



**MINUTES OF THE REGULAR MEETING OF THE
ARAPAHOE COUNTY PLANNING COMMISSION
TUESDAY, JUNE 21, 2016**

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 confirmed their continued qualification to serve:</p> <p>Paul Rosenberg, Chair; Brian Weiss, Chair Pro-Tem; Mark Brummel; Richard Rader; Jane Rieck; Richard Sall, and Diane Chaffin.</p> <p>Also present were: Robert Hill, Senior Assistant County Attorney; Jason Reynolds, Current Planning Program Manager; Jan Yeckes, Planning Division Manager; Bill Skinner, Spencer M. Smith, Engineer, Julio Iturreria, Long Range Planning; and members of the public.</p>
CALL TO ORDER	<p>Chair Rosenberg called the meeting to order at 6:30 p.m. and noted a quorum of the Board was present.</p>
DISCLOSURE MATTERS	<p>There were no Planning Commission member conflicts with the matters before them.</p>
ANNOUNCEMENT	<p>Ms. Yeckes reported there would not be a need to conduct a special meeting of the Planning Commission on July 12th; however, the July 5th and 19th regular meetings would be held as scheduled.</p>
REGULAR ITEMS:	
Item 1:	<p>Case No. U16-001, Arapahoe County Land Board [Solar Facility] / Use by Special Review (USR) – Bill Skinner, Senior Planner, Public Works and Development (PWD)</p> <p>Mr. Skinner explained that in this case type, the Planning Commission (PC) made a recommendation to the Board of County Commissioners (BOCC) and the BOCC made the final decision. He reported the case was a 1041 Permit with a USR component for a solar garden. He said the solar facility would be located on State Land Board (SLB) property. He stated the SLB had been involved throughout the entire process. Mr. Skinner reported the City of Aurora (Aurora) was an adjacent property owner to the proposed site. He said Aurora hadn't formally responded to the case referral;</p>

however, he had been in communication with them. Mr. Skinner stated staff recommended the case for approval.

Richard Miller, Clean Energy Collective, on behalf of the State Land Board (SLB) presented a PowerPoint, a copy of which was retained for the record. He explained SLB's interest in generating income for schools and reported the company had four (4) facilities on SLB properties, in more than one Colorado county. He provided a history of the company, a summary of current facilities, and reviewed the proposed plans for the current project.

There were discussions regarding the solar garden projects, including similar projects, size and scope, unexploded ordinances, access to transmission lines along Quincy, conditions of the lease, groundcover, fencing, maintenance, and cost/credits to consumers verses other utility methods and companies.

Mr. Rosenberg opened the hearing for public comments.

There were no public comments.

The public hearing was closed.

Mr. Skinner reported there were a couple of items that needed to be updated before finalizing the plans. He explained the applicant would need to update the fence detail and adjust the access road location.

Mr. Rader expressed concern over the height of the fence. He said it would be easily scaled and provide for very little security at 6-8 feet in height. He proposed a fence with barbed wire.

Mr. Miller said if the PC wanted a fence with barbed wire, they could do that.

There were discussions regarding site security and the installation of monitoring cameras.

It was moved by Mr. Brummel and duly seconded by Mr. Weiss, with a friendly amendment by Ms. Chaffin to revise conditions 2 and 3 to remove the words 'strive to', in the case of U16-001, Arapahoe State Land Board Solar Garden, Use by Special Review, that the Planning Commission read the staff report and received testimony at the public hearing and found themselves in agreement with staff findings 1 through 3, including all plans and attachments as set forth in the staff report dated June 13,

2016 and recommend this case favorably to the Board of County Commissioners, subject to the following conditions of approval:

- 1. The applicant will modify the plans as requested by the Public Works & Development Department, prior to the signing of the mylars and before the commencement of any construction activities relating to this project.**
- 2. The applicant will avoid any areas of paleontological, historic, or archaeological importance. If avoidance is not possible, further testing will be conducted, with landowner's permission, to determine the site's eligibility for historic status and a treatment plan will be developed that will be followed to protect eligible sites. The applicant will notify the County of any plans or activities to deal with historic, paleontological or archaeological sites that cannot be avoided by the construction of the solar garden.**
- 3. The applicant will avoid any Federal and/or State Threatened and Endangered Species, as well as State Species of Concern, if found to exist in areas where the solar garden will be constructed. If any Federal and/or State Threatened and Endangered Species or any State Species of Concern is found to exist in areas where the solar garden will be constructed, then the applicant will collaborate with Colorado Parks and Wildlife and Arapahoe County to mitigate and minimize any potential impact to these species.**
- 4. The applicant will provide the County with a noxious weed control plan for the site prior to construction.**

Mr. Rader moved to further amend the motion to require the applicant install a barbed wire fence.

The motion died for lack of a second.

The vote was:

Mr. Weiss, Yes; Ms. Rieck, Yes; Ms. Chaffin, Yes; Mr. Rader, No; Mr. Brummel, Yes; Mr. Sall, Yes; Mr. Rosenberg, Yes.

STUDY SESSION ITEMS:	
Item 1:	<p>Discussions re: Comprehensive Plan and Planning Commission By-laws – Jan Yeckes, Planning Division Manager and Julio Iturreria, Long Range Planning</p> <p>There were discussions related to another entity’s project as it pertained to approval of projects based on ownership versus rental. It was noted cities might have more authority than the County. It was stated there must be a basis in the Land Development Code (LDC) to allow for that kind of condition of approval. It was explained the County considered the impact of residential and single-family versus multi-family projects.</p> <p>Discussions regarding issues and concerns heard from the public, as a result of the Uinta Comp Plan hearing, were had.</p> <p>Ms. Yeckes and Mr. Hill spoke individually with each Planning Commission member to discover whether there was confusion, as some neighbors had asserted.</p> <p>It was concluded there was no confusion.</p> <p>Ms. Yeckes offered to send audio recordings of the hearing to the PC, so they could listen back to the discussions.</p>
ADJOURNMENT	There being no further business to come before the Planning Commission, the meeting was adjourned.