

**MINUTES OF THE REGULAR MEETING OF THE
ARAPAHOE COUNTY PLANNING COMMISSION
TUESDAY, OCTOBER 7, 2025**

ATTENDANCE	A regular meeting of the Arapahoe County Planning Commission (PC) 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: Brooke Howe, Kathryn Latsis, Chair Pro-Tem; Dave Mohrhaus, Chair; Richard Sall; and Lynn Sauve. Also present were Matt Hader, Senior Assistant County Attorney; Jason Reynolds, Planning Division Manager; Ava Pecherzewski, Development Review Planning Manager (moderator); Joe Schiel, Engineering Program Manager; Ernie Rose, Senior Planner; Emily Gonzalez, Engineer; Caitlyn Mars, Zoning Administrator, and Kim Lynch, Planning Technician.
CALL TO ORDER	Mr. Mohrhaus called the meeting to order at 6:30 p.m., and the roll was called. The meeting was held in person and through the Granicus Live Manager platform with telephone call-in for staff members and the public.
GENERAL BUSINESS ITEMS:	
APPROVAL OF THE MINUTES	The motion was made by Ms. Latsis and duly seconded by Ms. Sauve to approve the minutes of the September 17, 2025, Planning Commission meeting, as submitted: The vote was: Ms. Howe, Abstain; Ms. Latsis, Yes; Mr. Miller, Absent; Mr. Mohrhaus, Yes; Mr. Sall, Yes; Ms. Sauve, Yes.
PUBLIC HEARING ITEMS:	
ITEM 1	CASE NO. PM25-001, ARAPAHOE RETAIL / MINOR SUBDIVISION PLAT (PM) – ERNIE ROSE, SENIOR PLANNER; EMILY GONZALEZ, ENGINEER – PUBLIC WORKS AND DEVELOPMENT (PWD) Mr. Hader affirmed that Land Development Code (LDC) Chapter 5-Section 2 requirements had been met, and proper notice had been made therefore the PC had jurisdiction to proceed.

	Mr. Rose stated the applicant, K2 Civil Consultants Inc., on behalf of the property owners DDK Investments and LASCO Development Corporation, was processing a Minor Subdivision to formally plat this 1.3-acre parcel at 8300 E. Iliff Avenue, at the intersection of E. Iliff Avenue and S. Valentia Street. He said in order for the property to be developed, the parcel must be a platted lot, and the owner proposes constructing a gas station with a convenience store at this location, which is a permitted use in the B-5 zone district. He reported staff was reviewing an Administrative Site Plan (ASP25-003) concurrently with this application. He added that an Arapahoe County trailhead was planned west of and adjacent to the property where the trailhead will be accessed through the subject property. Arapahoe County Open Spaces and the applicant have reviewed this proposal, and both are comfortable with trailhead users crossing the convenience store property to access the future trailhead. He described a ten-foot-wide strip of land (orphaned parcel) along the west edge of the Arapahoe Retail property that was identified/located between the Open Spaces and convenience store parcels of which title had been secured by the owners. He concluded, based on the review of applicable policies and goals of the Comprehensive Plan, Subdivision regulations in the LDC and analysis of referral comments, Staff recommended approval of this minor Subdivision plat. Mr. Mohrhaus opened the Public Hearing. There were no members of the public who spoke. There were no callers. Mr. Mohrhaus closed the hearing. The motion was made by Ms. Sauve and duly seconded by Ms. Latsis, in the case of PM25-001, Arapahoe Retail Subdivision Filing No. 1 / Minor Subdivision, I have reviewed the staff report, including all exhibits and attachments and have listened to the applicant's presentation and the public comment as presented at the hearing and hereby move to recommend approval of this application based on the findings in the staff report, subject to the following conditions: 1. Prior to the signature of the final copy of these plans, the applicant will address all Public Works and Development Staff comments. 2. No permits shall be issued, grading or otherwise, until the applicant has conveyed all necessary right-of-way to the County free and clear of any encumbrances. The vote was: Ms. Howe, Yes; Ms. Latsis, Yes; Mr. Miller, Absent; Mr. Mohrhaus, Yes; Mr. Sall, Yes; Ms. Sauve, Yes.
ITEM 2	CASE NO. PM25-002, K AND F / MINOR SUBDIVISION PLAT (PM) – ERNIE ROSE, SENIOR PLANNER; EMILY GONZALEZ, ENGINEER – PUBLIC WORKS AND DEVELOPMENT (PWD)

Mr. Hader cited the LDC Chapter 5 - Section 2 requirements and stated they had been met and that proper notice had been made therefore, the PC had jurisdiction to proceed.

