



TOWN OF FIRESTONE
Planning and Zoning Commission
Regular Meeting Agenda

September 5, 2024
6:00 PM

9900 Park Avenue, Firestone, CO 80504

Town of Firestone Board and Commission meetings can be viewed live online at www.firestoneco.gov/Agendas

1. Call to Order & Roll Call

2. Pledge of Allegiance

3. Approval of Agenda

4. Approval of Minutes

a. Approval of the August 1, 2024, Planning and Zoning Commission Meeting Minutes

5. Public Comment * (maximum time permitted for all Public Comment is 30 minutes)

6. Public Hearings

a. **PUBLIC HEARING: RESOLUTION PC-24-05 - A RESOLUTION OF THE
FIRESTONE PLANNING & ZONING COMMISSION RECOMMENDING THAT THE
BOARD OF TRUSTEES APPROVE AN ORDINANCE AMENDING TITLE 16 OF
THE FIRESTONE MUNICIPAL CODE**

7. Staff Reports

8. Commissioner Comments

9. Adjournment

* Individuals that desire to address the Planning and Zoning Commission are requested to sign up at the table at the entrance to the meeting room. Each individual will be provided an opportunity to speak (limited to two minutes) during Public Comment. Maximum time permitted for all Public Comment is 30 minutes for each Public Comment noted on Agenda.

If you need special assistance in order to participate in a Planning and Zoning Commission meeting, please contact the Town Clerk's Office at 303-531-6264 in advance of the meeting to make arrangements. A forty-eight-hour notice is requested.

**AGENDA INFORMATION
MEMORANDUM**

**TOWN OF FIRESTONE
PLANNING AND ZONING COMMISSION**



AIM No.: 4.a

Approval of Minutes

Meeting Date: September 5, 2024

Initiated By:

Department: Town Clerk

AGENDA ITEM

Approval of the August 1, 2024, Planning and Zoning Commission Meeting Minutes

RECOMMENDATION

SUMMARY

HISTORY AND PREVIOUS BOARD ACTION

ATTACHMENTS

1. DRAFT 08-01-2024 Planning and Zoning Commission Meeting Minutes



TOWN OF FIRESTONE
Planning & Zoning Commission
MINUTES
August 1, 2024

1. Call to Order & Roll Call

The Planning and Zoning Commission of the Town of Firestone met for a Regular Meeting on August 1, 2024, at the Police Department & Municipal Court building, 9900 Park Avenue, Firestone, Colorado. Chair Sutton called the meeting to order at 06:01 PM

The following were present upon the call of the roll:

Chair: Jim Sutton
Vice Chair: Tim Spiegelberg, Excused
Commissioners: Amber Harper
Dennis Haney
John Damsma
Patrick Hanafin
Pat Conner
Pat Young

Staff: **Present:** Eric DeBolt, IT Manager; Pam Howard, Planning Manager; Todd Bjerkaas, Director of Planning & Development; and Missy Carranco, Deputy Town Clerk.

2. Pledge of Allegiance

Chair Sutton led the pledge of allegiance.

3. Approval of Agenda

Motion by Commissioner Haney, **second** by Commissioner Harper, for the Approval of Agenda All in Favor, **Motion carried.**

4. Approval of Minutes

a. Approval of the June 6, 2024, Planning and Zoning Commission Meeting Minutes

Motion by Commissioner Damsma, **second** by Commissioner Harper, for Approval of Minutes All in Favor, **Motion carried.**

5. Public Comment * (maximum time permitted for all Public Comment is 30 minutes)

There were no individuals who came forward to provide public comment.

6. Public Hearings

- a. **Public Hearing: Resolution PC 24-04:** A RESOLUTION OF THE FIRESTONE PLANNING AND ZONING COMMISSION RECOMMENDING APPROVAL OF A SPECIAL REVIEW USE APPLICATION TO OPERATE A FAMILY CHILD CARE HOME (LARGE) ON REAL PROPERTY LOCATED ON LOT 5, BLOCK 2, OAK MEADOWS PUD FILING 1

Commissioner Hanafin recused himself from the Public Hearing due to the proximity of his residence to the property under consideration. The distance from his property lot line to the nearest corner of the subject property is approximately 255 feet, which falls within the Town's 300-foot mailed notice distance. He excused himself from this and the remainder of the meeting.

Public Hearing Resolution PC 24-04 was opened by Chair Sutton. Pam Howard, Planning Manager with the Town of Firestone, provided a presentation on Resolution PC 24-02, covering a special review use application to operate a family child care home (large) on real property located on lot 5, block 2, Oak Meadows PUD Filing 1. Following this, Maribel Z. Urbina, owner Little Steps--Pasitos, LLC presented her case.

