BY
Vacant Council Member Seat Interviews & Appointment	Nicholas Wharton, Town Manager	Nicholas J. Wharton, MPA, ICMA-CM
ACTION REQUESTED		
Management asks that the Town Council interview the interested residents for the vacant council member seat and take action by appointing one (1) interested resident. • Actions that may be taken: ○ Move to appoint a Council Member by Verbal Vote ○ Take no action		<u>Discussion</u> <u>Action Requested</u>
BRIEF SUMMARY		
With the resignation of Council Member Florquist and acceptance by the Town Council, an announcement for a vacant council member seat has been posted. Town Management received five letters of interest for the vacant council member seat. However, one of these individuals has withdrawn their letter of interest, and one of these letters was a late entry. These interested residents have included a letter of interest and will be in attendance at the Town Council Meeting to give a brief introduction of who they are and answer questions regarding why they are interested in becoming a Council Member for the Town of Severance.		
PUBLIC SUPPORT/CONCERN		
None at this time.		
ANALYSIS AND RECOMMENDATION		
MATERIALS SUBMITTED		
The following materials were submitted and included in this packet: 1. Matt Gordon 2. Dan Meyers 3. Terence Hennessy 4. Dave Bruen (Late Submission)		

Nicholas Wharton
Town Manager
nwharton@townofseverance.org
3 S. Timber Ridge Pkwy., PO Box 339
Severance CO, 80550

Council Members and Mayor,

This letter is to inform you of my interest in being considered for the vacant Town Council seat. My experience includes an initial appointment to the Town of Severance Board, acting as Mayor Pro Tem and serving on several commissions such as the Metropolitan Planning Commission. Spending several years involved with the Colorado Municipal League demonstrates a willingness to continue to grow in my knowledge and understanding of laws and innerworkings of the duties of Municipal government.

I have lived in northern Colorado my entire life. The past 14 years my wife and I have lived and built our family here in Severance. Currently we have 2 of our 4 children in the Weld RE-4 school district. My career has been involved in the healthcare industry. For the past several years I have been operating as a Nursing Home Administrator. This has led to emergency management experience due to the pandemic, forest fires, and supply chain issues. This has led to strong acumen in fiscal management, operations, future planning, and quality assurance.

The position of Council Member requires dedication of time and energy which is well known to myself and family.

Having an extensive history of the Town of Severance operations, northern Colorado development, and current issues facing our beautiful town, I would be a strong asset to the Town Council. Please accept this as my intention for consideration to join in building the future of our great town.

If you have any questions, please feel free to let me know.

Thank you for your consideration!

Matt Gordon

409 Prairie Clover Way
Severance CO, 80550

Severance Mayor and Town Council

Attn: Nicholas Wharton, Town Manager

Severance Town Hall

3 S. Timber Ridge Pkwy.

P.O. Box 339

Severance, CO 80546

email at nwharton@townofseverance.org.

Mr. Mayor, Town Council and Mr. Wharton,

The purpose of this letter is to inform you of my interest in the recently vacated seat on the Severance Town Council. My name is Dan Meyers and I reside in the Town of Severance at 420 Harrow Street. I have been a resident of Severance for approximately 3.5 years. I am also older than 21 years of age.

In addition to my qualifications as a candidate, I am a retired scientist primarily in the pharmaceutical industry for approximately 35 years. I am married to my wife Lynn (who most importantly supports me writing this letter of interest). We have raised two young men who make me proud daily. We were originally from the east coast (New Jersey/Pennsylvania).

Instead of detailing my volunteer/community activity, I would just say that it started at around 17 years of age and continue until today. I started by driving and assisting EMT's on an ambulance squad, took leadership positions in sports and scouting while raising our children. I was an elected member of the Evesham Township Board of Education and was President and co-founder of our Community Association for 20 years.

Shortly after arriving in Severance, my wife and I ventured into the Town Hall to begin our understanding of our community. Shortly thereafter, an opportunity arose to sit on the Planning Commission. I was fortunate to have been selected as a member of the Planning Commission and have served for 3 years thus far and have been Vice Chair for the last two years. It has been very fulfilling and I am honored to be a member of the Planning Commission.

I have served on Severance Town committees including Home Rule Committee (elected) and Comprehensive Plan Committee. I assisted with promoting our Centennial year celebration.

I represent the Town of Severance on the Windsor-Severance Historical Society. We have been busy for the last few years promoting the history of our agricultural and social heritage. The group encourages education and provides many opportunities for residents to learn how we have developed and thrived here in Northern Colorado.

I am a member of the Tailholt Metropolitan District #3 Board. I have spent the last two years working with fellow members of the Metro to build and develop the Tailholt Community while maintaining and improving community amenities. The learning curve has been steep and at times difficult, however, we

have been able to move forward in a positive direction and have confidence in a bright future for the Tailholt community.

I know and respect the administrative management and professional staff of Severance as well as Mayor and Council members. I believe, if selected, that I would be able to seamlessly begin participation in discussion of town issues from day one of my Oath of Office. I do understand and have the time to be through in preparing by reading all material and adding input when necessary.

I have had a unique opportunity here in Severance, Colorado. I am in a place that I can have a real impact on the lives of the residents of this town. I have attended (in person or via Zoom) 99+% of all Council and Planning Commission meeting and have learned a lot about Northern Colorado and Weld County. I have a good understanding of the quality-of-life issues of our residents and will work to maintain and improve life here in Severance.

Thank you for your consideration,

Dan Meyers

Dan Meyers

420 Harrow Street, Severance, CO 80550

dan.meyers@townofseverance.com

From: [Terence Hennessy](#)
To: [Nicholas Wharton](#)
Subject: Vacant Town Council Member Seat
Date: Monday, May 2, 2022 1:56:28 PM



IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender teepee@h@yahoo.com

Dear Sir,

I am writing to express my interest in filling the vacant Town Council Member Seat. My name is Terence Hennessy and I and my wife of thirty nine years, Linnea, have lived in Severance for eight years. We reside at 39887 Ridge Park Dr in the Belmont Farms subdivision. We moved to Severance after my retirement from the Union Pacific Railroad where I had worked various management positions in various locations for forty five years. This is the third time that I have lived in Colorado, I was here in 1967-1968 when I was stationed at Ft Carson and again from 1979 to 1986 when my wife Linnea and I met when we were both working in Denver. I have reached a point in my life where I think that I have have the time and desire to serve the community where I live. I want to work to make the Town of Severance a desirable community to live.

Sincerely yours,
Terence Hennessy



Sent from my iPad

Begin forwarded message:

From: "Severance, CO" <cmsmailer@civicplus.com>
Date: April 14, 2022 at 3:42:57 PM MDT
To: teepee@h@yahoo.com
Subject: Vacant Town Council Member Seat
Reply-To: cmsmailer@civicplus.com

Vacant Town Council Member Seat

Vacant Town Council Member Seat

The Town of Severance is now accepting letters of interest for a vacant Town Council Member seat. To be considered for this appointment, a resident must be a citizen of the United States of America, a registered elector of the Town and eligible to vote, and a resident of the Town for a period of no less than twelve (12) consecutive months.

Letters of interest explaining your qualifications and interest in the vacant seat should be addressed to the Mayor and Town Council, Attn: Nicholas Wharton, Town Manager, and may either be sent to Severance Town Hall, 3 S. Timber Ridge Pkwy., P.O. Box 339, Severance, CO 80546, or via email at nwharton@townofseverance.org.

Letters of interest will be accepted until Monday, May 2, 2022, at 5:00 PM. The Town Council will appoint a Council Member at the May 10th Council Meeting and interested residents will be expected to attend this meeting, provide an introduction of themselves, and answer any questions the Town Council may have. This vacant seat will fulfil the open term through December 31, 2023. For further information please contact Nicholas Wharton, Town Manager, at 970-686-1218.

[Read more](#)

This is an automatic message from Severance, CO. Please do not reply to this message.

[You can unsubscribe here.](#)

From: [Dave Bruen](#)
To: [Nicholas Wharton](#)
Cc: [Lindsay Radcliff Coombes](#)
Subject: Town Council Vacancy
Date: Monday, May 2, 2022 5:26:59 PM

TO: The Mayor, Town Council, and Town Manager of Severance
FROM: David A. Bruen
RE: Town Council Vacancy

My name is Dave Bruen and I would like to be considered for appointment to the vacant seat on the Severance Town Council.

Satisfaction of Requirements: I'm a citizen of the United States of America, a registered elector of the Town, and have been a permanent resident of Severance since October of 2004.

I have been a self-employed business owner in Northern Colorado for thirty nine years. Over the past seven years, I have done extensive contract work with three small municipalities in the area (the Towns of Severance, Wellington, and Timnath).

Tasks have included, but not been limited to:

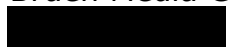
- Website development, content creation, and maintenance
- Community engagement
- Online, email, text, and direct mail communications
- Event planning
- Marketing and promotion

I served on the Severance Home Rule Charter Commission in 2020-2021, have attended and spoken at multiple Town Council meetings when I felt it was in the best interest of the community and residents. Am a member of the Severance Chamber of Commerce, make it a point to be at Town events and, in general, have stayed involved with the community. I've also been on our Settlers Landing HOA for fourteen of the seventeen plus years I've lived here, including holding the position of president for more than ten years.