Mr. Rose stated the applicant, Carrick Engineering Corp, on behalf of the owner, K & F Properties, was processing a Minor Subdivision to formally plat this 6.41-acre parcel so that the property could be developed. He said the project was located at 58975 U.S. Highway 36 and the owner proposed to construct a 10,500-square-foot building for light industrial metal fabrication. He stated this would occur under a separate application for an Administrative Site Plan if the property was legally platted. He explained the property featured a commercial shop building, truck parking, and outdoor storage, all with direct access to U.S. Highway 36 and current zoning classification was B-4 (Specialty Commercial District), which permitted both the existing and planned uses of the property. He reported that Arapahoe County approved a rezoning of the property from A-2 agricultural to B-4 on October 21, 1974 (case no. Z74-010) but that the land had never been officially subdivided in accordance with the LDC. He stated according to county records, the parcel was created in 1978, and a subdivision would have been required at that time. He affirmed if this case was approved, it would create a lot that was eligible for building permits. He concluded Staff had visited the site and reviewed the plans, supporting documentation, and referral comments and based on the review of applicable policies and goals, as outlined in the Comp Plan, review of the subdivision regulations, and analysis of referral comments Staff recommended approval of this Minor Subdivision application.

Mr. Mohrhaus opened the hearing for public comments. There were no members of the public present, and there were two callers who spoke on behalf of the applicant as a part of their team. The public hearing was closed.

The motion was made by Ms. Latsis and duly seconded by Mr. Sall, in the case of PM25-002, K & F Minor Subdivision, I have reviewed the staff report, including all exhibits and attachments, and have listened to the applicant's presentation and the public comment as presented at the hearing, and hereby move to recommend approval of this application based on the findings in the staff report, subject to the following condition:

- 1. Prior to the signature of the final copy of these plans, the applicant will address all Public Works and Development Staff comments.**

The vote was:

Ms. Howe, Yes; Ms. Latsis, Yes; Mr. Miller, Absent; Mr. Mohrhaus, Yes; Mr. Sall, Yes; Ms. Sauve, Yes.

STUDY SESSION ITEMS:

ITEM 1	CASE NO. LDC23-001, SHORT TERM RENTALS / LAND DEVELOPMENT CODE (LDC) AMENDMENT – CAITLYN MARS, ZONING ADMINISTRATOR - PUBLIC WORKS AND DEVELOPMENT (PWD) Ms. Mars stated the purpose of this study session was to update the Planning Commission on the staff evaluation of short-term rental (STR) activity and potential regulation in response to increasing public complaints about noise and parking issues associated with unregulated STRs. She reported that early research, and Board of County Commissioners (BoCC) study session, explored the scope of the issue, the County’s enforcement authority, and regulatory models from other jurisdictions. She added comparative analysis showed that several Colorado counties and municipalities addressed STRs by requiring licensing, establishing occupancy and parking limits, and often mandating on-site management or owner occupancy to preserve neighborhood character. She said that national and international studies had found that growth in STR listings might be a contributing factor to increased rent and home prices, and that regulating STRs could be one element of a broader housing-affordability strategy. She described the countywide survey requesting feedback that was completed prior to the drafting of the regulations, where roughly one-third favored unrestricted STR licensing, one-quarter supported allowing STRs only with owner occupancy, and about 40 percent preferred prohibition. She described the process whereby two draft ordinances had been distributed for referral comments and made available for resident feedback through October 10, 2025. She outlined how both proposals created a licensing framework designed to protect public health, safety, and neighborhood quality of life, while also preserving the opportunity for property owners to earn income through operating a STR both approaches were designed to limit impacts on housing availability and neighborhood character while allowing opportunities for responsible STR activity. She explained the key policy difference between the two drafts concerned the eligibility requirement: one draft established a 180-day annual rental cap for STR operation, while the other required that each licensed STR be the primary residence of the property owner or an authorized lessee however, both options were designed to limit the impact of STRs on Arapahoe County’s long-term residents. She declared the 180-day annual rental cap allowed flexibility for partial-year residents to operate an STR while they resided elsewhere but prevented investors from operating a home as an STR year-round; the primary residence requirement reduced the likelihood of investor-operated STRs unless the investor was willing to make the STR their primary residence. She stated both ordinances were nearly identical in structure and most of the provisions were the same where each: • applied to STRs in all zone districts of unincorporated Arapahoe County, including Planned Unit Developments (PUDs), unless a PUD specifically prohibited STRs
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- excluded hotels, motels, guest ranches, bed-and-breakfasts, and properties leased for thirty days or more
- defined key terms such as Short-Term Rental, Local Responsible Agent (LRA), Good Neighbor Notice and Guidelines, and Lodging Unit
- required a County-issued license and annual renewal application including owner or lessee and LRA contact information, a parking plan demonstrating minimum on-site spaces, proof of compliance with life-safety standards, a Good Neighbor Notice, and Renter Information materials that must be posted inside the rental unit;
- authorized inspections by County officials and imposed enforcement measures including civil infractions with escalating fines, as well as potential license suspension or revocation
- required adjacent property owners to be notified within fourteen days of license approval and empowered the County to require vacation rental platforms to remove unlicensed or suspended listings

She described how the 180-day cap draft regulated intensity of use primarily through an annual limit where each overnight stay counted as a single day. She said licenses would only be issued to property owners, not tenants, and a license terminated automatically upon a change of ownership. She said this version also required that any whole-house STRs be separated by at least five hundred feet; imposed a countywide cap of one hundred licenses total in multi-family buildings and in situations where applications exceeded these limits, a waitlist and lottery system would be used. She added property owners remained strictly liable for compliance with life-safety standards, renter information and signage, and tax collection and remittance.

