



**PLANNING COMMISSION  
LEGISLATIVE ITEM STAFF REPORT**

**MEETING DATE: December 19, 2019**

**TITLE: AN ORDINANCE AMENDING THE WHEAT RIDGE CODE OF LAWS TO AMEND REFERENCES TO THE PUBLIC WORKS AND COMMUNITY DEVELOPMENT DIRECTORS, DEPARTMENTS, DIVISIONS, AND STAFF**

**CASE NO. ZOA-19-05**

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PUBLIC HEARING

CODE CHANGE ORDINANCE

Case Manager: Lauren Mikulak

Date of Preparation: December 11, 2019

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**SUMMARY:**

On November 25, 2019, City Council approved Ordinance 1677 which modified Chapter 2 of the Code of Laws and effectively modified the City's organizational chart moving the Engineering Division from the Public Works Department into the Community Development Department. Moving that division transfers certain responsibilities and duties to the Community Development Department, and this ordinance updates affected code sections to reflect the City's current organizational structure.

Notice for this public hearing was provided as required by the Code of Laws.

**BACKGROUND:**

The City operated without a Director of Public Works from December 2018 to November 2019. During that time, and while management attempted to recruit a leader to fill the role, duties were shared among others in the organization. That period of time provided City leadership the opportunity to reevaluate how various functions within the Public Works Department were organized.

Based on internal discussions and a review of other municipal organizations, the engineering functions were determined to best be managed by the Community Development Director, and this change was finalized with City Council's approval of Ordinance 1677 on November 25, 2019.

This organizational change results in improved internal and external communication, enhanced collaboration, stronger information sharing among staff, and streamlined processes for external partners. The Community Development Department is now comprised of three divisions:

Building, Planning, and Engineering. The Engineering Division retains their responsibilities of engineering and design, specifically for development review, roadway design, traffic and drainage engineering, floodplain administration, stormwater management, and management of the Capital Improvement Program. The Public Works Department will retain responsibility for the City's right-of-way construction, operations, inspection, and maintenance.

*Proposed Code Amendment*

Staff has reviewed all code references to the Public Works and Community Development departments, divisions, directors and staff. The enclosed ordinance proposes amendments to various chapters to ensure that responsibilities in the code up are updated to correspond with the recently updated organizational chart. Affected chapters include the following:

- Chapter 2 – regarding the Board of Adjustment
- Chapter 3 – regarding sexually-oriented businesses
- Chapter 5 – regarding the building code
- Chapter 13 – regarding the traffic code and parking permits
- Chapter 20 – regarding stormwater management
- Chapter 21 – regarding right-of-way construction permits and street access permits
- Chapter 26 – regarding site plan applications, right-of-way vacations, the streetscape design manual, planned development applications, subdivisions, parking and access, landscape and open space, mobile home parks, sight triangles, grading permits, vehicle sales lots, signs, and floodplains

While there are numerous changes proposed in the enclosed ordinance, the extent of changes does not suggest significant functional changes to existing processes. The same staff will complete the same tasks. The Community Development Department absorbs some additional responsibilities by virtue of absorbing the Engineering Division into the department.

*Next Steps*

The Planning Commission has jurisdiction over Chapter 26, and therefore is compelled to review this ordinance to the extent it affects that chapter. The Commission's recommendation will be forwarded to City Council. This ordinance is scheduled for a first reading at City Council on January 13 and a public hearing at City Council on January 27.

**RECOMMENDED MOTION:**

“I move to recommend approval of the proposed ordinance amending the Wheat Ridge Code of Laws to amend references to the public works and community development directors, departments, divisions, and staff.”

