

TOWN OF ERIE

*645 Holbrook Street
Erie, CO 80516*



Meeting Minutes

Wednesday, October 4, 2023

6:30 PM

In Person Meeting

Virtual Link for Viewing & Public Comment Only:

Council Chambers
<https://bit.ly/4Oct23PCMtg>

Planning Commission

I. CALL TO ORDER & PLEDGE OF ALLEGIANCE TO FLAG

Chair Burns opened the October 4, 2023 Planning Commission Meeting at 6:31pm.

II. ROLL CALL

Roll Call:

Commissioner Braudes - present
Commissioner Dreckman - present
Commissioner Baham - absent
Commissioner Hemphill - present
Commissioner Booth - absent/excused
Vice Chair Laws - present
Chair Burns - present

A quorum was present.

III. APPROVAL OF THE AGENDA

Vice Chair Laws moved to approve the October 4, 2023 Planning Commission Meeting agenda. The motion, seconded by Commissioner Dreckman, carried with the following roll call vote:

Commissioner Braudes - yes
Commissioner Dreckman - yes
Commissioner Hemphill - yes
Vice Chair Laws - yes
Chair Burns - yes

Motion passes unanimously.

IV. APPROVAL OF MINUTES

[23-487](#)

Approval of the September 6, 2023 Planning Commission Meeting Minutes

Attachments: [September 6, 2023 Planning Commission Meeting Minutes](#)

Commissioner Braudes asked that a correction be made to the September 6, 2023 Meeting Minutes as there was typo in Commissioner Reports. The organization should read as "SISU" and not "SISOUX".

Commissioner Hemphill moved to approve the September 6, 2023 Planning Commission Meeting Minutes with corrections as noted. The motion, seconded by Commissioner Braudes, carried with the following roll call vote:

Commissioner Braudes - yes
Commissioner Dreckman - yes
Commissioner Hemphill - yes
Vice Chair Laws - yes
Chair Burns - yes

Motion passes unanimously.

V. PUBLIC COMMENTS

No public comments were taken.

VI. GENERAL BUSINESS

23-490 Affordable Housing Update

Attachments: [Affordable Housing Briefing - Presentation](#)
[Housing Needs Assessment and Strategy](#)

Chair Burns announced Agenda Item 23-490: Affordable Housing Update and turned it over to staff for a presentation and update.

MJ Adams, Affordable Housing Manager gave the Commission an overview of her background and provided a brief presentation to the Commission regarding the Affordable Housing status.

Chair Burns brought it back to the Commission for any questions or comments of staff.

Some questions/comments included the following:

- What is considered "affordable"?
- Metro District approval and restrictions on cost
- Public safety/First responders in town
- Development costs/infrastructure
- Feasibility studies
- Owner occupied rate/national average
- Other municipalities owner occupied rates
- Payment in-lieu numbers
- Preference on receiving that cash
- Affordable Housing Manager's responsibility (Affordable Housing vs. Transportation)
- Density calculations
- Capacity
- Partnerships with Boulder County & Weld County
- Affordable housing numbers & off-set between the County numbers
- How the Planning Commission assists in the goal of the Affordable Housing issue
- Metro Districts and Affordable Housing clarification
- Management/governance between Counties and Affordable Housing

The Commission thanked Ms. Adams for the update.

Ms. Adams mentioned the Regional Housing Partnership is looking to do a Housing Summit in January, 2024 though no date has been set. Ms. Adams will keep the Commission updated.

Chair Burns noted that Affordable Housing is more than just the Town Planning Department saying it's a need but it's regional and statewide.

Ms. Adams added that it has the potential to impact the economy and housing costs as people are unable to achieve the type of housing they want to stay in.

Planning Commission Legal Training

Attachments: [Draft Presentation](#)

Chair Burns announced the item on the agenda: Legal Training for the Planning Commission.

Lisa Ritchie, Planning Manager introduced Sam Light from CIRSA and Town Attorney, Kunal Parikh who will be providing training and information to the Commission regarding their roles as Commissioners.

