

**MINUTES OF THE REGULAR MEETING OF THE
ARAPAHOE COUNTY PLANNING COMMISSION
TUESDAY, AUGUST 4, 2020**

ATTENDANCE	<p>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:</p> <p>Jane Rieck, Chair; Richard Sall, Lynn Sauve, Jamie Wollman, Rodney Brockelman, and Randall Miller. Kathryn Latsis, Chair Pro-Tem, was absent and excused.</p> <p>Also present were: Robert Hill, Senior Asst. County Attorney; Michelle Lantz, Zoning Inspector; Kelsea Dombrowski, Planner II; Jason Reynolds, Current Planning Program Manager; Loretta Daniel, Long Range Planning Program Manager; Jan Yeckes, Planning Division Manager; Bryan Weimer, Director of Public Works and Development; Open Spaces Department staff: Brett Collins, Grants and Acquisitions Manager; Roger Harvey, Planning Administrator; Glen Poole, Operations Manager; Lizzie Mayer, Communications Business Partner; Shannon Carter, Intergovernmental Relations and Open Spaces Director; Tim Hanson, IT Senior Business Analyst; and members of the public.</p>
CALL TO ORDER	<p>Chair Rieck called the meeting to order at 6:30 p.m. and noted a quorum of the Board was present, and the roll was called. This meeting was held through the Teams platform. Jason Reynolds, Current Planning Program Manager, served as meeting moderator. Mr. Reynolds provided instructions to callers for observing the meeting online and for participating in the hearings by telephone.</p>
DISCLOSURE MATTERS	<p>There were no Planning Commission member conflicts with the matters before them.</p>
GENERAL BUSINESS ITEMS:	
APPROVAL OF THE MINUTES	<p>The motion was made by Ms. Wollman and duly seconded by Mr. Miller to accept the minutes from the July 21, 2020, Planning Commission meeting, with corrections.</p> <p>The motion passed unanimously.</p>
REGULAR ITEMS/PUBLIC HEARINGS:	

ITEM 1

Case No LDC20-001, A-1 & RR-A Accessory Building Setback / Land Development Code (LDC) Amendment – Michelle Lantz, Zoning Inspector, Public Works and Development (PWD)

Michelle Lantz, Zoning Inspector, introduced the County-initiated proposal to amend the LDC to adjust requirements related to setbacks for accessory buildings located in the A-1 Agricultural Zone District (19 acre minimum lot size) and the RR-A Rural Residential Zone District (9 acre minimum lot size). She presented a PowerPoint, a copy of which was retained for the record. Ms. Lantz stated the hearing had been properly noticed and the Planning Commission had jurisdiction to proceed. She explained the reasons for the request to allow a minimum front setback of 100 feet for accessory buildings in place of the current requirement to place the accessory buildings to the rear of the front building line of any home constructed on the property. Ms. Lantz used several examples to demonstrate how properties in the A-1 and RR-A zones could be developed under the proposal. She stated approval of the amendment might result in accessory buildings being closer to the road than a home built on the property. Ms. Lantz said benefits of the increased flexibility might include increased privacy for the residents of the home, easier access to buildings from the road for working agricultural operations, lower costs for constructing access roads to agricultural operations, flexibility in retaining usability of property for agricultural purposes and with consideration to floodplain limitations, and avoiding conflicts that result from the respective timing of placing buildings on the property, as agricultural zone districts do not require a home to be built prior to a barn. Ms. Lantz reviewed comments received from members of the East Arapahoe County Advisory Planning Commission, from a representative of the Unincorporated Arapahoe County Economic Development group, from a fire district serving the east county, and a business/farm owner residing in the east county. She stated comments were favorable for allowing greater flexibility in the placement of a home and accessory building, such as a barn, for a number of reasons. She reported the fire district had no concerns for the proposed change, but reiterated the importance of ensuring adequate emergency access to accessory buildings.

Ms. Rieck opened the hearing for public comment. There were no public comments. The public hearing was closed.

Mr. Miller asked how the front setback was determined if there were roads on both the front and rear of the property and where an internal private road or driveway connected both.

