



PLANNING COMMISSION REGULAR MEETING
Zoom Webinar and/or Town Council Chamber
3 S. Timber Ridge Parkway, Severance, CO 80550

AGENDA
Wednesday, September 16, 2026, at 6:00 PM

A. CALL TO ORDER

1. Roll Call
2. Pledge of Allegiance
3. Approval of Agenda
4. Approval of Minutes January 21, 2026
5. Public Comment

The purpose of the Public Comment is for members of the public to speak to the Planning Commission on any subject not scheduled on the agenda. To accomplish scheduled agenda items, comments should be limited to three minute for those attending in person or an appropriate time as deemed by the Chair. The Planning Commission shall make no decisions or take action on comments, but may choose to schedule the matter for a decision later. Those addressing the Planning Commission, please state your name and address. and sign-in.

B. REGULAR MEETING

1. **Resolution No. PC 2026-002R: Proposed Amendments concerning the Town Council's ability to adopt time-sensitive land development code amendments without a prior recommendation from the Planning Commission.**
 - Legislative
 - Staff Presentation: Shani Porter, Planning Director
2. **Resolution No. PC 2026-003R: A text amendment correcting the front, corner, side, and rear setbacks for the Town Core and Development Node zone districts and to amend the supplemental criteria.**
 - Legislative
 - Staff Presentation: Shani Porter, Planning Director
3. **Resolution No. PC 2026-04R: Text Amendment to the Land Use Code to amend oil and gas specific setbacks to align with Weld County Oil and Gas regulations.**
 - Legislative
 - Staff Presentation: Shani Porter, Planning Director
4. **Resolution No. PC 2026-05R: Establish procedures for the suspension of land use applications at the request of an applicant.**

- Legislative
- Staff Presentation: Shani Porter, Planning Director

5. Resolution No. PC 2026-06R: Amend the Municipal Code concerning electric service infrastructure for new development.

- Legislative
- Staff Presentation: Shani Porter, Planning Director

C. COMMUNICATIONS

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

1. Town Staff
2. Commissioners

D. ADJOURN

Planning Commission Meeting
Wednesday, September 16, 2026, 6:00 PM (MDT)

The Planning Commission reserves the right to adjourn to a virtual-only meeting at its discretion should the need arise.

Registration URL
https://us02web.zoom.us/webinar/register/WN_8WAKbBepTvexQIKz59qmfA

The Town of Severance does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the provision of services. For disabled persons needing reasonable accommodation to attend or participate in a town service, program, public meeting, or activity, call 970-686-1218 at least 72 hours in advance. Disabled access is available from the front entrance of the Town Hall.



PLANNING COMMISSION REGULAR MEETING
Zoom Webinar and/or Town Council Chamber
3 S. Timber Ridge Parkway, Severance, CO 80550

REGULAR MEETING MINUTES
Wednesday, January 21, 2026, at 6:00 PM

Chair: Kris Quandt
Vice-Chair: Joe Pirrone
Commissioners: David Rau
Dan Spykstra
Jennifer Shaw
Jennifer Roe
Russ Liberty

Audience:
Staff: Shani Porter, Planning Director
Andrew Rogers, Town Attorney
Nicholas Wharton, Town Manager
Lindsay Radcliff-Coombes, Deputy Town Manager

A. CALL TO ORDER

1. Roll Call

Present:
Chair Kris Quandt, Vice-Chair Joe Pirrone, Commissioner David Rau, Commissioner Dan Spykstra, Commissioner Jennifer Shaw, Commissioner Jennifer Roe, Commissioner Russ Liberty

2. Pledge of Allegiance

3. Approval of Agenda

MOTION WAS MADE BY Commissioner Rau, seconded by Commissioner Spykstra to Approve the Agenda. All Commissioners present voting Yes.

MOTION PASSED

4. Approval of Minutes 9.17.25

5. Public Comment

The purpose of the Public Comment is for members of the public to speak to the Planning

Commission on any subject not scheduled on the agenda. To accomplish scheduled agenda items, comments should be limited to three minute for those attending in person or an appropriate time as deemed by the Chair. The Planning Commission shall make no decisions or take action on comments, but may choose to schedule the matter for a decision later. Those addressing the Planning Commission, please state your name and address. and sign-in.

B. REGULAR MEETING

1. Appointment of Chair

- Legislative
- Staff Presentation: Shani Porter, Planning Director

MOTION WAS MADE BY Vice-Chair Pirrone, seconded by Commissioner Rau to appoint Chris Quandt as Chair. All Commissioners present voting Yes.

MOTION PASSED

2. Appointment of Vice-Chair

- Legislative
- Staff Presentation: Shani Porter, Planning Director

MOTION WAS MADE BY Commissioner Spykstra, seconded by Commissioner Roe to Approve the Appointment of Joe Pirrone as Vice-Chair. All Commissioners present voting Yes.

MOTION PASSED

3. Resolution PC2026-01R: A Resolution of the Town of Severance Planning Commission approving, with conditions, a Site Plan application for Platte Valley Veterinary Clinic on real property located within the Town of Severance, Lot 5 Block 1, Scotch Pine Commercial at Timber Ridge PUD

- Legislative, Discussion
- Staff Presentation: Shani Porter, Planning Director

MOTION WAS MADE BY Vice-Chair Pirrone, seconded by Chair Quandt to Approve **Resolution PC2026-01R: A Resolution of the Town of Severance Planning Commission approving, with conditions, a Site Plan application for Platte Valley Veterinary Clinic on real property located within the Town of Severance, Lot 5 Block 1, Scotch Pine Commercial at Timber Ridge PUD.** All Council Members present voting Yes.

MOTION PASSED

C. COMMUNICATIONS

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

1. Town Staff
2. Commissioners

D. ADJOURN

A motion was made to adjourn by Vice-Chair Pirrone.

TOWN OF SEVERANCE

Kris Quandt, Chair

ATTEST

Sarah Jacobsen, Town Clerk



AGENDA ITEM SUMMARY

AGENDA ITEM	SUBMITTED BY	PRESENTED BY
Resolution No. PC 2026-002R: Proposed Amendments concerning the Town Council's ability to adopt time-sensitive land development code amendments without a prior recommendation from the Planning Commission.	Shani Porter, Planning Director	Shani Porter
ACTION REQUESTED		
Legal Staff requests that the Planning Commission review, discuss, and take action on Resolution PC-2026-02R and forward a recommendation to the Town Council on amendments to the Land Use Code regarding Town Council's ability to adopt time-sensitive land development code amendments without the prior recommendation of the Planning Commission. Actions that may be taken: 1. Approve PC-2026-02R and forward a recommendation of approval to Town Council. 2. Deny Resolution PC-2026-02R 3. Take No Action.		<u>Resolution</u> <u>Action Requested</u> <u>Attorney Approved</u>
BRIEF SUMMARY		
What the amendments do: • Allow Town Council to adopt time-sensitive Land Use Code text amendments without waiting for a prior Planning Commission recommendation (for situations requiring expeditious action — e.g., changes in state law, judicial decisions, or other public health/safety/welfare conditions) • Correct Section 16.1.50(c) to reflect that the Planning Commission is established by Article 5, Chapter 2 of the Code (not the Town Charter, as currently stated) Legal basis: The Charter (§§3.02(3), 3.02(1)(e), 5.02(1), 5.02(3)) gives Town Council legislative authority and the power to delegate, modify, or reduce duties of boards/commissions it creates by ordinance — since the Planning Commission was created by ordinance rather than the Charter itself, Council has authority to adjust its review role. Findings on review criteria: • Further the Code's purposes by clarifying Council/Commission roles • Improve administrative efficiency for time-sensitive matters • Are procedural and not inconsistent with the Comprehensive Plan		

- Address a gap in the current procedure (no provision for expedited action)
- Promote public health, safety, and welfare while preserving a noticed public hearing before Council in all cases

PUBLIC SUPPORT/CONCERN

None at this time

ANALYSIS AND RECOMMENDATION

Legal Staff is requesting the Planning Commission review, discuss, and approve PC-2026-02R for the proposed amendments to the Land Use Code.

MATERIALS SUBMITTED

The following materials were submitted and included in this packet:

1. RES 2026-02R - Res to Recommend Dual Authority
2. Exhibit A 2026-XXORD - Dual Authority to Amend LUC

**TOWN OF SEVERANCE
RESOLUTION NO. PC-2026-02R**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF
SEVERANCE, COLORADO, RECOMMENDING THAT THE TOWN COUNCIL
APPROVE AN ORDINANCE AMENDING SECTIONS 16.1.50 AND 16.2.205 AND
TABLES 16.2.110 AND 16.2.140 OF THE SEVERANCE MUNICIPAL CODE TO
AUTHORIZE THE TOWN COUNCIL TO ADOPT CERTAIN LAND DEVELOPMENT
CODE AMENDMENTS WITHOUT A PRIOR RECOMMENDATION OF THE
PLANNING COMMISSION**

WHEREAS, in accordance with Section 16.2.205(a) of the Severance Municipal Code, Town staff may initiate amendments to the text of the regulations in Chapter 16 (the “Land Use Code”) of the Severance Municipal Code (the “Code”); and

WHEREAS, Town staff has proposed amendments to the Land Use Code (the “Proposed Amendments”), in the form attached hereto and incorporated herein as **EXHIBIT A**; and

WHEREAS, the Proposed Amendments concern the Town Council’s ability to adopt time-sensitive land development code amendments without a prior recommendation from the Planning Commission; and

WHEREAS, the Proposed Amendments would further amend Section 16.1.50(c) of the Code, which presently states that the Planning Commission is established according to the Town Charter, to reflect that the Planning Commission is established by Article 5 of Chapter 2 of the Code; and

WHEREAS, Section 3.02(3) of the Severance Home Rule Charter (the “Charter”) provides that, except as otherwise provided in the Charter, the Town Council is the legislative and governing body of the Town and exercises all powers conferred upon or possessed by the Town; and

