



Kathleen Conti, District 1
Nancy Sharpe, Chair, District 2
Jeff Baker, District 3
Nancy Jackson, District 4
Bill Holen, Chair Pro Tem, District 5

Arapahoe County

Board of County Commissioners Business Meeting

Agenda

Tuesday, January 5, 2021

Virtual Meeting (details in agenda)

9:30 AM

****Specific to COVID - The Board of County Commissioners will be attending this meeting telephonically. The public is invited to attend the public hearing by calling 1-855-436-3656. To participate, press *3 on the telephone keypad to be entered in the queue for general or item-specific comment. The hearing can also be viewed online at:
<https://www.arapahoegov.com/1617/Meeting-Videos-and-Live-Broadcast>*

The Board of County Commissioners typically holds Public Hearings at 9:30 a.m. the second and fourth Tuesday of each month. Items listed on the consent agenda are adopted with one vote. Items listed under regular business are considered individually.

The public may comment during designated times as directed by the Chair of the Board. Each speaker will be limited to one three-minute period of comment.

Meeting agendas are available at arapahoegov.com/agendas. Contact the Commissioners' Office at 303-795-4630 or jbayard@arapahoegov.com with questions about the agenda.

Arapahoe County is committed to making its public meetings accessible to persons with disabilities. If you need special accommodations, please contact the Commissioners' Office at 303-795-4630 or Relay Colorado 711 at least 3 days in advance to make arrangements.

1. CALL TO ORDER

1.a. INTRODUCTION

Ron Carl, County Attorney

Joleen Sanchez, Clerk to the Board Administrator

1.b. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. MOTION TO ADOPT AGENDA

4. CITIZEN COMMENT PERIOD

Individuals are invited to speak to the Commissioners about any topic that is not a general business item. Each person has one, 3-minute time limit for comments, unless otherwise noted by the Chair. Individuals should state their name and address for the record prior to making remarks.

5. CEREMONIES

5.a. Recognition Ceremony for Commissioner Kathleen Conti

Adoption of a resolution recognizing Commissioner Kathleen Conti for her public service to Arapahoe County and the residents of District 1.

Attachments: [Resolution](#)

6. CONSENT AGENDA

Items on the consent agenda are generally non-controversial, do not require much, if any, discussion, and may be voted on as an entire group with a single motion. (The motion is “to approve the items on the consent agenda.”) A Commissioner may request an item from the consent agenda be removed for separate discussion. This enables the item to be considered and voted upon separately.

6.a. Approval of the 2021 Arapahoe County Legislative Principles

Adoption of a resolution to approve the 2021 Legislative Principles, which describes Arapahoe County’s underlying interest on specific issues. These principles will serve as a consistent guide for the county in developing positions on federal and state legislation, rulemaking, and proactive issue advocacy

Attachments: [Resolution](#)
[Exhibit A](#)

6.b. Case No. AE18-003 - Swan #4-64 6-1 Oil and Gas Facility - Resolution to Rescind Approval

Adoption of a resolution to rescind the approval of case no. AE18-003. The Board of County Commissioners approved the Conoco Swan oil and gas well site near the intersection of 6th Avenue and Imboden Road on August 28, 2018. Conoco subsequently sold its Arapahoe County interests to Crestone Peak Resources, who have submitted a request to withdraw the Conoco Swan well facility (case no. AE18-003).

Attachments: [Resolution](#)
[AE18-003 Resolution Set](#)
[AE18-003 Swan Well Facility Exhibit](#)
[AE18-003 Letter Requesting Withdrawal](#)

6.c. County Operational Matters - Board of County Commissioners Meetings and Notice of Meetings for 2021 (2 Resolutions)

Adoption of two resolutions: one to approve the meeting times and location for the Board of County Commissioners for the year 2021, and the second one to designate the location of the public place of posting of notice for Arapahoe County public meetings for the year 2021.

Attachments: Resolution

6.d. Modification of Marijuana Premises - Golden Meds

Adoption of a resolution to approve an Application for Modification of Premises pursuant to the Arapahoe County Marijuana Licensing Policy ("the Policy) for GM 2280, LLC d/b/a Golden Meds located at 2280 S. Quebec St., Unit G, Denver, CO 80231.

Attachments: [Resolution](#)

6.e. New Retail Marijuana License for Cure Colorado

Adoption of a resolution to approve a new local Retail Marijuana Store License pursuant to the Arapahoe County Marijuana Licensing Policy ("the Policy) for Medical Cannabis Colorado LLC d/b/a Cure Colorado located at 6200 E. Yale Ave., Unit B, Denver, CO 80222. The expiration date for such new license shall mirror that of the corresponding State of Colorado license and final approval, per the Policy, is conditioned on the State approving the corresponding State license.

Attachments: [Resolution](#)
[License](#)

6.f. Renewal of Medical Marijuana License for Medical Cannabis Colorado

Adoption of a resolution to renew a Medical Marijuana Local License pursuant to the Arapahoe County Medical Marijuana Policy for Medical Cannabis Colorado LLC d/b/a Cure Colorado located at 6200 E. Yale Ave., Unit B, Denver, CO 80222 to be valid from December 13, 2020 through December 12, 2021. The Department of Revenue requires the local jurisdiction to grant a renewal license prior to the State of Colorado issuing its renewed Medical Marijuana Facility State License.

Attachments: [Resolution](#)
[License](#)

6.g. Warrant ACH Expenditure Report: November 30, 2020

Authorization to sign the Warrant Disbursement Register

Ron Carl, County Attorney

Attachments: [Warrant ACH Expenditure Report: November 30, 2020](#)

6.h. Warrant ACH Expenditure Report: December 7, 2020

Authorization to sign the Warrant Disbursement Register

Ron Carl, County Attorney

Attachments: [Warrant ACH Expenditure Report: December 7, 2020](#)

6.i. Warrant ACH Expenditure Report: December 14, 2020

Authorization to sign the Warrant Disbursement Register

Ron Carl, County Attorney

Attachments: [Warrant ACH Expenditure Report: December 14, 2020](#)

6.j. Warrant ACH Expenditure Report: December 21, 2020

Authorization to sign the Warrant Disbursement Register

Ron Carl, County Attorney

Attachments: [Warrant ACH Expenditure Report: December 21, 2020](#)

6.k. Warrant ACH Expenditure Report: December 28, 2020

Authorization to sign the Warrant Disbursement Register

Ron Carl, County Attorney

Attachments: [Warrant ACH Expenditure Report: December 28, 2020](#)

7. GENERAL BUSINESS ITEMS

Items on the general business agenda will include an opportunity for public comment.

7.a. LDC19-002 Billboard and Off-Premise Signs and Conversions to Electronic Message Signs/Electronic Message Boards - Draft Language

Consideration of a request to adopt amendments to sign regulations to address off-premise signs, new billboards and the conversion of existing billboards to electronic message boards (EMB). Staff is proposing amended regulations, which would prohibit any new billboards and conversion of any existing static billboard to an EMB in unincorporated Arapahoe County. Staff also recommends removing the existing provision in the Land Development Code that would allow other off-premise signs, not billboards by reason of size. By eliminating the allowance for billboards and off-premise signs under the current Code, the draft regulations will also eliminate the Use by Special Review approval process currently required for those types of signs.

Attachments: [Resolution](#)

[LDC19-002 PowerPoint](#)

[LDC19-002 - Motions](#)

[LDC19-002 - PC Report for 12-01-2020 Public Hearing](#)

[LDC19-002 - Proposed Sign Code Billboard Regulations Final
wWeldCorrections](#)

[LDC19-002 Summary of External Referral Responses](#)

[LDC19-002 Referral Responses Combined](#)

8. COMMISSIONER COMMENTS



Arapahoe County

5334 South Prince Street
Littleton, CO 80120
303-795-4630
Relay Colorado 711

Board Summary Report

File #: 20-001

Agenda Date: 1/5/2021

Agenda #: 5.a.

To: Board of County Commissioners

Through: N/A

From: Michelle Halstead, director of communication and administrative services

Subject:
Recognition Ceremony for Commissioner Kathleen Conti

Purpose and Recommendation:

Adoption of a resolution recognizing Commissioner Kathleen Conti for her public service to Arapahoe County and the residents of District 1.

Background:

Commissioner Conti is completing a four-year term as a member of the Arapahoe County Board of Commissioners. The resolution recognizes her service to the organization.

Discussion:

N/A

Alternatives:

N/A

Fiscal Impact:

N/A

Reviewed By:

N/A

Attachments:

Resolution

A RESOLUTION RECOGNIZING COMMISSIONER KATHLEEN CONTI FOR HER SERVICE TO ARAPAHOE COUNTY

RESOLUTION NO. 210____ It was moved by Commissioner ____ and duly seconded by Commissioner ____ to adopt the following Resolution:

WHEREAS, Commissioner Kathleen Conti was duly elected by the voters of Arapahoe County in November 2016; and

WHEREAS, Commissioner Conti quickly established herself as an advocate for District 1 residents and the county as a whole, focusing on fiscal sustainability, protecting business interests, and eliminating unfunded mandates, and

WHEREAS, she leveraged her experience as a state representative and small business owner to advance the interests of Arapahoe County at the state capitol and within regional organizations; and

WHEREAS, during her tenure she supported the work of numerous departments as a liaison, including Human Resources, Information Technology, Public Works & Development, Open Spaces, Community Resources, Strategy & Performance, and Finance; and

WHEREAS, Commissioner Conti was a champion for key county initiatives such as increasing transportation funding, advancing digitization strategies, creating employee leadership programs, expanding open space and trail accessibility, establishing opportunities for family leadership training, and supporting data-driven decision-making; and

WHEREAS, her passion to increase public awareness about the opioid epidemic was evident as she created an animated video to educate youth about the dangers of addition, personally promoting prevention strategies; and

WHEREAS, Commissioner Conti's legacy of public service is evident throughout the County and our community is a better place as a result of her leadership.

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners officially recognize the contributions of Commissioner Kathleen Conti during her tenure as an Arapahoe County elected official and hereby declares her future shall prosper as Arapahoe County has prospered under her dedication and service.

The vote was:

Commissioner Baker, __; Commissioner Conti, __; Commissioner Holen, __; Commissioner Jackson, __; Commissioner Sharpe, __.

The Chair declared the motion carried and so ordered.



Arapahoe County

5334 South Prince Street
Littleton, CO 80120
303-795-4630
Relay Colorado 711

Board Summary Report

File #: 20-006

Agenda Date: 1/5/2021

Agenda #: 6.a.

To: Board of County Commissioners

Through: N/A

From: Michelle Halstead, director of communication & administrative services

Subject:

Approval of the 2021 Arapahoe County Legislative Principles

Purpose and Recommendation:

Adoption of a resolution to approve the 2021 Legislative Principles, which describes Arapahoe County's underlying interest on specific issues. These principles will serve as a consistent guide for the county in developing positions on federal and state legislation, rulemaking, and proactive issue advocacy

Background:

Arapahoe County is committed to fulfilling its mission of enhancing quality of life through exceptional delivery of services and efficient use of public funds.

As a constitutional subdivision of Colorado state government, Arapahoe County can only exercise those powers specifically expressed in statute or in the constitution. Generally, counties are responsible for law enforcement, including the court system, district attorney and jail facilities; the provision of social services on behalf of the state; the construction, maintenance, and repair of roads and bridges; health departments; and general control of land use in unincorporated areas. The Board of County Commissioners is the primary policy-making body for the county and is responsible for the county's administrative and budgetary functions. Other county elected officers include the clerk and recorder, assessor, treasurer, sheriff, and coroner, elected to four-year terms under the state constitution. These officials have specific powers and duties prescribed by law, and they function independently from each other and from the board of county commissioners. However, the county commissioners approve the budgets for all county departments and elected offices.

The Board of County Commissioners evaluates policy positions through the lens of fiscal and operational impacts to Arapahoe County, consistent with its stated mission, values and statutory requirements.

Exhibit A describes the County's underlying interest on specific issues. These principles serve as a consistent guide for the county in developing positions on federal and state legislation, rulemaking, and proactive issue advocacy.

The Board of County Commissioners revised these principles during their Dec. 7, 2020, study session.

Discussion:

Exhibit A also serves as a reference for elected representatives when considering legislation that may impact Arapahoe County. The Board of County Commissioners may revisit the county's legislative priorities

throughout the year. Strategic, targeted, and/or abbreviated versions of the information contained in this document also will be created throughout the year for use in further legislative communications.

Arapahoe County contracts with Romberg & Associates for state advocacy activities and the director of human services, the county attorney, the director of community resources, director of public works and the director of communication and administrative services serve as staff liaisons for federal and state government relations.

As a member of Colorado Counties, Inc. and the National Association of Counties, Arapahoe County relies on those organization's advocacy team to provide reliable information on legislative issues and their impact on Colorado's counties and their residents. The county also relies on regional associations and other national organizations to advocate for specific issues of local interest.

Alternatives:

The Board could choose not to adopt the principles document.

Fiscal Impact:

N/A

Reviewed By:

N/A

Attachments:

Resolution

Exhibit A

A RESOLUTION APPROVING THE 2021 ARAPAHOE COUNTY LEGISLATIVE PRINCIPLES

RESOLUTION NO. 210____ It was moved by Commissioner ____ and duly seconded by Commissioner ____ to adopt the following Resolution:

WHEREAS, the Arapahoe County Board of Commissioners is committed to fulfilling its mission of enhancing quality of life through exceptional delivery of services and efficient use of public funds; and

WHEREAS, the Board desires to provide input to federal and state elected officials who represent Arapahoe County constituents pertaining to the development of laws, policies, and regulations that significantly affect the county's ability to provide programs and services consistent with its stated mission, values and statutory requirements; and

WHEREAS, the 2021 Legislative Principles document (Exhibit A) sets forth the board of county commissioner's policy position on broad public policy areas of concern to Arapahoe County, and the commissioners will review proposed legislation and regulations for operational and fiscal impacts in concert with this document; and

WHEREAS, Arapahoe County will monitor state and federal legislation throughout the year, advancing specific priorities and bringing issues forward for further consideration and/or action by the entire Board of County Commissioners.

NOW, THEREFORE BE IT RESOLVED that the Arapahoe County Board of Commissioners 2021 Legislative Principles document as set forth in Exhibit A attached hereto and incorporated herein is hereby approved.

The vote was:

Commissioner Baker, __; Commissioner Conti, __; Commissioner Holen, __; Commissioner Jackson, __; Commissioner Sharpe, __.

The Chair declared the motion carried and so ordered.

BACKGROUND

Arapahoe County is committed to fulfilling its mission of enhancing quality of life through exceptional delivery of services and efficient use of public funds.

As a constitutional subdivision of Colorado state government, Arapahoe County can only exercise those powers specifically expressed in statute or in the constitution. Generally, counties are responsible for law enforcement, including the court system, district attorney and jail facilities; the provision of social services on behalf of the state; the construction, maintenance, and repair of roads and bridges; health departments; and general control of land use in unincorporated areas.

The board of county commissioners is the primary policy-making body for the county and is responsible for the county's administrative and budgetary functions. Other county elected officers include the clerk and recorder, assessor, treasurer, sheriff, and coroner, elected to four-year terms under the state constitution. These officials have specific powers and duties prescribed by law, and they function independently from each other and from the board of county commissioners. However, the county commissioners approve the budgets for all county departments.

In addition to property tax, counties rely on state and federal funding sources to provide required services.

FEDERAL & STATE POLICY PRINCIPLES

The Board of County Commissioners evaluates policy positions through the lens of fiscal and operational impacts to Arapahoe County, consistent with its stated mission, values and statutory requirements.

The following legislative principles describe the County's underlying interest on specific issues. These principles serve as a consistent guide for the county in developing positions on federal and state legislation, rulemaking, and proactive issue advocacy.

The document also serves as a reference for elected representatives when considering legislation that may impact Arapahoe County. The Board of County Commissioners may revisit the county's legislative priorities throughout the year. Strategic, targeted, and/or abbreviated versions of the information contained in this document also will be created throughout the year for use in further legislative communications.

REPRESENTATION

Arapahoe County contracts with Romberg & Associates for state advocacy activities and the director of human services, the county attorney, the director of community resources, director of public works and the director of communication and administrative services serve as staff liaisons for federal and state government relations.

As a member of Colorado Counties, Inc. and the National Association of Counties, Arapahoe County relies on those organization's advocacy team to provide reliable information on legislative issues and their impact on Colorado's counties and their residents. The county also relies on regional associations and other national organizations to advocate for specific issues of local interest.

SPECIFIC 2021 LEGISLATIVE PRIORITIES

Arapahoe County has identified several specific priorities important to the community:

Federal Items

- Securing additional funding to respond to the COVID-19 pandemic and support economic recovery
- Eliminate the federal Medicaid inmate exclusion policy.
- Continue needed community funding through federal block and competitive grant programs from the departments of housing and urban development, justice, transportation and veteran's affairs.
- Ensure reauthorization of the Older Americans Act and adequate funding for implementation.
- Secure additional federal funding for comprehensive veteran services and programs.
- Secure federal infrastructure funding to improve the county's multimodal transportation network, regional airport, stormwater and wastewater facilities.
- Monitor potential residential impacts associated with Metroplex implementation and Centennial Airport operations.

State Items

- Secure funding and outline implementation approach for a new judicial district.
- Clarify state's regulatory scope with former landfill areas.
- Ensure funding is maintained or expanded to implement mandated human services.
- Protect funding formulas for community corrections programs, including alternative sentencing and pre-trial programs.
- Secure funding for increased mental health and substance use disorders treatment throughout the county.
- Advance solutions that increase vital human service resources to vulnerable populations to address issues such as reliable access to healthy food, homelessness, mental health, opioids, and substance use.
- Secure state infrastructure funding to improve the county's multimodal transportation network, regional airport, stormwater and wastewater facilities.
- Encourage statewide/state-funded solutions to the affordable housing issues in the state including homelessness.

GUIDING LEGISLATIVE PRINCIPLES

UNFUNDED MANDATES

To effectively serve the needs of our community, Arapahoe County officials must have the resources and authority commensurate with the responsibilities placed on them by state and federal laws, regulations and court decisions.

