

**Record of Proceedings
City of Lafayette**

**Planning Commission Meeting Minutes
Wednesday, June 22, 2022**

I. Opening of Regularly Scheduled Meeting

A. Call to Order

Chair Thomas called the June 22, 2022, meeting of the Lafayette Planning Commission to order at 6:00 p.m. in the Council Chambers at Lafayette City Hall, 1290 S. Public Road, Lafayette, Colorado.

B. Roll Call/Attendance

Those in attendance included Chair Thomas, Vice Chair Smith, and Commissioners Fischer, Phillips, Stephens, and Watson.

Absent: Commissioners Ortiz and Stephens

City Staff Present: Planning Manager Jana Easley, Senior City Planner Marcy Gerwing, City Attorney Mary Lynn Macsalka (Zoom call), and Recording Secretary Michelle Verostko

II. Items from the Public

None.

III. Adjourn to Zoning Board of Adjustment

IV. Regularly Scheduled Items

A. 1319 Eldorado Way Variance

Chair Thomas opened the public hearing at 6:05 p.m. She asked staff if the public hearing was properly noticed under the applicable regulations for this type of land use hearing. Senior City Planner Marcy Gerwing stated it was.

Staff Introduction

Ms. Gerwing entered the staff report into the record. She stated this application is a Variance request to allow a reduction of the side yard setback from the required 5' to 3'7" for the installation of a backup generator at 1319 Eldorado Way.

Applicant Presentation

Rosemary Frid, 1319 Eldorado Way, Lafayette, gave a brief overview of their request for a variance to the side-yard setback and discussed how their lot is the narrowest lot in this area, that they did not create the hardship, why they are making this request, and that they are requesting the minimum needed for the generator installation.

Staff Analysis

Marcy Gerwing presented staff analysis. Ms. Gerwing reviewed the Variance criteria against the applicant's proposal. She explained that the applicant's defense is that their property is the narrowest lot of all lots with a similar floor plan/house model and that other lots are

wider in width than theirs. She stated the owner's lot condition is a designed feature within the neighborhood and not exceptional or unique to their lot.

Ms. Gerwing reviewed other factors the Board may consider during their deliberations. They are listed in the staff report under staff analysis. Ms. Gerwing reviewed staff's recommended findings if the Board approves the variance.

Public Input.

Chair Thomas opened the meeting for public input at 6:20 p.m.

Marla Jarr, 1323 Eldorado Way, Lafayette, spoke in support of the variance request.

Ron Spalding, 1326 Eldorado Way, Lafayette, member of Master HOA and neighbor, stated the homeowner's association approved the generator installation. He added as a neighbor he has no concerns with the generator and supports the request.

Kimberly Forsgren, Roy's Electric, Inc., 438 Greenwood Lane, Longmont, represents the installer. She discussed the importance and need for generators. She discussed situations where people's lives depend upon generators if there is a power outage. She supports the variance request.

Questions of Applicant and Staff

The Board asked staff if they believe additional information was provided to support the variance. Ms. Gerwing explained the Board can consider such as health, safety and welfare and practical difficulties.

The Board asked staff to explain why the generator cannot be in the building envelope and when would the weekly tests be done. Ms. Gerwing answered the questions.

Chair Thomas closed the public hearing at 6:40 p.m.

Discussion

The Board asked staff whether the Alternate for the Zoning Board of Adjustment steps in since Board member Stephens is absent. Planner Gerwing stated yes, and that Board member Watson as the Alternate would participate in the vote.

The Board discussed the size of the generator, the effort the applicant made to find a quiet unit and not impact his neighbors, findings for approval, and clarified that their decision would not create a precedent. The Board also suggested the code update consider a generator to be the same as an air conditioner.

Motion

Chair Thomas moved to approve the variance request to locate a generator in the side yard setback at 1319 Eldorado Way, finding the request meets the criteria in Lafayette Municipal Code Section 26-24-4(b)(3) and adopt the findings for approval in the staff memorandum dated June 22, 2022. Commissioner Watson seconded the motion. All voted in favor of the motion.

V. Return from Zoning Board of Adjustment

The Zoning Board of Adjustment meeting adjourned at 6:45 p.m. The Planning Commission returned to their meeting.

VI. Other Business

A. Commission Comments/Committee Reports

Chair Thomas commended the applicant for being so well prepared. She suggested that the code update allow generators to be in the setback or treated like air conditioners so variances would not be needed.

Vice Chair Smith asked what the City's position is on new developments and water restrictions and whether water taps would be limited. Planning Manager Easley explained the requirement for developers to purchase water rights for their developments.

The Planning Commission suggested more education to the public on water and water rights.

The Planning Commission discussed the City's water wise landscape ordinance, enforcement of water usage and violations, and updating the code by considering how much water usage should be allowed, what are reasonable alternatives, and whether incentives could be set up.

B. Department Comments

Planning Manager Jana Easley acknowledged Commissioner Fischer's eight years of service on the Planning Commission and presented her with a plaque and gift card.

VI Adjourn

Chair Thomas moved to adjourn the meeting, seconded by Vice Chair Smith. All voted in favor of the motion. The meeting adjourned at 7:00 p.m.

City of Lafayette

Darcia Thomas, Chair

Attest:

Michelle Verostko