1. CALL TO ORDER

2. GENERAL BUSINESS ITEMS
   2.I. January 7, 2020 Planning Commission Minutes
       Documents:
       GB1 - 01-07-2020 PC MINUTES.PDF
   2.II. Planning Commission Bylaws
       Documents:
       GB2 - PC BYLAWS REDLINES AND FINAL.PDF

3. PUBLIC HEARINGS
   3.I. CASE NO LR19-003, Dirt Track Urban Reserve / Comprehensive Plan Amendment
       LOCATION: south of I-70 and east of Peoria Crossing Road
       ACREAGE: 233 acres
       EXISTING ZONING: PUD
       PROPOSED USE: PUD and Residential
       APPLICANT: Arapahoe County
       CASE MANAGER: Larry Mugler, Long Range Planner
       REQUEST: Revise boundary of Urban Reserve
       Documents:
       RI1 - LR19-003 DIRT TRACK URBAN RESERVE COMP PLAN AMENDMENT.PDF

4. STUDY SESSION ITEMS
   4.I. Study Session Re: Tier 1 Study Scope Of Work
       PRESENTERS: Alan White, Special Projects Planner; Loretta Daniel, Long Range Planning Program Manager
       REQUEST: Discussion regarding Tier 1 Study Scope of Work and PC concurrence to proceed with study / plan
       Documents:
       SS1 - TIER 1 STUDY SCOPE OF WORK.PDF
ANNOUNCEMENTS:

- The next Planning Commission meeting is scheduled for February 4, 2020.
- Planning Commission agendas, Board of County Commission agendas, and other important Arapahoe County information may be viewed online at www.arapahoegov.com or you may contact the Planning Division at 720-874-6650.

PLANNING COMMISSION MEMBERS:

Jamie Wollman  Randall Miller  Diane Chaffin
Jane Rieck, Chair  Richard Sall  Kathryn Latsis
Rodney Brockelman

Arapahoe County is committed to making its public meetings accessible to persons with disabilities.

Please contact the Planning Division at 720-874-6650 or TTY 711, at least three (3) days prior to a meeting, should you require special accommodations.
### ATTENDANCE
A regular meeting of the Arapahoe County Planning Commission was called and held in accordance with the statutes of the State of Colorado and the Arapahoe County Land Development Code. The following Planning Commission members were in attendance:

Jane Rieck, Chair; Richard Sall, Diane Chaffin, Kathryn Latsis, Chair Pro-Tem, Jamie Wollman, Rodney Brockelman, and Randall Miller.

Also present were: Robert Hill, Senior Asst. County Attorney; Kurtis Cotten, Engineer; Molly Orkild-Larson, Senior Planner; Jason Reynolds, Current Planning Program Manager; Alan White, Planner/Project Specialist; Loretta Daniel, Long Range Planning Program Manager; and members of the public.

### CALL TO ORDER
Chair Rieck called the meeting to order at 6:30 p.m. and noted a quorum of the Board was present.

### DISCLOSURE MATTERS
There were no Planning Commission member conflicts with the matters before them.

### GENERAL BUSINESS ITEMS:

#### APPROVAL OF THE MINUTES
The motion was made by Ms. Wollman and duly seconded by Mr. Brockelman to accept the minutes from the December 3, 2019 Planning Commission meeting, as presented.

The motion passed unanimously.

#### APPROVAL OF THE MEETING CALENDAR FOR 2020
The motion was made by Ms. Latsis and duly seconded by Mr. Miller to accept the 2020 Planning Commission meeting calendar, as presented.

The motion passed unanimously.

#### APPROVAL OF THE AGENDA POSTING LOCATIONS FOR 2020
The motion was made by Ms. Chaffin and duly seconded by Mr. Sall to approve the Planning Commission Agenda posting locations, as presented.

The motion passed unanimously.
### INTRODUCTION OF PLANNING COMMISSION BY-LAWS

The Planning Commissioners reviewed proposed revisions to the by-laws and generally supported the changes.

### REGULAR ITEMS:

<table>
<thead>
<tr>
<th>ITEM 1</th>
<th>Case No. SDP19-003, Copperleaf #23 / Specific Development Plan (SDP) – Molly Orkild-Larson, Senior Planner, Public Works and Development (PWD)</th>
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<td></td>
<td>Ms. Orkild-Larson introduced the case and confirmed public notice requirements had been met. She reported the applicant was proposing six pad sites with dimensional standards, perimeter landscaping, and uses, some of which would not be permitted on lot 1 to reduce impacts on residential development located west of site. She stated the proposal met requirements in Copperleaf Preliminary Development Plan (PDP) and the proposed landscape was consistent with other landscape along Quincy. She noted the Board of County Commissioners had approved the final plat at their morning Public Meeting.</td>
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<td>There were Planning Commissioner comments regarding proposed land uses, 24-hour convenience, high-intensity uses, outdoor storage, and buffers between commercial and residential.</td>
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<td>The applicant, Ryan McBreen with Norris Designs, gave a brief presentation and overview of the proposed project. He reported it was a 6 acre site and was one of last undeveloped sites in Copperleaf. He stated the proposal was in compliance with underlying zoning. He explained future development would occur down the road. He said to the west was a KB Homes product and to the south was Grand Peaks multi-family. Mr. McBreen reported the existing monument sign at Quincy and Picadilly would remain in place. He asked the Planning Commission for approval of the SDP.</td>
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<td>There were follow up discussions regarding the monument location and the buffer along the multi-family (MF) sites. It was noted the MF was not for sale so renters could move to the other side of the community; however, there were many uses the residents might like.</td>
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<td>Ms. Rieck opened the public hearing for comments. There were no public comments. The public hearing was closed.</td>
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<td>It was moved by Ms. Latsis and duly seconded by Ms. Chaffin in the case of SDP19-003, Copperleaf Filing No. 23 / Specific Development Plan, that the Planning Commissioners reviewed</td>
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the staff report, including all exhibits and attachments, listened to the applicant’s presentation and any public comment as presented at the public hearing, and moved to approve the application based on the findings in the staff report, subject to the following conditions:

1. Prior to signature of the final copy of these plans, the applicant must address Public Works Staff comments and concerns.

2. The applicant shall comply with the recommendations of the fire district prior to issuance of a building permit.

3. The applicant shall address all City of Aurora comments prior to the issuance of a building permit.

4. Lot 1 (western most lot) shall not contain the intense uses identified in the Specific Development Plan (SDP19-003).

The vote was:

Ms. Rieck, Yes; Ms. Chaffin, Yes; Mr. Miller, Yes; Mr. Sall, Yes; Ms. Latsis; Yes; Ms. Wollman, Yes, Mr. Brockelman, Yes.

ITEM 2

Case No. LR19-006, Comprehensive Plan (Comp Plan) Amendment for Urban Residential Densities / Long Range (LR) – Alan White, Planner & Special Projects, Public Works and Development (PWD)

Alan White, Planner, stated the public notice was adequate and the Planning Commission had jurisdiction. He provided an overview of potential infill parcels. He stated the proposed amendment would affect about 10-12 parcels at this time. He said each of the parcels would need to be rezoned, whether for single-family detached or attached developments. Mr. White explained there would be public hearings at both the Planning Commission and the Board of County Commissioners. He reported the proposal was to adjust densities for single-family detached from 1-6 to 1-8 du/ac and to change single-family attached from 6 to 12 du/ac to 8-16 du/ac. Mr. White reminded the Planning Commission of their request for a set of criteria, which the proposed amendment included criteria, as follows: shape or topography that constrained normal development practices; that it provided a suitable transition; and that it met small lot residential design standards. He said referrals were sent to 104 agencies and he had received 21 responses. Mr. White reported most of the responses were no comments/no concerns; however, he had
received some comments from Littleton, Douglas County, and Cherry Hills Water and San District. He reported the Douglas County comments requested suitable transitions from development in Douglas County, which was included in item 2 regarding transitions. He explained the closest area in Douglas County was a mile away from a potential development in Arapahoe County. He said Cherry Hills Heights was located at the NE corner of Hampden and University and they had their own sewer/water district. Mr. White reported that he had talked with a representative of the district and let them know that any proposed changes in density, in that subdivision, would go through a rezoning process. He stated Littleton asked that we make the criteria mandatory; however, we didn’t do that because we wanted to offer some flexibility in decision making. Mr. White said the amendment was not intended to be regulatory and making it mandatory would border on regulatory. He said Littleton also asked that we add a sixth bullet point about mitigating impacts of development, which is part of the land development process following the land development code. He explained staff did not make changes based on those referral comments. Mr. White reported staff brought this proposal forward because they wanted to make the Comp Plan more consistent with zoning in the Land Development Code and to bring the Comp Plan, and some of the recently adopted zone districts, more into alignment. He explained that all of the parcels in the urban residential land use category would require a public hearing if somebody were to propose a change. Mr. White reported that one of the reasons staff proposed this amendment was to because if you changed the category to multi-family density, which would allow a denser townhome project, somebody else could purchase the property and develop multi-family at any density. He stated Tri-County Health Department supported the proposal because increased densities supported more walkable communities. He said staff recommended approval.

There were discussions regarding impacts to the Four Square Mile area, aging population, demand for townhomes, affordability, housing options, overcrowding, the location of the impacts, the number of referrals responses received being a fair representation, consistency with other jurisdiction’s densities, smaller lots as a trend, and if there were applicants waiting in the wings to apply if approved.

Ms. Rieck opened the public hearing for comments.

Joe Sutherland, 21125 E Hampden Place, member of East Arapahoe County Planning Commission said he was commenting as a citizen. He expressed concern over the need to maintain a crash zone. He
reported having lived in Seoul Korea for several years and they had millions of people living in an area the size of Denver – and it worked really well. He said they had great transit. He commented on how RTD was having a hard time making things work. He saw firsthand how increased density increased walkability in Seoul; however, he said if we jammed more people into specific infills they wouldn’t be walking anywhere because the closest place to shop was a little Walmart, resulting in parking and traffic problems. He stated, if we are hoping developers will go out and develop cheaper property, that’s was not going to happen.

Ms. Rieck stated the proposed, draft resolution stated County staff referred things to referral agencies and received no comment. She stated that should be revised to say we did receive comments.

There were no further public comments. The public hearing was closed.

It was moved by Ms. Wollman and duly seconded by Ms. Latsis in the case of LR19-006, Urban Residential Densities / Comprehensive Plan Amendment, that the Planning Commissioners read the proposed plan amendment and staff report, considered additional information as presented during the public hearing, and found themselves in agreement with Staff findings one (1) through four (4) as set forth in the Staff report dated December 12, 2019, and therefore approved the amendment, as requested.

