



Board Summary Report

Date: November 11, 2020

To: Board of County Commissioners

Through: Jan Yeckes, Planning Division Manager

From: Molly Orkild-Larson, Senior Planner

Subject: Setting Date for Public Hearing for the Sky Ranch Metropolitan Districts – Existing Service Plan Amendments and Creation of Service Plans for New Districts (Case No. SD20-001)

Request and Recommendation

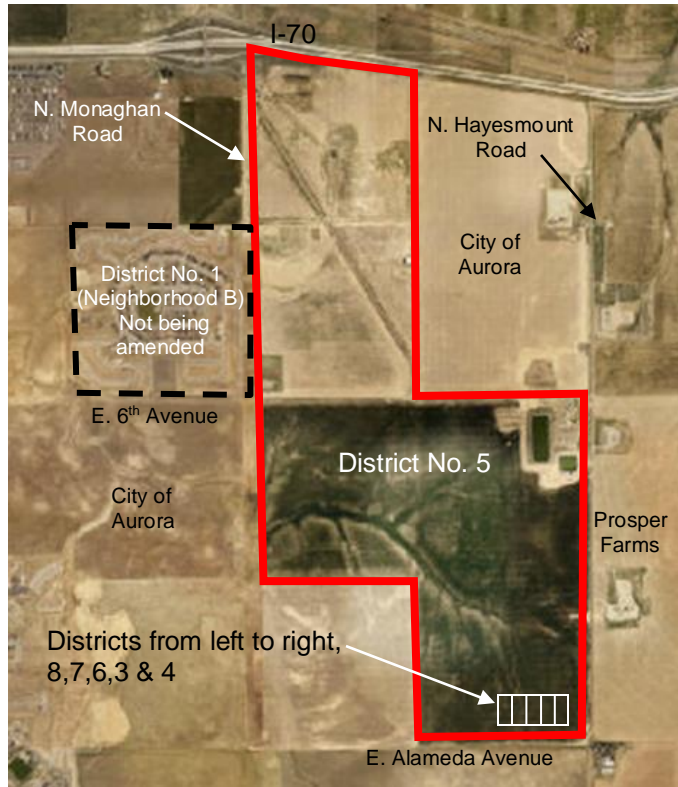
The purpose of this request is to set a public hearing date to amend and restate the existing Service Plans for the Metropolitan Districts No. 3, 4, and 5 and create Service Plans for new Metropolitan Districts No. 6, 7 and 8 within the Sky Ranch Development. The public hearing is proposed for December 8, 2020 in the East Hearing Room of the Arapahoe County Administration Building, 5334 South Prince Street, Littleton CO 80120, however, please note that due to the ongoing COVID-19 emergency the hearing will be conducted through remote access.

Planning staff recommends approval of this request, which complies with the statutory process for metropolitan district service plans, and requests the Board to set the public hearing for December 8, 2020 in order to comply with statutory noticing timelines.

Background

On September 14, 2004, the Board of County Commissioners approved Modified Service Plans for Sky Ranch Metropolitan Districts No. 1, 3, 4 and 5. The Sky Ranch Metropolitan District No. 2 also existed at this time but was subsequently dissolved.

The proposed district amendments and creation of new districts is to help finance infrastructure and services for the undeveloped portion of the Sky Ranch development, see map on next page for the area (outlined in red) in which the districts are located.



Links to Align Arapahoe

Fiscal Responsibility: Setting a public hearing date will allow the Board of County Commissioners to evaluate the six (6) proposed amendments and creation of new metropolitan district service plans. If approved, the metropolitan districts could improve Arapahoe County’s economic environment by allowing construction of the Sky Ranch development.

Discussion

Colorado Revised Statute, Section 32-1-202 outlines the process for reviewing and approving metropolitan district service plans. After a service plan has been filed with the County Clerk and Recorder, the Planning Commission must make a recommendation regarding the plan. At the first Board of County Commissioner meeting that is at least ten days after the Planning Commission action, the Board of County Commissioners must set a public hearing date for the Board of County Commissioners review of the service plans. The date for that public hearing must be within 30 days of the date of the meeting at which the hearing date is set.