**Exhibits:**

1. Proposed Ordinance

**CITY OF WHEAT RIDGE, COLORADO**  
**INTRODUCED BY COUNCIL MEMBER \_\_\_\_\_**  
**COUNCIL BILL NO. \_\_\_\_\_**  
**ORDINANCE NO. \_\_\_\_\_**  
Series 2020

**TITLE: AN ORDINANCE AMENDING THE WHEAT RIDGE CODE OF LAWS TO AMEND REFERENCES TO THE PUBLIC WORKS AND COMMUNITY DEVELOPMENT DIRECTORS, DEPARTMENTS, DIVISIONS, AND STAFF**

**WHEREAS**, the City of Wheat Ridge is a home rule municipality having all powers conferred by Article XX of the Colorado Constitution; and

**WHEREAS**, pursuant to its home rule authority and C.R.S. § 31-23-101, the City, acting through its City Council (the “Council”), is authorized to adopt ordinances for the protection of the public health, safety or welfare; and

**WHEREAS**, the Wheat Ridge Charter §3.5 provides that the Council may, by ordinance, establish, consolidate and/or merge City departments and that each such department shall be under the supervision of a department head appointed by the city manager; and

**WHEREAS**, on November 25, 2019 and pursuant to Ordinance 1677 the Council approved changes to Chapter 2 of the Code of Laws and the City’s organizational chart placing the engineering division and city engineer within the community development department; and

**WHEREAS**, moving the engineering division transfers certain responsibilities and duties to the community development department; and

**WHEREAS**, several code sections require updating to clarify those responsibilities and to correspond appropriately to the changes made by Ordinance 1677

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEAT RIDGE, COLORADO:**

**Section 1.** Section 2-61(d)(5) of the Wheat Ridge Code of Laws, regarding the Board of Adjustment, is amended to replace all references to “planning director” with “community development director.”

**Section 2.** Sections 3-7 to 3-28 of the Wheat Ridge Code of Laws, regarding licensing of sexually-oriented businesses, is amended to replace all references to “planning director” with “community development director.”

**Section 3.** Section 5-2 of the Wheat Ridge Code of Laws, regarding building code definitions, is amended to read:

*Department of community development:* The city department consisting of the planning division, ~~code enforcement~~ **ENGINEERING** division and the building inspection division. The department is headed by the director of community development.

*Department of public works:* The city department consisting of the ~~engineering division and street maintenance division~~ **RIGHT-OF-WAY CONSTRUCTION, INSPECTION, OPERATIONS, AND MAINTENANCE FUNCTIONS**. The department is headed by the director of public works.

**Section 4.** Section 5-35(a) of the Wheat Ridge Code of Laws, regarding building permit applications, is amended to read:

- (a) [...] Building permits will not be issued unless such development plan has received the approvals subject to additional engineering **AND/OR ZONING** requirements by the ~~department of public works~~ **ENGINEERING** and/or the planning divisions, **RESPECTIVELY**.

**Section 5.** Section 5-41(a) of the Wheat Ridge Code of Laws, regarding building permit review fees, is amended to read:

- (a) All fees related to ~~public works~~ building permit review and processing under this chapter shall be established by council resolution. Building permit fees shall not include cost of land or public improvements associated with purchase of land for construction of the structure.

**Section 6.** Section 5-45 of the Wheat Ridge Code of Laws, regarding required public improvements, is amended to read:

- (a) Applications for building permits shall be reviewed by the **COMMUNITY DEVELOPMENT** ~~director of public works~~ to determine whether the proposed construction will require the installation or construction of public improvements including, but not limited to, street paving, curbs, gutters, sidewalks, drainage facilities, or other improvements as may be required by this section or the subdivision regulations.

[...]

- (e) Any owner, contractor or developer who is aggrieved by a decision of the **COMMUNITY DEVELOPMENT** ~~director of public works~~ requiring installation of such public improvements or payment of funds in lieu of construction shall have the right to appeal the director's determination to the board of adjustment pursuant to section 2-61.

(f) The **COMMUNITY DEVELOPMENT** director of ~~public works~~ shall have the authority to close any escrow held by the city under the prior version of this section, for commercial or industrial projects and refund the monies to the original depositor, upon satisfaction of the following conditions:

**Section 7.** Section 13-1(a) of the Wheat Ridge Code of Laws, regarding the City’s adopted traffic manual, is amended to read:

(a) *Adopted.* The city does hereby adopt, by reference, the most recent edition of the "Manual on Uniform Traffic Control Devices for Streets and Highways," and other related standards issued or endorsed by the federal highway administrator, except as specifically amended hereby. Copies of such manual shall be available from the ~~department of public works~~ **ENGINEERING DIVISION**, which shall maintain in its offices no less than three (3) current copies, any of which may be purchased by members of the general public for a price to be established by the ~~department of public works~~ **ENGINEERING DIVISION**.

