



City of Arvada

Planning Commission Agenda

AUGUST 19, 2026
CITY COUNCIL CHAMBERS
Regular Business

Commission Members:

Tim Knapp
Brandon Figliolino
Tom Alijinovich
Eric Doner
Andrew Gay
Derek Hammer
Miriam McGilvray

Staff Members Usually Present:

Jessica Garner, Dir. of Community and Econ Development
Kelsy Sargent, Senior Assistant City Attorney
Rob Smetana, Planning Manager
Don Oliphant, Manager of Development Engineering
Josie Suk, Dep. Dir. of Community and Econ Development
Heidi Van Gieson, Administrative Specialist
Dixielee Rodriguez, Administrative Specialist

Info: 720-898-7435

The meeting will include an open comment period where participants will have three minutes to provide comments to the Commission. Members of the public who wish to provide public comment on any agenda item or during general public comment should go to www.arvada.org/PLNCOMMISSION for information about how to participate. If any member of the public wishes to submit written comment regarding the item on the agenda, you may submit comments in writing via email to the Planning Department at cedboardsandcommission@arvada.org. Comments must be received no later than 5 p.m. the day before the meeting. All timely comments submitted will be presented to the Planning Commission. Please contact Josie Suk with any questions at 720-898-7627.

PLANNING COMMISSION MEETING 6:15 PM

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL OF MEMBERS
4. APPROVAL OF MINUTES
 - A. Approval of August 5, 2026 Meeting Minutes
5. GENERAL BUSINESS
6. REPORTS
7. PETITIONS & COMMUNICATIONS
8. PUBLIC HEARINGS

A. Land Development Code Zoning Text Amendments Related to Proposition 123

9. OTHER ITEMS

10. ADJOURN



SUMMARY MINUTES OF PLANNING COMMISSION ACTION HELD
AUGUST 5 , 2026

Planning Commission meeting minutes are not an exact transcript and represent key points and the basis of discussion.

1. CALLED MEETING TO ORDER– By Tim Knapp at 6:16 P.M.

2. PLEDGE OF ALLEGIANCE

was recited during the Board of Adjustment meeting

3. ROLL CALL OF MEMBERS

Those present: Andrew Gay, Tom Aljinovich, Eric Doner, Derek Hammer, Miriam McGilvray, Tim Knapp

THOSE ABSENT

Brandon Figliolino

motion for excused absence

Those voting Yes: McGilvray, Hammer, Aljinovich, Doner, Gay, Knapp

Those voting No: None

Those absent: Figliolino

The motion carried: 6-0

ALSO PRESENT: Rob Smetana, City Planning Manager; Kelsey Sargent, Sr. Ass't. City Attorney; Jessica Garner, Director of Community and Economic Development ; Josie Suk, Deputy Director of Community and Economic Development ; Heidi Van Gieson, Recording Secretary. Mary Stahl, Assistant City Engineer; Bethany Kolb, City Engineer III; Dixielee Rodriguez, Development Technician III, Claudia Vaughn; City Engineer, Jacqueline Rhoades; Director of Public Works

4. APPROVAL OF MINUTES

June 17, 2026. The minutes stand approved as printed with the following corrections:

motion for approve minutes

Those voting Yes: McGilvray, Hammer, Aljinovich, Doner, Gay, Knapp

Those voting No: None

Those absent: Figliolino
The motion carried: 6-0

5. GENERAL BUSINESS

Review and update Planning Commission Bylaws for New Meeting Times

Meeting dates will be moved to the 2nd and 4th Wednesday of the month

Motion to approve Bylaw Adjustment

MOTION

For the reasons presented by staff, I move that Section 1, Part A, first sentence of the Planning Commission Bylaws, be deleted in its entirety and replaced with "The Commission shall meet in regular session on the 2nd and 4th Wednesday of each month."

Discussion of Motion

Those voting Yes: Aljinovich, Knapp, Hammer, Gay, Doner, McGilvray
Those voting No:
Those absent: Figliolino
The motion carried 6-0

6. REPORTS

None

7. PUBLIC COMMENT

There being no one wishing to speak. Public Comment was closed.

8. PUBLIC HEARINGS

8.A. Annexation, Rezoning, and a Major Modifications for the City Water Treatment Plant (WTP) Hwy 93 Annexations 1 and 2, and Rezoning.