Chair Sutton opened the floor for public comments, but no one came forward.

The Commissioners proceeded with their questions to both the staff and the business owner, seeking clarifications. Pam Howard and Jane Martin, a support representative for Maribel Z. Urbina with United Way Weld County, responded to the questions.

Chair Sutton closed the public hearing.

Motion by Commissioner Haney, **second** by Commissioner Harper, to Approve Public Hearing Resolution PC 24-04

Roll Call Vote:

Yes: Commissioner Haney, Commissioner Damsma, Commissioner Harper, Commissioner Young

No: Commissioner Conner

Abstain: None

Motion carried

7. Staff Reports

Pam Howard, Planning Manager, reported that the Board of Trustees has changed their meeting times to 6:00 PM going forward.

8. Commissioner Comments

9. Adjournment

Motion by Commissioner Damsma, **second** by Commissioner Harper, to adjourn. All in Favor, **Motion carried.**

Introduced and Approved the 5th of September, 2024

TOWN OF FIRESTONE, COLORADO

ATTEST

James Sutton, Chair

Missy Carranco, Secretary

DRAFT

**AGENDA INFORMATION
MEMORANDUM**

**TOWN OF FIRESTONE
PLANNING AND ZONING COMMISSION**



AIM No.: 6.a

Public Hearings

Meeting Date: September 5, 2024

Initiated By: Pam Howard

Department: Planning & Development

AGENDA ITEM

PUBLIC HEARING: RESOLUTION PC-24-05 - A RESOLUTION OF THE FIRESTONE PLANNING & ZONING COMMISSION RECOMMENDING THAT THE BOARD OF TRUSTEES APPROVE AN ORDINANCE AMENDING TITLE 16 OF THE FIRESTONE MUNICIPAL CODE

RECOMMENDATION

Staff recommends that the Planning & Zoning Commission approve Resolution PC-24-05 recommending approval of amendments to Title 16 of the Firestone Municipal Code.

SUMMARY

During the work sessions leading up to and the hearings during which the new Firestone Development Code (FDC) was considered in 2020, Town staff mentioned that updates to the code would be necessary from time to time. Many of these updates are handled through annual ordinance amendments. Occasionally, time-sensitive issues arise, causing the need for an immediate update. The updates proposed in this amendment include establishing the Board of Adjustment and updating the Table of Accessory Uses in regard to Family Child Care Home (Large).

HISTORY AND PREVIOUS BOARD ACTION

The Firestone Development Code was adopted by the Board of Trustees on June 24, 2020 (Ordinance 976), and the code became effective on July 30, 2020. Since that time, three amendments have been approved: Ordinance 982 was adopted on October 28, 2020, with an effective date of January 1, 2021; Ordinance 1003 was adopted on December 8, 2021, with an effective date of January 1, 2022; and Ordinance 1022 was adopted on December 14, 2022, with an effective date of January 1, 2023.

ATTACHMENTS

1. Ordinance 1047
2. Resolution PC-24-05

ORDINANCE NO. 1047

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO, AMENDING TITLE 2 (ADMINISTRATION AND PERSONNEL) AND SECTION 16.8 AND TABLES 3-2 AND 7.1 OF CHAPTERS 3 AND 7 OF TITLE 16 (FIRESTONE DEVELOPMENT CODE) OF THE FIRESTONE MUNICIPAL CODE, PERTAINING TO THE BOARD OF ADJUSTMENT AND LARGE FAMILY HOME DAYCARES

WHEREAS, Title 16 of the Firestone Municipal Code was enacted to adopt the Firestone Development Code (“FDC”), which establishes comprehensive regulations pertaining to the use and development of land within the Town of Firestone, along with procedures for review and approval of all applications for development activity within the Town, including staff and review board assignments and decision-making responsibilities; and

WHEREAS, the establishment, composition and governance of a planning and zoning commission and a board of adjustment are matters of local concern; and

WHEREAS, establishing the original and appellate jurisdiction of decision-making bodies in FDC administration, including the interpretation of the FDC and the power to grant variances, is a matter of local concern; and

WHEREAS, the Board of Trustees desires to amend certain provisions of Title 2 and Title 16 to address the efficacy of administering the FDC and to guide the growth and development of the Town; and

WHEREAS, the Board of Trustees believes these amendments will improve the understanding and administration of the FDC regarding those regulations and their underlying goals; and

WHEREAS, the Board of Trustees finds and declares this ordinance promotes the public health, safety and welfare of the public, including but not limited to its citizens and residents.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF FIRESTONE, COLORADO:

Section 1. Chapter 2.40, “Board of Adjustment,” of the Firestone Municipal Code is repealed in its entirety and reserved as follows:

Chapter 2.40 – Reserved.

