



**City of Brighton
Planning Commission
Agenda**

January 22, 2026

6:00 p.m.

**Located in the 1st Floor Council Chambers at City Hall
500 South 4th Avenue, Brighton, CO 80601**

Chair:	Mark Rawlings	Ward I
Vice Chair:	Blaine Nickeson	At Large
Commissioners:	Stephanie Ohm	Ward II
	Kylie Parks	Ward III
	Kathryn LeDonne	Ward IV
	Jolene Cohen-McCoy	Alternate
	Kevin Wieland	Alternate
	Alan Marraudino	Youth

ATTENTION TO ALL ATTENDING PUBLIC HEARING

Please leave all cell phones out of the Commission Chambers or make sure that they are turned off before entering. Thank you!

Por favor apague todos teléfonos de celular y aparatos de busca personas antes de entrar al concejo municipal.
Muchas gracias!

- I. Call to Order at 6:00 p.m.**
- II. Pledge of Allegiance**
- III. Roll Call**
- IV. Seating of Alternates**
- V. Minutes from the December 11, 2025 Planning Commission Meeting Presented for Approval**
- VI. Public Invited to be Heard on Items Not on the Agenda**
- VII. Agenda Items**
 1. Public Hearing: 18-20 North Main (The Prohibition District LLC) – Grey Shipman Presenting
 2. Study Session: Bylaws Amendment – Yasmina Gibbons and Nick Di Mario Presenting
- VIII. Old Business**
- IX. New Business**
 1. Colorado Wildlife Resiliency Code Update – Nick Di Mario Presenting
- X. Reports**
 1. Assistant Director of Community Development
 2. Next Meeting: February 12, 2026
- XI. Adjournment**

Notice of Non-Discrimination

It is the policy of the City of Brighton to provide equal services, programs and activities without regard to race, color, national origin, creed, religion, sex, sexual orientation, disability, or age and without regard to the exercise of rights guaranteed by state or federal law. The City of Brighton has a policy to provide language access services at no charge to persons with limited English proficiency (LEP) and persons with a disability who are served by the City.

For more information on non-discrimination or interpretation, please contact the City's Coordinator at ADACoordinator@brightonco.gov or 303-655-2096. The City will make reasonable accommodations for citizens in accordance with the Americans with Disabilities Act (ADA) or will arrange for an interpreter in accordance with Title VI of the Civil Rights Act. Any request for an interpreter must be made by 9:00 a.m. on the Thursday prior to the Planning Commission meeting.

Si desea traducción o acomodaciones de acuerdo con la Ley de Derechos de Discapacitados ("ADA" en inglés) o Título VI, por favor comuníquese por correo electrónico a ADACoordinator@brightonco.gov o 303-655-2096. Cualquier petición para un intérprete debe ser pedido antes de las 9 a.m. el jueves anterior de la sesión de la Comisión de Planificación.

**CITY OF BRIGHTON
PLANNING COMMISSION
MINUTES**

December 11, 2025

I. CALL TO ORDER

Chair Rawlings called the meeting to order at 6:01 PM

II. PLEDGE OF ALLEGIANCE

Chair Rawlings lead the Pledge of Allegiance.

III. ROLL CALL

Roll call was taken with the following Commissioners in attendance: Mark Rawlings, Kathryn LeDonne, Kylie Parks, Stephanie Ohm, Jolene Cohen-McCoy, Kevin Wieland, and Alan Marraudino were present; Blaine Nickeson was excused; Paula Acosta was absent.

STAFF PRESENT

Alicia Calderon, City Attorney; Shannon McDowell, Assistant Director of Community Development; Emma Lane, Senior Planner; Shawn Weiman, Affordable Housing Coordinator; Amanda Diaz, Associate Planner; and Jon Waines, Commission Secretary.

IV. SEATING OF ALTERNATES

Commissioner Wieland was seated.

**V. MINUTES FROM November 13, 2025, PLANNING COMMISSION MEETING
PRESENTED FOR APPROVAL**

**Motion by Commissioner Ohm to approve minutes from November 13, 2025,
Planning Commission meeting.**

Second by Commissioner Parks.

Voting Aye: All Present

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

None presented.

VII. AGENDA ITEMS

1. Public Hearing: James Zoning Map Amendment – Emma Lane Presenting

Chair Rawlings opened the Public Hearing at 6:04 PM

Senior Planner Emma Lane presented on the proposed rezoning of the described property from A-1 (Agriculture-1) with Adams County to C-2 (Restricted Retail and Services) with the City and detailed that a rezoning is part of annexation which this property is currently in the process of completing. Finding the request in accordance with the Comprehensive Plan and the Land Use and Development Code Section 2.03B, staff recommended approval of the proposal. Applicant representative, Lead Planner at H.R. Green, Jeff Liljegren also presented on the project.

Chair Rawlings called for questions from the Commission of Staff

No questions

Chair Rawlings called for questions from the Commission of Applicant

One question was asked by the Commission. The question was answered by Staff.

Chair called for any member of the public to comment about the item being presented, summarized:

One member of the public asked questions of Staff. Staff answered all questions.

Chair called for comments from the Commission

One comment was made by the Commission.

Chair closed the Public Hearing at 6:21 PM

Motion by Commissioner LeDonne to approve the resolution.

Second by Commissioner Parks.

Voting Aye: All Present

Motion Passes: 5-0

2. Public Hearing: Accessory Dwelling Unit Code Amendment – Shawn Weiman Presenting

Chair Rawlings opened the Public Hearing at 6:24 PM

Affordable Housing Coordinator Shawn Weiman presented on the proposed Land Use and Development Code Article 5 amendment

regarding setbacks for Accessory Dwelling Units. Finding the amendment in accordance with the Comprehensive Plan and that the amendment brings the Code into compliance with State Statute, Staff recommended approval.

Chair called for questions from the Commission of Staff

No questions.

Chair called for any member of the public to comment about the item being presented, summarized:

No comments.

Chair called for comments from the Commission

No comments.

Chair closed the Public Hearing at 6:28 PM

Motion by Commissioner Wieland to approve the resolution.

Second by Commissioner LeDonne.

Voting Aye: All Present

Motion Passes: 5-0

3. Public Hearing: Gas Station Code Amendments – Amanda Diaz Presenting

Chair Rawlings opened the Public Hearing at 6:29 PM

Associate Planner Amanda Diaz presented on the proposed Land Use and Development Code Articles 4, 6, and 11 amendments regarding gas stations within the City. Staff proposed a refinement of definitions and restrictions that apply to fueling stations, removing the size-based definitions and replaced them with two new categories defined as fueling stations and travel centers. With consideration of the Comprehensive Plan in the present and future of the City, staff recommended approval.

Chair called for questions from the Commission of Staff

No questions.

Chair called for any member of the public to comment about the item being presented, summarized:

No comments.

Chair closed the Public Hearing at 6:35 PM

Motion by Commissioner Wieland to approve the resolution.

Second by Commissioner Parks.

Voting Aye: All Present

Motion Passes: 5-0

VIII. OLD BUSINESS

No old business.

IX. NEW BUSINESS

No new business.

X. REPORTS

Chair Rawlings invited staff to present, summarized:

1. Assistant Director Shannon McDowell presented that City Council approved amendments to reduce and remove fees for Accessory Dwelling Units as well as additional steps the City is taking to make housing more affordable in Brighton. There will be a joint Study Session with City Council on January 13, 2026.
2. Next meeting: To be scheduled.

XI. ADJOURNMENT

Motion of adjournment by Commissioner LeDonne.

Second by Commissioner Parks.

Meeting adjourned by Chair Rawlings at 6:39 PM

Recorded by: Commission Secretary Jon Waines

Department of Community Development

Reference: 18-20 N Main St (The Prohibition District LLC) – Conditional Use Permit

To:	Chair Mark Rawlings and Members of the Planning Commission
Through:	Shannon McDowell, Assistant Director of Community Development
Prepared By:	Grey Shipman, Planner I
Date Prepared:	January 6, 2026

PURPOSE

To consider a Conditional Use Permit application (the “Application”) to allow a ‘Restaurant—Bar’ to operate at 18 and 20 N Main Street (the “Property”). Annamarie Alvarado and Moses Ramos are applying for the Conditional Use Permit, as representatives of the Prohibition District LLC (the “Applicant”), with the consent of the property owner, GES Properties LLC (the “Owner”).

The *Land Use & Development Code* (LUDC) defines a ‘Restaurant—Bar’ as a “restaurant where a significant portion of the business, in sales and hours of operation, involves **the sale of alcoholic liquors by the drink for consumption on premises.**” Within the Downtown zoning district, a Restaurant—Bar requires a conditional use permit. Per Article 2 of the LUDC, the Planning Commission makes the final determination to approve or deny a conditional use permit after a public hearing has been held. Additionally, the LUDC includes the review criteria by which a conditional use permit application should be evaluated. The Planning Commission may impose certain restrictions and conditions to ensure the Application meets the review criteria.

PROCESSES

When a conditional use permit is required, it is typically the fifth step in the development process. The process is generally as follows:

Annexation > Zoning > Subdivision Plan > Platting – Final Plat > **Conditional Use Permit/Site Plan** > Building Permits

A Conditional Use Permit would enable the Applicant to apply for building permits, such as a Tenant Improvement Permit, if necessary, and would also allow the Applicant to apply for a business license.

CRITERIA BY WHICH THE PLANNING COMMISSION MUST CONSIDER THE ITEM

In its review of the Application, the Planning Commission shall use the criteria set forth in Section 2.07(B) of the LUDC:

1. The Application furthers the intent of the proposed zoning district, does not conflict with the intent of any abutting districts, and is otherwise determined to be consistent with the Comprehensive Plan.
2. Any associated site development or construction complies with requirements of the LUDC, including any conditions identified with any particular use.
3. Whether any additional site-specific conditions are necessary to meet the purposes and intent of the LUDC and the intent or design objectives of any applicable subsections of the LUDC, or to mitigate any other potential impacts that are specific to the proposed use.