Mr. Knapp opened the public hearing.

Mr. Knapp asked if all of the required documents were in order.

Mr. Smetana stated the publication, mailed notice and signs posted on the property were in order. The Mailing affidavit and posting log has been received and are in order also.

Ms. Van Gieson stated that there had been additional public comments emailed to the commissioners the previous night.

Mr. Knapp entered into the record the staff report, posting log and affidavit, mailing affidavit and public comment received for DA2026-0020 dated August 5, 2026.

Mr. Knapp asked Mr. Smetana to introduce the project.

Mr. Smetana introduced the project.

Bethany Kolb presented the project which City Council approved the site selection in 2023. They were looking for a location that did not impact the resident. Out of flood plain and wildfire areas.

Started with 38 sites, 38 sites narrowed down to 9, which narrowed down to 2 and the top site was chosen.

They then looked at cost of cut and fill as they are trying to manage overall cost of the project.

They looked at a site specific cost evaluation

This property was previously a ranch for agricultural use

The only windows will be where humans are, they did not want to cause algae in areas where the water will be

The city team believes that this project complies with all approval criteria.

PUBLIC COMMENT

Mr. Knapp opened the hearing for comments from the public.

There being no one else wishing to speak. Public Comment was closed.

PUBLIC COMMENT

NONE

APPLICANT REBUTTAL

N/A

QUESTIONS FROM THE COMMISSION

Andrew Gay asked if they needed to install a lot of pipe for this project?

Ms. Kolb stated that water is in the area so they will not.

Derek Hammer asked about site selection, he saw somewhere that this area will be more efficient

Ms. Kolb stated that this location has a good downward flow to it.

Mr. Hammer asked about fencing around the perimeter

Ms. Kolb stated that they will most likely use what they have used in other facilities which has a mesh on the bottom and barbed wire on the top

Mr. Hammer asked about environmentally safe fencing

Ms. Kolb stated that this is what is used around the city to keep humans and animals out

Mr. Knapp asked if this location could keep up with demand?

Ms. Kolb stated that this facility will be expandable in the future if needed

Mr. Knapp asked if the land will allow for that build out

Ms. Kolb stated that yes it can built on

Mr. Knapp asked if the water from Ralston Reservoir will be pumped up.

Ms. Kolb stated that yes it will be

MOTION 1:

It was moved by Mr. Aljinovich, That CP2026-0004 a Resolution by the Planning Commission for the City of Arvada, Colorado to Amend the 2014 Arvada Comprehensive Plan Land Use Designation Pertaining to City WTP HWY 93, from Mixed-Use to Public/Quasi-Public, a Parcel of Land Located at approximately 6809 SH 93, be approved and ratified by the City Council subject to the condition stated in the Staff Report, Page 14

This motion is based on the findings of fact and approval criteria on Page(s) 7 and 8 of the Staff Report.

DISCUSSION OF MOTION

NONE

Those voting Yes: McGilvray, Hammer, Aljinovich, Doner, Gay, Knapp

Those voting No: None

Those absent: Figliolino

The motion carried: 6-0

MOTION 2:

It was moved by Mr. Aljinovich, that an Ordinance Annexing Certain Land into the City of Arvada, City WTP Hwy 93 Annexation No. 1, a 17.885 acre parcel of land approximately located at 6809 SH 93, County of Jefferson, State of Colorado, be recommended to City Council for approval.

This motion is based on the findings of fact and approval criteria on Page(s) 8 of the Staff Report.

DISCUSSION OF MOTION

NONE

Those voting Yes: McGilvray, Hammer, Aljinovich, Doner, Gay, Knapp

Those voting No: None

Those absent: Figliolino

The motion carried: 6-0

MOTION 3:

It was moved by Mr. Aljinovich, that an Ordinance Annexing Certain Land into the City of Arvada, City WTP Hwy 93 Annexation No. 2, a 9.016-acre parcel of land approximately located at 6809 SH 93, County of Jefferson, State of Colorado, be recommended to City Council for approval.

This motion is based on the findings of fact and approval criteria on Page(s) 8 of the Staff Report.