	<p>Ms. Lantz noted staff would look at the addressing of the property, as assigned by the County’s Mapping group, and would consider locations or restrictions of access approved by County Engineering Services in determining the location from which to measure the minimum front setback of the accessory building.</p> <p>It was moved by Ms. Wollman and duly seconded by Mr. Brockelman in the case of LDC20-001, A-1 & RR-A Accessory Building Setback / Land Development Code (LDC) Amendment, that the Planning Commission reviewed 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 recommend approval of the application based on the findings in the staff report and subject to the following condition:</p> <ol style="list-style-type: none"> 1. Staff will make corrections and revisions to the proposed language as directed by the County Attorney prior to incorporating the approved amendment into the Land Development Code for publication. <p>The vote was:</p> <p>Ms. Rieck, No; Ms. Sauve, Yes; Mr. Miller, No; Mr. Sall, Yes; Ms. Wollman, Yes; Mr. Brockelman, Yes.</p>
<p>ITEM 2</p>	<p>Case No LDC19-003, Neighborhood Outreach / Land Development Code (LDC) Amendment – Kelsea Dombrovski, Planner II, Public Works and Development (PWD)</p> <p>Ms. Sauve disclosed that, prior to her appointment to the Planning Commission, she participated in a review of the proposed code amendment by the Four Square Mile Neighborhoods Association and the preparation of referral comments to staff. She believed this would not affect her ability to make an objective determination.</p> <p>There were no concerns voiced by the Planning Commissioners.</p> <p>Kelsea Dombrovski, Planner II, introduced the County-initiated amendment to the LDC to require applicants, for certain types of land development requests, to conduct a neighborhood meeting early in the application process. She stated the case had been properly noticed and the Planning Commission had jurisdiction to proceed. Ms. Dombrovski gave a history on the need for the change. She also outlined research conducted on practices of a number of other jurisdictions in developing a recommendation for Arapahoe County</p>

regulations and noted questions asked and input received during study sessions. She also reviewed responses to referrals received during the review period. Ms. Dombrovski outlined the determinations of staff on various aspects of the proposed code, such as the case types requiring a neighborhood meeting, the timing of the meeting, and whether staff would attend these meetings. Ms. Dombrovski reported additional comments were received after the staff report was posted to the web site. She noted the additional comments were provided to the Planning Commission by email, posted on the web site, and would be addressed during the staff presentation.

There were discussions regarding the results of the neighborhood meetings being accurately conveyed to the County, impacts from delays from a neighborhood meeting due to scheduling, which types of land use applications would require a meeting and who would decide, the 500-ft notice requirements and staff's ability to adjust the requirement, meeting locations, concerns over the need to conduct meetings for properties in which the zoning was determined a long time ago, the 15-day noticing period, whether the HOAs would be notified and/or responsible for notifying residents,

Ms. Dombrovski answered the various questions raised. She explained the HOA noticing would be in addition to property owner notification. She reported the County had a layer on ArapaMap (GIS) identifying HOA boundaries. Further, she reported Public Works and Development had a list of contacts to help facilitate outreach. Ms. Dombrovski explained that sometimes we do not have updated contact information for HOAs, so we do not want to rely solely on that communication; for that reason, direct notification to citizens is primary. She also explained that the 15-day period was consistent with the land development code hearing notification requirement, which was working well. She also explained that the long gap between applications would be addressed with a public meeting requirement determined by staff, even when that application type may not otherwise require a neighborhood meeting.

Ms. Rieck opened the hearing for public comments. There were no public comments. The public hearing was closed.

It was moved by Ms. Wollman and duly seconded by Mr. Sall, in the case of LDC19-003, Arapahoe County Neighborhood Outreach Code / Land Development Code Amendment, that the Planning Commission reviewed the staff report, including all exhibits and attachments, listened to the staff presentation and any public comment at the hearing, and moved to recommend