**Section 8.** Section 13-61 of the Wheat Ridge Code of Laws, regarding parking permits, is amended to read:

The **COMMUNITY DEVELOPMENT** director of ~~public works~~ is hereby authorized to issue parking permits in accordance with the provisions of this section to allow the on-street parking of motor vehicles by residents of blocks designated by the **COMMUNITY DEVELOPMENT** director of ~~public works~~ as restricted parking areas. **FOR THE PURPOSE OF THIS ARTICLE, THE DIRECTOR SHALL REFER TO THE COMMUNITY DEVELOPMENT DIRECTOR OR HIS OR HER DESIGNEE.**

**Section 9.** Sections 13-62 to 13-69 of the Wheat Ridge Code of Laws, regarding parking permits, are amended to replace all references to “public works director” with “director.”

**Section 10.** Section 20-2 of the Wheat Ridge Code of Laws, regarding stormwater quality and control definitions, is amended to read:

*Director.* The City of Wheat Ridge ~~Public Works~~ **COMMUNITY DEVELOPMENT** Director or designee.

**Section 11.** Section 21-104 of the Wheat Ridge Code of Laws, regarding termination of right-of-way use permits, is amended to read:

Any permit issued under this article may be terminated upon ninety (90) days' notice from the ~~city engineer~~ **DIRECTOR OF PUBLIC WORKS OR HIS DESIGNEE**. The city shall not be liable for any costs incurred by the permittee resulting from such termination.

**Section 12.** Section 21-181 of the Wheat Ridge Code of Laws, regarding street access permits, is amended to read:

The number, spacing, type and location of vehicular access have a direct and often significant effect on the capacity, speed and safety of public streets. The ~~director of public works~~ **COMMUNITY DEVELOPMENT DIRECTOR, IN CONSULTATION WITH THE CITY ENGINEER**, is hereby authorized to regulate vehicular access to or from any public street within the city to or from property adjoining such street in order to protect the public health, safety, and welfare, to maintain smooth traffic flow, to maintain right-of-way drainage, and to protect the functional level of public streets. [...]

**Section 13.** Sections 21-183, 21-184, 21-185, and 21-186 of the Wheat Ridge Code of Laws, regarding street access permits, is amended to replace all references to the “public works director” or “director of public works” with “community development director.”

**Section 14.** Section 26-111.D of the Wheat Ridge Code of Laws, regarding site plan application requirements, is amended to read:

- D. *Site plan application requirements.* All applications shall include at a minimum the following information. Additional information may be requested by the ~~community development department or the public works department~~ **PLANNING AND/OR ENGINEERING DIVISIONS** at the preapplication conference.

**Section 15.** Section 26-115.E.3 of the Wheat Ridge Code of Laws, regarding board of adjustment interpretations, is amended to read:

3. Administrative decisions taken by the ~~director of public works~~ **CITY ENGINEER** following final approval by the planning commission or city council, as appropriate, may be appealed to the board, which is empowered to reverse or modify such decisions, in whole or in part, upon a showing by the applicant that the effect of the director's decision would impose a particular and unique hardship upon the owner of the subject property, as distinguished from mere inconvenience, and which hardship has not been created by any person presently having an interest in the subject property.

**Section 16.** Section 26-118.B of the Wheat Ridge Code of Laws, regarding right-of-way vacations, is amended to read:

- B. *Vacation by ordinance.* Applications for vacation by ordinance may also be originated by the City of Wheat Ridge or by a private property owner. If a city-initiated vacation, the ~~department of public works~~ **ENGINEERING DIVISION** shall prepare a legal description of the right-of-way proposed to be vacated attached to an administrative process application signed by the mayor of the City of Wheat Ridge or his or her representative. [...]

**Section 17.** Section 26-224.B of the Wheat Ridge Code of Laws, regarding design manuals, is amended to read:

- B. *Streetscape Design Manual*. The community development and public works directors ~~are~~ **IS** hereby authorized and directed to promulgate regulations that encourage quality streetscape design. Such regulations, when promulgated, shall be fully enforceable with respect to all site development. The City of Wheat Ridge Streetscape Design Manual dated March 2011, is hereby adopted and shall apply as one such regulation.

