



City of Dacono  
512 Cherry Street  
Dacono, CO 80514  
Phone: 303.833.2317  
cityofdacono.com

**MONDAY, JANUARY 23, 2023**

**6:00 PM**

**MEETING LOCATION:**

**New Annex Building, 512 Cherry Ave - Building C, Dacono, CO 80514**

Members of the public interested in viewing the meeting electronically, please visit:

<https://www.cityofdacono.com/319/City-Council>

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**Roll Call**

**Pledge Of Allegiance**

**Presentations And Proclamations**

- .A. **Pride Of Dacono Award Presentation**
- .B. **Presentation By The Town Of Erie In Connection With DRCOG Grant Support For CR10 Interchange And Hwy. 52**

**Public Comments On Issues Not Scheduled On Agenda**

**Consent Agenda**

- .A. **Approval Of The January 9, 2023, Regular Meeting Minutes**

Documents:

[CA-A CC MIN JANUARY 9, 2023.PDF](#)

- .B. **Approval Of Accounts Payable Dated January 23, 2023, In The Amount Of \$121,473.10**

Documents:

[CA-B ACCOUNTS PAYABLE 012323.PDF](#)

**General Business**

- .A. **Public Hearing And Approval Of Ordinance 938, Amending Chapter 16 Of The Dacono Municipal Code To Add A New Section Concerning Fence Permit**

## **Requirements, On Second Reading**

Documents:

[GB-A ORD 938 FENCE PERMIT REQUIRED.PDF](#)

## **.B. Appointments To Boards, Authority And Commission; And Appointment Of Chairperson To Each Board, Authority And Commission By The Mayor**

Documents:

[GB-B BOARDS - COMMISSION - AUTHORITY APPOINTMENTS.PDF](#)

## **Staff Reports**

### **Council Members**

Doris Crespo	Danny Long
Kevin Plain	Adam Morehead, Mayor
Jackie Thomas	Jim Turini
Kathryn Wittman	

## **Adjournment**

**City of Dacono**  
**City Council Meeting Minutes**  
**Monday, January 9, 2023**

**Meeting called to order at 6:02 PM**

**Members Present**                   Doris Crespo  
  Danny Long  
  Adam Morehead, Mayor  
  Kevin Plain, joined via Zoom  
  Jackie Thomas  
  Jim Turini  
  Kathryn Wittman

**Staff Present**                       AJ Euckert, City Manager  
  Valerie Taylor, City Clerk  
  Jennifer Krieger, Community Development Director  
  Nick Cotton-Baez, City Attorney  
  Lisa Fuller, Accounting Technician

**Public Comment on Issues Not Scheduled on Agenda** *(Any documents presented to City Council at the meeting will be kept in the City Clerk's office and will be available for viewing.)*

Phillip Francis manager of Esh's stated that Esh's desire is to purchase 3 acres of that property next to Family Dollar. They have some concerns with access to the property.

Keith Dameron, resident of Autumn Valley stated he skimmed the I-25 Plan and likes the concept. He supports the paving of York and Grandview Blvd. He is a researcher and historian and since Dacono is not in the High Plains Library District, he cannot check out some books or movies. He cannot get any books through Prospector, which is a program that shares resources between libraries in all districts. High Plains also limits books to those who not in the district. He would like to work on getting the City into High Plains Library District.

**Consent Agenda**

- a. Approval of the December 12, 2022, Regular Meeting Minutes.
- b. Approval of Accounts Payable dated January 9, 2023, in the amount of \$1,248,537.39.
- c. Approval of Resolution 23-01, Appointing a Commissioner to the Urban Renewal Authority of Dacono.
- d. Approval of Resolution 23-02, Approving the Transition to One America as the City's Retirement Services Provider for Non-Sworn Employees and Updating the Fee Schedule and Service Structure.
- e. Approval of Resolution 23-03, Establishing the Amount of Fees, Charges, and Sureties Pursuant to the Dacono Municipal Code.
- f. Approval of Resolution 23-04, Approving a Professional Services Agreement with Kimley-Horn & Associates, Inc, for Engineering Design Services for Grandview Blvd.
- g. Approval of Resolution 23-05, Approving a Proposal for Professional Engineering with Lamp Rynearson, Inc, for Engineering Design Services for Glen Dale Street.
- h. Approval of Resolution 23-06, Approving a Proposal for Professional Engineering with Lamp Rynearson, Inc, for Engineering Design Services for York Street.
- i. Approval of Resolution 23-07, Approving a Professional Services Agreement with AC Flag & Banner for Flagpole Installation Services.