I've witnessed a lot of changes in our community over the past seventeen years, I have an interest in helping to shape our town going forward, I believe that I am qualified to participate on the Town Council, and would appreciate your consideration as you vote to fill the open seat.

Sincerely,
Dave Bruen

David Bruen
Bruen Media Group


Bruen.com



AGENDA ITEM SUMMARY

AGENDA ITEM	SUBMITTED BY	PRESENTED BY
Severance Safebuilt Scholarship Program 2022	Lindsay Radcliff, Deputy Town Manager	Lindsay Radcliff-Coombes
ACTION REQUESTED		
No actions are requested at this time.		<u>Report</u>
BRIEF SUMMARY		
The 2022 Town of Severance and SAFEbuilt Scholarship Program recipients are Rachel Kovacik and Dalton Lesser. Between the Town of Severance and SAFEbuilt, each entity provides \$2000.00 annually for a total of \$4000.00 for up to four qualified recipients each year. Mr. Weber and Mrs. Radcliff-Coombes reviewed each of these applications and deemed them approved and awarded on behalf of each of the organizations. Both recipients will be at the meeting to receive their scholarships on May 24th.		
PUBLIC SUPPORT/CONCERN		
None at this time.		
ANALYSIS AND RECOMMENDATION		
No Recommendations.		
MATERIALS SUBMITTED		
The following materials were submitted and included in this packet: 3.1 SafeBuilt Scholarship1 3.2 SafeBuilt Scholarship2_Redacted		



Town of Severance & SAFEbuilt Scholarship

The Town of Severance has partnered with SAFEbuilt for our building department services to the community of Severance for the past twenty-seven (27) years. One of our core commitments is to give back to the communities we serve. By doing so, we are coming together to offer scholarships for up to four (4) seniors that share our commitment to safety and service within the Severance community.

The Scholarship:

The Town of Severance & SAFEbuilt Scholarship will recognize up to four (4) High School Seniors who live in Severance with a one-time scholarship of \$1000.00. The scholarship will be paid directly to the institution prior to the students' first term. Students will need to provide verification of acceptance.

Students will be asked to submit an essay of no more than 300 words explaining the most significant contribution they have made to the Severance community during their time here.

Review Committee:

The applications and essays will be reviewed by a four-person committee consisting of two Town of Severance employees and two SAFEbuilt employees. Their selection criteria will include:

- ✓ Quality and impact of essay
- ✓ Overall academic performance
- ✓ Involvement in community service

Important Dates:

The deadline for applications is **April 23, 2021**

Winners will be announced on **May 7, 2021**



Applicant Name: Dalton Lesser

Application Due: April 23, 2021

Section A: Contact Information

First Name: Dalton Last Name: Lesser
Address: 523 Prairie Clover Way
City, State, Zip: Severance, Colorado, 80550
Phone #: [REDACTED] e-mail: [REDACTED]

Section B: Education Information

Grade Point Average: 3.9

Education Institution you plan to attend in the Fall of 2021:

- 1) Grand Canyon University (Early Decision) (First Choice)
- 2) (Second Choice)

Intended Major(s): Bachelors of Science in Pre-Med Biology

Intended Career(s): Orthopedic Surgeon

Section C: Student Resume

School Involvement: List up to four school-related activities in which you have participated during high school.

Activity	Honors, Positions Held, Letters Earned	Dates of Involvement	Hours Per Month
Soccer	Team Captain, Lettered 3 times	2019-2021	50
Wrestling	Lettered once, varsity	2019	50
Graduation Committee	Helping to decide graduation details	2021-Present	4



Community Involvement: List up to four community activities in which you are or have been involved. Please provide a contact name and phone number to verify your involvement.

Activity	Organizational Contact	Positions Held	Dates of Involvement	Hours Per Month
Big Bones Rescue	Kelly- [REDACTED]	Fostered Dogs	Apr. 2021-Present	Varies/Full Time
Weld County Food Bank	[REDACTED] Brittny Smith	Food Bagger	11/2021-1/2022	6-8
Math Tutoring	[REDACTED]	Tutor	Sept. 2020-Dec. 2021	2

Awards and Honors: List up to four awards or honors you received during high schools and briefly describe their significance.

Award/Honor	Significance to You	Date Received
Excalibur Award	Shows that I have good team leadership skills	Spring 2021
Academic All State(x2)	Shows exceptional academic performance	Spring 2021/ October 2021
Homecoming King	Recognized as a leader by teachers and peers	September 2021
Honor Roll	Shows I exceed in my academics	2018-Present

Section D: Written Response

Please attach a written response of no longer than 300 words describing what you consider to be your most significant contribution to the community of Severance during your time here.

Section E: Student Statement

I certify the information provided in this application is, to the best of my knowledge, true and correct. I also certify that the written responses are a product of my own work and thoughts.

Signature: Dalton Lesser Dalton Lesser

Date: 1 / 15 / 2022

Please submit two (2) copies of this application for consideration to the Town of Severance at humanresource@townofseverance.org or drop off at Severance Town Hall: 3 S. Timber Ridge Parkway.

My biggest contribution to the Severance community has been my constant involvement in making decisions for Severance High School and being a leader in the school. As an 8th grader I was asked to help conduct the interviews for the first ever principal at Severance High School. I was also given the opportunity to contribute ideas for mascots, school colors, and the name. My involvement did not stop there though. I have continued throughout high school to contribute to form new traditions as a member of the inaugural class. I am a part of the graduation committee which makes all of the decisions for our graduation from the color of caps and gowns to what the invitations will look like. As a leader, I do my best to set an example for my peers by participating in community service, performing well academically, and being willing to help others. Not only have I been able to create new traditions and helped establish a new school, but I have also been able to help the students of our amazing community by being a good role model and helping them along their journey. I believe that I have made a lasting contribution to this community by establishing traditions and by helping to create a strong, positive, and safe school environment at Severance High School.



Applicant Name: Rachel Kovacik

Application Due: April 22, 2022

Section A: Contact Information

First Name: Rachel Last Name: Kovacik

Address: 1410 Red Fox Circle

City, State, Zip: Severance Colorado 80550

Phone #: [REDACTED] e-mail: [REDACTED]

Section B: Education Information

Grade Point Average: _____

Education Institution you plan to attend in the Fall of 2022:

1) Aims Community College (First Choice)

2) _____ (Second Choice)

Intended Major(s): Business marketing

Intended Career(s): _____

Section C: Student Resume

School Involvement: List up to four school-related activities in which you have participated during high school.

Activity	Honors, Positions Held, Letters Earned	Dates of Involvement	Hours Per Month
leadership	Class rep.	2019 - 2021	
football	Kicker; football letter	2021	
soccer	Captain	2022	



Community Involvement: List up to four community activities in which you are or have been involved. Please provide a contact name and phone number to verify your involvement.

Activity	Organizational Contact	Positions Held	Dates of Involvement	Hours Per Month
adventure camp	Church	Kids leader	2016-2021	
trash pick-up	Church	pick-uped trash	2019-2021	2 hrs / 2 month a year

Awards and Honors: List up to four awards or honors you received during high schools and briefly describe their significance.

Award/Honor	Significance to You	Date Received

Section D: Written Response

Please attach a written response of no longer than 300 words describing what you consider to be **your most significant contribution to the community of Severance during your time here.**

Section E: Student Statement

I certify the information provided in this application is, to the best of my knowledge, true and correct. I also certify that the written responses are a product of my own work and thoughts.

Signature: Rachel Kovacic

Date: 4 / 22 / 22

Please submit two (2) copies of this application for consideration

to the Town of Severance at humanresource@townofseverance.org or drop off at Severance Town Hall: 3 S. Timber Ridge Parkway.

I have made a couple different contributions to the Town of Severance. Some would be helping start new traditions and making culture here at Severance High School (SHS). I have been part of leadership since my first year here at SHS, so I had a better chance for people to hear what I have to say and to see projects through to their completion. I had the chance to help write and come up with ideas for the student hand book. During Christmas time I helped with the giving tree that served Northern Colorado families. Bringing in people outside of the school in the community to participate and bringing in gifts for families in need was a great way for them to participate in being closer as a community. I got to make new and fun traditions, like the homecoming parade we had and also the first dance here at the school. I was a big part of the planning, setting up, and everything in between for our school's first dance. I also got the chance to be the first female on the football team and got to make history at SHS. Lucky for me I get the chance to be the first graduating class out of this new high school, which is such a cool experience to go through, because of this I get a lot of say in certain things going on at the school. I have been lucky enough to contribute a lot to SHS and make history and help with the culture. Thank you for the consideration and your time you took out of your day to read this.

