

USE BY SPECIAL REVIEW

RESOLUTION NO. _____ It was moved by Commissioner _____ duly seconded by Commissioner _____ to adopt the following Resolution:

WHEREAS, application has been made by KJK Properties, LLC for a Use by Special Review - Kiowa Creek Composting Facility, USR25-001 for certain property hereinafter described, to wit:

THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 5 SOUTH, RANGE 63 WEST OF THE 6TH P.M., EXCEPT ANY PORTION LYING WITHIN COUNTY ROAD 30, COUNTY OF ARAPAHOE, STATE OF COLORADO.

ASSESSOR PARCEL NUMBER: 2067-00-0-00-372 AND IS 40 ACRES IN SIZE.

and

WHEREAS, public notice of hearing before the Board of County Commissioners for Arapahoe County, Colorado was made for a hearing on such proposed Use by Special Review by publication on March 26th, 2026 in the Littleton Independent, Englewood Herald, and Centennial Citizen, newspapers of general circulation within the Arapahoe County, by posting of said property, and by mail notification of adjacent property owners in accordance with the Arapahoe County Land Development Code; and

WHEREAS, pursuant to applicable law and the Arapahoe County Land Development Code, a public hearing was held before the Board of County Commissioners at the Arapahoe County Administration Building, 5334 South Prince Street, Littleton, Colorado, on the 14th day of April 2026 at 9:30 o'clock A.M., at which time evidence and testimony were presented to the Board concerning said Use by Special Review request; and

WHEREAS, by adoption of Resolution No. _____ the public hearing was closed on April 14, 2026, and the matter taken under advisement and deferred for decision until this same date; and

WHEREAS, pursuant to the authority vested unto the Board of County Commissioners by Article 28 of Title 30 and Article 20 of Title 29, C.R.S. as amended, the Board has concluded that the public health, safety, convenience and general welfare, as well as good zoning practice, justifies granting the Use by Special Review of the hereinafter described property subject to the conditions precedent and/or stipulations as hereinafter delineated.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County as follows:

1. The Board of County Commissioners for Arapahoe County hereby grants and approves the application for Use by Special Review, USR25-001-Kiowa Creek Composting Facility for the property described in this Resolution, subject to the stipulations and/or conditions precedent as hereinafter delineated.
2. Approval of this Use by Special Review is based upon the following understandings, agreements and/or representations:
 - a. The applicant's assent and/or agreement to make all modifications to the final version of the documents that are necessary to conform the documents to the form and content requirements of the County in existence at the time the documents are submitted for signature.
 - b. The representations, statements and positions contained in the record that were made by or attributed to the applicant and its representatives, including all such representations made at hearing and statements contained in materials submitted to the Board by the applicant and County staff.
3. Approval of this Use by Special Review shall be and is subject to the following stipulations and/or conditions precedent, which the applicant has accepted and which the applicant is also deemed to accept by preparing a mylar for signature by the Chairman of the Board of County Commissioners within sixty (60) days of this date and by continuing with the development of the property:

The applicant's compliance with all additional conditions of approval stated by the Board, including: The applicant will make all necessary changes as indicated with specificity by the County's Engineering staff prior to final execution and approval of the following documents: Construction Drawings, Drainage Report, Ownership and Maintenance Plans, Engineer's Cost Estimate, Grading Erosion and Sediment Control Plans & Report.
4. Upon the applicant's completion of any and all changes to the revised Use by Special Review mylar as may be required by this Resolution, the Chairman of the Board of County Commissioners is hereby authorized to sign same.
5. County planning, engineering and legal staff are authorized to make any changes to the mylar form of the approved document as may be needed to conform the document to the form and content requirements of the County in existence at the time the document is submitted for signature. No other deviation or variance from the form and content of the document submitted for the Board's consideration are approved except to the extent stated in this resolution.
6. The County Attorney is authorized to make appropriate modifications to this Resolution and the underlying document(s), as needed, to correct errors and

omissions, and to accurately reflect the matters presented to the Board and to record and clarify, as necessary, the Board's action.

The vote was:

Commissioner Baker, ___; Commissioner Campbell, ___; Commissioner Fields, ___;
Commissioner Summey, ___; Commissioner Warren-Gully, ___.

The Chair declared the motion carried and so ordered.