Council Member Long moved to approve the Consent Agenda as presented. The vote was unanimous with Mayor Morehead declaring the motion carried.

## **General Business**

### **A. I-25 Corridor Subarea Plan Presentation.**

Phil Stuepfert – Principal/Planning Lead, HR Green and Heather Vidlock, AICP – Development Services Project Manager, Galloway and Company, Inc. presented the I-25 Subarea Plan.

### **B. Public Hearing and Approval of Ordinance 937, Amending Chapters 16 and 17 of the Dacono Municipal Code Concerning Withdrawal of Land Use Applications, Inactive Lane Use Applications, and Public Notice Requirements for Land Use Hearings, on First Reading.**

Mayor Morehead opened the public hearing.

Community Development Director Jennifer Krieger presented her report.

With no further comments, Mayor Morehead closed the public hearing.

Mayor Morehead moved to approve Ordinance 937, Amending Chapters 16 and 17 of the Dacono Municipal Code Concerning Withdrawal of Land Use Applications, Inactive Lane Use Applications, and Public Notice Requirements for Land Use Hearings, on First Reading. The vote was ayes: Council Members Crespo and Plain. Nays Council Members Long, Wittman, Turini, and Thomas. Mayor Morehead declared the motion failed.

### **C. Public Hearing and Approval of Ordinance 938, Amending Chapter 16 of the Dacono Municipal Code to add a New Section Concerning Fence Permit Requirements, on First Reading.**

Mayor Morehead opened the public hearing.

Community Development Director Jennifer Krieger presented her report.

With no further comments, Mayor Morehead closed the public hearing.

Council Member Wittman moved to approve Ordinance 938, Amending Chapter 16 of the Dacono Municipal Code to add a New Section Concerning Fence Permit Requirements, on First Reading. The vote was ayes: Council Members Crespo, Wittman, Turini, Thomas and Plain. Nays: Council Member Long. Mayor Morehead declared the motion carried.

### **D. Council Organizational Matters.**

City Manager AJ Euckert presented his report.

Mayor Morehead moved to appoint Council Member Plain as Council Representative to the Planning Commission. The vote was unanimous with Mayor Morehead declaring the motion carried.

Mayor Morehead moved to appoint Council Member Wittman as Council Representative to the Board of Adjustment. The vote was unanimous with Mayor Morehead declaring the motion carried.

Mayor Morehead moved to appoint Council Member Wittman as Council Representatives to DRCOG. The vote was unanimous with Mayor Morehead declaring the motion carried.

Council Member Wittman moved to appoint City Manager AJ Euckert as Representative and Mayor Morehead as Alternate Representative to the CML Policy Committee. The vote was unanimous with Mayor Morehead declaring the motion carried.

Mayor Morehead moved to appoint Council Member Long as Representative and Council Member Wittman as Alternate Council Representatives to the CDOT SH-52 Coalition. The vote was unanimous with Mayor Morehead declaring the motion carried.

### **Staff Reports**

**AJ Euckert** – He stated there is a Planning Commission tomorrow night. City offices closed Monday, January 16th. Board & Commission interviews will be held on the 19<sup>th</sup>. Chamber Casino Night 21<sup>st</sup>. Council packets could potentially be sent out by Wednesday at end of day or by Thursday morning.

**Jennifer Krieger** – no report.

**Brian Skaggs** – not present.

**Kathleen Kelly** – not present.

**Valerie Taylor** – no report.

**Kelly Stroh** – not present.

**Mark Doering** – not present.

### **Council Members**

**Doris Crespo** – no report.

**Danny Long** – He reported that the push buttons for the pedestrian crossings on Highway 52 are on backorder.

**Kevin Plain** – no report.

**Adam Morehead** – He asked that the Boards and Commissions interviews on the 17th be rescheduled; they will be held on the 19th.

