

**MINUTES OF THE ARAPAHOE COUNTY  
BOARD OF COUNTY COMMISSIONERS  
TUESDAY, JULY 28, 2020**

At a public meeting of the Board of County Commissioners for Arapahoe County, State of Colorado, held at 5334 South Prince Street, Littleton, Colorado 80120 there were:

<b>Nancy Sharpe, Chair</b>	<b>Commissioner District 2</b>	<b>Present</b>
<b>Bill Holen, Chair Pro Tem</b>	<b>Commissioner District 5</b>	<b>Present</b>
<b>Kathleen Conti</b>	<b>Commissioner District 1</b>	<b>Present</b>
<b>Jeff Baker</b>	<b>Commissioner District 3</b>	<b>Present</b>
<b>Nancy Jackson</b>	<b>Commissioner District 4</b>	<b>Present</b>
<b>Ron Carl</b>	<b>County Attorney</b>	<b>Present</b>
<b>Joan Lopez</b>	<b>Clerk to the Board</b>	<b>Absent and Excused</b>
<b>Joleen Sanchez</b>	<b>Clerk to the Board Administrator</b>	<b>Present</b>

when the following proceedings, among others, were had and done, to-wit:

**CALL TO ORDER**

Commissioner Sharpe called the meeting to order.

**INTRODUCTIONS**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**MODIFICATION(S) TO THE AGENDA**

There were no modifications to the agenda. Items 7a and 7c will be combined for purposes of taking public comment.

**ADOPTION OF THE AGENDA**

**The motion was made by Commissioner Conti and duly seconded by Commissioner Baker to adopt the Agenda as presented.**

**The motion passed unanimously.**

**CITIZEN COMMENT PERIOD**

There were no citizen comments on this date.

**APPROVAL OF THE MINUTES**

**The motion to approve the minutes from the June 23, 3030 Public Meeting was made by Commissioner Conti, duly seconded by Commissioner Jackson.**

**The motion passed unanimously.**

### **CEREMONIES**

There were no ceremonies on this date.

### **CONSENT AGENDA**

**The motion was made by Commissioner Conti, duly seconded by Commissioner Baker to approve the consent agenda as presented.**

**The motion passed unanimously.**

### **GENERAL BUSINESS ITEMS**

#### **7.a. Resolution No. 200505 - Adoption of Ordinance 2020-02 Establishing Limited Retail Marijuana Stores**

County Attorney Ron Carl established jurisdiction for the Board to consider this matter.

#### **7.c. Resolution No. 200506 - LDC20-003 Land Development Code Amendment Recreational Marijuana**

County Attorney Ron Carl established jurisdiction for the Board to consider this matter.

Bill Skinner, Senior Planner, explained the purpose of the request to expand medical marijuana sales to include recreational sales, which would necessitate an amendment to the Land Development Code.

The public comment period was opened.

Tom Sapiro explained why supports Ordinance 2020-02.

Bill McKernan explained why he supports Ordinance 2020-02.

The public comment period was closed.

Commissioner Conti explained why she opposes this ordinance and stated she will not vote in favor of the ordinance.

Commissioner Baker explained why he would support this ordinance.

Commissioner Sharpe explained why she would vote no.

Commissioner Holen explained why he would support this ordinance.

**The following motion was made by Commissioner Jackson, duly seconded by Commissioner \_\_\_\_\_: I move to adopt Arapahoe County Ordinance No. 2020-02 as presented on today's date and to order publication of Ordinance 2020-02 as required by state statute.**

**The motion passed 3-2, Commissioner Conti and Commissioner Sharpe opposed.**

**The following motion was made by Commissioner Baker duly seconded by Commissioner Holen: In the case LDC20-003 Recreational Marijuana Regulations, the Planning Commissioners have reviewed the staff report, including all exhibits and attachments, and have listened to the staff's presentation and any public comment as presented at the public hearing. I hereby move to approve this application based on the findings in the staff report.**

**The motion passed 4-1, Commissioner Conti opposed.**

#### **7.b. Resolution No. 200507 -LDC20-002 Amendment to Land Development Code Floodplain Management Regulations**

Senior County Attorney Robert Hill established jurisdiction for the Board to consider this matter.

