

**CITY COUNCIL RESOLUTION
CITY OF BRIGHTON, COLORADO**

2015 Pacing Allocation

Resolution No. 2014-118

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, PURSUANT TO AND IN ACCORDANCE WITH ORDINANCE NO. 1620 (THE “PACING ORDINANCE”), AS AMENDED BY ORDINANCE NO. 1664, AS AMENDED BY ORDINANCE NO. 1720, TEMPORARILY SUSPENDING THE IMPLEMENTATION OF THOSE PROVISIONS OF SAID ORDINANCE RELATING TO THE PROCESS OF ESTABLISHING AND ALLOCATING A SPECIFIC NUMBER OF RESIDENTIAL BUILDING PERMITS FOR CALENDAR YEAR 2015, AS MORE FULLY SET FORTH HEREIN.

WHEREAS, Ordinance No. 1620 established a residential growth pacing system to provide for the uniform allocation of residential building permits in the City of Brighton; and

WHEREAS, Ordinances No. 1664 and 1720 amended the Pacing Ordinance to allow the City Council to allocate for two cycles each year and establish various other priorities as they relate to the pacing program; and

WHEREAS, changing conditions within the City and the northeast Denver metropolitan region have lessened the need for a specific allocation process at this time; and

WHEREAS, in compliance with the adopted Pacing Ordinance, and in particular, Section 5.2 thereof, the City Council has considered various factors to determine the viability of setting an annual allocation at this time, with particular consideration of the provision of municipal services and projected growth for the coming year; and

WHEREAS, based upon its review of the relevant information, the City Council, FINDS AND DETERMINES AS FOLLOWS:

1. Findings:

- a. In making its findings and determinations, the City Council received and reviewed information and data from the Community Development Department, including, but not limited to:
 - i. the permit history for residential growth in Brighton for the years since the implementation of the Pacing Ordinance; and
 - ii. the total number of residential units issued in 2014; and
- b. The City Council finds and determines that there is adequate provision of infrastructure and services for those currently approved developments within the City and additional residential development within the City.
- c. Based on the number of units available in the market, and the limited demand for new product, the City Council finds and determines that implementation of the Pacing Ordinance provisions relating to establishing a specific number of

residential developments and undertaking the requisite allocation process for calendar year 2015 is not necessary at this time.

- d. The City Council finds and determines that sufficient justification exists to temporarily suspend at this time the process for allocating and awarding specific numbers of units for development for the calendar year 2015.
- e. The City Council finds and determines that the temporary suspension provided for herein is in the best interest of the City, and in particular, its stated goal of encouraging and enhancing the economic development of the City.

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

- 1. That the requirements for setting the annual allocation of residential building permits for calendar year 2015, as more particularly set forth in Section 5.2 of Ordinance No. 1720, are hereby temporarily suspended.**
- 2. That during the term of this temporary suspension, developments shall not be required to comply with those parts of Sections 5, 6, and 7 of Ordinance No. 1620 (amended by No. 1664 and No. 1720) as the same relate to the yearly process of applying for, administering and allocating residential building permits for calendar year 2015.**
- 3. That all multi-year phasing plans in existence at the time of adoption of this resolution which are part of an approved annexation agreement or development agreement remain in full force and effect.**
- 4. That all annexation agreements and development agreements executed and approved by the City after the date of this resolution shall continue to include standard language requiring compliance with the Pacing Ordinance.**
- 5. That all other provisions of the Pacing Ordinance No. 1620 (amended by No. 1664 and No. 1720) not temporarily suspended herein are hereby re-affirmed and ratified.**
- 6. That the City Council reserves the power and authority to reinstate the allocation process temporarily suspended herein as deemed necessary and appropriate to fulfill and otherwise implement the stated goals and objectives of the pacing program, and when in the best interest of the health, safety and general welfare of the City to do so.**

RESOLVED this 16th day of December, 2014.

CITY COUNCIL OF THE CITY OF BRIGHTON:

By: Richard N. McLean, Mayor

ATTEST:

Natalie Hoel, City Clerk

APPROVED AS TO FORM:

Margaret R. Brubaker, Esq., City Attorney