

**STUDY SESSION NOTES**  
**CITY OF WHEAT RIDGE, COLORADO**  
**Virtual Session**  
**August 3, 2020**

Mayor Bud Starker called the Study Session to order at 6:31 p.m.

This meeting was conducted as a VIRTUAL MEETING.

No members of the Council or City staff were physically present at the Municipal building for this meeting; the public did not attend in person.

Mayor Starker welcomed the Council, other elected officials, staff and interested citizens.

The Mayor also explained the virtual meeting format, how citizens will have the opportunity to be heard, and the procedures and policies to be followed.

Council members present: Amanda Weaver, Judy Hutchinson, Zach Urban, Janeece Hoppe, Rachel Hultin, Korey Stites, Valerie Nosler Beck, and Leah Dozeman.

Also present: City Attorney Jerry Dahl; City Clerk, Steve Kirkpatrick; City Manager Patrick Goff; Community Development Director, Ken Johnstone; Director of Administration Allison Scheck; Planning Manager, Lauren Mikulak; guests and interested citizens.

Citizen Comment on Agenda Items –

No citizens came forward to speak.

**Note about Wheat Ridge Speaks:**

Citizens may visit the Wheat Ridge Speaks website and enter written comments of up to 1,000 words on any Council agenda item. The deadline for citizens to submit comments is 12:00 Noon Mountain Time on the day of a Council session so that Council members, other elected officials and City Staff have time to review the comments before the meeting on Monday evening.

The City Clerk's Office transcribes those Wheat Ridge Speaks comments into these minutes, placing each comment along with the record for that agenda item, including items that include a public hearing (verbatim, if the comments do not contain lascivious language or unlawful hate speech).

There were no citizen comments entered into Wheat Ridge Speaks related to this session.

**1. Zoning 101 (overlay zones, etc.)**

Discussion began at 6:32 pm, approximately 0:02 minutes into the recording of the session.

The purpose of this study session is to provide Council with a foundational understanding of zoning in Wheat Ridge. No code amendments or policy changes are proposed at this time; the content of this memo is for education and discussion purposes only.

Lauren Mikulak delivered to Council a detailed presentation about this item, its purpose and the background of the reasons for bringing it to Council.

Topics included:

Background:

- Guiding Documents – The Foundation of Zoning
- What is Zoning?
- Wheat Ridge Zone Districts
- History of Wheat Ridge Zoning
- How Zoning is Changed

Types of Zone Districts in Wheat Ridge:

- Base Zone Districts
- Planned Developments
- Mixed Use Districts
- Overlay Zones

Councilmembers had questions and comments about Ms. Mikulak’s presentation and issues involved in how the rezoning process works.

Several Councilmembers thanks Ms. Mikulak for her presentation and commented on how helpful and informative the presentation was.

**2. Review of public notification procedures and policies for land use cases**

Discussion began at 7:38 pm, approximately 1:08 hours into the recording of the session

Public notice is a critical legal requirement for a variety of zoning and subdivision cases. The City’s Charter and Code of Laws establish legal notice requirements not only for the purpose of informing the public on proposed developments, but also to protect the due process rights of stakeholders. The extent of notice generally corresponds to the level of review and impact with the highest level of notice required for those applications which require public hearings.

In April 2020, members of Council requested that staff prepare a study session item that addresses a few targeted issues related to public notice. Specifically, these issues relate to the sign and letter notice associated with public hearings. The included material was organized as follows:

- Current Notice Requirement for Public Hearings

- Analysis of Sign and Letter Notice Procedures
- Future Opportunities

Lauren Mikulak delivered to Council a detailed presentation about this item, its purpose and, the history of Wheat Ridge zoning, the current classes of zones, and the background of the reasons for bringing it to Council.

The staff presentation continued with additional slides to support the verbal comments.

Councilmembers had questions and comments about the presentation.

Staff recommended the following updates:

- Revise the design of posted signs to better communicate with passersby (administrative adjustment)
- Revise the number of posted signs required based on frontage length (code amendment by Ordinance)
- Revise the letter notice to align the distance for neighborhood meetings and public hearings (code amendment by Ordinance)

Ms. Mikulak recommended on behalf of staff that the Council consider making the distance from the subject property for neighborhood meeting notices and public hearing notices match. Presently neighbors within 600 feet must be invited to the neighborhood meeting and those within 300 feet receive the notice of public hearing. Wheat Ridge is the only municipality in the Metro with this disconnect between the two distance requirements.

Council reached a consensus to support the updates noted above to address the public notice signs and distance requirements and recommended the letter notice distance and public hearing notice match, setting both requirements at 600 feet from the property, and when a frontage is less than 200 feet the signage will be bookended.

### **3. Staff Report(s)**

Discussion began at 7:59 pm, approximately 1:30 minutes into the recording of the session

Mr. Goff had no further staff reports for this evening.

### **4. Elected Officials' Report(s)**

Discussion of this item began at approximately 8:32 PM.

Councilmember Hutchinson thanked people for wearing masks and encouraged us to turn off our air conditioning at night and open windows for fresh air.

Councilmember Hultin asked about the Jefferson County variance granted by the Colorado DPHE. Mr. Goff explained the status of the variance, why the variance

granted might be rescinded or allow to expire, and what impacts that might have on the County and the City.

City Clerk Kirkpatrick reported that citizens are in the process of circulating a referendum petition to reverse the zoning change ordinance approved for the parcel at 9800 W. 38<sup>th</sup> Avenue at Johnson St. There will be no further details to provide unless and until the circulators submit the petition to the Office of the City Clerk at or before 5 PM local time, August 27<sup>th</sup>, 2020.

The Mayor thanked the presenters at this evening's session for their excellent presentations. He encouraged all to continue to wash hand, wear masks and socially distance.

**ADJOURNMENT**

The Study Session adjourned at 8:04 pm.

APPROVED BY CITY COUNCIL ON August 24, 2020.



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Steve Kirkpatrick, City Clerk



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Janeece Hoppe, Mayor Pro Tem