WHEREAS, Section 3.02(1)(e) of the Charter authorizes the Town Council to delegate to boards and commissions such functions and authority of the Town as the Town Council deems proper and advisable; and

WHEREAS, Section 5.02(3) of the Charter authorizes the Town Council to increase, reduce, or change by ordinance any or all of the duties and procedures of any board or commission existing at the time of the adoption of the Charter or created by ordinance thereafter; and

WHEREAS, Section 5.02(1) of the Charter provides that no board or commission shall have authority to perform functions or duties otherwise assigned in the Charter or to interfere with

any function or duty otherwise assigned in the Charter; and

WHEREAS, the Planning Commission is created and established by Article 5 of Chapter 2 of the Code, enacted by Ordinance 2025-19, §2, the Charter containing no provision establishing the Planning Commission or prescribing its duties; and

WHEREAS, Section 2-5-20(a) of the Code assigns to the Planning Commission the duties of performing quasi-judicial review of land use applications when required under the Code and, periodically, proposing and recommending to the Town Council a comprehensive plan for the physical development of the Town, and the Planning Commission's role in the review of land development code text amendments derives from Section 16.2.205(c)(2), Table 16.2.110, and Table 16.2.140 of the Code; and

WHEREAS, in accordance with Section 16.2.205(c)(2), and Tables 16.2.110 and 16.2.140 of the Code, a land development code text amendment requires review by the Planning Commission at a public hearing and a recommendation of the Planning Commission to the Town Council; and

WHEREAS, notice of the public hearing before the Planning Commission was published on the Town's official website not less than 15 calendar days prior to the hearing, in accordance with Section 16.2.140(b)(4)(a) of the Code, and was further posted at Town Hall and at the Severance Post Office; and

WHEREAS, on September 16, 2026, the Planning Commission held a duly noticed public hearing to consider the Proposed Amendments, at which the Planning Commission considered the report from Town staff, heard public comment, and considered the Proposed Amendments; and

WHEREAS, after reviewing the Proposed Amendments according to the criteria in Section 16.2.205(b) of the Code, the Planning Commission desires to recommend the Town Council approve the Proposed Amendments in substantially the same form as presented.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF SEVERANCE, COLORADO, AS FOLLOWS:

Section 1. **Recitals.** The above recitals are incorporated herein and adopted as findings of the Planning Commission.

Section 2. **Findings on the review criteria.** Having reviewed the Proposed Amendments according to the criteria set forth in Section 16.2.205(b) of this Code, the Planning Commission finds as follows:

- (a) *The Proposed Amendments further the purposes of the Code.* The Proposed Amendments recognize the Town Council's legislative role as authorized by the Charter. The Planning Commission finds the Proposed Amendments further the purposes of the Code by clarifying the respective roles of the Town Council and the Planning Commission including the functions delegated to the Planning Commission in the amendment of the Town's land development regulations.
- (b) *The Proposed Amendments improve the efficiency and effectiveness of administering the Code.* The Planning Commission finds the Proposed Amendments permit the Town Council to act on a text amendment without awaiting a recommendation of the Planning Commission where circumstances require expeditious action, including changes in state law, judicial decisions affecting the enforcement of the Code, and other conditions affecting the public health, safety, or welfare.
- (c) *The Proposed Amendments are consistent with the Comprehensive Plan and other adopted plans and policies.* The Planning Commission finds the Proposed Amendments are procedural in nature and do not establish, modify, or eliminate any standard governing the use or development of land. The Comprehensive Plan addresses the Town's land use and development policy and does not prescribe the procedure by which the Town Council adopts amendments to the text of the Code. The Planning Commission accordingly finds the Proposed Amendments are not inconsistent with the Comprehensive Plan or with any other adopted plan or policy of the Town.
- (d) *The Proposed Amendments incorporate innovations in land use and development practices that were not envisioned at the time the code was written.* The Planning Commission finds this criterion is directed to innovations in the practices by which land is used and developed, and it is not directly implicated by the Proposed Amendments, which are procedural in nature. To the extent the criterion is read to encompass innovations in the administration of land development regulations, the Planning Commission finds that the procedure presently set forth in Section 16.2.205(c)(2), Table 16.2.110, and Table 16.2.140 makes no provision for circumstances requiring expeditious action, and that the Proposed Amendments address a need the existing procedure did not anticipate.
- (e) *The Proposed Amendments promote public health, safety, and welfare.* The Planning Commission finds the Proposed Amendments promote the public health, safety, and welfare by enabling the Town to amend its land development regulations without delay when required to address a condition affecting the Town while

preserving, in every case, a noticed public hearing before the Town Council at which any person may appear and be heard.

Section 3. **Recommendation.** The Planning Commission recommends the Town Council approve the Proposed Amendments to the Land Use Code concerning the Town Council's ability to adopt time-sensitive land use code amendments without a prior recommendation from the Planning Commission, in substantially the same form as the version attached hereto and incorporated herein as **Exhibit A.**

Section 4. **Transmittal.** The Chair is authorized and directed to execute this resolution on behalf of the Planning Commission, and the Town staff is directed to transmit a copy of this resolution, together with the record of the Planning Commission's public hearing, to the Town Council.

Section 5. **Effective Date.** This resolution shall take effect immediately upon adoption.

RESOLVED, AND APPROVED THIS 16TH DAY OF SEPTEMBER, 2026.

**PLANNING COMMISSION OF THE
TOWN OF SEVERANCE, COLORADO**

Kris Quandt, Chair

ATTEST:

Sarah Jacobsen, Town Clerk

**TOWN OF SEVERANCE
ORDINANCE NO. 2026-XXORD**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SEVERANCE,
COLORADO, AMENDING SECTIONS 16.1.50 AND 16.2.205 AND TABLES 16.2.110
AND 16.2.140 OF THE SEVERANCE MUNICIPAL CODE TO AUTHORIZE THE
TOWN COUNCIL TO ADOPT CERTAIN LAND DEVELOPMENT CODE
AMENDMENTS WITHOUT A PRIOR RECOMMENDATION OF THE PLANNING
COMMISSION**

WHEREAS, the Town of Severance, Colorado (the “Town”) is a Colorado home rule municipality, duly organized and existing under Article XX of the Colorado Constitution and the Severance Home Rule Charter (the “Charter”), and the regulation of the use and development of land within its boundaries is a matter of local and municipal concern; and

WHEREAS, Section 3.02(3) of the Charter provides that, except as otherwise provided in the Charter, the Town Council is the legislative and governing body of the Town and exercises all powers conferred upon or possessed by the Town; and

WHEREAS, Section 3.02(1)(e) of the Charter authorizes the Town Council to delegate to boards and commissions such functions and authority of the Town as the Town Council deems proper and advisable; and

WHEREAS, Section 5.02(3) of the Charter authorizes the Town Council to increase, reduce, or change by ordinance any or all of the duties and procedures of any board or commission existing at the time of the adoption of the Charter or created by ordinance thereafter; and

WHEREAS, Section 5.02(1) of the Charter provides that no board or commission shall have authority to perform functions or duties otherwise assigned in the Charter or to interfere with any function or duty otherwise assigned in the Charter; and

WHEREAS, the Planning Commission is created and established by Article 5 of Chapter 2 of the Severance Municipal Code (the “Code”), enacted by Ordinance 2025-19, §2, the Charter containing no provision establishing the Planning Commission or prescribing its duties, and Section 16.1.50(c) of the Code states otherwise and should be corrected; and

WHEREAS, Section 2-5-20(a) of the Code assigns to the Planning Commission the duties of performing quasi-judicial review of land use applications when required under the Code and, periodically, proposing and recommending to the Town Council a comprehensive plan for the physical development of the Town, and the Planning Commission’s role in the review of land development code text amendments derives from Section 16.2.205(c)(2), Table 16.2.110, and Table 16.2.140 of the Code; and

WHEREAS, Section 16.1.10(b) of the Code provides that the Code is adopted pursuant to Article XX of the Colorado Constitution and the Charter, independent of and in addition to Title 31, Article 23 of the Colorado Revised Statutes, and that the Code supersedes state legislative

enactments that are by their terms subject to the supersession by the home rule charter or ordinance; and

WHEREAS, Section 16.2.205(c)(2) of the Code, Table 16.2.110, and Table 16.2.140 each condition the Town Council's consideration of a land development code text amendment upon review by, and a recommendation of, the Planning Commission; and

WHEREAS, on September 16, 2026, the Planning Commission held a duly noticed public hearing on the proposed amendments and, by Resolution No. PC-2026-XXR, recommended that the Town Council approve them; and

WHEREAS, circumstances periodically arise in which the Town must amend its land development regulations expeditiously, including changes in state law, judicial decisions affecting the enforcement of Town regulations, and other conditions affecting the public health, safety, or welfare; and

WHEREAS, the Town Council finds that retaining discretion to consider and act upon a text amendment without prior recommendation of the Planning Commission serves the efficient and effective administration of the Code and the interests of the Town's residents; and

WHEREAS, notice of the public hearing before the Town Council was published on the Town's official website not less than 15 calendar days prior to the hearing, in accordance with Section 16.2.140 and Table 16.2.140 of the Code, and the Town Council held a public hearing on the proposed amendments on October 27, 2026, at which the Town Council considered the report from Town staff, considered the resolution from the Planning Commission, heard public comment, and considered this ordinance; and

WHEREAS, the Town Council further finds that the review criteria set forth in Section 16.2.205(b) should continue to govern every text amendment regardless of the procedural path by which the amendment reaches the Town Council, and that the public hearing before the Town Council and the published notice of that hearing should remain required in every case.

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

Section 1. **Recitals.** The foregoing recitals are affirmed and incorporated herein.