The vote was:

Ms. Rieck, No; Ms. Chaffin, No; Mr. Miller, No; Mr. Sall, Yes; Ms. Latsis; Yes; Ms. Wollman, Yes; Mr. Brockelman, Yes.

ADJOURNMENT

There being no further business to come before the Planning Commission, the meeting was adjourned.
ARAPAHOE COUNTY
PLANNING COMMISSION BYLAWS

[Amended and Approved] by Planning Commission [January 21, 2020]
Accepted by Board of County Commissioners and Effective [Date, 2020]

DRAFT AMENDMENTS INTRODUCED AT JANUARY 7, 2020, PLANNING COMMISSION MEETING FOR DISCUSSION AND FUTURE ACTION

On a motion by Commissioner [Name], seconded by Commissioner [Name], the Planning Commission members voted unanimously: Rodney Brockelman, Diane Chaffin, Kathryn Latsis, Randall Miller, Jane Rieck, Rick Sall, Jamie Wollman.

Senior Assistant County Attorney: Robert Hill
Executive Secretary of Planning Commission: Jan Yeckes, Planning Division Manager

These Bylaws are intended to work in conjunction with the Arapahoe County Land Development Code, Chapter 5 Procedures, Section 5-1 Review and Decision-Making Bodies, Subsections 5-1.1. Review and Decision-Making Authority and 5-1.3. Arapahoe County Planning Commission.

I. DEFINITIONS

As used in these Rules (Ref: 5-1.3.C.), the following terms shall have the following meanings, unless the context otherwise requires:

**Applicant**: That person or firm who proposes action to be taken by the Arapahoe County Planning Commission.

**Business Items**: Items for action before the Planning Commission not requiring a public hearing, such as adoption of minutes of previous meetings, election of officers, and amending the Planning Commission Bylaws.

**Chair**: Planning Commission member elected by the Commission to conduct the meetings.

**Chair Pro-Tem**: Planning Commission member elected by the Commission to conduct the meetings in the absence of the Chair.

**Commission**: See Planning Commission.

**Commission Member**: A person residing in the unincorporated county and appointed by the Board of County Commissioners to serve on the Planning Commission. Ref: 5-1.3.A.

**Continued**: To halt consideration of a case and set aside temporarily until a later certain date and time. The case would remain active. Public comment may be closed or additional testimony may be taken. Planning Commission may specify that additional written testimony will be taken by a date certain or may limit the areas in which testimony may be taken at the future meeting date.
County: Arapahoe County, State of Colorado.

Motion: A statement of proposed action to be taken by the Commission by a Commission member.

Motion, Amendment to: A change to the proposed motion by any member of the Commission.

Planning Commission: The Arapahoe County Planning Commission, a body advisory to the Board of County Commissioners on certain actions, such as rezoning of property and approval of a Specific Development Plan for property, and the final decision body on other actions, such as Comprehensive Plan documents.

Planning Commission Meetings: Scheduled public meetings of the Arapahoe County Planning Commission during which land use applications, planning documents, and amendments to the Land Development Code are received and considered as public hearing items, as business items or as study items.

Postponed: The Planning Commission takes no formal action, and the item is held to a future time, but not to a date certain (requires new notice).

Public Hearing: A scheduled meeting item with prior notification to the general public concerning the item and outcome requested, in accordance with noticing requirements of the Land Development Code, with public testimony requested and received before the Planning Commission makes a recommendation/decision. Ref: 5-2.2 Public Notice Requirements

Public Meeting: Any gathering of a quorum of members of the Planning Commission for which public notice is required under the Colorado Open Meetings Law (CRS 24-6-401, et. seq.). A public meeting may include any combination of informational study sessions, requests for feedback from the Planning Commission to staff, general business items requiring action but not constituting a public hearing, and/or items noticed for public hearing in accordance with the Land Development Code. Also see Planning Commission Meetings.

Public Testimony: That portion of the Planning Commission public hearing or other public meeting during which public input is solicited.

Quorum: A quorum shall consist of at least four (4) Commission members. In the event that one or more vacancies exist on the board, the quorum shall consist of a simple majority of the filled seats. Ref: 5-1.3.C.4.

Second: An acknowledgment by one other member of Commission that a motion should be considered.
Staff: Employees of Arapahoe County, typically those of the Planning and Engineering Services Divisions and the County Attorney's Office, assigned by those agencies to assist the Commission with professional expertise.

Work/Study Sessions: Work/Study Sessions held to study various planning matters in depth, conduct internal business, and provide training for Commission members will be scheduled as required. Such sessions will be posted on a public meeting agenda and open to the general public. The public generally will not have the right to participate unless questions are invited by the Planning Commission or the Planning Commissioners ask questions of citizens, industry experts, or others in attendance.

II. ADMINISTRATION

A. Election of Officers

1. The Arapahoe County Planning Commission is a body composed of a maximum of seven (7) members appointed by the Board of County Commissioners. The Planning Commission elects a Chair and a Chair Pro-Tem from among its members. A permanent member of the Planning Division, elected by the Planning Commission, occupies the position of Executive Secretary. Ref: 5-1.3.A.2. and 5-1.3.B.

2. Between March 1 and April 30, each year, the Commission shall elect, from its membership, a Chair and Chair Pro-Tem. A majority vote of those present is required to elect a Chair. After the Chair is elected, the same procedure shall be followed in the election of a Chair Pro-Tem.

B. Duties of Officers

1. Chair. It is the responsibility of the Chair to conduct Planning Commission meetings in accordance with the rules of order adopted herein. Upon motion made and passed, in accordance with these Rules, the Commission may suspend compliance with these Rules if it determines that no person's substantial rights would be prejudiced. The Chair shall be a voting member of the Commission and is accorded the same rights and privileges accorded other members of the Commission. The Chair is authorized to sign documents, minutes, and schedule work sessions.

2. Chair Pro-Tem. In the event that the Chair is temporarily unable to act due to absence, illness or personal interest in any matter coming before the Commission, or due to any other cause, the Chair Pro-Tem shall be accorded the same privileges and responsibilities as the Chair. In the
event neither Chair nor Chair Pro-Tem is present, those present shall elect a temporary Chair.

3. **Executive Secretary.** In coordination with the Chair and the Planning Staff, schedules public hearings and other meetings before the Commission. The Executive Secretary or a designee appointed by the Executive Secretary prepares and distributes the Commission agendas and provides a written summary of decisions made by the Commission.

4. **Recording Secretary.** Shall keep the minutes (Ref: 5-1.3.C.3.) and audio recordings of all Commission meetings. The Executive Secretary or designee shall act as the Recording Secretary for the Planning Commission, and the Planning Division Office of Public Works and Development shall be the custodian of all Commission records pertaining to actions of the Planning Commission.

C. **Conflict of Interest**

1. No member of the Commission shall participate, in any way, in any matter pending before the Commission in which the member has a conflict of interest.

2. Each member must personally decide whether or not conflict of interest exists. Conflicts of interest must be disclosed, even if determined after commencement of a hearing. Conflict of interest issues may be raised at the hearing by a member of the Commission, persons present at the hearing, or through a written statement presented to the Commission members or the Chair. In case of doubt, the member should consult the County Attorney.

D. **Attendance**

1. Each Commissioner shall be responsible for his/her attendance. After three (3) consecutive absences or a series of absences over a period of time sufficient to cause concern about ability to fulfill the responsibilities of the position, the Chair shall contact the member. If attendance continues to falter, the Chair will contact the Board of County Commissioners to determine whether further action is needed.

2. It is expected that each member will be in attendance for at least 75% of meetings held during the calendar year.
3. All Commissioners are expected to attend scheduled work/study sessions related to the Comprehensive Plan, Zoning and Subdivision Regulations, training sessions, and other business of the Planning Commission.

E. Amendment of the Bylaws

These bylaws may be amended, upon proper motion and second, only upon meeting the following criteria:

1. All members present may vote on items pertaining to elections or procedures. A simple majority carries the motion.

2. Amendments to the bylaws will be approved no sooner than two weeks following the date of the meeting at which the issue is first raised for discussion.

3. Changes to the bylaws approved by the Planning Commission must be submitted to the Board of County Commissioners for acceptance prior to becoming effective.

III. GENERAL RULES OF ORDER

The following are general rules of order and apply to the conduct of business at all Planning Commission hearings unless the applications of the rules of order are suspended by motion.

A. A quorum of the Planning Commission shall be present in order to open the public hearing/public meeting and conduct business. Ref: 5-1.3.C.4.

B. A motion before the Planning Commission may be made by any voting Commission member participating in the hearing. Another member of the Commission must second any motion for the Planning Commission to be able to vote on the motion.

1. After the motion and second, the Chair shall ask for discussion from members of the Commission.

2. After all interested Commission members have had an opportunity to speak, the Chair may ask the Secretary to restate the motion. The Chair shall then call for a vote in favor or in opposition to the motion and the recording secretary shall record the vote.
3. If a vote of the Planning Commission on an application pending before the Commission results in a tie vote, a new motion may be made and voted upon in order to provide a definitive recommendation to the Board of County Commissioners or a clear record of decision for final action by the Planning Commission. If no new motion is made, a tie vote will result in a recommendation for denial or act to deny an application for which the Planning Commission is the final deciding body. Ref: 5-1.3.C.4.b.

4. If a motion on an application pending before the Commission fails for lack of a second, a new motion may be made in order to provide a definitive recommendation to the Board of County Commissioners or a clear record of decision for final action by the Planning Commission.

5. If the Planning Commission is unable to produce a motion that can proceed to a vote when serving in an advisory capacity (no new motion made or the final motion fails to receive a second), the application will move forward to the Board of County Commissioners with a recommendation to the Board of County Commissioners to deny the application. Ref: 5-1.3.C.4.b.

6. If the Planning Commission is unable to produce a motion that can proceed to a vote when acting as the deciding authority (no new motion made or the final motion fails to receive a second), the decision on the application will be denial. Ref: 5-1.3.C.4.b.

C. A motion may include provisions by reference.

D. Upon proper motion, second to the motion and majority affirmative vote, any item of business may be postponed (where item was not properly noticed and Commission does not have jurisdiction to continue the item to a date certain) or continued (where the item has been properly noticed and the Commission has jurisdiction) to a future date certain or a future date with notice. No item may be continued beyond any statutorily specified time frame for action on the item except in compliance with the applicable statutory requirements.

E. The Planning Commission shall establish its own rules of order and may consider Robert’s Rules of Order as a guide.
IV. CONDUCT OF PLANNING COMMISSION HEARINGS, MEETINGS, WORK/STUDY SESSIONS

A. Hearings

1. Regular Commission hearings shall be scheduled by the Executive Secretary and an agenda prepared for each meeting. The agenda shall be prepared at least five (5) days in advance of the meeting date and shall be made available to every member of the Commission, the Board of County Commissioners, and to any person or group requesting a copy of the agenda. The Chair, with the assistance of the Planning Staff, shall have the power to limit the number of items on the agenda to assure adequate review.