Rachel Kovacik



AGENDA ITEM SUMMARY

AGENDA ITEM	SUBMITTED BY	PRESENTED BY
Alternate Planning Commissioner Removal from Office	Nicholas Wharton, Town Manager	Nicholas J. Wharton, MPA, ICMA- CM
ACTION REQUESTED		
Management asks the Town Council to discuss the removal of the current Alternate Planning Commissioner per Article 5 Sec. 2-5-50 of the Severance Municipal Code and take action: • Actions that may be taken: ○ Move to remove Justin Swarts as the Alternate Planning Commissioner per Article 5 Sec. 2-5-50 of the Severance Municipal Code ○ Take no Action		<u>Action Requested</u>
BRIEF SUMMARY		
The Town of Severance Planning Commission has forwarded a recommendation to remove Justin Swarts as the Alternate Planning Commissioner per Article 5 Sec. 2-5-50 of the Severance Municipal Code. As stated in Article 5 Sec. 2-5-50 of the Severance Municipal Code, Mr. Swarts has missed two (2) consecutive meetings, three (3) regular meetings in a calendar year and has been notified by Management with no response received.		
PUBLIC SUPPORT/CONCERN		
None at this time.		
ANALYSIS AND RECOMMENDATION		
Management recommends that the Town Council take action and move to remove Justin Swarts as the Alternate Planning Commissioner per Article 5 Sec. 2-5-50 of the Severance Municipal Code.		
MATERIALS SUBMITTED		
The following materials were submitted and included in this packet: None		



AGENDA ITEM SUMMARY

AGENDA ITEM	SUBMITTED BY	PRESENTED BY
Land Use Code: Parking Requirements	Abdul Barzak, Town Planner	Abdul Barzak, Planner
ACTION REQUESTED		
Community Development and Management ask that the Severance Town Council review, discuss, and provide guidance on the Land Use Code changes.		<u>Discussion</u>
BRIEF SUMMARY		
After receiving comments on Parking Requirements from the Town Council, staff has taken these comments and provided an updated table showing the current Land Use Code next to suggestions and feedback from Council members. Please note that the recently formed Land Use Advisory Committee (LUAC) will be providing recommendations to the Town Council on Parking Requirements during their May meeting. The goal of tonight's meeting is to have an in-depth discussion regarding Parking Requirements. Staff will then take tonight's guidance from the Council, the Planning Commission, and the LUAC recommendations to allow Town staff to bring back code language for adoption.		
PUBLIC SUPPORT/CONCERN		
Citizens have reached out to Town staff and have expressed a desire for increased Parking Requirements		
ANALYSIS AND RECOMMENDATION		
Staff is asking for feedback and comments at this time.		
MATERIALS SUBMITTED		
The following materials were submitted and included in this packet:		
1. Memo - Parking 2. Code Review - Parking 3. Resident Comments		

MEMORANDUM

To: Mayor and Town Council - Town of Severance

From: Josh Olhava, AICP, PCCP, Senior Community Planner
Logan Graves, AICP, Planner

Date: May 10, 2022

Re: Council Code Review Summary –Parking

Background:

In December 2021, Ayres was tasked by the Town to provide an initial code comparison between ‘like’ communities in the region, looking at Commercial Design Criteria, Parking Requirements and Lighting Regulations. For this effort, we reviewed criteria from seven (7) jurisdictions: Evans, Firestone, Frederick, Johnstown, Timnath, Wellington and Windsor. The results of this effort were presented to Council in January and were discussed by the Land Use Advisory Committee (LUAC) at their May 2022 meeting.

This memorandum and the accompanying tables provide a summary of Council’s comments, highlighting areas for further discussion as well as high level staff observations for additional consideration. If Council supports further review on any of these areas and directs staff to move forward, Ayres will develop an approach with staff that includes community and stakeholder input, best practice consideration for Severance and finally, draft recommendations. These efforts can include visual preference surveys, photo examples or other illustrations to help gather valuable feedback for Council consideration.

As a quick recap on Design Guidelines versus Design Standards or Regulations:

- **Design guidelines** are typically not mandatory; rather, they identify and encourage design approaches and options that will help projects meet certain goals for the area.
- **Design standards or regulations** are typically mandatory requirements that list specific criteria that must be incorporated in a proposal.

Communities with a greater level of success provide specific design standards and allow flexibility in how a project applies these standards using design guidelines. Incorporating context sensitive standards and guidelines throughout the community can help foster unique neighborhoods and places, similar to the recently adopted Corridor Plan for E. Harmony Road and 1st Street.

Parking:

Parking is a difficult aspect of the built environment in every community, and as noted by a couple Council members, is closely associated with adjacent or nearby street design. As seen in many traditional neighborhoods and downtown areas, off-street parking areas are much smaller in design where on-street parking is widely utilized. In suburban and commercial shopping areas, parking lots tend to be larger and accommodate maximum capacity, while roadways are designed to move cars and provide fewer opportunities for on-street parking. It is also important to consider the pedestrian realm and maximize walkability in developments.

A few of the key areas identified by Council include:

- Reviewing single-family detached off-street parking requirements in relation to the adjacent street sections that may or may not provide adequate space for on-street parking.
- Evaluating whether there should be parking regulations specific to duplex, townhomes and condominiums.
- Consideration for per bedroom parking regulations for multi-unit projects and a ratio for guest parking.
 - Best practices: If a guest parking ratio is utilized, the per bedroom ratio is usually lower and vice versa. In many mixed-use areas (like commercial nodes), adjacent on-street parking spaces are allowed to be counted at a specific ratio (not always 1:1) towards the required parking for a use. Parking enforcement is critical and on-site management of apartment complexes or similar properties should not be allowed to restrict or charge for on-site parking spaces as this push's resident cars onto the public roadways and into nearby neighborhoods.
- Retail off-street parking requirements should be re-evaluated
 - Best practices: Context should also be considered when reviewing retail developments. New greenfield sites may find it much easier to incorporate additional off-street parking, while infill or downtown type of developments may need to incorporate a parking plan to evaluate overall parking needs and flow.
- Industrial parking should be reviewed and updated to accommodate new trends and development patterns. Warehousing may have a different requirement than a storage facility or a manufacturer. Utilizing employee counts alone may under or over park an industrial site.
 - Best practices: Spec. industrial / flex buildings can often be some of the most challenging to calculate parking spaces since many times future tenants are unknown. And there is a big difference between a brewery with tasting use versus a gym versus an office and warehouse space. Anticipating a variety of uses and parking needs for a variety of uses can help mitigate future challenges. In addition to the consideration of adjacent on-street parking as overflow.
- Council provided limited comments for Office, Restaurant and Mixed-Use projects.
 - Best practices: Mixed-Use projects are part of the Comprehensive Plan vision, and a strategy should be in place for how these projects are evaluated. Each project will be different and should be evaluated on a case by case basis. Many communities will require that the uses be broken out and the applicable parking regulations applied. However, the Town may want to consider the requirement that an applicant provide a parking analysis for instances where they are requesting fewer on-site parking spaces. This would be beneficial in reviewing the development nodes and downtown areas, as those areas could have a reduced parking requirement to encourage the type of development pattern the Town envisions.

Parking Council Code Review (Parking)