Arapahoe County supports adequate funding for any future state or federally imposed mandates upon local government, including the need for technology improvements necessary to fulfill these mandates.

Arapahoe County strongly opposes cost shifting from the state and federal government to local governments. The state and federal government must exercise fiscal restraint and responsibility, refraining from solving budget shortfalls with county government resources.

OUTCOME-BASED DECISION MAKING

Arapahoe County strongly believes the most effective governance results from local, state and federal officials working in true partnership toward the development and implementation of programs and services.

State and federal governments should base decisions about laws and regulations affecting county governments on comprehensive data and measurable outcomes. Relying on these two standards to scrutinize existing and proposed laws and regulations will help reduce unnecessary, unfunded or underfunded mandates, streamline government and utilize limited resources more efficiently. State and federal officials should also consider programmatic models that might exist as well as the possible limitations on local control that might result from new legislation, rules or regulations.

REVENUE PREDICTABILITY

Arapahoe County believes any tax policy reform should ensure that the powers granted to counties and the funding mechanisms available are sufficient to address county responsibilities. Tax policy reform should create a fair and equitable distribution of the property tax burden among all property. Any and all legislative alternatives should ensure local governments have adequate authority and funding to meet its statutory responsibilities and the expectations of residents. Arapahoe County strongly supports prior county approval of programs that must be funded with county property taxes but are not controlled or generated at the county level.

The County supports requiring the state to reimburse local governments and districts for any loss in property tax revenues caused by constitutional or statutory changes in order to preserve our ability to fulfill statutory duties.

Arapahoe County supports county authority to approve the use and the amount of the county portion of revenues designated in a proposed urban renewal plan for tax increment financing; and to establish mechanisms to ensure that counties have greater influence to ensure proposed urban renewal projects meets the current statutory requirement of ameliorating blight or slum conditions.

LOCAL CONTROL & FLEXIBILITY

County officials are elected officials closest and most responsive to the citizens. Arapahoe County supports the concept of local control and authority to ensure programs and services reflect the unique needs of our citizenry.

The County opposes any administrative effort to promulgate rules and regulations that interpret the law in a manner negatively impacting counties. County commissioners are important and necessary stakeholders in any rule-making process to ensure mandates are appropriately delivered to local constituents.

JUSTICE & PUBLIC SAFETY

Arapahoe County supports strong and efficient relationships between all levels of government with respect to the criminal justice system and public safety systems.

Arapahoe County supports a continuum of approaches to prevent violence, ranging from increased efforts to hold accountable criminal activities to designing effective prevention and early intervention programs for youth and families at risk. The County recognizes that focusing on and funding these preventative services saves money. The role of the sheriff's office is to enforce the law, recognizing both the statutory and judicial limitations of police authority and the constitutional rights of all persons. Where possible, the County supports legislation that enables local decision-making on public safety services to permit development of locally appropriate solutions.

Arapahoe County embraces the concept of specialty courts to divert mentally ill and drug using offenders away from the traditional court system.

Arapahoe County recognizes that our jail population is changing, with the number of individuals with mental and behavioral health issues as well as crime severity increasing. The County supports programs that deliver mental health and substance abuse programs for individuals within the criminal justice system, providing alternative sentencing and pre-trial programs to keep nonviolent and first time offenders out of jail, and expanding programs that reduce the likelihood of reoffending once inmates are released in the community.

Arapahoe County supports timely and accurate reimbursement for housing state inmates in county facilities as well as efforts to alleviate the existing backlog of state inmates in county facilities.

HUMAN SERVICES

Arapahoe County supports local administration of the social services system in order to maximize the flexibility and responsiveness of the system to local needs, while ensuring efficient management and local control. Arapahoe County has consistently achieved high rankings for service delivery, consistent with state and federal standards. The County supports a state run, county administered human services system. The County also supports flexibility in providing benefits and services that best meet local needs without shifting costs locally and negatively impacting county government.

Arapahoe County supports policies that advance a two-generation (2Gen) approach, which simultaneously serves the whole family. The 2Gen approach helps children and families get education and workforce training, social supports like parenting skills and health care needed to create a legacy of economic stability and overall well-being.

Arapahoe County supports local input into the state's budget management process to avoid supplemental appropriations requests for foreseeable circumstances. Arapahoe County supports maintenance of effort (MOE) requirements that allow flexible funding for social services

programs to minimize, avoid increasing, or more equitable distribution of fiscal responsibility of counties.

Arapahoe County continues to advocate for 100 percent reimbursement from the state to administer the food stamp, Medicaid and other adult assistance programs.

ELECTIONS

Arapahoe County is committed to implementing and coordinating elections in a nonpartisan manner, with utmost integrity. The County supports increasing voter access and education, while protecting voter privacy consistent with state statute.

LAND USE

Arapahoe County supports local control over the various uses of land and their impacts, recognizing that activities relative to growth, development, natural resources and environmental management are unique within each community. The County's 2018 Comprehensive Plan identifies six principles to help create a sustainable, resilient and healthy community, including: growth management, public facilities and services, economic health, transportation and mobility, natural and cultural resources and environmental quality. Arapahoe County advocates for policies that help advance these principles over the next 20 years. The County also supports actions that ensure adequate water availability for future land use development.

The County supports maintaining mechanisms that lessens the costs of growth and redevelopment, such as impact fees, real estate transfer taxes and other growth-financing tools. The County opposes any efforts to supersede, override or preempt local land use authority.

TRANSPORTATION AND INFRASTRUCTURE

Arapahoe County believes the movement of goods and people are vital to the continued economic success of the state and Coloradans quality of life. Federal and state officials must be willing to make significant investment to maintain and improve Colorado's multimodal transportation network to preserve these benefits.

With several major highways, transit lines, and one of the nation's busiest regional airport, effective transportation is equally important to the success of the county's economy. Arapahoe County has demonstrated a willingness to partner on large-scale infrastructure projects, such as the Interstate 25/Arapahoe Road interchange and Parker/Arapahoe Road interchange, but is against efforts to pass along additional State roadway construction or maintenance responsibilities to local governments without increased and adequate funds to meet these additional responsibilities.

Arapahoe County continues to support an equitable Highway User Trust Fund (HUTF) allocation formula and restrictions on the use of "off the top" diversions. The County opposes funding mechanisms which eliminate or reduce local shareback for transportation projects. Arapahoe County believes county commissioners should have an enhanced role in prioritizing regional and statewide projects within their area. The County also supports opportunities for counties to design their own transportation finance mechanisms to respond to local and regional transportation needs.

WORKFORCE & ECONOMIC DEVELOPMENT

Home to some of the nation's largest companies and innovative small businesses, Arapahoe County is committed to maintaining a strong economic and business climate. Arapahoe County

supports a strong partnership among counties, the state, municipalities and private business and industry to design and implement economic development incentives and programs. The County supports local organizations that specialize in growing our economy, particularly the high tech, communication, military, government, service, and retail industries.

The County also operates Arapahoe/Douglas Works!, a publicly-funded workforce center consistent with the federal Workforce Innovation and Opportunity Act (WIOA). With locations in Centennial, Aurora and Castle Rock, Arapahoe/Douglas Works! provides free services to both small and large businesses as well as job seekers to ensure Arapahoe and Douglas county's workforce and economy remain strong. Arapahoe County supports continuing a local delivery model to implement WIOA requirements, ensuring decisions can be made at the local level.



Arapahoe County

5334 South Prince Street
Littleton, CO 80120
303-795-4630
Relay Colorado 711

Board Summary Report

File #: 20-016

Agenda Date: 1/5/2021

Agenda #: 6.b.

To: Board of County Commissioners

Through: Bryan Weimer, Director, Public Works and Development

From: Jason Reynolds, Current Planning Program Manager, Public Works and Development

Subject:

Case No. AE18-003 - Swan #4-64 6-1 Oil and Gas Facility - Resolution to Rescind Approval

Purpose and Recommendation:

Adoption of a resolution to rescind the approval of case no. AE18-003. The Board of County Commissioners approved the Conoco Swan oil and gas well site near the intersection of 6th Avenue and Imboden Road on August 28, 2018. Conoco subsequently sold its Arapahoe County interests to Crestone Peak Resources, who have submitted a request to withdraw the Conoco Swan well facility (case no. AE18-003).

Background:

In 2018, Conoco submitted an application for the Swan oil and gas well site, located northeast of the intersection of 6th Avenue and Imboden Road (case no. AE18-003). The proposed facility was located just over 1,000' from the closest home.

On July 5, 2018, the PWD Director referred the Swan application to the Board for a public hearing because of public concern over the proposal.

On August 28, 2018, after several hours of public testimony in favor of and against the proposal, the Board of County Commissioners approved the Swan oil and gas facility, for a single well, with 16 conditions of approval (case no. AE18-003/Resolution no. 180545, attached).

After approval, Conoco worked with Arapahoe County staff to address the conditions of approval, including designs for two emergency access roads.

In March 2020, Crestone Peak Resources completed the acquisition of ConocoPhillips' leasehold interest in Colorado, including the Swan site. At the time of the sale, the conditions of approval, including the requirement for two emergency access roads, had not been met.

On July 29, 2020, Crestone Peak Resources notified Arapahoe County that they do not plan to use the Swan well site to access their mineral resources due to the presence of an alternative site. They withdrew the Swan application, case no. AE18-003 (letter attached).

Discussion:

Quality of Life: The original approval included several design measures and conditions intended to foster safe communities. During the public hearing, many nearby residents indicated that they felt the proposed design and conditions of approval did not adequately address their concerns. Rescinding the approval, as requested by Crestone Peak Resources, would clarify the record related to case no. AE18-003, resolving citizen concerns that this project could move forward without additional public input.

Crestone Peak Resources, who acquired ConocoPhillips leasehold interests in Colorado, has asked to withdraw their application for the Swan well site (case no. AE18-003). Since the Swan well site was approved by the Board of County Commissioners, rescinding the Swan approval resolution would clarify the case closure.

Alternatives:

The Board of County Commissioners has several options:

1. Approve the resolution rescinding the Swan well site approval. Staff recommends this option: it clarifies the outcome and is consistent with Crestone Peak Resources' request to withdraw the application.
2. Deny the resolution rescinding the Swan well site approval. This would leave the Swan well site's approval in place. If Crestone Peak Resources or another operator could meet all the approval conditions, they could potentially develop the site.
3. Continue this item to another meeting to gather additional information.

Fiscal Impact:

None.

Reviewed By:

Jason Reynolds, Current Planning Program Manager

Jan Yeckes, Planning Division Manager

Bryan Weimer, Director of Public Works and Development

Todd Weaver, Finance Department

Bob Hill, Senior Assistant County Attorney

Attachments:

Resolution Approving Swan Well Site (case no. AE18-003/Resolution no. 180545)

Case No. AE18-003 Plan Set

Crestone Peak Resources Letter Requesting Withdrawal of Application

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

WHEREAS, on August 28, 2018, following public hearing on referral of an application for an administrative Use by Special Review submitted by Conoco Phillips, in accordance with then Section 12-1908.02 of the Land Development Code, the Arapahoe County Board of County Commissioners (“the Board”) approved the application for the Swan Well #4-64 6-1 3DH Oil and Gas Facility (“the Swan Well”), Case No. AE18-003; and

WHEREAS, in March 2020, Crestone Peak Resources completed the acquisition of ConocoPhillips’ leasehold interest in Colorado, including the Swan site; and

WHEREAS, since approval of the AUSR in Case No. AE18-003, no operations have been commenced at the Swan Well site and conditions of approval for emergency road access have not been completed; and

WHEREAS, on July 29, 2020, Crestone Peak Resources notified Arapahoe County that it does not intend to use the Swan well site to access their mineral resources due to the presence of an alternative site and notified the County that it was withdrawing the Swan Well application.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners for Arapahoe County that the approval in Case No. AE18-003 is hereby rescinded and of no further effect. Any future plans to conduct any oil and gas operations or to install an oil and gas facility at the Swan Well site will require a new application under the then existing requirements of the Arapahoe County Land Development Code.

The vote was:

Commissioner Baker, ____; Commissioner Conti, ____; Commissioner Holen, ____; Commissioner Jackson, ____; Commissioner Sharpe, ____.

The Chair declared the motion carried and so ordered.

BOARD OF COUNTY COMMISSIONERS OF ARAPAHOE COUNTY, COLORADO

TUESDAY, AUGUST 28, 2018

At the regular meeting of the Board of County Commissioners for Arapahoe County, Colorado held at the Administration Building, 5334 South Prince Street, Littleton, Colorado on Tuesday, the 28th day of August, 2018, there were present:

Jeff Baker, Chair	Commissioner District 3	Present
Kathleen Conti, Chair Pro-Tem	Commissioner District 1	Present
Nancy Sharpe	Commissioner District 2	Present
Nancy Jackson	Commissioner District 4	Present
Bill Holen	Commissioner District 5	Present
Ron Carl	County Attorney	Present
Matt Crane	Clerk to the Board	Absent and Excused
Joleen Sanchez	Asst. Clerk to the Board	Present

All draft resolutions hereto presented to the Board, as may have been modified by Board review, are contained herein in final form as approved by the Board.

RESOLUTION NO. 180536 It was moved by Commissioner Conti and duly seconded by Commissioner Holen to authorize the Chair to execute the "Professional Services Agreement" by and between the Board of County Commissioners and Keller Rohrback L.L.P., for purposes of obtaining legal services to pursue litigation against the manufacturers and distributors of prescription opioids, subject to approval as to the form of the agreement by the County Attorney's Office.

The vote was:

Commissioner Baker, Yes; Commissioner Conti, Yes; Commissioner Holen, Yes; Commissioner Jackson, Yes; Commissioner Sharpe, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 180537 It was moved by Commissioner Conti and duly seconded by Commissioner Holen to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on Tuesday, August 28, 2018; and

WHEREAS, the Board has determined to take final action on this Petition for Abatement or Refund of Taxes pursuant to Sections 39-1-113 and 39-10-114, C.R.S. as submitted by the Petitioner; and

Note: Other Resolutions on pp 2-7 have been omitted.

Commissioner Baker, Yes; Commissioner Conti, Yes; Commissioner Holen, Yes; Commissioner Jackson, Yes; Commissioner Sharpe, Yes.

The Chair declared the motion carried and so ordered.

RESOLUTION NO. 180545 It was moved by Commissioner Baker and duly seconded by Commissioner Conti to adopt the following Resolution:

WHEREAS, Conoco Phillips, doing business as Burlington Resources (hereafter "Applicant" or "Conoco" or ConocoPhillips), has made application in Case No. AE18-003 for approval of an Administrative Use by Special Review for an Energy Facility, pursuant to Section 12-1900, *et seq.* of the Arapahoe County Land Development Code (LDC), for an oil and gas well permit for the Swan #4-64 6-1 3DH Oil & Gas Well, (Swan Well); and

WHEREAS, Applicant has executed a Memorandum of Understanding (the MOU) with Arapahoe County in accordance with LDC Section 12-1903.01 and, in accordance with LDC Section 12-1903.02, the application and exhibits for the Swan Well satisfy all applicable submittal requirements of LDC Section 12-1900, *et seq.*; and

WHEREAS, the Swan Well is proposed to be located on the following described property in unincorporated Arapahoe County, Colorado, to-wit:

THE SE/4 OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 64 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO AS RECORDED AT RECEPTION NO. D4079306; and

WHEREAS, in accordance with LDC Section 12-1908.02, the Director of the Department of Public Works and Development referred the Swan Well application to the Arapahoe County Board of County Commissioners (the Board) for hearing and decision; and

WHEREAS, public notice of said hearing has been properly given by publication on August 2, 2018 in The Villager, a newspaper of general circulation within Arapahoe County, and by publication on August 7, 2018 in the I-70 Scout, a newspaper with circulation in eastern Arapahoe County, as well as by posting of said property, and by mail notification of adjacent property owners in accordance with the requirements of the Land Development Code; and

WHEREAS, pursuant to applicable statute and the Land Development Code, a public hearing was held before the Board at the Arapahoe County Fairgrounds and Regional Park, 25690 E. Quincy Avenue, Aurora, Colorado, on the 28th day of August, 2018, at 6:30 o'clock PM, at which time evidence and testimony were presented to the Board concerning said referred Administrative Use by Special Review request; and

WHEREAS, based on the evidence presented to the Board by the applicant and by the Planning and Engineering Services Division staff, and in consideration of comments from referral

agencies and public and citizen comments presented to the Board at the hearing, as well as any prior written and audio comments presented to the Board and contained in the Record for Case No. AE18-003, the Board finds that the proposed Swan Well is consistent with the Arapahoe County Comprehensive Plan and complies with the submittal and approval criteria required under LDC Section 12-1900; and

WHEREAS, the Board finds that the proposed Swan Well site will be served by adequate fire protection and emergency services as evidenced by the "Will Serve" letter provided by Bennett Watkins Fire Rescue; and

WHEREAS, the Board finds that the Swan Well proposal does not involve any site specific conditions that present significant and material impacts to public health, safety or welfare, or to the environment, that will not be adequately mitigated through operational requirements for well sites that are set forth in the MOU and through the conditions of approval set forth in this Resolution; and

WHEREAS, pursuant to the authority vested unto the Board by Article 20 of Title 29, C.R.S., and Article 28 of Title 30 C.R.S. as amended, the Board concludes that the public health, safety, convenience and general welfare, as well as consistency with State law, justifies granting the referred Administrative Use by Special Review for an Energy Facility for the above described property subject to the conditions 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 hereby grants and approves the referred application for an Administrative Use by Special Review for the Swan #4-64 6-1 3DH Oil & Gas Well for the installation, on the above described property, of a pad, one well, four product storage tanks and related appurtenances and equipment as described in the application for Case No. AE18-003, subject to the stipulations and/or conditions of approval set forth in this Resolution.
2. Approval of this referred Administrative 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 statements contained in materials submitted to the Board by the applicant and County staff.
 - c. The applicant's execution of and compliance with the provisions of the MOU in the operation of the Swan Well, which in accordance with LDC Section 12-1910 are deemed to be conditions of approval, and the below stated additional conditions of approval.

