

**MINUTES OF THE ARAPAHOE COUNTY  
BOARD OF COUNTY COMMISSIONERS  
TUESDAY, APRIL 2, 2019**

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>Jeff Baker, Chair</b>	<b>Commissioner District 3</b>	<b>Present</b>
<b>Nancy Jackson, Chair Pro-Tem</b>	<b>Commissioner District 4</b>	<b>Present</b>
<b>Kathleen Conti</b>	<b>Commissioner District 1</b>	<b>Present</b>
<b>Nancy Sharpe</b>	<b>Commissioner District 2</b>	<b>Present</b>
<b>Bill Holen</b>	<b>Commissioner District 5</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>Asst. Clerk to the Board</b>	<b>Present</b>

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

**CALL TO ORDER**

Commissioner Baker called the meeting to order.

**INTRODUCTIONS**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**MODIFICATION(S) TO THE AGENDA**

There were no modifications to the agenda.

**ADOPTION OF THE AGENDA**

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

**The motion passed unanimously.**

**CITIZEN COMMENT PERIOD**

Becky Roberts, 714 Imboden Mile Road, Watkins, expressed concern regarding oil and gas drilling near residential developments.

Ed Ingve, 6406 S. Picadilly Street, discussed concerns about the Anadarko gathering system, which has been shut down.

**APPROVAL OF THE MINUTES**

There were no minutes to approve on this date.

**CEREMONIES**

There were no ceremonies on this date.

### **CONSENT AGENDA**

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

**The motion passed unanimously.**

### **GENERAL BUSINESS ITEMS**

#### **6.a. Resolution No. 190232 - 2019 Community Development Block Grant and HOME Projects Annual Plan**

Tiffanie Bleau, Senior Assistant County Attorney, established jurisdiction for the Board to consider this request.

Linda Haley, Housing and Community Development Division Manager, explained the purpose of this plan and asked permission to submit it to HUD (Housing and Urban Development).

The public comment period was opened.

There were no public comments.

The public comment period was closed.

**The motion was made by Commissioner Holen, duly seconded by Commissioner Jackson, to approve the 2019 One-Year Action Plan, including the proposed Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) projects, as presented on April 2, 2019, and to authorize submittal of the 2019 One-Year Action Plan to the U.S. Department of Housing and Urban Development.**

**The motion passed unanimously.**

#### **6.b. Resolution No. 190233 - LDC19-001 A-E Lot Width Code Amendment**

Robert Hill, Senior Assistant County Attorney, established jurisdiction for the Board to consider this amendment.

Jason Reynolds, Current Planning Program Manager, explained the purpose of the proposed change to zoning. A PowerPoint presentation was reviewed, a copy of which has been retained for the record. He stated that the Planning Commission voted 5-2 in favor of this amendment, and staff recommends approval.

There was discussion regarding how many lots there are less than 600' wide.

Mr. Reynolds explained that lots less than 600' cannot get a building permit. The purpose of this change is to reduce the likelihood of people buying lots, then finding out that they cannot build a home on the lot.

Caitlin Cayhill, Zoning and Animal Control Manager, explained that the Zoning Division would be coordinating with Mapping.

There was discussion regarding the surveying process and the recording process.

Commissioner Baker said it would be ideal to coordinate with surveyors and real estate brokers to get the word out before a sale is finalized.

The public comment period was opened.

Bob Stuart - in favor of this amendment.

The public comment period was closed.

Commissioner Sharpe wondered what the County could do to help buyers be aware of building restrictions on narrow lots.

Mr. Reynolds said educating professionals who are creating these parcels is key, as well as trying to catch them as they are recorded.

Commissioner Conti said at that point, it is too late, and the goal is to make a change that makes the purchaser aware of the restrictions before the sale is finalized.

Mr. Reynolds said the County does not have that ability, as state law does not require subdivisions of 35 acres to be reviewed by Zoning.

Ms. Cayhill explained the recording process and hopes that this amendment will help the County get ahead of the game.