	Severance		Mayor Matt Fries		Frank Baszler		Michelle Duda		Tad Stout	
General Observations	-		All private and public parking areas should have a requirement for long/extended vehicle parking spaces, as well as increasing the standard width of some parking spaces with directional signage required as well. IF...we continue to use on street parking in the calculation for overall parking requirements, we should then consider increasing the standard width of "streets", and provide signage for duration limitations. This of course will dramatically increase the cost for development and may need to be subsidized by all tax payers as it appears the "residents", not necessarily the users are objecting to the use of on the street parking, therefore wider streets may be the best alternative, when trying to avoid "huge" parking lots, as I am. In general, parking space requirements for commercial, retail, restaurant and multifamily should be increased, WITH THE ABILITY FOR THE APPLICANT TO REQUEST A VARIANCE, IN WHICH CASE THE GOVERNING BODY CAN DETERMINE ON A CASE BY CASE BASIS. OTHERWISE, DEVELOPMENT WILL MOST LIKELY BUILD TO THE MINIMUM STANDARD AND MAY PROVE TO NOT BE FUNCTIONAL IN ALL INSTANCES.		-		GLA versus ?. Observation that is appears Severance has pretty high standard parking requirements.		-	
LAND USE	Downtown	General	Downtown	General	Downtown	General	Downtown	General	Downtown	General
Single-Family	-	2 spaces/ unit	-	Future residential developments should consider having "in the development area" designated, screened parking and storage areas for vehicles not used on a daily basis. The metro district/hoa could rent/manage these areas., thus reducing on the street parking for inhabitants of the homes, and allowing for more routine, open streets and more on street parking for true visitors.	-	2 per du	-	-	-	Residential: With water being such a huge deal with our region right now, to me it would make sense to push builders to do concrete pads on side-lots in lieu of grass. It would allow people to pull their additional bikes, trailers, etc. off the street and store them on their own property. Maybe we move towards looking at a plan at making driveways bigger to get some of the clutter off the streets. Most all of Mahogany way is a living nightmare of unsatisfactory street width, combined with very little off-street parking.
Duplex	-	-	-	-	-	2 per du	-	Frederick: Efficiency or 1 bdr = 1.5 per du; 2 bdr = 1.75 per du; 3 bdr = 2 per du	-	-
Townhomes	-	-	-	-	-	2 per du	-	Frederick: Efficiency or 1 bdr = 1.5 per du; 2 bdr = 1.75 per du; 3 bdr = 2 per du	-	-
Condo	-	-	-	-	-	2 per du or multi-unit which ever is larger	-	Frederick: Efficiency or 1 bdr = 1.5 per du; 2 bdr = 1.75 per du; 3 bdr = 2 per du	-	-
Multi-Unit	-	1.5 spaces/ unit	The Town should consider using existing impact fees for future multi-use, short term parking areas in the downtown area, owned and managed by the town or future development authority. Designation of current fees collected on ALL development should shared for these uses. Pedestrian connectivity walk ways, trails would need to be included.	Multi family could consider the above recommendation mentioned under single family as well. Multi family should have a standard of spaces per bedroom, maximum 3 spaces per unit with requirements of maximum vehicles per unit managed by the lease agreement and or HOA.	-	1 bdrm 1.7 space; 2 bdrm 2 space; 3bdrm 2.5 space; 4+ bdrm 3 space	-	Evans: plus guest parking (1 space for first 5 dus, plus 1 space per every 5 additional dus, up to 100 dus. Frederick:Efficiency or 1 bdr: 1.5 per du; 2 bdr = 1.75 per du; 3 bdr = 2 per du. Could increase similar to Windsor's Multi-Unit requirements.	-	I agree 100% with the planning commission and would like to see a bedroom based approach adopted for parking. Parking should start at 2 spaces per unit for a single bedroom, and go up by a space per bedroom added. Also I believe that 1/2 space per dwelling unit be added to account for guest parking, in the case of odd units, this would round up to the next whole space. It is my belief with Severance being a blank canvas that we do the parking considerations for the town correctly. Windsor, Fort Collins and Greeley have done a poor job at requiring developments to come forth with adequate parking, which has considerably affected neighborhoods adjacent, and left many cars parked on the town's streets, which creates issues for maintenance including sweeping and snow removal.

Parking Council Code Review (Parking)

	Severance		Mayor Matt Fries		Frank Baszler		Michelle Duda		Tad Stout	
Lodging	-	1 space / room to be rented, plus 1 space for every 2 employees, computed on the max service capacity	-	-	-	1 per guest room plus 2 spaces computed at max service capacity	-	-	-	-
Retail	-	1 space/ 250 SF of GLA	-	-	-	1 per 200sf	-	Question on Frederick 1 per 300 SF requirement.	-	I agree with the commissioners, 1 space per 150 SF for general. For eating / drinking one space per 100 GLA. And spaces should be designed a bit larger if possible since it is still an ag and oil and gas community. I also agree with one space per employee....BUT for planning purposes if the plan is a convertible use, obviously something like a restaurant requires more employee parking than a boutique, so parking should always be designed for the maximum use condition in this case. So for example if you have a mixed use retail space with 4 units and the developer says each spot will be a candy shop with 2 employees, and the next thing you know the candy shops leave and sports bars with 6 employees occupy each space, then there is now a deficit of 16 parking spots for customers. Currently all three restaurants in town have insufficient parking plans for the number of employees, as well as an overall parking deficit, which creates the need for the patrons of those businesses to occupy city streets for parking. Auditorium parking I am fine with the commissioner recommendations
Office	-	1 space/ 250 SF of GLA	-	-	-	1 per 300sf	-	-	-	-
Restaurant	-	1 space for every 200 SF of GLA, + 1 space for every 2 employees, computed on the max service.	-	-	-	1 per 150 sq (not GLA)	-	-	-	-
Mixed-Use	-	The review process shall determine the appropriate parking requirements.	-	-	-	Max use configuration	-	-	-	-
Industrial	-	1 space for every 1 employee unless justified otherwise and approved by the Board.	-	I would like to see one space per employee, plus a parking plan for a business like Comcast, amazon, suppliers, HVAC, etc. So if an employee shows up to work to hop in a company vehicle, that there is space onsite for the majority of the workforce, plus the company vehicles onsite afterward.	-	1 space/ employee. If storage/ warehouse/ vehicle service then: 1-3000sf = 1 per 250sf; 3001-5000sf = 1 per 500sf; 5001-10000sf = 1 per 750sf; >10000sf = 1 per 1250sf	-	Evans: 1 space for each 2 employees, determined on the basis of the greatest number of persons employed at any period of time (+ 1 add for each company vehicle based at the location). Wellington: 1 space each for the maximum number of employees present at any one time.	-	-

From: [Amberly Fredrickson](#)
To: [Abdul Barzak](#); [Nicholas Wharton](#)
Subject: Suggestion to Council for 3/22 meeting
Date: Wednesday, March 16, 2022 10:40:07 AM

Hello

I am writing in reference to the land code coming before Town Council on March 22, 2022. I would appreciate it if the board read the comments publicly, responded acknowledging they have been received, or placed in the packet.

In reference to the commercial design code, I believe the town needs to promote small commercial businesses with small physical footprints to allow opportunities for multiple types of businesses within our community. Small businesses care about and are invested in the well-being of the community and its future. They typically hire local residents and provide opportunities for teens to learn about employment. Also, small businesses have certain advantages over large businesses: flexibility, lean staffing, and the ability to develop close relationships with customers. This is the kind of business this small town wants. I do not believe people want giant national commercial builders who leave large footprints and seek profit only. The physical footprint should not be larger than The Dollar General. All future buildings should be similar in design with varying heights no more than a single story. Buildings should not be crammed next to each other. Commercial property should not be within neighborhoods and the zones need to be followed. The natural environment needs to be preserved and the outside of the buildings should be color coordinated to the environment. There should be trees and bushes. The storefront should present a family friendly welcoming environment. Words in the land code should not say "encouraged" and the codes need specific requirements to need to be listed.

Regarding parking, the spots need to be physically larger than previously approved. I am aware of the G5 proposal and they listed their additional parking on the street. This should NOT be allowed. Businesses need to provide all the parking for their employees and customers and should not use public neighborhood streets to fulfill the requirements. Future commercial properties should not use public neighborhood streets to meet requirements. Commercial properties should also be required to put a bike rack on their property. Regarding parking for homes, the size of the driveway/parking needs to be able to easily fit two large trucks. In many neighborhoods, the trucks are crowding the roads because they can not fit in the garage or parking spots. This can easily be fixed by requiring larger parking lots for each individual home.

Regarding lighting, lights should not shine or blare into individual homeowners windows. Lights should be on a timer and go off at night as needed. Fluorescent, bright, or neon lights should not be approved especially if they are facing homeowners. There need to be street lights within the neighborhood so families feel safe playing outside at night. Street lights need to be required and not encouraged.

Thank you for your time and thoughtful consideration of my suggestions.

Amberly



AGENDA ITEM SUMMARY

AGENDA ITEM	SUBMITTED BY	PRESENTED BY
Land Use Code: Lighting Requirements	Abdul Barzak, Town Planner	Abdul Barzak, Planner
ACTION REQUESTED		
Community Development and Management ask that the Severance Town Council review, discuss, and provide guidance on the Land Use Code changes.		<u>Discussion</u>
BRIEF SUMMARY		
After receiving comments on Lighting Requirements from the Town Council, staff has taken these comments and provided an updated table showing the current Land Use Code next to suggestions and feedback from Council members. Please note that the recently formed Land Use Advisory Committee (LUAC) will be providing recommendations to the Town Council on Lighting Requirements during their May meeting. The goal of tonight's meeting is to have an in-depth discussion regarding Lighting Requirements. Staff will then take tonight's guidance from the Council, the Planning Commission, and the LUAC recommendations to allow Town staff to bring back code language for adoption.		
PUBLIC SUPPORT/CONCERN		
Citizens have reached out to Town staff and have expressed a desire for increased Lighting Requirements		
ANALYSIS AND RECOMMENDATION		
Staff is asking for feedback and comments at this time.		
MATERIALS SUBMITTED		
The following materials were submitted and included in this packet:		
1. Memo - Lighting 2. Code Review - Lighting 3. Resident Comments		

MEMORANDUM

To: Mayor and Town Council - Town of Severance

From: Josh Olhava, AICP, PCCP, Senior Community Planner
Logan Graves, AICP, Planner

Date: May 10, 2022

Re: Council Code Review Summary –Lighting

Background:

In December 2021, Ayres was tasked by the Town to provide an initial code comparison between ‘like’ communities in the region, looking at Commercial Design Criteria, Parking Requirements and Lighting Regulations. For this effort, we reviewed criteria from seven (7) jurisdictions: Evans, Firestone, Frederick, Johnstown, Timnath, Wellington and Windsor. The results of this effort were presented to Council in January and were discussed by the Land Use Advisory Committee (LUAC) at their May 2022 meeting.