The manual may be amended and updated as a regulation from time to time by the director of community development, **IN CONSULTATION WITH THE CITY ENGINEER** and the director of public works. Copies of the manual shall be available for inspection and purchase in the office of the department of community development.

**Section 18.** Section 26-304.A.10 of the Wheat Ridge Code of Laws, regarding outline development plan application contents, is amended to read:

10. Additional information may be required dependent upon the size and complexity of impact of the proposal, as determined by the ~~community development director and the public works director~~ **PLANNING AND/OR ENGINEERING DIVISIONS**. This includes, but is not limited to, drainage study and plan, traffic impact report, grading plan, geological stability report, floodplain impact report, or general environmental impact report. This information will be required in hard copy and in electronic file format.

**Section 19.** Section 26-407.A.11 of the Wheat Ridge Code of Laws, regarding error correction of subdivision plats, is amended to read:

11. Other items or circumstances to be determined by the community development director ~~and/or the director of public works~~.

**Section 20.** Section 26-410.C of the Wheat Ridge Code of Laws, regarding subdivision plat contents, is amended to read:

1. *Project information* [...]

- b. A surveyed metes and bounds legal description of the platted boundary, with section ties to two (2) section corners in conformance with city geodetic surveying requirements. Coordinates for all section corners, and quarter-section corners, and PHAC points used shall be consistent with the City of Wheat Ridge current city datum, and are available from the ~~public works department~~ **ENGINEERING DIVISION**.

[...]

2. *Graphical information* [...]

- e. Monument information, including:

- i. A description of all monuments that mark the boundaries of the property, both found and set, and a description of all control monuments used in conducting the survey.
- ii. Right-of-way survey monuments shall be established per City of Wheat Ridge standard specifications for all new roadways or relocation of existing roadways, at all new road right-of-way centerline intersections, center of radius for cul-de-sacs, and at the end of the centerline for dead end streets. Right-of-way survey monuments may also be required at roadway centerline points of curvature, points of reverse or compound curvature, and points of tangency, as determined by the ~~department of public works~~ **ENGINEERING DIVISION**.

**Section 21.** Section 26-411 subsections B and G of the Wheat Ridge Code of Laws, regarding subdivision design, are amended to read:

B. *Blocks* [...]

- 2. In blocks over one thousand (1,000) feet long, mid-block pedestrian crosswalks may be required as determined by the ~~department of public works~~ **COMMUNITY DEVELOPMENT DEPARTMENT IN CONSULTATION WITH THE CITY ENGINEER**.

[...]

G. *Easements*

- 1. Utility. Utility easements shall be designed to minimize the encumbrance to the lot, to minimize maintenance problems, and to avoid anticipated locations of buildings or street trees. For new streets, utilities may be located within the right-of-way as approved by the ~~public works~~ **COMMUNITY DEVELOPMENT** department.

[...]

- 3. Sidewalk. Sidewalk and landscape easements may be required when the sidewalk or streetscape improvements required by the Streetscape Design Manual or Bicycle and Pedestrian Master Plan are not within a dedicated street right-of-way. The width of this easement shall be determined by the ~~public works~~ **COMMUNITY DEVELOPMENT** department.

[...]

- 5. Other easements may be required by the community development ~~or public works~~ departments.

[...]

**Section 22.** Section 26-412 subsections B and D of the Wheat Ridge Code of Laws, regarding street design, are amended to read:

B. *Access.* [...]

2. Whenever possible, residential lots shall not front on arterials (Class 3) or collectors (Class 4). Access to a freeway, arterial or collector shall occur only at intersections approved by planning commission and city council. Such design shall be reviewed by the ~~director of public works~~ **COMMUNITY DEVELOPMENT DIRECTOR** in consultation with the city ~~traffic~~ engineer.

[...]

D. *Design.*

1. *Right-of-way standards.*

- a. Street and alley rights-of-way shall conform to the city's current standards for width, grade, and design as determined by the ~~public works department~~ **COMMUNITY DEVELOPMENT DIRECTOR IN CONSULTATION WITH THE CITY ENGINEER.**

2. *Cul-de-sacs.* [...]