**Jackie Thomas** – no report.

**Jim Turini** – no report.

**Kathryn Wittman** – She stated that she and Doris would like to nominate Esh's for the Pride of Dacono award.

### **Adjournment:**

With no further business to be discussed, the meeting was adjourned at 7:44 PM.

Approved this 23<sup>rd</sup> day of January, 2023.

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Adam Morehead, Mayor

Attest:

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Valerie Taylor, City Clerk

City of Dacono  
Bills for Approval  
January 23, 2023

VENDOR NAME	DESCRIPTION	AMOUNT	PREPAID
4 RIVERS EQUIPMENT	Backhoe Service	\$688.56	
ACE HARDWARE OF FIRESTONE	D Batteries	\$19.99	
ACE HARDWARE OF FIRESTONE	Tarp Strap/Velcro/Fasteners	\$42.25	
ADAMSON POLICE PRODUCTS	Duty Pants - JB	\$78.00	
ADAMSON POLICE PRODUCTS	Cuff Case - BF	\$22.46	
ADAMSON POLICE PRODUCTS	Duty Pants - BS	\$73.80	
AFLAC	Supplemental Insurance	\$2,106.49	*
AMAZON	Supplies	\$136.86	
AMAZON	Supplies Etc.	\$731.47	
AUSMUS LAW FIRM, P.C.	Contract Prosecution	\$500.00	
AXON ENTERPRISE INC	Axon/Evidence.com - Body Cams	\$20,748.00	
BLACK HILLS ENERGY	Gas Service	\$5,465.98	
CANON SOLUTIONS AMERICA, INC.	Copier Usage - PD	\$15.39	
CINTAS	First Aid Refills	\$227.86	
CIRSA	Add Ford Rangers to Insurance	\$41.34	
CIRSA	Paid Copywrite Claim	\$3,000.00	
COLORADO ANALYTICAL LAB, INC	Water Testing	\$72.00	
COLORADO MUNICIPAL CLERK ASSOCIATION	2023 CMCA Membership - VT	\$130.00	
COLORADO RURAL WATER ASSOCIATION	System Membership Dues	\$450.00	
DOOLEY ENTERPRISES	Ammunition	\$2,012.19	
ECONO SIGNS	Dacono Truck Decals	\$570.59	
ENVIROTECH SERVICES INC	Ice Slicer	\$3,303.07	
ENVIROTECH SERVICES INC	Ice Slicer	\$3,353.76	
FRONTIER BUSINESS PRODUCTS	Copier Maint & Usage- CH	\$117.39	
FULLER, LISA	Cake/Card/Field Notebooks	\$94.99	
GALLOWAY & COMPANY, INC	I-25 Corridor	\$1,422.17	
GRESH, LOUIS A	Judicial Services	\$300.00	
HAMRE, RODRIGUEZ, OSTRANDER & PRESCOTT PC	Oil & Gas Legal Services	\$240.00	
HEGWOOD, LISA	Water Clerk Hrs 122922-011123	\$1,800.00	
HOFFMAN, PARKER, WILSON, & CARBERRY P.C.	Special Counsel	\$840.00	
HOME DEPOT PRO	Janitorial Supplies	\$298.41	
LEONARD RICE ENGINEERS, INC.	Water Supply Planning	\$2,970.75	
LEONARD RICE ENGINEERS, INC.	Water Supply Planning	\$6,602.50	
LONGMONT HUMANE SOCIETY	Animal Housing	\$1,081.50	
MILE HIGH SHOOTING ACCESSORIES	Ammunition	\$1,994.28	
MISCELLANEOUS	RESTITUTION PAYMENT - 23679	\$172.38	
NATURAL DESIGN SOLUTIONS	Landscape Plan Review - NRBC	\$200.00	
PELAYES, NORMA VERONICA	Court Interpretation	\$100.00	
PRAIRIE MOUNTAIN MEDIA	Ads Published - Print	\$113.39	
PRAIRIE MOUNTAIN MEDIA	Ads Published - Click	\$500.00	
ST. VRAIN SANITATION DISTRICT	Sewer	\$2,745.98	
STUDIO SIX	Police Signage	\$2,739.00	*
TRANSWEST TRUCK	Mobile Service - Tandem	\$248.75	
TYLER TECHNOLOGIES, INC	Brazos Hosting Fee	\$4,715.00	
VIA MOBILITY SERVICES	Transportation Services	\$2,280.00	
VOIANCE LANGUAGE SERVICES, LLC	Interpretation Services	\$368.46	
VRANESH AND RAISCH, LLP	Water Matters	\$13,798.00	
WELD COUNTY CHIEFS OF POLICE ASSOC	2023 Associate Membership - BF	\$50.00	
WELD COUNTY CHIEFS OF POLICE ASSOC	2023 Membership - MS	\$75.00	
WHITESIDE'S BOOTS #2, INC.	Work Apparel - AS	\$314.97	
<b>TOTAL</b>		<b>\$89,972.98</b>	