This memorandum and the accompanying tables provide a summary of Council’s comments, highlighting areas for further discussion as well as high level staff observations for additional consideration. If Council supports further review on any of these areas and directs staff to move forward, Ayres will develop an approach with staff that includes community and stakeholder input, best practice consideration for Severance and finally, draft recommendations. These efforts can include visual preference surveys, photo examples or other illustrations to help gather valuable feedback for Council consideration.

As a quick recap on Design Guidelines versus Design Standards or Regulations:

- **Design guidelines** are typically not mandatory; rather, they identify and encourage design approaches and options that will help projects meet certain goals for the area.
- **Design standards or regulations** are typically mandatory requirements that list specific criteria that must be incorporated in a proposal.

Communities with a greater level of success provide specific design standards and allow flexibility in how a project applies these standards using design guidelines. Incorporating context sensitive standards and guidelines throughout the community can help foster unique neighborhoods and places, similar to the recently adopted Corridor Plan for E. Harmony Road and 1st Street.

Lighting:

There appears to be consensus from Council members that the Town should evaluate and enhance the existing lighting regulations. Much of the current code language includes general guidelines or may be hard to enforce without specific criteria, such as lighting levels, intensity and fixture type. The previously reviewed Dark Sky white paper could provide a base for additional discussions regarding lighting regulations and guidelines that can be adopted by the Town.

It also appears that Council would also like to see Photometric Plans and lighting details be part of the approval process with the Town, much like the other communities we reviewed. Requiring these as part of the review and approval process has the potential to mitigate potential problems before they arise in the

field during or after construction. For photometric plans and established lighting levels to be enforced, the Town will need to invest in a light meter for code enforcement.

Attached Table Excerpts:

- Council Code Review – Commercial Design (*4 pages*)
- Council Code Review - Parking (*2 pages*)
- Council Code Review - Lighting (*3 pages*)

Council Code Review (Lighting)

	Severance	Mayor Matt Fries	Frank Baszler	Michelle Duda	Tad Stout
Residential Districts					
Lighting Regs? (Y or N)	Y	-	Y	-	-
Pole Height	16' max; 20' max street lights at residential entries allowed; 47" bollard-type lighting	-	15ft max single family, 20ft max in high density, poles should match neighborhood style	Thought Evans 25' max pole height was interesting.	-
Light Levels	Appropriate for the lighting need.	-	-	Question on Johnstown's light level requirements of 7,000 lumens.	-
Light Temperature	n/a	-	-	-	-
Photometric Plan? (Y or N)	N	-	-	-	Most other communities look like they require a photometric plan, I think this makes sense for residents and others interested in development processes to understand how light is measured, designed, and mitigated.
General Notes/Details	Consistent design with the architectural style and character; parking and exterior bldg fixtures, except as required for security purposes, shall be extinguished within 1-hour after the end of business and remain extinguished until 1-hour prior to reopening; concealed or shielded to the maximum extent feasible to minimize the potential for glare; equipped with cut-off devices; reflector lights are preferred; accent and flagpole lighting may be permitted to be directed upward as long as the light source is shielded and not visible from any adjacent property; globe lights shall not be permitted; fixtures installed under canopies, awnings, overhangs and the like shall be fully recessed	-	Dark Sky (should expand this into the code). All fixtures should be shield and directed downward and inward so as to reduce glare onto neighboring properties and right of ways. Absolutely no blinking, flashing or fluttering. Except for use as security lighting, all building and site lighting shall be extinguished 1 hr after close of business and remain off until 1 hr before business resumes	Evans: All wall-mounted fixtures shall be shielded and directed downward and inward so as to reduce glare. Firestone: Any light source or lamp shall be concealed or shielded with a full cut-off style fixture. All fixtures shall utilize light emitting diode (LED) bulb types. Frederick: emphasized language about 'minimizing glare' and 'ambient skyward light is eliminated' Johnstown: Street lights reflect the neighborhood's design theme	-
Other	Adopted Dark Sky white paper requirements (specific to full cut-off language); references to Illuminating Engineering Society of North America; mercury vapor lamps shall not be used	-			-
Commercial Districts					
Lighting Regs? (Y or N)	Y	-	-	-	-
Pole Height	25' max, unless a greater height not to exceed 35' is approved by the Town; wall mount lighting shall not exceed the height of the building; bollard lighting shall be between 32" and 47"	-	25ft or 35ft if greater then 100ft from a residents	Found Firestone's pole height requirements interesting: Max height of 25'; Parking lots larger than 5-acres Max height is 35' when located at least 100' from Residential	-
Light Levels	Appropriate for the lighting need.	-	-	-	-
Light Temperature	n/a	-	-	-	-

Council Code Review (Lighting)

	Severance	Mayor Matt Fries	Frank Baszler	Michelle Duda	Tad Stout
Photometric Plan? (Y or N)	N	-	-	-	-
General Notes/Details	Consistent design with the architectural style and character; parking and exterior bldg fixtures, except as required for security purposes, shall be extinguished within 1-hour after the end of business and remain extinguished until 1-hour prior to reopening; concealed or shielded to the maximum extent feasible to minimize the potential for glare; equipped with cut-off devices; reflector lights are preferred; accent and flagpole lighting may be permitted to be directed upward as long as the light source is shielded and not visible from any adjacent property; globe lights shall not be permitted; fixtures installed under canopies, awnings, overhangs and the like shall be fully recessed	We need a lot of work on lighting standards. Proper lighting adds huge character to an area. Standard light fixtures for street lighting and public areas should be adopted. Many surrounding communities have done a good job with lighting, thus we have some good examples to go by. I recollect reviewing or a presentation when on the planning commission regarding the dark sky white paper. I could not find what I was looking for in my planning commission files. I would like to further review this if staff could provide it to me. I recall thinking at the time the white paper made sense?????. If my recollection is a good one upon further review, the council should consider making the white paper part of our code, or at least some version of it.	-	Firestone: To the maximum extent practicable, lighting levels shall be uniform. Floodlights shall not be permitted. Lighting on automobile service station, convenience store, and other outdoor canopies shall be fully recessed into the canopy. The style of light standards and fixtures shall be generally consistent with the style and character of architecture proposed on the site. Timnath: Except for use as security lighting, all bldg and site lighting shall be extinguished 1 hr after close of business and remain off until 1 hr before business resumes. Wellington: All parking area lighting shall be full cutoff type fixtures. Any light used to illuminate parking areas or for any other purpose shall be so arranged as to reflect the light away from nearby residential properties and away from the vision of passing motorists. Lighting intensities shall conform to the Town's lighting standards.	-
Other	Adopted Dark Sky white paper requirements (specific to full cut-off language); references to Illuminating Engineering Society of North America; mercury vapor lamps shall not be used		-		-
MU Districts					
Lighting Regs? (Y or N)	Not specified	-	-	-	-
Pole Height	-	-	-	-	-
Light Levels	-	-	-	-	-
Light Temperature	n/a	-	-	-	-
Photometric Plan? (Y or N)	N	-	-	-	-
General Notes/Details	-	-	-	Timnath: Except for use as security lighting, all bldg and site lighting shall be extinguished 1 hr after close of business and remain off until 1 hr before business resumes	-
Other	-	-	-		-

Council Code Review (Lighting)

	Severance	Mayor Matt Fries	Frank Baszler	Michelle Duda	Tad Stout
Industrial Districts					
Lighting Regs? (Y or N)	Y	-	-	-	-
Pole Height	25' max, unless a greater height not to exceed 35' is approved by the Town; wall mount lighting shall not exceed the height of the building; bollard lighting shall be between 32" and 47"	-	-	-	-
Light Levels	Appropriate for the lighting need.	-	-	-	-
Light Temperature	n/a	-	-	-	-
Photometric Plan? (Y or N)	N	-	-	-	-
General Notes/ Details	Consistent design with the architectural style and character; parking and exterior bldg fixtures, except as required for security purposes, shall be extinguished within 1-hour after the end of business and remain extinguished until 1-hour prior to reopening; concealed or shielded to the maximum extent feasible to minimize the potential for glare; equipped with cut-off devices; reflector lights are preferred; accent and flagpole lighting may be permitted to be directed upward as long as the light source is shielded and not visible from any adjacent property; globe lights shall not be permitted; fixtures installed under canopies, awnings, overhangs and the like shall be fully recessed	-	-	-	-
Other	Adopted Dark Sky white paper requirements (specific to full cut-off language); references to Illuminating Engineering Society of North America; mercury vapor lamps shall not be used	-	-	-	-
Special Districts					
Lighting Regs? (Y or N)	n/a	-	-	-	-

From: [Amberly Fredrickson](#)
To: [Abdul Barzak](#); [Nicholas Wharton](#)
Subject: Suggestion to Council for 3/22 meeting
Date: Wednesday, March 16, 2022 10:40:07 AM

Hello

I am writing in reference to the land code coming before Town Council on March 22, 2022. I would appreciate it if the board read the comments publicly, responded acknowledging they have been received, or placed in the packet.

