



Legislation Details (With Text)

File #:	21-453	Version:	1	Name:	Metro Dist Service Plan Amendment
Type:	Resolution	Status:		Mayor's Office	
File created:	7/19/2021	In control:		City Council	
On agenda:	8/24/2021	Final action:		8/24/2021	
Title:	A Resolution Amending Metropolitan District Model Service Plans to Address Authority to Limit Concealed Carry Weapons				
	Presenter: Carl Schueler, Planning Manager- Comprehensive Planning, Planning & Development Department Peter Wysocki, Director of Planning and Community Development				
Sponsors:					
Indexes:	Metropolitan District, Service Plan				
Code sections:					
Attachments:	1. RES_ModelServicePlanAmendment_Conceal Carry, 2. Exhibit A - SingleDistrictModelServicePlan, 3. Exhibit B - MultiDistrictModelServicePlan, 4. PowerPoint, 5. SB 21-256				

Date	Ver.	Action By	Action	Result
8/24/2021	1	City Council	adopted	Pass
8/9/2021	1	Council Work Session	referred	

A Resolution Amending Metropolitan District Model Service Plans to Address Authority to Limit Concealed Carry Weapons

Presenter:

Carl Schueler, Planning Manager- Comprehensive Planning, Planning & Development Department
Peter Wysocki, Director of Planning and Community Development

Summary:

This limited amendment of the City's currently adopted model service plans for new or amended metropolitan district service plans, would insert language limiting the authority of these districts to limit the carrying of concealed weapons. Recent changes to Colorado Revised Statutes (Senate Bill 21-256) now provide authority for special districts to adopt concealed carry limits that may be more restrictive than those allowed by Colorado or the overlying local government (e.g. El Paso County or the City of Colorado Springs) if applicable.

This item was introduced at a Council Work Session on August 9, 2021. During this Work Session, Councilman Wayne Williams explained that his reasoning in support of this change was primarily to avoid instances of jurisdictional complexity that could lead to complications with administration and permit holder compliance.

Background:

Since 2006, Colorado Springs has had adopted and used model service plans for newly created metropolitan districts along with amendments and restatements of already approved service plans. Essentially, model service plans operate as standard form templates with which petitioners fill in the

applicable district-specific information and agree to a number of limitations of authorities in addition to those provided by State statute. Any exceptions or deviations from the model service plans, must be specifically evaluated and approved by City Council. There is a single district model service plan along with a multiple district service plan, with the only differences being that the latter addresses multiple-district structures that are part of a consolidated service plan.

Recently Colorado Senate Bill 21-256 was enacted into law. Colorado Revised Statutes have now been amended in § 18-12-214 (c) (l) to specifically authorize special districts to limit the carrying of otherwise permitted concealed weapons within their buildings or other areas of control. A copy of the bill is attached.

This limited amendment of the model service plans would insert an added paragraph V.A.17 in the Section entitled “Powers of the Districts and Service Plan amendment” as follows:

17. Concealed Carry Prohibition. The District shall not adopt or enact an ordinance, resolution, rule or other regulation that prohibits or restricts an authorized permittee from carrying a concealed handgun in a building or specific area within the property or any building(s) owned or controlled by the District as provided in C.R.S. 18-12-214.

A draft Council resolution and clean and redline versions of the model service plans are attached, along with a copy of SB 21-256.

Previous Council Action:

Council originally adopted metropolitan district model service plans for single and multiple district structures on January 24, 2006 (by Resolution 9-06). A limited change addressing end user debt service fees, was adopted on September 11, 2012 (Resolution 113-12).

The City’s Special District Policy was approved on January 24, 2006. It requires the submittal of service plans conforming with the model service plans,

Financial Implications:

N/A

Board/Commission Recommendations:

N/A

Stakeholder Process:

The staff-level Special District Committee has been provided notice of this proposed change. Staff have also provided e-mail notice a distribution list of special district professionals as well as the Housing and Building Association (HBA) and Council of Neighbors and Organizations (CONO). To date there have been no comments or concerns.

Later this year it is anticipated that there will be more comprehensive Special District Policy Working Group process to recommend additional updates of the model service plans.

Alternatives:

City Council has the options of approving, denying or modifying this resolution or then attached model service plans.

Proposed Motion:

Adopt the Resolution Approving and Amended Metropolitan District Model Service Plans to Address Authority to Limit Concealed Carry Weapons