



PLANNING COMMISSION MINUTES

September 13, 2018

Chair Gary Poole called the meeting to order at 7:00 p.m.

Commissioner John Howe led the Planning Commission and audience in the Pledge of Allegiance.

Also, present were Commissioners Duane Hopkins, Eliana Burke and Kelly Hickler. Alternate Kimberly Rodell was present and seated for the absent Commissioner Richard Foerster. Alternate Tracie Manske was present and seated for the absent Commissioner Erik Frandsen. Alternate Ruth Ann Nelson was present.

ADDITIONS TO OR DELETIONS FROM THE AGENDA

None

APPROVAL OF MINUTES

Commissioner John Howe moved to approve the July 26, 2018 meeting minutes. Commissioner Eliana Burke seconded; a vote was taken and passed 4:0:3 with Commissioners Duane Hopkins, Kimberly Rodell and Tracie Manske abstaining due to being absent from the July 26, 2018 meeting.

CONSENT AGENDA

None

PUBLIC HEARING: OPENED: 7:02 P.M. ORDINANCE NO. 3.01.115 - A Bill for an Ordinance to Amend Section 13.04.210 of the Parker Municipal Code Concerning Temporary Structures and Uses and

ORDINANCE NO. 5.74.2 - A Bill for an Ordinance to Amend Section 6.06.050 and Section 6.06.100 of the Parker Municipal Code Concerning Unlawful Acts and Penalties Related to Stage 1 and Stage 2 Fire Bans

Applicant: Town of Parker
Location: Townwide
Department: Community Development, Bryce Matthews

Bryce Matthews, Planning Manager, presented the staff report for the update to the Land Development Ordinance concerning temporary structures and uses and unlawful acts and penalties related to Stage 1 and Stage 2 Fire Bans concurrently; advising a separate motion is required for each. Mr. Matthews concluded with the determinations in staff's report and recommended the Planning Commission recommend Town Council approve the amendments.

Commissioners discussed with staff:

- if this change will only apply during a fire ban or can it be used for other cause; *(Staff said the change would only apply during a fire ban.)*
- if a recommendation could be made to use signage saying that we are under a Stage 1 or 2 fire ban instead of a denial once they have applied for a permit and obtained inventory; *(Staff said there has been outreach done through our Police Department to clarify the rules and it has not worked thus far.)*
- if this is driven by complaints from residents or some other reason; *(Staff said it is primarily due to residents complaining especially when approached by police or South Metro Fire and told they cannot use the fireworks.)*
- if it is possible to have more discussion with the police about using signs instead of banning businesses; *(Staff said that there are other jurisdictions that have instituted a similar ordinance.)*

APPLICANT PRESENTATION

Staff presentation only.

PUBLIC COMMENT OPENED

None

PUBLIC COMMENT CLOSED

PUBLIC HEARING: CLOSED: 7:09 P.M. ORDINANCE NO. 3.01.115 - A Bill for an Ordinance to Amend Section 13.04.210 of the Parker Municipal Code Concerning Temporary Structures and Uses and

ORDINANCE NO. 5.74.2 - A Bill for an Ordinance to Amend Section 6.06.050 and Section 6.06.100 of the Parker Municipal Code Concerning Unlawful Acts and Penalties Related to Stage 1 and Stage 2 Fire Bans

PLANNING COMMISSION DISCUSSION

Commissioner John Howe stated that this is a two-fold issue concerning both fire safety and personal safety. He said that we have a difficult time getting the residents to adhere to the law so we need to go one step further by eliminating some of the risk. He supported recommending Town Council approval.

Commissioner Eliana Burke said that the majority of these businesses are not owned locally and the products are not manufactured locally in addition to the safety concerns. She is in favor of the ordinance amendment.

Commissioner Kelly Hickler stated that due to the number of unincorporated pockets in Town that would still sell fireworks, people would not realize that they are not buying fireworks from the Town. She said that while the amendments have good intentions; it is not a solution.

Commissioner Kimberly Rodell agreed; she said when a business pays for a permit to sell goods they should not be faced with a potential ban to sell. She said there are better ideas such as requiring signage that states a fire ban is in effect and that you can be fined if fireworks are set-off. She does not support recommending approval for this amendment.