4. The impact on the public realm, including the design and functions of streetscapes and relationships of building and site elements to the streetscape.
5. The adequacy of drainage, utilities and other public facilities.
6. Compatibility with the character of the area in terms of building scale, building form, architectural character and quality, landscape and site design.
7. Compatibility with the area in terms of operating characteristics such as hours of operation, visible and audible impacts, traffic patterns, intensity of use as proposed or foreseeable, and other potential impacts on adjacent property.
8. Whether a limited time period for the permit is reasonably necessary to either limit the duration of the use, assess the use against changing conditions in the area, or ensure periodic reporting and ongoing enforcement of the permit.
9. The Application will not have negative impacts on development and use of the neighboring property in accordance with the applicable development regulations.
10. The long-range plans applicable to the site and surrounding area are not negatively impacted considering the permanence of the proposed use, the permanence of existing uses in the area, and any changes in character occurring in the area.
11. The recommendations of professional staff or other technical reviews associated with the Application

BACKGROUND

The Property was annexed as part of the City Core Annexation. It is currently zoned as Downtown (DT), and it is platted as Lot 9 and the south 21ft of Lot 8 of the North Brighton Subdivision.

Surrounding Land Use(s):

<i>Surrounding Direction</i>	<i>Land Use(s)</i>	<i>Zoning</i>	<i>Annexation Status</i>
North	Commercial	Downtown	City of Brighton
South	Commercial	Downtown	City of Brighton
East	Commercial	Downtown	City of Brighton
West	Commercial	Downtown	City of Brighton

The Application is to operate a ‘Restaurant—Bar’ within both the 18 and 20 N Main Street units, which are two conjoined units within the same building. Although the former tenant, known as Main Bair Karaoke, previously operated a ‘Restaurant—Bar’ at the Property, a new Conditional Use Permit is required for The Prohibition District LLC to operate. A Conditional Use Permit is typically tied to a specific business and grants that business the ability to operate at specific location.

A Conditional Use Permit “provides flexibility for different uses within a zoning district and allows the potential for additional uses subject to specific conditions” (LUDC Sec. 2.07 A.). Conditional

Uses are "not generally appropriate throughout [a zoning] district." but they may be evaluated on a case-by-case basis (LUDC Sec. 2.07 A.). The Planning Commission may attach any additional conditions on the land use, including the physical development, operations, maintenance or any other limitation it feels necessary to ensure the application meets the criteria.

STAFF ANALYSIS OF THE APPLICATION

Below, staff provides an analysis of whether the Application meets each review criterion.

1. *The Application furthers the intent of the proposed zoning district, does not conflict with the intent of any abutting districts, and is otherwise determined to be consistent with the Comprehensive Plan.*

The proposed Conditional Use Permit allows beneficial use of a Property within Brighton's Downtown Historic District and contributes to the vibrancy of Downtown. Ensuring existing Downtown buildings, particularly historic structures, have continuous use encourages ongoing repair and maintenance by the building owners which, in turn, preserves the City's history and heritage.

Additionally, the proposed Conditional Use Permit meets other policies and strategies of the Comprehensive Plan. Within Chapter Four on 'Citywide Principles, Policies & Strategies' the proposed Conditional Use Permit advances a number of goals:

Policy 5.1: Protect and Enhance the Economic Health of Downtown and Brighton's Unique Identity (see also Downtown Urban Center Policy in Chapter 3)

Policy 5.4: Expand the Base of Commercial and Industrial Businesses Through Proactive Economic Development Activities

Policy 10.1: Encourage and Support Historic Preservation and Reuse of Existing Structures

The proposed Conditional Use Permit would enable a small, retail business to utilize an existing building within Brighton's Downtown Historic District. Small commercial businesses are a vital asset to Downtown Brighton, and they help ensure that downtown continues to be a vibrant, multi-faceted commercial area.

City staff finds that the proposed 'Restaurant—Bar' fits into the 'Primary Uses' category, of the 'Downtown' zone district and future land use designation, of which this Property and the surrounding area is included.

2. *Any associated site development or construction complies with requirements of the LUDC, including any conditions identified with any particular use.*

Owner will comply with Fire and Building Safety Standards for business operations, as well as the LUDC for any exterior modifications, including any conditions related to signage

3. *Whether any additional site-specific conditions are necessary to meet the purposes and intent of the LUDC and the intent or design objectives of any applicable subsections of the LUDC, or to mitigate any other potential impacts that are specific to the proposed use.*

City staff recommends five conditions that place reasonable limitations on the lawful operation of the 'Restaurant—Bar' to mitigate any potential impacts of the proposed operation on the neighboring properties and ensure the business obtains all necessary approvals to operate. As part of this Application the Applicant has agreed to abide by the proposed conditions outlined below. The Planning Commission may attach any additional conditions on the Conditional Use Permit, including the physical development, operations, and maintenance or any other limitation it feels is necessary to ensure the Application meets the review criteria at this location.

Proposed Conditions:

- (a) Approval of this Application shall not run with the land and is limited to the operation of a Restaurant—Bar by the Applicant in the existing building at the Property.
- (b) Applicant shall obtain the proper liquor license for the operation of a Restaurant—Bar from the Brighton Liquor Licensing Authority before the sale of alcohol will be permitted at the Property.
- (c) Applicant shall comply with the City's noise ordinance at all times.
- (d) Applicant shall obtain all necessary licenses and permits and comply with all applicable federal, state, and local laws, rule, and regulations at all times.
- (e) Within 90 days of the approval of the Conditional Use Permit, the Applicant shall cause to be removed all non-conforming signage that is currently located on the building. New signs for the Applicant's business must receive a Certificate of Appropriateness (COA) from the City's Historic Preservation Administrator, as well as sign permits, as applicable.

4. *The impact on the public realm, including the design and functions of streetscapes and relationships of building and site elements to the streetscape.*

The proposed 'Restaurant—Bar' would be located within an existing building on a site that has already been developed. No changes to the site are proposed or required.

5. *The adequacy of drainage, utilities and other public facilities.*

The proposed 'Restaurant—Bar' would be located within an existing building on a site that has already been developed. No changes to the site are proposed or required.

6. *Compatibility with the character of the area in terms of building scale, building form, architectural character and quality, landscape, and site design.*

City staff is recommending a condition to ensure existing signage on the building is removed. New signage for The Prohibition District LLC will be required to receive a Certificate of Appropriateness (COA) to comply with the Downtown Historic District design guidelines. Sign permits will also be required, as applicable.

7. *Compatibility with the area in terms of operating characteristics such as hours of operation, visible and audible impacts, traffic patterns, intensity of use as proposed or foreseeable, and other potential impacts on adjacent property.*

The proposed business operation is compatible with surrounding land uses.

8. *Whether a limited time period for the permit is reasonably necessary to either limit the duration of the use, assess the use against changing conditions in the area, or ensure periodic reporting and ongoing enforcement of the permit.*

Staff is recommending the Conditional Use Permit run with the business, i.e., The Prohibition District LLC. This allows for re-evaluation of the appropriateness of a Restaurant – Bar in this location if The Prohibition District LLC ceases to operate. If land uses change during the tenure of The Prohibition District LLC, any new similar business would be evaluated based on the land uses existing when a new Conditional Use Permit is pursued.

9. *The Application will not have negative impacts on development and use of the neighboring property in accordance with the applicable development regulations.*

The proposed 'Restaurant—Bar' will be required to operate in compliance with all City, state, and federal requirements. Additionally, City staff have re-iterated compliance with the City's noise ordinance as a proposed condition.

10. *The long-range plans applicable to the site and surrounding area are not negatively impacted considering the permanence of the proposed use, the permanence of existing uses in the area, and any changes in character occurring in the area.*

The proposed 'Restaurant—Bar' is compatible and furthers the vision of the long-range plans outlined in the Comprehensive Plan, enhancing the viability and character of the area.

11. *The recommendations of professional staff or other technical reviews associated with the application.*

The Development Review Committee (including external reviewing agency, CDOT) reviewed this Application and recommended approval with the conditions stated above.

PUBLIC NOTICE AND INQUIRY

As required by the LUDC, mailings were sent to all property owners within 300 feet of the proposed Conditional Use Permit on January 6, 2026, and included a letter describing the Application, as well as the time and place for the public hearing. Also included with the letter was a map of the subject area. A public hearing sign was posted on January 6, 2026, on the Property. A notice was published on the City's website on the same day. As of the posting of this report, Planning staff has not received formal comments regarding the Application in anticipation of the public hearing. City staff published public hearing information on Facebook and NextDoor on January 13, 2026.

SUMMARY OF FINDINGS AND STAFF RECOMMENDATION

Staff finds the proposed Conditional Use Permit for Prohibition District LLC is in general compliance with the review criteria set forth in LUDC Section 2.07(B) and, therefore, recommends approval with conditions, as outlined. Staff has drafted a resolution that includes five conditions, should the Planning Commission agree with staff's recommendation and wish to approve the Conditional Use Permit.

OPTIONS FOR THE PLANNING COMMISSION'S CONSIDERATION

The Planning Commission has four (4) options when reviewing this Conditional Use Permit application:

- 1.) Approve the Conditional Use Permit;
- 2.) Approve Conditional Use Permit with modifications to the draft resolution;
- 3.) Deny the Conditional Use Permit with specific findings to justify the denial; or
- 4.) Continue the item to be heard at a later specified date if the Commission feels it needs additional information to ensure compliance with the approval criteria.

ATTACHMENTS

- Draft Planning Commission Resolution
- Aerial Map by City Staff
- Application Coversheet and Floor Plans as Submitted by Applicant
- Neighborhood Meeting Minutes
- Public Notice on Website and Property Owner Notification
- Affidavit of Posting
- Buffer Map of Mailing Area by Applicant
- Website Publication Proof
- Draft City Staff Presentation

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BRIGHTON, COLORADO CONSIDERING A CONDITIONAL USE PERMIT FOR A RESTAURANT—BAR BUSINESS AT 18 AND 20 NORTH MAIN STREET, GENERALLY LOCATED TO THE NORTH OF E BRIDGE STREET, SOUTH OF STRONG STREET, EAST OF N MAIN STREET, AND WEST OF N CABBAGE AVENUE, IN THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO

WHEREAS, GES Properties LLC (“Owner,”) is the owner of the 0.17 acres of real property and improvements located at 18 and 20 North Main Street, more particularly described in EXHIBIT A, and depicted in EXHIBIT B, attached hereto and incorporated herein (the “Property”); and

WHEREAS, The Prohibition District LLC (the “Applicant”), with the consent of the Owner, has requested approval of a Conditional Use Permit for the use of the Property as Restaurant-Bar (the “Application”); and

WHEREAS, the Planning Commission conducted a public hearing to review and consider the Application pursuant to the applicable provisions and criteria set forth in Section 2.07 of the *Land Use & Development Code*; and

WHEREAS, in accordance with the public notice requirements of the *Land Use & Development Code*, a notice of public hearing was mailed to all property owners within 300 feet of the Property, a public notice was published on the City’s website, and a sign was posted on the Property, all for no less than fifteen (15) days prior to the Planning Commission public hearing; and

WHEREAS, at the public hearing, the Planning Commission received and considered all relevant evidence and testimony from City staff, the Applicant, the Owner, and other interested parties, including the public at large; and

WHEREAS, the Planning Commission finds and determines that sufficient justification exists to approve the requested Conditional Use Permit, so long as certain specific conditions are placed on said approval, as more specifically provided herein.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF BRIGHTON, COLORADO, AS FOLLOWS:

Section 1. Findings. The Planning Commission hereby finds and declares that the Application: (i) furthers the intent of the proposed zoning district and is consistent with the Comprehensive Plan; (ii) complies with the requirements of the

Land Use and Development Code; (iii) contains site-specific conditions necessary to meet the purposes and intents of the *Land Use and Development Code*; (iv) considers impacts to the public realm; (v) has adequate drainage, utilities, and other public facilities; (vi) is compatible with the character of the area; (vii) is compatible with the area in terms of operating characteristics; (viii) does not require a limited time period; (ix) will not have negative impacts on development and use of the neighboring property; (x) does not negatively impact the long-range plans applicable to the Property; (xi) has received the recommendation of professional staff.

