



**MINUTES OF THE REGULAR MEETING OF THE
ARAPAHOE COUNTY PLANNING COMMISSION
TUESDAY, OCTOBER 18, 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 were in attendance:</p> <p>Paul Rosenberg, Chair; Brian Weiss, Chair Pro-Tem; Mark Brummel; Richard Rader; and Jane Rieck.</p> <p>Also present were: Robert Hill, Senior Asst. County Attorney; Jason Reynolds, Current Planning Program Manager; Jan Yeckes, Planning Division Manager, Diane Kocis, Oil & Gas Specialist, Tammy King, Zoning Administrator, Caitlyn Cahill, Animal Control Supervisor, Bryan Weimer, Transportation Division Manager, 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>
GENERAL BUSINESS ITEMS:	
APPROVAL OF THE MINUTES	<p>The motion was made by Mr. Weiss and duly seconded by Ms. Rieck to accept the minutes from the <u>September 20, 2016</u> Planning Commission meeting, as presented.</p> <p>The motion passed unanimously.</p> <p>The motion was then made by Mr. Brummel and duly seconded by Mr. Rosenberg to accept the minutes from the <u>September 27, 2016</u> Planning Commission meeting, as presented.</p> <p>The motion passed unanimously.</p>
REGULAR ITEMS:	

Item 1:

Case No. W16-001, Land Development Code Revisions Re: Solar – Diane Kocis, Oil & Gas Specialist, Public Works and Development (PWD) – This case was continued from 09-27-2016.

Ms. Kocis introduced the case and established jurisdiction. She reported the case was county-initiated to modify Section 12-1900 of the Land Development Code (LDC) to change the name of 12-1900 from “Oil and Gas Facilities” to “Energy Facilities” and include small scale solar facilities entitled “Energy Facilities” in order to provide an expeditious application and review process for small scale solar facilities, where an applicant has executed an acceptable Memorandum of Understanding (MOU) with the County. She explained the MOU provided conditions, under which, an operator could develop and operate future community solar projects or newly expanded facilities administratively. Ms. Kocis stated the proposed process was similar to the Oil & Gas process and was consistent with the Comprehensive Plan, relative to energy. She stated staff recommended approval based on the findings outlined in the staff report.

There was discussion around the time required to approve small scale solar facilities in other jurisdictions. It was noted Jefferson County had a much faster process (2-4 weeks); Pueblo and Adams counties had processes that took 45 to 120 days; Boulder, Weld, and Lincoln counties had review and approval times between 4 and 6 months.

Ms. Rieck expressed her concern that solar applications would be given a rubber stamp approval if we adopted the administrative process.

There were discussions on impacts of a solar facilities compared to oil and gas, impact fees, area required for a 2MW facility, land development application approval timelines, and requiring buffering for solar facilities.

Mr. Rosenberg opened the hearing for public comment.

Jon Sullivan, Sunshare, complimented staff. He said with this new process the cases would get professional review while moving projects forward.

There were no further public comments.

The public hearing was closed.

There were discussions on the appearance of rubber stamp approvals, timeline, 1041 projects for Use by Special Review (USR) going to the Planning Commission, and Solar facilities having fewer impacts than Oil & Gas facilities.

	<p>It was moved by Mr. Brummel and duly seconded by Mr. Weiss, in the case of W16-001 – Land Development Code Amendment, Chapter 12 Specific Regulations, modification of Section 12-1900, Oil and Gas Facilities, that the Planning Commission read the proposed code amendment and staff report and considered additional information 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 October 6, 2016, and recommended the case favorably to the Board of County Commissioners, with the following two (2) conditions of approval:</p> <ol style="list-style-type: none"> 1. Minor modifications to the text identified as necessary are required prior to incorporation of this Amendment into the existing Land Development Code. Staff, in conjunction with the County Attorney’s Office, is hereby authorized to make necessary modifications to the text and may relocate definitions to Chapter 19. 2. Modifications to Section 12-1900 of the Land Development Code will be effective and integrated into the existing Code upon approval by the Board of County Commissioners following a public hearing. <p>The vote was:</p> <p>Mr. Weiss, Yes; Ms. Rieck, No; Mr. Rader, Yes; Mr. Brummel, Yes; Mr. Rosenberg, Yes.</p>
<p>Item 2:</p>	<p>Case No. W15-003, Land Development Code Revisions Re: Seasonal Farm and Ranch Events – Tammy King, Zoning Administrator, Public Works and Development (PWD)</p> <p>Ms. King introduced the case and established jurisdiction. She reported the county-initiated application would amend the Land Development Code (LDC) to update Chapters 2, 5, and 19 to better address Seasonal Farm and Ranch Events and the definition of Rodeo. She provided an overview of the public process, including referrals and noticing. Ms. King said the proposed changes would meet identified needs to the extent possible and staff supported the change.</p> <p>There were discussions about process for auctions in agricultural areas / Temporary Use Permits (TUPs).</p> <p>Mr. Rosenberg opened the hearing for public comment.</p> <p>There were no public comments.</p>

	<p>The public hearing was closed.</p> <p>Ms. Rieck stated staff did a good job with citizen outreach.</p> <p>It was moved by Ms. Rieck and duly seconded by Mr. Rader, in the case of W15-003 – Land Development Code Amendment to amend Chapters 4, 5, and 19 to address Seasonal Farm and Ranch Events, that the Planning Commission read the proposed code amendment and September 26, 2016 staff report and considered additional information presented during the public hearing and found themselves agreement with staff findings one (1) through four (4) as set forth in the staff report dated September 26, 2016, and recommend the case favorable to the Board of County Commissioners with the following two (2) conditions of approval:</p> <ol style="list-style-type: none"> 1. Minor modifications to the text identified as necessary are required prior to incorporation of this amendment into the existing Land Development Code. Staff, in conjunction with the County Attorney’s Office, is hereby authorized to make necessary modifications to the text. 2. Modifications to Chapters 4, 5, and 19 of the Land Development Code will be effective and integrated into the existing LDC, upon approval by the Board of County Commissioners, following a public hearing. <p>The vote was:</p> <p>Mr. Weiss, Yes; Ms. Rieck, Yes; Mr. Rader, Yes; Mr. Brummel, Yes; Mr. Rosenberg, Yes.</p>
<p>STUDY SESSION ITEMS:</p>	
<p>Item 1:</p>	<p>Rural Transportation Fee Discussion – Bryan Weimer, Transportation Division Manager</p> <p>Mr. Weimer led a study session to discuss the implementation of a rural transportation fee. He presented slides that would be used at a public meeting on October 19, 2016 at the Fairgrounds. He stated 3,000 landowners, developers, builders, and referral agencies had been notified of the proposed impact fee.</p>
<p>ADJOURNMENT</p>	<p>There being no further business to come before the Planning Commission, the meeting was adjourned.</p>