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**CITY OF LOVELAND
PLANNING COMMISSION MINUTES
January 11, 2010**

A meeting of the City of Loveland Planning Commission was held in the City Council Chambers of the Civic Center on January 11, 2010 at 6:30 p.m. Members present: Chairman Molloy; Vice Chairman Ray; and Commissioners Crescibene, Fancher, Krenning, Leadbetter, Middleton, Meyers and Walsh. City Staff present: Current Planning; Robert Paulsen, Current Planning Manager; Sunita Sharma, Assistant City Attorney.

These minutes are a general summary of the meeting. For more detailed information, the audio and videotapes are available for review in the Community Services office.

APPROVAL OF AGENDA

Commissioner Meyers moved to approve the Agenda. Upon a second by Commissioner Crescibene the motion passed unanimously.

CITIZEN REPORTS

There were no citizen reports.

COMMISSIONER COMMENTS

Chairman Molloy welcomed Commissioner Leadbetter to the Planning Commission.

STAFF MATTERS

Robert Paulsen, Current Planning Manager, reported that staff is currently involved in a group process to evaluate the building permit process and Bob Tipton is the facilitator. He stated that one potential change to come from the process is allowing digital/electronic applications in an effort to help reduce costs to applicants. He reported that staff is also looking at ways to address private sector concerns and to create more effective procedures. He indicated that as recommendations are finalized he would provide the Commissioners with a more formal presentation.

Commissioner Krenning questioned if there was any economic impact to the Planning Department due to the recent budget cuts and what is being done with regard to the medical marijuana issue.

1 **Mr. Paulsen** reported that due to the City's reduction in force policy, the Planning Department lost a
2 Planning Technician that primarily worked reviewing commercial building permits. He also stated
3 that an employee who worked primarily on residential building permits recently retired. He further
4 informed the Commission that Marc Cittone, City Planner II with Community and Strategic
5 Planning, had taken a position with the City of Boulder and Karl Barton of Current Planning would
6 be transitioning into Marc's former position over the next several months. He confirmed that
7 application levels are not increasing.
8

9 **Mr. Paulsen** stated that staff has raised concerns regarding medical marijuana dispensaries and
10 reported that City Council approved a moratorium that would prohibit any additional dispensaries
11 from opening until the moratorium expires this coming summer.
12

13 **Assistant City Attorney Sunita Sharma** reported that Assistant City Attorney Moses Garcia is
14 working on potential licensing and guidelines for dispensaries. She stated that the Colorado
15 Municipal League (CML) would be discussing the issue further at its upcoming meeting.
16

17 **Mr. Paulsen** clarified that dispensaries are considered a retail use by the City and require a
18 commercial zoning designation. He stated that staff originally had concerns that dispensaries could
19 be considered in residential neighborhoods as a home occupation use.
20

21 **Commissioner Krenning** stated he did not want to see this issue handled in the same manner as the
22 crematoriums; rather, he indicated a need for consistent regulations among area jurisdictions. He
23 stated that he hoped that CML and/or the State Legislature would come up with some consistency in
24 licensing provisions.
25

26 **1. Discussion: Proposed Title 18 Amendments for 2010**

27
28 This agenda item is a discussion of amendments to Title 18 (the zoning code) proposed for
29 consideration in 2010.
30

31 **Robert Paulsen, Current Planning Manager**, gave a brief background description of the role and
32 composition of the Title 18 Committee. He stated that this is an ad hoc committee which includes 2
33 City Councilors, 2 Planning Commissioners and three or four community representatives with
34 knowledge of the zoning code and the development process. He stated that this committee reviews
35 and updates both residential and commercial provisions of the Code and spoke of the list of items
36 currently under review and presented a brief description of other Title 18 amendments that may be
37 scheduled for review in 2010. He asked the Commission if they had any comments or questions
38 regarding these items and whether the Commission had any guidance as to which items should be of
39 high priority.
40

41 **Commissioner Meyers** expressed concern that the number of temporary signs in the community had
42 grown to an unreasonable number and that the situation was out of control.