Section 2. The Application is hereby approved, subject to the following conditions:

- a. The Conditional Use Permit shall not run with the land and is limited to the operation of a Restaurant—Bar by the Applicant in the existing building at the Property.
- b. Applicant shall obtain the proper liquor license for the operation of a Restaurant—Bar from the Brighton Liquor Licensing Authority before the sale of alcohol will be permitted at the location.
- c. Applicant shall comply with the City of Brighton's noise ordinance at all times.
- d. Applicant shall obtain all necessary licenses and permits and comply with all applicable federal, state, and local laws, rules, and regulations at all times.
- e. Within 90 days of the approval of the Conditional Use Permit, the Applicant shall cause to be removed all non-conforming signage that is currently located on the building. New signs for the Applicant's business must receive a Certificate of Appropriateness (COA) from the City's Historic Preservation Administrator, as well as sign permits, as applicable.

Section 3. This Resolution is effective as of the date of its adoption.

RESOLVED this 22nd day of January 2026.

CITY OF BRIGHTON, COLORADO
PLANNING COMMISSION

Mark Rawlings, Chairperson

ATTEST:

Amanda Besch, Secretary

APPROVED AS TO FORM:

Yasmina Gibbons, Deputy City Attorney

EXHIBIT A

LEGAL DESCRIPTION

Lot 9 and the south 21 feet of Lot 8, Block 4, North Brighton

Located in the southwest quarter of Section 6, Township 1 South, Range 66 West of the 6th Principal Meridian, City of Brighton, County of Adams, State of Colorado.

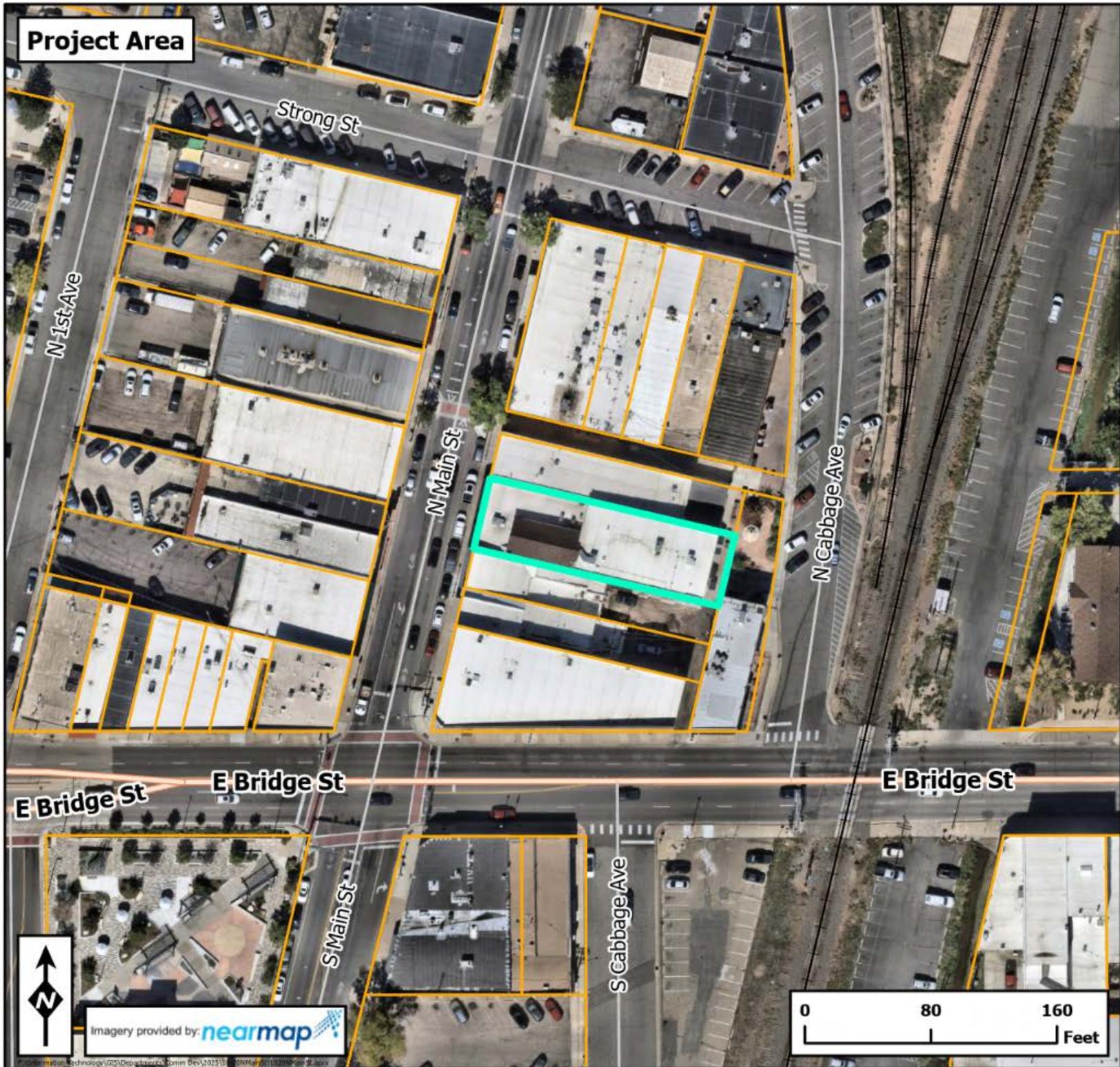
Addressed as 18 and 20 N Main St.

Approximately 0.17 acres of land

EXHIBIT B
PROPERTY MAP



Project Area



The Prohibition District LLC
18-20 N Main St.
Conditional Use Permit

City Staff Representative:
 Grey Shipman

Community Development
 Department

Applicant:
 The Prohibition
 District LLC

Owner:
 GES Properties LLC

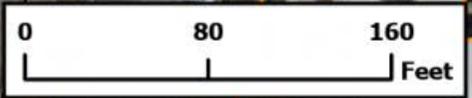
-  Subject Parcel
-  Parcel Boundary
-  City Boundary
-  Freeway/Highway
-  Major Road
-  Minor Road
-  Ramp

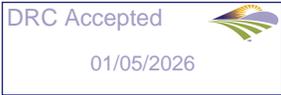
 **Brighton**
 Community Development
 Created: 12/31/2025

The map or digital product created or displayed was compiled from a variety of City, County, State and Federal maps, records, and surveys at various scales, accuracy, timeliness, and completeness. The City of Brighton has made every effort to insure the accuracy of the map or digital product; however, due to the matters beyond its control, the City does not guarantee the accuracy of the map or digital product and assumes no liability for use, reliance or misuse of the map or digital product. The City of Brighton shall not be held liable for any direct or indirect damage, loss, or liability as a result of using these maps or digital products. For more information about the digital map and GIS data please contact the City of Brighton's GIS Division.



Imagery provided by 





The Prohibition District

Project Submittal for City of Brighton, Colorado

Project Information

- Project Address: 18 – 20 N Main Street, Brighton, CO 80601
- Parcel ID: 1569-06-3-15-009
- Project Name: The Prohibition District
- Prepared For: City of Brighton Planning & Development Review Team
- Date: 11/25/2025
- Revision #: 0