She described in comparison how the primary residence draft controlled the scope of STRs by requiring that the property be the primary residence of the owner or an authorized lessee where applicants must submit at least two forms of documentation—such as voter registration, motor vehicle registration, tax records, or a utility bill—to demonstrate primary residence. She explained how licenses might be issued to either owners or lessees, provided that the lessee had written authorization from the property owner and a license automatically terminated if the property ceases to be the licensee's primary residence or, for lessees, if the tenancy ended. She said changes in ownership or licensed lessee status generally would require a new license, though limited exceptions applied for transfers between previously licensed co-owners or co-lessees.

She stated the proposed LDC amendment added a new Section 3-3.2.J and related references to formally allow and regulate Short-Term Rentals (STRs) as a permitted use in most residential zone districts of unincorporated Arapahoe County. She said it defined Short-Term Rental as the lease or rental of a dwelling or portion of a dwelling for 30 days or fewer, distinguishing Whole-House Rentals (entire dwelling) and Partial-House Rentals (portion of a dwelling) and set general requirements that STRs operate only in structures meeting all short-term rental licensing standards and prohibited

	use of recreational vehicles, mobile homes, campers, trailers, vehicles, or other temporary structures for STR purposes. She added it also required that all STRs obtain and maintain a license under the STR ordinance, which provided detailed application, inspection, and the enforcement procedures. She explained the LDC draft mirrored the proposed ordinance language by including separation and buffering provisions, most notably prohibiting a licensed whole-house STR within 500 feet of another licensed STR and requiring compliance with all zone-district building setback standards. She stated this LDC amendment integrated STR use into the County's zoning framework while tying actual operation to the separate STR licensing ordinance for life-safety, enforcement, and operational requirements. She concluded that Staff was requesting that the Planning Commission review the draft Land Development Code amendment and provide feedback prior to the scheduled public hearing on October 21, 2025. There was discussion regarding how ownership would be determined by comparing recorded ownership with that of the applicant, the County would administrate high demand for licensing in multi-family properties with current staff and an outside contractor funded with proposed license fees collected, no grandfathering would be permitted and any existing STRs would have to apply, if too many applications in an area were received and a lottery would be used to decide who could operate and meet the 500-foot buffer requirement, and confirmation that license traveled with ownership. It was agreed that the policy decision here would be required to limit impact to permanent residency.
ITEM 2	DISCUSSION REGARDING MEETING PRACTICES – JASON REYNOLDS, PLANNING DIVISION MANAGER; MATT HADER, SENIOR ASSISTANT COUNTY ATTORNEY Mr. Reynolds stated the purpose of this study session was to update the Planning Commission on the regular and the unscripted meeting practices for smooth Planning Commission business meetings. Action Items: It was agreed that trimming roll calls to ayes for minutes approval should be incorporated into the script in the future. Mr. Hader stated that keeping the formal roll call was preferred for all Public Hearing item motions and votes. Mr. Hader suggested the chair request that members state any obligations and notifications of conflicts of interest for any public hearing item of the PC Agenda and this would save time instead of reading the whole disclosure at each meeting. Script could be reworked to read “Are there any PC members wishing to disclose obligations or conflicts of interest in any of the Public Hearing items to be heard tonight? Hearing none, we will move on to Case Number and Name...”.

	There was discussion regarding off point questions from public speakers, and it was agreed that not everything needed to be answered. The Commission discussed having a laminated card handout at sign-up sheets distributed to speakers to take to their seat to review the process and strict rules of comportment and time limitation to reinforce the recited rules. It was decided the script could be modified to have chair restate public questions and present them back to staff regarding their relevance or pertinence to approval criteria in the case at hand. The new practice would encourage the direction of discussion away from public speakers' control and back into the control of the chair and staff.
ANNOUNCEMENTS	Mr. Reynolds reported there would be the continuance hearing for PP23-002, The Ranch at Watkins Farm along with 2 other items, and a study session item on the proposed amendments to the Land Development Code for EV Charging Stations at the next PC meeting on October 21, 2025. He stated that per applicant the scheduled special meeting of the PC on October 28, 2025 to be held at the Administration Building had been canceled.
ADJOURNMENT	The meeting was adjourned.