1
2 **Mr. Paulsen** stated that there has been a lot of work on Temporary sign standards by staff and the
3 Title 18 Committee. He stated that a meeting with the Chamber of Commerce has been scheduled to
4 discuss the proposed standards. He explained that community outreach on Temporary signs and on
5 code amendments in general was a challenging endeavor.

6
7 **Commissioner Fancher** stated that before any additional work on the sign code is done, the city
8 needs to decide what its philosophy on signage and what we want to look like as a city in terms of
9 signage. She cited Santa Barbara, CA as a community with tight sign controls and certain parts of
10 Denver's Colfax Avenue as the other extreme.

11
12 **Mr. Paulsen** spoke of the difficulty in gauging what the community wants or supports, and spoke of
13 the difficulty in trying to engage the community on this topic.

14
15 **Commissioner Meyers** concurred with Commissioner Fancher and stated it was crucial to have a
16 clear direction regarding what the community wants.

17
18 **Vice Chairman Ray** stated that signage is a major issue and the outcomes can largely depend on
19 who participates during the Title 18 Committee meetings. He stated it is very difficult to gather
20 information regarding what the community wants.

21
22 **Chairman Molloy** stated that the Title 18 Committee has had numerous discussions regarding the
23 sign issues and what may and may not hurt the community or businesses within the community. He
24 spoke of the additional workload experienced by Code Enforcement staff in order to deal with
25 banners and other temporary signs.

26
27 **General Discussion:** There was further discussion regarding how to engage the community in
28 outreach efforts and discussion of the numerous ways in which staff has tried to gather support.

29
30 **Commissioner Krenning** stated if there is not an overwhelming amount of community outcry
31 regarding the issue than he did not feel it was an issue for the Committee or the Planning
32 Commission to try and fix. He stated that he felt this was a policy issue that needed to be addressed
33 by City Council.

34
35 **Mr. Paulsen** reported that a study session was held with City Council early last summer to discuss
36 the direction the City Council wanted to proceed in regarding temporary signs. He reported that
37 City Council asked staff to clean up and clarify the existing standards, and to ensure that new
38 standards were clear and fair to local businesses. He stated that staff believes that they have
39 followed the City Council's direction in developing the new Temporary sign provisions and that
40 further measures would be made to inform the community of what is being proposed.

41 **Commissioner Krenning** stated that violators who exceed their allowed timeframe for temporary
42 signs should be ticketed like any other violation that is subject to a fine.

1
2 **Chairman Molloy** explained that the proposed Temporary sign provisions had a lot to do with
3 simplifying the job of the code enforcement officers.
4

5 **Vice Chairman Ray** spoke of the need for amending the current code language, commenting that he
6 felt it was so vague that business owners had a difficult, if not impossible, time in interpreting it.
7 He stated that the proposed amendments by the Title 18 Committee would help to simplify the
8 language and actually make it less restrictive.
9

10 **Commissioner Meyers** reiterated the need for clear guidelines.
11

12 **Mr. Paulsen** proceeded with a summary of the code amendments being considered in 2010.
13 Following the Mr. Paulsen's summary comments, there were no further questions or comments from
14 the Commission.
15

16 **2. Review of 2009 Accomplishments and 2010 Goals**
17

18 Each year the Planning Commission reviews its accomplishments from the previous year and defines
19 goals for the New Year. This process helps to focus the Commission on identified priorities and
20 helps staff support the Commission in its endeavors.
21

22 **Robert Paulsen, Current Planning Manager** outlined the 2009 goals as established by the
23 Planning Commission and spoke of the progress made for each goal. He asked the Commission to
24 determine their accomplishments for 2009 and asked if there were any suggestions regarding the
25 need to adjust the current hearing procedures.
26

27 **Chairman Molloy** reported on a meeting he attended in another community where they provided a
28 signup sheet for people to sign in prior to the meeting indicating which item(s) they were going to
29 speak on. He stated that this process was designed to give the Commission/Council an idea of how
30 long the meeting might go and how many people wanted to speak to a particular item. In short, this
31 technique was used to streamline the citizen participation process.
32

33 **Commissioner Krenning** was opposed to the suggestion stating he did not feel there was an issue
34 with the current process. He commented that many times after presentation of an item and response
35 to clarifying comments, citizen's questions may often be answered. He did not want to do anything
36 that would discourage people from speaking.
37

38 **Chairman Molloy** stated that he felt this process might encourage more public comment not
39 discourage it.