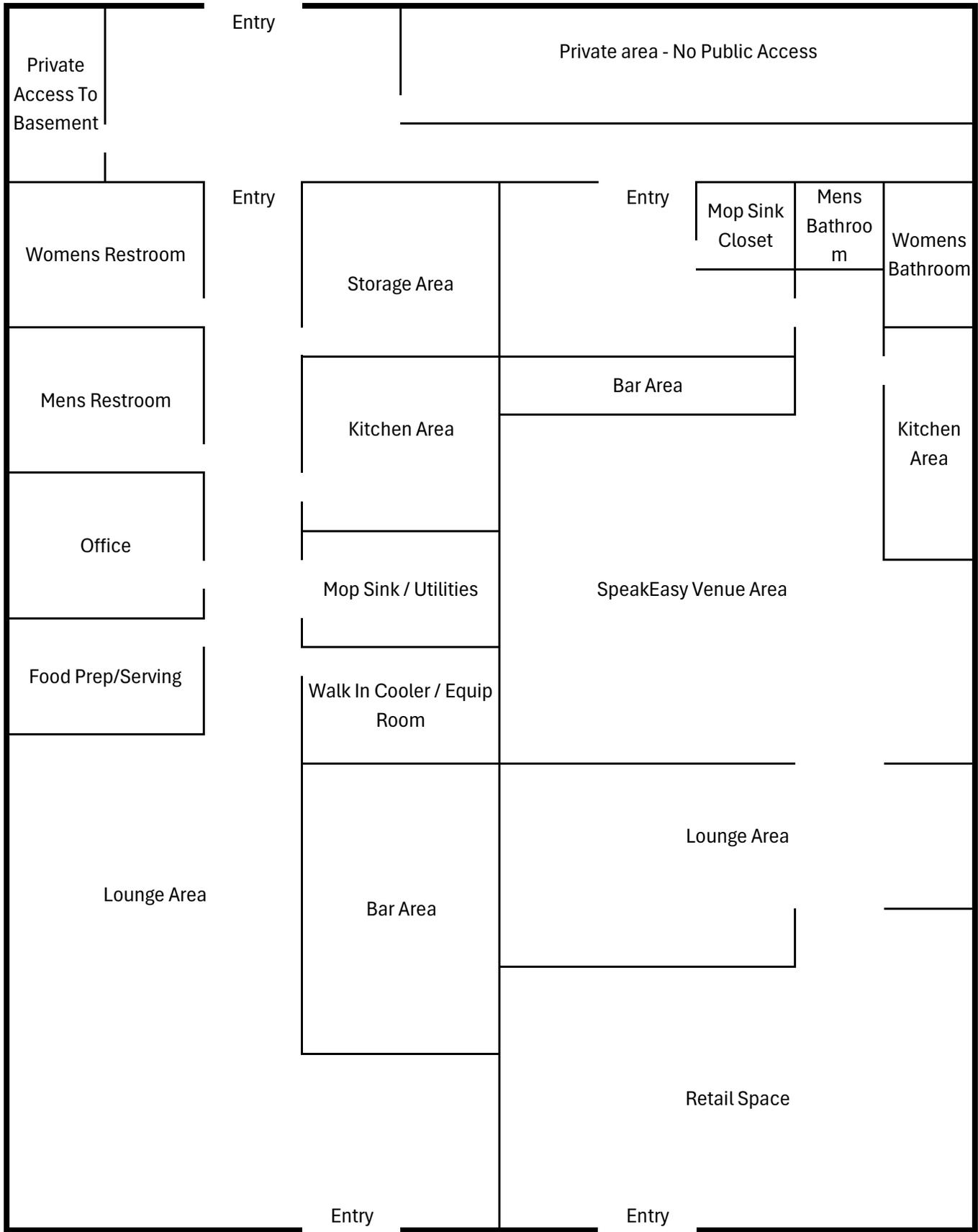
Applicant / Owner Information

- Owner / Applicant: Annamarie Alvarado – The Prohibition District LLC
- Business: The Prohibition District LLC
- Contact: 970-978-0259 – TT51998@gmail.com

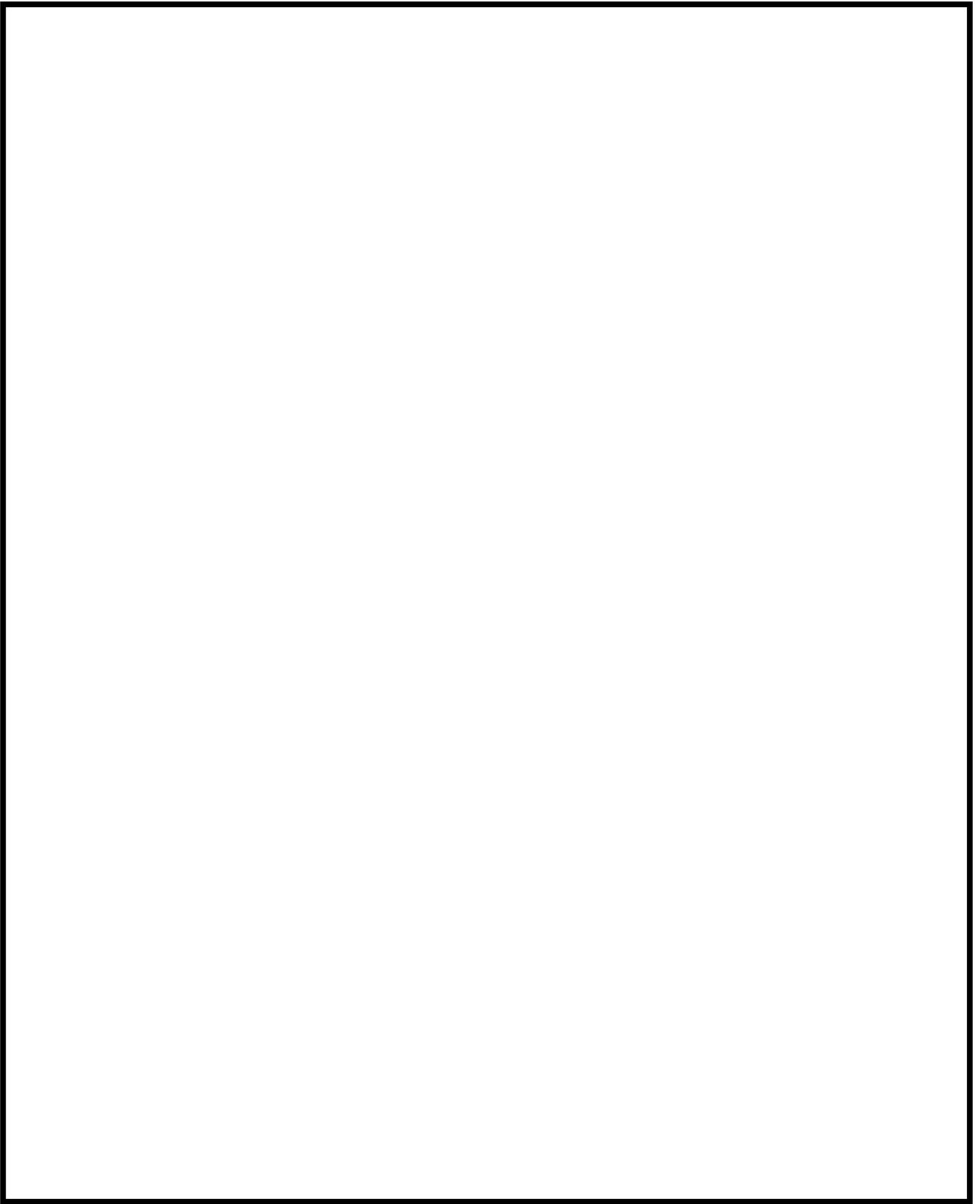
Drawing Index (Standardized Naming Convention)

- 001. C-1 – Cover Sheet
002. A-1 – Floor Plan
003. S-101 – Foundation Plan

Table with 2 columns: Department, Reviewer/Date. Rows include: Community Development Director (Shannon McDowell for Holly Prather), Planning (Grey Shapiro), Utilities (Arne Spake), Stormwater (Rachel Mertens), Public Works (Vic Martinez), Fire District (Todd Godek), Parks (Kyle Sylvester).



Exterior Perimeter Of Entire Building



- Neighborhood Meeting Minutes: A neighborhood meeting **may** be required by the Community Development Director. If a meeting is required, please provide neighborhood meeting minutes including evidence of summary, and outcomes of the meeting. Refer to section 2.01(D) of the Land Use and Development Code for additional information.

- Document Name: Neighborhood Meeting Minutes

DRC Accepted



01/05/2026

Comments

Moses Ramos
The Prohibition District
LLC
11/25/25 02:36 PM

Meeting Minutes

Meeting Title: Neighborhood Meeting – Prohibition District Bar & Lounge

Date: 11/24/2022 18:15

Location: [Virtual/Online Meeting]

Attendees:

- Annamarie Alvarado Moses Ramos (Applicant/Owner, Prohibition District)
- Jonathan Siefkes (Neighbor, Property Owner)
- Barb Siefkes (Neighbor, Property Owner)
- [Other attendees not specified]

Call to Order & Introductions

- Moses Ramos opened the meeting, introduced Anna Marie Alvarado as the applicant and owner of the Prohibition District, and explained the purpose of the meeting: to share
- Jonathan Siefkes introduced himself and his wife Barb as owners of neighboring buildings.

Project Overview

- The Prohibition District aims to be an upscale, community-focused bar and lounge, emphasizing safety, professionalism, and a high-quality guest experience.
- The venue is not intended to be a disruptive nightclub but a polished lounge for neighbors, professionals, and visitors.
- The property will be dedicated to bar and lounge operations under a new liquor license; no unrelated uses are planned.
- Plans include site and floor layouts, parking, lighting, and security improvements. These are preliminary and subject to city review.

Neighbor Feedback & Discussion

- Jonathan Siefkes expressed support for the project but raised two main concerns:
- Past Incidents: Fights at the previous karaoke bar sometimes resulted in property damage (broken glass doors). Suggested considering security measures such as a bounce
- Alleyway Issues: Ongoing problems with trash, illegal dumping, and encampments behind the buildings. Requested cooperation in keeping the area clean.
- Moses Ramos responded that the new venue will have a semi-dress code, close at 10 p.m. on weekdays and midnight on weekends, and aims to attract a more mature crowd maintaining cleanliness.

Business Operations & Plans

- The bar will focus on upscale mixology, martinis, and charcuterie boards. The speakeasy side will be used for reservation/ticketed events (e.g., bachelor/bachelorette, corpora
- Food and alcohol service will comply with state training requirements (alcohol server and food safety courses).
- The venue is limited in kitchen capability due to lack of a commercial hood.

City Process & Next Steps

- The city requires a new application process due to the name and scene change, including a new liquor license and business license.
- Steps include submitting meeting minutes and paperwork, city staff review, planning and zoning, and City Council approval.
- Next city meeting is scheduled for December 3rd.

Community Programs & Opportunities

- Discussion about city programs for outdoor seating ("bump-outs") and grants for façade and signage improvements through the Brighton Urban Renewal Authority (BURA).
- Jonathan Siefkes and Barb offered their support as references for the licensing process.

Additional Comments

- Parking challenges on Main Street were discussed, especially during dance studio hours.
- Infrastructure improvements (sprinkler system, structural reinforcement, parking pad) were noted.
- The anticipated opening is February, pending city approvals.

Adjournment

- Meeting concluded with mutual support and exchange of contact information for future cooperation.

Prepared by: Annamarie Alvarado

Date: 11/24/2025

[ver. 2] Edited By: Moses Ramos on 11/25/25 02:36 PM



Community Development
500 South 4th Avenue
Brighton, CO 80601
303-655-2072
www.brightonco.gov

January 6, 2026

Dear Interested Party:

I am writing this letter to inform you of an upcoming public hearing, which you may be inclined to attend. The hearing provides an opportunity for interested parties to voice their opinion on the proposed project to the Planning Commission. The input and opinions of residents and neighboring property owners provides valuable feedback to the Planning Commission, City staff, and the applicant. The following is some basic information that pertains to the project.

Application Type: **Conditional Use Permit:** The additional use of land, structures or both that may be allowed with certain restrictions and conditions as deemed necessary by the Planning Commission.

Summary: The request is to allow a Restaurant—Bar to operate at 18 & 20 N Main St. The Land Use and Development Code defines a Restaurant—Bar as a “restaurant where a significant portion of the business, in sales and hours of operation, involves **the sale of alcoholic liquors by the drink for consumption on premises.**” Within the Downtown zoning district, a Restaurant—Bar requires a Conditional Use Permit.

Location/Site Plan: The property is generally located to the north of E Bridge St, south of Strong St., east of N Main St., and west of N Cabbage Ave.