2. Regular hearings shall begin (on the 1st and 3rd Tuesday of each month) at the date and time designated in the agenda, or as soon thereafter as possible, and shall be at the place designated in the agenda.

3. Special hearings of the commission may be held at any time and place, provided that a quorum is present and that the agenda has been made with at least five (5) days notice.

4. All discussion and formal action of the Planning Commission shall be conducted in the public hearing/public meeting. It is not appropriate for Planning Commission members to discuss quasi-judicial matters outside of the public hearing on that matter. Executive sessions may only be held for the reasons authorized by, and shall be conducted in accordance with, the Colorado Open Meetings Law (CRS 24-6-401, et. seq.).

5. At 10:00 p.m., a motion will be made to determine whether to move the discussion to a future date or whether to continue on with the discussion beyond 10:00 p.m., requiring a majority vote to continue meeting. At 10:30 p.m., a unanimous vote is required to continue with the discussion on an item or to start a new item on the agenda.

B. Work/Study Sessions

1. Work/Study Sessions requested by the Planning Commission shall be scheduled by the Executive Secretary with the consent of a simple majority of the Planning Commission and an agenda prepared for each such session; study sessions not requested by the Planning Commission may be scheduled by the Executive Secretary. The agenda shall be prepared at least five (5) days in
advance of the meeting date and shall be made available to every member of the Commission.

2. Whenever possible, the work/study session will be on regular Planning Commission meeting dates and shall be posted as a public meeting and open to the public. For work that would benefit from additional meetings for the purpose of work/study sessions, staff will consult with the Planning Commission on availability and agreement to additional meetings prior to scheduling and posting the meeting.

3. Work/Study Session items may include Land Development Code Amendments, Comprehensive Plan Updates and/or Amendments, statute and legal issues of interest to the Planning Commission, general or subject-specific training for Planning Commissioners, and other items not considered to be regular agenda and public hearing items.

C. Order of Business for Hearings/Meetings

1. The Chair calls the hearing/meeting to order, and the quorum is announced indicating the presence of Commission.

2. If minutes of the previous meeting(s) are to be considered, the Chair shall ask if there are any changes or additions. Whether or not changes are needed, the Chair shall ask for a motion to approve the minutes and the Commission members shall vote on the proposed motion.

3. The Chair shall conduct the hearing/meeting in accordance with the agenda unless a specific adjustment is made.

4. The Planning Commission public hearing/meeting agenda can include "consent" item(s), and such item(s) shall be placed on the agenda by the Commission’s Executive Secretary. All consent items will occur as the first agenda item.

5. After calling the hearing/meeting to order and attending to any administrative business, the Chair will read the case number and title of all cases on the consent agenda. The Chair will determine whether any Commissioner or member of the public intends to address the Commission on any consent agenda items. If any such indication is given, the case will be removed from the consent agenda. If items are removed from the consent agenda, the Chair will determine the nature of the concerns and, upon recommendation of the Planning Division, either place the case as the first item of the regular agenda
as a business item if no public hearing is required or reschedule the case to the next available Planning Commission public hearing date for which noticing requirements can be met.

6. Following the above steps, the Chair will seek a motion recommending approval of all remaining consent items to the Planning Commission. Upon second, the motion will be called for a vote of the Commission.

D. Consideration of Land Use and/or Subdivision Cases

The following procedures shall apply to the consideration of land use and/or subdivision cases (Ref: 5-1.3.D. and E.):

1. The Chair shall open the public hearing. The Chair has the discretion of limiting the time allotted for input from Staff, the applicant and the public. Generally, staff is limited to 5 minutes, the applicant to 15 minutes, and the public to 3 minutes per speaker if time allows. The Chair may direct that additional public comment be limited to new information and/or an expression of concurrence with earlier comments made by others in order to ensure that time is used effectively.

2. The Chair may inquire at the beginning of each matter on the agenda whether there are any procedural matters to be addressed by the Commission prior to addressing the merits of the application.

3. The Chair shall ask the applicable Staff member to introduce the case. Such introduction shall include:

   a) Case Number
   b) Case Name
   c) Name of Applicant
   d) Description of Request
   e) Location of the Request
   f) Description of surrounding zoning, land use, staff analysis, findings, and recommendations which may be presented verbally or by reference to the written staff report.
g) The Staff report shall be part of the record.

4. The Chair may request that the applicant, as well as his or her representative, approach the Commission and identify themselves and give complete addresses.

5. The Chair may ask the applicant to provide a brief description of his or her request, if the applicant desires.

6. The Chair shall ask if any Commission member has questions relative to the request. These questions may be directed to the applicant or the Staff.

7. The Chair shall then open the hearing for public testimony. Each speaker will give his or her name and address prior to giving testimony. The Chair shall have discretion to limit the number of speakers, as well as the arguments presented, to avoid undue repetition and consumption of time.

8. The applicant shall have an opportunity to answer questions and respond to conflicting testimony after all opposition has been heard. The applicant is limited to rebuttal of the conflicting testimony, and may not introduce new topics of testimony at this time. The opposition and the applicant may be allowed time for clarification of previous testimony at the discretion of the Chair. All comments are to be directed to the Planning Commission. Dialogue between the applicant and those members of the public addressing the Commission shall not be permitted except upon approval of the Chair.

9. The Chair shall ask if any Commission member has any comments and final questions relative to the testimony taken. Questions may be addressed to the applicant, other Commission members, the public, or the Staff.

10. The Chair shall close the public testimony portion of the hearing.

11. The Chair shall ask for discussion or a motion from the Commission. Upon proper motion and second, the Chair shall ask for further discussion on the motion. Any Commission or Staff member may be recognized for comments on the motion. After all discussion has taken place, the Chair shall conduct a vote as provided in Section III of these Rules.

12. Voting on Land Use and/or Subdivision Cases shall be done at a public hearing of the Planning Commission. Any Planning Commissioner
present may vote if he or she was present at, or reviewed the audio recording of, the prior hearing or hearings regarding the case. A quorum shall be necessary, and a simple majority thereof shall be required. The Commission's recommendation or decision shall contain reasonable findings of fact to support its recommendations or decisions.

13. The record of the Planning Commission transmitted to the Board of County Commissioners shall be sufficiently detailed to inform the Board of County Commissioners what transpired at the Planning Commission hearing, but will be in summary form rather than transcript form. The audio recording is the official record of the public hearing.

14. No person participating in Planning Commission hearings may give testimony until recognized by the Chair. The Chair shall request any person or persons speaking out of order to wait until recognized by the Chair. In the event that individuals or groups fail to comply with the Chair's request, the Chair shall take such action as is necessary to maintain order. While such action may include continuing the meeting to a future date certain or adjournment of the meeting, these should be actions of last resort to avoid delaying completion of the noticed hearing and impacting the applicant’s development schedule and other citizens in attendance.

E. Consideration of Comprehensive Plan Amendments

1. Amendment Procedure: As referenced in State Statutes and any other applicable the Arapahoe County Regulations.

2. Voting by Planning Commission to adopt Amendments requiring a public hearing: Voting on an amendment shall be done at a public hearing of the Planning Commission, which has sole authority to approve such amendments. Any Planning Commissioner present may vote if he or she was present at, or reviewed the audio recordings of, the prior hearing or hearings regarding the amendment. A quorum shall be necessary, and a simple majority thereof shall be required to pass an amendment subject to public hearing requirements.

F. Consideration of Location and Extent Cases

1. Procedure shall be as for consideration of Land Use and/or Subdivision cases.
2. Planning Commission takes final action on Location and Extent applications. The Board of County Commissioners may also consider Location and Extent plans according to County Regulations.

G. Record of Meeting

1. The official record of the meeting shall be the audio recording.

2. Summary minutes shall be provided as a courtesy and shall be approved by the Planning Commission during a public meeting as addressed within these bylaws.

3. Video recording and live-streaming of the meeting may be provided as a courtesy and convenience.

V. SEVERABILITY

If any section, sub-section, sentence, clause or phrase of these bylaws is for any reason held by a court of competent jurisdiction to be invalid, such a decision shall not affect the validity of the remaining portions of these bylaws. The Planning Commissioners of Arapahoe County hereby declare that they would pass these Bylaws and each section, sub-section, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, sub-sections, sentences, clauses, or phrases be invalid.

ADOPTED FEBRUARY 7, 1984
AMENDED NOVEMBER 1, 1985
AMENDED NOVEMBER 6, 1986
AMENDED FEBRUARY 4, 1992
AMENDED JULY 25, 1995 (Meeting Times)
AMENDED OCTOBER 1, 1996 (Consent Agenda Items)
AMENDED JULY 10, 2001 (Members, Voting, Recording Secretary)
AMENDED JUNE 16, 2009 (Definitions, procedures, clarifications, attendance)
AMENDED January 10, 2017 (Definitions, election of officers, attendance, record keeping, alternate motions, vote to continue hearing past a certain time, conduct of hearing)
[AMENDED January 21, 2020] (Definitions, Land Development Code references to reflect reorganized code effective August 2019, clarifications where intent or process not clear)
ARAPAHOE COUNTY
PLANNING COMMISSION BYLAWS
Amended and Approved January 10, 2017

DRAFT AMENDMENTS INTRODUCED AT JANUARY 7, 2020, PLANNING COMMISSION MEETING FOR DISCUSSION AND FUTURE ACTION

On a motion by Commissioner [Name], seconded by Commissioner [Name], the Planning Commission members voted unanimously: Rodney Brockelman, Diane Chaffin, Kathryn Latsis, Randall Miller, Jane Rieck, Rick Sall, Jamie Wollman.

Senior Assistant County Attorney: Robert Hill
Executive Secretary of Planning Commission: Jan Yeckes, Planning Division Manager

These Bylaws are intended to work in conjunction with the Arapahoe County Land Development Code, Chapter 2 Review and Decision-Making Bodies [Chapter 5 Procedures], Sections 2-1005-1 Review and Decision-Making Bodies, Subsections 5-1.1, Review and Decision-Making Authority and 5-1.3, and 2-300 Arapahoe County Planning Commission.

I. DEFINITIONS

As used in these Rules (Ref: 2-302.045-1.3.C.), the following terms shall have the following meanings, unless the context otherwise requires:

Applicant: That person or firm who proposes action to be taken by the Arapahoe County Planning Commission.

Business Items: Items for action before the Planning Commission not requiring a public hearing, such as adoption of minutes of previous meetings, election of officers, and amending the Planning Commission Bylaws.

Chair: Planning Commission member elected by the Commission to conduct the meetings.

Chair Pro-Tem: Planning Commission member elected by the Commission to conduct the meetings in the absence of the Chair.