Section 2. **Amendment to Section 16.1.50(c).** Section 16.1.50(c) of the Code is hereby amended to read as follows (additions underlined; deletions ~~struck through~~):

- (c) *Planning Commission.* The Planning Commission is the appointed body responsible for long-range and comprehensive planning. The Planning Commission is established ~~according to the Town Charter~~ by Article 5 of Chapter 2 of this Code. In addition to all other general planning authorities granted by the Charter, statutes, and local ordinances, the Planning Commission shall have the specific review responsibilities and final authority referred to the Planning

Commission under the procedures and standards of these regulations, as appointed by the Town Council.

Section 3. **Amendment to Section 16.2.205(c)(2).** Section 16.2.205(c)(2) of the Code is hereby amended to read as follows (additions underlined):

- (2) Except as provided in subsection (c)(4) of this Section, Amendments require the recommendation of the Planning Commission to the Town Council.

Section 4. **Amendment to Section 16.2.205(c).** Section 16.2.205(c) of the Code is hereby amended by the addition of a new subsection (4), to read as follows:

- (4) Waiver of Planning Commission recommendation. Notwithstanding Section 16.1.20 of this Code, Table 16.2.110, Table 16.2.140, and subsection (c)(2) of this Section, the Town Council may, by motion adopted at or before the introduction of an ordinance proposing a text amendment, waive the requirement of subsection (c)(2) of this Section and thereafter consider and act upon the proposed amendment without a recommendation of the Planning Commission and without a public hearing before the Planning Commission. Where the Town Council waives the requirement of subsection (c)(2), the following shall apply:
 - a. The Town Council shall review the proposed amendment according to the criteria set forth in subsection (b) of this Section.
 - b. The public hearing before the Town Council, and the published notice of that hearing required by Table 16.2.140 and Section 16.2.140(b)(4) of this Code, shall remain required.
 - c. An amendment adopted following a waiver under this subsection shall have the same force and effect as an amendment adopted following a recommendation of the Planning Commission, and no such amendment shall be invalid by reason of absence of a recommendation of, or a public hearing before, the Planning Commission.
 - d. The Town Manager, or his designee, shall transmit a copy of each ordinance adopted following a waiver under this subsection to the Planning Commission for its information.
 - e. Nothing in this subsection limits the authority of the Town Council to refer a proposed amendment to the Planning Commission under subsection (c)(3) of this Section.

Section 5. **Amendment to Table 16.2.110.** The row of Table 16.2.110 of the Code entitled “Land Development Code (Text) Amendment” is hereby amended to read as follows, the column heading of Table 16.2.110 being set forth in the left-hand column for ease of reference (additions underlined), including the addition of the footnote:

Column Headings	Entry for “Land Development Code (Text) Amendment”
An Owner can Apply	n/a
Town Council can Apply	X
Neighborhood Meeting Required	n/a
Pre-Application Required	n/a
Staff Review Authority	R
Planning Commission Review Authority	H/R*
Town Council Review Authority	H/D
Board of Adjustment Review Authority	n/a
Final Plans to be Recorded	n/a
Mailed Notices Required	n/a
Posted Notices Required	n/a
Publicized Notices Required	X

* Except as provided in Section 16.2.205(c)(4) of this Code, under which the Town Council may waive Planning Commission review and recommendation of a land development code text amendment.

Section 6. Amendment to Table 16.2.140. The row of Table 16.2.140 of the Code entitled “Land Development Code (Text) Amendment” is hereby amended to read as follows (additions underlined), including the addition of the footnote:

Application Type	Meeting Type	Mailed Notice	Posted Sign	Publication
Land Development Code (Text) Amendment	PC (H)*_ / TC (H)	n/a	n/a	15 calendar days prior to the hearing

* Except as provided in Section 16.2.205(c)(4) of this Code, under which the Town Council may waive the public hearing before the Planning Commission. The published notice required by this Table and the public hearing before the Town Council remain required in every case.

Section 7. Conflicting provisions. To the extent any provisions of the Code, including Section 16.1.20, Table 16.2.110, or Table 16.2.140, conflict with Section 16.2.205(c)(4) as adopted by this ordinance, Section 16.2.205(c)(4) controls. It is the express intent of the Town

Council that the rule of construction set forth in Section 16.1.20 of this Code, under which the more restrictive provision governs, shall not be applied to limit or defeat the waiver authorized by Section 16.2.205(c)(4).

Section 8. **Severability.** If any article, section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The 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 9. **Effective Date.** In accordance with Section 6.03(6) of the Town of Severance Home Rule Charter, this ordinance, after approval by the Town Council of the Town of Severance, shall be effective thirty (30) days after publication.

**INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED
IN FULL THIS 27TH DAY OF OCTOBER, 2026.**

TOWN OF SEVERANCE, COLORADO

Matthew Fries, Mayor

ATTEST:

Sarah Jacobsen, Town Clerk

AFFIDAVIT OF PUBLICATION

STATE OF COLORADO)
)
COUNTY OF WELD)

I, Sarah Jacobsen, Town Clerk for the Town of Severance, do solemnly swear and affirm that I published in full a true and correct copy of Ordinance No. 2026-XXORD, enacted by the Town Council on October 27, 2026, on the Town of Severance's web site, <https://www.townofseverance.org/255/Ordinances>, on the ____ day of _____ 2026.

Witness my hand and seal this ____ day of _____ 2026.

Sarah Jacobsen
Town Clerk

[Town Seal]



AGENDA ITEM SUMMARY

AGENDA ITEM	SUBMITTED BY	PRESENTED BY
Resolution No. PC 2026-003R: A text amendment correcting the front, corner, side, and rear setbacks for the Town Core and Development Node zone districts and to amend the supplemental criteria.	Shani Porter, Planning Director	Shani Porter, Planning Director
ACTION REQUESTED		
Planning Staff requests that the Planning Commission review, discuss, and take action on Resolution PC-2026-03R and forward a recommendation to the Town Council on text amendments to the Land Use Code to correct the front, corner, side and rear setbacks for the Town Core and Development Node zone districts. Actions that may be taken: 1. Approve PC-2026-03R and forward a recommendation of approval to Town Council. 2. Deny Resolution PC-2026-03R 3. Take No Action.		<u>Resolution</u> <u>Action Requested</u> <u>Attorney Approved</u>
BRIEF SUMMARY		
Proposed Amendments concern the correction of the front, corner, side, and rear setbacks for the Town Core and Development Node zone districts that were not updated with the reorganization of the Land Use Code.		
PUBLIC SUPPORT/CONCERN		
None at this time		
ANALYSIS AND RECOMMENDATION		
Planning Staff is requesting the Planning Commission review, discuss, and approve PC-2026-03R for the proposed text amendments to the Land Use Code.		
MATERIALS SUBMITTED		
The following materials were submitted and included in this packet: 1. RES 2026-03R - Res to Amend Set Backs Amended 2. Exhibit A 2026-XXORD - Ord Amending LUC Setbacks		

**TOWN OF SEVERANCE
RESOLUTION NO. PC-2026-03R**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF
SEVERANCE, COLORADO, RECOMMENDING THAT THE TOWN COUNCIL
APPROVE AN ORDINANCE AMENDING SECTIONS 16.3.320 AND 16.3.420 AND
TABLES 16.3.320 AND 16.3.420 OF THE SEVERANCE MUNICIPAL CODE TO
CORRECT THE FRONT, CORNER, SIDE, AND REAR SETBACKS FOR THE TOWN
CORE AND DEVELOPMENT NODE ZONE DISTRICTS AND TO AMEND THE
SUPPLEMENTAL CRITERIA**

WHEREAS, in accordance with Section 16.2.205(a) of the Severance Municipal Code, Town staff may initiate amendments to the text of the regulations in Chapter 16 (the “Land Use Code”) of the Severance Municipal Code (the “Code”); and

WHEREAS, Town staff has proposed amendments to the Land Use Code (the “Proposed Amendments”), in the form of a proposed ordinance attached hereto and incorporated herein as **Exhibit A** (the “Proposed Ordinance”); and

WHEREAS, the Proposed Amendments concern the correction of the front, corner, side, and rear setbacks for the Town Core and Development Node zone districts; and

WHEREAS, in accordance with Section 16.2.205(c)(2), and Tables 16.2.110 and 16.2.140 of the Code, a land development code text amendment requires review by the Planning Commission at a public hearing and a recommendation of the Planning Commission to the Town Council; and

WHEREAS, notice of the public hearing before the Planning Commission was published on the Town’s official website not less than 15 calendar days prior to the hearing, in accordance with Section 16.2.140(b)(4)(a) of the Code; and

WHEREAS, on September 16, 2026, the Planning Commission held a duly noticed public hearing to consider the Proposed Amendments, at which the Planning Commission considered the report from Town staff, heard public comment, and considered the Proposed Amendments; and

WHEREAS, after reviewing the Proposed Amendments according to the criteria in Section 16.2.205(b) of the Code, the Planning Commission desires to recommend the Town Council approve the Proposed Ordinance in substantially the same form as presented.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF SEVERANCE, COLORADO, AS FOLLOWS:

Section 1. **Recitals.** The above recitals are incorporated herein and adopted as findings of the Planning Commission.

Section 2. **Findings on the review criteria.** Having reviewed the Proposed Amendments according to the criteria set forth in Section 16.2.205(b) of the Code, the Planning Commission finds the Proposed Amendments satisfy each criterion.

Section 3. **Recommendation.** The Planning Commission recommends the Town Council approve the Proposed Ordinance amending the Land Use Code concerning the correction of the front, corner side, and rear setbacks for the Town Core and Development Node zone districts, in substantially the same form as the version attached hereto and incorporated herein as **Exhibit A.**

Section 4. **Effective Date.** This resolution shall take effect immediately upon adoption.

RESOLVED, AND APPROVED THIS 16TH DAY OF SEPTEMBER, 2026.