The abbreviated legal description is as follows: The southwest quarter of Section 6, Township 1 South, Range 66 West of the 6th Principal Meridian, City of Brighton, County of Adams, State of Colorado. **See the reverse side for a vicinity map.**

Reviewing Bodies: The Planning Commission makes the final determination to approve or deny the request after a Public Hearing (details below) has been held.

Public Hearings: **Planning Commission**
January 22, 2026

The hearing is held in the Council Chambers on the first floor of City Hall
Located at 500 S 4th Avenue, Brighton, CO 80601

Official Notice
Publication: January 6, 2026 posted on the City's Website.

Information continues on the reverse side.

**City Staff Project
Manager:**

Grey Shipman
Planner I
(303) 655-2295
gshipman@brightonco.gov

Applicant:

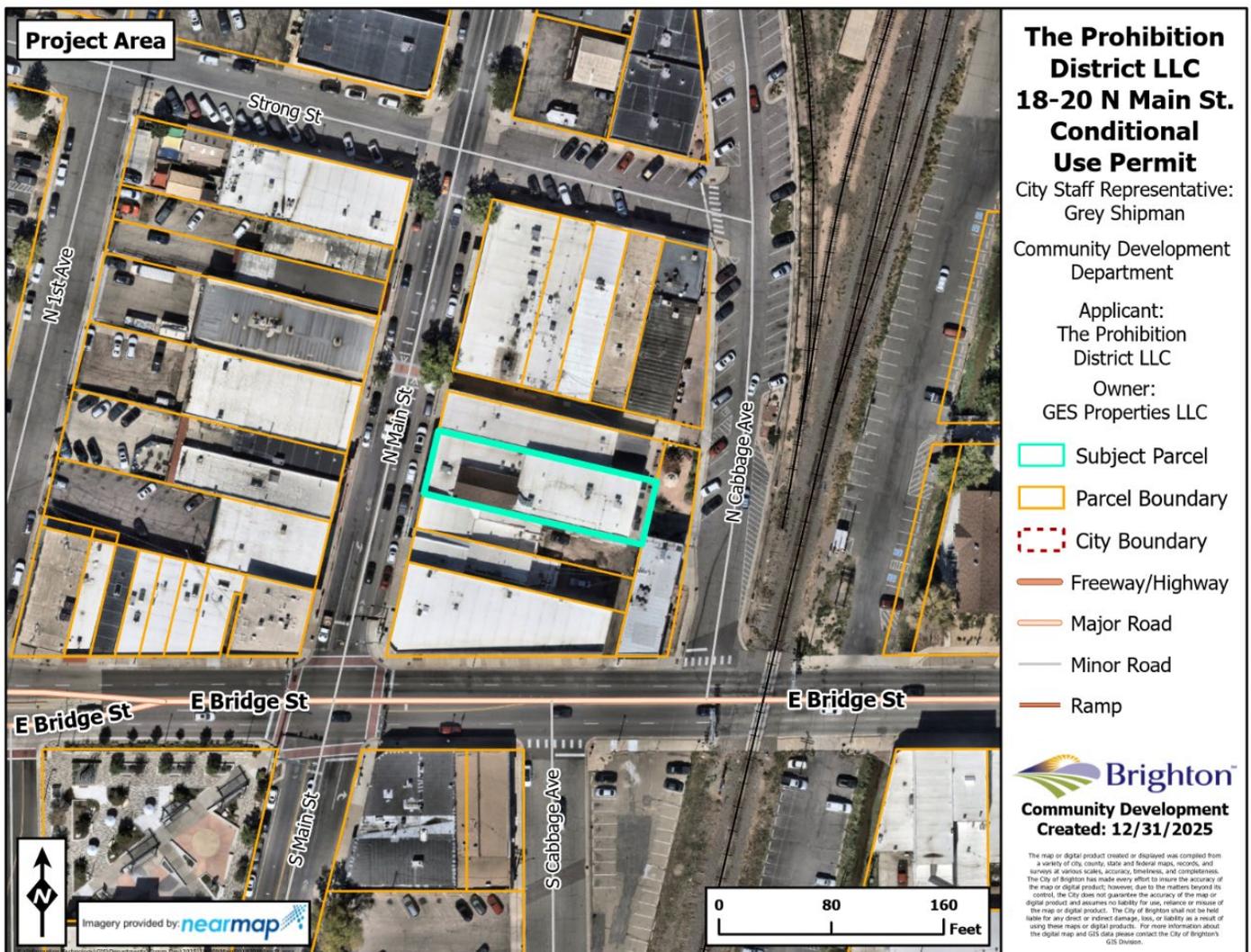
The Prohibition District LLC with permission from the property owner, GES Properties LLC.

Additional Info:

The review process allows the Planning Commission to determine the completeness of the application and its adherence to City Codes and policies. The Planning Commission will make the final decision on the application.

Please do not hesitate to contact me if you have any questions on this project or if you are unable to attend the hearing but would like to submit a comment into the record. **Public comments must be received at least 24 hours prior to the meeting time.** Thank you for your time.

Best regards,
Grey Shipman
Planner I



City of Brighton
NOTICE

PUBLIC HEARING

Date: 1/22/26 Time: 6:00 PM
PLANNING COMMISSION

Please visit www.brightonco.gov or call
(303) 655-2072 for more information.

20 N. Main S

WARNING
Closed circuit
CLOSED TELEVISION
SESAC

VISA
MasterCard
Discover
American Express
ATM

MONDAY: 5PM - 2AM
TUESDAY: 5PM - 2AM
WEDNESDAY: 5PM - 2AM
THURSDAY: 5PM - 2AM
FRIDAY: 5PM - 2AM
SATURDAY: 5PM - 2AM
SUNDAY: 5PM - 2AM
NO SOLICITING



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Legal Notices

SPECIAL MEETING NOTICES

PUBLIC HEARINGS

Planning Commission Public Hearing 1/22/2026: [Conditional Use Permit](#)

City Council Public Hearing 1/20/2026: [ADU Rear Setback Code Amendment](#)

City Council Public Hearing 1/20/2026: [LUDC Amendment - Gas Stations](#)

City Council Public Hearing 1/20/2026: [James Property Zoning Map Amendment](#)

Planning Commission Public Hearing 12/11/2025: [LUDC Amendment - Gas Stations](#)

Planning Commission Public Hearing 12/11/2025: [Accessory Dwelling Unit Amendments](#)

Planning Commission Public Hearing 12/11/2025: [James Property Zoning Map Amendment](#)

City Council Public Hearing 12/2/2025: [James Property Annexation](#)

FEE NOTICES

[Ordinance No. 2445 - Amending Water and Wastewater Fees](#)

[Ordinance No. 2398 - Amending Non-Potable Water Fees](#)

[2025 Fee Resolution - Resolution No. 2024-83](#)

[2025 Fee Resolution - Resolution No. 2024-104](#)



Hi there 🐾
How can we



Charlemos

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The Prohibition District Conditional Use Permit

Planning Commission – January 22, 2026

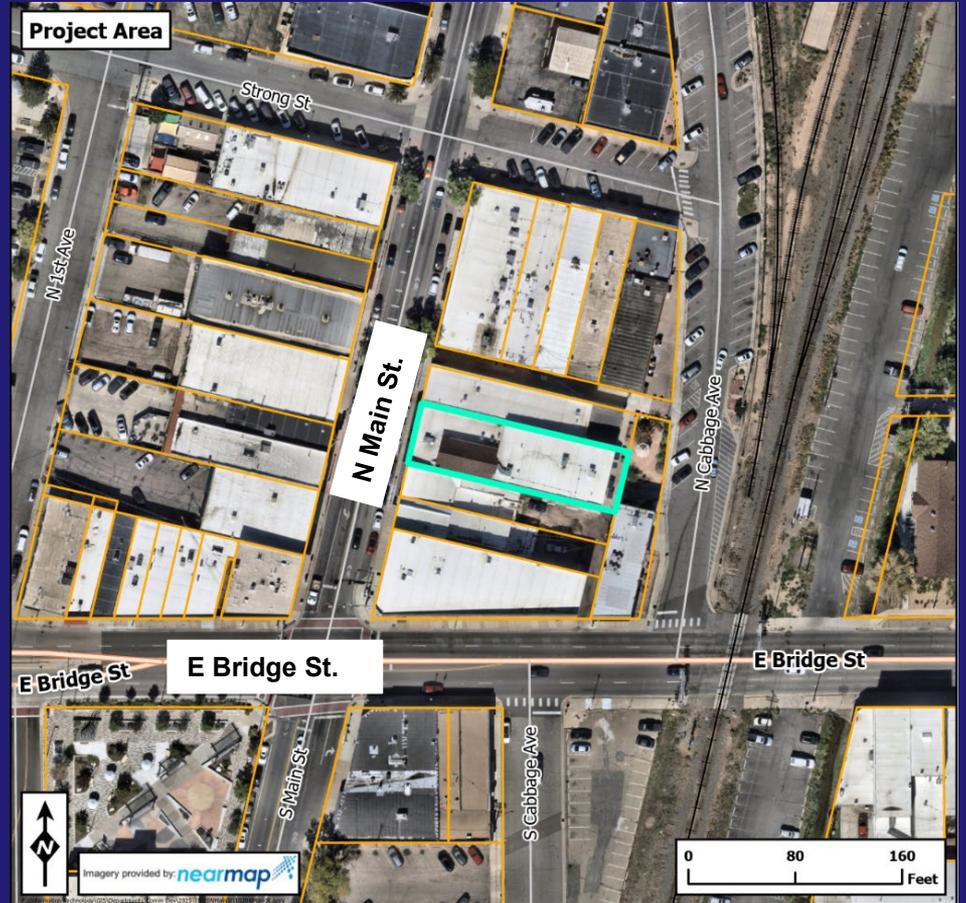
Applicant: The Prohibition District LLC

Property Owner: GES Properties LLC

City Staff Representative: Grey Shipman, Planner I

Subject Property Location

- The property is generally located to the north of E Bridge St, south of Strong St., east of N Main St., and west of N Cabbage Ave.



Aerial Map

Conditional Use Permit (CUP)

- A Conditional Use Permit “provides flexibility for different uses within a zoning district and allows the potential for additional uses subject to specific conditions” (LUDC Sec. 2.07 A.).
- Conditional Uses are "not generally appropriate throughout [a zoning] district" but they may be evaluated on a case-by-case basis to determine if they are appropriate for the area (LUDC Sec. 2.07 A.).
- This permit is required per *Article 4.03-Accessory Uses* of the *Land Use & Development Code*.