40 **Commissioner Walsh** concurred with Commissioner Krenning and there was no further discussion
41 of this proposal.
42

1 **Mr. Paulsen** gave a brief description of the Goals for 2010 and asked if any of the items rise to the
2 level of accomplishments.

3
4 **Commissioner Meyers** stated he believed that **Goal #4, Timely distribution of Commission**
5 **meeting packets**, had been met and that staff has done a great job in accomplishing this goal.

6
7 **Chairman Molloy** stated that **Goal #3, Joint Study Session with City Council**, was an
8 accomplishment.

9
10 **Chairman Fancher** stated she felt that **Goal #5, Identify Commission priorities for amendments**
11 **to Title 18**, was accomplished and that the Commission has spent a lot a time discussing Title 18.

12
13 **Commissioner Krenning** stated that he believed that all goals were accomplished except for **Goal**
14 **#1, Examine/Adjust hearing procedures**. He felt that the City Attorney's office needed to focus
15 on this topic in order to help the Commission accomplish this goal. It was the consensus of the
16 Commission that 2009 **Goal #1, Examine/Adjust hearing procedures**, be move to the 2010 goals,
17 and that all other 2009 goals had been accomplished.

18
19 **Mr. Paulsen** asked the Commissioners if they were interested in discussing the Traffic Impact Study
20 process in a Study Session; the Commission did not express any interest in this topic.

21
22 **Commissioner Fancher** requested a Study Session on the Building review process (Tipton report).

23
24 The Commissioners all stated that wanted a study session focusing on the Downtown Be District
25 amendments as well as a vision of what is being worked on in the downtown area.

26
27 **Commissioner Krenning** stated that he would welcome a joint study session with the City
28 Council to gain an understanding of their philosophies relating to land use and development. He
29 stated that he would support a study session with an open forum with no set agenda.

30
31 **Commissioner Middleton** concurred and stressed the need to understand their philosophies and
32 where they see the future of Loveland. He stressed the importance for City Council to know that
33 the Commission is working with them.

34
35 **Commissioner Meyers** stated he would like to discuss the Council's planning and development
36 policy.

1 **Commissioner Fancher** requested that Mr. Paulsen continue to let the Commission know how the
2 Council votes on applications that the Commission forwards to the Council.

3
4 **Commissioner Krenning** spoke in support of more field trips commenting that he felt that they
5 were very helpful. He stated that he would like to review a completed project, looking at it from
6 start to finish. This would give the Commission the opportunity to see how closely developer
7 followed the plans as approved by the Commission. He clarified that he would want to see a project
8 that had mature landscaping as well as the original artist renderings.

9
10 **Commissioner Middleton** indicated an interest in hearing more on the legal side of the planning
11 and hearing process from the Assistant City Attorney, including providing the Commission with any
12 precautionary measures that they need to keep in mind of and possibly a refresher of the
13 Commission Conduct and Guidelines.

14
15 **Commissioner Fraser** suggested inviting someone from Economic Development to talk about what
16 they see for the future.

17
18 **Commissioner Krenning** thanked the staff for a great job, commenting that the city does a good job
19 in helping to determine how the city looks and feels; he further indicated that he thinks that Council
20 has also done an admirable job in guiding development.

21
22 **ADJOURNMENT**

23
24 *Commissioner Middleton made a motion to adjourn. Upon a second by Commissioner Meyers the*
25 *motion was unanimously adopted.*

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28 _____
29 Rob Molloy, Chair

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32 _____
33 Vicki Mesa, Secretary