December Credit Card Purchases			PREPAID
CENTURY LINK	PW CELL & INTERNET	\$255.42	*
UNITED POWER	STREETLIGHTS	\$604.50	*
LUMEN	CH FIBER OPTIC INTERNET	\$703.58	*
COMCAST	PD CABLE / INTERNET	\$204.65	*
VAST CONFERENCE	CONFERENCE CALLS	\$4.73	*
AMAZON	COPY PAPER	\$54.99	*
VERIZON	CELL SERVICES	\$2,242.50	*
COMCAST	ANNEX CABLE	\$120.28	*
UNITED POWER	ELECTRIC SERVICE	\$2,332.37	*
FTP TODAY	FILE SHARING	\$200.00	*
MICROSOFT	OFFICE 365 G3 GCC	\$242.58	*
NATIONAL LEAGUE OF CITIES	CCC REGISTRATION - AM & SM	\$645.00	*
NATIONAL LEAGUE OF CITIES	CCC REGISTRATION - AJ	\$515.00	*
ZIP RECRUITER	JOB ADVERTISING - EVENT COORDINATOR	\$60.00	*
ZIP RECRUITER	MONTHLY SUBSCRIPTION	\$499.00	*
ZOOM	AUDIO CONFERENCING	\$100.00	*
GEORGIA BOYS	LUNCH MEETING	\$59.33	*
WALL STREET JOURNAL	MONTHLY SUBSCRIPTION	\$38.99	*
ZIP RECRUITER	MONTHLY SUBSCRIPTION - PW	\$2,256.27	*
DENVER POST	MONTHLY SUBSCRIPTION	\$14.99	*
FTP TODAY	FILE SHARING	\$200.00	*
BRIGHTSIGN	CONTENT CLOUD SUBSCRIPTION	\$297.00	*
RED ROOSTER	BREAKFAST MEETING	\$57.66	*
ENVIRO MASTER	SANITIZE CH	\$395.00	*
WALMART	SANTA COPS	\$5,316.75	*
WALMART	SANTA COPS	\$2,627.39	*
WALMART	SANTA COPS	\$915.06	*
WALMART	SANTA COPS	\$634.00	*
AGORAPULSE	MONTHLY SUBSCRIPTION	\$204.97	*
COLORADO CWP	WATER DISTRIBUTION TESTING FEE	\$50.00	*
ATSSA	TCS APPLICATION FEE	\$130.00	*
GEORGIA BOYS	HOLIDAY LUNCH - PW	\$229.35	*
FASTSPRING	CAD / CIVIL 3D TURN TEMPLATES	\$590.00	*
AMAZON	HOLIDAY DÉCOR - CH	\$28.62	*
LANGUAGE LINE	SPANISH TRANSLATION	\$101.78	*
GEORGIA BOYS	HOLIDAY LUNCH - CH	\$131.71	*
INSTANT IMPRINTS	DORIS CRESPO REPLACEMENT NAME BADGE	\$17.85	*
INSTANT IMPRINTS	BOBBY REDD NAME BADGE	\$17.85	*
COSTCO	KITCHEN SUPPLIES	\$245.09	*
WALMART	SANTA COPS	\$1,275.18	*
WALMART	SANTA COPS	\$1,388.93	*
JAMF	SOFTWARE	\$52.00	*
HUHOT	SANTA COPS SHOPPING DAY MEAL	\$267.30	*
SAFEWAY	SANTA COPS	\$48.57	*
OLIVE GARDEN	SANTA COPS WRAPPING DAY LUNCH	\$502.01	*
LAWS	HEADLIGHTS - UNIT 1	\$325.27	*
BLAUER		\$314.97	*
CDW GOVT		\$1,595.92	*
DAVID CHRISTIANSEN	PRE EMPLOYMENT PSYCH EVAL	\$450.00	*
DREAMSTIME	DIGITAL IMAGES	\$62.50	*
DREAMSTIME	DIGITAL IMAGES	\$68.99	*
MORELLPRINTING	PLAN PRINTING	\$28.00	*
WALMART	HOLIDAY FESTIVAL	\$74.06	*
DOLLAR TREE	HOLIDAY FESTIVAL	\$23.75	*
WALMART	HOLIDAY FESTIVAL	\$25.80	*
PARTY CITY	HOLIDAY FESTIVAL	\$54.50	*
WALMART	HOLIDAY FESTIVAL	\$21.16	*
DREAMSTIME	DIGITAL IMAGES	\$25.00	*
4IMPRINT	CITY OF DACONO LOGO STICKERS	\$341.11	*
4IMPRINT	CITY OF DACONO INSULATED BAGS	\$483.47	*
DREAMSTIME	DIGITAL IMAGES	\$124.99	*
FUEL CLOUD	MONTHLY SUBSCRIPTION	\$95.00	*
TRANSUNION	TLO REQUESTS	\$75.00	*
SAFEWAY	SANTA COPS	\$30.45	*
COLORADO ASSOCIATION OF CHIEFS OF POLICE	OFFICER SELECTION TEST FORMS	\$207.00	*
ROCKY BRANDS US		\$174.93	*
WALMART	SANTA COPS	\$20.00	*
<b>TOTAL CREDIT CARD CHARGES</b>		<b>\$31,500.12</b>	
<b>TOTAL BILLS PAID</b>		<b>\$121,473.10</b>	