Purpose

- The request is to approve a Conditional Use Permit for a ‘Restaurant—Bar’ within the Downtown zoning district.
- This is the fifth step in the City’s current land development process.
 1. Annexation
 2. Zoning
 3. Subdivision Plan
 4. Final Plat
 5. Conditional Use Permit/Site Plan
 6. Building Permits

Process

- The *Land Use & Development Code* describes the review process for a Conditional Use Permit.
- Staff used the review criteria from the *Land Use & Development Code* to evaluate the proposal. (Section 2.07)

Background

The Property:

- Is 0.17 acres (Adams County Property Records).
- Was annexed as part of the City Core Annexation.
- Platted under the North Brighton subdivision.
- Is zoned “Downtown”.



Zoning Map

Proposed CUP Conditions

City staff is proposing the following five (5) conditions after review of the application materials. Staff finds that the proposed use is acceptable with the conditions drafted.

1. *Approval of this conditional use application shall not run with the land and is limited to the operation of a Restaurant—Bar (i.e., The Prohibition District) by The Prohibition District LLC, in the existing building at 18 & 20 North Main Street.*
2. *The Prohibition District LLC shall obtain the proper liquor license for the operation of a Restaurant—Bar from the Brighton Liquor Licensing Authority before the sale of alcohol will be permitted at the location.*
3. *The Prohibition District LLC shall comply with the City's noise ordinance at all times.*
4. *The Prohibition District LLC shall obtain all necessary licenses and permits and comply with all applicable federal, state, and local laws, rules, and regulations at all times.*
1. *Within 90 days of the approval of the Conditional Use Permit, the Applicant shall cause to be removed all non-conforming signage that is currently located on the building. New signs for the Applicant's business must receive a Certificate of Appropriateness (COA) from the City's Historic Preservation Administrator, as well as sign permits, as applicable.*

Future Land Use Map

- The Property is designated as Downtown.



Future Land Use Map

Comprehensive Plan

Chapter Four: Citywide Principles, Policies & Strategies

- **Policy 5.1** – *Protect and Enhance the Economic Health of Downtown and Brighton’s Unique Identity (see also Downtown Urban Center Policy in Chapter 3)*
- **Policy 5.4** – *Expand the Base of Commercial and Industrial Businesses Through Proactive Economic Development Activities*
- **Policy 10.1** – *Encourage and Support Historic Preservation and Reuse of Existing Structures*

Land Use & Development Code (Part I)

In making its decision, the Planning Commission shall use the following criteria (Section 2.07 B):

1. *The application furthers the intent of the proposed zoning district, does not conflict with the intent of any abutting districts, and is otherwise determined to be consistent with the Comprehensive Plan.*
2. *Any associated site development or construction complies with requirements of this code, including any conditions identified with any particular use.*
3. *Whether any additional site-specific conditions are necessary to meet the purposes and intent of this code and the intent or design objectives of any applicable subsections of this code, or to mitigate any other potential impacts that are specific to the proposed use.*
4. *The impact on the public realm, including the design and functions of streetscapes and relationships of building and site elements to the streetscape.*
5. *The adequacy of drainage, utilities, and other public facilities.*

Land Use & Development Code (Part II)

6. *Compatibility with the character of the area in terms of building scale, building form, architectural character and quality, landscape and site design.*
7. *Compatibility with the area in terms of operating characteristics such as hours of operation, visible and audible impacts, traffic patterns, intensity of use as proposed or foreseeable, and other potential impacts on adjacent property.*
8. *Whether a limited time period for the permit is reasonably necessary to either limit the duration of the use, assess the use against changing conditions in the area, or ensure periodic reporting and ongoing enforcement of the permit.*
9. *The application will not have negative impacts on development and use of the neighboring property in accordance with the applicable development regulations.*
10. *The long-range plans applicable to the site and surrounding area are not negatively impacted considering the permanence of the proposed use, the permanence of existing uses in the area, and any changes in character occurring in the area.*
11. *The recommendations of professional staff or other technical reviews associated with the application.*

Public Notice and Comment

- Public Notice was provided in accordance with the *Land Use & Development Code*.
- On January 6th
 - ✓ Written notice was mailed to all property owners within 300 feet of the Subject Property.
 - ✓ One sign was posted on the Subject Property.
 - ✓ Notice was published on the City's Website.
- City staff posted information for the public hearing on Facebook and NextDoor.
- A neighborhood meeting was held on November 24, 2025.
- Planning staff has not received any formal comments in advance of this hearing.

Summary of Findings

- ✓ The Development Review Committee has reviewed this project and recommends approval.
- ✓ Staff finds the Conditional Use Permit proposal is in general compliance with the requirements as outlined in the *Land Use & Development Code*, if approval is subject to the proposed conditions outlined in this presentation.

City Staff Recommendation

- ✓ Staff recommends approval of the Conditional Use Permit with 5 conditions as outlined in the draft resolution.

Options for Planning Commission

- Approve the CUP;
- Approve the CUP with changes to the drafted resolution;
- Deny the CUP with specific findings to justify the denial; or
- Continue the CUP to be heard at a later specified date.

City Attorney's Office and Department of Community Development

Reference: 2026 Planning Commission Bylaw Amendments

To: Chair Mark Rawlings and Members of the Planning Commission
Through: Shannon McDowell, Assistant Director of Community Development
Prepared By: Yasmina Gibbons, Deputy City Attorney
Nick Di Mario, AICP, Principal Planner
Date Prepared: January 9, 2026

PURPOSE

To consider amendments to the Planning Commission Bylaws (the "Bylaws"). The proposed amendments seek to align the Bylaws with the standard practices of the Commission. Additionally, staff are proposing alternations to the order of public hearing presentations, as well as to solicit Commission direction as to the appropriate time limit for public comments.

SUMMARY OF PROPOSED AMENDMENTS

Public Hearing Procedures

Staff is proposing a change to the order of presentations during a public hearing. Currently, City staff present the application to the Commission, followed by a presentation by the applicant. The proposed amended Bylaws re-order to public hearing procedure to have the applicant first present the application, followed by a presentation from City staff. Often, when the applicant is asked if they have anything to present, they defer to the staff presentation since it has already been given. By requiring the applicant to present first, the onus is put upon the applicant to provide an overview of the project. In addition, the applicant can offer additional contextual information about the project such as product type, projected sale price, types of businesses proposed, or renderings of the proposed development. This information, while not required or considered in the review criteria, aids understanding of the project being proposed.

An additional reason to require the applicant to present first is one of appearances. Often, when the applicant defers to the staff presentation, they commend staff for a job well done. While appreciated, this kindness and complete reliance on staff to present the project can send a message to the public that staff and the applicant are working cooperatively, particularly when the recommendation is approval. A distinction is needed so that the applicant is advocating for the project while the staff is providing factual information that directly relates to the review criteria.

In addition to the above-described change, as has been a long-standing practice of the Planning Commission, staff is proposing to clarify that speakers may not yield their time to other speakers. This is necessary for the orderly administration of public hearings and to prevent one public speaker from filibustering and ensure that all interested parties can be heard.

Finally, staff requests direction from the Commission as to whether the time-period for public comments should be altered. Currently, each speaker is afforded five minutes for their comment. Under the City Council Rules of Procedure, public comment is limited to three

minutes per speaker. Staff does not recommend a public comment period greater than five minutes as that may inhibit the orderly administration of public hearings, particularly during Commission meetings which have more than one public hearing on the agenda. The time-period for applicant presentations during a public hearing would be limited commensurate with the time-period for public comment.

Study Sessions

To align the Bylaws with the standard practice of the Commission, staff recommends removing the requirement that Study Session items are recommended by staff *and require the consent of at least two Commissioners* to be added to an agenda. The Commission will still retain the power to recommend Study Session items with the consent of two Commissioners.

Voting

As required by the *City of Brighton Home Rule Charter*, staff proposes a revision to explicitly state that each Commissioner who is seated and eligible to vote must vote on each motion.

Ex Parte Contacts and Conflicts of Interest

Finally, as has been the practice of the Planning Commission, and in accordance with Colorado law and the *Brighton Municipal Code*, staff recommends clarifying that Commissioners are prohibited from participating in any matter pending before the City Council that was the subject of a Planning Commission Meeting.

ATTACHMENTS

- Redlined Changes to the Bylaws
- Draft Staff Presentation

**BYLAWS OF THE PLANNING COMMISSION
OF THE
CITY OF BRIGHTON, COLORADO**

I. ENABLING AUTHORITY AND PURPOSE

Pursuant to Chapter 2, Article 2-36 of the City of Brighton Municipal Code, and C.R.S. § 31-23-204, the City of Brighton Planning Commission is authorized to adopt rules of procedure that shall govern the transaction of its business.

Accordingly, these Bylaws shall govern the procedure of the Planning Commission of the City of Brighton, Colorado, with respect to all matters entrusted to the Commission by the Colorado Statutes, the City of Brighton Municipal Code, the City Council, or by Ordinance or Resolution of the City of Brighton. Such matters include but are not limited to action upon development proposals; zoning requests; and matters of interpretation, implementation or revision of the City's Land Use and Development Code and Comprehensive Plan.

II. MEMBERSHIP, APPOINTMENT, OFFICERS, ETC.

Membership and Qualifications. The Planning Commission shall consist of five (5) regular members and two (2) alternate members, all of whom shall be at least eighteen (18) years of age and reside within the City of Brighton ("Commissioners"). Commissioners are appointed by the City Council and serve at the pleasure of Council, without compensation.

Term of Office; Term Limits. A Commissioner's term of service shall commence as determined by the City Council appointment, and expire at the end of such appointed term. The terms of office for each of the five (5) appointed members of the Planning Commission and two (2) alternates shall be four (4) years, or as otherwise determined by City Council. Commissioners shall serve until resignation, removal, or replacement by Council. All terms of service shall expire on January 31, and begin on February 1. The terms of each Commissioner shall be limited as prescribed in the Brighton Municipal Code.

Youth Commissioners. In addition to Commissioners, the Mayor and City Council may appoint "Youth Commissioners" from the membership of the Brighton Youth Commission. If appointed, Youth Commissioners generally serve as determined by Council. Youth Commissioners are entitled and encouraged to fully participate in the business of the Planning Commission, except that Youth Commissioners shall not be entitled to vote on any official matter.

Officers and Elections. The Commission shall select a Chair and a Vice Chair from among its regular members. The term of office for the Chair and Vice Chair shall generally be one year, with eligibility for re-election thereafter. Officers shall be elected annually during the first regular Meeting held on or after February 1. Officers serve until replaced.