Sue Liu, Engineering Division, explained the need for the proposed amendment.

There were no public comments.

**The following motion was made by Commissioner Baker, duly seconded by Commissioner Holen: In the case of LDC20-002, concerning proposed amendments to the Land Development Code, Chapter 1 General Provisions, modification of Section 1-5.3 Natural Hazards and Features Maps Paragraph A and Chapter 4 Development Guidelines and Standards, modification of Section 4-3.4.(B) Basis for Establishing the Floodplain and Special Flood Hazard Areas Paragraph 1, to update the Arapahoe County, Colorado, and Incorporated Areas Flood Insurance Study and Flood Insurance Rate Maps as prepared by the Federal Emergency Management Agency to the new September 4, 2020 maps, the Board of County Commissioners has read the proposed Code amendment and the Board Summary Report and has considered additional information presented during the public hearing. We find ourselves in agreement with Staff findings one (1) through five (5) set forth in the Board Summary Report, dated July 9, 2020, with the Code amendment to update the Flood Insurance Study and Flood Insurance Rate Maps as proposed, and hereby approve the amendment to Sections 1-5.3 (A) and 4-3.4.(B)(1) of the Land Development Code, with the following two (2) conditions of approval:**

1. All minor modifications to the text are required prior to incorporation into the existing Land Development Code.
2. The amended Floodplain Management Regulations will be effective and integrated into the existing LDC on September 4, 2020.

**The motion passed 5-0.**

#### **7.d. Resolution No. 200508 - USR19-001 Serenity House Use by Special Review**

Senior County Attorney Robert Hill established jurisdiction for the Board to consider this matter.

Kelsea Dombrovski, Planner II, introduced this case and explained the request for a use by special review. She stated that she has not received any concerns or complaints.

Commissioner Jackson asked if there are any concerns with the neighbors and wants to make sure there is enough room for more residents.

Mike Zislis, applicant, explained that the home blends in with the surrounding neighborhood and there is a good relationship with the neighbors. He said one room that was used for storage will be used for one more resident. He then explained the program and home, which is licensed by the state. He said the home is for seniors that are unable to live on their own.

Commissioner Conti asked how ten residents fit in the home and asked if staff lives there as well.

Mr. Zislis explained modifications that are made to the home to accommodate more people. He said a staff manager lives on site, and two staff members are on site per shift.

The public comment period was opened.

There were no public comments.

The public comment period was closed.

**The following motion was made by Commissioner Conti, duly seconded by Commissioner Jackson: In the case of USR19-001, Serenity House Use by Special Review, the County Commissioners have reviewed the staff report, including all exhibits and attachments, and have listened to the applicant's presentation and any public comment as presented at the public hearing. I hereby move to APPROVE this application based on the findings in the staff report, subject to the following conditions:**

1. Prior to signature of the final copy of this use by special review, the applicant must address Public Works Staff comments and concerns.
2. The applicant shall apply for and be issued a Building Permit confirming R4 occupancy requirements are in place per the Building Division's referral comment, and provide evidence of Building Permit approval, prior to the Board Chair's signature on the Use by Special Review.

**The motion passed 5-0.**

### **COMMISSIONER COMMENTS**

Commissioner Baker said Commissioner Holen has worked very hard on Item 6.h. on today's consent agenda and commended him for his work on that project. He said the City of Aurora and Adams County have worked with Arapahoe County to increase the ability to assist veterans who have sacrificed so much. He congratulated Commissioner Holen.

Commissioner Holen thanked Commissioner Baker. He said Aurora has a tremendous amount of veterans and for them to have access to the Veterans office in Littleton has been a struggle. He said the costs will be shared to support our veterans. He thanked Commissioner Baker and the Board.

Commissioner Sharpe thanked Commissioner Baker and Commissioner Holen for their hard work.

**There being no other business before the Board, Commissioner Baker adjourned the meeting at 10:36 a.m.**

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**JOAN LOPEZ, CLERK TO THE BOARD**  
**BY JOLEEN SANCHEZ, CLERK TO THE BOARD ADMINISTRATOR**