Commission: See Planning Commission.

Commission Member: A County resident [person residing in the unincorporated county and appointed by the Board of County Commissioners to serve on the Planning Commission, Ref: 5-1.3.A.

Continued: To halt consideration of a case and set aside temporarily until a later certain date and time. The case would remain active. Public comment may be closed or additional testimony may

Commented [JY1]: This version has been updated on 01/13/2020 to incorporate changes from PC member Jamie Wollman and attorney Bob Hill for introduction on 01/07/2020 for PC discussion and changes from 01/07 PC discussion at meeting – to be scheduled for additional discussion and action at the 01/21/2020 PC meeting.

Commented [JY2]: Updates to Land Development Code (LDC) references (Ref: ) reflect changes that resulted with the adoption of the reorganized LDC in 2019.

Commented [JY3]: I had this drafted as “residing in or owning property in the unincorporated county”; however, the LDC states a Planning Commissioner must be “a resident of unincorporated Arapahoe County.”
be taken. Planning Commission may specify that additional written testimony will be taken by a date certain or may limit the areas in which testimony may be taken at the future meeting date.

**County:** Arapahoe County, State of Colorado.

**Motion:** A statement of proposed action to be taken by the Commission by a Commission member.

**Motion, Amendment to:** A change to the proposed motion by any member of the Commission.

**Planning Commission:** The Arapahoe County Planning Commission, a body advisory to the Board of County Commissioners on certain actions, such as rezoning of property and approval of a Final Development Plan, Specific Development Plan, or the final decision body on other actions, such as Comprehensive Plan documents.

**Planning Commission Meetings:** Scheduled public meetings of the Arapahoe County Planning Commission during which land use applications, planning documents, and amendments to the Land Development Code are received and considered as public hearing items, as business items or as study items.

**Postponed:** The Planning Commission takes no formal action, and the item is held to a future time, but not to a date certain (requires new notice).

**Public Hearing:** A scheduled meeting item with prior notification to the general public concerning the item and outcome requested, in accordance with noticing requirements of the Land Development Code, with public testimony requested and received before the Planning Commission makes a recommendation/decision. Ref: 5-2.2 Public Notice Requirements

**Public Meeting:** Any gathering of a quorum of members of the Planning Commission for which public notice is required under the Colorado Open Meetings Law (CRS 24-6-401, et. seq.). A public meeting may include any combination of informational study sessions, requests for feedback from the Planning Commission to staff, general business items requiring action but not constituting a public hearing, and/or items noticed for public hearing in accordance with the Land Development Code. Also see Planning Commission Meetings.

**Public Testimony:** That portion of the Planning Commission Hearing, public hearing or other public meeting during which public input is solicited.

**Quorum:** A quorum shall consist of at least four (4) Commission members. In the event that one or more vacancies exist on the board, the quorum shall consist of a simple majority of the filled seats. Ref: 2-302.04.015-1.3.C.4.
Second: An acknowledgment by one other member of Commission that a motion should be considered.

Staff: Employees of Arapahoe County, typically those of the Planning and Engineering Services Divisions and the County Attorney's office, assigned by those agencies to assist the Commission with professional expertise.

Work-/Study Sessions: Work-/Study Sessions held to study various planning matters in depth, conduct internal business, and provide training for Commission members will be scheduled as required. Such sessions will be posted on a public meeting agenda and open to the general public. The public generally will not have the right to participate unless questions are invited by the Planning Commission or the Planning Commissioners ask questions of citizens, industry experts, or others in attendance.

II. ADMINISTRATION

A. Election of Officers

1. The Arapahoe County Planning Commission is a body composed of a maximum of seven (7) members, which is appointed by the Board of County Commissioners. The Planning Commission elects a Chair and a Chair Pro-Tem from among its members. A permanent member of the Planning Division, elected by the Planning Commission, fills the position of Executive Secretary. Ref: 2-301.01 and 2-301.02, 3-1.3.A.2. and 5-1.3.B.

2. Between March 1 and April 30, each year, the Commission shall elect, from its membership, a Chair and Chair Pro-Tem. A majority vote of those present is required to elect a Chair. After the Chair is elected, the same procedure shall be followed in the election of a Chair Pro-Tem.

B. Duties of Officers

1. Chair. It is the responsibility of the Chair to conduct Planning Commission hearings, meetings in accordance with the rules of order adopted herein. Upon motion made and passed, in accordance with these Rules, the Commission may suspend compliance with these Rules if it determines that no person's substantial rights would be prejudiced. The Chair shall be a voting member of the Commission, and is accorded the same rights and privileges accorded other members of the Commission. The Chair is authorized to sign documents, minutes, and schedule work sessions.
2. **Chair Pro-Tem.** In the event that the Chair is temporarily unable to act due to absence, illness or personal interest in any matter coming before the Commission, or due to any other cause, the Chair Pro-Tem shall be accorded the same privileges and responsibilities as the Chair. In the event neither Chair nor Chair Pro-Tem is present, those present shall elect a temporary Chair.

3. **Executive Secretary.** Schedules in coordination with the Chair and the Planning Staff, schedules public hearings and other meetings before the Commission. The Executive Secretary prepares and distributes the Commission agendas and provides a written summary of decisions made by the Commission. The Arapahoe County Planning Division Manager shall be the custodian of all Commission files.

4. **Recording Secretary.** Shall keep the minutes (Ref: 2.302.025.1.3.C.3.) and audio recordings of all Commission meetings. The Executive Secretary or designee shall act as the Recording Secretary for the Planning Commission, and the Planning Division Office of Public Works and Development shall be the custodian of all Commission records pertaining to actions of the Planning Commission.

**C. Conflict of Interest**

1. No member of the Commission shall participate, in any way, in any matter pending before the Commission in which the member has a conflict of interest.

2. Each member must personally decide whether or not conflict of interest exists. However, conflicts of interest must be disclosed, even if determined after commencement of a hearing. Conflict of interest issues may be raised at the hearing by a member of the Commission, persons present at the hearing, or through a written statement presented to the Commission members or the Chair. In case of doubt, the member should consult the County Attorney.

**D. Attendance**

1. Each Commissioner shall be responsible for his/her attendance. After three (3) consecutive absences or a series of absences over a period of time sufficient to cause concern about ability to fulfill the responsibilities...
of the position, the Chair shall contact the member. If attendance continues to falter, the Chair will contact the Board of County Commissioners to determine if further action is needed.

2. It is expected that each member will be in attendance for at least 75% of scheduled meetings held during the calendar year.

3. All Commissioners are expected to attend scheduled work/study sessions; e.g., related to the Comprehensive Plan, Zoning and Subdivision Regulations, training sessions, and sessions of similar nature other business of the Planning Commission.

E. Amendment of the Bylaws

These bylaws may be amended, upon proper motion and second, only upon meeting the following criteria:

1. All members present may vote on items pertaining to elections or procedures. A simple majority carries the motion.

2. Amendments to the bylaws will be approved no sooner than two weeks following the date of the meeting at which the issue is first raised for discussion.

2.3 Changes to the bylaws approved by the Planning Commission must be submitted to the Board of County Commissioners for acceptance prior to becoming effective.

III. GENERAL RULES OF ORDER

The following are general rules of order, and apply to the conduct of business at all Planning Commission hearings, unless the applications of the rules of order are suspended by motion.

A. A quorum of the Planning Commission shall be present in order to open the public hearing/public meeting and conduct business. Ref: 5.1.3.C.4.

B. A motion before the Planning Commission may be made by any voting Commission member participating in the hearing. Another member of the Commission must second any motion for the Planning Commission to be able to vote on the motion.
1. After the motion and second, the Chair shall ask for discussion from members of the Commission.

2. After all interested Commission members have had an opportunity to speak, the Chair may ask the Secretary to restate the motion. The Chair shall then call for a vote in favor or in opposition to the motion and the recording secretary shall record the vote.

3. If a vote of the Planning Commission on an application pending before the Commission results in a tie vote, a new motion may be made and voted upon in order to provide a definitive recommendation to the Board of County Commissioners or a clear record of decision for final action by the Planning Commission. If no new motion is made, a tie vote will result in a recommendation for denial or act to deny an application for which the Planning Commission is the final deciding body. Ref: 2-302.04.025-1.3.C.4.b.

4. If a motion on an application pending before the Commission fails for lack of a second, a new motion may be made in order to provide a definitive recommendation to the Board of County Commissioners or a clear record of decision for final action by the Planning Commission.

5. If the Planning Commission is unable to produce a motion that can proceed to a vote when serving in an advisory capacity (no new motion made or the final motion fails to receive a second), the application will move forward to the Board of County Commissioners with a recommendation to the Board of County Commissioners to deny the application. Ref: 5-1.3.C.4.b.

6. If the Planning Commission is unable to produce a motion that can proceed to a vote when acting as the deciding authority (no new motion made or the final motion fails to receive a second), the decision on the application will be denial. Ref: 5-1.3.C.4.b.

C. A motion may include provisions by reference.

D. Upon proper motion, second to the motion and majority affirmative vote, any item of business may be postponed (where item was not properly noticed and Commission does not have jurisdiction to continue the item to a date certain) or continued (where the item has been properly noticed and the Commission has jurisdiction) to a future date certain or a future date with notice. No item may be
continued beyond any statutorily specified time frame for action on the item except in compliance with the applicable statutory requirements.

E. The Planning Commission shall establish its own rules of order and may consider Robert’s Rules of Order as a guide.

IV. CONDUCT OF PLANNING COMMISSION HEARINGS, MEETINGS, WORK/STUDY SESSIONS

A. Hearings

1. Regular Commission hearings shall be scheduled by the Executive Secretary and an agenda prepared for each meeting. The agenda shall be prepared at least five (5) days in advance of the meeting date and shall be made available to every member of the Commission, the Board of County Commissioners, and to any person or group requesting a copy of the agenda. The Chair, with the assistance of the Planning Staff, shall have the power to limit the number of items on the agenda to assure adequate review.

2. Regular hearings shall begin (on the 1st and 3rd Tuesday of each month) at the date and time designated in the agenda, or as soon thereafter as possible, and shall be at the place designated in the agenda.

3. Special hearings of the commission may be held at any time and place, provided that a quorum is present and that the agenda has been made with at least five (5) days notice.

4. All discussion and formal action of the Planning Commission shall be conducted in the public hearing/public meeting. It is not appropriate for Planning Commission members to discuss quasi-judicial matters outside of the public hearing on that matter. Executive sessions may be appropriate if done for the purpose of receiving legal advice on a specific legal question. Discussions outside the public hearing/public meeting are not considered appropriate for conduct of Planning Commission meetings. Executive sessions may only be held for the reasons authorized by, and shall be conducted in accordance with, the Colorado Open Meetings Law (CRS 24-6-401, et. seq.).
5. At 10:00 p.m., a motion will be made to determine whether to move the discussion to a future date or whether to continue on with the discussion beyond 10:00 p.m., requiring a majority vote to continue meeting. At 10:30 p.m., a unanimous vote is required to continue with the discussion on an item or to start a new item on the agenda.

