

**CITY OF BRIGHTON  
PLANNING COMMISSION**

**MINUTES**

**September 25, 2018**

**Approved as presented**

**I. CALL TO ORDER**

Chairman Maslanik called the meeting to order at 6:03 p.m.

**II. Pledge of Allegiance**

**III. ROLL CALL**

Roll call was taken with the following Commissioners in attendance: Chris Maslanik, Fidel Balderas, William Leck, Rex Bell and Oliver Shaw. Alternates, Steve Ginevan and Craig Davis Jr. were also present.

**STAFF PRESENT:** Jason Bradford, Planning Manager; Mike Tylka, Senior Planner; Diane Phin, Commission Secretary.

**IV. MINUTES OF PREVIOUS MEETINGS**

Minutes from the August 14, 2018 regular Planning Commission meeting were approved as presented.

**Motion by Commissioner Shaw  
Second by Commissioner Balderas**

**Voting Aye: All Present  
Motion passes 5-0**

Minutes from the August 14, 2018 Board of Adjustment meeting were approved as presented.

**Motion by Commissioner Shaw  
Second by Commissioner Balderas**

**Voting Aye: All Present  
Motion passes 5-0**

**V. PUBLIC INVITED TO BE HEARD ON ITEMS NOT ON THE AGENDA**

None recognized

Mr. Bradford introduced two new Planners in Community Development. Kristina Heredia, Assistant Planner and Zareen Tasneem, Planning Technician.

**VI. AGENDA ITEMS**

1. Wireless Communication Facilities (WCF's) Code Amendment: Mike Tylka presenting

Wireless Communication Facilities (WCF's) Code Amendment

**Chair invited Staff to present, summarized:**

Mr. Tylka confirmed that legal publication were completed for this hearing and discussed the item as outlined in the staff report. Mr. Tylka introduced Brandon Dittman, Consultant with Kissinger & Fellman PC. Mr. Dittman has been hired by the city to work on this code amendment with staff.

**Chair called for questions from Commission to Staff, summarized:**

- Staff explained that a formal vote would be taken at the October 9<sup>th</sup> meeting. There will be some new text added that includes the amended "Table of Uses" along with other items mentioned in the staff report.
- Chair suggested that staff and the Commissioners have general discussion on the sections in this code amendment. Mr. Dittman stood ready to answer any specific questions. Commission concurred.
- It was clarified this code is inclusive of all WCF technologies.
- Amateur radio antennas are not affected by this code.
- No permit is required for facilities that already exist, unless changes are to be made.
- Mr. Dittman clarified that a "small cell" is up to 28 cubic feet. He explained there are different timeframes called "shot clocks" for processing applications. However, from application to permitting is generally 60-90 days for a new facility that is not a small cell if all criteria is met.
- The language in the code comes straight from the FCC regulations.
- Mr. Dittman described "substantial change". If there is a co-location request to an existing wireless facility that does not substantially modify it, the city must approve the request. If it changes, the facility over 10% then it is considered a new facility and a different shot clock is used.
- In this proposed code, applications will be reviewed and approved administratively, use by right and by conditional use processes as it currently is.
- If a provider wants to use light poles for their WCF in Brighton, they must have United Power's permission.
- Small cell is different than macro cell technology. Macro cell is easy to co-locate, but because small cells run at a higher frequency they tend to have more interference and cannot be co-located.
- Tower height requirements will remain the same.
- A photo simulation of a tower will now be required in the code as it is helpful for staff in reviewing an application.

**Commission recommends this matter be continued to the date certain of October 9<sup>th</sup>, 2018.**

**Motion by Commissioner Balderas  
Second by Commissioner Shaw**

**Voting Aye: All Present  
Motion passes 5-0**

## **Planning Commission Minutes**

September 25, 2018

Page 3

---

### **VI. OLD BUSINESS**

None

### **VII. NEW BUSINESS**

Mr. Bradford started discussion about moving the Planning Commission meetings to another night for several reasons. The City Attorney said he would like to start attending them. In addition, City Council is using the Chambers on Planning Commission nights to hold special meetings. Also, the planners are attending Study Sessions with Council more than they used to and cannot attend Planning Commission meetings at those times. The Planning Commission meetings and City Council Study Sessions are both on Tuesdays. These are the conflicts we have. The Commissioners discussed each night of the week and the general consensus was that the 2<sup>nd</sup> and 4<sup>th</sup> Thursday of the month could work. Mr. Bradford stated he would come back to the next meeting with some more information after doing some research with other Boards about those nights.

Craig Davis stated he is resigning from Commission as unforeseen circumstances with his family have occurred and they have to relocate.

### **VIII. REPORTS**

None

### **IX. ADJOURNMENT**

**Motion to adjourn at 7:31 p.m.**

**Motion by Commissioner Balderas  
Second by Commissioner Shaw**

**Voting Aye: All Present  
Motion passes: 5-0**