3. Approval of this referred Administrative Use by Special Review shall be and is subject to the following stipulations and/or conditions of approval, which the applicant has accepted and which the applicant is also deemed to accept by preparing a final exhibit 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:
- a. The applicant's compliance with all conditions of approval recommended by the Planning and Engineering Services staff case managers in the written staff report presented to the Board and any conditions stated by staff on the record; and
 - b. The applicant's compliance with all additional conditions of approval stated by the Board, including:
 - 1) Applicant shall conduct its operations in compliance with all material representations in the submittal materials for AE18-003, including but not limited to the approved energy operations plan required by LDC Section 12-1906 and all approved engineering documents required by LDC Section 12-1905.05. All approvals and conditions of approval shall apply to Applicant and to any successor or assignee to the oil and gas facility.
 - 2) Applicant or any successor or assignee shall provide noise mitigation measures at least as effective as those recommended in the Noise Impact Assessment Report prepared by Behrens and Associates Inc. on April 9, 2018, and must meet COGCC requirements.
 - 3) Applicant or any successor or assignee shall construct the Northern Egress Road and shall maintain both the Northern and Southern (already constructed) emergency egress roads at the locations shown on the application plans (or final alignments as approved) to meet or exceed the minimum standards identified by Bennett Watkins Fire Rescue (BWFR) and Arapahoe County Engineering Services Division. Prior to drilling on the Swan pad, the design for the Northern Emergency Egress Road must be approved by BWFR and the County Engineering Services Division and the road must be constructed and inspected by both BWFR and the County Engineering Services Division to ensure that it is constructed according to the approved design. These emergency egress roads shall be maintained and made available by Conoco for emergency community evacuation when and as needed as determined by BWFR and the Arapahoe County Sheriff's Office.
 - 4) The Northern Emergency Egress Road will be designed to carry the 100-year flood without overtopping the road, and the road must be finished with Class 6 road base to a six-inch depth.
 - 5) Applicant or any successor or assignee shall utilize approved hardware accessible by emergency responders for gates controlling use of the Northern and Southern

Emergency Egress Roads; locks or other accessible hardware shall be BWFR approved.

- 6) When the current Swan 4-64 6-1 single well and any subsequent wells drilled on this location have all been plugged and abandoned, the property owner will determine whether the Northern Emergency Egress Road will be reclaimed to its preconstruction state by the property owner or whether to propose that the road will be dedicated to the County or remain in place (or be relocated) for use as a private road. If the property owner proposes to dedicate the Northern Emergency Egress Road to Arapahoe County, the County Public Works and Development Department will determine whether it will accept the dedication and, if accepted by the County, the Road will be subject to Arapahoe County land use approvals. If the road is dedicated to the County, the Applicant will no longer be responsible for maintenance of the Road. If, after the well and any subsequent wells drilled on this location have been plugged and abandoned, the property owner desires to use the road as a private road for any other purpose, the owner shall obtain an appropriate access permit for continued access to any public road as required under the Arapahoe County Infrastructure Design and Construction Standards and may be required to obtain engineering or land use approvals depending on the proposed use.
- 7) Drilling on the Swan Well pad shall not commence until the County Office of Emergency Management (OEM) completes an area emergency response plan for the site. Applicant shall provide OEM with GIS data and Shape Files for the development of the emergency response plan.
- 8) In order to reduce truck traffic during the completion phase, Applicant or any successor or assignee shall use temporary water lines to serve the site.
- 9) Applicant or any successor or assignee shall provide Engineering Services a copy of the operations plans for both Emergency Egress Roads, including inspection frequency, ongoing maintenance plans, and snow removal plans, in conjunction with approval of the Northern Emergency Egress Road.
- 10) Applicant or any successor or assignee shall provide annual proof of commercial water provider maintenance contracts for firefighting.
- 11) All equipment within the facility will be grounded for lightning mitigation. The grounding grid will be designed to dissipate any electricity in order to protect all electrical and automation equipment on the site. If damage is sustained because of a lightning strike, the facility shall be shut down and inspected by the operator prior to re-starting operations on the site.
- 12) Traffic controls, to include flaggers or warning signs, must be provided for construction of the pad and for moving overweight/oversize equipment on public roads.

- 13) Applicant or any successor or assignee shall coordinate truck traffic with the school district in order to minimize conflicts with school buses.
 - 14) Applicant or any successor or assignee will work with the Arapahoe County Transportation Division on a Signage and Striping Plan for E 6th Avenue. A sign permit will be required for any new signs in the right-of-way.
 - 15) The County will inspect road conditions before construction activity starts, and the applicant will be required to repair any road damage from vehicles used for construction and operations at the site.
 - 16) All Engineering permits referenced in the attached Engineering Services Division letter must be approved and issued prior to construction.
4. Upon the applicant's completion of any and all changes to the final exhibit for the Administrative Use by Special Review as may be required by this Resolution, the Chairman of the Board of County Commissioners is hereby authorized to sign same.
 5. That the Zoning Map of Arapahoe County as appropriate shall be and the same is hereby amended to conform to and reflect said change.
 6. County planning, engineering and legal staffs are authorized to make any changes to the final form of the approved Exhibit or other plan documents as may be needed to conform the documents to the form and content requirements of the County in existence at the time the Exhibit or other plan documents are submitted for signature, and to make such other changes that are expressly stated by staff before the Board, or are recommended by staff in the written staff reports, or are referred to by the movant Commissioner. No other deviation or variance from the form and content of the Exhibit or other plan documents submitted for the Board's consideration are approved except to the extent stated in this Resolution.
 7. The County Attorney, with the concurrence of the planning and/or engineering case managers, is authorized to make appropriate modifications to this Resolution and Exhibit or other plan documents as needed to accurately reflect the matters presented to the Board and to record and clarify, as necessary, other aspects and ramifications of the Board's action.

The vote was:

Commissioner Baker, Yes; Commissioner Conti, Yes; Commissioner Holen, Yes; Commissioner Jackson, Yes; Commissioner Sharpe, Yes.

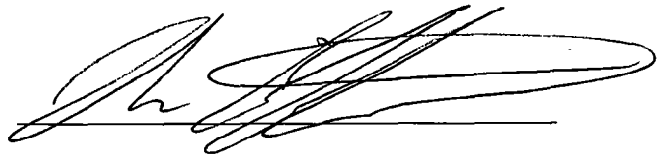
The Chair declared the motion carried and so ordered.

The foregoing Resolutions from the meeting of August 28, 2018 have been reviewed and approved.

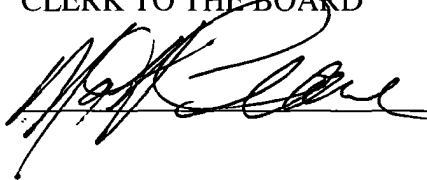
BOARD OF COUNTY COMMISSIONERS

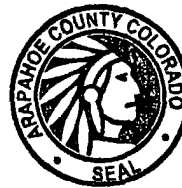


COUNTY ATTORNEY'S OFFICE



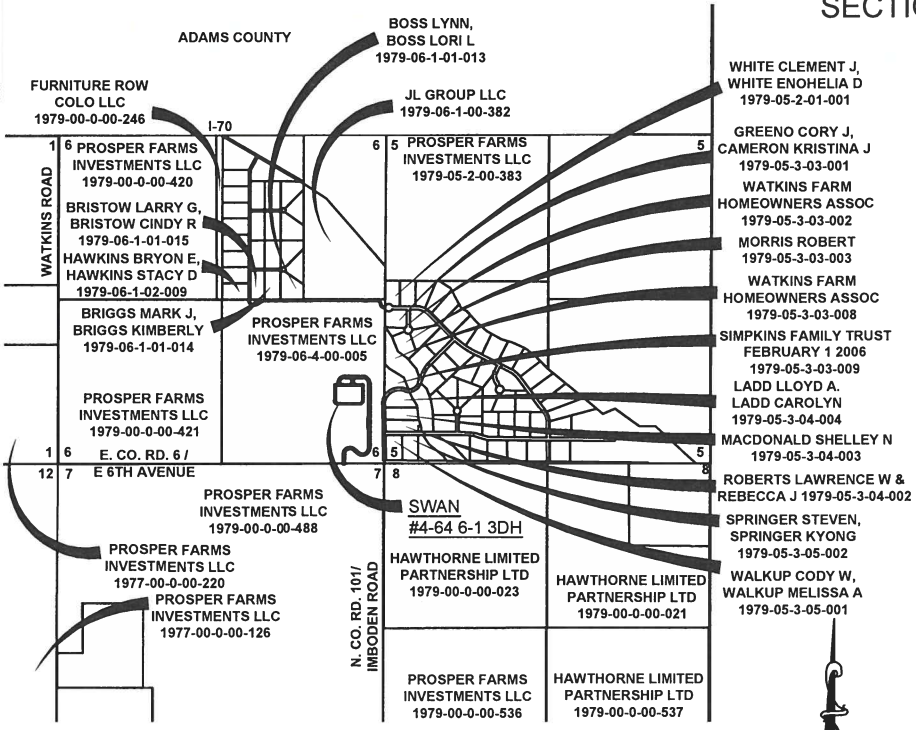
CLERK TO THE BOARD





ARAPAHOE COUNTY OIL & GAS OPERATIONS
SWAN #4-64 6-1 3DH WELL FACILITY
ADMINISTRATIVE ENERGY USE BY SPECIAL REVIEW PLAN

SECTION 6, TOWNSHIP 4 SOUTH, RANGE 64 WEST OF THE SIXTH PRINCIPAL
MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO



ADJACENT PROPERTY OWNERS MAP
SCALE: 1" = 3,000 FT.

- SHEET INDEX
1. COVER SHEET
 2. NOTES SHEET
 3. DRILLING SITE PLAN
 4. PRODUCTION SITE PLAN
 5. RECLAMATION SITE PLAN
 6. ADDITIONAL NOTES SHEET

CERTIFICATE OF USE BY SPECIAL REVIEW PERMIT
HOLDER AND MINERAL/OIL & GAS INTEREST LEASE
HOLDER

I, Lindsay B. Weddle HEREBY AFFIRM THAT I AM THE
MINERAL/OIL & GAS INTEREST LEASE HOLDER OR AUTHORIZED AGENT OF
THE MINERAL/OIL & GAS INTEREST LEASE HOLDER ON THE PROPERTY
DESCRIBED HEREIN KNOWN AS SWAN #4-64 6-1 3DH, CASE NO. AE18-003
USE BY SPECIAL REVIEW PERMIT HOLDER & MINERAL/OIL & GAS INTEREST
LEASE HOLDER OR AUTHORIZED AGENT

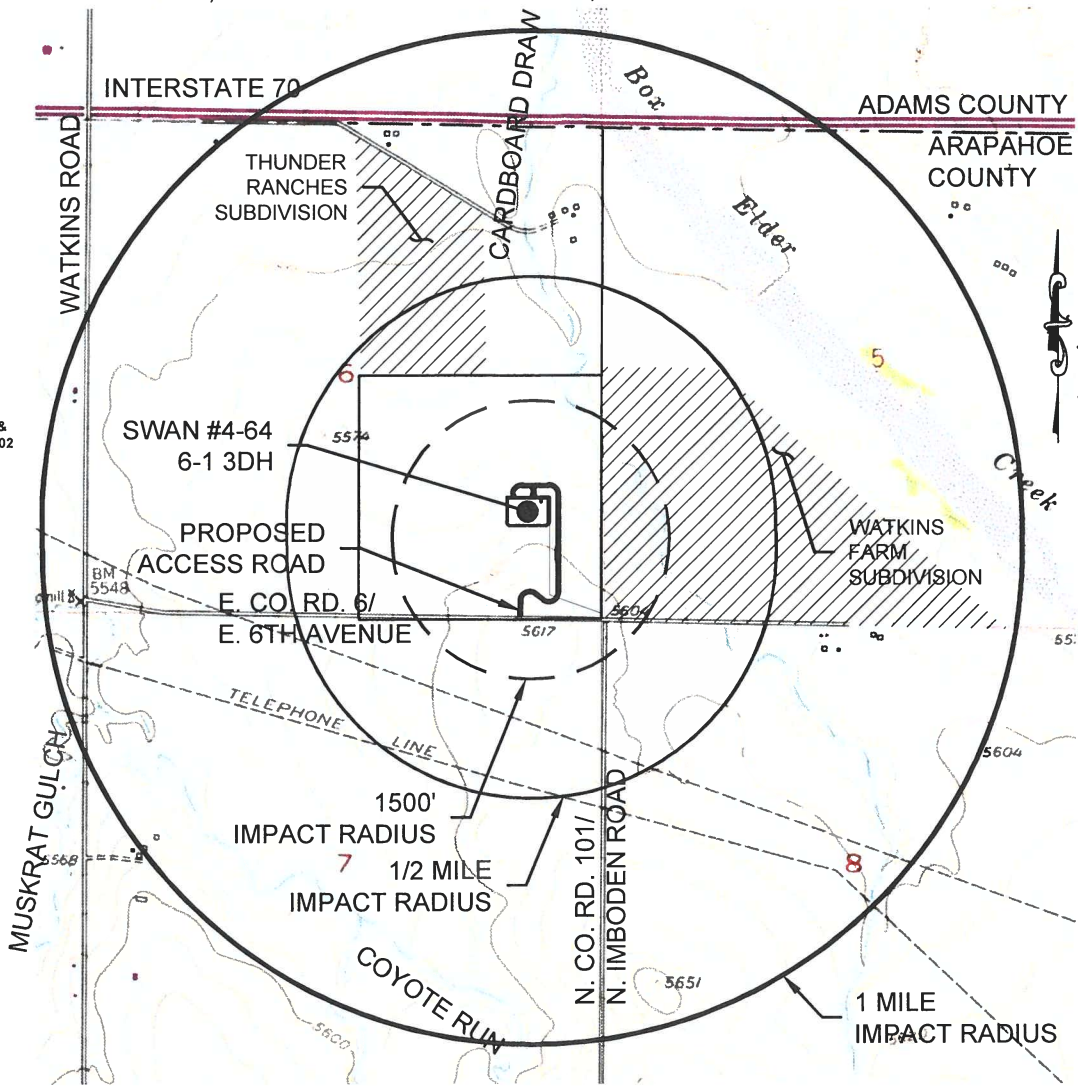
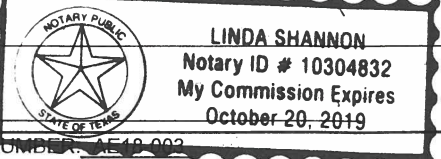
STATE OF Texas S.S.
COUNTY OF Harris

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS
13th DAY OF September, 2018

BY Lindsay B. Weddle, AN AUTHORIZED SIGNATORY.

BY Linda Shannon WITNESS MY HAND AND SEAL,
(NOTARY PUBLIC)

(NOTARY I.D. NUMBER)
MY COMMISSION EXPIRES:
ARAPAHOE COUNTY CASE NUMBER: AE18-003



VICINITY MAP
SCALE: 1" = 2,000 FT.

BOARD OF COUNTY COMMISSIONERS APPROVAL

APPROVED BY THE ARAPAHOE COUNTY BOARD OF COUNTY COMMISSIONERS,
THIS 28TH DAY OF AUGUST, A.D. 2018.

CHAIR: John B. Bl...

ATTEST: Turri L. Maulik, Deputy

LEGAL DESCRIPTION:

PARCEL 1979-06-4-00-005:
THE SE/4 OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 64 WEST OF THE SIXTH
PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO AS
RECORDED AT RECEPTION NO. D4079306

EXISTING ZONING:

1. EXISTING ZONING: MU
2. ADJACENT PROPERTIES ZONING: A-1, R-A PUD, F
3. ADJACENT PROPERTIES DENSITY:
NORTH = 0.036 DU/ACRE
EAST = 0.088DU/ACRE
SOUTH = 0.005 DU/ACRE
WEST = 0.002 DU/ACRE

COGCC API DATE:

APPLICABLE COGCC STANDARDS:

THE FOLLOWING COGCC STANDARDS ARE FOR REFERENCE AND ARE NOT
INCLUSIVE OF ALL STATE RULES RELATIVE TO OIL AND GAS OPERATIONS.
THESE RULES HAVE BEEN ABBREVIATED FROM THEIR ORIGINAL FORMAT TO
DENOTE COMPLIANCE WITH THE COGCC. ALL WORK SHALL BE IN COMPLIANCE
WITH APPLICABLE COGCC REGULATIONS.

802. NOISE ABATEMENT (MODIFIED)

- a. THE GOAL OF THIS RULE IS TO IDENTIFY NOISE SOURCES RELATED TO
OIL AND GAS OPERATIONS THAT IMPACT SURROUNDING LANDOWNERS
AND TO BRING OIL AND GAS FACILITIES INTO COMPLIANCE WITH THE
ALLOWABLE NOISE LEVELS IDENTIFIED IN SUBSECTION C.
- b. OIL AND GAS OPERATIONS AT ANY WELL SITE, PRODUCTION FACILITY,
OR GAS FACILITY SHALL COMPLY WITH THE FOLLOWING MAXIMUM
PERMISSIBLE NOISE LEVELS.

	7 AM TO 7 PM	7 PM TO NEXT 7 AM
LIGHT INDUSTRIAL	70 db(A)	65 db(A)
INDUSTRIAL	80 db(A)	75 db(A)

IN REMOTE LOCATIONS, WHERE THERE IS NO REASONABLY PROXIMATE
OCCUPIED STRUCTURE OR DESIGNATED OUTSIDE ACTIVITY AREA,
THE LIGHT INDUSTRIAL STANDARD MAY BE APPLICABLE.

- c. IN THE HOURS BETWEEN 7AM AND THE NEXT 7 PM THE NOISE LEVELS
PERMITTED MAY BE INCREASED 10 db(A) FOR A PERIOD NOT TO EXCEED
15 MINUTES IN ANY ONE HOUR.
- d. THE APPLICANT WILL PROVIDE A NOISE MITIGATION PLAN.