**PLANNING COMMISSION OF THE
TOWN OF SEVERANCE, COLORADO**

Kris Quandt, Chair

ATTEST:

Sarah Jacobsen, Town Clerk

**TOWN OF SEVERANCE
ORDINANCE NO. 2026-XXORD**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SEVERANCE,
COLORADO, AMENDING SECTIONS 16.3.320 AND 16.3.420 AND TABLES 16.3.320
AND 16.3.420 OF THE SEVERANCE MUNICIPAL CODE TO CORRECT THE FRONT,
CORNER, SIDE, AND REAR SETBACKS FOR THE TOWN CORE AND
DEVELOPMENT NODE ZONE DISTRICTS AND TO AMEND THE SUPPLEMENTAL
CRITERIA**

WHEREAS, the Town of Severance, Colorado (the “Town”) is a Colorado home rule municipality, duly organized and existing under Article XX of the Colorado Constitution and the Severance Home Rule Charter (the “Charter”), and the regulation of the use and development of land within its boundaries is a matter of local and municipal concern; and

WHEREAS, Chapter 16 of the Severance Municipal Code (the "Code") constitutes the Town's land use code and, pursuant to Section 16.1.10(d) of the Code, was adopted to promote the public health, safety, and general welfare and, among other purposes, to implement the Comprehensive Plan and to divide the community into zoning districts that promote the character and development patterns of the distinct places identified in the Comprehensive Plan; and

WHEREAS, pursuant to Section 16.3.310 of the Code, the Town Core Zone District is intended to serve as the heart of the community, encouraging a variety of commercial, retail, service, restaurant, entertainment, and other uses interspersed with residential homes, lofts, and apartments; and

WHEREAS, pursuant to Section 16.3.410 of the Code, the Development Node Zone District captures key intersections within the Town's Growth Management Area that are planned to be served by urban infrastructure and that may offer the opportunity for higher intensity land uses; and

WHEREAS, Tables 16.3.320 and 16.3.420 of the Code presently prescribe front, corner, side, and rear setbacks identical to those prescribed by Table 16.3.220 for the Suburban Perimeter Zone District, such that the dimensional standards applicable in the Town Core and Development Node Zone Districts are indistinguishable from those applicable in the Town's lowest-intensity urban district; and

WHEREAS, the Town Council finds that the application of Suburban Perimeter setback standards within the Town Core and Development Node Zone Districts is inconsistent with the intent of those districts as stated in Sections 16.3.310 and 16.3.410 of the Code, does not reflect the development pattern the Town intended when it adopted the Code, and should be corrected; and

WHEREAS, the Town Council desires to amend Tables 16.3.320 and 16.3.420 so that required setbacks decrease progressively from the Suburban Perimeter Zone District to the

Development Node Zone District to the Town Core Zone District, consistent with the intended character and intensity of each district; and

WHEREAS, the Town Council further desires to amend the supplemental criteria following Tables 16.3.320 and 16.3.420 to allow accessible elements to extend into required setbacks, and to establish a minimum separation between a street-facing garage and the adjacent sidewalk or curb, in order to accommodate accessible routes to buildings placed nearer the street and to preserve safe pedestrian and vehicular movement; and

WHEREAS, pursuant to Section 16.2.205(a) of the Code, Town staff may initiate amendments to the text of the Code, and Town staff initiated the amendments set forth in this ordinance; and

WHEREAS, pursuant to Section 16.2.205(c)(2) of the Code and Tables 16.2.110 and 16.2.140 of the Code, an amendment to the text of the Code requires a public hearing before the Planning Commission and a recommendation of the Planning Commission to the Town Council; and

WHEREAS, notice of the public hearing before the Planning Commission was published in accordance with Section 16.2.140(b)(4) of the Code and Table 16.2.140 not less than 15 calendar days prior to the hearing, and proof of publication was made part of the record at the time of the hearing; and

WHEREAS, on September 16, 2026, the Planning Commission held a duly noticed public hearing on the amendments, considered the report of Town staff and public comment, reviewed the amendments against the criteria set forth in Section 16.2.205(b) of the Code, and by Resolution No. PC-2026-___ recommended that the Town Council approve the amendments; and

WHEREAS, notice of the public hearing before the Town Council was published in accordance with Section 16.2.140(b)(4) of the Code and Table 16.2.140 not less than 15 calendar days prior to the hearing, and proof of publication was made part of the record at the time of the hearing; and

WHEREAS, on October 27, 2026, the Town Council held a duly noticed public hearing on the amendments, at which the Town Council received the report of Town staff, the recommendation of the Planning Commission, and public comment; and

WHEREAS, having reviewed the amendments against the criteria set forth in Section 16.2.205(b) of the Code, the Town Council finds that the amendments further the purposes of the Code, improve the efficiency and effectiveness of administering the Code, are consistent with the Comprehensive Plan and other adopted plans and policies of the Town, and promote the public health, safety, and welfare of the Town's residents; and

WHEREAS, pursuant to Section 16.2.205(d) of the Code, amendments to the text of the Code shall be approved by the Town Council as an ordinance and shall be effective after the date specified in the ordinance.

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

Section 1. **Recitals.** The foregoing recitals are affirmed and incorporated herein.

Section 2. **Amendment to Section 16.3.320.** Section 16.3.320 of the Code, including Table 16.3.320 and the supplemental criteria following the table, is hereby amended to read as follows (additions double underlined; deletions ~~struck through~~):

- (a) *Density, height, and setback criteria.* The following Table 16.3.320 includes the maximum density, lot size, setback criteria, and maximum height allowed within the Town Core Zone District. Cells with n/a means the specific criteria is not applicable in that situation. Supplemental criteria is included below the table.

**Table 16.3.320.
Town Core Lot and Building Standards.**

	Maximum Gross Density	Minimum Lot Size	Minimum Front Setback	Minimum Side Setback	Minimum Corner Side Setback	Minimum Rear Setback	Maximum Height
Single-family detached	15 units per acre	6,000 square feet	20 <u>10</u> feet	7.5 feet	15 <u>10</u> feet	15 <u>10</u> feet	3 stories
Single-family attached (duplex)	15 units per acre	4,000 square feet	20 <u>10</u> feet	7.5 feet	15 <u>10</u> feet	15 <u>10</u> feet	3 stories
Townhomes	15 units per acre	1,400 square feet	20 <u>5</u> feet	7.5 feet	15 <u>10</u> feet	15 <u>10</u> feet	3 stories
Multi-family	15 units per acre	1,600 square feet	20 <u>10</u> feet	20 feet	20 <u>10</u> feet	20 <u>10</u> feet	3 stories
Accessory dwelling unit	n/a	n/a	Behind the front of a principal dwelling	7.5 feet	15 feet	15 feet	2 stories
Accessory Structure	n/a	n/a	25 feet	5 feet	15 feet	5 feet	2 stories

Nonresidential	n/a	n/a	<u>20-0</u> feet	10 feet	<u>20-0</u> feet	<u>15-10</u> feet	3 stories
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- (1) Accessible elements are permitted to extend above the maximum building height. **Accessible elements such as ramps, stairs, and similar elements may extend into required setbacks, provided they do not create sight-distance concerns or impede utility easements or safe pedestrian and vehicular movement.**
- (2) An attached dwelling unit with a shared party wall may have a zero-foot side yard setback on the side of the lot where the dwelling units combine.
- (3) The rear setback for an alley loaded attached dwelling unit project may have a reduced rear setback, at the discretion and approval of the Town.
- (4) The corner side setback requirement applies to a side lot line bordering a public road or street that is not designated as the front yard. This does not apply to a designated alleyway.
- (5) Attached accessory structures shall meet the requirements of the main structure.
- (6) Detached accessory structures shall maintain a minimum separation from the main structure as required by adopted building and fire codes.
- (7) Steeples, chimneys, roof-mounted mechanical equipment, and similar architectural and mechanical elements may exceed the maximum height by no more than twenty percent (20%).
- (8) A height and shadow study may be required by the Town as part of the review of a three-story structure and shall be required for any requests over three (3) stories.
- (9) Where applicable, building heights shall transition to adjacent residential properties and be no greater than two (2) stories taller than the tallest adjacent residential structure. Appropriate buffering and landscaping shall be incorporated as required in this Code.
- (10) **Any garage with direct vehicular access from a public street shall be located a minimum of twenty (20) feet behind the back edge of the adjacent sidewalk, or where no sidewalk exists, twenty-five (25) feet from the back of curb.**

Section 3. **Amendment to Section 16.3.420.** Section 16.3.420 of the Code, including Table 16.3.420 and the supplemental criteria following the table, is hereby amended to read as follows (additions double underlined; deletions ~~struck through~~):

Sec. 16.3.420. Lot and building standards.

- (a) *Density, height, and setback criteria.* The following Table 16.3.420 includes the minimum density, lot size, setback criteria, and maximum height allowed within the development node zone district. Cells with n/a means the specific criteria is not applicable in that situation. Supplemental criteria is included below the table.

**Table 16.3.420.
Development Node Lot and Building Standards**

	Minimum Gross Density	Minimum Lot Size	Minimum Front Setback	Minimum Side Setback	Minimum Corner Side Setback	Minimum Rear Setback	Maximum Height
Single-family detached	8 units per acre	6,000 square feet	20 <u>15</u> feet	7.5 feet	15 feet	15 feet	3 stories
Single-family attached (duplex)	8 units per acre	4,000 square feet	20 <u>15</u> feet	7.5 feet	15 feet	15 feet	3 stories
Townhomes	8 units per acre	1,400 square feet	20 <u>15</u> feet	7.5 feet	15 feet	15 feet	3 stories
Multi-family	8 units per acre	1,600 square feet	20 feet	20 feet	20 feet	20 <u>15</u> feet	3 stories
Accessory dwelling unit	n/a	n/a	Behind the front of a principal dwelling	7.5 feet	15 feet	15 feet	2 stories
Accessory Structure	n/a	n/a	25 feet	5 feet	15 feet	5 feet	2 stories
Nonresidential	n/a	n/a	20 <u>10</u> feet	10 feet	20 <u>10</u> feet	15 feet	3 stories

- (1) Accessible elements are permitted to extend above the maximum building height. **Accessible elements such as ramps, stairs, and similar elements may extend into required setbacks, provided they do not create sight-distance concerns or impede utility easements or safe pedestrian and vehicular movement.**
- (2) An attached dwelling unit with a shared party wall may have a zero-foot side yard setback on the side of the lot where the dwelling units combine.
- (3) The rear setback for an alley loaded attached dwelling unit project may have a reduced rear setback, at the discretion and approval of the Town.