DISCUSSION OF MOTION

NONE

Those voting Yes: McGilvray, Hammer, Aljinovich, Doner, Gay, Knapp

Those voting No:

Those absent: Figliolino

The motion carried: 6-0

MOTION 4:

It was moved by Mr. Aljinovich, that an Ordinance Rezoning City WTP HWY 93, a 25.257-acre parcel of land located at approximately 6809 SH 93 from Jefferson County P-D to City of Arvada OS (Open Space), be recommended to City Council for approval.

This motion is based on the findings of fact and approval criteria on Page(s) 9 of the Staff Report.

DISCUSSION OF MOTION

NONE

Those voting Yes: McGilvray, Hammer, Aljinovich, Doner, Gay, Knapp

Those voting No: None

Those absent: Figliolino

The motion carried: 6-0

MOTION 5:

It was moved by Mr. Aljinovich, that a Major Modification from Section 4-7-2-1.H of the Land Development Code for City WTP HWY 93 located at approximately 6809 SH 93, be recommended to City Council for approval.

This motion is based on the findings of fact and approval criteria on Page(s) 9 and 10 of the Staff Report.

DISCUSSION OF MOTION

Mr. Hammer stated that he will be voting against this due to fencing that will be used

Those voting Yes: McGilvray, Aljinovich, Doner, Gay, Knapp

Those voting No: Hammer

Those absent: Figliolino

The motion carried: 5-1

MOTION 6:

It was moved by Mr. Aljinovich, that a Major Modification from Section 5-1-2-3.C.8.C of the Land Development Code for City WTP HWY 93 located at approximately 6809 SH 93, be recommended to City Council for approval.

This motion is based on the findings of fact and approval criteria on Page(s) 9 and 10 of the Staff Report.

DISCUSSION OF MOTION

NONE

Those voting Yes: McGilvray, Hammer, Aljinovich, Doner, Gay, Knapp

Those voting No: None

Those absent: Figliolino

The motion carried: 6-0

MOTION 7:

It was moved by Mr. Aljinovich, that a Major Modification from Section 5-1-2-3.C.6.b.i of the Land Development Code for City WTP HWY 93 located at approximately 6809 SH 93, be recommended to City Council for approval.

This motion is based on the findings of fact and approval criteria on Page(s) 9 and 10 of the Staff Report.

DISCUSSION OF MOTION

NONE

Those voting Yes: McGilvray, Hammer, Aljinovich, Doner, Gay, Knapp

Those voting No: None

Those absent: Figliolino

The motion carried: 6-0

MOTION 8:

It was moved by Mr. Aljinovich, that a Height Exception from Section 2-1-3-1.C of the Land Development Code for City WTP HWY 93 located at approximately 6809 SH 93, be recommended to City Council for approval.

This motion is based on the findings of fact and approval criteria on Page(s) 10 and 11 of the Staff Report.

DISCUSSION OF MOTION

NONE

Those voting Yes: McGilvray, Hammer, Aljinovich, Doner, Gay, Knapp

Those voting No:

Those absent: Figliolino

The motion carried: 6-0

8. OTHER ITEMS

Ms. McGilvray reviewed the first meeting regarding the Comprehensive Plan

Ms. Aljinovich stated that staff did a great job with their ideas

The sub-contractors did a great job keeping things in line

9. **ADJOURNED** at 6:51 P.M.

Tim Knapp, Chair

Tom Aljinovich, Secretary

Heidi Van Gieson, Recording Secretary



REPORT TO PLANNING COMMISSION

AGENDA ITEM
8.A.

TO: PLANNING COMMISSION

DATE: August 19, 2026

SUBJECT: Land Development Code Zoning Text Amendments Related to Proposition 123

Motion

That an Amendment to the Land Development Code Related to Proposition 123, be recommended to City Council for approval.

This motion is based on the findings of fact and approval criteria listed in Division 8-3-2 of the Land Development Code.

Prepared by:

Heidi Van Gieson, Administrative Specialist

Reviewed by:

Approved by:

Rozalynne Thompson, Principal Planner

08/03/2026

Josie Suk, Development Systems and Administrative Manager

08/11/2026

Rob Smetana, Planning Manager

08/11/2026

Kelsy Sargent, Assistant City Attorney

08/12/2026

Jessica Garner, Director of Community and Economic Development

08/13/2026

Enclosure, exhibits & attachments required to support the report

City of Arvada
Community and Economic Development Department
PUBLIC HEARING STAFF REPORT

2026 Land Development Code Amendments
LDC2026-0001

NATURE OF REQUEST

The City of Arvada is requesting recommendation of approval of an ordinance amending the Land Development Code (LDC) to eliminate the Conditional Use requirement as only applied to Proposition 123 eligible projects.