803. LIGHTING (MODIFIED)

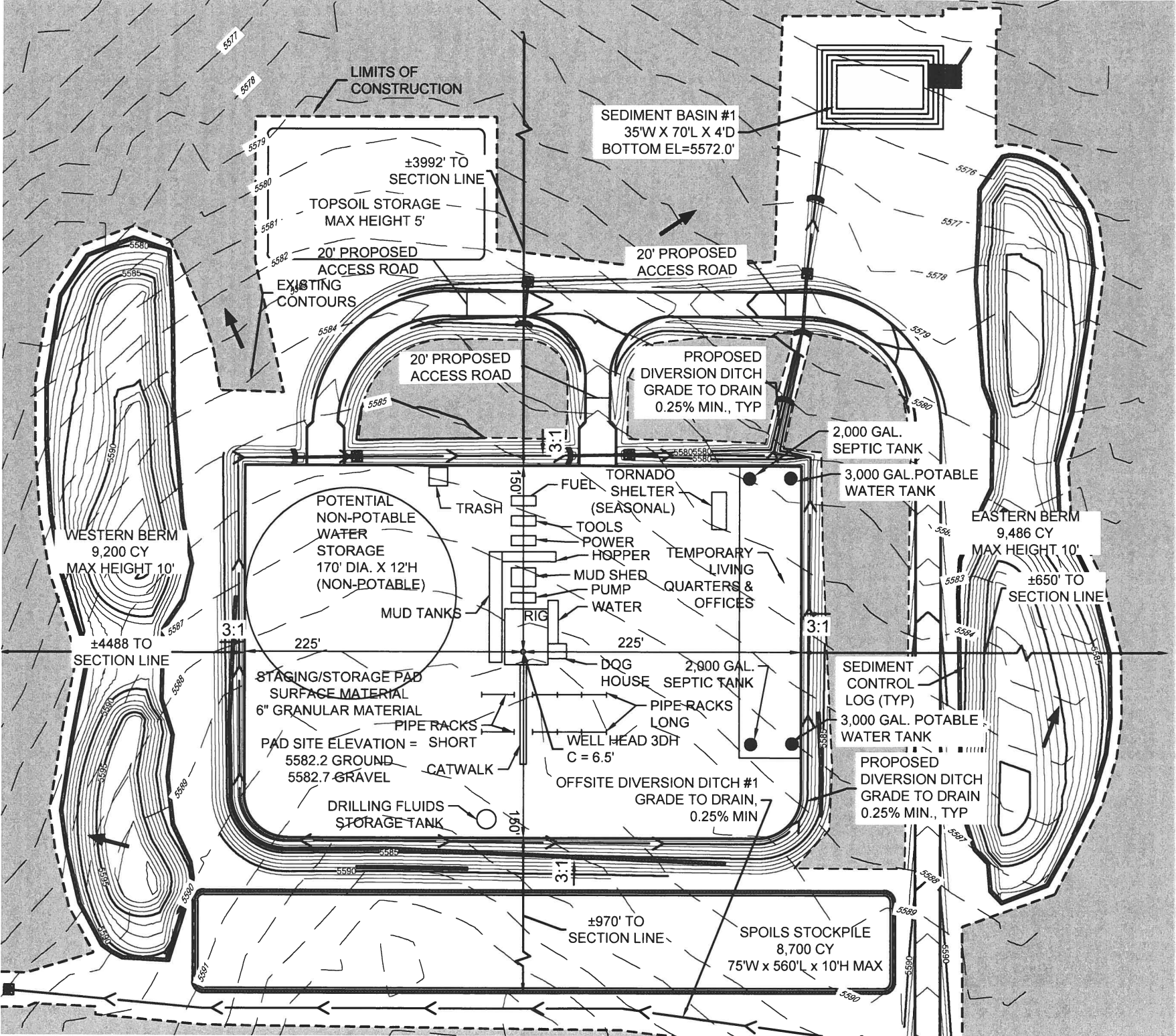
ALL SITE LIGHTING SHALL BE DIRECTED DOWNWARD AND INTERNALLY SO AS
TO AVOID GLARE.

BENCH MARK
BENCHMARK 374 LOCATED ON THE SECTION LINE
BETWEEN SECTIONS 12 AND 13, T5S, R64W, 6TH
P.M., TAKEN FROM 1988 PUBLISHED DATUM BY THE
UNITED STATES DEPARTMENT OF THE INTERIOR,
GEOLOGICAL SURVEY AS BEING 6054.61 FEET.

10333 E. Dry Creek Rd. Suite 240 Englewood, CO 80112 Tel: (720) 482-9526 Fax: (720) 482-9546	CVL CONSULTANTS	CONOCOPHILLIPS COMPANY ATTN: KATHY DENZER 34501 E. QUINCY AVE., BLDG 1 WATKINS, CO 80137 PHONE: (303) 268-3773	SWAN #4-64 6-1 3DH AEUR COVER SHEET	DRAWN BY: KJD CHECKED BY: MEL DATE: MAY 2018	SCALE: AS SHOWN FILE NO: 8.13.0201682	SHEET NUMBER 1
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ARAPAHOE COUNTY OIL & GAS OPERATIONS
SWAN #4-64 6-1 3DH WELL FACILITY
ADMINISTRATIVE ENERGY USE BY SPECIAL REVIEW PLAN

SECTION 6, TOWNSHIP 4 SOUTH, RANGE 64 WEST OF THE SIXTH PRINCIPAL
MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO



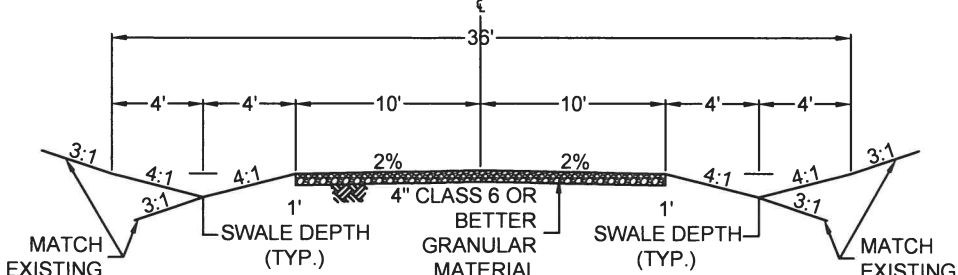
ARAPAHOE COUNTY CASE NUMBER: AE18-003

DRILLING SITE PLAN
SCALE: 1" = 100 FT.

* SEE GESC PLANS FOR TYPICAL DIVERSION CROSS SECTION

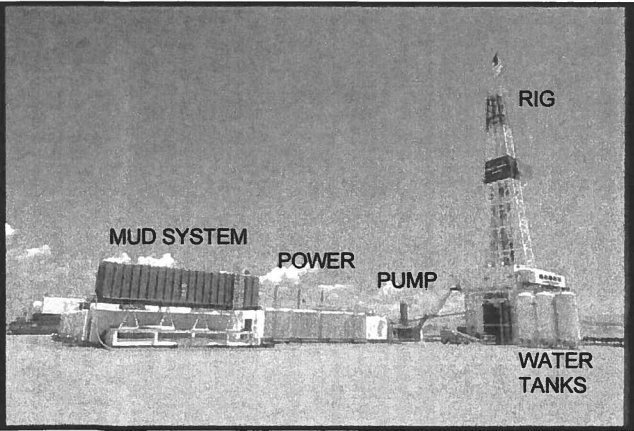
Drilling Equipment Representative Dimension Table				
Item	Length (ft.)	Width (ft.)	Height (ft.)	Diameter (ft.)
Hopper	51	12	12	-
Mud Shed	33	14	11	-
Mud Tanks	45	11	11	-
Drilling Rig	45	35	100	-
Pump	33	14	11	-
Power	30	11	11	-
Tools	43	12	11	-
Fuel	30	11	10	-
Dog House	29	10	9	-
Catwalk	58	9	8	-
Pipe Rack (long)	60	-	-	-
Pipe Rack (short)	26	-	-	-
Water	47	10	11	-
Drilling Fluids Storage Tank	-	-	20	16
Trash Dumpster	15	15	6	-
Temp. Water Storage	-	-	12	170
Temp. Living	350	50	14	-

- NOTES:
- 1) DRILLING SITE PLAN LAYOUT IS FOR GRAPHICAL PURPOSES ONLY. ACTUAL SITE PLAN MAY VARY INCLUDING ACCESS POINTS. COUNTY ENGINEER REVIEW IS REQUIRED PRIOR TO CHANGING ACCESS POINTS.
 - 2) MARKERS AT THE CORNERS AND CENTER OF PAD LABELED WITH A "C" OR "F" SIGNIFY "CUT" OR "FILL" DEPTHS FROM EXISTING GROUND TO PROPOSED GROUND.
 - 3) DELIVERY OF NON-POTABLE WATER FOR POTENTIAL STORAGE SHALL BE ACHIEVED WITH TEMPORARY OVERLAND PIPE OR DELIVERY TRUCK. IF WATER IS HAULED, THE PUBLIC WATER SYSTEM IDENTIFICATION NUMBER (PWSD) SHALL BE SUPPLIED TO TRI-COUNTY HEALTH DEPARTMENT (TCHD).
 - 4) SETBACKS FOR ONSITE WASTEWATER TREATMENT SYSTEMS SHALL CONFORM TO TCHD REGULATION NO. O-14. VAULT SYSTEMS SHALL BE PERMITTED AND INSPECTED BY TCHD.
 - 5) REFER TO GESC PLANS FOR RIPRAP DIMENSIONS



TYPICAL ACCESS ROAD CROSS SECTION
N.T.S.

DRILLING ELEVATION EXAMPLE



10333 E. Dry Creek Rd.
Suite 240
Englewood, CO 80112
Tel: (720) 482-9526
Fax: (720) 482-9546

CVL
CONSULTANTS

CONOCOPHILLIPS COMPANY
ATTN: KATHY DENZER
34501 E. QUINCY AVE., BLDG 1
WATKINS, CO 80137
PHONE: (303) 288-3773

SWAN #4-64 6-1 3DH
AEUR
DRILLING SITE PLAN

DRAWN BY: KJD
CHECKED BY: MEL
DATE: MAY 2018

SCALE: AS SHOWN
FILE NO: 8-13 0201682

SHEET NUMBER
3

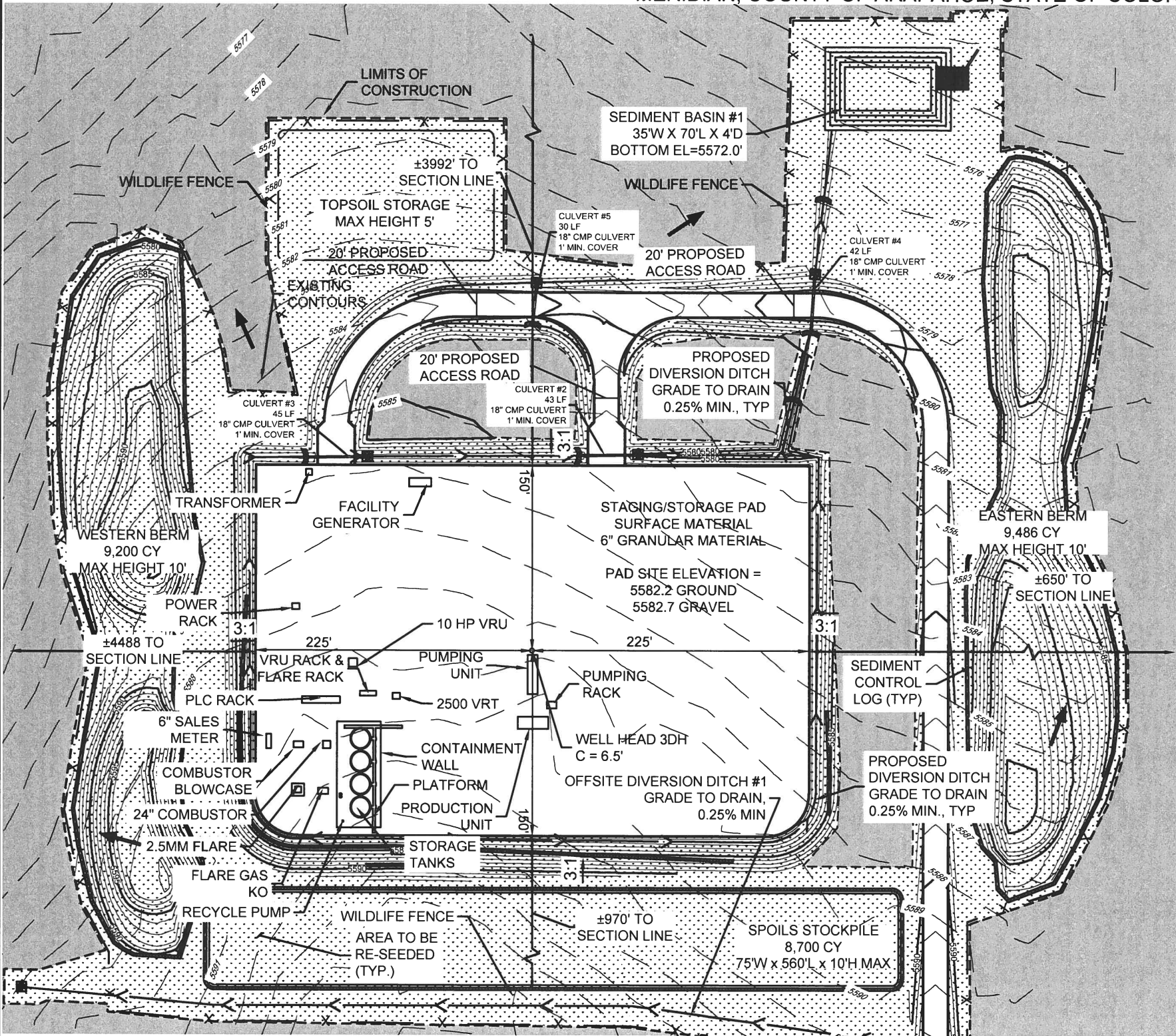
Date
Init.
Appr.
Revisions
No.

ARAPAHOE COUNTY OIL & GAS OPERATIONS

SWAN #4-64 6-1 3DH WELL FACILITY

ADMINISTRATIVE ENERGY USE BY SPECIAL REVIEW PLAN

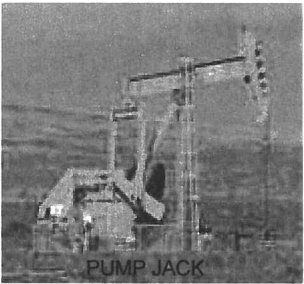
SECTION 6, TOWNSHIP 4 SOUTH, RANGE 64 WEST OF THE SIXTH PRINCIPAL
MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO



Swan 4-64 6-1				
Equipment	QTY	Length	Width	Height
500 BBL Low-Profile Tank	4	15.5	15.5	17
Single Production Unit	1	30	5	18
2500 BOPD VRT	1	2	2	31.5
10 HP VRU	1	6.5	5	7
24" Combustor	1	2	2	24
2.5MM Flare	1	5	5	15
Transformer	1	7.5	6.5	5
Single Well Facility Generator	1	18	7	8
6" Sales Meter	1	18	4	7
Flare Gas Knock-Out	1	12.5	4	5
Combustor Blowcase	1	6	5	5.25
Recycle Pumps	1	3	2	5.5
Facility PLC Rack	1	12	12	7.5
VRU Rack	1	5.5	6	6
Flare Panel Rack	1	6	4	6
Service Power Rack	1	6	8	7.5
Pumping Unit Rack	1	5.5	8	7.5
Pumping Unit	1	20	4	30

NOTE:
1) PRODUCTION SITE PLAN LAYOUT IS FOR GRAPHICAL PURPOSES ONLY. ACTUAL SITE PLAN MAY VARY, INCLUDING ACCESS POINTS. COUNTY ENGINEER REVIEW IS REQUIRED PRIOR TO CHANGING ACCESS POINTS.
2) PERMANENT PRODUCTION SURFACE EQUIPMENT WILL BE PAINTED EARTH TONES AS REQUIRED BY COGCC.
3) REFER TO GESC FOR SEEDING SPECIFICATIONS. BERMS AND STOCKPILES TO BE SEEDDED WITH NATIVE GRASS.

PRODUCTION ELEVATION EXAMPLE



TANK BATTERY



WILDLIFE FENCE ELEVATION



WOOD POSTS AT FENCE CORNERS AND INTERSECTIONS

500 BBL LOW PROFILE TANKS

CONTAINMENT WALL HEIGHT = 2 FT.

ARAPAHOE COUNTY CASE NUMBER: AE18-003

PRODUCTION SITE PLAN
SCALE: 1" = 100 FT.