**Agenda Item:** GB-A

**Meeting Date:** January 23, 2023

**Subject:** Public hearing and consideration of Ordinance 938, an ordinance amending Chapter 16 of the Dacono Municipal Code to add a new Section 16-12 concerning fence permit requirements on second reading.

**Presenter:** Jennifer Krieger, AICP, Community Development Director

**Background:** Currently, fence regulations apply only to the MH and R-1 Districts. The Design Standards for Nonresidential Development, Section 16-713, include regulations concerning buffering and screening. These regulations apply to new non-residential development. The International Codes (I-Codes) adopted by the City contained in Section 18-40 of the Dacono Municipal Code requires a building permit only for fences over six feet (1829 mm) high.

Ordinance 938 would apply uniform fence regulations and permit requirements. No changes to Ordinance 938 were made between the first and second readings.

**Recommended Action:** Staff is recommending approval of Ordinance 938 on the second reading.



**ORDINANCE NO. 938**

**AN ORDINANCE AMENDING CHAPTER 16 OF THE DACONO MUNICIPAL CODE TO ADD A NEW SECTION 16-12 CONCERNING FENCE PERMIT REQUIREMENTS**

**WHEREAS**, the City regulates zoning and use of property within the City pursuant to Chapter 16 of the Dacono Municipal Code and regulates the construction of buildings and other structures pursuant to Chapter 18 of the Dacono Municipal Code; and

**WHEREAS**, the uniform building codes adopted by the City pursuant to Section 18-40 of the Dacono Municipal Code provide that a building permit is not required to construct a fence not over six feet (1829 mm) high; and

**WHEREAS**, the City currently regulates fencing within the R-1 and MH zone districts pursuant to Sections 16-111 and 16-166 of the Dacono Municipal Code, but permits are not required by the zoning code; and