- (4) The corner side setback requirement applies to a side lot line bordering a public road or street that is not designated as the front yard. This does not apply to a designated alleyway.
- (5) Attached accessory structures shall meet the requirements of the main structure.
- (6) Detached accessory structures shall maintain a minimum separation from the main structure as required by adopted building and fire codes.
- (7) Steeples, chimneys, roof-mounted mechanical equipment, and similar architectural and mechanical elements may exceed the maximum height by no more than twenty percent (20%).
- (8) A height and shadow study may be required by the Town as part of the review of a three-story structure and a use by special review approval shall be required for any requests over three (3) stories.
- (9) Where applicable, building heights shall transition to adjacent residential properties and be no greater than two (2) stories taller than the tallest adjacent residential structure.
 - a. Appropriate buffering and landscaping shall be incorporated as required in this Code. See Articles 5 and 6 for development and design criteria.
- (10) The Town may approve a reduced side and rear setback through an administrative adjustment process during the site plan review in the Development Node Zone District when the following criteria are met:
 - a. The reduced setback shall be no less than ten (10) feet from all property lines;
 - b. The reduced setback is not adjacent to the Suburban Perimeter Zone District containing single-family housing;
 - c. The height of the building within the reduced setback area is no more than a single story in height; and
 - d. Required easements, utilities, and landscaping and buffering criteria can be accommodated within the reduced setback area.
- (11) **Any garage with direct vehicular access from a public street shall be located a minimum of twenty (20) feet behind the back edge of the adjacent sidewalk, or where no sidewalk exists, twenty-five (25) feet from the back of curb.**

Section 4. **Repealer.** All ordinances, resolutions, and parts thereof in conflict with this ordinance are hereby repealed to the extent of such conflict. This repealer shall not be construed to revive any ordinance, resolution, or part thereof previously repealed or superseded, nor to affect any provision of the Code not amended by this ordinance.

Section 5. **Severability.** If any article, section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The 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 6. **Effective Date.** In accordance with Section 6.03(6) of the Town of Severance Home Rule Charter, this ordinance, after approval by the Town Council of the Town of Severance, shall be effective thirty (30) days after publication.

**INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED
IN FULL THIS 27TH DAY OF OCTOBER, 2026.**

TOWN OF SEVERANCE, COLORADO

Matthew Fries, Mayor

ATTEST:

Sarah Jacobsen, Town Clerk

AFFIDAVIT OF PUBLICATION

STATE OF COLORADO)
)
COUNTY OF WELD)

I, Sarah Jacobsen, Town Clerk for the Town of Severance, do solemnly swear and affirm that I published in full a true and correct copy of Ordinance No. 2026-XXORD, enacted by the Town Council on October 27, 2026, on the Town of Severance's web site, <https://www.townofseverance.org/255/Ordinances>, on the ____ day of _____ 2026.

Witness my hand and seal this ____ day of _____ 2026.

Sarah Jacobsen
Town Clerk

[Town Seal]



AGENDA ITEM SUMMARY

AGENDA ITEM	SUBMITTED BY	PRESENTED BY
Resolution No. PC 2026-04R: Text Amendment to the Land Use Code to amend oil and gas specific setbacks to align with Weld County Oil and Gas regulations.	Shani Porter, Planning Director	Shani Porter, Planning Director
ACTION REQUESTED		
Planning Staff ask that the Planning Commission review, discuss, and take action on Resolution PC-2026-04R and forward a recommendation to the Town Council for a text amendment to the Land Use Code to amend oil and gas specific setbacks to align with Weld County Oil and Gas regulations. Actions that may be taken: 1. Approve PC-2026-04R and forward a recommendation of approval to Town Council. 2. Deny Resolution PC-2026-04R 3. Take No Action.		<u>Resolution</u>
BRIEF SUMMARY		
Weld County regulates the siting of, and development in proximity to, oil and gas facilities, and Town Staff finds that aligning the Town's standards with the Weld County regulations will produce consistent outcomes across the Town and will reduce conflicting requirements for landowners and operators.		
PUBLIC SUPPORT/CONCERN		
None at this time		
ANALYSIS AND RECOMMENDATION		
Town staff is asking for the Planning Commission to review, discuss, and approve PC-2026-04R for the proposed amendments to the Land Use Code.		
MATERIALS SUBMITTED		
The following materials were submitted and included in this packet: 1. RES 2026-04R - Res to Amend Oil & Gas Setbacks 2. Exhibit A 2026-XXORD - Ord Amending Oil & Gas Setbacks		

**TOWN OF SEVERANCE
RESOLUTION NO. PC-2026-04R**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF
SEVERANCE, COLORADO, RECOMMENDING THAT THE TOWN COUNCIL
APPROVE AN ORDINANCE AMENDING SECTION 16.8.80 OF THE SEVERANCE
MUNICIPAL CODE TO AMEND OIL AND GAS SPECIFIC SETBACKS TO ALIGN
WITH WELD COUNTY OIL AND GAS REGULATIONS**

WHEREAS, in accordance with Section 16.2.205(a) of the Severance Municipal Code, Town staff may initiate amendments to the text of the regulations in Chapter 16 (the “Land Use Code”) of the Severance Municipal Code (the “Code”); and

WHEREAS, Town staff has proposed amendments to the Land Use Code (the “Proposed Amendments”), in the form of a proposed ordinance attached hereto and incorporated herein as **Exhibit A** (the “Proposed Ordinance”); and

WHEREAS, the Proposed Amendments concern amending the oil and gas regulations specific to setbacks to align with Weld County Oil and Gas regulations; and

WHEREAS, in accordance with Section 16.2.205(c)(2), and Tables 16.2.110 and 16.2.140 of the Code, a land development code text amendment requires review by the Planning Commission at a public hearing and a recommendation of the Planning Commission to the Town Council; and

WHEREAS, notice of the public hearing before the Planning Commission was published on the Town’s official website not less than 15 calendar days prior to the hearing, in accordance with Section 16.2.140(b)(4)(a) of the Code; and

WHEREAS, on September 16, 2026, the Planning Commission held a duly noticed public hearing to consider the Proposed Amendments, at which the Planning Commission considered the report from Town staff, heard public comment, and considered the Proposed Amendments; and

WHEREAS, after reviewing the Proposed Amendments according to the criteria in Section 16.2.205(b) of the Code, the Planning Commission desires to recommend the Town Council approve the Proposed Ordinance in substantially the same form as presented.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF SEVERANCE, COLORADO, AS FOLLOWS:

Section 1. **Recitals.** The above recitals are incorporated herein and adopted as

findings of the Planning Commission.

Section 2. **Findings on the review criteria.** Having reviewed the Proposed Amendments according to the criteria set forth in Section 16.2.205(b) of the Code, the Planning Commission finds the Proposed Amendments satisfy each criterion, and further finds that the criterion set forth in Section 16.2.205(b)(4) of the Code is not applicable to the amendments.

Section 3. **Recommendation.** The Planning Commission recommends the Town Council approve the Proposed Ordinance amending the oil and gas regulations specific to setbacks to align with Weld County Oil and Gas regulations, in substantially the same form as the version attached hereto and incorporated herein as **Exhibit A.**

Section 4. **Effective Date.** This resolution shall take effect immediately upon adoption.

RESOLVED, AND APPROVED THIS 16TH DAY OF SEPTEMBER, 2026.

**PLANNING COMMISSION OF THE
TOWN OF SEVERANCE, COLORADO**

Kris Quandt, Chair

ATTEST:

Sarah Jacobsen, Town Clerk

**TOWN OF SEVERANCE
ORDINANCE NO. 2026-XXORD**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SEVERANCE,
COLORADO, AMENDING SECTION 16.8.80 OF THE SEVERANCE MUNICIPAL
CODE TO AMEND OIL AND GAS SPECIFIC SETBACKS TO ALIGN WITH WELD
COUNTY OIL AND GAS REGULATIONS**

WHEREAS, the Town of Severance, Colorado (the “Town”) is a Colorado home rule municipality, duly organized and existing under Article XX of the Colorado Constitution and the Severance Home Rule Charter (the “Charter”), and the regulation of the use and development of land within its boundaries is a matter of local and municipal concern; and

WHEREAS, Chapter 16 of the Severance Municipal Code (the "Code") constitutes the Town's land use code and, pursuant to Section 16.1.10(d) of the Code, was adopted to promote the public health, safety, and general welfare and, among other purposes, to implement the Comprehensive Plan and to divide the community into zoning districts that promote the character and development patterns of the distinct places identified in the Comprehensive Plan; and

WHEREAS, Article 8 of the Code governs oil and gas drilling and production facilities and, pursuant to Section 16.8.10, is intended to facilitate the development of oil and gas resources within the Town while mitigating potential land use conflicts between such development and existing and planned land uses; and

WHEREAS, Section 16.8.80 of the Code presently establishes numeric development setbacks from oil and gas wells and facilities that were adopted independently of the standards applied by Weld County, and the Town Council finds that maintaining two sets of numeric standards administered in part by the same County personnel creates unnecessary complexity for applicants, Town staff, and the County; and

