

**CITY OF BRIGHTON
PLANNING COMMISSION**

MINUTES

October 10, 2019

Approved as presented

I. CALL TO ORDER

Chairman Maslanik called the meeting to order at 6:06 p.m.

II. ROLL CALL

Roll call was taken with the following Commissioners in attendance: Chris Maslanik, Oliver Shaw, Fidel Balderas and Rex Bell. Youth Commissioner Giana Rocha was also present. Steve Ginevan and William Leck were excused as absent.

STAFF PRESENT: Jason Bradford, Planning Manager; Aja Tibbs, Long Range Planner; Sean Pesek, Assistant Planner; Jack Bajorek, City Attorney; Lane Zorich, Acting Commission Secretary.

III. MINUTES OF PREVIOUS MEETINGS

Minutes from the June 27, 2019 regular Planning Commission meeting were approved as presented.

Motion by Commissioner Shaw
Second by Commissioner Balderas

Voting Aye: All Present
Motion passes: 4-0

IV. PUBLIC INVITED TO BE HEARD ON ITEMS NOT ON THE AGENDA

None present

V. PUBLIC HEARING ITEMS

1. **Land Use and Development Code Update: Aja Tibbs presenting**

Chair invited Staff to present, summarized:

Ms. Tibbs enters staff report and attachments into the record and introduces Chris Brewster of Gould Evans as the consultant who will be presenting on the project.

Chair invites Chris Brewster to present, summarized:

Chris Brewster of Gould Evans 4041 Mill St Kansas City MO presents on the proposed Land Use and Development Code update and identifies the differences and similarities

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from the existing code.

Chair called for questions from Commission to Staff, summarized:

Commissioner Shaw expressed concern for how narrow the lot sizes are and asked how it would affect the fire departments access to each property.

Mr. Brewster explained that the lot sizes presented are the minimum size acceptable and a developer can always choose to build on larger lots. Further, he explained that the side setback requirements and the City's Building Code address fire concerns.

Commissioner Shaw asked about parking being in the back alleyways.

Mr. Brewster confirmed that the new code promoted shared access and alley parking as being most effective.

Commissioner Shaw further expressed concerned for the smaller lot sizes. Are there current standards for the lots or would the regulations need to change?

Mr. Brewster said the Building Type Table should address the lot changes

Commissioner Shaw expressed concern for the deterioration of alleyways on small lots. Are there standards to address this?

Mr. Brewster responded that HOAs, Metro Districts, and the City's Code Enforcement division would enforce the maintenance of alleyways.

Commissioner Shaw asked about the regulations for miniature goats.

Mr. Brewster explained that since miniature goats were discussed previously the topic should be tabled for another time.

Commissioner Bell expressed his hope that the new code would bring in new types of development to Brighton that accommodate the changing needs of the City's population.

Chairman Maslanik asked if any changes were made to the code in regards to posting for public hearings.

Mr. Brewster informed the Chairman that City Staff can now ask for larger ranges for public notification letters on projects. He added that Staff can also post the hearings online.

Chairman Maslanik asked for further clarification on the final plat chart and the process for final plats with Planning Commission and City Council.

Mr. Brewster explained the differences between the previous Code and the new one.

Chairman Maslanik asked about traffic impacts.

Mr. Brewster responds that the new process will give the Commission more information about traffic impacts.

Commissioner Bell asks if there will still be fixed rates for parkland dedications.

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Mr. Brewster confirms the rate is still fixed but there will be more flexibility in what is considered parkland or open space.

Commissioner Bell responds that he is concerned about the costs that parks have on the community and the long term costs for maintenance.

Mr. Bradford explains that the City will count HOA and Metro District maintained parkland towards the total dedication so the City will not have to maintain the land.

Mr. Brewster adds that that existing parks can also count towards dedication. He further references a table in the new code which differentiates the types of parks and open space which can be dedicated.

Ms. Tibbs explains that the community actually wants more parkland and open space so it would go against the Comprehensive Plan to reduce the dedication rate. There are conflicting opinions and the new code is a compromise that gives more credits to the developer. Drainage areas can also count towards open space.

Commissioner Bell asks if the City will be locked into this new Code indefinitely.

Ms. Tibbs responds that the code can have amendments over time and the City already anticipates that there will be amendments. If the City is looking to change the parkland dedication requirements then that would need to be a policy change as well.

Chair called for the public to address Commission, summarized:

No proponents were present.

The following opponents presented:

Heidi Williams 9033 E Easter Pl, Centennial CO introduced herself as part of the Home Builders Association in Metro Denver. She was displeased that she was only made aware of the Code change 5 days before public comments closed. Concerned over the increased costs to the residents. Would like to see more incentives to homebuilders to provide affordable products since Brighton is a working class community.

Susan Wade 1800 Canal Ct, Littleton CO introduces herself as part of Redland. Explains that developers have to focus on market demand and she is concerned with the added cost involved with the changed requirements for residential design. She also is not supportive of the parks and open space requirements. She does not believe the community had enough time to see the changes to the Code and encourages further review at 6 and 18 months.

Chair closed the public portion at 7:40 p.m.

Chair called for discussion among Commissioners, summarized:

Chairman Maslanik agrees that periodic review should be done on the new code. Asks to add language to the resolution for review periods.

City Attorney Bajorek states that the Chairman can make a recommendation to approve and include review periods as a second recommendation.

Chairman Maslanik acknowledges the balance of costs and fulfilling the community's

wants. Agrees with instating periodic reviews.

Commissioner Balderas makes a motion recommending the passing of the resolution that repeals and replaces the Land Use and Development Code in full with second recommendation to review as needed on a periodic basis the implementation of the Code by City Staff, Planning Commission and City Council.

**Motion by Commissioner Balderas
Second by Commissioner Bell**

**Voting Aye: All Present
Motion passes: 4-0**

Chair calls for a recess.

VI. OLD BUSINESS:

Chairman Maslanik discusses getting City emails for the Commissioners.

VII. NEW BUSINESS:

Chairman Maslanik introduces Lane Zorich as the Acting Commission Secretary.

Chairman Maslanik discusses the new Youth Commissioner who will be joining the next commission meeting.

VIII. REPORTS

n/a

IX. ADJOURNMENT

Motion to adjourn at 7:56 p.m.

**Motion by Commissioner Bell
Second by Commissioner Balderas**

**Voting Aye: All Present
Motion passes: 4-0**