

ORDINANCE NO. 537

AN ORDINANCE CREATING A PLANNING COMMISSION

WHEREAS, Colorado Revised Statutes 31-23-202 authorize municipalities to create a Planning Commission with the powers and duties as set forth in this statute; and

WHEREAS, the Planning Commission is created for the purpose of promoting the health, safety, and general welfare of the community and with the authority and powers set forth in this ordinance and as may be subsequently delegated to the commission by resolution of the Town Trustees.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF HOLLY, THAT:

- Section 1: A Planning Commission is created as an advisory board for the Town of Holly as set forth in Colorado Revised Statutes 31-23-202 and 31-23-306.
- Section 2: The policies and procedures of the Planning Commission shall be developed by the Planning Commission and approved by the Town Trustees.
1. The Planning Commission shall promote a comprehensive planning process with general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the Town.
 2. The Planning Commission shall make careful and comprehensive surveys and studies of existing conditions and probable future growth of the Town in regards to: means of adequate provisions for traffic, the promotion of safety from fire, floodwaters and other dangers, adequate provisions for light and air, the promotion of healthful and convenient distribution of population, the promotion of wise and efficient expenditure of public funds and the adequate provision of public utilities and other public requirements.
- Section 3: The Planning Commission shall consist of not less than five (5) regular members who shall be appointed by the Town Administrator with the consent of the Board of Trustees. Terms shall be overlapping terms of four years. Neither the Mayor nor any member of the Board of Trustees shall serve on the Planning Commission. Three (3) members of the Planning Commission shall constitute a quorum for the transaction of business.
- Section 4: All members of the commission shall be bona fide residents of the municipality.
- Section 5: All members of the commission shall service without compensation and the appointed members shall hold no other municipal office.
- Section 6: The Planning Commission shall elect a chairperson from its members. The Planning Commission shall hold regularly scheduled meetings as least once a month and such meetings will be open to the public. The Planning Commission may hold special meetings as may be called with at least 24-hour public notice.

- Section 7: A public record shall be kept of all actions and considerations undertaken by the Planning Commission. The records shall be filed with the Town Clerk and kept available for public inspection in the office of the Town Clerk during normal office hours.
- Section 8: Whenever there are three (3) or more vacancies for regular member positions on the Planning Commission, the Board of Trustees may declare via resolution that the Planning Commission is “nonfunctioning.” Upon such a declaration, any Planning Commission review required shall be bypassed and all matters shall be referred directly to the Board of Trustees for a decision or direct the vacancy(ies) to be filled by making the appointment(s).
- Section 9: The nonfunctioning declaration shall be automatically rescinded when there are less than three (3) regular member vacancies on the Planning Commission.
- Section 10: Whenever there are three (3) consecutive regular monthly Planning Commission meetings without any new or old business, the Board of Trustees may declare via resolution that the Planning Commission is “nonfunctioning.” After such declaration, any new or old business requiring review of the Planning Commission shall be automatically rescinded and the monthly meetings proceed.
- Section 11: The Board of Trustees herewith finds, determines, and declares that this is an ordinance necessary to the immediate preservation of the public health, safety, and welfare. Therefore, the Board of Trustees herewith determines and declares that it is necessary for this ordinance to take effect immediately, provided the same has been adopted and signed by the Mayor and approved by three-fourths of the entire Board of Trustees.

Approved and adopted this 3rd day of February, 2021.

/s/ Calvin J. Melcher, Mayor

ATTEST:

/s/ Megan Jara, Clerk/Treasurer