10333 E. Ivy Creek Rd.
Suite 240
Englewood, CO 80112
Tel: (720) 462-9526
Fax: (720) 462-9546

CVL
CONSULTANTS

CONOCOPHILLIPS COMPANY
ATTN: KATHY DENZER
34501 E. QUINCY AVE., BLDG 1
WATKINS, CO 80137
PHONE: (303) 268-3773

SWAN #4-64 6-1 3DH
AEUSR
PRODUCTION SITE PLAN

SCALE: AS SHOWN
KJD
CHECKED BY: MEL
DATE: MAY 2018
FILE NO: 8-13 0201682

SHEET NUMBER
4

Revisions
No. Date Init. Appr. Date

DOB/jm

31

Equipment	QTY	Length	Width	Height
500 BBL Low-Profile Tank	4	15.5	15.5	17
Single Production Unit	1	30	5	18
2500 BOPO VRT	1	2	2	31.5
10 HP VRU	1	6.5	5	7
24" Combustor	1	2	2	24
2.5MM Flare	1	5	5	15
Transformer	1	7.5	6.5	5
Single Well Facility Generator	1	18	7	8
6" Sales Meter	1	18	4	7
Flare Gas Knock-Out	1	12.5	4	5
Combustor Blowcase	1	6	5	5.25
Recycle Pumps	1	3	2	5.5
Facility PLC Rack	1	12	12	7.5
VRU Rack	1	5.5	6	6
Flare Panel Rack	1	6	4	6
Service Power Rack	1	6	8	7.5
Pumping Unit Rack	1	5.5	8	7.5
Pumping Unit	1	20	4	30

WILDLIFE FENCE ELEVATION

WIRES SPACED 1' APART

WOOD POSTS AT FENCE CORNERS AND INTERSECTIONS

PRIVACY FENCE
(TREX SADDLE COLORED 8' FENCE, OR SIMILAR)

DOB / 9th

SHEET NUMBER 5	DRAWN BY: KJD		SCALE:	SWAN #4-64 6-1 3DH AEUR RECLAMATION SITE PLAN	 CONOCOPHILLIPS COMPANY ATTN: KATHY DENZER 34501 E. QUINCY AVE., BLDG 1 WATKINS, CO 80137 PHONE (303) 268-3773	10333 E Dry Creek Rd. Suite 240 Englewood, CO 80112 Tel: (720) 482-9528 Fax: (720) 462-9546					
	CHECKED BY: MEL		AS SHOWN								
	DATE:		FILE NO.:								
	MAY 2018		8.13.0201682								
			No.	Revisions	Date	Init.	Appr.	Date			

ARAPAHOE COUNTY OIL & GAS OPERATIONS
SWAN #4-64 6-1 3DH WELL FACILITY
ADMINISTRATIVE ENERGY USE BY SPECIAL REVIEW PLAN

SECTION 6, TOWNSHIP 4 SOUTH, RANGE 64 WEST OF THE SIXTH PRINCIPAL
MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO

GENERAL NOTES:

1. THE SITE PLAN, EQUIPMENT AND INFORMATION SHOWN HEREIN ARE FOR REFERENCE ONLY AND ARE NOT INTENDED TO BE USED FOR CONSTRUCTION. ENGINEERED USE BY SPECIAL REVIEW DRAWINGS RELATIVE TO THIS SITE WILL BE SUBMITTED AND APPROVED FOLLOWING ALL APPLICABLE ARAPAHOE COUNTY STANDARDS AND PROCEDURES.
2. THE DIMENSIONS AND LAYOUT DEPICTED IN THE SITE PLAN SHOWN ARE REPRESENTATIVE OF A TYPICAL WELL SITE. ACTUAL DIMENSIONS AND LAYOUT MAY CHANGE BASED ON THE VARIABILITY OF THE EQUIPMENT.
3. THE PROPOSED DRILL SITE WILL BE APPROXIMATELY 12.13 ACRES IN SIZE AND CONSTRUCTION OF THIS SITE WILL INCLUDE LEVELING THE PAD TO ACCOMMODATE THE DRILLING RIG. ONCE THE PAD IS COMPLETED, DRILLING RIG EQUIPMENT WILL BE BROUGHT ONTO LOCATION AND RIGGED UP. DRILLING OPERATIONS, WHICH RUN 24 HOURS A DAY UNTIL COMPLETED, WILL COMMENCE AFTER THE RIG IS "RIGGED UP". THE SURFACE HOLE WILL BE DRILLED TO APPROXIMATELY 2000 FEET USING FRESH WATER. SURFACE CASING WILL THEN BE RUN AND CEMENTED TO SURFACE TO PROTECT ANY SHALLOW FRESH WATER ZONES. SURFACE CASING SETTING DEPTH IS DETERMINED FROM SUBSURFACE GROUND WATER MAPS PREPARED BY THE STATE ENGINEER AND SUPPLEMENTED BY THE LATEST DATA AVAILABLE FROM OFFSETTING WELLS.
4. THE CONOCOPHILLIPS CO. DRILLING RIGS ARE EQUIPPED WITH A CLOSED LOOP SYSTEM, THEREFORE, WATER USED FOR DRILLING IS RECYCLED AND RE-USED, AND RESERVE PITS WILL NOT BE CONSTRUCTED. THE DRILLING RIG WILL BE ON LOCATION FOR APPROXIMATELY 14 DAYS PER HORIZONTAL WELL. AT THE END OF THE DRILLING PHASE, THE DRILLING RIG WILL BE MOVED OFF LOCATION.
5. THE COMPLETION PHASE BEGINS WHEN THE DRILLING EQUIPMENT IS TRANSPORTED OFF THE LOCATION. COMPLETION OPERATIONS ARE CONDUCTED 24 HOURS PER DAY INTERMITTENTLY OVER A PERIOD OF SEVERAL WEEKS. THE SITE MAY BE BLADED AND LEVELED TO ACCOMMODATE THE COMPLETION RIG AND ANCHORS MAY BE SET FOR THE COMPLETION RIG. ADDITIONAL OPERATIONS INCLUDING CEMENTING, DRILLING AND LOGGING MAY OCCUR AS CIRCUMSTANCES REQUIRE. FOR HORIZONTAL WELLS, MULTIPLE FRACTURE STAGES ARE INDUCED ALONG THE LENGTH OF THE WELLBORE IN THE RESPECTIVE FORMATION INTO WHICH THE WELL HAS BEEN DRILLED.
6. THE PRODUCTION EQUIPMENT FOR THE SWAN #4-64 6-1 3DH WELL WILL BE LOCATED ADJACENT TO THE WELLS. THE EQUIPMENT ON THE SWAN #4-64 6-1 3DH PAD WILL CONSIST OF OIL TANKS, WATER TANKS, SEPARATORS, VRTS, VRUS, ECD, COMPRESSOR, PUMP JACKS,VOC COMBUSTORS, AND PROPOSED ELECTRICAL AND/OR SOLAR EQUIPMENT. ALL QUANTITIES FOR THESE ITEMS CAN BE FOUND ON THE PRODUCTION EQUIPMENT TABLE ON PAGE 4. TANKS AND FACILITIES SHALL BE PAINTED PER COGCC RULES. THE STEEL BERMS AROUND THE TANKS WILL HOLD 150% OF THE CAPACITY OF THE LARGEST TANK WITHIN THE BERM AND WILL BE PAINTED TO MATCH THE TANKS AND OTHER EQUIPMENT. THE STEEL BERMS AROUND THE TANKS WILL BE INSPECTED WEEKLY AND FOLLOWING A PRECIPITATION EVENT.
7. AT THE TIME THE WELLS BECOMES SUB-ECONOMIC TO OPERATE, THE OPERATOR OR ITS SUCESSORS WILL ENGAGE THE SERVICES OF A PLUGGING RIG TO REMOVE PRODUCTION EQUIPMENT FROM THE WELLBORES AND PLUG THE PRODUCTIVE ZONES WITH A COMBINATION OF BRIDGE PLUGS AND CEMENT PLUGS IN ACCORDANCE WITH RULE 319.A OF THE RULES AND REGULATIONS PROMULGATED BY THE COGCC. IF THE SEPARATORS AND TANKS ON THE SURFACE OF THE LAND ARE NO LONGER NEEDED FOR OTHER WELLS, THEY WILL BE REMOVED. SURFACE RESTORATION WILL INVOLVE REMOVAL OF ANY ABOVE-GROUND CASING AND THE INSTALLATION OF REGULATION MARKERS THAT WILL NOT INTERFERE WITH SUBSEQUENT SURFACE USE.

NOTES:

NO OTHER OIL AND GAS FACILITIES, SOLAR FACILITIES, POWER TRANSMISSION LINES, ELECTRIC SUBSTATIONS, NATURAL GAS TRANSMISSION LINES, AND OTHER SIMILAR SUCH ENERGY FACILITY EQUIPMENT OR ENERGY PRODUCTION SITES, BASED ON PUBLICLY AVAILABLE RESOURCES, ARE LOCATED WITHIN THE ONE MILE BUFFER AREA.

COGCC STANDARD 210

WELL DIRECTIONAL SIGN ELEVATION EXAMPLE



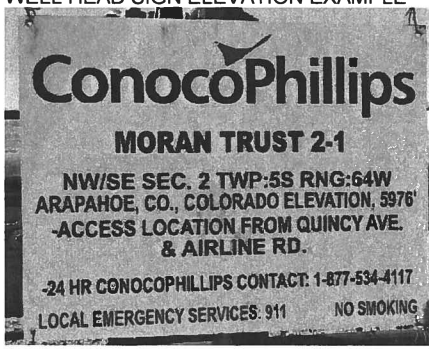
ENTRY SIGN TO BE PLACED AT WELL ACCESS
ROAD INTERSECTION WITH PUBLIC ROAD.

WELL ENTRY SIGN ELEVATION EXAMPLE



ENTRY SIGN TO BE PLACED AT ACCESS ROAD
ENTRY TO PAD SITE.

WELL HEAD SIGN ELEVATION EXAMPLE



ENTRY SIGN TO BE PLACED AT WELL HEAD.

NOTES:

1. THE FOLLOWING 24/7 PHONE NUMBER WILL BE INCLUDED ON THE WELL ENTRY SIGN AND WELL HEAD SIGN SHOWN HEREIN: (877) 534-4117.
2. OPERATOR NAME (CONOCOPHILLIPS COMPANY) SHALL BE INCLUDED ON SIGN AT ENTRY LOCATION TO WELL PAD
3. WELL SIGNS WILL BE 2'x3' IN SIZE, TYPICALLY CONSTRUCTED OUT OF METAL.

ARAPAHOE COUNTY CASE NUMBER: AE18-003

SHEET NUMBER	DRAWN BY: KJD	CHECKED BY: MEL	DATE: MAY 2018	SCALE: AS SHOWN	FILE NO: 8.13.0201682	SWAN #4-64 6-1 3DH AEUSR ADDITIONAL NOTES SHEET	CONOCOPHILLIPS COMPANY ATTN: KATHY DENZER 34501 E. QUINCY AVE., BLDG 1 WATKINS, CO 80137 PHONE: (303) 268-3773	 10333 E. Dry Creek Rd Suite 240 Englewood, CO 80112 Tel: (720) 482-9526 Fax: (720) 482-9546	Revisions	No	Date	Init	Appr	Date

6

JBB/jm



July 29, 2020

Ms. Jan Yeckes
Planning Division Manager Arapahoe County Public
Works and Development
6924 S. Lima Street
Centennial, CO 80112

**Re: Withdrawal of Approved Use by Special Review Permit for AE 18-003 –
Conoco Swan Well Facility**

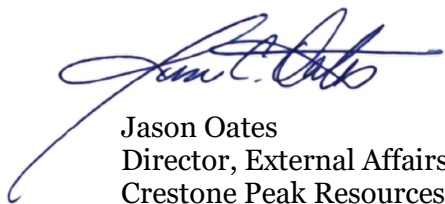
Dear Ms. Yeckes,

In accordance with Section 5-2.1.F of the Arapahoe County Land Development Code, Crestone Peak Resources (“Crestone”) respectfully withdraws the approved Use by Special Review permit for the Conoco Swan Well Facility (AE 18-003).

In March, Crestone completed the acquisition of all of ConocoPhillips’ leasehold interest in Colorado. During the acquisition process and the comprehensive review of ConocoPhillips’ development plans and permits, Crestone determined that the development of the Swan Well Facility was not required due to the presences of an alternate site.

Crestone looks forward to continuing to work collaboratively with the Arapahoe County staff and Board of County Commissioners as we develop oil and gas in a safe and environmentally responsible way. Please do not hesitate contacting me with any questions at jason.oates@crestonepr.com or by phone at 720-410-8489.

Regards,



Jason Oates
Director, External Affairs
Crestone Peak Resources



Arapahoe County

5334 South Prince Street
Littleton, CO 80120
303-795-4630
Relay Colorado 711

Board Summary Report

File #: 20-052

Agenda Date: 1/5/2021

Agenda #: 6.c.

To: Board of County Commissioners

Through: Click or tap here to enter text.

From: Michelle Halstead, Director, Communication and Administrative Services

Subject:

County Operational Matters - Board of County Commissioners Meetings and Notice of Meetings for 2021 (2 Resolutions)

Purpose and Recommendation:

Adoption of two resolutions: one to approve the meeting times and location for the Board of County Commissioners for the year 2021, and the second one to designate the location of the public place of posting of notice for Arapahoe County public meetings for the year 2021.

Background:

It is customary for the Board to establish certain County operational matters for current year.

Pursuant to Sections 30-10-303 and 30-10-304, Colorado Revised Statutes, the Board of County Commissioners desires to establish that the BoCC will meet on Mondays and Tuesdays (except for legal holidays), as may be required to conduct County study sessions for the year 2021, at the County Administration Building, 5334 South Prince Street, Littleton, Colorado, and to establish the BoCC will meet on the second and fourth Tuesdays of the month (except for legal holidays), as may be required to conduct County business meetings for the year 2021, at the County Administration Building, 5334 South Prince Street, Littleton, Colorado, or, with proper notice, at such locations deemed appropriate by the County Commissioners.

Pursuant to Section 24-6-402(2), Colorado Revised Statutes, the BoCC is required to designate the public place of posting notice for Arapahoe County public meetings. The BoCC desires to designate the Arapahoe County public website as its public place of posting notice of all meetings of the BoCC, the Arapahoe County Planning Commission, Open Space and Trails Advisory Board (OSTAB), Arapahoe County Zoning Board of Adjustment, and the Justice Coordinating Committee. Notices of all other Arapahoe County committee and board meetings, and notices of meetings of the BoCC and the Justice Coordinating Committee in the event such notices are unable to be posted online, shall be posted at the Arapahoe County Administration Building at 5334 West Prince Street, Littleton, Colorado, in the glass case next to the West Hearing Room; except that notices of the Arapahoe County Planning Commission, OSTAB, and the Arapahoe County Zoning Board of Adjustment in the event such notices are unable to be posted online shall be posted at the Arapahoe County Public Works and Development Lima Plaza Building at 6924 South Lima Street, Centennial, Colorado, in the glass case in the main entrance.

Discussion:

Click or tap here to enter text.

Alternatives:

Click or tap here to enter text.

Fiscal Impact:

Click or tap here to enter text.

Reviewed By:

John Christofferson, Deputy County Attorney

Attachments:

Click or tap here to enter text.

Meetings of the Board

RESOLUTION NO. 210____ It was moved by Commissioner ____ and seconded by Commissioner ____, pursuant to Sections 30-10-303 and 30-10-304, Colorado Revised Statutes, the Board hereby determines that the Board of County Commissioners will meet on Mondays and Tuesdays (except for legal holidays), as may be required to conduct County study sessions for the year 2021, at the County Administration Building, 5334 South Prince Street, Littleton, Colorado, and to establish the BoCC will meet on the second and fourth Tuesdays of each month (except for legal holidays), as may be required to conduct County business meetings for the year 2021, at the County Administration Building, 5334 South Prince Street, Littleton, Colorado, or, with proper notice, at such locations deemed appropriate by the County Commissioners.

The vote was:

Commissioner Baker, __; Commissioner Conti, __; Commissioner Holen, __; Commissioner Jackson, __; Commissioner Sharpe, __.

The Chair declared the motion carried and so ordered.

Notice of Meetings

RESOLUTION NO. 210____ It was moved by Commissioner ____ and seconded by Commissioner ____, pursuant to Section 24-6-402(2), Colorado Revised Statutes, that the Board of County Commissioners (BoCC) hereby designates the Arapahoe County public website as its public place of posting notice of all meetings of the BoCC, the Arapahoe County Planning Commission, Open Space and Trails Advisory Board (OSTAB), Arapahoe County Zoning Board of Adjustment, , and Justice Coordinating Committee. Notices of all other Arapahoe County committee and board meetings, and notices of meetings of the BoCC in the event such notices are unable to be posted online, shall be posted at the Arapahoe County Administration Building at 5334 West Prince Street, Littleton, Colorado, in the glass case next to the West Hearing Room; except that notices of the Arapahoe County Planning Commission, OSTAB, and the Arapahoe County Zoning Board of Adjustment in the event such notices are unable to be posted online shall be posted at the Arapahoe County Public Works and Development Lima Plaza Building at 6924 South Lima Street, Centennial, Colorado, in the glass case in the main entrance.

The vote was:

Commissioner Baker, __; Commissioner Conti, __; Commissioner Holen, __; Commissioner Jackson, __; Commissioner Sharpe, __.

The Chair declared the motion carried and so ordered.



Arapahoe County

5334 South Prince Street
Littleton, CO 80120
303-795-4630
Relay Colorado 711

Board Summary Report

File #: 20-017

Agenda Date: 1/5/2021

Agenda #: 6.d.

To: Arapahoe County Board of County Commissioners

Through: Ron Carl, County Attorney

From: Robert Hill, Asst County Attorney

Subject:

Modification of Marijuana Premises - Golden Meds

Purpose and Recommendation:

Adoption of a resolution to approve an Application for Modification of Premises pursuant to the Arapahoe County Marijuana Licensing Policy ("the Policy") for GM 2280, LLC d/b/a Golden Meds located at 2280 S. Quebec St., Unit G, Denver, CO 80231.

Background:

On July 28, 2020, the BoCC adopted Arapahoe County Ordinance No. 2020-02 Establishing Limited Retail Marijuana Stores within Unincorporated Arapahoe County, which became effective August 27, 2020. Ordinance No. 2020-02 allows the four (4) existing licensed medical marijuana stores to also operate retail marijuana stores in accordance with the Arapahoe County Land Development Code ("the LDC"). On July 28, 2020, BoCC also adopted a revision to the LDC, Sec. 3-3.5 Marijuana Land Uses, which also became effective on August 27, 2020 and provides for the retail sale of marijuana and marijuana products at the store locations stated in the Ordinance. The Ordinance and the LDC provisions allow these four stores to operate both medical and retail marijuana stores, as non-conforming uses under the LDC, at those specified locations.

On September 22, 2020, the Board adopted, by Resolution No. 200621, the Arapahoe County Marijuana Licensing Policy ("the Policy") to establish procedure and standards to regulate the issuance and renewal of licenses for both retail and medical marijuana stores at the four allowed and to regulate applications for transfers of ownership, internal ownership structure changes, and modifications of the licensed premises at these four locations.

