



**PLANNING & DEVELOPMENT DEPARTMENT MEMORANDUM
#15-2020**

DATE: July 13, 2020

TO: Honorable Mayor Meredith Leighty and City Council Members

THROUGH: Heather Geyer, City Manager 

FROM: Brook Svoboda, Director of Planning and Development 
Corey Hoffmann, City Attorney

SUBJECT: CB-1949 – Oil and Gas Regulations Amendment

PURPOSE

First Reading of CB-1949, an ordinance amending Section 11-3-6(p)(2) of the Northglenn Municipal Code addressing distance limitations from oil and gas well sites to city facilities.

BACKGROUND

The proposed amendment contemplates amending the regulations to include *City-Owned Facilities* in *Section 11-3-6, part (p)(2), Location Restrictions*. The addition of City-Owned Facilities would restrict the location of a well site that is located within 1,000 feet of City-Owned property unless a waiver is obtained.

The proposed Oil and Gas Regulations Amendment was recommended for approval by the Planning Commission at their July 7, 2020 meeting; the approving resolution is included as Attachment 1. The staff report for that meeting is included as Attachment 2 and provides additional detail on the amendment and adoption process.

STAFF RECOMMENDATION

Attached to this memorandum is CB-1949, which is being presented on first reading. Staff is recommending that City Council approve the proposed ordinance on first reading and schedule the item for public hearing and second reading for July 27, 2020.

BUDGET/TIME IMPLICATIONS

There are no anticipated direct budgetary impacts from this item.

STAFF REFERENCE

If City Council members have any comments or questions, they may contact Brook Svoboda, Director of Planning and Development, at 303.450.8937 or bsvoboda@northglenn.org.

ATTACHMENTS

1. Planning Commission Resolution #2020-02
2. Planning Commission Staff Report for the July 7, 2020 Meeting

CB-1949 – Oil and Gas Regulations Amendment

ATTACHMENT 1

**RESOLUTION 2020-02
NORTHGLENN PLANNING COMMISSION**

**A RESOLUTION PROVIDING A FAVORABLE RECOMMENDATION TO
THE CITY COUNCIL FOR APPROVAL OF CB-1947 – OIL AND GAS
REGULATIONS AMENDMENT TO THE UNIFIED DEVELOPMENT
ORDINANCE**

WHEREAS, Northglenn Ordinance 11-6-4(c) requires that all proposed amendments shall be referred to the Planning Commission for study, consideration, and recommendation prior to final action by Council; and

WHEREAS, the Planning Commission has found that the application satisfies the applicable criteria for Unified Development Ordinance Amendments under 11-6-4(c)(3)(D)(iii); and

WHEREAS, the Northglenn Planning Commission therefore desires to provide a recommendation to the City Council on the Unified Development Ordinance Amendment as required by law; and

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. The City of Northglenn Planning Commission hereby provides a favorable recommendation to the City Council for approval of CB-1949.

DATED this 7TH day of July, 2020

Sonia Di Carlo
Planning Commission Chair

ATTEST:

Rebecca Smith, AICP
Secretary

ATTACHMENT 2



Planning & Development

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PLANNING AND DEVELOPMENT DEPARTMENT

MEMORANDUM

DATE: July 7, 2020
TO: Planning Commission
FROM: Brook Svoboda, Director of Planning & Development
SUBJECT: Case # 20-02 Oil & Gas Regulations Amendment
Unified Development Ordinance Amendment

REQUEST

Staff is presenting a proposed update to the Oil and Gas regulations found in Section 11-3-6 of the Unified Development Ordinance (UDO) for public hearing and recommendation to City Council.

RECOMMENDATION

Staff is recommending that the Planning Commission recommend approval of the proposed Amendment to the UDO to the City Council.

Recommended Motion.

"I move to approve Resolution 2020-02, a resolution providing a favorable recommendation to the City Council for approval of CB-1949 – Oil and Gas Regulations update to the Unified Development Ordinance."

DISCUSSION

Background.

The proposed amendment contemplates amending the regulations to include *City-Owned Facilities* to the *Section 11-3-6, part (p)(2), Location Restrictions*. The addition of *City-Owned Facilities* would restrict the location of a well site that is located within 1000 feet of a *City-Owned* property unless a waiver is obtained.