- d. Surface drainage on cul-de-sacs shall be directed toward the accompanying street or where necessary to a natural watercourse or natural drainage basin if approved by the ~~director of public works~~ **COMMUNITY DEVELOPMENT DIRECTOR IN CONSULTATION WITH THE CITY ENGINEER.** Drainage easements may be required through abutting lots where no alternative is capable of carrying drainage.

[...]

4. *Intersections.* [...]

- b. Additional right-of-way or pavement width may be required at intersections. The design of intersections shall be determined by the ~~public works director~~ **COMMUNITY DEVELOPMENT DIRECTOR IN CONSULTATION WITH THE CITY ENGINEER**, or when applicable, the Colorado Department of Transportation.

[...]

4. *Grade and topography.* [...]

- b. The maximum grade by street classification shall not be exceeded; maximum grade is determined by the ~~public works department~~ **COMMUNITY DEVELOPMENT DIRECTOR IN CONSULTATION WITH THE CITY ENGINEER**.

**Section 23.** Section 26-413.B.2 of the Wheat Ridge Code of Laws, regarding dedications and exactions, is amended to read:

2. Dedications required at the time of issuance of a building permit for development, redevelopment, expansion or change of use shall include up to a half-width street dedication and/or construction based on street standards in the subdivision regulations, comprehensive plan, Bicycle and Pedestrian Master Plan, and Streetscape Design Manual. These construction improvements could include street reconstruction, paving, curb, gutter, sidewalk or other improvements deemed necessary by the ~~director of public works~~ **COMMUNITY DEVELOPMENT DIRECTOR**. See section 5-45.

**Section 24.** Section 26-415.A.2.a of the Wheat Ridge Code of Laws, regarding dedication of public streets, is amended to read:

- a. *Half streets.* For streets on the perimeter of a subdivision, the subdivider may be permitted to dedicate sufficient right-of-way to provide an adequate street width for two (2) lanes of traffic in accordance with the city's standards and specifications. In such instances, the subdivider shall be required to construct one-half ( $\frac{1}{2}$ ) of the street width plus six (6) feet or other design as determined and approved by ~~public works~~ **COMMUNITY DEVELOPMENT** department. If on street parking is desired, more right-of-way will be required.

**Section 25.** Section 26-417 subsections B, C, D and E of the Wheat Ridge Code of Laws, regarding required public improvements, are amended to read:

*B. Compliance with city standards.*

1. Specifications for all public improvements are to be determined by the ~~public works department~~ **ENGINEERING DIVISION**, or in the case of utilities, by other reviewing agencies.
2. No public improvements shall be made until all engineering plans and specifications have been reviewed and approved by the ~~department of public works~~ **ENGINEERING DIVISION** and all applicable permits have been obtained.

*C. Types of public improvements:*

1. Street and/or streetscape improvements. [...]
- h. Other improvements as specified by the ~~director of public works~~ **COMMUNITY DEVELOPMENT DIRECTOR** or other reviewing agencies.

[...]

D. *As-built plans upon completion.* [...]

3. As-built drawings shall be provided in hard copy and electronic format. Hard copy drawings shall be signed and sealed by the engineer-of-record. Electronic files shall be an appropriate file format as determined by the ~~public works department~~ **ENGINEERING DIVISION.**

[...]

E. *Required street improvements.* [...]

2. *Construction or payment-in-lieu.* [...]

b. *Multifamily residential and non-residential.* [...]

- ii. In the event that construction of required improvements would be impractical and if it is recommended by the ~~director of public works and the community development director~~ **IN CONSULTATION WITH THE CITY ENGINEER**, the applicant may be required to pay a fee-in-lieu of construction. [...]

c. *Single- or two-family residential.* [...]

- ii. An applicant may choose to install the improvements or pay a fee in lieu of construction, however in the event that construction of improvements would be impractical and if it is recommended by the ~~director of public works and the community development director~~ **IN CONSULTATION WITH THE CITY ENGINEER**, then an applicant may be required to pay a fee in lieu of construction.