In reference to the commercial design code, I believe the town needs to promote small commercial businesses with small physical footprints to allow opportunities for multiple types of businesses within our community. Small businesses care about and are invested in the well-being of the community and its future. They typically hire local residents and provide opportunities for teens to learn about employment. Also, small businesses have certain advantages over large businesses: flexibility, lean staffing, and the ability to develop close relationships with customers. This is the kind of business this small town wants. I do not believe people want giant national commercial builders who leave large footprints and seek profit only. The physical footprint should not be larger than The Dollar General. All future buildings should be similar in design with varying heights no more than a single story. Buildings should not be crammed next to each other. Commercial property should not be within neighborhoods and the zones need to be followed. The natural environment needs to be preserved and the outside of the buildings should be color coordinated to the environment. There should be trees and bushes. The storefront should present a family friendly welcoming environment. Words in the land code should not say "encouraged" and the codes need specific requirements to need to be listed.

Regarding parking, the spots need to be physically larger than previously approved. I am aware of the G5 proposal and they listed their additional parking on the street. This should NOT be allowed. Businesses need to provide all the parking for their employees and customers and should not use public neighborhood streets to fulfill the requirements. Future commercial properties should not use public neighborhood streets to meet requirements. Commercial properties should also be required to put a bike rack on their property. Regarding parking for homes, the size of the driveway/parking needs to be able to easily fit two large trucks. In many neighborhoods, the trucks are crowding the roads because they can not fit in the garage or parking spots. This can easily be fixed by requiring larger parking lots for each individual home.

Regarding lighting, lights should not shine or blare into individual homeowners windows. Lights should be on a timer and go off at night as needed. Fluorescent, bright, or neon lights should not be approved especially if they are facing homeowners. There need to be street lights within the neighborhood so families feel safe playing outside at night. Street lights need to be required and not encouraged.

Thank you for your time and thoughtful consideration of my suggestions.

Amberly



AGENDA ITEM SUMMARY

AGENDA ITEM	SUBMITTED BY	PRESENTED BY
Land Use Code: Commercial Design Requirements	Abdul Barzak, Town Planner	Abdul Barzak, Planner
ACTION REQUESTED		
Community Development and Management ask that the Severance Town Council review, discuss, and provide guidance on the Land Use Code changes.		<u>Discussion</u>
BRIEF SUMMARY		
After receiving comments on Commercial Design Requirements from the Town Council, staff has taken these comments and provided an updated table showing the current Land Use Code next to suggestions and feedback from Council members. Please note that the recently formed Land Use Advisory Committee (LUAC) will be providing recommendations to the Town Council on Commercial Design Requirements during their May meeting. The goal of tonight's meeting is to have an in-depth discussion regarding Commercial Design Requirements. Staff will then take tonight's guidance from the Council, the Planning Commission, and the LUAC recommendations to allow Town staff to bring back code language for adoption.		
PUBLIC SUPPORT/CONCERN		
Citizens have reached out to Town staff and have expressed a desire for increased Commercial Design Requirements		
ANALYSIS AND RECOMMENDATION		
Staff is asking for feedback and comments at this time.		
MATERIALS SUBMITTED		
The following materials were submitted and included in this packet:		
1. Memo - Commercial Design 2. Code Review -Commercial Design 3. Resident Comments		

MEMORANDUM

To: Mayor and Town Council - Town of Severance

From: Josh Olhava, AICP, PCCP, Senior Community Planner
Logan Graves, AICP, Planner

Date: May 10, 2022

Re: Council Code Review Summary – Commercial Design

Background:

In December 2021, Ayres was tasked by the Town to provide an initial code comparison between ‘like’ communities in the region, looking at Commercial Design Criteria, Parking Requirements and Lighting Regulations. For this effort, we reviewed criteria from seven (7) jurisdictions: Evans, Firestone, Frederick, Johnstown, Timnath, Wellington and Windsor. The results of this effort were presented to Council in January and were discussed by the Land Use Advisory Committee (LUAC) at their May 2022 meeting.

This memorandum and the accompanying tables provide a summary of Council’s comments, highlighting areas for further discussion as well as high level staff observations for additional consideration. If Council supports further review on any of these areas and directs staff to move forward, Ayres will develop an approach with staff that includes community and stakeholder input, best practice consideration for Severance and finally, draft recommendations. These efforts can include visual preference surveys, photo examples or other illustrations to help gather valuable feedback for Council consideration.

As a quick recap on Design Guidelines versus Design Standards or Regulations:

- **Design guidelines** are typically not mandatory; rather, they identify and encourage design approaches and options that will help projects meet certain goals for the area.
- **Design standards or regulations** are typically mandatory requirements that list specific criteria that must be incorporated in a proposal.

Communities with a greater level of success provide specific design standards and allow flexibility in how a project applies these standards using design guidelines. Incorporating context sensitive standards and guidelines throughout the community can help foster unique neighborhoods and places, similar to the recently adopted Corridor Plan for E. Harmony Road and 1st Street.

Commercial Design:

A reoccurring theme among Council members is the need for the Town to establish both commercial guidelines and minimum regulatory standards for commercial projects throughout the community. The recently adopted Corridor Plan incorporates design guidelines (using the words “preferred”, “encouraged”, “should”, and “such as”) for the Old Town and Commercial Node areas but is silent regarding other potential commercial areas in Town. The Corridor Plan can serve as the framework to develop additional design guidelines for commercial areas throughout the community, as well as a starting point to have meaningful conversations with the community and stakeholders regarding specific regulatory standards.

Highlighted trends from Council comments include:

- Overall Building Design is of high importance moving forward.
 - Through established regulatory standards, projects would be required to incorporate specifics related to building materials, textures and forms. Guidelines should be used in conjunction with standards to create unique commercial or mixed-use centers throughout the community.
 - Buildings should be well articulated with large walls interrupted with pre-specified design features.
 - Colors should be complimentary to the surrounding area with bright and intense colors only used as accents or in limited instances.
 - Varied building heights and pitched roof elements should be required, limiting flat roof profiles
- Parking, Open Space, Amenities and Landscaping Design standards should be in place for all projects and work in a complimentary fashion as part of the overall site layout and design.
 - Parking shall be placed to the side or rear sides of buildings.
 - Sites should be pedestrian focused incorporating pathways, plazas, gathering spaces, and more.
 - Large parking areas should be broken up with landscaping and walkways.
 - Minimum on-site tree and shrub plantings based on the number of parking spaces should be incorporated as standards.
 - Drought tolerant plantings are highly encouraged and could possibly be part of base landscaping standards
- Screening of mechanical and other ancillary uses on a site are important aspects to the overall development of a project.
 - Ancillary areas, such as loading, waste and recycling facilities, and service areas, should be placed to the rear or side of the buildings to mitigate visual impacts.
 - Screening of HVAC systems, exhaust pipes, or other mechanical and utility devices should be screened from view.

One area that may benefit from further discussion and possibly site visits or photo presentations is regarding Transitions / Buffers. Communities often struggle with the quality versus quantity balance when establishing criteria for buffers and transition areas. In many instances, a wide landscape lawn is the default buffer or transition used. Context is an important aspect when considering transitions and buffers. For example, a wide turf lawn will not provide adequate sound or visual mitigation of a service area or nearby industrial use. Instead, a much narrower buffer may be more beneficial that incorporates screen or landscape walls, dense evergreen vegetation, and/or earthen berms. This may also be the case for residential neighborhoods adjacent to major arterial roadways.

The Town should consider adopting regulatory standards that establish the base design expectations for all commercial and mixed-use projects within the Old Town and Commercial Node areas. This criterion should be context sensitive, considering the unique characteristics of each area to create a sense of place specific to Severance and the associated neighborhoods.

Council Code Review (Commercial Design)