B. Work/Study Sessions

1. Work/Study Sessions requested by the Planning Commission shall be scheduled by the Executive Secretary with the consent of a simple majority of the Planning Commission and an agenda prepared for each such session; study sessions not requested by the Planning Commission may be scheduled by the Executive Secretary. The agenda shall be prepared at least five (5) days in advance of the meeting date and shall be made available to every member of the Commission.

2. Whenever possible, the work/study session will be on regular Planning Commission meeting dates and shall be posted as a public meeting and open to the public. For work that would benefit from additional meetings for the purpose of work/study sessions, staff will consult with the Planning Commission on availability and agreement to additional meetings prior to scheduling and posting the meeting.

3. Work/Study Session items may include Land Development Code Amendments, Comprehensive Plan Updates and/or Amendments, statute and legal issues of interest to the Planning Commission, general or subject-specific training for Planning Commissioners, and other items not considered to be regular agenda and public hearing items.

C. Order of Business for Hearings/Meetings

1. The Chair calls the hearing/meeting to order, and the quorum is announced indicating the presence of Commission.

2. If minutes of the previous meeting(s) are to be considered, the Chair shall ask if there are any changes or additions. Whether or not changes are needed, the Chair shall ask for a motion to approve the minutes and the Commission members shall vote on the proposed motion.

3. The Chair shall conduct the hearing/meeting in accordance with the agenda unless a specific adjustment is made.
4. The Planning Commission public hearing/meeting agenda can include "consent" item(s), and such item(s) shall be placed on the agenda by the Commission’s Executive Secretary. All consent items will occur as the first agenda item.

5. After calling the hearing/meeting to order, and dealing with attending to any administrative business, the Chair will read the case number and title of all cases on the consent agenda. The Chair will determine whether any Commissioner or member of the public would like to address the Commission on any consent agenda items. If any such indication is given, the case will be removed from the consent agenda. If items are removed from the consent agenda, the Chair will determine the nature of the concerns, and upon recommendation of the Planning Division, either place the case as the first item of the regular agenda as a business item if no public hearing is required or reschedule the case to the next available Planning Commission public hearing date for which noticing requirements can be met.

6. Following the above steps, the Chair will seek a motion recommending approval of all remaining consent items to the Board of County Commissioners Planning Commission. Upon second, the motion will be called for a vote of the Commission.

D. Consideration of Land Use and/or Subdivision Cases

The following procedures shall apply to the consideration of land use and/or subdivision cases (Ref: 5-1.3.D. and E.):

1. The Chair shall open the public hearing. The Chair has the discretion of limiting the time allotted for input from Staff, the applicant and the public. Generally, staff is limited to 5 minutes, the applicant to 15 minutes, and the public to 3 minutes per speaker if time allows. The Chair may direct that additional public comment be limited to new information and/or an expression of concurrence with earlier comments made by others in order to ensure that time is used effectively.

2. The Chair may inquire at the beginning of each matter on the agenda whether there are any procedural matters to be addressed by the Commission prior to addressing the merits of the application.

3. The Chair shall ask the applicable Staff member to introduce the case. Such introduction shall include:
a) Case Number

b) Case Name

c) Name of Applicant

d) Description of Request

e) Location of the Request

f) Description of surrounding zoning, land use, staff analysis, findings, and recommendations which may be presented verbally or by reference to the written staff report.

g) The Staff report shall be part of the record.

4. The Chair may request that the applicant, as well as his or her representative, approach the Commission and identify themselves and give complete addresses.

5. The Chair may ask the applicant to provide a brief description of his or her request, if the applicant desires.

6. The Chair shall ask if any Commission member has questions relative to the request. These questions may be directed to the applicant or the Staff.

7. The Chair shall then open the hearing for public testimony. All speakers will give their names and address prior to giving testimony. The Chair shall have discretion to limit the number of speakers, as well as the arguments presented, to avoid undue repetition and consumption of time.

8. The applicant shall have an opportunity to answer questions and respond to conflicting testimony after all opposition has been heard. The applicant is limited to rebuttal of the conflicting testimony, and may not introduce new topics of testimony at this time. The opposition and the applicant may be allowed time for clarification of previous testimony at the discretion of the Chair. All comments are to be directed to the Planning Commission. Dialogue between the applicant and those members of the public addressing the Commission shall not be permitted except upon approval of the Chair.
9. The Chair shall ask if any Commission member has any comments and final questions relative to the testimony taken. Questions may be addressed to the applicant, other Commission members, the public, or the Staff.

10. The Chair shall close the public testimony portion of the hearing.

11. The Chair shall ask for discussion or a motion from the Commission. Upon proper motion and second, the Chair shall ask for further discussion on the motion. Any Commission or Staff member may be recognized for comments on the motion. After all discussion has taken place, the Chair shall conduct a vote as provided in Section III of these Rules.

12. Voting on Land Use and/or Subdivision Cases shall be done at a public hearing of the Planning Commission. Any Planning Commissioner present may vote if he or she was present at, or reviewed the audio recording of, the prior hearing or hearings regarding the case. A quorum shall be necessary, and a simple majority thereon shall be required. The Commission's recommendation or decision shall contain reasonable findings of fact to support its recommendations or decisions.

13. The record of the Planning Commission transmitted to the Board of County Commissioners shall be sufficiently detailed to inform the Board of County Commissioners what transpired at the Planning Commission hearing, but will be in summary form rather than transcript form. The audio recording is the official record of the public hearing.

14. No person participating in Planning Commission hearings may give testimony until recognized by the Chair. The Chair shall request any person or persons speaking out of order to wait until recognized by the Chair. In the event that individuals or groups fail to comply with the Chair's request, the Chair shall take such action as is necessary to maintain order. While such action may include continuing the meeting to a future date certain or adjournment of the meeting, these should be actions of last resort to avoid delaying completion of the noticed hearing and impacting the applicant's development schedule and other citizens in attendance.

E. Consideration of Comprehensive Plan Amendments

1. Amendment Procedure: As referenced in State Statutes and any other applicable the Arapahoe County Regulations.
2. Voting by Planning Commission to adopt Amendments requiring a public hearing: Voting on an amendment shall be done at a public hearing of the Planning Commission, which has sole authority to approve such amendments. Any Planning Commissioner present may vote if he or she was present at, or reviewed the audio recordings of, the prior hearing or hearings regarding the amendment. A quorum shall be necessary, and a simple majority thereof shall be required to pass an amendment subject to public hearing requirements.

F. Consideration of Location and Extent Cases:

1. Procedure shall be as for consideration of Land Use and/or Subdivision cases.

2. Planning Commission takes final action on Location and Extent applications. The Board of County Commissioners may also consider Location and Extent plans according to County Regulations.

G. Record of Meeting

1. The official record of the meeting shall be the audio recording.

2. Summary minutes shall be provided as a courtesy and shall be approved by the Planning Commission during a public meeting as addressed within these bylaws.

3. Video recording and live-streaming of the meeting may be provided as a courtesy and convenience.

V. SEVERABILITY

If any section, sub-section, sentence, clause or phrase of these bylaws is for any reason held by a court of competent jurisdiction to be invalid, such a decision shall not affect the validity of the remaining portions of these bylaws. The Planning Commissioners of Arapahoe County hereby declare that they would pass these Bylaws and each section, sub-section, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, sub-sections, sentences, clauses, or phrases be invalid.

ADOPTED FEBRUARY 7, 1984
AMENDED NOVEMBER 1, 1985
AMENDED NOVEMBER 6, 1986
AMENDED FEBRUARY 4, 1992
AMENDED JULY 25, 1995 (Meeting Times)
AMENDED OCTOBER 1, 1996 (Consent Agenda Items)
AMENDED JULY 10, 2001 (Members, Voting, Recording Secretary)
AMENDED JUNE 16, 2009 (Definitions, procedures, clarifications, attendance)
AMENDED January 10, 2017 (Definitions, election of officers, attendance, record keeping, alternate motions, vote to continue hearing past a certain time, conduct of hearing)
AMENDED January 21, 2020 (Definitions, Land Development Code references to reflect reorganized code effective August 2019, clarifications where intent or process not clear)
PROPOSAL:
The Planning Services Staff is proposing a revision to the Arapahoe County Comprehensive Plan to revise the boundary of the Urban Reserve land use designation for the property shown on the map.

The subject property being considered for this Subarea Plan Amendment is located generally south of I-70 and east of Peoria Crossing Road (County Road 201).

The Comprehensive Plan has designated these parcels as an Urban Reserve, with an expectation that urban level development will take place. However, the current landowners now believe that urban development is only likely to happen on the northern portion of the area designated as
Urban Reserve and desire large lot residential development on the southern portion. Staff concurs with that expectation and is proposing to amend the Urban Reserve boundary.

**STAFF RECOMMENDATION:**
Staff recommends approval of Case Number LR19-003 based on the findings outlined in this report.

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### I. BACKGROUND INFORMATION

#### Comprehensive Plan Amendment Process

In January 2014, the Arapahoe County Planning Commission approved Chapter V of the Comprehensive Plan, which provides a process for staff-initiated amendments to the Comprehensive Plan. These changes resulted from an internal review of the Land Development Code, which identified the lack of a defined process for amending the Comprehensive Plan to be a deficiency that needed to be addressed. The decision was made to incorporate that process into the Comprehensive Plan document rather than the Land Development Code. This amendment process was included as Chapter VI in the 2018 update of the *Arapahoe County Comprehensive Plan*.

**Request**
Consistent with the amendment process, the Planning Services Staff is requesting that the Arapahoe County Planning Commission modify the plan map for the properties located at 2050 and 2280 S County Road 201 in Arapahoe County. The CompPlan currently designates these lots as the “Dirt Track Urban Reserve.” The staff is proposing to remove the Urban Reserve designation from the southern half of the area, making that portion part of the surrounding Agricultural/Use by Special Review designation. The reason we are proposing this change is that no urban uses have been proposed for this area since the original designation in 2001 and the current landowners desire large lot residential or other non-urban uses for the area. The property is surrounded on all sides by agricultural lands with some large lot development to the southeast. The area does have a freeway exit from Interstate 70 at the northwest corner and the railroad tracks define the northern and eastern border.
The intent of the Urban Reserve designation is to reserve this land for future development at an urban density. The Urban Reserve designation has been applied to areas generally within one to two miles of I-70 east of the Urban Area. This particular Urban Reserve is zoned MU – mixed use, which would allow urban type uses. Strategy UR GM 1.1(a) in the CompPlan states “The County will not approve requests for rural residential or agricultural uses in the Urban Reserve unless such uses are reviewed under a Use by Special Review with a condition of approval to sunset the use.”