- iii. If fees are paid in lieu of construction, the fee shall be based on the linear frontage of the lot and the prevailing cost of curb, gutter, and sidewalk as determined by the ~~public works department~~ **ENGINEERING DIVISION.**

**Section 26.** Section 26-418 subsections B and C of the Wheat Ridge Code of Laws, regarding agreement and financial security for required public improvements, are amended to read:

B. *Requirement for financial security.* [...]

4. Form of guarantee:

- a. The guarantee shall be for one hundred twenty-five (125) percent of the estimated costs of the required public improvements as computed by the

subdivider and approved by ~~the director of public works and/or~~ the community development director.

[...]

5. Release of guarantee:

- a. Guarantee shall be held in perpetuity until released by the ~~director of public works~~ **COMMUNITY DEVELOPMENT DIRECTOR**.
- b. The city may release portions of the letter of credit in increments of no less than twenty-five (25) percent at the discretion of the ~~director of public works~~ **COMMUNITY DEVELOPMENT DIRECTOR** upon written request of the subdivider. In such case, an amended letter of credit shall be required.

C. *Deferred construction/development covenant.*

1. Where prior construction of required improvements under section 26-417 would be impractical and if it is recommended by ~~the director of public works and~~ the community development director **IN CONSULTATION WITH THE CITY ENGINEER**, a development covenant may be entered into by the City of Wheat Ridge and the owner.
2. The development covenant shall be signed by the ~~director of public works~~ **COMMUNITY DEVELOPMENT DIRECTOR** and attested by the city clerk and shall be recorded in the office of the Jefferson County Clerk and Recorder.
2. The development covenant shall be in a format provided by the community development ~~and public works~~ departments.

**Section #.** Section 26-501 subsections B and C of the Wheat Ridge Code of Laws, regarding off-street parking and loading, are amended to read:

E. *Standards.* [...]

8. *Off-street loading.* [...]

- b. The typical dimensions of an off-street loading space are twelve (12) feet wide by forty (40) feet long, with a minimum vertical clearance of fourteen (14) feet. A minimum maneuvering aisle width of forty (40) feet shall be provided behind the off-street loading space. These dimensions may be altered by the ~~public works~~ **COMMUNITY DEVELOPMENT** director based on the specific needs of the business and anticipated volumes of use.

[...]

12. *Miscellaneous.* [...]

- c. *Back-out parking.* Except for one- and two-family dwellings, all parking areas shall be designed so that vehicles exiting from the parking area will not be required to back out across any public sidewalk or public right-of-way, unless an exception has been granted by the ~~director of public works~~ **COMMUNITY DEVELOPMENT DIRECTOR IN CONSULTATION WITH THE CITY ENGINEER.**

[...]

E. *Vehicular access.* [...]

2. *Spacing of vehicle access.* [...]

- d. The ~~public works director~~ **COMMUNITY DEVELOPMENT DIRECTOR IN CONSULTATION WITH THE CITY ENGINEER** may approve a modification or waiver to the vehicle access standards and requirements stated in this subsection 2-, **PURSUANT TO SECTION 21-181 ET SEQ AND** based upon consideration of traffic characteristics, both on and off of the site, with the primary purpose of preserving public safety.

3. *Curb cut widths.* [...]

- c. [~~Modification or waiver.~~] The ~~public works director~~ **THE COMMUNITY DEVELOPMENT DIRECTOR IN CONSULTATION WITH THE CITY ENGINEER** may approve a modification or waiver to the vehicle access standards and requirements stated in this subsection 3-, **PURSUANT TO SECTION 21-181 ET SEQ AND** based upon consideration of traffic characteristics, both on and off of the site, with the primary purpose of preserving public safety.

4. *Number of access points.* [...]

- b. In cases where it is possible to provide one (1) access point which will serve adjacent properties or where adherence to these requirements would leave a parcel of property without vehicular access, curb cut setback or spacing requirements may be reduced or enlarged so as to permit a single vehicular access point if approved by the ~~public works director~~ **THE COMMUNITY DEVELOPMENT DIRECTOR IN CONSULTATION WITH THE CITY ENGINEER.**

[...]