**WHEREAS**, the City Council finds that uniform regulation of all fencing constructed or erected within the City supports and advances the purposes of the City's zoning code, and by this ordinance desires to implement a permit requirement and establish basic standards for all fencing.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DACONO, COLORADO:**

**Section 1.** Chapter 16 of the Dacono Municipal Code is hereby amended by the addition of a new Section 16-12 to read as follows:

**Sec. 16-12 Fences, hedges, retaining walls; permit required.**

(a) This Section shall be applicable to all fences, hedges, and retaining walls to be erected within the City, except for those projects with fence standards contained within an approved Planned Unit Development (PUD) Final Development Plan. The provisions of this Section shall be administered by the City's Building Official or their designee.

(b) It is unlawful for any person to erect, construct, or reconstruct any fence or retaining wall in any zone district of the City until the Building Official has issued a permit therefor pursuant to this Chapter, which shall be in addition to any permit required by Chapter 18 of this Code.

(c) Application for a fence permit shall be made on forms to be provided by the Building Official and shall clearly show the type of fence or wall proposed to be erected, the material to be used, and the location where it is to be placed. No permit shall be issued unless and until the proposed fence meets all

requirements of this Code, the fee established by resolution of the City Council has been paid, and the City's use tax has been collected on the construction materials and supplies.

(d) Fences, hedges, and retaining walls shall be governed by the following regulations:

- (1) Retaining walls must conform to lateral pressure engineering specifications and shall not be unsightly or detrimental to abutting property.
- (2) Barbed wire or electric fences are not permitted.
- (3) Dilapidated, unsightly or dangerous fences shall be removed or repaired when so ordered by the Building Official. All fencing, walls, and hedges shall be maintained in good condition, including but not limited to replacing or repairing broken components, such as pickets, and repainting.
- (4) For corner lots, front yard fence regulations shall apply to both street sides of lot.
- (5) Front yard fence shall be constructed of chain link or split rail or other standard residential fence materials approved by the Building Official, except that no fence shall be constructed of plywood or particle board. Fences shall not exceed forty-two (42) inches in height, measured from the ground level immediately adjacent to the fence or wall, and shall be at least fifty percent (50%) open space. Fence pickets shall not exceed six (6) inches in width. No front yard fence shall be constructed nearer than thirty (30) inches from the sidewalk or other public walkway. No fence shall enclose a meter pit.
- (6) Back yard fences may be constructed of masonry walls or any of the material permitted in Paragraph (5) above, and the walls may be solid. Maximum height of back yard fences shall be six (6) feet, said fence not to extend past the front side of a dwelling to which it abuts.
- (7) Fences and retaining walls may not be located within platted or other recorded easements, except that fences may be located along the rear lot lines of residential lots unless the plat specifically provides otherwise. Fencing on multi-family residential and non-residential lots shall comply with the approved site plan.
- (8) Hedges shall not encroach over sidewalks, streets, or

alleyways and shall be trimmed to maintain sight distance as required by Section 16-288 of this Code.

- (9) Prohibited fence materials.
- a. No person shall use rope; string; wire products including but not limited to chicken wire, hog wire, wire fabric, and similar welded or woven wire fabrics; chain; netting; cut or broken glass; paper; unapproved corrugated metal panels; galvanized sheet metal; plywood; or fiberglass panels in any fence, or use any other materials that are not manufactured specifically as fencing materials, unless approved by the Building Official. The Building Official may require the applicant to provide the manufacturer's standards to establish the intended use of proposed fencing materials.
  - b. Used materials, equipment, and devices shall not be used unless the Building Official determines they meet the requirements of the building code for new materials.
  - c. No person shall construct a fence of wood, metal, or plastic products that are designed specifically for uses other than fence construction.

(e) City Exemption From Compliance. All property, uses, structures, and facilities owned or operated by the City for the purpose of providing municipal services are exempt from complying with all requirements contained in this Section.

**Section 2.** Sections 16-111 (fencing regulations in R-1 zone district) and 16-166 (fencing regulations in MH zone district) of the Dacono Municipal Code are hereby repealed.