The current landowners have different intentions for the north and south halves of this designated area. See the proposed changes on the map below. They desire rural residential uses on the southern half of the site and, therefore, the plan needs to be amended in order for this possible rezoning to be considered. However, they anticipate some non-rural land uses on the northern portion of the site, which would remain an Urban Reserve if this amendment is approved.
Staff does not believe that urban uses are likely on the southern portion since the ability to provide the services needed is extremely limited. This designation was applied because of the PUD zoning and urban level uses proposed. Since urban development is unlikely in that area, staff will be recommending that the Arapahoe County Planning Commission amend the CompPlan to modify this particular Urban Reserve.

**Result of Subarea Plan change if approved**

This legislative action, if approved, would amend the Plan map for the identified parcels. It currently limits the land uses to non-residential uses. The amendment would allow residential uses on the southern portion of the subject area.

Before the uses of the southern portion could take place, the property owner would need to request a zoning change, as well as completion of subdivision. Any such subsequent rezoning would
have to be brought before the Planning Commission for its recommendation and before the Board of County Commissioners for its approval. The action on the pending Comprehensive Plan application will not change the zoning on the subject property without these additional approvals through the public hearing process.

Current land uses
The subject area currently contains two parcels. The parcel at 2280 S. County Road 201 has no buildings and is used for dry land farming. The parcel at 2050 S. County Road 201 has the former dog racing facilities plus a “caretaker” home, which is currently not inhabited.

II. DISCUSSION
Staff reviewed this application for compliance with the Comprehensive Plan and development patterns and activity within the planned area and considered comments from referral agencies and individuals providing comment by the time of the Staff Report. A summary of the analysis is as follows:

1. Comprehensive Plan:
The request is for an amendment to the Subarea Plan. The plan amendment process sets forth five criteria for reviewing plan amendments. These are listed below with a discussion of the consistency of the request to each criterion.

A. Consistency with the spirit, intent, goals, objectives, and policies of the Comprehensive Plan.
The change retains the Urban Reserve for the location consistent with the Plan while recognizing the limitations to urban development in the area.

B. Compatibility with surrounding land uses and zoning.
The expected residential land use would be consistent with the surrounding parcels and with the owners’ stated future intent for use of the land. The remaining Urban Reserve can be served from an existing freeway interchange.

C. Compatibility with existing, natural, and environmental conditions of the proposed amendment and preservation of important natural features, riparian corridors, wildlife habitat and movement corridors, and historic resources.
The proposal would not affect any natural conditions.

D. Adequate water supply, water and sewer treatment facilities, transportation networks, access, fire protection, school facilities, and parks and trails for the development.
As noted in the comments by the Tri-County Health Department, urban development in the Urban Reserve will require significant water and sewer improvements. The smaller Urban Reserve will not have the impacts on the railroad or the interchange that were of concern to the transportation agencies in previous development proposals.

E. How existing and planned capabilities of the affected special districts can adequately handle the service demand.
No concerns have been raised by the affected special districts such as the Deer Trail Fire Protection District or Byers Water and Sanitation District.

F. *How social, economic, or land-use conditions of the County have changed or are in the process of changing in such a manner to support the proposed amendment to the Comprehensive Plan.*

No development consistent with the Urban Reserve designation has occurred since the Comprehensive Plan included the designated area. A reduction in the size of the area appears consistent with market conditions in the vicinity.

2. **Referrals:**

Staff sent out referral letters to 28 key groups requesting that referral responses be submitted during the outside referral comment period, from November 23 to December 23, 2019. Only three of the 11 referral agency responses received were not “No Comment.” Those three only had suggestions for the area but did not oppose the amendment. No comments were received from the neighboring residents.

<table>
<thead>
<tr>
<th>Arapahoe County Sheriff</th>
<th>No comment</th>
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<tbody>
<tr>
<td>Arapahoe Office of Emergency Management</td>
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<td>Colorado State Engineer’s Office</td>
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<td>Colorado Dept. of Public Health and Environment</td>
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<tr>
<td>Colorado Geological Survey</td>
<td>No comment</td>
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<tr>
<td>Colorado Public Utilities Commission</td>
<td>After review of the revised land use plan, it does not appear that the proposed changes to the Arapahoe County Comprehensive Plan for the site in question will have the same impacts to the highway-rail grade crossing of the Union Pacific Railroad Company with CR 201 that the previously proposed motor sports park that was being proposed would have at the crossing, for which the proposed traffic volumes were going to require a change in warning devices from passive warning to active warning. Under the proposed ComPlan changes, it appears that traffic volumes from the site would be greatly reduced. As always, traffic volumes along CR 201 should continue to be monitored and potential hazards at the crossing should also be monitored, but with the proposed ComPlan change, the immediate exposure factor changes at the crossing should be greatly reduced from the use originally planned for those parcels.</td>
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</table>
I-70 Regional Economic Advancement Partnership

I-70 Regional Economic Advancement Partnership is in FAVOR of this proposal as long as it meets the Federal, State, and County's Regulations and does not harm health, safety and well-being of the citizens within this area.

REAP has the following comments:
1. It appears that a survey is necessary to establish the proposed boundaries.
2. Approved access from CDOT and County will be necessary for the success of this venture.

Tri-County Health Dept.

The County and the property owner should be aware that any proposed use or development of the property will require review of the water and wastewater systems, and could require substantial upgrades or repairs to both systems.

Intermountain Rural Electric Association

No comment

Eastern Arapahoe County Advisory Planning Commission

Arnold Hollingsworth – seems the sensible thing to do

Additional Citizen Comment

No comments have been received from citizens

III. STAFF FINDINGS

Staff has reviewed the proposal and supporting documentation and referral comments as detailed in this report. Based on review of applicable goals and policies as stated in the Comprehensive Plan, Staff finds:

1. This proposed revision does comply with the goals of the Arapahoe County Comprehensive Plan.

2. Amending the Plan will retain the possibility of urban development in the Urban Reserve portion while providing an opportunity for residential development on the southern portion.

3. The Arapahoe County Planning Commission has the authority to amend provisions of the Comprehensive Plan as proposed by this revision.

IV. STAFF RECOMMENDATION

Based on the three (3) findings described above, Staff recommends approval of this Amendment request.

V. DRAFT MOTIONS

Motion for Approval: This motion is consistent with the staff recommendation.

In the case of LR19-003 Dirt Track Urban Reserve Comprehensive Plan Amendment, the Planning Commission has read the proposed plan amendment and staff report and has considered additional information presented during the public hearing. We do find ourselves in agreement
with Staff findings one (1) through three (3) set forth in the Staff report dated January __, 2020, and therefore approve the application. We approve the application with the following condition:

1. An attachment to this report illustrates the changes to be made to the Plan Map if the Planning Commission approves the request. Staff, in conjunction with the County Attorney’s Office, is hereby authorized to update the map.

Motion for Denial: This motion is not consistent with the staff recommendation.

In the case of LR19-003 Dirt Track Urban Reserve Comprehensive Plan Amendment, the Planning Commission has read the proposed plan amendment, staff report and attachments and has considered additional information presented during the public hearing. We do not find ourselves in agreement with Staff findings set forth in the Staff report dated January __, 2020, and therefore deny the application based on the following findings:

1. (State new or amended findings to support a motion for approval)

Motion to Continue:

In the case of LR19-003 Dirt Track Urban Reserve Comprehensive Plan Amendment, I move to continue the [public hearing for] [action on] this item to [Date, 2019], date certain, 6:30 p.m., at this same location, [to obtain additional information] [to further consider information presented during the public hearing].

Attachments:

- Illustration showing the Plan map, if amended
- Referral comments (only the referral agencies that responded with specific comments have been included with this Staff report)
- Public comment letters received by the time of the staff report (any letters received after the staff report is sent out will be provided to the Planning Commission and will also be included as part of the public hearing record)
Illustration Showing the Urban Reserve Area in the Comprehensive Plan, if Amended
Comments from Referral Agencies
Case Number/Name: LR19-003 Dirt Track Urban Reserve Plan Amendment
Planner: Larry Mugler – lmugler@arapahoegov.com
Date sent: November 25, 2019
Date to be returned: December 23, 2019

The enclosed proposal for an amendment to the Arapahoe County Comprehensive Plan has been prepared by the Arapahoe County Planning Office for consideration. This is a modification of the amendment originally sent to you at the end of July. The area proposed for amendment has been revised.

Due to the close proximity of the proposed development to your property or area of influence, this plan amendment proposal is being referred to your agency for comment. Please examine the referenced materials and check the appropriate line before returning the form to the Arapahoe County Planning Office. Responding on or before the date indicated above is appreciated.

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<td>☑ I Have NO Comments to make on the case as submitted</td>
<td>![Signature]</td>
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<td>☐ I Have the following comments to make related to the case:</td>
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<td>☑ I Have NO Comments to make on the case as submitted</td>
<td>Glenn Thompson, Bureau Chief, Arapahoe County S.O.</td>
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<td>☐ I Have the following comments to make related to the case:</td>
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<td>☒ I Have NO Comments to make on the case as</td>
<td>Nathan Fogg, Office of Emergency Management</td>
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<td>submitted</td>
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<td>☐ I Have the following comments to make related</td>
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<td>☐️ I Have the following comments to make related to the case:</td>
<td>Bijou Telephone Co-op</td>
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Comments: (responding by email, letter, or an email attachment is optional)
Good Morning Larry,
We do not have any comments on the proposed amendment.
Regards,
Joanna

On Mon, Nov 25, 2019 at 11:15 AM Larry Mugler <LMugler@arapahoegov.com> wrote:

Greetings:

At the end of July, we sent you a proposed amendment to the Arapahoe County Comprehensive Plan for the Dirt Track Urban Reserve. Since that time, the landowners have determined that rather than removing the entire Urban Reserve, they would like to have the plan retain that designation for the northern portion of the site.

Enclosed is a revised description of the proposed amendment and a new referral routing form. Please review the revised amendment proposal and send me any comments on or before December 23.

Contact me with any questions regarding the application.

Larry G. Mugler
Planner
(720) 874-6577
Joanna Williams, P.E.
Water Resource Engineer

COLORADO
Division of Water Resources
Department of Natural Resources

P 303.866.3581 x 8265
1313 Sherman Street, Room 821, Denver, CO 80203
Joanna.Williams@state.co.us  |  www.colorado.gov/water
Good morning, Larry:

CDPHE appreciates the opportunity to review this proposal. CDPHE has no specific comments other than to note that it is ultimately the responsibility of the applicant to comply with all applicable rules and regulations. The referral form is attached. Please let me know if you have any questions.