WHEREAS, Weld County regulates the siting of, and development in proximity to, oil and gas facilities, and the Town Council finds that aligning the Town's standards with the Weld County regulations will produce consistent outcomes across the Town and the surrounding unincorporated areas within the Town’s Growth Management Area and will reduce conflicting requirements for landowners and operators; and

WHEREAS, the Town Council finds that nothing in this ordinance is intended to limit the Town's authority under Section 29-20-104, C.R.S., and Section 34-60-131, C.R.S., to regulate the siting of oil and gas facilities and the surface impacts of oil and gas operations within its boundaries, or to relieve any applicant of compliance with the use by special review requirements of Article 8 of the Code; and

WHEREAS, pursuant to Section 16.2.205(a) of the Code, Town staff may initiate amendments to the text of the Code, and Town staff initiated the amendments set forth in this ordinance; and

WHEREAS, pursuant to Section 16.2.205(c)(2) of the Code and Tables 16.2.110 and 16.2.140 of the Code, an amendment to the text of the Code requires a public hearing before the Planning Commission and a recommendation of the Planning Commission to the Town Council; and

WHEREAS, notice of the public hearing before the Planning Commission was published in accordance with Section 16.2.140(b)(4) of the Code and Table 16.2.140 not less than 15 calendar days prior to the hearing, and proof of publication was made part of the record at the time of the hearing; and

WHEREAS, on September 16, 2026, the Planning Commission held a duly noticed public hearing on the amendments, considered the report of Town staff and public comment, reviewed the amendments against the criteria set forth in Section 16.2.205(b) of the Code, and by Resolution No. PC-2026-___ recommended that the Town Council approve the amendments; and

WHEREAS, notice of the public hearing before the Town Council was published in accordance with Section 16.2.140(b)(4) of the Code and Table 16.2.140 not less than 15 calendar days prior to the hearing, and proof of publication was made part of the record at the time of the hearing; and

WHEREAS, on October 27, 2026, the Town Council held a duly noticed public hearing on the amendments, at which the Town Council received the report of Town staff, the recommendation of the Planning Commission, and public comment; and

WHEREAS, having reviewed the amendments against the criteria set forth in Section 16.2.205(b) of the Code, the Town Council finds that the amendments further the purposes of the Code, improve the efficiency and effectiveness of administering the Code, are consistent with the Comprehensive Plan and other adopted plans and policies of the Town, and promote the public health, safety, and welfare of the Town's residents, and further finds that the criterion set forth in Section 16.2.205(b)(4) of the Code is not applicable to the amendments; and

WHEREAS, pursuant to Section 16.2.205(d) of the Code, amendments to the text of the Code shall be approved by the Town Council as an ordinance and shall be effective after the date specified in the ordinance.

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

Section 1. **Recitals.** The foregoing recitals are affirmed and incorporated herein.

Section 2. **Amendment to Section 16.8.80.** Section 16.8.80 of the Code is hereby repealed and reenacted to read as follows:

Sec. 16.8.80. – Development adjacent to oil and gas facilities.

- (a) *Setbacks and separation requirements.* All development, subdivision, and land use activities involving or adjacent to oil and gas facilities shall comply with Chapters 21 and

23 of the Weld County Code, as may be amended, including all applicable setback, separation, siting, and design requirements.

- (b) *Plugged and abandoned wells.* Prior to approval of any subdivision plat or development adjacent to a plugged and abandoned well, the well location shall be accurately identified and, where not readily visible, exposed with the facility owner's permission and surveyed by a professional land surveyor. The well shall be backfilled and compacted as appropriate, and its location shall be permanently marked with a visible post identifying the ECMC and American Petroleum Institute (API) well number. Plugged and abandoned wells shall be shown on applicable plats and maintained in accordance with applicable Weld County, State, and Federal requirements.
- (c) *Oil and gas pipelines.* Such facilities shall comply with all applicable Weld County, State, and Federal requirements. Oil and gas pipelines shall not be located within public rights-of-way, public lands, or lots intended for future development unless otherwise specifically approved by the Town. This subsection shall not apply to natural gas pipelines providing retail utility service.

Section 3. **Repealer.** All ordinances, resolutions, and parts thereof in conflict with this ordinance are hereby repealed to the extent of such conflict. This repealer shall not be construed to revive any ordinance, resolution, or part thereof previously repealed or superseded, nor to affect any provision of the Code not amended by this ordinance.

Section 4. **Severability.** If any article, section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The 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 5. **Effective Date.** In accordance with Section 6.03(6) of the Town of Severance Home Rule Charter, this ordinance, after approval by the Town Council of the Town of Severance, shall be effective thirty (30) days after publication.

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**INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED
IN FULL THIS 27TH DAY OF OCTOBER, 2026.**

TOWN OF SEVERANCE, COLORADO

Matthew Fries, Mayor

ATTEST:

Sarah Jacobsen, Town Clerk

AFFIDAVIT OF PUBLICATION

STATE OF COLORADO)
)
COUNTY OF WELD)

I, Sarah Jacobsen, Town Clerk for the Town of Severance, do solemnly swear and affirm that I published in full a true and correct copy of Ordinance No. 2026-XXORD, enacted by the Town Council on October 27, 2026, on the Town of Severance's web site, <https://www.townofseverance.org/255/Ordinances>, on the ____ day of _____ 2026.

Witness my hand and seal this ____ day of _____ 2026.

Sarah Jacobsen
Town Clerk

[Town Seal]



AGENDA ITEM SUMMARY

AGENDA ITEM	SUBMITTED BY	PRESENTED BY
Resolution No. PC 2026-05R: Establish procedures for the suspension of land use applications at the request of an applicant.	Shani Porter, Planning Director	Shani Porter, Planning Director
ACTION REQUESTED		
Planning Staff ask that the Planning Commission review, discuss, and take action on Resolution PC-2026-05R and forward a recommendation to the Town Council on amendment to the Land Use Code regarding establishing procedures for the suspension of land use applications at the request of the applicant. Actions that may be taken: 1. Approve PC-2026-05R and forward a recommendation of approval to Town Council. 2. Deny Resolution PC-2026-05R 3. Take No Action.		<u>Resolution</u> <u>Attorney Approved</u> <u>Action Requested</u>
BRIEF SUMMARY		
The Municipal Code addresses applications that become inactive because an applicant fails to submit requested application materials, but the Code does not address applications that become inactive because the applicant has requested that review be suspended. As such, an application suspended at the applicant's request may remain pending indefinitely, consuming Town staff and consultant resources, occupying the Town's review calendar, and leaving the Town without a means to administratively close a dormant application. Establishing procedures to define and finite suspension period, with a certain outcome upon its expiration, affords applicants reasonable flexibility to address financing, market, engineering, or other circumstances while allowing the Town to maintain reasonable timeframes for the processing of applications.		
PUBLIC SUPPORT/CONCERN		
None at this time		
ANALYSIS AND RECOMMENDATION		
Town staff is asking for the Planning Commission to review, discuss, and approve PC-2026-05R for the proposed amendments to the Land Use Code.		
MATERIALS SUBMITTED		
The following materials were submitted and included in this packet: 1. RES 2026-05R - Res to Establish Suspended App Criteria 2. Exhibit A 2026-XXORD - Establish Process for Suspended Apps		

**TOWN OF SEVERANCE
RESOLUTION NO. PC-2026-05R**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF
SEVERANCE, COLORADO, RECOMMENDING THAT THE TOWN COUNCIL
APPROVE AN ORDINANCE AMENDING SECTION 16.2.120 OF THE SEVERANCE
MUNICIPAL CODE TO ESTABLISH PROCEDURES FOR THE SUSPENSION OF
LAND USE APPLICATIONS AT THE REQUEST OF AN APPLICANT**

WHEREAS, in accordance with Section 16.2.205(a) of the Severance Municipal Code (the “Code”), Town staff may initiate amendments to the text of the regulations in Chapter 16 (the “Land Use Code”); and

WHEREAS, Town staff has proposed amendments to the Land Use Code (the “Proposed Amendments”), in the form of a proposed ordinance attached hereto and incorporated herein as **Exhibit A** (the “Proposed Ordinance”); and

WHEREAS, the Proposed Amendments concern amending the Land Use Code to establish procedures for the suspension of land use applications at the request of an applicant; and

WHEREAS, in accordance with Section 16.2.205(c)(2), and Tables 16.2.110 and 16.2.140 of the Code, a land development code text amendment requires review by the Planning Commission at a public hearing and a recommendation of the Planning Commission to the Town Council; and

WHEREAS, notice of the public hearing before the Planning Commission was published on the Town’s official website not less than 15 calendar days prior to the hearing, in accordance with Section 16.2.140(b)(4)(a) of the Code; and

WHEREAS, on September 16, 2026, the Planning Commission held a duly noticed public hearing to consider the Proposed Amendments, at which the Planning Commission considered the report from Town staff, heard public comment, and considered the Proposed Amendments; and

WHEREAS, after reviewing the Proposed Amendments according to the criteria in Section 16.2.205(b) of the Code, the Planning Commission desires to recommend the Town Council approve the Proposed Ordinance in substantially the same form as presented.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF SEVERANCE, COLORADO, AS FOLLOWS:

Section 1. **Recitals.** The above recitals are incorporated herein and adopted as

findings of the Planning Commission.

Section 2. **Findings on the review criteria.** Having reviewed the Proposed Amendments according to the criteria set forth in Section 16.2.205(b) of the Code, the Planning Commission finds the Proposed Amendments satisfy each applicable criterion.

Section 3. **Recommendation.** The Planning Commission recommends the Town Council approve the Proposed Ordinance amending the Land Use Code to establish procedures for the suspension of land use applications at the request of an applicant, in substantially the same form as **Exhibit A.**

Section 4. **Effective Date.** This resolution shall take effect immediately upon adoption.

RESOLVED, AND APPROVED THIS 16TH DAY OF SEPTEMBER, 2026.