**Section 3.** Any person charged with a violation of this ordinance, upon conviction thereof, shall be subject to the General Penalty in Section 1-70 of the Dacono Municipal Code, which currently provides for incarceration for a period not to three hundred sixty-four (364) days, a fine not to exceed one thousand dollars (\$1,000.00), or both such fine and imprisonment. As provided in Section 1-70(b), each and every day during any portion of which any violation is committed, continued or permitted shall be a separate violation, and the violator shall be punished accordingly.

**Section 4.** If any article, section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect

the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

**Section 5.** The repeal or modification of any provision of any prior ordinance by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

**Section 6.** All other ordinances or portions thereof inconsistent or conflicting with this ordinance, or any portion hereof, are hereby repealed to the extent of such inconsistency or conflict.

**INTRODUCED, READ, ADOPTED ON FIRST READING, AND ORDERED PUBLISHED AND POSTED BY TITLE this \_\_\_\_ day of \_\_\_\_\_, 2023.**

**PUBLIC HEARING AND SECOND READING WILL BE THE \_\_\_\_ day of \_\_\_\_\_, 2023, AT 6:00 P.M. AT DACONO CITY HALL, 512 CHERRY AVENUE, DACONO, CO.**

**READ, ADOPTED ON SECOND READING, APPROVED, SIGNED, AND ORDERED PUBLISHED BY TITLE this \_\_\_\_ day of \_\_\_\_\_, 2023.**

CITY OF DACONO, COLORADO

\_\_\_\_\_  
Adam Morehead, Mayor

ATTEST:

\_\_\_\_\_  
Valerie Taylor, City Clerk

Summary of Ordinance No. \_\_\_\_\_, **“AN ORDINANCE AMENDING CHAPTER 16 OF THE DACONO MUNICIPAL CODE TO ADD A NEW SECTION 16-12 CONCERNING FENCE PERMIT REQUIREMENTS”** Requires a permit be obtained prior to erecting or building a fence or retaining wall in any zone district within the City and provides that existing requirements applicable to fences, hedges retaining walls in the R-1 and MH zone districts apply throughout all zone districts.



January 23, 2023

**To:** City of Dacono City Council

**From:** Jennifer Krieger, AICP, Community Development Director

**Agenda Item:** Public hearing and consideration of Ordinance 938, an Ordinance amending Chapter 16 of the Dacono Municipal Code to add a new Section 16-12 concerning fence permit requirements, on second reading.

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**Background**

Currently, fence regulations apply only to the MH and R-1 Districts. The Design Standards for Nonresidential Development, Section 16-713, include regulations concerning buffering and screening. These regulations apply to new non-residential development. The International Codes (I-Codes) adopted by the City contained in Section 18-40 of the Dacono Municipal Code requires a building permit only for fences over six feet (1829 mm) high.

Ordinance 938 would apply uniform fence regulations and permit requirements.

**Proposed Amendments**

The proposed amendment to Chapter 16 requires a permit before erecting or building a fence or retaining wall in any zone district within the City and provides existing requirements applicable to fences, hedges retaining walls throughout all zone districts.

The proposed amendments add a new Section 16-12 concerning fence requirements.

Section 16-12 (a) This section makes fence, hedge, and retaining wall regulations applicable to all structures erected within the City, except for those projects with fence standards contained within an approved PUD Final Development Plan.

Section 16-12 (b) Requires a permit for a fence or retaining wall, or as required by Chapter 18 (fences over six feet)

Section 16-12 (c) Requires an application for a fence permit to show location, materials, and type of fence

Section 16-12 (d)

- Requires retaining walls to follow lateral pressure engineering specifications
- Prohibits barbed wire and electric fences
- Allows the Building Official to order the removal of dilapidated or dangerous fences
- Applies setbacks to fences

- Limits the height of front yard fences and open space
- Limits backyard fences from extending past the front side of another dwelling
- Prohibits fences and retaining walls in platted or recorded easements, with some exceptions
- Requires hedges to be trimmed to maintain sight distance
- Identifies prohibited fence materials.

Section 16-12 (e) Exempts the City from compliance with the fence regulations.