Commissioner Conti said there will be nothing preventing these lots from being recorded.

Commissioner Holen suggested that, if this amendment passes, staff do a press release and contact brokers.

Commissioner Conti suggested a separate zoning category if a lot is less than 600' wide. She said that would make the public aware that the land could be used for agricultural use, but no building permits would be issued.

Mr. Hill stated that educating the professionals in this field is important.

**The following motion was made by Commissioner Baker duly seconded by Commissioner Sharpe: In the case of LDC19-001, A-E Lot Width code amendment, the County Commissioners have reviewed the staff report, including all exhibits and attachments, and have considered the proposed code amendment, including the staff presentation and rationale for the proposed changes, as well as any public comment as presented at the public hearing. I hereby move to APPROVE the proposed amendment to the Land Development Code, subject to the following condition:**

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.

**The motion passed unanimously.**

**6.c. Resolution No. 190234 - LDC18-005 Bee Keeping Code Amendment**

**6.d. Resolution No. 190235 - LDC18-006 Chicken-Keeping Code Amendment**

Commissioner Baker stated that Cases LDC18-005 and LDS18-006 would be heard at the same time.

Robert Hill, Senior Assistant County Attorney, established jurisdiction for the Board to consider these amendments.

Kelsea Dombrowski, Planner I, presented a PowerPoint presentation, a copy of which has been retained for the record. She explained the setback requirements, coop and hive requirements, flyaway requirements, and restrictions on retail sales of eggs and honey. She stated that the proposal does not require a permit to keep bees or chickens. She emphasized that HOA's can impose stricter regulations if they choose.

There was discussion regarding concerns from other jurisdictions that currently allow bee keeping.

Kathy Boyer, Tri-County Health Department, said no data is available.

Lisa Mason, CSU Extension, said 90% of stings are caused by Yellow Jackets, not bees. She also discussed the predictability of bee behavior and explained why bees swarm.

There was discussion regarding pesticides that are used to kill Japanese Beetles, which will kill honey bees.

There was discussion regarding the potential for attracting rodents and predators.

Jonathan Brubeck, CSU Extension, talked about the importance of storing chicken feed.

There was discussion regarding smaller flocks and aggression. Mr. Brubeck stated that 5 hens would be ideal, but 4 hens would be acceptable.

The public comment period was opened.

Randi Lewis – in favor

Karen Gruber – in favor

Bill Graham – in favor

The public comment period was closed.

There was discussion regarding diseases that can be caused by chicken waste. The importance of handwashing was discussed, as outbreaks have been limited to the people handling the chickens.

It was confirmed that bushes and shrubs could be considered for the flyaway definition.

**The following motion was made by Commissioner Jackson, duly seconded by Commissioner Conti: In the case of LDC18-005, Arapahoe County Backyard Bee-Keeping Code amendment, the County Commissioners have reviewed the staff report, including all exhibits and attachments, and have considered the proposed code amendment, including the staff presentation and rationale for the proposed changes, as well as any public comment as presented at the public hearing. I hereby move to APPROVE the proposed amendment to the Land Development Code, subject to the following condition:**

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.

**The motion passed unanimously.**

**The following motion was made by Commissioner Conti, duly seconded by Commissioner Holen: In the case of LDC18-006, Arapahoe County Backyard Chicken-Keeping Code amendment, the County Commissioners have reviewed the staff report, including all exhibits and attachments, and have considered the proposed code amendment, including the staff presentation and rationale for the proposed changes, as well as any public comment as presented at the public hearing. I hereby move to APPROVE the proposed amendment to the Land Development Code, subject to the following condition:**

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.

**The motion passed unanimously.**

## **COMMISSIONER COMMENTS**

Commissioner Sharpe stated that March is Child Abuse Prevention Month, and recognized the amazing Arapahoe County employees that try to prevent abuse and neglect.

Commissioner Holen recognized the military service and sacrifice of those who served in the Viet Nam War.

**There being no other business before the Board, Commissioner Baker adjourned the meeting at 11:00 a.m.**

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