All Commissioners except alternates shall stand as Nominees qualified to hold office. Any Commissioner not wishing to hold office may respectfully withdraw his or her name from

consideration, prior to any election. Silence by a nominee for office shall be construed as acceptance of a nomination. Voting shall be in writing by written ballot. The Secretary and City Attorney or designee (“City Attorney”) shall count the votes, and a Commissioner receiving a plurality of votes is elected to office.

- a. Chair. The Chair is responsible for conducting Commission meetings in an orderly and democratic manner, assuring that minority opinion may be expressed and that the majority is allowed to rule. The Chair shall decide all points of order, decorum, and issues of procedure, evidence and testimony, unless otherwise directed by a majority of the Commissioners in session at that time. The Chair, in his or her reasonable discretion, may temporarily relinquish such duties and delegate the same to the Vice Chair from time to time, for all or part of a particular Meeting or as to a certain Agenda item, and the Vice Chair shall fairly and properly conduct such Meeting or Agenda Item in all respects according to these Bylaws.
- b. Vice Chair. The Vice Chair shall preside in the absence of the Chair and shall perform all duties of the Chair. In the event that both the Chair and Vice Chair are absent, the next most senior Commissioner shall preside upon being recognized by the remaining Commissioners then present, and shall be seated as the Chair by a motion for the record.
- c. Secretary. The City Manager’s appointed representative shall act as the Secretary of the Planning Commission, without vote. The Secretary shall keep accurate records and minutes of all Meetings, shall mark and accept Exhibits for the record, and shall otherwise assist the Commission in furtherance of the Agenda and the business of the Planning Commission.
- d. Absences and Alternates. Any Commissioner who is unable to attend a Meeting shall so notify the Chair, Vice Chair, Secretary and/or Planning Staff in advance of such Meeting, and state the reason for his or her absence. More than two (2) unexcused absences may result in removal by Council. Meetings shall commence promptly at 6:00 p.m., at which time excused and unexcused absences, if any, shall be recognized for the record. In the case of an absence or a vacancy that prevents a quorum of regular members or would result in a tie vote, the Chair shall duly seat an Alternate. An Alternate thus duly seated shall be entitled to vote on all matters coming before the Commission. In all other situations the Alternate is entitled and encouraged to participate in discussion and deliberation, but shall not be entitled to vote.
- e. Removal from Office; Vacancies. Commissioners may be removed from office by the Mayor and City Council for inefficiency, neglect of duty, malfeasance in office, or other good cause. The Mayor and Council may appoint successor Commissioner(s) to fill any vacancy caused by the removal or resignation of a Commissioner, or by any other cause. Commissioners having more than two (2) unexcused absences are subject to removal by the City Council, by the Commission so notifying the City Council.

III. QUORUM, CONDUCT OF MEETINGS, AND VOTING

Quorum. A quorum shall consist of three (3) Commissioners, and no official business may be conducted without a quorum being present. In the event that a quorum is not obtained, the presiding Chair shall so state for the record, and shall for the record respectfully solicit the

participation and co-operation of the Applicant(s), Staff, and the public if necessary, in order to properly reschedule the hearing of all Agenda items at the next available Meeting with a quorum.

Conduct of Meetings. All regular Meetings, including any Study Sessions, are open to the public, and shall be carried-out in a business-like and democratic manner. Meetings shall be held in-person at City Hall. Upon declaration of a public health emergency or safety concern, the Commission may hold all regular Meetings and Study Sessions virtually as approved by the City Manager. Details of the meeting location shall be determined in advance and posted with the meeting agenda. Meetings may be publicly broadcasted at the discretion of the City Manager. It shall be the policy of the Planning Commission to solicit public participation in connection with all public hearing items at Meetings, and to provide fundamental fairness and due process to all interested parties. Public participation may be received at Study Sessions, at the Commission's discretion, but is not required at Study Sessions.

Written Agenda and Order. Planning Staff shall generally coordinate the Agenda, except that the Commission may direct the preparation of specific matters to be placed on the Agenda if two (2) or more Commissioners concur. Scheduled items may be deleted from the Agenda or continued pursuant to the procedures of these Bylaws. Subject to the Chair's reasonable discretion, the Order of the Agenda shall be generally as follows:

- a. Call to Order and Roll Call
- b. Minutes of Previous Meetings
- c. Public Comment – Non-Scheduled, Non-Agenda Items
- d. Public Hearings / Agenda Items
- e. Old and New Business
- f. Reports from Commissioners, Planning Staff, City Attorney
- g. Executive Session (if necessary)¹
- h. Adjournment

In the event that a regular Meeting continues until the hour of 10:00 P.M., and such Meeting has not been previously adjourned, further proceedings shall be conducted as follows: 1) Upon Motion and the affirmative vote of a majority of Commissioners present, the Meeting shall be continued for one-half hour until 10:30 P.M., but not later; 2) All public hearings and other items not previously opened shall be opened for the sole purpose of setting the hour and day for the continuation of such hearings and other items; and 3) All proceedings shall be continued to the next regularly-scheduled Planning Commission Meeting, and the current Meeting concluded by 10:30 P.M.

Rules of Speaking. To obtain the floor, a Commissioner shall first address the Chair, who shall recognize that Commissioner by name and yield the floor. The Chair next generally recognizes that Commissioner who first requests the floor after it has been relinquished, except that the Chair may use discretion in providing for the orderly transition of the floor such that all Commissioners are accommodated (e.g., yielding to a Commissioner next seated

¹ An Executive Session may be called at any point during the meeting.

to the right or left, etc.). Commissioners shall relinquish the floor after they have addressed the pending issue, and shall endeavor to limit their comments to five (5) minutes per issue.

Public Hearing Procedures – Presentation, Hearing, Deliberation. The Chair shall have discretion to enforce or alter the following procedures as reasonably necessary, to ensure that all public hearings are conducted efficiently and in a manner that provides fundamental fairness and due process to all interested parties. Such procedures shall apply to all portions of the Agenda, with time limits being subject to the Chair’s reasonable discretion, generally as follows:

- a. ~~If the Commissioners are hearing an appeal,~~ The Chair first calls for presentation by the Applicant, or the Appellant, as appropriate. Applicant presentations are limited to 5 minutes. of the appeal by the appellant.
- b. The Chair calls for presentation of the case by Staff.;
- c. Commissioners may question the Applicant and/or Staff regarding the presentations.;
- ~~d. The Chair then calls for presentation by the Applicant;~~
- ~~e. Commissioners may question the Applicant regarding the presentation;~~
- ~~f.d.~~ The hearing item is then opened to the public for questions or comments on any issue(s) relevant to the case, including proponents and/or opponents of any Application (the Chair has discretion to ~~limit individual testimony to 5 minutes per presentation, and to~~ limit repetitious or redundant testimony). Testimony is limited to 5 minutes per speaker. Speakers may not yield their time to other speakers.
- ~~g.e.~~ Response or rebuttal by Staff or Applicant, as appropriate, and/or additional questioning by Commissioners, as necessary;
- ~~h.f.~~ After the evidence has been presented in this manner, the public hearing is closed by the Chair and discussion and deliberation occur among Commissioners. During Commission deliberations, the Applicant, Staff, or members of the public may participate for clarification purposes, but only if recognized by the Chair.

Continuance of Scheduled Agenda Item. When it appears that the Commission requires additional time and/or information for proper deliberation and decision, or if the interests of fairness and justice would otherwise be served by a continuance, then the Commission may continue a matter by the vote of a majority of Commissioners present, to a date certain upon motion duly made.

Provided, however, that the Commissioner so moving shall state for the record the reasons for the motion, and the Chair shall allow the Applicant, Staff, or in some cases proponent(s) and opponent(s), reasonable opportunity to briefly state their position on the proposed continuance. In connection with such a motion, Commissioners shall act in good faith and as a matter of course shall seek to obtain the Applicant’s consent and agreement to the continuance, for the record.

After an ~~i~~tem is placed on an Agenda, an Applicant may request that the ~~i~~tem be continued or removed prior to consideration by the Commission. If such a request is not made in advance of the Meeting, then the Commission may hear the Applicant’s request on the day of the Meeting, and may grant such request upon a showing of good cause by the Applicant. If

for some reason the continuance is denied, then the Applicant shall be advised of his or her right to withdraw the Application and resubmit it at a later date.

Notwithstanding any of the foregoing, when without good cause an Applicant fails to appear for hearing on any regularly scheduled Agenda item, it shall be the Policy of the Commission to continue the item once as a matter of course to a date certain, by Motion and without hearing. Upon such continuance by the Commission, the Planning Staff shall notify the Applicant of the failure to appear and continuance. The written Notice shall advise the Applicant of the date certain to which the item has been continued, and that another failure to appear on the date indicated may result in a finding by the Commission that the Applicant has abandoned the Application, thus justifying denial of the Application.

All continuances shall be to a date certain unless otherwise agreed-upon by the Applicant and the Commission, and further continuance(s) may be requested at or before that time in accordance with these Bylaws.

Public Hearing Procedure – Continued Items.

When any scheduled Agenda item is heard by the Commission and then continued to a date certain according to the procedures of these Bylaws, then the following procedures shall apply to the continued item:

- a. Where an item is continued for the purpose of receiving new or additional information for proper deliberation and decision-making, and the Commission has determined that the interests of fairness and justice would be served thereby, upon receipt of such new or additional information on the continued hearing date the Commission shall re-open the public portion of the Agenda Item, such that proper deliberation and fair debate may occur regarding such new or additional information. Provided, however, that the Chair may in his or her discretion reasonably limit the scope and duration of responsive testimony and evidence, to that which is relevant to the new or additional information. In that regard, at the continued hearing the Chair may make such evidentiary rulings as are reasonably necessary to promote efficiency and limit the presentation of irrelevant, redundant or cumulative evidence.
- b. Where an item is continued for any other reason (e.g., due to the lateness of the hour; the volume of information previously received; other time constraints; etc.), and the Commission has neither requested nor requires additional information for proper deliberation, then the Commission shall not be required to re-open the public portion of the Agenda item, except as may be necessary to obtain explanation or clarification of information previously received, including opportunity for response and/or rebuttal; or under such other circumstances as the Commission determines would serve the interests of fairness and justice.
- c. The provisions of this section shall not apply unless the continued item has been continued to a date certain for the purpose of receiving new or additional information regarding that item, and such new or additional information shall in fact have been presented and received at the continued Hearing. Where no new or additional information is being presented, no public comment is required unless in the Chair's reasonable discretion the interests of fairness and justice so require.