**Planning and Zoning Commission Recommendation**

The Planning and Zoning Commission held a properly noticed public hearing on December 13, 2022, and recommended approval of amendments to Chapter 16 of the Dacono Municipal Code to add a new Section 16-12 concerning fence permits.

**Staff Recommendation**

Staff recommends amending Chapter 16 of the Dacono Municipal Code to add a new Section 16-12 concerning fence permit requirements finding:

1. The uniform regulation of all fences in the City of Dacono advances the purpose of the City's zoning code.
2. The adoption of uniform fence regulations promotes citizens' health, safety, and welfare by ensuring that fences do not obscure the sight distance at intersections and are not harmful to its citizens or the broader community through citywide standards for the structural integrity of fences and materials.
3. This amendment to Chapter 16 advances the Comprehensive Plan's vision and priorities by adopting regulations that foster a high-quality built environment.

**Agenda Item No: GB-B**  
**Meeting Date:** January 23, 2023

**Subject:** Appointments to Various Boards, Authority and Commission; and Appointment of Chairperson to each Board, Authority and Commission by the Mayor

**Presenter:** Valerie Taylor

**Background:** Currently the following boards, authority and commission have openings. The openings were posted and the people listed below submitted applications. Applicant interviews were held on January 19, 2023.

Also listed are the current chairpersons. The Mayor appoints the chairperson of each board, with the exception of the Board of Adjustment and Appeals.

**Planning and Zoning Commission – Three openings (1 regular & 2 alternates)**

Donald Clark, alternate – Reappointment  
Mitchell Rogers – New Appointment  
Kiersten Wallerstedt – New Appointment  
Joseph Westbrook – Reappointment

**Current Chairperson – Kevin Plain**

**Local Licensing Authority (aka Liquor Licensing Authority) - Two openings (1 Regular & 1 alternate)**

Eleanor Coe – Reappointment

**Current Chairperson – Stan Owens**

**Police Advisory Board - Three openings**

Codey Childers – Reappointment  
Shannon Prentice – New Appointment  
Michele Willingham – Reappointment

**Current Chairperson – Cody Childers**

**Board of Adjustment and Appeals - Two openings (1 regular & 1 alternate)**

Donald Clark – reappointment  
Charlie Everitt, alternate – reappointment

The Chairperson of the Board of Adjustment and Appeals is the Council Member appointed to serve on the board, which is Kathryn Wittman.

**Recommended Action:** Appointments to Various Boards, Authority and Commission; and Appointment of Chairperson to each Board, Authority and Commission by the Mayor.



<b>PLANNING AND ZONING COMMISSION</b>				
Breier (alternate)	Derek	2022		
Clark (alternate)	Donald	2022	X	
Westbrook	Joseph	2022	X	
Rogers	Mitchell			X
Wallerstedt	Kiersten			X
Kettering	Shellyene	2023		
Owens	Stan	2023		
Plain (Council Rep) Chairman	Kevin	2023		
Matinez	Andrew	2024		
<b>LOCAL LICENSING AUTHORITY - aka Liquor Licensing Authority</b>				
Coe (Alternate)	Eleanor	2022	X	
Open		2022		
Everitt	Charlie	2023		
Kettering	Shellyene	2023		
Martinez (Alternate)	Andrew	2023		
Baca	Chris	2024		
Owens (Chairman)	Stan	2024		
<b>POLICE ADVISORY BOARD</b>				
Childers (Chairman)	Cody	2022	X	
Willingham	Michele	2022	X	
Open		2024		
Prentice	Shannon "Suzi"			X
Sheppard	Todd	2023		
Coe	Eleanor	2024		
<b>BOARD OF ADJUSTMENT &amp; APPEALS</b>		Term Ends	Re-applied	Applied
Clark	Donald	2022	X	
Everitt (Alternate)	Charlie	2022	X	
Kettering	Shellyene	2023		
Wittman (Council Rep, Chairman)	Kathryn	2023		
Baca	Chris	2024		
Martinez (Alternate)	Andrew	2024		
Owens	Stan	2024		
Openings				
New Applicants				