BACKGROUND

In November 2022, Colorado voters approved Proposition 123. Proposition 123 creates the State Affordable Housing Fund, a dedicated revenue stream for affordable housing development. Affordable housing projects seeking funding from the State Affordable Housing Fund must be in a jurisdiction that has completed a Proposition 123 Local Government Affordable Housing Commitment. The City of Arvada City Council approved an affordable housing commitment pursuant to Proposition 123 in July 2023.

To remain eligible for Proposition 123 funding, jurisdictions must implement an expedited review process (Fast Track Review Process) for eligible projects. The Fast Track Review Process (1) must ensure that a final decision is rendered on an eligible project within 90 calendar days of acceptance of a complete application; (2) is not required for every development application or application type; (3) is required for housing developments or mixed-use developments that have 50 percent or more units as affordable; and (4) encourages jurisdictions to submit documentation as soon as practicable to demonstrate that policies and procedures meet the expedited review requirements. Jurisdictions must demonstrate that their Fast Track Review Processes have been implemented by December 31, 2026.

Except for the Mixed-Use zoning districts (MX-S, MX-T, and MX-U), housing projects generally eligible for Proposition 123 funding are permitted by right. Housing projects proposed in the Mixed-Use zoning districts are subject to the Conditional Use process. Given that the Conditional Use process is typically more than 90 days due to public hearings, staff is proposing to amend the Land Development Code (LDC) to eliminate the Conditional Use requirement for projects that meet the criteria for fast track review.

PUBLIC NOTIFICATION

Division 8-2-4 of the Land Development Code requires public notification for all public hearings as follows:

Published Notice: At least 15 days prior to all public hearings, notice of the hearing must be published in a newspaper of general circulation in the City. The required notice was published for the August 19, 2026 Planning Commission meeting.

ALIGNMENT WITH CITY COUNCIL STRATEGIC PLAN

The project is consistent with the City Council Strategic Plan principles for the Community and Economic Development work system because the amendments further implement those principles.

PROJECT ANALYSIS

Summary of Proposed Update

This amendment will modify the following (changes are redlined):

Table 3-1-2-2: Residential Land Use by Zoning District																						
Land Use	Open Space and Residential						Mixed-Use				Olde Town						Commercial and Industrial				Reference	
	OS	RA	RN	R6	R13	R24	MX-	MX-S	MX-	MX-T	OT-E	OT-	OT-	OT-	OT-	OT-	OT-	CN	CG	IL	IG	
Single-Family Detached		A	A	A	A	A	L	C ²	C ²					A	A	A						3-1-3-2
Duplex			L ¹	L	L	L	L	C ²	C ²						A							3-1-3-2
Townhome				L	L	L	L	C ²	C ²	C ²	A	A				A	A					3-1-3-2
Multiplex				A	A	A	A	C ²	C ²	C ²			A	A	A	A	A					-
Multifamily					A	A	A	C ²	C ²	C ²	A	A	A	A		A	A					-
Cottages, Micro-Homes, or Co-Housing				A	A	A	A	C ²	C ²													-
TABLE NOTES:																						
¹ Duplex units are only allowed in the RN-D subdistrict.																						
² Projects that will have 50 percent or more of the dwelling units meeting the affordable housing definition per C.R.S. 29-32-101(2) et seq., as amended from time, and be deed restricted to that definition shall be exempt from the Conditional Use process and are subject to an administrative process only.																						

Compliance with the Comprehensive Plan

The proposed amendments to the LDC will not conflict with the intent of the 2014 Comprehensive Plan.

Consistency with the Purpose of the Code

The proposed amendment is consistent with the Purposes of the Code set out in Section 1-1-1-2, Purpose and Intent, in that the amended regulations will promote the public health, safety, convenience, comfort, prosperity, and general welfare of the City.

LAND DEVELOPMENT CODE APPROVAL CRITERIA

The Planning Commission should make a recommendation to the City Council based on its findings regarding the approval criteria shown in the table(s) below and upon testimony heard during the public hearing as it applied to the criteria.