Commissioner Tracie Manske said that if you are banning fireworks because of a fire ban then you should ban other combustible items during a fire ban. She said that one should not be able to distinguish between products that can cause a fire.

Commissioner Duane Hopkins said that the amendments have good intent, but we are trying to solve a big problem with a small answer and that the ultimate question is should we sell fireworks in our jurisdiction or not. He said that this does not address the larger question, but this could be a band aid we need. He asked if the Planning Commission has the ability to make a broader recommendation.

Bryce Matthews, Planning Manager, stated that the Planning Commission does have the ability to amend the recommendation. He said that conditions for recommending approval can address that fireworks should not be permitted at all or add the requirement to post signs addressing the fire ban and possible fines for violations.

Chair Gary Poole said the Planning Commission also has the ability to propose a motion that these items be continued to have staff look at some of the concerns raised by the Planning Commission for further discussion with Town Council and the Town attorney.

Bryce Matthews, Planning Manager, said that it could be continued. He stated that he would have representatives from the Police Department and the Fire Marshall at the next meeting to share their experiences and concerns. He advised the proposed amendments appear at the request of the Police Department.

Commissioner John Howe moved that the Planning Commission continue Ordinance No. 3.01.115 to amend Section 13.04.210 of the Parker Municipal Code concerning temporary structure and uses to the October 11, 2018 Planning Commission meeting. Commissioner Duane Hopkins seconded; a vote was taken and passed 7:0.

Commissioner John Howe moved that the Planning Commission continue Ordinance No. 5.74.2 to amend Section 6.06.050 and Section 6.06.100 of the Parker Municipal Code concerning unlawful acts and penalties related to Stage 1 and Stage 2 fire bans to the October 11, 2018 Planning Commission meeting. Commissioner Duane Hopkins seconded; a vote was taken and passed 7:0.

PUBLIC HEARING: OPENED: 7:23 P.M. ORDINANCE NO. 5.28.23 - A Bill for an Ordinance to Amend Various Sections of Title 5, Section 6.02.020, Section 8.08.010, Section 11.17.020, Section 13.13.010, and Section 13.13.020 of the Parker Municipal Code Concerning Alcohol Beverages and Marijuana

Applicant: Town of Parker
Location: Townwide
Department: Community Development, Bryce Matthews

Bryce Matthews, Planning Manager, presented the staff report for the update to the Land Development Ordinance concerning alcohol beverages and marijuana. Mr. Matthews concluded with the determinations in staff's report and recommended the Planning Commission recommend Town Council approve the amendment.

Commissioners had no questions for staff.

APPLICANT PRESENTATION

Staff presentation only.

PUBLIC COMMENT OPENED

None

PUBLIC COMMENT CLOSED

PUBLIC HEARING: CLOSED: 7:25 PM. ORDINANCE NO. 5.28.23 - A Bill for an Ordinance to Amend Various Sections of Title 5, Section 6.02.020, Section 8.08.010, Section 11.17.020, Section 13.13.010, and Section 13.13.020 of the Parker Municipal Code Concerning Alcohol Beverages and Marijuana

PLANNING COMMISSION DISCUSSION

Commissioner John Howe said that this is a cut and dry clean up and he supported recommending Town Council approval.

All Commissioners agreed.

Commissioner Duane Hopkins moved that the Planning Commission recommend the Town Council approve Ordinance No. 5.28.23 to amend various Sections of Title 5, Section 6.02.020, Section 8.08.010, Section 11.17.020, Section 13.13.010 and Section 13.13.020 of the Parker Municipal Code concerning alcohol beverages and marijuana. Commissioner John Howe seconded; a vote was taken and passed 7:0.

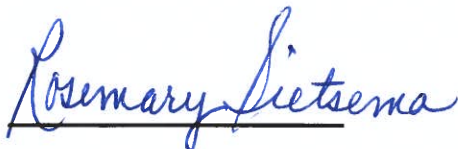
PLANNING COMMISSION ITEMS

None

STAFF ITEMS

ADJOURNMENT

The meeting was adjourned at 7:26 p.m.



Rosemary Sietsema
Recording Secretary



Gary Poole
Chair