Thank you,

Sean Hackett
Energy Liaison

Department of Public Health & Environment
P 303.692.3662 | F 303.691.7702
4300 Cherry Creek Drive South, Denver, CO 80246
sean.hackett@state.co.us | www.colorado.gov/cdphe

Your feedback is important to us! Please let us know how I am doing.

On Mon, Nov 25, 2019 at 11:15 AM Larry Mugler <L.Mugler@arapahoegov.com> wrote:

Greetings:

At the end of July, we sent you a proposed amendment to the Arapahoe County Comprehensive Plan for the Dirt Track Urban Reserve. Since that time, the landowners have determined that rather than removing the entire Urban Reserve, they would like to have the plan retain that designation for the northern portion of the site.

Enclosed is a revised description of the proposed amendment and a new referral routing form. Please review the revised amendment proposal and send me any comments on or before December 23.
Contact me with any questions regarding the application.

Larry G. Mugler
Planner
(720) 874-6577
Hi Mr. Mugler,

Colorado Geological Survey has no objection to approval of the Dirt Track Urban Reserve plan amendment (LR19-003) as proposed. Signed referral routing form attached.

Please call or email if you have questions or need further review.

Thanks,
Jill Carlson

Engineering geologist
Land Use Review Program
Colorado Geological Survey
1801 Moly Road (map)
Golden, CO 80401
carlosn@mines.edu
303-384-2643
Greetings:

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Larry G. Mugler
Planner
(720) 874-6577
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**COMMENTS**

☐ I Have NO Comments to make on the case as submitted

☒ I Have the following comments to make related to the case:

Pamela Fischhaber – Deputy Director Public Safety, Section Chief Rail/Transit Safety
Colorado Public Utilities Commission

**INSERT YOUR ORGANIZATION & NAME/SIGNATURE**

Comments: (responding by email, letter, or an email attachment is optional)

After review of the revised land use plan, it does not appear that the proposed changes to the Arapahoe County Comprehensive Plan for the site in question will have the same impacts to the highway-rail grade crossing of the Union Pacific Railroad Company with CR 201 that the previously proposed motor sports park that was being proposed would have at the crossing, for which the proposed traffic volumes were going to required a change in warning devices from passive warning to active warning. Under the proposed ComPlan changes, it appears that traffic volumes from the site would be greatly reduced.

As always, traffic volumes along CR 201 should continue to be monitored and potential hazards at the crossing should also be monitored, but with the proposed ComPlan change, the immediate exposure factor changes at the crossing should be greatly reduced from the use originally planned for those parcels.
Case Number/Name: LR19-003 Dirt Track Urban Reserve Plan Amendment  
Planner: Larry Mugler – lmugler@arapahoegov.com  
Date sent: November 25, 2019  
Date to be returned: December 23, 2019

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<tr>
<td>☐ X I Have the following comments to make related to the case:</td>
<td>Julio Iturreria I-70 Regional Economic Advancement Partnership <a href="mailto:Julio.iturreria@i-70reap.com">Julio.iturreria@i-70reap.com</a></td>
</tr>
<tr>
<td></td>
<td>I-70 Regional Economic Advancement Partnership is in FAVOR of this proposal as long as it meets the Federal, State, and County’s Regulations and does not harm health, safety and well-being of the citizens within this area.</td>
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| | REAP has the following comments:  
1. It appears that a survey is necessary to establish the proposed boundaries.  
2. Approved access from CDOT and County will be necessary for the success of this venture. |

Comments: (responding by email, letter, or an email attachment is optional)
December 10, 2019

Larry Mugler
Arapahoe County Public Works and Development
6924 S. Lima Street
Centennial, CO 80112

RE: Dirt Track Urban Reserve Plan Amendment, LR19-003
TCHD Case No. 6004

Dear Mr. Mugler,

Thank you for the opportunity to review and comment on proposal to remove the southern portion of the former Colorado Motor Sports property from the Dirt Track Urban Reserve land use designation, and incorporate it into the surrounding Agricultural/Use by Special Review designation, located at 2050 and 2280 S. County Road 201 (Peoria Road). Tri-County Health Department (TCHD) staff previously reviewed the proposal to remove the entire property from the Dirt Track Urban Reserve designation and, in a letter dated August 23, 2019 responded with the comment included below, which is applicable to this case. TCHD has no further comments.

**Water and Wastewater Infrastructure Overview**
The water and wastewater systems at Colorado Motor Sports Park were originally installed in the early 1970’s to serve the old Interstate Kennel Club. Those systems were sized to serve a large number of persons, and received the agency approvals that were in effect at that time. However, since the time of installation and approval of those original systems, the regulations that apply to those systems have undergone substantial changes.

TCHD was aware, in 2017 that the water and wastewater systems were not in compliance with Colorado Department of Public Health and Environment (CDPHE) regulations. The County and the property owner should be aware that any proposed use or development of the property will require review of the water and wastewater systems, and could require substantial upgrades or repairs to both systems. For more information, contact Randy Ogg with CDPHE, randy.ogg@state.co.us.

Please feel free to contact me at 720-200-1575 or kboyer@tchd.org if you have any questions about TCHD’s comments.

Sincerely,

[Signature]

Kathy Boyer, REHS
Land Use and Built Environment Specialist III

cc: Sheila Lynch, Dylan Garrison, TCHD
Dear Mr. Mugler

The Association has no concern or comment.

Respectfully

Brooks Kaufman
Intermountain Rural Electric Association
Lands and Rights of Way Manager
5496 N. US Hwy 85
Sedalia, CO 80135
Direct: 720.733.5493
Cell: 303.912.0765
bkaufman@irea.coop

From: Larry Mugler [mailto:lMugler@arapahoe.gov.com]
Sent: Monday, November 25, 2019 11:12 AM
To: Karen Hart; Beverly Reynolds; Robert Hill; Liana Escott; Raymond Winn; Roger Harvey; John Svechovsky; Caitlyn Cahill; Diane Kocis; JANET@UACED.COM; GARYM@MAYFARMS.COM; ADMIN@I-70REAP.COM; GARY.DUKE@IBTX.COM; JULIO.ITURRERIA@I-70REAP.COM; SCOTT.NARREAU@STATE.CO.US; COYERS-FSA@ONE.USDA.GOV; RLOVELESS.DTFIRE@GMAIL.COM; SEAN.HACKETT@STATE.CO.US; HENDRIX.MARK@EPA.GOV; Sheila Lynch; DORA_REALESTATE_WEBSITE@STATE.CO.US; LSPEAS@ALD.LIB.CO.US; BCALVERT@DRCOG.ORG; CSORENSEN@SPECIALDISTRICTLAW.COM; Russell Dykstra; MSCHEERE@ADC GOV.ORG; Kim Oldfield; JULIE.MAJORS@STATE.CO.US; 80103BYERSCO@USPS.COM; 80105DEERTRAIL@USPS.GOV; BJBUCHMANN@26J.COM; Nathan Fogg; Scott Sickafouse; Jason Presley; Glenn Thompson; CGS_LUR@MINES.EDU; DEERTRAILEASTADAMS@GMAIL.COM; BRANDI.KEMPER@STATE.CO.US; RICHARD.SOLOMON@STATE.CO.US; BRADLEY.SHEEHAN@STATE.CO.US; ANTHONY.LOVATO@STATE.CO.US; STEVEN.JANKOWSKI@DOT.GOV; PAMELA.FISCHHABER@STATE.CO.US; JEMASHEK@UP.COM; CREVELING@NETECIN.NET; CSTOUMBAUGH@COLORADONATURALGAS.COM; NIOBRARASURFACECLAND@CONOCOPHILLIPS.COM; Brooks Kaufman; Randy Roth; SEAN.HACKETT@STATE.CO.US; KMIHELICH@CRWA.NET; Andrew Mcclary; Joanna Williams; Sheila Lynch; CRYSTAL.CHICK@STATE.CO.US
Cc: Bob Stewart

Subject: RE: Review of Dirt Track Urban Reserve Plan Amendment proposal

CAUTION:
Greetings:

At the end of July, we sent you a proposed amendment to the Arapahoe County Comprehensive Plan for the Dirt Track Urban Reserve. Since that time, the landowners have determined that rather than removing the entire Urban Reserve, they would like to have the plan retain that designation for the northern portion of the site.

Enclosed is a revised description of the proposed amendment and a new referral routing form. Please review the revised amendment proposal and send me any comments on or before December 23.

Contact me with any questions regarding the application.

Larry G. Mugler
Planner
(720) 874-6577
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This seems the sensible thing to do, since so much land has been taken out of production for housing etc. etc. Returning some for possible food production just makes sense.

Arnold Hollingsworth
East End Advisory Committee
TO: Planning Commission

THRU: Jan Yeckes, Planning Division Manager  
Loretta Daniel, Long Range Planning Program Manager

FROM: Alan White, Planner/Special Projects

DATE: January 13, 2020

SUBJECT: Tier 1 Study Scope of Work

One of the recommendations of the 2018 Comprehensive Plan is the preparation of a subarea plan for Tier 1 (Strategy GM 1.2(b) – Prepare Subarea Plans). Tier 1 encompasses approximately 56 square miles in a four-mile wide corridor along the south side of I-70 extending from the Prosper PUD eastward to the boundary of the Strasburg Subarea Plan planning area. (See attached map.)

The purpose of the Study and subarea plan is to add clarity to the Comprehensive Plan goals and policies for Tier 1. The Comprehensive Plan lays out general goals and policies, but does not provide specific direction for future land uses, specifically, what types and intensities of land uses are desired and where. This is especially problematic in the Urban Reserve portion of Tier 1. Now is an opportune time to prepare a subarea plan for several reasons:

1. Denver’s aerotropolis and the Colorado Air and Space Port are significant regional land uses to the north and west of the proposed study area that have the potential to impact future development in this corridor. The Air and Space Port was not yet designated at the time the 2018 Arapahoe County Comprehensive Plan was adopted.
2. Tier 1 was included in the City of Aurora’s East Area Annexation Study and a portion of Tier 1 is included in Aurora’s recently adopted Comprehensive Plan (effective October 27, 2018). The Aurora Plan was not yet adopted at the time the County Comprehensive Plan was adopted.
3. The corridor is included in the Town of Bennett’s Comprehensive Plan.
4. Arapahoe County is leading a study of the I-70/Watkins interchange to identify interim and ultimate improvements. This interchange is just outside Tier 1.
5. The County and the Town of Bennett are collaborating on a project to improve the I-70/Converse Road (County Road 133) interchange. This interchange is in Tier 1.
6. The Colorado Department of Transportation is undertaking a system level study of I-70 from Mile Post 290 (Harvest Road alignment in Aurora) to Mile Post 307 (County Road 145, two miles east of Kiowa-Bennett Road) to assess the improvements needed to accommodate anticipated growth, including roadway improvements, interchange improvements and new interchanges. Future land use is a key determinant of future travel demand and roadway system needs.