Discussion:

Pursuant to and in accordance with the Arapahoe County Marijuana Licensing Policy, GM 2280, LLC d/b/a Golden Meds, applied for approval to modify the licensed premises at 2280 S. Quebec St, Unit G, Denver, Colorado. Under the Licensing Policy, the LDC Sections and the Ordinance, these premises are allowed only as non-conforming uses subject to the provisions for non-conforming uses specified in Section 6-4 of the LDC. As such, GM 2280 may not expand, alter or modify the licensed premises at 2280 S. Quebec, Unit G, except in compliance with the limitations for non-conforming uses specified in the LDC.

On December 14, 2020, the Arapahoe County Zoning Department confirmed that the proposed modification is consistent the allowances under the Land Development Code and the Ordinance No. 2020-02. The modification does not expand the area of the business or relocate the business from the licensed premise in any manner prohibited for non-conforming uses under the LDC.

As required under the Policy, GM 2280, LLC d/b/a Golden Meds also applied to the State of Colorado, Department of Revenue, for approval of its proposed modification of premises at the address, and provided the County with a copy of that application with its application to the County.

GM 2280, LLC d/b/a Golden Meds' application for a modification of premises for the store at 2280 S. Quebec St., Unit G, Denver, CO 80231 is in compliance with the standards under the Policy for an application for modification of the premises of the marijuana store and is in compliance with the requirements of Ordinance No. 2020-02 and Section 3-3.5 of the Land Development Code. All fees for the application have been paid.

The Policy provides:

Upon proof the Authority has determined that the State Licensing Authority application is in compliance with the Colorado Marijuana Code, and upon approval by the Local License Authority, the transfer of ownership, internal ownership structure change, or modification of premises shall be authorized by the Local Licensing Authority. The Local Licensing Authority shall provide a copy of the approved application to the Authority.

GM 2280, LLC d/b/a Golden Meds' application is complete and pursuant to the Policy, approval of a Modification of Premises of the Marijuana Store for GM 2280, LLC d/b/a Golden Meds is being placed on the BOCC consent agenda for approval.

Alternatives:

The Board may deny the application for Modification of Premises for this property upon a finding that the proposed application does not comply with a particular requirement of the Policy, Ordinance No. 2020-02 or Section 3-3.5 of the Land Development Code or it turns out that the State denies the corresponding State approval of the Application for Modification of Premises.

Fiscal Impact:

Licensing fees, including fees for Modification of Premises will provide revenue to the county to cover the cost of licensing. Otherwise there is no fiscal impact.

Reviewed By:

Click or tap here to enter text.

Attachments:

Click or tap here to enter text.

RESOLUTION NO. 20 _____ It was moved by Commissioner _____ and duly seconded by Commissioner _____ to adopt the following Resolution:

WHEREAS, on September 30, 2020, GM 2280, LLC d/b/a Golden Meds applied to Arapahoe County for a Modification of Premises for the Marijuana Store within unincorporated Arapahoe County and located at 2280 S. Quebec St., Unit G, Denver, CO 80231; and

WHEREAS, in November 2000, Colorado voters passed Amendment 20, which added Section 14 of Article XVIII of the Colorado Constitution, which amendment created an exception to state criminal laws, allowing the use of medical marijuana in certain limited circumstances; and

WHEREAS, in November 2012, Colorado voters passed Amendment 64, which added Section 16 of Article XVIII of the Colorado Constitution, which amendment created an exception to state criminal laws, allowing the personal use, cultivation, and sale of marijuana at retail marijuana stores, and further providing for state and local licensing and regulation of retail marijuana stores; and

WHEREAS, since the passage of Amendments 20 and 64, over time, the Colorado General Assembly adopted legislation to provide for state and local licensing and regulation of marijuana businesses, which is now codified in the Colorado Marijuana Code at Article 10 of Title 44, Colorado Revised Statutes and covers both retail and medical marijuana stores; and

WHEREAS, the foregoing Colorado Constitution Sections 14 and 16 of Article XVIII and the provisions of said Article 10 of Title 44 authorize a board of county commissioners to adopt and enforce regulations for the licensing of medical and retail marijuana stores within the unincorporated territory of the county; and

WHEREAS, on July 28, 2020, the Board of County Commissioners (“BoCC”) adopted Arapahoe County Ordinance No. 2020-02, an Ordinance Establishing Limited Retail Marijuana Stores within Unincorporated Arapahoe County, which became effective August 27, 2020 and which allows four existing medical marijuana businesses in unincorporated Arapahoe County to also sell retail marijuana and marijuana products, as non-conforming uses, at the following locations and no others: 1842 South Parker Road, Unit 18, Denver, Colorado 80231; 2280 South Quebec Street #G, Denver, Colorado 80231; 3431 South Federal Boulevard, Unit G, Englewood, Colorado 80110; and 6200 East Yale Avenue, Unit B, Denver, Colorado 80222; and

WHEREAS, on July 28, 2020, the BOCC adopted Resolution No. 200507, also effective August 27, 2020, to amend the Arapahoe County Land Development Code, Section 3-3.5, to recognize and allow for the retail sale of marijuana and marijuana products sales at the locations identified above; and

WHEREAS, on September 22, 2020, the BOCC adopted Resolution No. 200621, which adopted and established the Arapahoe County Marijuana Licensing Policy (“the Policy”) to establish standards for the licensing of medical and retail marijuana businesses, as well as to establish standards for approval of transfers of ownership, internal ownership structure changes,

and proposed modifications to the licensed premises; and

WHEREAS, pursuant to the provisions and standards set forth in the Policy, GM 2280, LLC d/b/a Golden Meds has applied for Modification of Premises at 2280 S. Quebec St., Unit G, Denver, CO 80231; and

WHEREAS, in accordance with the Policy, on December 14, 2020, the Planning Division of the Arapahoe County Department of Public Works and Development confirmed that that the proposed modification for the store at 2280 S. Quebec Street, Unit G, Denver CO 80231 is consistent the Land Development Code and the Ordinance No. 2020-02; and,

WHEREAS, GM 2280, LLC d/b/a Golden Meds has also applied to the State of Colorado, Department of Revenue, Marijuana Enforcement Division, for a Modification of Premises at 2280 S. Quebec St., Unit G, Denver, CO 80231.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County, Colorado, that pursuant to the Arapahoe County Retail Marijuana Licensing Policy, the Board of County Commissioners of Arapahoe County, Colorado hereby approves the application for Modification of Premises for GM 2280, LLC d/b/a Golden Meds located at 2280 S. Quebec St., Unit G, Denver, CO 80231. Approval of this modification to these licensed premises is conditioned upon the State of Colorado's approval of the modification.

The vote was:

Commissioner Baker, ____; Commissioner Conti, ____; Commissioner Holen, ____; Commissioner Jackson, ____; Commissioner Sharpe, ____.

The Chair declared the motion carried and so ordered.



Arapahoe County

5334 South Prince Street
Littleton, CO 80120
303-795-4630
Relay Colorado 711

Board Summary Report

File #: 20-019

Agenda Date: 1/5/2021

Agenda #: 6.e.

To: Arapahoe County Board of County Commissioners

Through: Ron Carl, County Attorney

From: Robert Hill, Asst. County Attorney

Subject:
New Retail Marijuana License for Cure Colorado

Purpose and Recommendation:

Adoption of a resolution to approve a new local Retail Marijuana Store License pursuant to the Arapahoe County Marijuana Licensing Policy (“the Policy”) for Medical Cannabis Colorado LLC d/b/a Cure Colorado located at 6200 E. Yale Ave., Unit B, Denver, CO 80222. The expiration date for such new license shall mirror that of the corresponding State of Colorado license and final approval, per the Policy, is conditioned on the State approving the corresponding State license.

Background:

On July 28, 2020, the BoCC adopted Arapahoe County Ordinance No. 2020-02 Establishing Limited Retail Marijuana Stores within Unincorporated Arapahoe County, which became effective August 27, 2020. Ordinance No. 2020-02 allows the four (4) existing licensed medical marijuana stores to also operate retail marijuana stores in accordance with the Arapahoe County Land Development Code (“the LDC”). On July 28, 2020, BoCC also adopted a revision to the LDC, Sec. 3-3.5 Marijuana Land Uses, which also became effective on August 27, 2020 and provides for the retail sale of marijuana and marijuana products at the store locations stated in the Ordinance. The Ordinance and the LDC provisions allow these four stores to operate both medical and retail marijuana stores, as non-conforming uses under the LDC, at those specified locations.

On September 22, 2020, the Board adopted, by Resolution No. 200621, the Arapahoe County Marijuana Licensing Policy (“the Policy”) to establish procedure and standards for the issuance and renewal of licenses for both retail and medical marijuana stores for those four business locations in compliance with the requirements of Ordinance 2020-02 and Section 3-3.5 of the Land Development Code.

Discussion:

On December 9, 2020, the Arapahoe County Zoning Department confirmed that Medical Cannabis Colorado LLC d/b/a Cure Colorado is in compliance with the Arapahoe County Land Development Code Regulations at this location. On December 9, 2020 Arapahoe County Sheriff’s Office provided that there have been no material issues or concerns with Medical Cannabis Colorado LLC d/b/a Cure Colorado at this location.

Prior to submission of this application, as provided in the Policy, Medical Cannabis Colorado LLC d/b/a Cure Colorado also applied to the State of Colorado, Department of Revenue, for a license to operate a retail marijuana store at the address.

Medical Cannabis Colorado LLC d/b/a Cure Colorado' application for a local retail marijuana license for the store at 6200 E. Yale Ave., Unit B, Denver, CO 80222 is in compliance with the standards under the Policy for an application for a new retail marijuana store and is in compliance with the requirements of Ordinance No. 2020-02 and Section 3-3.5 of the Land Development Code. All fees for the application have been paid.

The Policy provides that, if approved, a new Retail Marijuana Store license "will be issued for a period of one (1) year and mirror the expiration date of the State License, which is conditioned upon approval of a corresponding State License before it becomes effective."

Medical Cannabis Colorado LLC d/b/a Cure Colorado's application is complete and pursuant to the Policy, issuance of a Retail Marijuana Local License for Medical Cannabis Colorado LLC d/b/a Cure Colorado is being placed on the BOCC consent agenda for approval.

Alternatives:

The Board may deny the application for a new retail marijuana license for this property upon a finding that the proposed application does not comply with a particular requirement of the Policy, Ordinance No. 2020-02 or Section 3-3.5 of the Land Development Code or it turns out that the State denies the corresponding State license.

Fiscal Impact:

Licensing fees will provide revenue to the county to cover the cost of licensing. Otherwise there is no fiscal impact.

Reviewed By:

See above

Attachments:

Draft resolution

RESOLUTION NO. 20 _____ It was moved by Commissioner _____ and duly seconded by Commissioner _____ to adopt the following Resolution:

WHEREAS, on November 2, 2020, Medical Cannabis Colorado LLC d/b/a Cure Colorado applied to Arapahoe County for a new Retail Marijuana Local License for premises within unincorporated Arapahoe County and located at 6200 E. Yale Ave., Unit B, Denver, CO 80222; and

WHEREAS, in November 2000, Colorado voters passed Amendment 20, which added Section 14 of Article XVIII of the Colorado Constitution, which amendment created an exception to state criminal laws, allowing the use of medical marijuana in certain limited circumstances; and

WHEREAS, in November 2012, Colorado voters passed Amendment 64, which added Section 16 of Article XVIII of the Colorado Constitution, which amendment created an exception to state criminal laws, allowing the personal use, cultivation, and sale of marijuana at retail marijuana stores, and further providing for state and local licensing and regulation of retail marijuana stores; and

WHEREAS, since the passage of Amendments 20 and 64, over time, the Colorado General Assembly adopted legislation to provide for state and local licensing and regulation of marijuana businesses, which is now codified in the Colorado Marijuana Code at Article 10 of Title 44, Colorado Revised Statutes and covers both retail and medical marijuana stores; and

WHEREAS, the foregoing Colorado Constitution Sections 14 and 16 of Article XVIII and the provisions of said Article 10 of Title 44 authorize a board of county commissioners to adopt and enforce regulations for the licensing of medical and retail marijuana stores within the unincorporated territory of the county; and

WHEREAS, on July 28, 2020, the Board of County Commissioners (“BoCC”) adopted Arapahoe County Ordinance No. 2020-02, an Ordinance Establishing Limited Retail Marijuana Stores within Unincorporated Arapahoe County, which became effective August 27, 2020 and which allows four existing medical marijuana businesses in unincorporated Arapahoe County to also sell retail marijuana and marijuana products, as non-conforming uses, at the following locations and no others: 1842 South Parker Road, Unit 18, Denver, Colorado 80231; 2280 South Quebec Street #G, Denver, Colorado 80231; 3431 South Federal Boulevard, Unit G, Englewood, Colorado 80110; and 6200 East Yale Avenue, Unit B, Denver, Colorado 80222; and

WHEREAS, on July 28, 2020, the BOCC adopted Resolution No. 200507, also effective August 27, 2020, to amend the Arapahoe County Land Development Code, Section 3-3.5, to recognize and allow for the retail sale of marijuana and marijuana products sales at the locations identified above; and

WHEREAS, on September 22, 2020, the BOCC adopted Resolution No. 200621, which adopted and established the Arapahoe County Marijuana Licensing Policy (“the Policy”) to establish standards for the licensing of medical and retail marijuana businesses in the

unincorporated territory of Arapahoe County; and

WHEREAS, Medical Cannabis Colorado LLC d/b/a Cure Colorado has applied for a new Retail Marijuana Local License at 6200 E. Yale Ave., Unit B, Denver, CO 80222 as allowed under Ordinance No. 2020-02 and Section 3-3.5 of the Arapahoe County Land Development Code and pursuant to the provisions and standards set forth in the Policy; and

WHEREAS, in accordance with the licensing standards set forth in the Policy, on December 9, 2020, the Planning Division of the Arapahoe County Department of Public Works and Development confirmed that Medical Cannabis Colorado LLC d/b/a Cure Colorado has been in compliance with the Arapahoe County Land Development Code Regulations; and

WHEREAS, in accordance with the licensing standards set forth in the Policy, on December 9, 2020, the Arapahoe County Sheriff's Office confirmed that there have been no material issues or concerns with Medical Cannabis Colorado LLC d/b/a Cure Colorado; and

WHEREAS, Medical Cannabis Colorado LLC d/b/a Cure Colorado has applied to the State of Colorado, Department of Revenue, for a new Retail Marijuana Local License at 6200 E. Yale Ave., Unit B, Denver, CO 80222.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County, Colorado, that pursuant to the Arapahoe County Retail Marijuana Licensing Policy, the Board of County Commissioners of Arapahoe County, Colorado hereby approves the new application for a Retail Marijuana Local License for Medical Cannabis Colorado LLC d/b/a Cure Colorado located at 6200 E. Yale Ave., Unit B, Denver, CO 80222 and hereby authorizes the Chair to sign the Retail Marijuana Local License for Medical Cannabis Colorado LLC d/b/a Cure Colorado to be valid for the period corresponding with that specified in the approved State of Colorado Retail Marijuana Store license.

The vote was:

Commissioner Baker, ____; Commissioner Conti, ____; Commissioner Holen, ____; Commissioner Jackson, ____; Commissioner Sharpe, ____.

The Chair declared the motion carried and so ordered.

{THIS LICENSE MUST BE POSTED IN PUBLIC VIEW}



RETAIL MARIJUANA STORE LICENSE

LICENSE NO.: 20-03

LICENSEE: Medical Cannabis Colorado LLC
d/b/a Cure Colorado
6200 E. Yale Ave., Unit B
Denver, CO 80222

CLASS OF LICENSE: RETAIL MARIJUANA STORE

EXPIRES: TBD (MIRROR STATE LICENSE)

This license is issued subject to the laws of the State of Colorado, including the provisions of Title 44, Article 10, as amended, and pursuant to Arapahoe County Ordinance No. 2020-02 and the Arapahoe County Marijuana Licensing Policy. This license is nontransferable and shall be conspicuously posted in the place above described. This license is only valid through the expiration date shown above. Any questions concerning this license should be addressed to the Arapahoe County Attorney's Office, 5334 S. Prince St., Littleton, CO 80120-1136.

Authorized and issued this ____ day of _____ 2021.



ARAPAHOE COUNTY LOCAL LICENSING AUTHORITY

By: _____
Chair, Board of County Commissioners
Arapahoe County

(Licensee must apply for renewal of this license no less than 45 days prior to the expiration date.)



Arapahoe County

5334 South Prince Street
Littleton, CO 80120
303-795-4630
Relay Colorado 711

Board Summary Report

File #: 20-018

Agenda Date: 1/5/2021

Agenda #: 6.f.

To: Arapahoe County Board of County Commissioners

Through: Ron Carl, County Attorney

From: Robert Hill, Asst. County Attorney

Subject:

Renewal of Medical Marijuana License for Medical Cannabis Colorado

Purpose and Recommendation:

Adoption of a resolution to renew a Medical Marijuana Local License pursuant to the Arapahoe County Medical Marijuana Policy for Medical Cannabis Colorado LLC d/b/a Cure Colorado located at 6200 E. Yale Ave., Unit B, Denver, CO 80222 to be valid from December 13, 2020 through December 12, 2021. The Department of Revenue requires the local jurisdiction to grant a renewal license prior to the State of Colorado issuing its renewed Medical Marijuana Facility State License.

Background:

In November 2000, Colorado voters passed Amendment 20 creating an exception to state criminal laws, allowing the use of medical marijuana in certain limited circumstances. The Colorado General Assembly in the 2010 legislative session established the Colorado Medical Marijuana Code, which created a State Licensing Authority under the Department of Revenue (the “Authority”) and created a local option for the County.

The Board of County Commissioners (“BOCC”) adopted a temporary moratorium on medical marijuana land uses on December 15, 2009. On March 15, 2011, the BOCC adopted a resolution amending its Land Development Code Regulations by adding a new section 12-1800 “Medical Marijuana Land Uses,” which prohibits new medical marijuana facilities but allows those facilities existing as of December 15, 2009 to continue as legal non-conforming uses. At that time, a total of up to four (4) medical marijuana facilities were potentially in existence and in compliance with the Land Development Code non-conforming use requirements. These facilities require a medical marijuana facility local license from the County.

