



City of Castle Pines, Colorado Minutes

Planning Commission/
Board of Adjustment

Members

Seth Katz, Chair
Lisa Glynn
David Goode
Dick Lichtenheld
Deborah Mulvey
David C. Necker
Mike Noakes
Don Tosby

REGULAR MEETING OF THE PLANNING COMMISSION
Douglas County Library, 360 Village Square Lane, Castle Pines, CO 80108
Thursday, October 26, 2017
6:00 PM

1. ROLL CALL

The regular meeting of the Planning Commission of the City of Castle Pines, Colorado, was called to order by Commissioner Katz at 6:00 p.m.

Those present were: Commissioner Seth Katz
Commissioner David Goode
Commissioner Lisa Glynn
Commissioner Dick Lichtenheld
Commissioner Deborah Mulvey
Commissioner David Necker
Commissioner Don Tosby

Also present with the Commission:

City Manager, Don Van Wormer
City Clerk, Sharon Washington
Deputy City Attorney, Marcus McAskin

2. APPROVAL OF AGENDA

Motion to approve: Commissioner Necker
Second: Commissioner Tosby
Approved by unanimous:7-0

3. DISCLOSURE OF CONFLICTS OF INTEREST AS TO ANY ITEM ON THE AGENDA

- There were no disclosures of conflicts submitted.

4. PLANNING COMMISSION – ACTION ITEMS

a. Approval of the August 24, 2017 Planning Commission Meeting Minutes

Motion: A motion was made by Commissioner Glynn to approve the August 24, 2017 Planning Commission Meeting Minutes as presented. Commissioner Tosby seconded. Motion approved by unanimous consent: 6-0

b. **PUBLIC HEARING** – Ordinance No. 17-07 - An Ordinance of the City Council of the City of Castle Pines, Colorado, Amending Section 2303A of Section 23A of the Castle Pines Zoning Ordinance Regarding Limits on the Number of Medical Marijuana Plants Permitted in Residential Structures

The Public Hearing opened at 6:12 p.m. Deputy City Attorney Marcs McAskin gave an overview of the Ordinance to the Commission and Public. Ordinance No. 17-07 amends Section 23A of the Castle Pines Zoning Ordinance to reduce the maximum number of marijuana plants allowed in the primary residences of medical marijuana patients and primary caregivers from thirty (30) to twelve (12) and broadens the plant limit restriction to include any person growing marijuana. This amendment is in accordance with recent amendments to state law.

In March 2017, the Colorado General Assembly passed House Bill 17-1220 ("HB17-1220"), which amends Sections 18-18-406 and 25-1.5-106 of the Colorado Revised

Statutes regarding limits on marijuana plants grown in residences and becomes effective on January 1, 2018.

The version of Ordinance No. 17-07 considered by the Planning Commission tonight includes revisions made to approve of Ordinance No. 17-07 by City Council on first reading. The revisions may be summarized as follows:

- Specifically referencing Article XVIII, Section 16 of the Colorado Constitution (“Amendment 64”) in the preamble portion of the Ordinance. Amendment 64 was approved by Colorado voters in November of 2012, subsequent to the City’s initial adoption of Section 23A of the Zoning Ordinance in 2011.
- Changes to ensure that the City’s regulations are applicable to marijuana for both medical and personal use (as authorized by Amendment 64), including changes to Section 2301A, 2302A, 2304A, 2505A, 2306A, 2307A, and 2308A of the Zoning Ordinance.
- Modification of definition of “Contiguous” in Section 36 of the Zoning Ordinance.
- Addition of definitions for “Enclosed, locked space” and “Marijuana plants” in Section 36 of the Zoning Ordinance.

There was discussion about the definition for Primary Residence as defined in HB17-1220.

There was no public comment.

Motion: A motion was made by Commissioner Katz that Ordinance No. 17-07 be recommended to City Council for Approval on Second Reading in the form presented by City Staff at tonight’s meeting, as modified subsequent to First Reading with the changes highlighted in the Planning Commission Memorandum dated Thursday, October 26, 2017, and with the term “Primary Residence” replaced with “Residential Property” and adding the following definition of “Residential Property” to Section 36 of the Zoning Ordinance:

“RESIDENTIAL PROPERTY” MEANS A PRIMARY RESIDENCE OR SINGLE UNIT PROVIDING LIVING FACILITIES FOR ONE OR MORE PERSONS, INCLUDING PERMANENT PROVISIONS FOR LIVING SLEEPING, EATING, COOKING AND SANITATION. “RESIDENTIAL PROPERTY” ALSO INCLUDES THE REAL PROPERTY SURROUNDING A STRUCTURE, OWNED, RENTED OR LEASED IN COMMON WITH THE STRUCTURE, THAT INCLUDES ONE OR MORE SINGLE UNITS PROVIDING LIVING FACILITIES.”

Commissioner Lichtenheld seconded. Motion approved by unanimous consent: 7-0.

5. PLANNING COMMISSION – Discussion Items

a. City of Castle Pines Master Transportation Plan

Denise Aten, Vice President of Bohannon Huston gave a PowerPoint Presentation to the Commission and Public on the Castle Pines Master Transportation Plan.

The presentation outlined the following:

- Vision of the Plan
- Goals and Objectives
- Existing Transportation Network
- Pavement Management Plan
- How Transportation Dollars would be spent
- Implementation of the Plan
- Key Recommendations

- Transportation Solutions
- Roadway Element Guidance
- Blue Print Process and Analysis Results

6. FUTURE AGENDA ITEMS*

- a. History of the Business District and how to fix it
- b. Background on some of the undeveloped parcels in the City
- c. Planning Topics: Smart Growth, Land Use Law & Case Studies, Subdivision, Growth Management Techniques, Density, Transfer of Development Rights, Sprawl, Urban Design, Design Guidelines.
- d. Other Suggestions

There was no discussion on the above items.

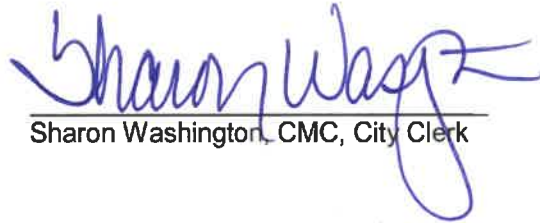
7. ADJOURNMENT

Motion: A motion was made by Commissioner Necker to adjourn the meeting. Commissioner Tosby seconded. Motion approved by unanimous consent: 7-0

The meeting was adjourned at 7:32 p.m.

RESPECTFULLY SUBMITTED:

APPROVED:



Sharon Washington, CMC, City Clerk



Seth Katz, Chair