

TOWN OF MEAD, COLORADO
ORDINANCE NO. 863

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO, AMENDING THE
MEAD MUNICIPAL CODE, CHAPTER 16, ARTICLE I, GENERAL
PROVISIONS, AS IT RELATES TO DEFINITIONS AND ARTICLE II,
COMMUNITY DESIGN AND DEVELOPMENT STANDARDS AS IT RELATES
TO PARKS AND OPEN SPACE STANDARDS.**

WHEREAS, the Town of Mead prepared and published the Public Draft of the Town of Mead Comprehensive Plan on February 28, 2018, and published a notice for public hearings for the Comprehensive Plan by the Planning Commission and Board of Trustees on March 19, 2018; and

WHEREAS, it is the desire of the Board of Trustees to adopt appropriate amendments to the *Mead Municipal Code* to more fully implement the goals, policies and strategies of the 2018 Town of Mead Comprehensive Plan;

NOW THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Mead, Weld County, Colorado, that:

Section 1. Section 16-1-150, of the *Mead Municipal Code*, Definitions, “Open Space” is hereby deleted in its entirety and reenacted to read as follows:

“Open Space - Open space means any land or water area with its surface open to the sky, which serves specific uses of: providing park and recreation opportunities; conserving natural areas and environmental resources; structuring urban development form; and protecting areas of agricultural, archeological or historical significance. Open space shall not be considered synonymous with vacant or unused land but serves important urban functions. Usable open space shall exclude areas used for off-street parking, off-street loading, service driveways, areas less than thirty (30) feet in width, drainage swales and setbacks from oil and gas wells and their appurtenances, or other hazards to the public.”

Section 2. Section 16-2-120 (b) (7), of the *Mead Municipal Code*, is hereby deleted in its entirety and reenacted to read as follows:

“(7) Storm drainage facilities. Storm drainage facilities, including storm water detention and storm water retention ponds, may function as open space for active recreation, trail corridors or habitat enhancement areas if they are designed appropriately. Credit toward the open space dedication requirements (including, up to 50% of the total acreage allocated to drainage facilities) will be considered on a case by case basis by the Board of Trustees at the time of platting. Criteria by which the Board of Trustees will consider this credit include, but are not limited to:

- a. Proposed recreational use by the community;
- b. Maintenance issues associated with proposed use;
- c. Impact on limitation of impervious surfaces; and

d. Any other item deemed pertinent to the application.”

Section 3. Section 16-2-120 (d) is hereby deleted in its entirety and reenacted to read as follows:

“(d) Open space requirements. Open space means any land or water area with its surface open to the sky, which serves specific uses of: providing park and recreation opportunities; conserving natural areas and environmental resources; structuring urban development form; and protecting areas of agricultural, archeological or historical significance. Open space shall not be considered synonymous with vacant or unused land but serves important urban functions. Usable open space shall exclude areas used for off-street parking, off-street loading, service driveways, areas less than thirty (30) feet in width, drainage swales and setbacks from oil and gas wells and their appurtenances, or other hazards to the public. Credit toward the open space dedication requirements (including, up to 50% of the total acreage allocated to drainage facilities) will be considered on a case by case basis by the Board of Trustees at the time of platting.”

Section 4. Section 16-2-120 (d) (3) is hereby deleted in its entirety and reenacted to read as follows:

“(3) Amount of open space required. The amount of functional open space required in each development will be based on the density of the development, the recreational requirements of the anticipated users and the anticipated opportunities for public recreation within walking distance of the site (one-quarter [$\frac{1}{4}$] mile) at the time of subdivision. This dedication can be credited toward the overall open space required for the subdivision.

a. Single-family residential developments. RSF-E and RSF-1 zoning districts, the developer shall provide a minimum of 10% of the gross land area as functional open space. RSF-4 zoning districts, the developer shall provide a minimum of 15% of the gross land area as functional open space. PUD Single Family zoning districts, the developer shall provide a minimum of 20% of the gross land area as functional open space. Functional open space may include: plazas, neighborhood parks, community parks, trails, recreational amenities, natural areas and amenities for residents or other civic purposes.