On June 26, 2012, the BOCC adopted the “Arapahoe County Medical Marijuana Licensing Policy,” which created standards for medical marijuana facility local licenses issuance by the County. The County relies on the State Licensing Authority under the Department of Revenue (the “Authority”) to determine whether the applicant for a medical marijuana facility local license is in compliance with the Colorado Medical Marijuana Code. If in compliance, then the County will determine whether the applicant is one of the four medical marijuana facilities that were potentially in existence as of December 15, 2009, and whether the applicant is currently in compliance with the Land Development Code non-conforming use requirements. If in compliance, then the application will be placed on the BOCC consent agenda for renewal and issuance of the medical marijuana facility local license.

On November 29, 2012, pursuant to the Arapahoe County Medical Marijuana Licensing Policy, the BOCC approved and issued a Medical Marijuana Local License for Medical Cannabis Colorado LLC d/b/a Cure Colorado. The license was previously renewed annually with the most recent renewal on December 17, 2019 with an expiration date of December 12, 2020.

On September 22, 2020, the BOCC adopted the Arapahoe County Marijuana Licensing Policy (“the Policy”) to establish standards for the issuance and renewal of “Local Licenses” for both medical and retail marijuana businesses. This Policy replaces the 2012 Medical Licensing Policy.

Discussion:

On October 20, 2020, the Arapahoe County Zoning Department confirmed that Medical Cannabis Colorado LLC d/b/a Cure Colorado was in compliance with the Arapahoe County Land Development Code Regulations. On October 22, 2020, the Arapahoe County Sheriff’s Office provided that there were no material issues or concerns with Medical Cannabis Colorado LLC d/b/a Cure Colorado.

The application for renewal of the Medical Marijuana Local License of Medical Cannabis Colorado LLC d/b/a Cure Colorado at 6200 E. Yale Ave., Unit B, Denver, CO 80222 is in compliance with the requirements of the Policy and the Land Development Code.

Pursuant to the Arapahoe County Medical Marijuana Licensing Policy, renewal and issuance of a Medical Marijuana Local License for Medical Cannabis Colorado LLC d/b/a Cure Colorado is being placed on the BOCC consent agenda for approval.

Alternatives:

The Board may deny the application for renewal of the medical marijuana license for this property upon a finding that the proposed application does not comply with a particular requirement of the Policy or Section 3-3.5 of the Land Development Code.

Fiscal Impact:

There is no fiscal impact to the County.

Reviewed By:

See above

Attachments:

Draft resolution

RESOLUTION NO. 20 _____ It was moved by Commissioner _____ and duly seconded by Commissioner _____ to adopt the following Resolution:

WHEREAS, on December 7, 2020, Medical Cannabis Colorado LLC, d/b/a Cure Colorado, applied to Arapahoe County for renewal of its Medical Marijuana Local License for premises within unincorporated Arapahoe County and located at 6200 E. Yale Ave., Unit B, Denver, CO 80222; and

WHEREAS, in November 2000, Colorado voters passed Amendment 20, which added Section 14 of Article XVIII of the Colorado Constitution, which amendment created an exception to state criminal laws, allowing the use of medical marijuana in certain limited circumstances; and

WHEREAS, in November 2012, Colorado voters passed Amendment 64, which added Section 16 of Article XVIII of the Colorado Constitution, which amendment created an exception to state criminal laws, allowing the personal use, cultivation, and sale of marijuana at retail marijuana stores, and further providing for state and local licensing and regulation of retail marijuana stores; and

WHEREAS, since the passage of Amendments 20 and 64, over time, the Colorado General Assembly adopted legislation to provide for state and local licensing and regulation of marijuana businesses, which is now codified in the Colorado Marijuana Code at Article 10 of Title 44, Colorado Revised Statutes and covers both retail and medical marijuana stores; and

WHEREAS, the foregoing Colorado Constitution Sections 14 and 16 of Article XVIII and the provisions of said Article 10 of Title 44 authorize a board of county commissioners to adopt and enforce regulations for the licensing of medical and retail marijuana stores within the unincorporated territory of the county; and

WHEREAS, on March 15, 2011, the BOCC adopted Resolution No. 110257 amending its Land Development Code Regulations by adding a new section 12-1800 “Medical Marijuana Land Uses,” which prohibited new medical marijuana facilities but allowed the four (4) medical marijuana facilities that were potentially in existence and in compliance with the Land Development Code non-conforming use requirements as of December 15, 2009, to continue as legal non-conforming uses; and

WHEREAS, on June 26, 2012, the BOCC adopted Resolution No. 120494, which resolution established the Arapahoe County Medical Marijuana Licensing Policy to establish procedure and standards for the issuance of a medical marijuana license; and

WHEREAS, pursuant to the Arapahoe County Medical Marijuana Licensing Policy, the BOCC approved the initial issuance and annual renewals of a Medical Marijuana Local License for this business at 6200 E. Yale Ave., Unit B, Denver, CO 80222 for 2015 through 2019; and

WHEREAS, on September 22, 2020, the BOCC, by Resolution No. 200621, adopted and established the Arapahoe County Marijuana Licensing Policy (“the Policy”) for the licensing of medical and retail marijuana businesses in the unincorporated territory of Arapahoe County; and

WHEREAS, on October 20, 2020, the Planning Division of the Arapahoe County Department of Public Works and Development confirmed that Medical Cannabis Colorado LLC, d/b/a Cure Colorado, 6200 E. Yale Ave., Unit B, Denver, CO 80222 has been in compliance with the Arapahoe County Land Development Code Regulations at this location; and

WHEREAS, on October 22, 2020, the Arapahoe County Sheriff's Office confirmed that there have been no material issues or concerns with Medical Cannabis Colorado LLC, d/b/a Cure Colorado, at this location; and

WHEREAS, Medical Cannabis Colorado LLC, d/b/a Cure Colorado, also applied to the State of Colorado, Department of Revenue, for the renewal of its corresponding State medical marijuana license at 6200 E. Yale Ave., Unit B, Denver, CO 80222.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County, Colorado, that pursuant to the Arapahoe County Medical Marijuana Licensing Policy, the Board of County Commissioners of Arapahoe County, Colorado hereby approves the annual renewal of the Medical Marijuana Local License for Medical Cannabis Colorado LLC d/b/a Cure Colorado located at 6200 E. Yale Ave., Unit B, Denver, CO 80222 and hereby directs the Chair to sign the Medical Marijuana Local License for Medical Cannabis Colorado LLC d/b/a Cure Colorado to be valid for the period corresponding with that specified in the approved State of Colorado Medical Marijuana Store license.

The vote was:

Commissioner Baker, ____; Commissioner Conti, ____; Commissioner Holen, ____; Commissioner Jackson, ____; Commissioner Sharpe, ____.

The Chair declared the motion carried and so ordered.

{THIS LICENSE MUST BE POSTED IN PUBLIC VIEW}



MEDICAL MARIJUANA LOCAL LICENSE

LICENSE NO.: 14-01

LICENSEE: MEDICAL CANNABIS COLORADO LLC
D/B/A CURE COLORADO
6200 E. YALE AVE., UNIT B
DENVER, CO 80222

CLASS OF LICENSE: MEDICAL MARIJUANA STORE

EXPIRES: DECEMBER 12, 2021

This license is issued subject to the laws of the State of Colorado, including the provisions of Title 44, Article 10, as amended, and the Arapahoe County Marijuana Licensing Policy. This license is nontransferable and shall be conspicuously posted in the place above described. This license is only valid through the expiration date shown above. Any questions concerning this license should be addressed to the Arapahoe County Attorney's Office, 5334 S. Prince St., Littleton, CO 80120-1136.

Authorized and issued this _____ day of _____ 2021.



ARAPAHOE COUNTY LOCAL LICENSING AUTHORITY

By: _____
Chair, Board of County Commissioners
Arapahoe County

(Licensee must apply for renewal of this license no less than 45 days prior to the expiration date.)



Arapahoe County

5334 South Prince Street
Littleton, CO 80120
303-795-4630
Relay Colorado 711

Board Summary Report

File #: 20-005

Agenda Date: 1/5/2021

Agenda #: 6.g.

To: Board of County Commissioners

Through: Click or tap here to enter text.

From: Jacquelyn Bayard, Administrative Specialist, Communication and Administrative Services

Subject:

Warrant ACH Expenditure Report: November 30, 2020

Purpose and Recommendation:

Authorization to sign the Warrant Disbursement Register

Ron Carl, County Attorney

Background:

Click or tap here to enter text.

Discussion:

Click or tap here to enter text.

Alternatives:

Click or tap here to enter text.

Fiscal Impact:

Click or tap here to enter text.

Reviewed By:

Click or tap here to enter text.

Attachments:

Click or tap here to enter text.

REPORT FOR 11/24/2020 TO 11/30/2020

STATE OF COLORADO)
) S.S.
COUNTY OF ARAPAHOE)

WE, COMMISSIONER _____, CHAIR, AND COMMISSIONER _____, FINANCE
OFFICER OF THE BOARD OF COUNTY COMMISSIONERS OF ARAPAHOE COUNTY, COLORADO HEREBY CERTIFY THAT THE AWARDS AS HEREIN
SET FORTH IN WARRANTS NUMBERED 2400248311 TO 2400248633 INCLUSIVE ARE THE AWARDS MADE TO THE RESPECTIVE PERSONS
IN THE AMOUNTS SET OPPOSITE THEIR NAMES FOR THE DATES OF 11/24/2020 THROUGH 11/30/2020 ; THAT THE AWARDS AS SET
FORTH ON THIS DATE HAVE BEEN APPROVED, AND WARRANTS IN PAYMENT THEREOF ORDERED DRAWN UPON THE RESPECTIVE FUNDS
AS OF 11/30/2020 TOTALING THE SUM OF \$ 5,813,269.58.

CHAIR

FINANCE OFFICER

TOTAL WARRANTS 3,218,198.23
TOTAL ACH 2,595,071.35
REPORT TOTAL 5,813,269.58

KAC 11/30/2020



Arapahoe County

5334 South Prince Street
Littleton, CO 80120
303-795-4630
Relay Colorado 711

Board Summary Report

File #: 20-036

Agenda Date: 1/5/2021

Agenda #: 6.h.

To: Board of County Commissioners

Through: Click or tap here to enter text.

From: Click or tap here to enter text.

Subject:

Warrant ACH Expenditure Report: December 7, 2020

Purpose and Recommendation:

Authorization to sign the Warrant Disbursement Register

Ron Carl, County Attorney

Background:

Click or tap here to enter text.

Discussion:

Click or tap here to enter text.

Alternatives:

Click or tap here to enter text.

Fiscal Impact:

Click or tap here to enter text.

Reviewed By:

Click or tap here to enter text.

Attachments:

Click or tap here to enter text.

REPORT FOR 12/01/2020 TO 12/07/2020

STATE OF COLORADO)
) S.S.
COUNTY OF ARAPAHOE)

WE, COMMISSIONER _____, CHAIR, AND COMMISSIONER _____, FINANCE OFFICER OF THE BOARD OF COUNTY COMMISSIONERS OF ARAPAHOE COUNTY, COLORADO HEREBY CERTIFY THAT THE AWARDS AS HEREIN SET FORTH IN WARRANTS NUMBERED 2400248634 TO 2400249071 INCLUSIVE ARE THE AWARDS MADE TO THE RESPECTIVE PERSONS IN THE AMOUNTS SET OPPOSITE THEIR NAMES FOR THE DATES OF 12/01/2020 THROUGH 12/07/2020 ; THAT THE AWARDS AS SET FORTH ON THIS DATE HAVE BEEN APPROVED, AND WARRANTS IN PAYMENT THEREOF ORDERED DRAWN UPON THE RESPECTIVE FUNDS AS OF 12/30/2020 TOTALING THE SUM OF \$ 10,016,783.44.

CHAIR

FINANCE OFFICER

TOTAL WARRANTS 5,968,583.54
TOTAL ACH 4,048,199.90
REPORT TOTAL 10,016,783.44

KAC 12/7/2020



Arapahoe County

5334 South Prince Street
Littleton, CO 80120
303-795-4630
Relay Colorado 711

Board Summary Report

File #: 20-038

Agenda Date: 1/5/2021

Agenda #: 6.i.

To: Board of County Commissioners

Through: Click or tap here to enter text.

From: Click or tap here to enter text.

Subject:

Warrant ACH Expenditure Report: December 14, 2020

Purpose and Recommendation:

Authorization to sign the Warrant Disbursement Register

Ron Carl, County Attorney

Background:

Click or tap here to enter text.

Discussion:

Click or tap here to enter text.

Alternatives:

Click or tap here to enter text.

Fiscal Impact:

Click or tap here to enter text.

Reviewed By:

Click or tap here to enter text.

Attachments:

Click or tap here to enter text.

REPORT FOR 12/08/2020 TO 12/14/2020

STATE OF COLORADO)
) S.S.
COUNTY OF ARAPAHOE)

WE, COMMISSIONER _____, CHAIR, AND COMMISSIONER _____, FINANCE OFFICER OF THE BOARD OF COUNTY COMMISSIONERS OF ARAPAHOE COUNTY, COLORADO HEREBY CERTIFY THAT THE AWARDS AS HEREIN SET FORTH IN WARRANTS NUMBERED 2400249072 TO 2400249468 INCLUSIVE ARE THE AWARDS MADE TO THE RESPECTIVE PERSONS IN THE AMOUNTS SET OPPOSITE THEIR NAMES FOR THE DATES OF 12/08/2020 THROUGH 12/14/2020 ; THAT THE AWARDS AS SET FORTH ON THIS DATE HAVE BEEN APPROVED, AND WARRANTS IN PAYMENT THEREOF ORDERED DRAWN UPON THE RESPECTIVE FUNDS AS OF 12/30/2020 TOTALING THE SUM OF \$ 24,735,268.49.

CHAIR

FINANCE OFFICER

TOTAL WARRANTS 13,788,383.24
TOTAL ACH 10,946,885.25
REPORT TOTAL 24,735,268.49

KAC 12/14/2020



Arapahoe County

5334 South Prince Street
Littleton, CO 80120
303-795-4630
Relay Colorado 711

Board Summary Report

File #: 20-039

Agenda Date: 1/5/2021

Agenda #: 6.j.

To: Board of County Commissioners

Through: Click or tap here to enter text.

From: Click or tap here to enter text.

Subject:

Warrant ACH Expenditure Report: December 21, 2020

Purpose and Recommendation:

Authorization to sign the Warrant Disbursement Register

Ron Carl, County Attorney

Background:

Click or tap here to enter text.

Discussion:

Click or tap here to enter text.

Alternatives:

Click or tap here to enter text.

Fiscal Impact:

Click or tap here to enter text.

Reviewed By:

Click or tap here to enter text.

Attachments:

Click or tap here to enter text.

REPORT FOR 12/15/2020 TO 12/21/2020

STATE OF COLORADO)
) S.S.
COUNTY OF ARAPAHOE)

WE, COMMISSIONER _____, CHAIR, AND COMMISSIONER _____, FINANCE OFFICER OF THE BOARD OF COUNTY COMMISSIONERS OF ARAPAHOE COUNTY, COLORADO HEREBY CERTIFY THAT THE AWARDS AS HEREIN SET FORTH IN WARRANTS NUMBERED 2400249469 TO 2400249846 INCLUSIVE ARE THE AWARDS MADE TO THE RESPECTIVE PERSONS IN THE AMOUNTS SET OPPOSITE THEIR NAMES FOR THE DATES OF 12/15/2020 THROUGH 12/21/2020 ; THAT THE AWARDS AS SET FORTH ON THIS DATE HAVE BEEN APPROVED, AND WARRANTS IN PAYMENT THEREOF ORDERED DRAWN UPON THE RESPECTIVE FUNDS AS OF 12/30/2020 TOTALING THE SUM OF \$ 8,123,718.83.

CHAIR

FINANCE OFFICER

TOTAL WARRANTS 3,566,916.82
TOTAL ACH 4,556,802.01
REPORT TOTAL 8,123,718.83

fac 12/21/2020



Arapahoe County

5334 South Prince Street
Littleton, CO 80120
303-795-4630
Relay Colorado 711

Board Summary Report

File #: 20-041

Agenda Date: 1/5/2021

Agenda #: 6.k.

To: Board of County Commissioners

Through: Click or tap here to enter text.

From: Click or tap here to enter text.

Subject:

Warrant ACH Expenditure Report: December 28, 2020

Purpose and Recommendation:

Authorization to sign the Warrant Disbursement Register

Ron Carl, County Attorney

Background:

Click or tap here to enter text.

Discussion:

Click or tap here to enter text.

Alternatives:

Click or tap here to enter text.

Fiscal Impact:

Click or tap here to enter text.

Reviewed By:

Click or tap here to enter text.

Attachments:

Click or tap here to enter text.

REPORT FOR 12/22/2020 TO 12/28/2020

STATE OF COLORADO)
COUNTY OF ARAPAHOE) S.S.

WE, COMMISSIONER _____, CHAIR, AND COMMISSIONER _____, FINANCE OFFICER OF THE BOARD OF COUNTY COMMISSIONERS OF ARAPAHOE COUNTY, COLORADO HEREBY CERTIFY THAT THE AWARDS AS HEREIN SET FORTH IN WARRANTS NUMBERED 2400249847 TO 2400250079 INCLUSIVE ARE THE AWARDS MADE TO THE RESPECTIVE PERSONS IN THE AMOUNTS SET OPPOSITE THEIR NAMES FOR THE DATES OF 12/22/2020 THROUGH 12/28/2020 ; THAT THE AWARDS AS SET FORTH ON THIS DATE HAVE BEEN APPROVED, AND WARRANTS IN PAYMENT THEREOF ORDERED DRAWN UPON THE RESPECTIVE FUNDS AS OF 12/30/2020 TOTALING THE SUM OF \$ 9,057,153.10

CHAIR

FINANCE OFFICER

TOTAL WARRANTS 4,511,386.31
TOTAL ACH 4,545,766.79
REPORT TOTAL 9,057,153.10

Kac 12/28/2020



Arapahoe County

5334 South Prince Street
Littleton, CO 80120
303-795-4630
Relay Colorado 711

Board Summary Report

File #: 20-021

Agenda Date: 1/5/2021

Agenda #: 7.a.