- d. The ~~public works director~~ **THE COMMUNITY DEVELOPMENT DIRECTOR IN CONSULTATION WITH THE CITY ENGINEER** may approve a modification to or waiver to the vehicle access standards and requirements stated in this subsection 4-, **PURSUANT TO SECTION 21-181 ET SEQ AND** based upon

consideration of traffic characteristics, both on and off of the site, with the primary purpose of preserving public safety.

**Section 27.** Section 26-502.D of the Wheat Ridge Code of Laws, regarding landscaping requirements, is amended to read:

D. *District requirements.* [...]

Nothing contained in this section shall prohibit any landowner from landscaping in excess of the minimum requirements stated herein, either on their property or within public right-of-way, if approved by the ~~public works director and/or~~ the community development director; however, offsite landscaping cannot reduce the onsite requirements.

**Section 28.** Section 26-506.F of the Wheat Ridge Code of Laws, regarding mobile home park design standards, is amended to read:

F. *Pads, mats or platforms.* Each mobile home lot shall be provided with a gravel pad acceptable to the ~~department of public works~~ **COMMUNITY DEVELOPMENT DEPARTMENT** for each location and shall be treated to prevent the growth of weeds, or a concrete pad, mat or platform not less than four (4) inches in thickness, or of equal bearing strength if reinforced concrete is used.

**Section 29.** Section 26-603.B.2.d of the Wheat Ridge Code of Laws, regarding obstructions to view in the sight triangle clear zone, is amended to read:

d. *Exceptions.* Certain obstructions may be approved by the ~~director of public works (or his/her designee)~~ **COMMUNITY DEVELOPMENT DIRECTOR IN CONSULTATION WITH THE CITY ENGINEER** to be located within the clear zone. [...]

**Section 30.** Section 26-609 of the Wheat Ridge Code of Laws, regarding access to public streets, is amended to read:

[...] Commercial and industrial uses will be permitted such private easements or roadways only after review and approval by the ~~public works director~~, community development director and fire district. [...]

**Section 31.** Section 26-623.B of the Wheat Ridge Code of Laws, regarding grading permits, is amended to read:

B. *Grading permits.* Dumping, landfill, grading, and/or extraction operations which disturb an area of one (1) acre or more in size may be allowed by a permit issued by the ~~engineering manager~~ **CITY ENGINEER** after reviewing an application and supporting information submitted to the ~~public works department~~ **ENGINEERING DIVISION**. Such deposit or extraction of earth, sand, gravel, rock, minerals, concrete or asphalt pavement, or other similar materials, and/or storage thereof, are subject

to the following conditions. A grading permit may be issued for a period of time not to exceed one (1) year and may be renewed upon written request:

1. *Application.* An application for grading permit shall be submitted to the ~~public works department~~ **ENGINEERING DIVISION** and shall be accompanied by the appropriate fee and by engineered plans and drawings which illustrate the following minimum information:

[...]

- c. A grading and erosion control plan showing the location and extent of areas to be filled and/or excavated, existing and proposed contour lines using elevations consistent with the current city datum drawn at a scale acceptable to the ~~engineering manager~~ **CITY ENGINEER**, and any erosion control items required per the stormwater management plan.

[...]

2. *Performance standards.*

[...]

- e. *Site stabilization.* All grading permits shall contain provisions to stabilize the site as near or closely as is practicable to its prior natural state or condition or in such state or condition as the ~~engineering manager~~ **CITY ENGINEER** may approve. Methods of site stabilization shall adhere to all BMPs per the approved stormwater management.

[...]

6. *Hours of operation.* All activities shall operate from 7:00 a.m. to 5:00 p.m. Operations shall not be permitted on Saturdays, Sundays or holidays, unless otherwise approved by the ~~engineering manager~~ **CITY ENGINEER**.

**Section 32.** Section 26-628.E of the Wheat Ridge Code of Laws, regarding vehicle sales, rental and storage lots, is amended to read:

- E. There shall be a minimum ten (10) foot landscape buffer adjacent to any public street, with such buffer to be completely within the property boundaries, although the owner may additionally landscape that area between the front property line and the street improvements if approved by the ~~public works~~ **COMMUNITY DEVELOPMENT** director. There shall be no waivers of this landscape buffer requirement.