1. Pocket parks for residences located more than one-quarter ($\frac{1}{4}$) mile from any neighborhood park or community park;

2. The land and construction cost of one (1) neighborhood park per every three hundred (300) dwelling units or portion thereof which shall be constructed in the subdivision within a one-quarter-mile radius of the proposed homes or a fair-share, cash-in-lieu contribution for the cost of the neighborhood park that will serve the development; and/or

3. The land and construction cost for one (1) community park for every three thousand (3,000) dwelling units or

portion thereof which shall be constructed in the subdivision, or a fair-share contribution for the cost of the regional park, provided by the park impact fee, that will serve the development; and

4. The land and construction of an internal trail system and the trails designated on the Mead Comprehensive Plan Land Use and Public Facilities Map.

b. Multi-family residential developments. The developer shall provide:

1. A minimum of 25% of the gross land area as functional open recreational amenities, natural areas and amenities for residents or other civic purposes;

2. Pocket parks for residences located more than one-quarter (¼) mile from any neighborhood park or community park;

3. The land and construction cost to include equipment generally associated with the equivalent development of a neighborhood park, consistent with the Town of Mead Construction Standards and Specifications or a fair-share, cash-in-lieu contribution for the neighborhood park that will serve the development; and/or

4. The land and construction cost for one (1) community park for every three thousand (3,000) dwelling units or portion thereof which shall be constructed in the subdivision, or a fair-share, cash-in-lieu contribution for the cost of the regional park that will serve the development; and

5. The land and construction of an internal trail system and trails as designated on the Mead Comprehensive Plan Land Use and Public Facilities Map.

c. Commercial and industrial developments. The developer shall provide:

1. New commercial or industrial developments shall be required to dedicate a minimum of eight percent (8%) of the gross acreage to be developed to the Town for park purposes and more may be required dependent upon adjacent uses.

2. The land and construction of an internal trail system and trails as designated on the Mead Comprehensive Plan Land Use and Public Facilities Map.

3. Additional land may be required dependent upon adjacent property uses. Possible incompatible land uses may require additional property to provide adequate buffering between the

commercial/industrial use and the adjacent use.

d. Planned Unit Developments (PUD). The developer shall provide:

1. PUD Single-Family Overlay District, a minimum of 20% of the gross land area as functional open space, which may include: neighborhood parks, community parks, plazas, trails, recreational amenities, natural areas and amenities for residents or other civic purposes;

2. PUD Multiple Family Overlay District, a minimum of 25% of the gross land area as functional open space, which may include: neighborhood parks, community parks, plazas, trails, recreational amenities, natural areas and amenities for residents or other civic purposes;

3. Commercial or industrial development within the PUD shall be required to dedicate a minimum of 8% of the gross commercial and/or industrial acreage to be developed to the Town for park purposes and more may be required dependent upon adjacent uses;

4. Pocket parks for residences located more than one-quarter (¼) mile from any neighborhood park or community park;

5. For PUD Single Family Overlay District, land and construction cost to include equipment generally associated with the equivalent development of a neighborhood park, consistent with the Town of Mead Construction Standards and Specifications or a fair-share, cash-in-lieu contribution for the neighborhood park that will serve the development;

6. For PUD Multiple Family Overlay District, land and construction cost to include equipment generally associated with the equivalent development of a neighborhood park, consistent with the Town of Mead Construction Standards and Specifications or a fair-share, cash-in-lieu contribution for the neighborhood park that will serve the development;

7. The land and construction cost for one (1) community park for every three thousand (3,000) dwelling units or portion thereof which shall be constructed in the subdivision, or a fair-share contribution for the cost of the regional park, provided by the park impact fee, that will serve the development; and

8. The land and construction of an internal trail system and trails designated on the Mead Comprehensive Plan Land Use and Map.”

Section 5. Effective Date. This ordinance shall be published and become effective as

provided by law.

Section 6. Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the ordinance. The Board of Trustees hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more part, section, subsection, sentence, clause or phrase is declared invalid.

Section 7. Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

Section 8. Certification. The Town Clerk shall certify to the passage of this ordinance and make not less than one copy of the adopted Code available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 9th DAY OF April, 2018.

ATTEST:

By Mary E. Struff
Mary E. Struff, CMC, Town Clerk



TOWN OF MEAD

By Gary R. Shields
Gary R. Shields, Mayor

Approved as to form:

By /s/ RES
Richard E. Samson