

# ORDINANCE NO. 4

Series 2019

March 19, 2019: Introduced as Council Bill 3, Series 2019 by Councilor Randy Weil, seconded by Councilor Mike Gallagher and considered in full text on first reading. Passed by a vote of 4 yes and 0 no.

April 2, 2019: Considered in full text on second reading. Passed by a vote of 4 yes and 0 no.

**A BILL FOR AN ORDINANCE  
OF THE CITY COUNCIL  
OF THE CITY OF CHERRY HILLS VILLAGE  
AMENDING CHAPTER 2 ARTICLE 6 OF THE CHERRY HILLS VILLAGE MUNICIPAL CODE  
CONCERNING DUTIES AND RESPONSIBILITIES  
OF THE PLANNING AND ZONING COMMISSION IN MAINTAINING  
THE CITY'S MASTER PLAN**

**WHEREAS**, Section 8.3 of the Cherry Hills Village Home Rule Charter creates a Planning and Zoning Commission (the "Commission") that is authorized to prepare and submit to the City Council a Master Plan for the physical development of the City and areas adjacent thereto; and

**WHEREAS**, Section 2-6-10 of the Cherry Hills Village Municipal Code (the "Code") directs the Commission to maintain a Master Plan as described by state statute, subject to periodic revision and amendments as necessary, and to submit any amendments thereto to the City Council for the Council's adoption, modification, or rejection; and

**WHEREAS**, City Council desires to require the Commission to review the Master Plan at least once every ten years to facilitate regular periodic review by the Commission and City Council; and

**WHEREAS**, the City Council desires to clarify that it may initiate a review of the Master Plan at any time and may consider any findings, recommendations, or amendments of the Commission after any review of the Master Plan regardless of whether the Commission has initiated a review.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE ORDAINS:**

**Section 1.** Section 2-6-10 of the Cherry Hills Village Municipal Code is hereby repealed and replaced in full to read as follows:

Sec. 2-6-10. – Powers and Duties

The Planning and Zoning Commission, created by Section 8.3 of the City Charter, shall have all of the powers and perform all of the duties specified in the Charter and this Code, including the following:

(1) The Planning and Zoning Commission shall maintain a Master Plan. The Planning and Zoning Commission shall review the Master Plan as often as it deems appropriate but no less frequently than once every ten (10) years. In addition to reviews initiated by the Planning and Zoning Commission, City Council may at any time direct the Planning and Zoning Commission to review one or more provisions of the Master Plan. Following any review of the Master Plan, the Planning and Zoning Commission shall submit to City Council findings, recommendations, and amendments, if any, which Council may adopt, modify, or reject.

(2) The Planning and Zoning Commission shall implement the provisions of Chapters 16 and 17 of this Code and shall perform all functions and powers referred to in said chapters where reference is made.

(3) The Planning and Zoning Commission shall study and recommend to the City Council amendments to the Zoning Map of the City.

(4) The Planning and Zoning Commission shall study and recommend appropriate zoning classifications for all annexations to the City.

(5) The Planning and Zoning Commission shall exchange information with the various governmental agencies charged with planning and zoning responsibilities and with the Board of Adjustment.

(6) The Planning and Zoning Commission shall have all other duties and powers incidental to the above and any and all powers and duties set out by state statute, except that nothing herein shall:

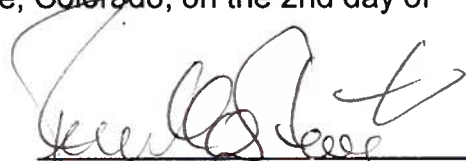
- a. Limit the City Council's authority to approve, modify or reject the Master Plan; or
- b. Permit the Planning and Zoning Commission to make amendments or changes in the zoning of the City, such powers expressly being reserved by the City Council.

(7) The Planning and Zoning Commission shall have such other duties as assigned by the City Council, by motion, from time to time, except that nothing herein shall permit the Planning and Zoning Commission to assume powers expressly reserved for the City Council.

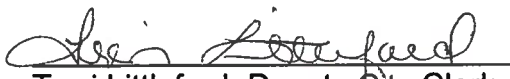
(8) Except as superseded or modified by this Chapter, the provisions of Parts 2 and 3, Article 23, Title 31, C.R.S., shall apply to the Planning and Zoning Commission.

**Section 2.** This ordinance shall become effective ten (10) days after publication after second reading in accordance with Section 4.5 of the Charter for the City of Cherry Hills Village.

Adopted as Ordinance No. 4, Series 2019, by the City Council of the City of Cherry Hills Village, Colorado, on the 2nd day of April, 2019.

  
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Russell O. Stewart, Mayor

ATTEST:

  
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Terri Littleford, Deputy City Clerk

APPROVED AS TO FORM:

  
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Kathie B. Guckenberger, City Attorney

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**CITY OF CHERRY HILLS VIL-  
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ADOPTION OF ORDINANCE  
ORDINANCE 4, SERIES 2019**

A BILL FOR AN ORDINANCE OF THE CITY OF CHERRY HILLS VILLAGE AMENDING CHAPTER 2 ARTICLE 6 OF THE CHERRY HILL VILLAGE MUNICIPAL CODE CONCERNING DUTIES AND RESPONSIBILITIES OF THE PLANNING AND ZONING COMMISSION IN MAINTAINING THE CITY'S MASTER PLAN

Copies of the Ordinances are on file at the office of the City Clerk and may be inspected during regular business hours.

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