**Section 33.** Section 26-707.D.2 of the Wheat Ridge Code of Laws, regarding sign interference, is amended to read:

2. No sign is allowed which, even though in general conformance with the standards and requirements of this sign code, is judged by the chief of police, **COMMUNITY**

**DEVELOPMENT DIRECTOR** and public works director as a dangerous sign due to interference with a traffic control device by being in direct line between the control device and oncoming traffic or otherwise in visual competition with a traffic control device.

**Section 34.** Section 26-711.G.3 of the Wheat Ridge Code of Laws, regarding temporary signs carried by persons, is amended to read:

3. Location: permitted along any public right-of-way, provided there is no negative impact to vehicular, bicycle, or pedestrian safety as determined by the director of public works, **COMMUNITY DEVELOPMENT DIRECTOR** or chief of police or their designee. [...]

**Section 35.** Section 26-802 of the Wheat Ridge Code of Laws, regarding floodplain control definitions, is amended to read:

*Floodplain administrator.* The ~~director of public works~~ **COMMUNITY DEVELOPMENT DIRECTOR** or designee who is assigned the responsibility to coordinate and deal with all aspects of these regulations.

**Section 36.** Section 26-808.A of the Wheat Ridge Code of Laws, regarding floodplain control administration, is amended to read:

- A. Floodplain administrator. The ~~director of public works~~ **COMMUNITY DEVELOPMENT DIRECTOR** of the City of Wheat Ridge or designee shall be the floodplain administrator. The duties of the administrator shall include, but not be limited to:

1. *Coordination between departments and divisions:*

[...]

- b. All applications and certifications shall be submitted to the ~~department of public works~~ **COMMUNITY DEVELOPMENT DEPARTMENT** from which further routing to other departments and divisions and utility companies shall occur.

[...]

3. *Information to be obtained and maintained:*

[...]

- c. All records required by these regulations shall be maintained with the associated development permits in the ~~department of public works~~ **COMMUNITY DEVELOPMENT DEPARTMENT**.

**Section 37.** Section 26-809.D of the Wheat Ridge Code of Laws, regarding floodplain certificate of compliance, is amended to read:

- D. [...] Said submitted certification, along with a copy of the certificate of compliance, shall be kept on record in the ~~department of public works~~ **COMMUNITY DEVELOPMENT DEPARTMENT**.

**Section 38.** Section 26-1004.B.3 of the Wheat Ridge Code of Laws, regarding Chapter 26 violations, is amended to read:

3. Any class I floodplain permit or excavation and deposit control permit issued by the ~~public works~~ **COMMUNITY DEVELOPMENT** department.

**Section 39.** Section 26-1110.E.4 of the Wheat Ridge Code of Laws, regarding usable open space requirements, is amended to read:

4. Drainage ways, ponds, and other areas required for stormwater quality or detention may qualify as usable open space if such areas are designed for passive or active use and are landscaped with grass, shrubs, and/or trees. A list of recommended plants for stormwater detention areas is available through the ~~public works~~ **COMMUNITY DEVELOPMENT** department.

**Section 40. Severability, Conflicting Ordinances Repealed.** If any section, subsection or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. All other ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**Section 41. Effective Date.** This Ordinance shall take effect upon adoption and signature of the Mayor, as provided by Section 5.11 of the Charter.

**INTRODUCED, READ, AND ADOPTED** on first reading by a vote of \_\_\_ to \_\_\_ on this 13th day of January 2020, ordered published in full in a newspaper of general circulation in the City of Wheat Ridge, and Public Hearing and consideration on final passage set for January 27, 2020 at 7:00 p.m., in the Council Chambers, 7500 West 29<sup>th</sup> Avenue, Wheat Ridge, Colorado.

**READ, ADOPTED AND ORDERED PUBLISHED** on second and final reading by a vote of \_\_\_ to \_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

SIGNED by the Mayor on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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Bud Starker, Mayor

ATTEST:

\_\_\_\_\_  
Steven James Kirkpatrick, City Clerk

Approved as to Form

\_\_\_\_\_  
Gerald E. Dahl, City Attorney

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