

CITY COUNCIL ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO REPEALING IN ITS ENTIRETY ARTICLE 17-60, RESIDENTIAL GROWTH PACING SYSTEM, OF THE BRIGHTON MUNICIPAL CODE; SETTING FORTH THE JUSTIFICATIONS FOR SAID REPEAL; AND SETTING FORTH OTHER DETAILS RELATED THERETO.

ORDINANCE NO: 2252

INTRODUCED BY: Kniss

WHEREAS, the City of Brighton has the power and authority to make and publish ordinances which are necessary and proper to preserve the health, safety and welfare of the citizens of the City not inconsistent with the laws of the State; and

WHEREAS, the City Council of the City of Brighton adopted Article 17-60 to establish a Residential Growth Pacing System in order to: 1) promote orderly growth and provide for harmonious development; 2) facilitate adequate provision of utilities and public facilities such as transportation, water, sewer, drainage, parks and open space, schools, libraries, and other public facilities; 3) promote a more balanced community where there is space to live, recreate and work; and 4) ensure that the community character was not eroded; and

WHEREAS, the City Council finds that while the purpose of Article 17-60 is still a high priority, the regulations and procedures contained within the Article are outdated, no longer relate to current development practices and opportunities within the City, can only be applied to a limited number of developments, and can be adequately addressed through current staffing abilities and procedures; and

WHEREAS, the City Staff will continue to provide updated data on a yearly basis to the City Council that addresses, generally, development and housing statistics and trends, the status of infrastructure and level of service capacity, and other information deemed pertinent to the orderly growth within the City; and

WHEREAS, the Planning Commission of the City of Brighton reviewed the proposed repeal at a public hearing held on January 10, 2017 and made a recommendation of approval to the City Council;

WHEREAS, the City Council finds and determines that it has within its police powers the means to regulate the rate of development, notwithstanding the repeal of Article 17-60; and

WHEREAS, the City Council further finds and determines that repealing Article 17-60 is not inconsistent with the Constitution or laws of the State of Colorado, and will not otherwise inhibit the City from assuring the health, safety and welfare of the City of Brighton.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Brighton, Colorado, that Article 17-60 of the Brighton Municipal Code is hereby repealed in its entirety.

INTRODUCED, PASSED ON FIRST READING AND ORDERED PUBLISHED THIS 7th DAY OF MARCH, 2017.

CITY OF BRIGHTON, COLORADO

Richard N. McLean, Mayor

ATTEST:

Natalie Hoel, City Clerk

APPROVED AS TO FORM:

Margaret R. Brubaker, City Attorney

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PASSED ON SECOND AND FINAL READING AND ORDERED PUBLISHED BY TITLE ONLY THIS 21st DAY OF March, 2017.

CITY OF BRIGHTON, COLORADO

Richard N. McLean, Mayor

ATTEST:

Natalie Hoel, City Clerk

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