Arapahoe County, Bennett, and Aurora all have an interest in the area and a subarea plan is the tool to create coordinated development expectations and goals for the corridor.

A Draft Scope of Work is attached indicating major work tasks, work products, and project milestones. After obtaining concurrence from the County Commissioners and organizing the stakeholder and technical advisory committees, Phase I of the project would begin with an update to the Tier 1 analysis contained in the Comprehensive Plan Appendix C as a first step. This updated analysis would be presented to Planning Commission and would consist of a comparison of 2016 data with 2019 data, including the magnitude and type of development activity as measured by subdivision platting and building permits, changes in ownership, population and employment changes, public infrastructure improvements, and similar data.

Phase II of the planning process would take approximately seven months with the major milestones as indicated on the attached Tier 1 Project Tentative Timeline. Public open houses, Planning Commission study sessions, analysis of alternative development scenarios, and preparation of a draft subarea plan with a two-month public comment period, would be included in Phase II. Phase III would include preparation of the final draft plan, a public comment period, and the public hearing at Planning Commission for adoption. Cleanup of the Comprehensive Plan (i.e., text and map changes) would then follow.

Staff has enlisted the help of the Communication and Administrative Services department to design and implement a public participation program for this planning effort. Their involvement will include the design of public open house materials, a project website, surveys, document layout and graphics, and methods for interested parties to keep informed of the progress of the plan (e.g., Facebook, Twitter, NextDoor, etc.) and submit comments or ideas.

The planning process will include a determined effort to involve stakeholders in the planning process. Stakeholders will include major property owners and developers, county residents, utility providers, CDOT, school districts, fire districts, County Open Spaces and Transportation staff, and representatives of Adams County, the Town of Bennett, and the City of Aurora. Several stakeholder meetings are planned throughout the planning process as indicated in the Draft Scope of Work.
Staff has already met with staff from the City of Aurora, the Town of Bennett and Adams County and all are committed to participating in this joint planning effort. The subarea plan will clarify what is envisioned for future development in Tier 1 for all jurisdictions involved.

Action Requested:

Staff is seeking concurrence from the Planning Commission for staff to initiate this implementation strategy of the 2018 Comprehensive Plan. The subarea planning effort will provide additional guidance for making land use and development decisions in this important corridor in Arapahoe County.

Attachments
  Map of Tier 1
  Draft Scope of Work
  Tier 1 Project Tentative Timeline
Preparatory Phase

Task P1 -- Establish the project team and identify a communications plan for the project.
This task involves assigning Planning, Engineering Services and Transportation staff to the project team and assigning a project manager who will coordinate all data collection, mapping and plan preparation activities.

Task P2 -- Prepare Scope of Work document for Planning Commission
This Scope of Work outlines the major tasks, their sequence, and work products to be produced during this planning effort. In particular, the Scope of Work:
   a. Identifies the purpose of the Plan, study area boundaries, background of past planning efforts and context in Comprehensive Plan, existing land uses, and important issues to be addressed
   b. Describes participants in the Stakeholder Advisory Committee and the role of the Committee
   c. Identifies plan tasks and schedule
   d. Describes community outreach and engagement efforts, including establishing a project webpage, social media and other communication tools, and the purpose and expected outcomes of the public open houses at key milestones in the project.

Meetings: Planning Commission Study Session #1; BOCC Briefing

Phase I – Project Initiation, Inventory and Analysis

Task 1 – Project Initiation
This task involves organizing the stakeholder advisory committee and technical committee. The stakeholder committee will consist of representatives of affected jurisdictions, County staff from Planning, Transportation, Engineering Services and Open Spaces and other agencies or organizations that are affected by future development in the corridor. Five meetings of the Committee are anticipated during the process, with perhaps one or two more as needed. The Technical Committee will consist of County staff members who will provide information, input and comments in their areas of expertise throughout the process.
   a. Assemble Stakeholder Advisory Committee
      i. Town of Bennett
      ii. City of Aurora (planning and transportation)
      iii. Adams County
      iv. REAP
      v. Eastern Unincorporated County ED
      vi. East County Advisory Committee
      vii. County Open Spaces
      viii. County Transportation
      ix. Bennett Fire District
      x. Bennett School District
   b. Assemble Technical Committee
      i. Planning Division
      ii. Transportation Division
      iii. Open Spaces
      iv. Engineering Services Division
   c. Establish Project website
The intent of the project website is to enable users to review project documents and maps and provide comments about areas of interest/concern. The website will be updated on a regular basis coinciding with documents being made available and upcoming stakeholder meetings.

d. Begin designing survey for stakeholders and other interested parties to provide input and comments.

Meeting: Project Kickoff Meeting with Stakeholder Advisory Committee

Task 2 – Review and Update Tier 1 Data
The Tier 1 Analysis in Appendix C of the Comprehensive Plan will be updated. Most of the data were through the end of 2016, so the subsequent three years will be included. New population and employment forecasts for the eastern portion of the County, including Tier 1, will be prepared.

a. Demographic Information
   i. Existing Population and Employment
   ii. Population Characteristics (Age, Gender, Income, Education, Employment by Place of Work, if available, Commuting)
   iii. Housing/Household Characteristics (Year Built, Value, Overcrowding, Persons per Household, Household Composition, Owner vs. Renter Occupied, Housing Burden)

b. Land Information – to be compiled in tables or updated maps
   i. Ownership and Acreages
   ii. Lot sizes
   iii. Land Value
   iv. Existing Land Use
   v. Existing Zoning
   vi. Resources (sand and gravel, oil and gas facilities, solar facilities, pipelines, transmission lines) and Hazard Areas (floodplains)
   vii. Open Space
   viii. Community facilities: schools, parks, etc.
   ix. Topography/environmental features
   x. Historic/Archaeologic resources

c. Building Permits by Type

d. Inventory Transportation Network/Improvements by County & CDOT

e. Update Population and Employment Projections

f. Update Land Demand Forecasts
   i. Review Assumptions in Tier 1 Analysis
   ii. Prepare Land Demand Forecasts for Rural Residential, Urban Residential, Retail, Office, and Industrial

g. Prepare Water and Sewer Demand Forecasts

h. Inventory Service Provider Capabilities to Serve Growth (Facilities Capacities) by conducting stakeholder interviews
   i. Water and Sewer/Metro Districts
   ii. School Districts
   iii. Parks and Recreation Districts & County Open Spaces
   iv. Fire Districts
   v. Property owners
   vi. Other

Task 3 – Implement Citizen Involvement Program

a. Initiate Survey
   The survey methodology has yet to be determined, but the survey will be accessible through the project website. The survey is envisioned at this time to focus primarily on big-picture concerns:
vision for the corridor, desirable land uses, what stakeholders want to see/don’t want to see, and similar topics.

b. Initiate Citizen Involvement Program to include:
   i. Initial documents to be placed on project website
   ii. Schedule Public Open Houses
   iii. Develop Newsletter for distribution to all landowners in the area
   iv. Create project notification system (sign up on website to receive updates/notifications)
   v. Research and schedule appearances at public and community events
   vi. Other

Task 4 -- Assess Regional Influences
a. Review Most Recent Plans of Aurora and Bennett
b. Spaceport (previously Front Range Airport)
c. Aerotropolis
d. Other

Work Products: Updated Spreadsheets, Report summarizing data collected and forecasts

Meetings: Stakeholder Advisory Committee #2; Public Open House #1
• The survey will be available at the Open House

Task 5 – Assess Development Potential / Constraints
a. Identify constraints to development from Task 2
b. Use forecasts from Task 2 and findings from Task 4 to assess potential for growth
c. Review survey responses to date

Work Product: Report summarizing key findings and assessment of growth potential using previous work products from Task 2 and results from Tasks 3 and 4

Meeting: Planning Commission Study Session #2:
• Present work completed to date for comments/input

Phase II – Development of Draft Subarea Plan (or Amendments to Comprehensive Plan)

Task 6 – Develop Vision / Goals / Alternative Development Scenarios
a. Close survey; summarize responses
b. Prepare Development Alternatives – How much growth/development and where
   i. Future Land Uses
   ii. Future Transportation Network (The Countywide Transportation Plan is being updated)
   iii. Recommended changes to codes / zoning
   c. Present alternatives to Stakeholder Advisory Committee for comments and incorporate comments into alternatives presented to the public at Open House #2 for their review and comments.
   d. Present alternatives and feedback to the Planning Commission and BOCC.

Work Product: Report Summarizing Issues and Public Comments from Survey; Preparation of Alternative Development Scenarios

Meetings: Stakeholder Advisory Committee #3, Public Open House #2; Planning Commission Study Session #3; BOCC Briefing
Task 7 – Prepare Draft Subarea Plan
Based on all information and input from the survey, comments received about the alternative development scenarios and stakeholders, staff will prepare a draft Subarea Plan to include:
   a. Conceptual Land Use Plan
   b. Transportation Network
   c. Public Facilities
   d. Goals and Policies
   e. Strategies for implementation
      i. Code Changes
      ii. Zoning Map Amendments
      iii. Other

Work Product: Draft Subarea Plan

Meetings: Stakeholder Advisory Committee #4; Planning Commission Study Session #4

Task 8 – Public Review of Draft Subarea Plan
   a. Draft Plan may be modified based on comments received from the Stakeholder Advisory Committee and/or Planning Commission
   b. Public review to include:
      i. Website – Document Placed on Website with request for comments; Stakeholders notified of availability of Draft Subarea Plan
      ii. Newsletter
      iii. Referrals

Work Products: Summary of Comments

Meeting: Public Open House #3

Phase III – Approval Process

Task 9 – Prepare Final Draft Subarea Plan
Based on comments from the Open House and website comments, amendments to the draft Subarea Plan may be recommended by staff.

Meetings: Stakeholder Advisory Committee #5, Planning Commission Study Session #5; BOCC Briefing

Task 10 – Public Review of Final Subarea Plan
   a. Draft Plan may be modified based on comments received from the Stakeholder Advisory Committee and/or Planning Commission to create the Final Draft Subarea Plan
   b. Public review to include
      i. Update Website – Project Update and Request for Comments; Stakeholders notified of availability of Final Draft Subarea Plan
      ii. Newsletter
      iii. Referrals

Meeting: Planning Commission Public Hearing

Task 11 – Prepare and Distribute Final Subarea Plan

Task 12 – Prepare Amendments to Comprehensive Plan
Text and Maps will need to be modified to reflect the adoption of the Subarea Plan