TOWN OF MILLIKEN
PLANNING COMMISSION
MEETING HOUSE, 1201 BROAD STREET

WEDNESDAY, FEBRUARY 17, 2016 7:00 P.M.

The Planning Commission of Milliken convened into regular session on the 3rd Day of February, 2016. Those present were: Chair Tim Woodcock, Vice-Chair Dave Bernhardt Commissioners: Dave Watson, Shellie Satterfield, Also present: Community Engagement Specialist/Planner Seth Hyberger, Town Administrator Kent Brown and Town Clerk Cheryl Powell

Absent: Mitchell Portella, Ron Blackmer, Community Development Director Martha Perkins.

Chair Woodcock called the meeting to order and led the audience in the Pledge of Allegiance.

Call to Order Pledge of Allegiance

Agenda Approval Additions/Deletions to Agenda

Community Engagement Specialist/Planner Seth Hyberger indicated there were no changes from staff.

Citizens Comments

None.

Minutes of Previous Meeting

Minutes for the February 3, 2016 meeting approved with corrections.

Commissioner Watson motioned and Commissioner Satterfield seconded.

All in favor, none opposed.

CONSENT AGENDA

Consent Agenda items are considered to be routine and will be enacted by one motion and vote. There will be no separate discussion of Consent Agenda items unless a Planning Commission member or citizen so requests, in which case the item may be removed from the Consent Agenda and considered at the end of the Action Agenda.

There were not any items.

ACTION AGENDA

1. **Public Hearing for Ordinance 723 Amending the Land Use Code for Home Occupations**

Chair Woodcock and Commissioner Watson stated that they both have home businesses.

Public Hearing opened at: 7:02 P.M

Community Engagement Specialist/Planner Hyberger asked the Commission to consider revising the text in Ordinance 723, amending Sections 16-1-150 and 16-3-620 of Chapter 16, of the Milliken Municipal Code concerning Home Occupations before it goes to the Town Board for approval. The Town would like to maintain the residential character of the neighborhoods, but does not want to stifle those who would like to have a home business. Staff believes more thought and discussion needs to occur before the proposed text changes are ready for the Board's review and possible approval. Staff recommends rather than continuing the public hearing to another date and time certain that the Commission should deny the application and allow staff time to revise the ordinance based on additional public comment, resubmit the application, and legally re-advertise the home occupation text amendment to the Land Use Code, Chapter 16 of the Town's Municipal Code for the Commission's review and possible approval.

Commissioner Bernhardt understands what staff is recommending. He suggests having some of the home business owner's comment on this item and he would like to ensure that they have or obtain a business license. Commissioner Satterfield suggested inviting some of the Home Business owners to a Work Session. Hyberger spoke about having a few Work Sessions to discuss this item.

Chair Woodcock also spoke about business insurance on these home occupations. Commissioner Bernhardt suggested reviewing what neighboring communities have in their ordinances. Chair Woodcock also suggested receiving information from the Town's Home Owners Associations on what they allow.

Public Hearing closed at: 7:12 P.M.

Commissioner Bernhardt motioned that after hearing testimony, examination of the documents presented and the findings of fact the application does not meet the provisions of Sections et.seq1. of the Town of Milliken's Land Use Development Code (LUDC) and denies Ordinance 723 "An ordinance of the Town of Milliken amending Sections 16-1-150 and 16-3-620 of Chapter 16, of the Milliken Municipal Code Concerning Home Occupations" in Weld County Colorado. Commissioner Watson seconded.

Discussion: None

Vote: Commissioner Bernhardt – yes, Commissioner Watson – yes, Commissioner Satterfield - yes and Chair Woodcock – yes.

2. **Continuation of a Public Hearing on Ordinance 724, Amending the Town of Milliken's Land Use Code, Chapter 16 of the Municipal Code to Provide a Process Whereby Expired Site Plans and Subdivision Plats may be Ratified and Reinstated**

Public Hearing opened at: 7:14 P.M.

Town Staff is recommending to continue the public hearing until March 2, 2016 for review and approval to amend the Town of Milliken's Land Use Code, Chapter 16 of the Municipal Code to provide a process whereby expired site plans and subdivision plats may be ratified and reinstated upon request of an applicant and subject to approval of the Town based on specified criteria and reduce legal notification timeframes to conform with state laws.

Public Hearing closed at: 7:16 P.M.

Commissioner Satterfield moved to continue the public hearing until March 2, 2016 at 7:00 P.M. Commissioner Watson seconded.

Discussion: None.

Vote: Vote: Commissioner Bernhardt – yes, Commissioner Watson – yes, Commissioner Satterfield - yes and Chair Woodcock – yes.

DISCUSSION AGENDA

1. **Weld County Referral for RES15-0002**

Applicant Mark and Jennifer Phillips have requested a Resubdivision to divide Lot 3 of Olinger Garden Subdivision into two (2) lots. This application is being processed in conjunction with Change of Zone COZ15-0006. The location is east of CR25 and approximately 0.25 miles south of CR34.

The Commission had no conflict.

Martha Perkins, Community Development Director

Other Business

Chair Woodcock asked about the lake on the southeast side of the Town. Town Administrator Brown responded that they are reshaping the lake. The augmentation bypass line project is in process and this may be what Chair Woodcock is also noticing.

Unfinished Business
Adjournment

There being no further business, the meeting adjourned at 7:19 P.M.

Prepared by:

Cheryl Powell, Town Clerk

Approved by:

Tim Woodcock, Chair