

**TOWN OF NEW CASTLE, COLORADO
RESOLUTION NO. PZ 2022-01**

A RESOLUTION OF THE NEW CASTLE PLANNING AND ZONING
COMMISSION ADOPTING A POLICY REGARDING ALTERNATE
MEMBERS OF THE COMMISSION.

WHEREAS, Chapter 17.08 of the New Castle Municipal Code (“Code”) provides for the creation, membership, qualifications, term of office, and powers of the Town of New Castle Planning and Zoning Commission (“Commission”); and

WHEREAS, Section 17.08.020 of the Code was recently amended to allow Town Council to appoint up to two alternate members of the Commission who may serve when one or more of the regular Commission members are unavailable due to absence or due to recusal or disqualification from a particular matter; and

WHEREAS, the Commission finds that formalizing the process for seating Commission alternates and providing additional details and guidance regarding their participation at Commission meetings would be beneficial to future Commissions, land use applicants, and the public; and

WHEREAS, the Commission hereby adopts this Resolution to establish policy regarding Commission alternates.


NOW, THEREFORE, BE IT RESOLVED BY THE NEW CASTLE PLANNING AND ZONING COMMISSION AS FOLLOWS:

1. Recitals. The foregoing recitals are incorporated by reference herein as findings and determinations of the Commission.
2. Alternate Policy Adoption. The Commission hereby adopts the Town of New Castle Planning & Zoning Commission Alternate Policy attached hereto as Exhibit A.
3. Communication of Alternate Policy. The Commission recommends that Town staff provide a copy of its Alternate Policy to all land use applicants, that staff discuss the Alternate Policy with applicants during pre-application meetings, and that the Alternate Policy be posted on the Town’s website.
4. Effective Date. This Resolution and the Alternate Policy adopted hereby shall be effective upon passage of this Resolution.

THIS RESOLUTION PZ 2022-01 was adopted by the New Castle Planning and Zoning Commission by a vote of 7 to 0 on the 23rd day of February, 2022.



TOWN OF NEW CASTLE, COLORADO,
PLANNING & ZONING COMMISSION

By: 
Chuck Apostolik, Chairman

ATTEST:


Mindy Andis, Deputy Town Clerk

EXHIBIT A

TOWN OF NEW CASTLE PLANNING & ZONING COMMISSION ALTERNATE POLICY

1. Appointment of Alternates. Pursuant to Section 17.08.020 of the Town of New Castle ("Town") Municipal Code, Town Council may appoint up to two alternate members to the Town Planning & Zoning Commission ("Commission") who may serve when one or more of the regular Commission members are unavailable due to absence or due to recusal or disqualification from a particular matter. Like regular Commission members, an alternate Commission member will serve for a four-year term unless otherwise limited or extended by Town Council. If an alternate member resigns or is removed from the Commission before the end of his or her term, Town Council shall appoint a replacement alternate to serve until the end of the term.

2. Qualification of Alternates. An alternate is qualified to be seated as a voting member of the Commission if he or she (i) is present at the meeting at which he or she is to be seated; (ii) was present at or has reviewed the video and/or audio of and all documents presented at a prior meeting in the event the alternate is to be seated for a continued public hearing or meeting; and (iii) does not have a conflict of interest with respect to any application or the item to be voted on by the alternate. A regular or alternate member of the Commission will be deemed present at a meeting if he or she is physically present at the meeting or is able to participate in the meeting via video conference.

3. Seating Alternates. At no time will more than seven Commission members be seated and able to vote. The following provisions apply to the seating of alternate Commission members:

- a. **Two alternates seated.** If two alternates have been appointed by Town Council and are qualified to serve, both alternates will be seated when (i) five regular members are present and able to participate at a meeting, or (ii) three regular members are present and able to participate at a meeting.
- b. **One alternate seated.** Regardless of the number of appointed alternates, one qualified alternate will be seated when (i) six regular members are present and able to participate at a meeting (including at a continued hearing or meeting), (ii) four regular members are present and able to participate at a meeting (including a continued hearing or meeting), or (iii) only one alternate has been appointed by Town Council and/or is qualified to serve and the appointment of the alternate is needed to establish a quorum. In the event there are two appointed, qualified alternates but only one will be seated, the seated alternate will be selected by a coin toss.
- c. **Seating due to recusal.** If an alternate is seated due to a regular member's conflict and recusal, the alternate will only be seated as a voting member with respect to the matter for which the regular member has recused. If a regular member recuses from one or more items on an agenda but additional items are considered or voted on

before or after the recusal item(s) at the same meeting, the regular member may retake his or her voting seat for any items from which he or she is not recused.

- d. **Return of regular member to continued hearing or meeting.** If an alternate is seated for a meeting/public hearing that gets continued and the regular member is present and able to attend the continued meeting/hearing, the regular member may retake his or her voting seat and the alternate will not be seated, provided that the regular member can attest on the record that he or she reviewed the audio and/or video recording of the prior meeting and all documents presented at the meeting.
4. Meeting Attendance and Participation. Alternates are expected to attend all Commission meetings even if they are not seated as voting members. Alternates may ask questions and provide feedback during meetings at which they are not seated as voting members, but an alternate may not participate in deliberations or provide opinions regarding any land use application or other item to be voted on by the Commission unless the alternate is seated as a voting member.