**PLANNING COMMISSION OF THE
TOWN OF SEVERANCE, COLORADO**

Kris Quandt, Chair

ATTEST:

Sarah Jacobsen, Town Clerk

**TOWN OF SEVERANCE
ORDINANCE NO. 2026-XXORD**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SEVERANCE,
COLORADO, AMENDING SECTION 16.2.120 OF THE SEVERANCE
MUNICIPAL CODE TO ESTABLISH PROCEDURES FOR THE SUSPENSION OF
LAND USE APPLICATIONS AT THE REQUEST OF AN APPLICANT**

WHEREAS, the Town of Severance, Colorado (the “Town”) is a Colorado home rule municipality, duly organized and existing under Article XX of the Colorado Constitution and the Severance Home Rule Charter (the “Charter”), and the regulation of the use and development of land within its boundaries is a matter of local and municipal concern; and

WHEREAS, Chapter 16 of the Severance Municipal Code (the “Code”), governs the use and development of land within the Town, and Article 2 thereof establishes the procedures for the submittal, review, and disposition of land use applications; and

WHEREAS, Section 16.2.120 of the Code, titled "General criteria for applications," sets forth the criteria applicable to such applications, including the withdrawal of an application under subsection (e) and inactive applications under subsection (f); and

WHEREAS, Section 16.2.120(f) of the Code addresses applications that become inactive because an applicant fails to submit requested application materials, but the Code does not address applications that become inactive because the applicant has requested that review be suspended; and

WHEREAS, in the absence of an express provision, an application suspended at the applicant's request may remain pending indefinitely, consuming Town staff and consultant resources, occupying the Town's review calendar, and leaving the Town without a means to administratively close a dormant application; and

WHEREAS, the Town Council finds that a defined and finite suspension period, with a certain outcome upon its expiration, affords applicants reasonable flexibility to address financing, market, engineering, or other circumstances while allowing the Town to maintain reasonable timeframes for the processing of applications; and

WHEREAS, the Town Council further finds that a suspension should not extend the timeframe established by Section 16.2.120(f) of the Code, so that the suspension procedure is not used to avoid the limits applicable to inactive applications; and

WHEREAS, the Town Council finds that applications suspended or held at the applicant's request before the effective date of this ordinance should be brought within the same framework, and that a period of thirty (30) days following the effective date of this ordinance, together with written notice to each affected applicant, affords such applicants a reasonable opportunity to restart their applications, particularly because restarting requires only written notice to the Town and no substantive submittal; and

WHEREAS, pursuant to Section 16.2.205(a) of the Code, Town staff may initiate amendments to the text of the Code, and Town staff initiated the amendments set forth in this ordinance; and

WHEREAS, pursuant to Section 16.2.205(c)(2) of the Code and Tables 16.2.110 and 16.2.140 of the Code, an amendment to the text of the Code requires a public hearing before the Planning Commission and a recommendation of the Planning Commission to the Town Council; and

WHEREAS, notice of the public hearing before the Planning Commission was published in accordance with Section 16.2.140(b)(4) of the Code and Table 16.2.140 not less than 15 calendar days prior to the hearing, and proof of publication was made part of the record at the time of the hearing; and

WHEREAS, on September 16, 2026, the Planning Commission held a duly noticed public hearing on the amendments, considered the report of Town staff and public comment, reviewed the amendments against the criteria set forth in Section 16.2.205(b) of the Code, and by Resolution No. PC-2026-___ recommended that the Town Council approve the amendments; and

WHEREAS, notice of the public hearing before the Town Council was published in accordance with Section 16.2.140(b)(4) of the Code and Table 16.2.140 not less than 15 calendar days prior to the hearing, and proof of publication was made part of the record at the time of the hearing; and

WHEREAS, on October 27, 2026, the Town Council held a duly noticed public hearing on the amendments, at which the Town Council received the report of Town staff, the recommendation of the Planning Commission, and public comment; and

WHEREAS, having reviewed the amendments against each of the criteria set forth in Section 16.2.205(b) of the Code, the Town Council finds that the amendments satisfy each applicable criterion, further the purposes of the Code, and promote the public health, safety, and welfare of the Town's residents; and

WHEREAS, pursuant to Section 16.2.205(d) of the Code, amendments to the text of the Code shall be approved by the Town Council as an ordinance and shall be effective after the date specified in the ordinance.

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

Section 1. **Recitals.** The foregoing recitals are affirmed and incorporated herein.

Section 2. **Addition of Section 16.2.120(h).** Section 16.2.120 of the Severance Municipal Code, titled "General criteria for applications," is hereby amended by the addition of a new subsection (h), to read as follows:

(h) Suspension of an Application.

The applicant may request that their application be suspended. Such request shall be in writing, either digital or print, and shall state the requested duration of the suspension. Upon receipt, the Town Manager and/or their

designee shall pause the application at its current stage for the period of time requested, not to exceed one hundred eighty (180) days in the aggregate for any single application, and shall confirm the suspension to the applicant in writing, stating the date on which the suspension expires. Failure by the Town to provide such confirmation does not extend the suspension period. A suspension does not toll or extend the timeframe established in subsection (f) above, and an application may become void under subsection (f) during a suspension. If the applicant fails to resume the application in writing before the suspension expires, the application shall become void, and the re-submittal of a new application and fees shall be required.

Section 3. **Transition.** Any application pending under Chapter 16 of the Severance Municipal Code that, as of the effective date of this ordinance, is suspended or on-hold by request of the applicant, and which has not already become void, shall become void thirty (30) days after the effective date of this ordinance unless the applicant restarts the application in writing before that date. Each such application shall be deemed to have exhausted the suspension period allowed by Section 16.2.120(h), Code, and shall not be eligible for further suspension. The Town Manager or their designee shall provide written notice of this section to each affected applicant within ten (10) days after the publication of this ordinance. Failure to provide such notice to the applicant does not extend the period established by this section.

Section 4. **Repealer.** All ordinances, resolutions, and parts thereof in conflict with this ordinance are hereby repealed to the extent of such conflict. This repealer shall not be construed to revive any ordinance, resolution, or part thereof previously repealed or superseded, nor to affect any provision of the Code not amended by this ordinance.

Section 5. **Severability.** If any article, section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The 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 6. **Effective Date.** In accordance with Section 6.03(6) of the Town of Severance Home Rule Charter, this ordinance, after approval by the Town Council of the Town of Severance, shall be effective thirty (30) days after publication.

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**INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED
IN FULL this 27th day of OCTOBER, 2026.**

TOWN OF SEVERANCE, COLORADO

Matthew Fries, Mayor

ATTEST:

Sarah Jacobsen, Town Clerk

AFFIDAVIT OF PUBLICATION

STATE OF COLORADO)
)
COUNTY OF WELD)

I, Sarah Jacobsen, Town Clerk for the Town of Severance, do solemnly swear and affirm that I published in full a true and correct copy of Ordinance No. 2026-XXORD, enacted by the Town Council on October 27, 2026, on the Town of Severance's web site, <https://www.townofseverance.org/>, on the ____ day of _____ 2026.

Witness my hand and seal this ____ day of _____ 2026.

Sarah Jacobsen
Town Clerk

[Town Seal]



AGENDA ITEM SUMMARY

AGENDA ITEM	SUBMITTED BY	PRESENTED BY
Resolution No. PC 2026-06R: Amend the Municipal Code concerning electric service infrastructure for new development.	Shani Porter, Planning Director	Shani Porter, Planning Director
ACTION REQUESTED		
Planning Staff ask that the Planning Commission review, discuss, and take action on Resolution PC-2026-06R and forward a recommendation to the Town Council. Actions that may be taken: 1. Approve PC-2026-06R and forward a recommendation of approval to Town Council. 2. Deny Resolution PC-2026-06R 3. Take No Action.		<u>Resolution</u> <u>Action Requested</u> <u>Attorney Approved</u>
BRIEF SUMMARY		
The Town requires electric service infrastructure to be designed and installed in accordance with the requirements of the applicable electric service provider, and to accommodate the ultimate build-out of a development, will reduce the cost and disruption associated with retrofitting electric infrastructure after streets, sidewalks, trails, and similar improvements have been completed, will protect the integrity of Town rights-of-way and public improvements, and will reduce the risk that development proceeds without adequate electric service capacity. Residential, commercial, industrial, and mixed-use developments shall provide underground conduit, vaults, transformer pads, easements, and related electrical infrastructure necessary to serve the proposed development in accordance with the requirements of the applicable electric service provider. Infrastructure shall be designed and installed to accommodate the ultimate build-out of the development and support future solar energy systems, electric vehicle charging infrastructure, and other emerging electrification technologies without requiring substantial reconstruction of installed utility and site infrastructure.		
PUBLIC SUPPORT/CONCERN		
None at this time		
ANALYSIS AND RECOMMENDATION		
Town staff is asking for the Planning Commission to review, discuss, and approve PC-2026-06R for the proposed amendments to the Land Use Code.		
MATERIALS SUBMITTED		
The following materials were submitted and included in this packet: 1. RES 2026-06R - Res to Amend Elec Ready Criteria 2. Exhibit A 2026-XXORD - Ord Amending Elec Ready Criteria		

**TOWN OF SEVERANCE
RESOLUTION NO. PC-2026-06R**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF
SEVERANCE, COLORADO, RECOMMENDING THAT THE TOWN COUNCIL
APPROVE AN ORDINANCE AMENDING SECTION 16.4.330 OF THE SEVERANCE
MUNICIPAL CODE CONCERNING ELECTRIC SERVICE INFRASTRUCTURE FOR
NEW DEVELOPMENT**

WHEREAS, in accordance with Section 16.2.205(a) of the Severance Municipal Code, Town staff may initiate amendments to the text of the regulations in Chapter 16 (the “Land Use Code”) of the Severance Municipal Code (the “Code”); and

WHEREAS, Town staff has proposed amendments to the Land Use Code (the “Proposed Amendments”), in the form of a proposed ordinance attached hereto and incorporated herein as Exhibit A (the “Proposed Ordinance”); and

WHEREAS, the Proposed Amendments concern amending the Land Use Code concerning electric service infrastructure for new development; and

WHEREAS, in accordance with Section 16.2.205(c)(2), and Tables 16.2.110 and 16.2.140 of the Code, a land development code text amendment requires review by the Planning Commission at a public hearing and a recommendation of the Planning Commission to the Town Council; and

WHEREAS, notice of the public hearing before the Planning Commission was published on the Town’s official website not less than 15 calendar days prior to the hearing, in accordance with Section 16.2.140(b)(4)(a) of the Code; and

WHEREAS, on September 16, 2026, the Planning Commission held a duly noticed public hearing to consider the Proposed Amendments, at which the Planning Commission considered the report from Town staff, heard public comment, and considered the Proposed Amendments; and

WHEREAS, after reviewing the Proposed Amendments according to the criteria in Section 16.2.205(b) of the Code, the Planning Commission desires to recommend the Town Council approve the Proposed Ordinance in substantially the same form as presented.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF SEVERANCE, COLORADO, AS FOLLOWS:

Section 1. **Recitals.** The above recitals are incorporated herein and adopted as

findings of the Planning Commission.