The presentation covered the following discussion topics:

- CIRSA
- Quasi-Judicial Proceedings
- Land Use Responsibility
- Due Process
- Ethics
- Public Hearings
- Using Staff as a resource
- Participation and preparation
- Process consistency
- Focus on matter at hand
- Ex-parte communication
- Open Meetings Law
- Deliberations
- Recommendations
- Decision

Kunal Parikh, Town Attorney reviewed additional Erie based training with the Planning Commission.

- Review Erie Municipal Code Title 3, Chapter 1
- Unified Development Code - Title 10 of the Erie Municipal Code (10-7-2 Procedures)
- Familiarity with Robert's Rules of Order
- Membership (Residency)
- Regular Meeting Dates
- Request for Special Meeting
- Section 3-1-1-C of the Municipal Code: Removal of Commission Members/Attendance/Leave of absence
- Home Rule Charter and changes for the Commission
- Article 33 of Title 31 - Planning Zoning Comprehensive Plan
- Motions/Procedures and Conflict
- All Meetings are open to the public meetings - votes are approved at regular or special meeting
- Affirmative vote of the majority of the commission/absence and conflict of interest
- Matters introduced by a motion
- Open Meetings Law
- Social Media Policy

Questions/comments from the Commission included the following:

- Suggestion to conduct legal/quasi-judicial training for the Open Space and Trails and Advisory Board

- Evidence based decision making and Commission packets
- Handling of contact via social media
- Ensuring procedural process during hearings
- Executive Session clarification

The Commission thanked Mr. Light and Mr. Parikh for their presentations.

VII. STAFF REPORTS

Lisa Ritchie announced that tonight is her last meeting with the Commission. She has accepted a position as a Director with the Town of Superior. It has been a real pleasure to work with the Commission in this short amount of time. Ms. Ritchie thanked the Commission for serving the Town in their roles as Commissioners.

Ms. Ritchie noted the Melinda Helmer will remain a point of contact until we know more about who her replacement will be.

Chair Burns asked if Ms. Helmer will remaining in the role of Commission Secretary and Ms. Helmer noted that Planning Technician Doug Trettin is off for the evening and will still be in training to take over as Commission Secretary.

VIII. COMMISSIONER REPORTS AND DISCUSSION ITEMS

Chair Burns asked if the Commissioners had any topics to discuss.

Commissioner Braudes asked about the email he sent out and potential topics for future meetings. He also noted that he has been working with the Boulder Philharmonic on and off for years about work in Erie. There will be an upcoming meeting with staff to discuss the Performing Arts Center that may be built.

Lisa Ritchie suggested adding work session item on a future agenda in which the Commission could discuss potential future topics.

Commissioner Braudes asked for clarification on when it's ok to bring forth items of community interest.

Chair Burns also noted about potential agenda items/topics with regards to advocacy vs. the quasi-judicial role in terms of policy discussion/joint meeting with different boards. Policies are set at the Board level.

Ms. Ritchie noted it would be fine from time to time to have joint hearings with other boards/commissions when their is an overlapping item of discussion. Ms. Ritchie also noted that the Commission does not set Town policy but makes recommendation to the Board and there couldn't be any collaboration on a quasi-judicial matter.

A brief discussion was held regarding time to bring agenda items/topics to the Commission agenda.

Chair Burns noted that he gave the Bi-Annual Presentation to the Board and the Board is very excited to see the Planning Commission move forward with their goals. There was positive feedback.

There was an iLegislate email that was sent to the Commission from the Town Clerk, Debbie Stamp. Staff will follow up on it.

Chair Burns noted that the most recent IT Security Trainings are out.

IX. ADJOURNMENT

Commissioner Braudes moved to adjourn the October 4, 2023 Planning Commission Meeting. The motion, seconded by Vice Chair Laws, carried with all in favor of adjournment.

Chair Burns adjourned the October 4, 2023 Planning Commission Meeting at 9:11pm.