Staff performed an analysis of the proposal, based on the approval criteria listed in Division 8-3-2 of the Land Development Code, and presents the following findings:

Division 8-3-2 Approval Criteria (05-18-20)	Finding	Rationale
A. The proposed amendment is consistent with the Arvada Comprehensive Plan, or reflects conditions that have changed since the adoption of the Comprehensive Plan.	Complies	The proposed amendments are consistent with the Arvada Comprehensive Plan because the proposed amendments will ensure that the LDC aligns with Fast Track Review Process of Proposition 123 and, therefore, would maintain the City's eligibility for funding affordable housing projects under Proposition 123.
B. The proposed amendment is consistent with the Purposes of the Code set out in Section 1-1-1-2, Purpose and Intent, of the LDC.	Complies	The proposed LDC amendments are consistent with the intent and the Purposes of the Code because the regulations will promote the public health, safety, convenience, comfort, prosperity, and general welfare of the City.

STAFF RECOMMENDATION

Based upon project analysis and review of the Land Development Code approval criteria, staff recommends that the Planning Commission recommend approval of these amendments to City Council.

COUNCIL BILL NO. 26-
ORDINANCE NO.

AN ORDINANCE REPEALING AND REENACTING TABLE 3-1-2-2 RESIDENTIAL LAND
USE BY ZONING DISTRICT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARVADA, COLORADO:

Section 1. Table 3-1-2-2 of the Arvada City Code is hereby repealed and enacted to read as follows:

“3-1-2-2. Residential land use by zoning district.

- A. Residential land uses that are allowed in each zoning district are set out in Table 3-1-2-2, Residential Land Use by Zoning District.

Table 3-1-2-2: Residential Land Use by Zoning District																						
Land Use	Open Space and Residential						Mixed-Use				Olde Town						Commercial and Industrial				Reference	
	OS	RA	RN	R6	R13	R24	MX-	MX-5	MX-	MX-T	OT-E	OT-	OT-	OT-	OT-	OT-	OT-	CN	CG	IL	IG	
Single-Family Detached		A	A	A	A	A	L	C ²	C ²				A	A	A							3-1-3-2
Duplex			L ¹	L	L	L	L	C ²	C ²						A							3-1-3-2
Townhome				L	L	L	L	C ²	C ²	C ²	A	A				A	A					3-1-3-2
Multiplex				A	A	A	A	C ²	C ²	C ²			A	A	A	A	A					-
Multifamily					A	A	A	C ²	C ²	C ²	A	A	A	A		A	A					-
Cottages, Micro-Homes, or Co-Housing				A	A	A	A	C ²	C ²													-
TABLE NOTES:																						
¹ Duplex units are only allowed in the RN-D subdistrict.																						
² Projects that will have 50 percent or more of the dwelling units meeting the affordable housing definition per C.R.S. 29-32-101(2) et seq., as amended from time, and be deed restricted to that definition shall be exempt from the Conditional Use process and are subject to an administrative process only.																						

”

Section 2. Should any provision of this ordinance be declared by a court to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 3. This ordinance shall be effective five (5) days after publication following final passage.

INTRODUCED, READ, AND ORDERED PUBLISHED this 15th day of September, 2026.

PASSED, ADOPTED AND APPROVED this 6th day of October, 2026.

Lauren Simpson, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM
Rachel A. Morris, City Attorney:

By: _____

Publication Dates: September 15, 2026
 October 6, 2026

Table 3-1-2-2: Residential Land Use by Zoning District																					
Land Use	Open Space and Residential						Mixed-Use				Olde Town						Commercial and Industrial				Reference
	OS	RA	RN	R6	R13	R24	MX-	MX-S	MX-	MX-T	OT-E	OT-	OT-	OT-	OT-	OT-	CN	CG	IL	IG	
Single-Family Detached		A	A	A	A	A	L	C ²	C ²				A	A	A						3-1-3-2
Duplex			L ¹	L	L	L	L	C ²	C ²						A						3-1-3-2
Townhome				L	L	L	L	C ²	C ²	C ²	A	A				A	A				3-1-3-2
Multiplex				A	A	A	A	C ²	C ²	C ²			A	A	A	A	A				-
Multifamily					A	A	A	C ²	C ²	C ²	A	A	A	A		A	A				-
Cottages, Micro-Homes, or Co-Housing				A	A	A	A	C ²	C ²												-
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