Section 2. The “Family Child Care Home (large)” accessory use category row within Table 3-2 (Table of Accessory Uses) of Section 16.3.3 of the Firestone Development Code is repealed in its entirety and replaced to read as follows:

ACCESSORY USE	RESIDENTIAL					COMMERCIAL				OTHER				Use-Specific Standards
	RR	R-A	R-B	R-C	OTR	NC	RC	LI	OTC	DR	AG	OS	PLI	
Family Child Care Home (Large)	P	P	P	P	P						P			3.3.G.2

Section 3. The “Board of Adjustment” column for the “Variance” row within Table 7.1 (Summary of Administration and Roles) of Section 16.7.1 of the Firestone Development Code is repealed in its entirety and replaced to read as follows:

TABLE 7.1: SUMMARY OF ADMINISTRATION AND REVIEW ROLES

NOTE: This table summarizes the general review and decision-making responsibilities for the procedures contained in Chapter 7.

R = Review (Responsible for Review or Recommendation)
D = Decision (Responsible for Final Decision)

H = Hearing (Public Hearing Required)
A = Appeal (Authority to Hear/Decide Appeals)

			Decision-Making Body					Notice Required			
Procedure	Section		Board of Trustees	Planning Comm.	Board of Adjstmnt.	Chief Building Official	Town Staff	Referral Agencies/ Consultants	Town	Mailed	Property Posted
Variance	16.7.8				D-H		R	R	X	X	X

Section 4. Section 16.8.2, “Board of Adjustment,” is repealed in its entirety and replaced to read as follows:

Section 16.8.2 Board of Adjustment.

- A. Established. The Board of Adjustment is hereby established. The powers, duties and responsibilities provided by Section 31-23-307(1), C.R.S., as amended, are hereby vested in the Planning and Zoning Commission, which shall serve and act as the Board of Adjustment for the Town.
- B. Review and decision-making responsibilities. The Board of Adjustment shall have the review and decision-making responsibilities set forth in Table 7.1-1.

Section 5. If any article, section, paragraph, sentence, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision will not affect the validity or constitutionality of the remaining portions of this ordinance. The Board of Trustees hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts was declared unconstitutional or invalid.

Section 6. Violations of this ordinance shall be punishable in accordance with Section 1.16.010 of the Municipal Code of the Town of Firestone, Colorado.

Section 7. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED BY
TITLE this __ day of _____, 2024.

TOWN OF FIRESTONE, COLORADO

Don Conyac Jr., Mayor

ATTEST:

Miriam Luna Gonzalez Town Clerk

APPROVED AS TO FORM:

William P. Hayashi, Town Attorney

FIRESTONE PLANNING & ZONING COMMISSION

RESOLUTION NO. PC-24-05

**A RESOLUTION OF THE FIRESTONE PLANNING & ZONING COMMISSION
RECOMMENDING THAT THE BOARD OF TRUSTEES APPROVE AN ORDINANCE
AMENDING TITLE 16 OF THE FIRESTONE MUNICIPAL CODE**

WHEREAS, a Unified Development Code (“UDC”) has been identified as a critical tool in the implementation of the Town’s updated master plans; and

WHEREAS, the UDC, entitled the Firestone Development Code (“FDC”) establishes land use regulations and promotes orderly development within the Town of Firestone; and

WHEREAS, the FDC is a compilation of development regulations included in zoning, subdivision, and other land use and development related ordinances and regulations; and

WHEREAS, the Town of Firestone identifies a benefit to amend certain provisions of Title 2 and Title 16 to address the efficacy of administering the FDC and to guide the growth and development of the Town; and

WHEREAS, the Firestone Planning & Zoning Commission has reviewed the draft amendments to the FDC, and considered the merits of these amendments in a public hearing on September 5, 2024; and

WHEREAS, the Firestone Planning and Zoning Commission wishes to make a recommendation to the Board of Trustees regarding the amendments.

NOW, THEREFORE, BE IT RESOLVED BY THE FIRESTONE PLANNING & ZONING COMMISSION:

1. That the Firestone Planning & Zoning Commission recommends approval of an ordinance amending Title 16 of the Firestone Municipal Code as detailed in Exhibit A.

INTRODUCED, READ AND ADOPTED AT A REGULAR MEETING OF THE FIRESTONE PLANNING AND ZONING COMMISSION THE 5TH DAY OF SEPTEMBER, 2024.

Chairperson

ATTEST:

Secretary

EXHIBIT A