



ARAPAHOE COUNTY
COLORADO'S FIRST

Public Works and Development

MEMORANDUM

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BRYAN D. WEIMER, PWLF
Director

TO: Board of County Commissioners

THRU: Bryan Weimer, Director of Public Works and Development

FROM: Jan Yeckes, Planning Division Manager

DATE: January 16, 2020

SUBJECT: Neighborhood Outreach Proposed Code Amendment – Staff Attendance Concerns

As part of the internal review process for a proposed amendment to the County's Land Development Code, staff considered whether to propose that Planning Division staff members would be regular attendees and participants at neighborhood meetings to be conducted by applicants/developers for land development projects. Staff researched practices of other jurisdictions and found that this varies from one jurisdiction to another.

Planning Division staff is not recommending, at this time, that staff attend these meetings on a regular basis, but that the Planning Division Manager could determine that staff should attend a meeting on a case-specific basis if the benefits would likely outweigh the concerns. The determination for drafting the proposed code amendment in this way took into consideration the following factors:

- Opportunity for applicant and neighbors to communicate freely and identify opportunities
 - This can be an important time for the applicant and neighborhood to communicate openly to identify concerns and opportunities for the development to address concerns and to build trust without distraction.
 - This is the applicant's required meeting. Use of the time for neighbors to ask questions of staff could result in a long meeting, even while not ensuring the applicant has sufficient time to share plans and to gather important input and have productive discussion.
- Timing of the Meeting – County has not received the application/no County standing
 - The meeting would occur between the time of the pre-submittal meeting and the time that an application is made to the County – there is no formal application at this point in time.
 - Staff has not conducted any review of an application and would be speaking in hypotheticals if asked to address questions.
 - There is a possibility that a project will not move forward based on early feedback from the neighbors; this may not be the best use of limited staff resources.



- Misperceptions about staff’s reasons for attending/importance of transparency
 - There may be misperceptions that the staff is working directly with the applicant or working directly with the neighborhood, especially if staff is expected to take minutes or interpret what is being said through written notes on the meeting.
 - When staff does attend, it is important that everyone be aware that a County staff member is present and what that staff member’s role is (or is not) during the meeting.
 - It is important that a neighborhood meeting not seem to be “a public hearing before the public hearing” and that the process reduces the risk that statements made by staff during a neighborhood meeting may be incorrectly understood (and represented) by the applicant or by the neighborhood as definitive when staff has not received a formal application for review.

- Efficient use of staff time
 - The Planning Division operates with a limited number of staff members and needs to maximize staff availability for addressing applications in a timely manner and to work on other longer-term projects (such as Land Development Code amendments); attending meetings on a regular basis will have significant impacts.
 - Some projects may not move forward to a formal application based on early neighborhood feedback to the prospective applicant; this may not be the best use of limited staff resources.

How will the County know what happened at the meetings or that discussions are accurately reflected?

- The applicant will be asked to submit notes from the meeting.
- The neighborhood will have an opportunity to (a) provide minutes from the meeting and/or (b) provide comments through the County’s referral process.
- Some individuals may not agree with the position that their HOA or the consensus of neighbors attending a meeting provided through comments or minutes. Individuals have an opportunity to provide written or verbal comments to the County for any application that requires a public hearing, ensuring that varied perspectives are heard.