	Severance	Mayor Matt Fries	Frank Baszler	Michelle Duda	Tad Stout
General Observations	-	All standards should be allowed to have variances upon request subject to final approval of the Council/ planning commission. Commercial buildings should look more like the TBK bank/Severance Dental type buildings and less like Dollar General. In the comparison chart, Timnath I believe has the best, well rounded guidelines/standards with some tweaking needed. Standards similar to our corridor plan should be implemented in all “commercial” development Each development node could have its own standards to create uniqueness to each node, but not dramatically different than other nodes. Severance needs its own “character” design standards.	-	Amenities - Are bikes more we should consider? (Severance lists bike racks) During next level of discussions (design considerations), visual examples are helpful	No Comments on Design Standards.
Design					
Massing & Scale	Varied building heights, styles, colors and building details are encouraged.	Multiple building heights in a mixed use development should be required. 4 story maximum in downtown node.	The height and scale of any new building shall be compatible with surroundings, conforming structures. Individual structures shall be clustered to help create plazas and pedestrian courts. All exterior elevations shall maintain the integrity of the adjacent buildings' architectural character and detailing; continuous cornice lines or eaves are encouraged between adjacent buildings; buildings with flat roofs shall provide a parapet with an articulated cornice.	Wellington: Buildings having single walls exceeding 50' in length shall incorporate 1 or more of the following at a minimum of every 50'; chanes in color, graphical patterning, texture or material; projections, recesses and reveals.	-
Building Materials	Architecture that is reflective of the regional character of urban buildings is encouraged, including red or tan brick, and sandstone.	There <u>should</u> be standards for multiple types of exterior materials to break up mass, and multiple, compatible colors and textures used.	At least 2 kinds of materials distinctively different in texture or masonry pattern, at least one of which is decorative block, brick, or stone with each of the required materials covering at least 25% of the front exterior wall of the ground floor.	Severance: Architecture that is reflective of the regional character of urban buildings is encouraged, including red or tan brick, and sandstone. Evans: All sides to include a combination of durable materials such as stucco, brick, stone, marble and granit; colored and textured concrete and decorative masonry block; glass or acrylic block; and hardwood and pressure-treated wood. Accent and decorative components may also include steel, copper adn aluminum; heavy timber; and teracotta. Other materials may be approved on a case-by-case basis. **Questions on the Transparency- "Front and street side elevations shall have a minimum of 25% of the wall area as window and/or flass door area. Firestone: No more than 25% of each facade of the building sahl be finished with metal material. Question on "Mirrored glass is prohibited". Johnstown: Vintage local references. Timnath: Metal siding allowed in industrial district only.	-
Architectural Details	Distinctive architectural feature elements that create focal points and destination backdrops are encouraged.	-	The front facade must have a distinctive style and not appear flat or simple. The architectural treatment of the front facade shall be continued in its major features around all visibly exposed side of a building. All materials, colors and architectural details used on the exterior of a building shall be compatible with the building's style and with other nearby buildings.	-Question on Evans articulation requirement (walls be broken up with arch. features). Question on Firestone menu of arch details requirement. l6	-
Colors	Varied building heights, styles, colors and building details are encouraged.	-	Colors should be earth tone colors - subtle color variation is allowed as accent materials but require review. Colors should complement one another and fit the architectural scheme of the building and be compatible with the surrounding buildings.	Evans: Colors shall be chosen from the Benjamin Moore "Historical Colors" color palette, or an approved color palette provided or made available by the City for viewing. Firestone: Natural colors. Intense, bright, or fluorescent colors shall not be used as teh F7color on any wall or roof of any primary or accessory structure. These colors may be used as building accent colors, but shall not constitute more than 10% of the area of each elevation of a building.	-

Council Code Review (Commercial Design)

	Severance	Mayor Matt Fries	Frank Baszler	Michelle Duda	Tad Stout
Roof Forms	Varied building heights and exaggerated roof overhangs are encouraged.	Establish a standard of pitched roofs, no or little flat roof designs.	Varied building heights including exaggerated roof overhangs, varied roof lines and pitches. Entrances should be accentuated by the roof structure.	**Question on Evans roof regulations.	-
General Criteria					
Parking Location & Design	Any off-street parking area shall be designed so that vehicles may exit without backing onto a public street unless no other practical alternative is available. Off-street parking areas shall be designed so that parked vehicles do not encroach upon or extend onto public rights-of-way or sidewalks. In order to promote a pedestrian scale, to encourage an environment of safety and to maximize land use efficiency and land devoted to parking in the Town core land use district, parking may be satisfied using adjacent on-street parking or shared rear-lot parking areas. Parking lots are required to have landscaping per industry standards. The ends of parking bays shall have landscape islands, which shall be strategically placed to ensure that there are no more than twenty (20) contiguous parking spaces. Parking lots shall be buffered from view from the public right-of-way with practical landscaping.	Parking should be on the side or rear of buildings. Underground/garden level parking other than "public parking areas/structures"	Parking areas shall be designed so that vehicles may exit without backing onto a public street. Parking is allowed only behind or to the side of buildings, but must be screened from public view through berming, screen walls and landscaping; landscape islands required as end caps to parking rows and to separate parking rows; no more than 15 parking spaces in a row; drive-thrus to be screened by a screen wall or fence minimum 3' tall; larger parking lots require additional alndscaping and walkways to connect throughout the site. A minimum of 1 tree / 20 parking spaces grouped together in silands which are a minimum of 10' wide. 1 shrub / 150 sqft of landscaping area with group plantings in landscape islands. Parking lot landscape setback for parking areas = 30' from arterials or 25' from other streets	Evans: Parking lots shall contain one (1) landscape island approximately every fifteen (15) parking spaces, equidistant from any other landscape island and one (1) landscape island at the end of each parking row. Each such landscape island shall be at least eight (8) feet wide by eighteen (18) feet long, as measured from inside curb to inside curb, shall contain groundcover and one (1) shade tree, and shall be bordered by concrete curbing. Where parking rows abut end-to-end and each row contains more than twenty (20) parking spaces, the rows shall be separated by a 5' planting strip containing one (1) shade tree and five (5) shrubs approximately every thirty (30) feet, plus groundcover. Wellington: Parking lots shall not dominate the frontage of pedestrian-oriented streets, interfere with designated pedestrian routes or negatively impact surrounding neighborhoods. The pedestrian character of streets and buildings shall be maximized through continuity of buildings and landscape frontage. Parking lots shall be landscaped, screened and buffered. 1 tree per 20 parking spaces grouped together in islands which are a min of 10' wide. 1 shrub per 150 SF of landscaped area, with group plantings in landscape islands. Parking lot landscape setback for parking areas 30' from arterials or 25' from other streets.	-
Open Space	A minimum of 10% of the gross land being subdivided as open space unless granted a wavier by the Board of Trustees, which may include plazas, squares, trails, landscaped areas (including areas in parking lots), recreational amenities and natural areas and other civic purposes. An internal trail system and trails designated on the Town's Parks and Trails Map. Note: For commercial and industrial projects developed as a single project with Pad Sites, the twenty percent (20%) dedication will apply to the entire project. For commercial and industrial subdivisions with individually owned lots, the twenty percent (20%) dedication shall apply to each lot.	-	A minimum of 20% of the gross land being subdivided as open space, which may include plazas, squares, trails, landscaped areas, recreational amenities and natural areas and other civic purposes. An internal trail system and trails designated on the Town's Parks and Trails Map. Note: For commercial and industrial projects developed as a single project with Pad Sites, the twenty percent (20%) dedication will apply to the entire project. For commercial and industrial subdivisions with individually owned lots, the twenty percent (20%) dedication shall apply to each lot.	Evans: Highway 85 District: Plaza space shall be required when a development involves a gross site area greater than 10 acres. A minimum 5% of the property shall be dedicated to plaza space for properties above 10 acres in total size. Plaza spaces shall incorporate at least 3 of the following elements. At least 1 seating space for each 250 SF of plaza or public space area. The seating space requirement can be met through the use of benches, chairs, or seat-walls; a mixture of areas that provide shade, through the use of canopies, awnings, arcades, or other similar elements; a water feature or piece of public art; or an outdoor dining opportunity.	-

Council Code Review (Commercial Design)

