

**TOWN OF KEYSTONE
ORDINANCE NO. 2024-O-01**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF
KEYSTONE, COLORADO, PRESCRIBING THE MEMBERSHIP,
POWERS AND DUTIES, AND APPOINTMENT PROCEDURE FOR THE
TOWN OF KEYSTONE PLANNING AND ZONING COMMISSION**

WHEREAS, the Town of Keystone (“Town”) is a home rule municipal corporation created pursuant to Article XX of the Colorado Constitution; and

WHEREAS, Section 9.3, Article IX of the Town of Keystone Home Rule Charter created a Planning and Zoning Commission to assist Town Council in planning the development of the Town; and

WHEREAS, Section 9.3 of the Home Rule Charter provides that Town Council shall further prescribe by ordinance the powers and duties of the Planning and Zoning commission, the qualifications of the members, and the appointment procedure; and

WHEREAS, Town Council desires to implement Section 9.3 of the Home Rule Charter and to prescribe the membership of the Planning and Zoning Commission, the qualifications of the members, the powers and duties of the Planning and Zoning Commission, and the appointment procedure.

**THE TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO,
ORDAINS:**

Section 1. The foregoing recitals are hereby affirmed and incorporated herein by this reference as findings of the Town Council.

Section 2. Town Council implements Section 9.3 of the Home Rule Charter and prescribes membership of the Planning and Zoning Commission, the qualifications of the members, the powers and duties of the Planning and Zoning Commission, and the appointment procedure:

- A. *Established.* The Planning and Zoning Commission is established pursuant to Section 9.3, Article IX, Boards and Commissions, Town of Keystone Home Rule Charter. The Planning and Zoning Commission consists of seven members and two alternates.
- B. *Qualifications.*
 - 1. Councilmembers, the Mayor, or full-time employees shall not serve on the Planning Commission.
 - 2. At least a majority of the membership of the Planning and Zoning Commission shall consist of Primary Residents. For purposes of membership on the

Planning and Zoning Commission, Primary Resident means that the person has resided in the Town of Keystone for one (1) year and has been registered to vote in the Town of Keystone for one (1) year.

3. Members of the Planning and Zoning Commission are expected to spend time in advance of the meetings reviewing and understanding the agenda materials. In addition, members of the Planning and Zoning Commission are expected to fulfill the quasi-judicial obligations as is required by law.
- C. *Powers.* The Planning and Zoning Commission is delegated the following powers:
1. *Review and Decision as required by the Land Use and Development Code of Summit County.*
 2. *Other Powers and Duties.* The Planning and Zoning Commission is also empowered to:
 - a. Review, adopt and amend comprehensive plans, sub-area plans, and special purpose plans for the use of land and physical development of the Town, which plans are approved by Town Council; and
 - b. Make recommendations related to the drafting and development of the Town of Keystone Land Development Code.
- D. *Appointment.* Members of the Planning and Zoning Commission are appointed by the Town Council in a process defined by Town Council.
- E. *Term of Appointment; Removal from Office.*
1. Planning and Zoning Commission members shall serve a term of three (3) years. For the first appointments in 2024, and to provide for staggering, three members and one alternate shall serve two (2) year terms and four members and one alternate shall serve (3) year terms. The terms of appointment for these first appointments in 2024 shall be determined in a manner prescribed by Town Council.
 2. Members may be removed by a vote of the majority of Town Council without cause and in the sole discretion of the Town Council. Examples of grounds to remove a member are: excessive absences from meetings; failure to comply with applicable statutes, ordinances, resolutions or laws; continuing obstructive, offensive, argumentative or disrespectful behavior that diminishes the effectiveness of the board, commission or committee's ability to conduct business and/or to make recommendations; or disclosure of confidential information of the board, commission or committee.

Section 3. *Severability.* Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, the intention being that the

various sections and provisions are severable.

Section 4. Codification. This ordinance may be codified and numbered for purposes of codification without the need for further approval by the Town Council.

Section 5. Effective Date. This ordinance shall take effect and be enforced thirty (30) days after final publication.

INTRODUCED, READ AND PASSED AS AN ORDINANCE, ON FIRST READING, AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO, THIS

12th DAY OF March, 2024.

READ, PASSED AND ADOPTED AS AN ORDINANCE ON SECOND READING, AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO, THIS

26th DAY OF March, 2024.

Kenneth D Riley
Kenneth D. Riley, Mayor

ATTEST:

Madeleine Sieber
Town Clerk

APPROVED AS TO FORM:

Jennifer Madson
Town Attorney