Section 2. **Findings on the review criteria.** Having reviewed the Proposed Amendments according to the criteria set forth in Section 16.2.205(b) of the Code, the Planning Commission finds the Proposed Amendments satisfy each applicable criterion.

Section 3. **Recommendation.** The Planning Commission recommends the Town Council approve the Proposed Ordinance amending the Land Use Code concerning electric service infrastructure for new development, in substantially the same form as the version attached hereto and incorporated herein as **Exhibit A.**

Section 4. **Effective Date.** This resolution shall take effect immediately upon adoption.

RESOLVED, AND APPROVED THIS 16TH DAY OF SEPTEMBER, 2026.

**PLANNING COMMISSION OF THE
TOWN OF SEVERANCE, COLORADO**

Kris Quandt, Chair

ATTEST:

Sarah Jacobsen, Town Clerk

**TOWN OF SEVERANCE
ORDINANCE NO. 2026-XXORD**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SEVERANCE,
COLORADO, AMENDING SECTION 16.4.330 OF THE SEVERANCE MUNICIPAL
CODE CONCERNING ELECTRIC SERVICE INFRASTRUCTURE FOR NEW
DEVELOPMENT**

WHEREAS, the Town of Severance, Colorado (the “Town”) is a Colorado home rule municipality, duly organized and existing under Article XX of the Colorado Constitution and the Severance Home Rule Charter (the “Charter”), and the regulation of the use and development of land within its boundaries is a matter of local and municipal concern; and

WHEREAS, Chapter 16 of the Severance Municipal Code (the "Code") constitutes the Town's land use code, and Section 16.1.10(d) of the Code provides that the Code is adopted to promote the public health, safety, and general welfare and, among other purposes, to facilitate the adequate and efficient provision of public and private infrastructure to support the Town's adopted vision and values, to direct new development into areas with adequate public and private infrastructure, and to implement the Comprehensive Plan; and

WHEREAS, Division 3 of Article 4 of the Code establishes the Town's construction standards and specifications for the public and private infrastructure improvements associated with new development and redevelopment, including Section 16.4.320 concerning utility easements, Section 16.4.325 concerning multiple installations within easements, and Section 16.4.330 concerning underground utilities and the installation of conduit; and

WHEREAS, Section 16.4.330(a) of the Code requires that all utility cables and lines be placed underground, and Section 16.4.330(b) of the Code requires the installation of underground conduit for future utilities, but the Code does not presently require that a development provide the vaults, transformer pads, easements, and related electric distribution infrastructure necessary to serve the development, or that such infrastructure be sized to accommodate the ultimate build-out of the development; and

WHEREAS, electric service within the Town is furnished by more than one electric service provider, including Xcel Energy and Poudre Valley Rural Electric Association as recognized in Section 16.4.340(a) of the Code, and each such provider maintains its own service, design, and construction requirements; and

WHEREAS, the Town Council finds that requiring electric service infrastructure to be designed and installed in accordance with the requirements of the applicable electric service provider, and to accommodate the ultimate build-out of a development, will reduce the cost and disruption associated with retrofitting electric infrastructure after streets, sidewalks, trails, and similar improvements have been completed, will protect the integrity of Town rights-of-way and public improvements, and will reduce the risk that development proceeds without adequate electric service capacity; and

WHEREAS, pursuant to Section 16.2.205(a) of the Code, Town staff may initiate amendments to the text of the Code, and Town staff initiated the amendments set forth in this ordinance; and

WHEREAS, pursuant to Section 16.2.205(c)(2) of the Code and Tables 16.2.110 and 16.2.140 of the Code, an amendment to the text of the Code requires a public hearing before the Planning Commission and a recommendation of the Planning Commission to the Town Council; and

WHEREAS, notice of the public hearing before the Planning Commission was published in accordance with Section 16.2.140(b)(4) of the Code and Table 16.2.140 not less than 15 calendar days prior to the hearing, and proof of publication was made part of the record at the time of the hearing; and

WHEREAS, on September 16, 2026, the Planning Commission held a duly noticed public hearing on the amendments, considered the report of Town staff and public comment, reviewed the amendments against the criteria set forth in Section 16.2.205(b) of the Code, and by Resolution No. PC-2026-___ recommended that the Town Council approve the amendments; and

WHEREAS, notice of the public hearing before the Town Council was published in accordance with Section 16.2.140(b)(4) of the Code and Table 16.2.140 not less than 15 calendar days prior to the hearing, and proof of publication was made part of the record at the time of the hearing; and

WHEREAS, on October 27, 2026, the Town Council held a duly noticed public hearing on the amendments, at which the Town Council received the report of Town staff, the recommendation of the Planning Commission, and public comment; and

WHEREAS, having reviewed the amendments against each of the criteria set forth in Section 16.2.205(b) of the Code, the Town Council finds that the amendments satisfy each applicable criterion, further the purposes of the Code, and promote the public health, safety, and welfare of the Town's residents; and

WHEREAS, pursuant to Section 16.2.205(d) of the Code, amendments to the text of the Code shall be approved by the Town Council as an ordinance and shall be effective after the date specified in the ordinance.

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

Section 1. **Recitals.** The foregoing recitals are affirmed and incorporated herein.

Section 2. **Amendment to Section 16.4.330.** Section 16.4.330 of the Code is hereby amended to read as follows (additions double underlined):

Sec. 16.4.330. Underground utilities and installing conduit.

- (a) All utility cables and lines shall be placed underground. The subdivider shall be responsible for complying with the requirements of this Article and Code and shall make the necessary arrangements, including any construction or installation charges, with each utility provider for the installation of such facilities.
 - (1) Appurtenances to such underground utilities shall be placed underground or on the surface but not on utility poles.
 - (2) Screening or fencing is required to the satisfaction of the Town Council.
 - (3) Electric transmission and distribution feeder lines and necessary appurtenances thereto may not be placed above ground unless they are carrying greater than one hundred and fifteen (115) kilovolts. Such facilities shall be placed within easements or public streets, as therein provided, or upon private easements or right-of-way provided for the particular facilities.
- (b) *Installing underground conduit for future utilities.* To provide for the installation of public and private utilities after completion of streets, sidewalks, trails, or similar improvements, three (3) SDR11 smooth conduit lines, one and one-quarter (1.25) inch in diameter, shall be placed at horizontal and vertical locations approved by the Town Engineer within the municipal utility easement with a capped junction at each buildable lot.
 - (1) When crossing a public street, a High-Definition Polyethylene (HDPE) four-inch schedule forty (40) PVC sleeve conduit will be placed around each of the three (3) SDR11 smooth conduit lines for the full width of the right-of-way (ROW).
 - (2) Once installed and accepted by the Town, the conduit shall become the property of the Town, and its' use shall be subject to license or franchise by the Town.
- (c) *Electric Vehicle and Solar Readiness.* Residential, commercial, industrial, and mixed-use developments shall provide underground conduit, vaults, transformer pads, easements, and related electrical infrastructure necessary to serve the proposed development in accordance with the requirements of the applicable electric service provider. Infrastructure shall be designed and installed to accommodate the ultimate build-out of the development and support future solar energy systems, electric vehicle charging infrastructure, and other emerging electrification technologies without requiring substantial reconstruction of installed utility and site infrastructure.

Section 3. Repealer. All ordinances, resolutions, and parts thereof in conflict with this ordinance are hereby repealed to the extent of such conflict. This repealer shall not be construed to revive any ordinance, resolution, or part thereof previously repealed or superseded, nor to affect any provision of the Code not amended by this ordinance.

Section 4. Severability. If any article, section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The 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 5. **Effective Date.** In accordance with Section 6.03(6) of the Town of Severance Home Rule Charter, this ordinance, after approval by the Town Council of the Town of Severance, shall be effective thirty (30) days after publication.

**INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED
IN FULL THIS 27TH DAY OF OCTOBER, 2026.**

TOWN OF SEVERANCE, COLORADO

Matthew Fries, Mayor

ATTEST:

Sarah Jacobsen, Town Clerk

AFFIDAVIT OF PUBLICATION

STATE OF COLORADO)
)
COUNTY OF WELD)

I, Sarah Jacobsen, Town Clerk for the Town of Severance, do solemnly swear and affirm that I published in full a true and correct copy of Ordinance No. 2026-XXORD, enacted by the Town Council on October 27, 2026, on the Town of Severance's web site, <https://www.townofseverance.org/255/Ordinances>, on the ____ day of _____ 2026.

Witness my hand and seal this ____ day of _____ 2026.

Sarah Jacobsen
Town Clerk

[Town Seal]