	Severance	Mayor Matt Fries	Frank Baszler	Michelle Duda	Tad Stout
Amenities	Sidewalk plantings, trails, landscaped areas, natural areas, seating, gathering spaces, and bike racks.	-	Sidewalk plantings, trails, landscaped areas, natural areas, seating, gathering spaces, plazas, and bike racks.	Evans: For development less than 10 acres in total size, additional provisions for pedestrians must be provided. These provisions shall be provided to the maximum extent deemed reasonable by City staff in the exercise of their discretion. These provisions can be met through the use of the following: i. Seating areas that utilize elements of the development (e.g. low masonry walls); ii. Benches; iii. Robust sidewalk connections; iv. Shaded and/or landscape areas provided for passive recreation or relaxation. Frederick: Natural features and areas, walking paths and gathering areas. **Question on Timnath's use of "Plazas" where they list "plazas, trails, landscaped areas, natural areas or other public/civic uses.	-
Landscaping	Edges of commercial development shall have high-quality landscaping. Berms, meandering walks, a mix of irrigated turf, shrub beds, ornamental trees, evergreen trees and shade trees are encouraged.	Landscaping <u>standards</u> should be formulated. Zero scape required unless unpotable water can be provided	20% of site area; 1 tree and 5 shrubs / 1000 sq ft.	Evans: All land not within the building footprint, paved, or otherwise overlain by impervious surface or gravel, including such areas located on adjoining rights-of-way, shall be landscaped with shrubs, sod or other groundcover. Firestone: A minimum of 1 tree per 1,000 SF of landscaped area. Wellington: 20% of the site (gross) shall be landscaped area, outside of street rights-of-way, building footprints or hard surfaced or landscaped areas used as parking lots and driveways; 1 tree per 1,000 SF of landscaped area and 1 shrub per 150 SF of landscaped area.	-
Transitions/ Buffers	Development Node: For uses that do not already have specific setback requirements (such as oil and gas or solar), a boundary with a dissimilar land use is required at a minimum to incorporate a landscaped setback of twenty (20) feet. Setback design will be dependent on-site constraints and proposed use intensity.	-	Special consideration shall be given to the impact of aesthetics, noise, lighting and traffic. A deference will be given to the lower intensity used land. A 20-foot landscape setback area will be used with 1 tree and 5 shrubs / 600 sq ft with a continuous 6' privacy fence. Berming should be used where topographically reasonable	Evans: Bufferyards shall include one (1) tree and five (5) shrubs for every five hundred (500) square feet of bufferyard area, plus groundcover over the entire bufferyard area. Timnath: 6 buffer type classifications based on Table 5.5: 1) Type 10 - 10' width w/ 1 lg deciduous , 3 med evergreen (staggered spacing) and 1 sm ornamental for every 75' length 2) Type 20 - 25' width as a barrier w/ 1 lg deciduous tree (50±' height) and 2 sm ornamental trees spaced 30' on center / 60' length 3) Type 30 - 30' width as barrier w/ 1 lg deciduous tree / 60' length and 1 medium evergreen (triangular staggered spacing) / 15' length yard continues by 5' width up to 60' w/ additional trees being incorporated.	-
Screening	Utility pedestals and trash enclosures shall be buffered with landscaping. Trash enclosures shall be located in locations that have the least impact on views from the public right-of-way as practical. Trash enclosures shall be masonry with steel gates to match building architecture	-	All AC units. HVAC systems, exhaust pipes or stacks, elevator housing and satellite dishes and other telecommunications receiving devices shall be thoroughly screened from view from the public right-of-way and from adjacent properties by using walls, fencing, roof elements and landscaping. In addition, all trash facilities, loading and parking areas shall be placed to the rear of side of buildings and properly screened. Screening and landscaping shall also prevent spill-over glare, noise, or exhaust fumes. Screening and buffering shall be achieved through walls, architectural features, and landscaping; and shall be visually impervious. Building recesses or depressed access ramps may be used.	Evans: Service and loading areas shall be fully screened, through the use of landscaping and/or fencing, from adjacent residentially zoned properties, internal parking lot driveways and public and private rights-of-way. Service and loading areas shall not be placed on the front or street side of a building, but rather at the rear or side of the building. Firestone: Screening consists of landscaping, the retention of natural vegetation, or the use of physical structures to block views of specific activities or specific parts of a property or structure. Timnath: Ancillary areas (i.e. loading, waste and recycling facilities, service areas, mechanical, etc.) - placed to the rear or side of buildings in visually unobtrusive locations - incorporated to prevent direct views from adjacent properties or from the public right-of way. Screening and landscaping to prevent spill-over glare, noise, or exhaust fumes. Use of walls, arch. features, and landscaping - opaque. Wellington: All air-conditioning units, HVAC systems, exhaust pipes or stacks, elevator housing and satellite dishes and other telecommunications receiving devices shall be thoroughly screened from view from the public right-of-way and from adjacent properties by using walls, fencing, roof elements and landscaping.	-

Council Code Review (Commercial Design)

	Severance	Mayor Matt Fries	Frank Baszler	Michelle Duda	Tad Stout
Pedestrian Connections	Pedestrian connectivity within developments via a combinations of trails or sidewalks. Ped walks to be provided as necessary to ensure projects are easily navigated and enjoyable from the pedestrians.	-	Pedestrian connectivity within developments via a combination of trails or sidewalks. Ped walks to be provided as necessary to ensure projects are easily navigated and enjoyable from the pedestrians.	Evans: Sidewalks shall be provided on both sides of all streets. Sidewalks and pedestrian pathways shall connect the site with public sidewalks; all principal buildings on the site; parking lots and where logical connections to off-site locations can be made, as identified in the City's Transportation Plan for pedestrian and bicycle route maps. Firestone: Pedestrian walkways shall link the principal pedestrian site access to building entrances. All developments that contain more than 1 building shall provide walkways between the principal entrances of the buildings. Frederick: A pedestrian network that interconnects all dwelling units, nonresidential uses, and common open space shall be provided throughout each development. This network is made up of sidewalks, walkways, multi-use pathways, and trails. Sidewalks shall be separate and distinct from motor vehicle circulation to the greatest extent possible. The pedestrian circulation system shall include gathering/sitting areas and provide benches, landscaping, and other street furniture where appropriate. Johnstown: Highly encouraged with visible and clearly marked routes and crossings; connection to Town trails and walkways. Timnath: Minimum width of 5' throughout the site; perimeter sidewalk network req. - must tie into the site and provide connections between site features and amenities; walkways through parking areas encouraged; combination of materials (i.e. brick, stone, concrete, stamped concrete, etc.) encouraged. Wellington: Sidewalks shall be separate and distinct from motor vehicle circulation. Windsor: Requires continuous pedestrian access connecting to perimeter sidewalks systems and to circulate internal parking lots and around buildings. Areas adjacent to buildings to be a min. of 8' in width to accommodate vehicle overhang.	-
Streetscape		-	Strong consistent streetscape edge. The statement should be consistent and complementary with adjacent properties and should create a distinctive style.	Evans: 1 shade tree and 5 shrubs for every 35 feet of street frontage, as well as groundcover. Firestone: 1 deciduous or ornamental street tree for every 40 linear feet of street frontage with adequate spacing to allow for the mature spread of the trees. Frederick: 1 tree for every 40 linear feet of road frontage or curb; live groundcover, including a combination of grass, flowers, street trees, and mulch shall be installed in tree lawn. Johnstown: strong, consistent landscape edge; specific criteria depending on roadway and planning area per Landscape Standards. Timnath: tree lined streets; specific criteria varies based on road classification and to fit the characteristics of the area (i.e. rural/ag, res., comm.); min. 1 tree / 35' length within a 10' green space. Windsor: 15-20' width street frontage - width varies in tree lawn; tree lawn located between sidewalk and curb; street frontage between sidewalk and building; 1 tree / 40' in tree lawns and 1 tree / 50' in street frontage areas.	-
Xeric/ Water Conservation		-	75% of shrubs must be low or very low water use. No more than 15% of the shrubs or trees can be classified as high-water use. Drought tolerant planting are encouraged	Firestone: Xeriscape plant materials are strongly encouraged. Zoning of plant materials according to the microclimate needs and water requirements. Efficient irrigation systems including rain and wind sensors, controllers accessing weather stations. Frederick: All landscaping plans shall be designed to incorporate water conservation materials and techniques through application of Xeriscape landscaping principles. Xeriscape landscaping principles do not include or allow artificial turf or plants, mulched (including gravel) beds or areas without landscape plant material, paving of areas not required for walkways, plazas or parking lots, bare ground, weed covered or infested surfaces or any landscaping that does not comply with the standards of this Section of the Code Timnath: required to incorporate low water usage plantings and turf; and encouraged to use native plantings. Windsor: Require 65% of shrub requirements to be low or very low water use; no more than 15% of shrubs or trees to be classified as high water use; drought tolerant planting encouraged.	-

From: [Amberly Fredrickson](#)
To: [Abdul Barzak](#); [Nicholas Wharton](#)
Subject: Suggestion to Council for 3/22 meeting
Date: Wednesday, March 16, 2022 10:40:07 AM

Hello

I am writing in reference to the land code coming before Town Council on March 22, 2022. I would appreciate it if the board read the comments publicly, responded acknowledging they have been received, or placed in the packet.

In reference to the commercial design code, I believe the town needs to promote small commercial businesses with small physical footprints to allow opportunities for multiple types of businesses within our community. Small businesses care about and are invested in the well-being of the community and its future. They typically hire local residents and provide opportunities for teens to learn about employment. Also, small businesses have certain advantages over large businesses: flexibility, lean staffing, and the ability to develop close relationships with customers. This is the kind of business this small town wants. I do not believe people want giant national commercial builders who leave large footprints and seek profit only. The physical footprint should not be larger than The Dollar General. All future buildings should be similar in design with varying heights no more than a single story. Buildings should not be crammed next to each other. Commercial property should not be within neighborhoods and the zones need to be followed. The natural environment needs to be preserved and the outside of the buildings should be color coordinated to the environment. There should be trees and bushes. The storefront should present a family friendly welcoming environment. Words in the land code should not say "encouraged" and the codes need specific requirements to need to be listed.

Regarding parking, the spots need to be physically larger than previously approved. I am aware of the G5 proposal and they listed their additional parking on the street. This should NOT be allowed. Businesses need to provide all the parking for their employees and customers and should not use public neighborhood streets to fulfill the requirements. Future commercial properties should not use public neighborhood streets to meet requirements. Commercial properties should also be required to put a bike rack on their property. Regarding parking for homes, the size of the driveway/parking needs to be able to easily fit two large trucks. In many neighborhoods, the trucks are crowding the roads because they can not fit in the garage or parking spots. This can easily be fixed by requiring larger parking lots for each individual home.

Regarding lighting, lights should not shine or blare into individual homeowners windows. Lights should be on a timer and go off at night as needed. Fluorescent, bright, or neon lights should not be approved especially if they are facing homeowners. There need to be street lights within the neighborhood so families feel safe playing outside at night. Street lights need to be required and not encouraged.

Thank you for your time and thoughtful consideration of my suggestions.

Amberly