Informational Study Sessions. The Commission may convene from time to time outside of a regular Meeting, in order to conduct such informational and educational Study Sessions as the

Commissioners and/or Staff may deem necessary or appropriate. Such Study Sessions and the specific topic(s) and purpose(s) thereof may be scheduled as recommended by Staff ~~with the consent of at least two (2) Commissioners~~, or as proposed by the request of at least two (2) Commissioners, and Staff shall prepare a written Agenda and provide reasonable advance public notice of any Study Session. Study Sessions are for informational purposes only, and shall generally be conducted on Thursday evening(s) when there are no items appearing on the regular Meeting Agenda. Study Sessions may also be conducted at other times before, after, or in lieu of a regular Meeting. Study Sessions shall follow the same general Agenda format and procedure as a regular Meeting, but in no case shall any official business be conducted at a Study Session, nor shall there be any discussion, decision-making, rule-making, or other substantive consideration of any Application, Agenda item, or other matter that is pending, forthcoming, or otherwise subject to a formal public hearing. In accordance with Colorado law, the Secretary is not required to record meeting minutes for Study Sessions. Study Sessions are open to the public, although the Commission is not required to accept public comment unless a majority of Commissioners consent. The Commission may receive information from Staff and/or invited guests, in furtherance of the Study Session purpose(s), but shall not receive any formal testimony or evidence related to or affecting any case(s).

Executive Session. At any regular Meeting ~~or Study Session~~, upon proper motion by a duly seated Commissioner, the Commission may at any time during the Meeting hold an executive session, pursuant to the provisions of C.R.S. § 24-6-402, as amended, for one or more of the following purpose(s), which shall be announced by the Commissioner making the motion and by the Chair prior to convening the executive session:

- a. Receiving legal advice from the City Attorney, Deputy City Attorney, Assistant City Attorney, or other attorney representing the Planning Commission on specific legal questions;
- b. Considering matters required to be kept confidential by federal or state law, rule, regulation, or other lawful privilege;
- c. Considering any documents protected by the mandatory non-disclosure provisions of the Colorado Open Records Act;
- d. Any other lawful purpose, which shall be specified in the motion.

No adoption of any proposed policy, position, resolution, decision, rule, regulation, or other formal action shall occur at any executive session not open to the public. All Executive Sessions shall be electronically recorded as provided by C.R.S. § 24-6-402, as amended, and shall otherwise comply with Colorado law in all respects.

IV. MOTIONS AND VOTING

Procedure for Motions. After all of the evidence has been presented and discussion and deliberation have occurred, the Chair may entertain a motion from any duly seated Commissioner. Commissioners should use care in choosing language that accurately states their proposed motion. The moving Commissioner may briefly state his or her reasons for the motion before making it, but should not argue the substance of the motion until it has been seconded. Having spoken once, the Commissioner should not speak again until all other Members who wish to speak have had opportunity, except to answer questions or respond to

comments posed by other Commissioners, or to withdraw or amend the motion. Having made a motion, the moving Commissioner may neither speak nor vote against it.

Another Commissioner seconds the motion. All motions require a second. However, the seconder is not required to favor the motion, and may speak and vote for or against it. Seconding a motion allows the merits of the case to be heard and debated publicly, without regard to outcome. Once seconded, a motion may not be withdrawn without the seconder's consent. If there is no second, the motion fails and the Chair may entertain another motion.

Once a motion is made and seconded, the Chair re-states the motion accurately and asks for discussion. General debate and discussion follow, regarding the merits of the case and the nature of the evidence presented. At the end of discussion or when the question is called, the Chair re-states the motion and calls for a vote.

Voting. Except as provided in Section V, below, each Commissioner who is present and seated to vote shall vote on each motion. Commissioners shall vote orally by a calling of the roll. An affirmative vote of a majority of the Commissioners seated is required to pass a motion recommending approval of any action. Otherwise, the item is deemed denied; except that, where a motion to deny an item or approve it with conditions does not carry, the Chair may entertain another motion, either to approve, approve without conditions, approve with modified conditions, or deny or continue the item, such that the Commission fulfills its duty to clearly recommend some form of action to the City Council.

The Chair announces the result of the vote, and the motion is completed when the result is announced for the record. Results should be announced according to the prepared Resolution(s), along with any amendment(s), paying special attention to Planning Commission findings, determinations, and conclusions in the Resolution(s).

If the vote results in a tie, the Applicant is entitled to re-hearing of the item within a reasonable time. The Chair shall advise the Applicant that re-hearing should be promptly requested by the Applicant in writing delivered to Staff.

V. EX PARTE CONTACTS AND CONFLICTS OF INTEREST

Ex parte (outside the Meeting) communications and contacts involving a Commissioner, about forthcoming quasi-judicial Agenda items, are strictly prohibited. If a Commissioner is approached or otherwise engaged by anyone outside a ~~m~~Meeting, with respect to a quasi-judicial Agenda item that is the subject of a pending or future Planning Commission Meeting or other public hearing (e.g., City Council, Board of Adjustment, etc.), that Commissioner shall respectfully decline to discuss the matter, and shall instead recommend that it be properly raised in the appropriate public hearing forum. If the contact relates to an item on the Commission Agenda, then at the next appropriate ~~m~~Meeting time the Commissioner shall disclose for the record the nature and extent of the ex parte contact.

Certain other communications, such as expressions of interest or general opinion from concerned citizens, regarding purely legislative or quasi-legislative matters, are discouraged, but are in many cases not strictly prohibited. In all cases, a Commissioner who is engaged or approached outside a ~~m~~Meeting regarding any Agenda item, shall exercise discretion and restraint, and shall encourage attendance, participation and discussion in the appropriate public forum.

For purposes of these Bylaws, ex parte communications are deemed to include documents or other writings including text messages, e-mails, all forms of social media, phone calls, discussions, conversations or communications involving a Commissioner outside a ~~m~~Meeting, regarding an Agenda item or related matter that is the subject of a pending or future Planning Commission Meeting or other public hearing. Ex parte communications do not include newspaper articles, editorial opinions published by others, and the like. Commissioners should remember that Planning Commission Agenda items are subsequently heard by the City Council at least once (and often twice or more) after the matter is heard at Planning Commission Meeting(s). No Commissioner shall provide public comment or participate in any matter pending before the City Council that was the subject of a Planning Commission meeting.

No Commissioner shall participate in or vote with respect to any matter pending before the Planning Commission if that Commissioner has a direct or indirect financial, personal, or official interest in, or conflict with, the matter, of such a nature that it prevents or may prevent that Commissioner from acting impartially, or raises the appearance of impartiality or impropriety. Any Commissioner having such an interest or conflict shall immediately disclose such interest or conflict when it becomes known or apparent, prior to participating in any official action or hearing by the Planning Commission. No Commissioner shall attempt to unduly or inappropriately influence another Commissioner's impartial judgment with respect to any item, beyond normal debate on the merits.

If an appearance of impropriety might exist or be perceived with regard to a Commissioner's participation in any particular Agenda item, even if no actual conflict of interest exists, then prior to each hearing item so affected, that Commissioner should endeavor to advise and consult the Chair accordingly, stating any concerns, and before proceeding should state for the record whether the Commissioner believes that he or she can nevertheless act impartially. The Chair shall then advise the Applicant, and shall call upon the Applicant to state for the record any objections that the Applicant may have to that Commissioner's participation, or whether the Applicant consents to such participation. If there is any objection, then the affected Commissioner shall respectfully recuse himself or herself from the Meeting in the interests of fairness to the Applicant, and shall not participate further in any deliberation.

VI. AMENDMENTS TO THESE BYLAWS

These Bylaws may be amended by the majority vote of the Planning Commission, provided that such amendments shall be consistent with Colorado law, the Ordinances and Resolutions of City Council, and the Brighton Municipal Code.

APPROVED, AS AMENDED, BY THE PLANNING COMMISSION OF THE CITY OF BRIGHTON, COLORADO, DATED AUGUST 22, 20264.

By: _____ By: _____
Mark Rawlings, Chair Kathryn LeDonne
_____, Vice Chair

Attest: Approved as to Form
C

By: _____ By: _____

~~Amanda Besch~~ Jon Waines, Secretary _____ Yasmina Gibbons, Deputy City
Attorney

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Planning Commission Bylaw Amendments

PLANNING COMMISSION STUDY SESSION
January 22, 2026

City Staff Representatives:

Yasmina Gibbons, Deputy City Attorney
Nick Di Mario, AICP, Principal Planner

Departments:

City Attorney's Office
Community Development

Purpose

- Discuss proposed updates to the Planning Commission Bylaws which will come before the Commission for approval at a future regular meeting.

Proposed Amendments

- Section III Public Hearing Procedures:
 - Update the order of presentation for public hearings so that the applicant presents the proposed application first, then followed by the presentation of the application by staff.
 - Applicant presentations to be limited to the same amount of time as public comments.
 - In the case of an appeal, no time limits are being proposed. The Chair, in his or her reasonable discretion, will determine the appropriate time constraints for all parties in the case of an appeal.
 - Questions by the Commission of staff and/or the Applicant would follow after the presentation of the application by staff.

Proposed Amendments

- Section III Public Hearing Procedures Continued:
 - As has been the practice of the Planning Commission in the past, clarify that speakers may not yield their time to other speakers.
 - Staff seeks direction on whether the Planning Commission desires to modify the amount of time allotted to each speaker during public comment.
 - Currently, each speaker is afforded 5 minutes for public comment.
 - Under the City Council Rules of Procedure, public comment is limited to 3 minutes per speaker.
 - Presentation of the application by the applicant will be limited to same time allotment.

Proposed Amendments

- Section III Informational Study Sessions:
 - In accordance with past practice of the Planning Commission, remove the requirement that study session items recommended by staff require the consent of at least two commissioners.
 - Commissioners may still request study session topics with the consent of at least two Commissioners.

Proposed Amendments

- Section IV Voting:
 - As required by the *City of Brighton Home Rule Charter*, clarify that each Commissioner who is seated and eligible to vote, must vote on each motion.

Proposed Amendments

- Section V Ex Parte Contacts and Conflicts of Interest:
 - Clarify that Commissioners are prohibited from participating in any matter pending before the City Council that was the subject of a Planning Commission Meeting.

Next Steps

- Staff will update the proposed amendments to the Bylaws based on direction from the Planning Commission.
- The proposed amendments to the Bylaws will be brought back to the Planning Commission for consideration at a future regular meeting.