Notification Requirements.

Notification for this application was conducted in accordance with the requirements of Section 11-6-3(e) of the UDO, Scheduling and Notice of Public Hearings. The only notification requirement for a UDO Amendment is a notice of public hearing published in the Northglenn-Thornton Sentinel at least 15 days prior to the public hearing.

APPROVAL CRITERIA

Applicable Approval Code Provisions.

The following sections of the code should be considered with review of the various components of this application.

- Section 11-3-6, Oil and Gas Operations
- Section 11-6-4, Unified Development Ordinance Amendment

Criteria Analysis.

Section 11-6-4(c)(3)(D)(iii) requires the proposed UDO Amendment comply with the following approval criteria. A brief staff analysis is provided of each:

Criteria:	Staff Analysis:
a) Is consistent with the Comprehensive Plan;	The proposed UDO Amendment is in conformance with the Comprehensive Plan.
b) Does not conflict with other provisions of this UDO or other provisions in the Northglenn Municipal Code;	The proposed UDO Amendment does not conflict with other provisions of the UDO or other provisions of the Northglenn Municipal Code. The proposed Amendment has been developed and reviewed by the City Attorney's Office.
c) Is necessary to address a demonstrated community need;	The proposed UDO Amendment is necessary to address a demonstrated community need to ensure City code remains in conformance with updated state regulations and more closely reflect regulations recently adopted by Adams County.
d) Is necessary to respond to changing conditions or policy; and	The proposed UDO Amendment is necessary to respond to changing policy to ensure City code remains in conformance with updated state regulations and more closely reflect regulations recently adopted by Adams County.
e) Is consistent with the purpose and intent of the zoning districts in the UDO, would improve compatibility among land uses within the City, or would result in an orderly and logical development pattern.	The proposed UDO Amendment is consistent with the purpose and intent of the zoning districts in the UDO that will allow Oil and Gas Operations, and is proposed to ensure continued compatibility among land uses.

ADMINISTRATION

Possible Actions by the Planning Commission.

The Planning Commission is not the final approval authority for review of a UDO Amendment and shall review the application and provide a recommendation to the City Council. The Commission's options for recommendation are as follows:

1. Recommend approval of the request, with or without conditions or stipulations;
2. Recommend denial of the request for reasons stated; or
3. Table the request for further consideration or additional information.

Next Steps.

The Planning Commission's recommendation on this Oil & Gas Operations UDO Amendment will be forwarded to City Council for consideration. First reading is scheduled for July 13, 2020, and second reading and public hearing will be held at the July 27, 2020 City Council meeting.

ATTACHMENTS

Attachment A – CB-1947 Unified Development Ordinance Amendment to Section 11-3-6, Oil and Gas Operations

ATTACHMENT A

SPONSORED BY: MAYOR LEIGHTY

COUNCILMAN'S BILL

ORDINANCE NO.

No. _____
Series of 2020

_____ Series of 2020

A BILL FOR AN ORDINANCE AMENDING SECTION 11-3-6(p)(2) OF THE NORTHGLENN MUNICIPAL CODE ADDRESSING DISTANCE LIMITATIONS FROM OIL AND GAS WELL SITES TO CITY FACILITIES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. Section 11-3-6(p)(2) of the Northglenn Municipal Code is amended to read as follows:

Section 11-3-6. Oil and Gas Operations

(p) Location Restrictions.

* * *

(2) Well Sites proposed within City limits shall be at least 1,000 feet from the property line of any existing or platted residences, schools, Future School Facilities, ~~or~~ state licensed daycares, OR CITY-OWNED FACILITIES unless a Waiver is obtained.

INTRODUCED, READ AND ORDERED POSTED this ____ day of _____, 2020.

MEREDITH LEIGHTY
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

PASSED ON SECOND AND FINAL READING this ____ day of _____,
2020.

MEREDITH LEIGHTY
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney

SPONSORED BY: MAYOR LEIGHTY

COUNCILMAN'S BILL

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MEREDITH LEIGHTY
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JOHANNA SMALL, CMC
City Clerk

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2020.

MEREDITH LEIGHTY
Mayor

ATTEST:

JOHANNA SMALL, CMC
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APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney