

PLANNING COMMISSION RESOLUTION

AMENDMENT TO ARTICLE XII AND ARTICLE XVII OF THE CITY OF BRIGHTON MUNICIPAL CODE

RESOLUTION NO.: 18-13

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BRIGHTON, COLORADO RECOMMENDING TO THE CITY COUNCIL TO AMEND SPECIFIED SECTIONS OF THE BRIGHTON MUNICIPAL CODE RELATED TO TELECOMMUNICATIONS FACILITIES AND COMMERCIAL MOBILE RADIO SERVICE FACILITIES AND, SETTING FORTH OTHER DETAILS IN RELATION THERETO.

WHEREAS, the *Brighton Municipal Code* contains certain provisions related to telecommunications facilities and commercial mobile radio service facilities, including, but not limited to, a definition thereof and the process for applications; and

WHEREAS, communication technologies continue to change as Brighton continues to grow; and

WHEREAS, during review of the existing regulations, it was determined multiple sections of the Code needed to be revised to modernize the regulations; and

WHEREAS, City staff has proposed an amendment to the *Brighton Municipal Code* that would modernize the code and create more certainty in the development process while renaming these facilities as Wireless Communications Facilities; and

WHEREAS, the City Council finds that the amendment, in its entirety, to Wireless Communications Facilities as provided herein are in the best interest of the public health, safety, and welfare.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Brighton, Colorado, hereby recommends to the City Council to amended the sections of the *Brighton Municipal Code* as follows:

Section 1. Sections 17-16-200, 17-16-210, 17-16-220, 17-16-230, 17-16-240, 17-16-250, 17-16-260, and 17-16-270 of the "Brighton Municipal Code" are repealed in their entirety.

Section 2. Section 17-20-140 of the "Brighton Municipal Code" is repealed and replaced with **Exhibit A** in its entirety.

Section 3. Section 17-32-30 the "Brighton Municipal Code" is amended by removing Use Category of Commercial Mobile Radio Service Facility and all that corresponds and replacing it with the below following Use Category and Specific Uses as part to read as follows:

Use Categories	Specific Uses	Zone Districts																										
		R E	R I	R I A	R I B	R 2	R 3	M H	D T	M U N C	M U C C	M U R / E C	P U D	S 4 C R	S 4 G W	C O	C 1	C 2	C 3	B P	I 1	I 2	M E	F C	P L	O P E N	A / R	A / E
		X = Use by Right							C = Conditional Use					S = Special Use				T = Temporary Use				None = Prohibited						
PUBLIC, INSTITUTIONAL USES																												
Wireless Communications Facility	Roof- and Wall-mounted WCF						C		C	X	X	X	#			X	X	X	X	X	X	X	X	X	X	X	X	X
	Small Cell WCF and Alternative Tower Structure within the ROW	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
	Alternative Tower Structure not within the ROW						C		C	C	X	X	#			C	C	X	X	X	X	X	X	X	X	X	X	X
	Tower										C	C	#				C	C	C	C	C	C	C	C	C	C	C	C

RESOLVED, this 9th day of October, 2018.

**CITY OF BRIGHTON, COLORADO
PLANNING COMMISSION**


Chris Maslanik, Chairperson

ATTEST:


Diane Phin, Secretary