On November 10, 2020, the Planning Commission voted 6 to 0 (one absent and excused) to recommend approval of the amendment of the existing and creation of the new Sky Ranch Metropolitan District Service Plans to the Board of County Commissioners. The November 24, 2020 Board of County Commissioners hearing is the first Board of County Commissioners meeting that is a least ten days after the Planning Commission final action. Per statute, the Board of County Commissioners must set a hearing date within 30 days of the meeting setting the hearing date and Planning staff has confirmed with Commissioners’ staff that the December 8, 2020 public meeting is available for that hearing.

The attorneys representing the proponents for the amended service plans and new metropolitan districts are handling the notices required for the public hearing, which includes publication in the Villager and

the I-70 Scout, written notice to any municipalities or special districts within the service area boundaries that have levied an *ad valorem* tax (if any), and to any property owners within the proposed district boundaries. Since such notice must be sent at least 20 days before the hearing and since the December 8, 2020 hearing date is less than 20 days after the Planning Commission hearing, the notices for the December 8th hearing will have to be sent out prior to the Planning Commission hearing and recommendation.

Alternatives

Approve December 8, 2020 as a Public Hearing Date

This action would meet statutory requirements for metropolitan district service plans and allow the Board of County Commissioners to hold a public hearing on the matter. Staff recommends this alternative.

Approve an Alternative Public Hearing Date or Take No Action

This option would require re-noticing the new date and there would be limited options as all such dates would have to be within 30 days of the Planning Commission hearing on November 24, 2020 in order to meet statutory requirements.

Fiscal Impact

Setting a public hearing date has no direct fiscal impact to the County.

Concurrence

On November 10, 2020, the Planning Commission voted 6 to 0 (one absent and excused) to recommend approval of the service plans to the Board of County Commissioners.

Molly Orkild-Larson, Senior Planner
Jason Reynolds, Current Planning Program Manager
Jan Yeckes, Planning Division Manager
Bryan Weimer, PWD Director
Todd Weaver, Finance Department
Robert Hill, County Attorney

Please note: This item is scheduled for consent and that draft motions are being provided in the event that the item is removed from consent for discussion as a general business item.

DRAFT MOTIONS – SD20-001 Sky Ranch Metropolitan Districts – Existing Service Plan Amendments and Creation of Service Plans for New Districts

RECOMMENDED MOTION

SCHEDULE DECEMBER 8, 2020 PUBLIC HEARING DATE – *This motion would be consistent with the staff recommendation and the statutory requirements*

In the case of SD20-001 Sky Ranch Metropolitan Districts – Existing Service Plan Amendments and Creation of Service Plans for New Districts, I move to set a public hearing date of December 8, 2020, at 9:30 a.m. or as soon thereafter as can be accommodated, to be held in the East Hearing Room of the Arapahoe County Administration Building, however, please note that due to the ongoing COVID-19 emergency the hearing will be conducted through remote access.

ALTERNATE MOTIONS – *The following alternate motions are provided to assist the Board in taking an action that is not consistent with the staff's recommended action*

SCHEDULE AN ALTERNATE HEARING DATE: In the case of SD20-001 Sky Ranch Metropolitan Districts – Existing Service Plan Amendments and Creation of Service Plans for New Districts, I move to set a public hearing date of [DATE], 2020, at 9:30 a.m. or as soon thereafter as can be accommodated, to be held in the East Hearing Room of the Arapahoe County Administration Building, however, please note that due to the ongoing COVID-19 emergency the hearing will be conducted through remote access.

CONTINUE ACTION TO SCHEDULE A HEARING DATE: In the case of SD20-001 Sky Ranch Metropolitan Districts – Existing Service Plan Amendments and Creation of Service Plans for New Districts, I move to CONTINUE THE ACTION TO SCHEDULE A HEARING DATE to [DATE], 2020.

PUBLIC HEARING DATE FOR SERVICE PLAN

RESOLUTION NO. [reso #] It was moved by Commissioner _____ and duly seconded by Commissioner _____ to set a public hearing date of December 8, 2020 pursuant to Section 32-1-202 (1), C.R.S, for the consideration of amending and restating the existing Service Plans for the Metropolitan Districts No. 3, 4, and 5 and the creation of new Service Plans for Metropolitan Districts No. 6, 7 and 8 within the Sky Ranch Development (Case No. SD20-001).

The vote was:

Commissioner Baker, ____; Commissioner Conti, ____; Commissioner Holen, ____; Commissioner Jackson, ____; Commissioner Sharpe, ____.

The Chair declared the motion carried and so ordered.