	<p>approval of the application based on the findings in the staff report and subject to the following conditions:</p> <ol style="list-style-type: none"> 1. Staff will make corrections and revisions to the proposed language as directed by the County Attorney prior to incorporating the approved amendment into the Land Development Code for publication. 2. Staff will make corrections and revisions to the proposed language as directed by the County Attorney prior to incorporating the approved amendment into the Development Application Manual for publication. <p>The vote was:</p> <p>Ms. Rieck, Yes; Ms. Sauve, Yes; Mr. Miller, No; Mr. Sall, Yes; Ms. Wollman, Yes; Mr. Brockelman, Yes.</p>
<p>STUDY SESSION ITEMS:</p>	
<p>ITEM 1</p>	<p>Open Spaces Master Plan Study Session – Brett Collins, Grants and Acquisitions Manager, Open Spaces Department</p> <p>Mr. Shannon Carter, Intergovernmental Affairs and Open Spaces Director, provided a history of the County’s open spaces program and a history of the County’s currently adopted Open Spaces Master Plan, approved in 2010. He reported the plan included a number of goals that had now been accomplished. He gave a few examples of those and explained that others were still in progress, which was why this was considered an update of the master plan rather than a creation of a new master plan. Mr. Carter reported one element that would be added to the revised plan would be a strategy for acquisition; another would address how to maintain what the County had established, as there was very little money for maintenance purposes available through the open space tax based on the approved formula. Mr. Carter reported a third goal of the update was to encourage renewal of the open space tax to support the program. He said a fourth goal was to determine how best to bring the Comprehensive Plan and Land Development Code into alignment with recommended best practices for providing community open spaces (one example would be adjusting the formula for cash paid as fees in lieu of land dedication for open spaces purposes). Mr. Carter noted that many more people were discovering County open spaces during the current Safer at Home public health order, which encouraged outdoor recreation.</p>

Brett Collins, Grants and Acquisitions Manager, introduced other project team members who had joined the meeting. He also noted other team members within the County administration and the County's consultant team members involved in the master plan update and what their given roles would be in the process. He reported to initiate the update, a scope of work was put together, as well as, the creation of a working group and a public involvement plan. He explained there were data collections and assessments nearing completion. Mr. Collins noted several of the documents and plans that were being evaluated. He said, also being reviewed were resource needs, such as gaps in trails and connections to key natural areas, and the recreation potential of various corridors including energy transmission corridors. He stated educational and recreational programming were also under review. Mr. Collins said the plan framework and investment priorities would round out the process before moving into development of a draft plan for further review and a final plan for adoption. He reported the public outreach program was designed for the entire life cycle of the plan. He stated the current public health limitations had significantly influenced how outreach could be conducted with the inability to conduct open houses. Mr. Collins outlined a number of approaches being implemented. He reported one survey on existing conditions had already closed, with 300 respondents. He stated another survey had 400 respondents, and another outreach effort had 1,100 participants. Mr. Collins reported, while the data from these efforts was still being compiled and reviewed, early evaluations showed positive feedback on the need for open spaces and the need for mechanisms to provide and fund these at the County level. He briefly addressed other key elements, outlined next steps, and showed a timeline for completion and adoption of the master plan update by the Board of County Commissioners. He stated the approved plan would come back to the Planning Commission for incorporation into the Comprehensive Plan.

Ms. Sauve asked what staff's early thoughts were as to how the funding for programs might be impacted by the current public health crisis and resulting decrease in sales taxes due to closed and restricted businesses.

Mr. Carter indicated taxes were collected by the State and sent to the County approximately two months in arrears. He said, so far, there did not seem to be a negative impact, possibly because many businesses had shifted to online sales.

	<p>Ms. Wollman expressed her appreciation for the evaluation in changing needs in the ways that people recreate. She noted electric bicycles as a new challenge with respect to trail use.</p> <p>Ms. Rieck noted her appreciation that new goals would be tied to national standards, as many developments were currently underserved by dedicated open spaces.</p>
<p>ANNOUNCEMENTS AND QUESTIONS</p>	<p>It was announced that the next Planning Commission meeting was scheduled for August 18, 2020 and two projects scheduled were for a minor subdivision for the previously approved townhome plan for Avere on the High Line and a request for a Specific Development Plan and preliminary plat for East Virginia Village, a proposed townhome project on the west side of Quebec St. near Cherry Creek.</p>
<p>ADJOURNMENT</p>	<p>There being no further business to come before the Planning Commission, the meeting was adjourned.</p>