To: Board of County Commissioners

Through: Bryan Weimer, Director, Public Works and Development

From: Kat Hammer, Planner II, Public Works and Development

Subject:

LDC19-002 Billboard and Off-Premise Signs and Conversions to Electronic Message Signs/Electronic Message Boards - Draft Language

Purpose and Recommendation:

Consideration of a request to adopt amendments to sign regulations to address off-premise signs, new billboards and the conversion of existing billboards to electronic message boards (EMB). Staff is proposing amended regulations, which would prohibit any new billboards and conversion of any existing static billboard to an EMB in unincorporated Arapahoe County. Staff also recommends removing the existing provision in the Land Development Code that would allow other off-premise signs, not billboards by reason of size. By eliminating the allowance for billboards and off-premise signs under the current Code, the draft regulations will also eliminate the Use by Special Review approval process currently required for those types of signs.

Background:

Staff conducted research on 20 neighboring jurisdictions' regulations, completed outreach with stakeholders via formal referral processes, developed draft regulations and engaged the Board of County Commissioners and Planning Commission. On December 1, 2020, the Planning Commission voted 7-0 to recommend approval of the draft regulations. No members of the public spoke regarding the proposed amendments.

Staff has received inquiries for new billboards and for conversion of existing billboards to electronic message boards. Pursuant to Resolution No. 190273, the Board of County Commissioners approved a 6-month temporary moratorium on May 7, 2019, on the acceptance and processing of applications for any new billboard or other off-premise sign and on applications for conversion of any existing billboard or other off-premise sign to an electronic messaging sign. Prior to the moratorium adoption, Arapahoe County received applications for two billboards: one proposed at Belleview and I-25 and the other proposed at Hampden Avenue/Highway 285 and Knox Court. The billboard proposed at Belleview and I-25 is being processed as a Specific Development Plan with Zoning (SDPZ) and the billboard proposed at Hampden Avenue and Highway 285 is being processed as an Use by Special Review (USR). Staff continues processing those applications, and the County is awaiting responses to the most recent review comments. The proposed regulations would not affect those applications, which were submitted before the moratorium. Pursuant to Resolution No. 190527, this temporary moratorium was extended to February 7, 2020. Resolution No. 200109, Resolution No. 200232 and Resolution No. 200578 further extended the temporary moratorium to May 7, 2020, September 7, 2020, and January 7, 2021,

respectively.

Discussion:**Links to Align Arapahoe**

This request contributes to the “Quality of Life” for Arapahoe County Citizens. Prohibiting billboards, a sign form larger and often out of character with surrounding areas’ sign requirements, will help promote public health, safety and improve the general welfare of the unincorporated community and people driving on County roads.

Arapahoe County Comprehensive Plan

The proposed amendment is consistent with the Arapahoe County Comprehensive Plan policies and goals:

Policy NL 2.1 - Require New Development to be Compatible with Existing Residential Neighborhoods

Prohibiting new billboards and the conversion of existing billboards to EMC will likely increase the compatibility with existing residential neighborhoods by reducing obstructions to scenic views.

Strategy NL 2.1(a) - Review and Amend Zoning Regulations to Include Compatibility Criteria

The County will review and amend, as necessary, zoning regulations to include elements of compatibility as approval criteria for any rezoning, use by special review or special exception use.

The proposed amendment will eliminate the USR process required for new billboards in unincorporated Arapahoe County. Staff recommends eliminating the USR process due to constitutional issues. Prohibiting new billboards would reduce the likelihood of large signs, which can be incompatible with residential areas and other, smaller signs in commercial areas.

Policy EH 3.1 - Promote a High-Quality Urban Environment in all New and Redeveloped Employment Centers and Commercial and Industrial Development. Arapahoe County will promote design and site planning of the physical environment of employment centers and commercial development that conveys a positive image for the community.

The proposed amendment will eliminate new billboards in new and redeveloped employment centers and commercial and industrial development, which will likely convey a positive image for the community.

Since the temporary moratorium was approved, staff has discussed this with the following Divisions and agencies: Arapahoe County Planning, Arapahoe County Zoning, Colorado Department of Transportation (CDOT) and billboard industry representatives. Staff has compiled and presented research regarding other jurisdictions’ regulations and safety of electronic billboards and EMB. Since July 2019, staff presented billboard information at seven Board of County Commissioners study sessions and one Planning Commission study session. The attached Planning Commission staff report summarizes the topics discussed at each of those study sessions.

On December 1, 2020, Planning Commission held a public hearing on the proposed billboard regulations. Staff provided the Planning Commission with the draft regulations and the comments received from referral agencies. The Planning Commissioners did not have any comments or questions for staff and voted 7-0 recommending approval. No members of the public commented on the proposed regulations.

Recommended Regulations

Staff is recommending adopting regulations, which will prohibit any new billboards in unincorporated Arapahoe County and will prohibit the conversion of existing billboards to electronic message board billboards. The proposed regulations will also prohibit billboards proposed on land zoned or to be zoned for Planned Unit Developments. Existing billboards would be treated as legal non-conforming uses under the Land Development Code.

The proposed regulations will also amend the definition of a billboard and define a billboard by its size and its proposed location relative to roads and highways without reference to the content of the sign as required under developing court precedent. This is intended to remove the off-premise/on-premise distinction upon which the existing definitions in the Land Development Code are based. The proposed regulations define billboards as any sign exceeding 48 square feet per sign face or a sign exceeding six feet in height and that is oriented towards a public road with an intent to advertise to travelers on such road. The draft regulations would not allow billboards, EMB billboards or the conversion of old existing billboards to EMB billboards.

The draft regulations are attached to this report.

If the draft regulations are approved, the regulations will:

- Prohibit new billboards
- Prohibit establishing billboards through a PUD process
- Prohibit conversion of existing billboards to EMCs
- Continue to recognize existing billboards as nonconforming, subject to nonconforming provisions of the code (maintenance)
- Clarify that freestanding signs under 48 square feet are not billboards
- Provide limitations of some freestanding signs to 48 square feet
- Limits fascia sign/wall sign EMC size to 48 square feet

- Prohibit freestanding signs are the primary use of any property
- Reduce the dwell time for EMCs from five minutes to one minute
- Add definitions for interior sign, electronic message board, permanent freestanding sign, and structure, sign
- Revise definitions for sign, billboards, flashing signs and temporary signs

The draft regulations are attached to this report. Staff sent the draft regulations out for external referral on November 20, 2020. A summary of the referral comments received by the County as of December 22, 2020, are attached to this report. Based on the comments received, staff is not proposing any changes to the regulations.

Alternatives:

The Board of County Commissioner has three alternatives:

1. Approve the proposed Land Development Code amendment as presented or with changes; or
2. Continue to a date certain for more information; or
3. Deny the proposed amendment

Fiscal Impact:

While some properties may have lower property values than would otherwise occur if those properties were to be approved for a billboard, other properties may retain their value or see increased value as a result of not being impacted by new or converted billboards.

Reviewed By:

Jason Reynolds, Current Planning Program Manager
Jan Yeckes, Planning Division Manager
Bryan Weimer, Director of Public Works and Development
Todd Weaver, Finance Department
Bob Hill, Senior Assistant County Attorney
John Christofferson, Deputy County Attorney

Attachments:

LDC19-002 - PC Report for 12-01-2020 Public Hearing
LDC19-002 - Motions
LDC19-002 - Draft Resolution
LDC19-002 - Proposed Sign Code Billboard Regulations Final wWeldCorrections
LDC19-002 Summary of External Referral Responses
LDC19-002 Referral Responses Combined
LDC19-002 BoCC PowerPoint 01-05-2021

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

WHEREAS, Sections 29-20-101, *et seq.*, Colorado Revised Statutes (C.R.S.), and Sections 30-28-113, -116 and -133, C.R.S., provide broad land use authority within the unincorporated territory of Arapahoe County to the Board of County Commissioners (the Board) and further provide that the Board has the power to adopt and amend the zoning regulations and subdivision regulations after notice to and recommendation from the Planning Commission, all as set forth in such statutes; and

WHEREAS, the Board has adopted the Arapahoe County Land Development Code, which establishes the zoning and subdivision regulations for unincorporated Arapahoe County, and from time to time the Board considers proposed amendments to the Land Development Code and such zoning and subdivision regulations, all in accordance with such statutory authority; and

WHEREAS, the Department of Public Works and Development, Planning Division staff, has made recommendations for certain amendments to the Arapahoe County Land Development Code, Case No. LDC19-002, concerning billboard and off-premise signs, and forwarded such proposed amendments to the Arapahoe Planning Commission for review and recommendation; and

WHEREAS, on December 1, 2020, the Planning Commission held a duly notice public hearing, heard such public comment as was presented, and reviewed and considered the Planning Division staff's proposed recommended amendments to the Land Development Code, and following such public hearing, the Planning Commission voted to recommend approval of the proposed amendments to the Land Development Code; and

WHEREAS, Notice of a Public Hearing to be held on January 5, 2020 on the proposed amendments to the Land Development Code was published on December 17, 2020 in The Villager, a newspaper of general circulation in the County, and was also published on December 15, 2020 in the I-70 Scout, a newspaper with circulation in the eastern part of Arapahoe County; and

WHEREAS, on January 5, 2021, in accordance with the published notice, the Board held a Public Hearing on the proposed amendments to the Land Development Code; and

WHEREAS, evidence was presented to establish that all notice and other procedural requirements required by law for amending the Land Development Code were followed, and to establish the Board's jurisdiction to hear and decide on the proposed amendments; and

WHEREAS, Planning Division and Legal staff presented and explained the proposed amendments, and responded to Board questions and comments concerning the proposed amendment; and

WHEREAS, following the presentation by County staff, the Chair opened the Hearing for public comment and the Board heard and considered such public comment as was presented on the proposed amendment; and

WHEREAS, the Board hereby makes the following findings:

A. The Board finds and determines:

1. That the statutory jurisdictional requirements have been met.

2. That the Public Hearing was opened and that the public had opportunity for public input and comment on the proposed amendments.
 3. That the Board has jurisdiction to hear, consider and act upon the proposed amendments to the Land Development Code.
 4. That the proposed amendments to the Land Development Code are consistent with the Arapahoe County Comprehensive Plan.
- B. The Board further finds and concludes that the proposed amendments to the Land Development Code are appropriate and lawful land use regulations for the unincorporated territory of Arapahoe County, that the proposed amendments will promote the community's interest in reasonable stability in zoning and subdivision regulations, and that the proposed amendments are in the public interest and for the public good.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County, Colorado to adopt the following revisions to the Land Development Code:

[text of code amendment to be inserted here]

BE IT FURTHER RESOLVED by the Board of County Commissioners of Arapahoe County that the provisions of the Land Development Code amended by this Resolution are hereby repealed.

BE IT FURTHER RESOLVED by the Board of County Commissioners of Arapahoe County that Planning Division staff with the approval of the County Attorney is hereby authorized to correct typographical errors and make such text revisions to this Code amendment as are reasonably necessary to incorporate the approved amendment into the Land Development Code for publication.

BE IT FURTHER RESOLVED by the Board of County Commissioners of Arapahoe County, Colorado that the above action is an emergency measure necessary for the protection of the public health, safety, and welfare, and that the amendments to the Land Development Code approved by this Resolution shall be effective immediately and shall be included in the next printing of the Land Development Code.

The vote was:

Commissioner Baker, ; Commissioner Conti, ; Commissioner Holen, ; Commissioner Jackson, ; Commissioner Sharpe, .

The Chair declared the motion carried and so ordered.

LDC19-002

Billboards & Off-Premise Signs

Land Development Code Amendment

Arapahoe County Board of County Commissioners

January 5, 2021

Presenter: Kat Hammer



Proposal:

This county-initiated application to amend the Land Development Code would include new language and requirements that amend the provision for billboards and other off-premise signs in Unincorporated Arapahoe County, including the conversion of any existing billboard or other off-premise sign to an Electronic Message Center (EMC).

Background:

- Developers and Industry Representatives inquiring about conversion of existing billboards to EMC and reducing dwell time for EMCs
 - Our current regulations do not specifically address conversions of static billboards to EMCs
 - Currently the dwell time for EMC is 5 minutes (proposing reducing dwell time to 1 minute)
- Currently 11 billboards in unincorporated Arapahoe County (non-conforming)
 - No new billboard has been constructed for over 15 years
- County Attorney's office has expressed concern over the constitutionality of the existing USR process
- Moratorium originally adopted May 7, 2019 (set to expire January 7, 2021)

Existing Billboard & Off-Premise Regulations:

- Billboards are permitted in I-1, I-2, B-3, B-4 and B-5 zone districts
- Billboards must be setback at least 500 feet from existing billboards and 500 feet from residentially zoned property
- The current regulations are not clear as to whether or not billboards can be permitted through the PUD process
- The current regulations do not identify whether billboards can be EMCs, or identify a process to convert static billboards to EMCs
- The minimum dwell time for EMCs is 5 minutes

Proposal:

- Prohibit new billboards County wide
- Prohibit establishing billboards through a PUD process
- Prohibit conversion of existing billboards to EMCs
- Continue to recognize existing billboards as nonconforming, subject to nonconforming provisions of the code (maintenance)
- Clarify that freestanding signs under 48 square feet are not billboards
- Prohibit freestanding signs as the primary use of any property
- Reduce the dwell time for EMCs from five minutes to one minute
- Add definitions for interior sign, electronic message board, permanent freestanding sign, and structure, sign
- Revise definitions for sign, billboards, flashing signs and temporary signs

Process:

- Referrals were sent out to external referral agencies and industry representatives November 20, 2020
- The outside referral period closed on December 21, 2020
- All of the referral comments are included in the packets. A summary of the comments is also included
- Based on the comments received staff is not proposing any changes.

Outside Referral:

Referral sent to approximately 200 agencies on November 20, 2020. Deadline for outside referral is December 20, 2020

Referral Responses Received:

- E470 Public Highway Authority – No comments
- May Farms – Concerns about existing signs & flags. Would like the County to consider different regulations in more rural areas of the County.
- Strasburg School District – No concerns
- Denver South – No comments
- Thunder Ranches HOA – Concern with more regulation

Outside Referral:

Referral sent to approximately 200 agencies on November 20, 2020. Deadline for outside referral is December 20, 2020

Referral Responses Received:

- Weld County – No major concerns, provided suggestions
- REAP- Questions regarding distinction between Urban and Rural areas and relationship to various road types
- CDOT – Advertising – No comments
- Centennial Properties – No comments but would like County to enforce political signs
- Town of Parker- No concerns

Outside Referral:

Referral sent to approximately 200 agencies on November 20, 2020. Deadline for outside referral is December 20, 2020

Referral Responses Received:

- Centennial Properties/Cherry Vista HOA – no concerns about proposed changes
- UACED – Supportive of proposed amendments for urban areas. Not supportive of proposed amendment prohibiting billboards in more rural areas.
- Mile High Outdoor Advertising. – Strong opposition. Would like County to consider allowing conversion from existing static billboards to an EMB billboard on a case-by-case basis for all the reasons stated in the letter dated December 18, 2020.

Outside Referral:

Referral sent to approximately 200 agencies on November 20, 2020. Deadline for outside referral is December 21, 2020

Referral Responses Received:

- Scenic Colorado – Supportive
- East Arapahoe Advisory Planning Commission – Tom Coker – mixed feelings on the issue.
- City of Centennial – No additional comments
- City of Cherry Hills Village – Supportive of proposed amendment
- City of Sheridan – supportive of proposed amendments
- Town of Columbine – no concerns

Recommendation and Questions

- Planning Commission and Arapahoe County staff recommend approval
- Questions?

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LDC19-002 DRAFT MOTIONS: Staff has prepared the following motions to assist the Board.

DRAFT MOTIONS:

APPROVE: *This action would be consistent with the Planning Commission and staff recommendation. To approve with changes, any changes to the text of the amendment should be read into the record as part of the motion.*

In the case of LDC19-002, Arapahoe County Billboard and Off-Premise Sign amendment, the Board of County Commissioners has reviewed the staff report, including all exhibits and attachments, and has 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 stipulations:

1. Staff, with the approval of the County Attorney, may correct typographical errors and make such text revisions to this Code amendment as are reasonably necessary to incorporate the approved amendment into the Land Development Code for publication.
2. Staff will update the Development Application Manual as necessary and in accordance with the provisions of Resolution No. 190390, providing for additions to the Development Application Manual.

Alternative Motions – The following motions are provided as alternatives to the recommended motion for Conditional Approval:

DENY: *This action would not be consistent with the Planning Commission or staff recommendation.*

In the case of LDC19-002, Arapahoe County Billboard and Off-Premise Sign amendment, the County Commissioners have reviewed the staff report, including all exhibits and attachments, and have considered the proposed code amendment and any public comment as presented at the public hearing. I hereby move to DENY this application for the following reasons:

1. *State basis for motion to deny.*

CONTINUE TO DATE CERTAIN:

In the case of LDC19-002, Arapahoe County Billboard and Off-Premise Sign amendment, I move to continue the hearing to [date], 9:30 a.m., at this same location, to obtain additional information and to further consider the information presented.

LDC19-002 Arapahoe County Land Development Code – Billboards and Off-Premise Signs

Kat Hammer, Planner II

November 17, 2020

This county-initiated application to amend the Land Development Code would include new language and requirements that amend the provision for billboards and other off-premise signs in Unincorporated Arapahoe County, including the conversion of any existing billboard or other off-premise sign to an Electronic Message Center (EMC). Please note the industry uses the term EMC, which equates to Electronic Message Board (EMB) in our regulations.

Request and Recommendation

Staff and the Board of County Commissioners (BOCC) recommends developing regulations that will prohibit any new billboards and conversion of any existing static billboard to an EMC in unincorporated Arapahoe County. Staff also recommends removing the existing provision in the Land Development Code that would allow other off-premise signs, not billboards by reason of size. The draft regulations will also eliminate the Use by Special Review (USR) approval requirement for such signs. Staff researched 20 jurisdictions' billboard regulations, received input from industry representatives and Colorado Department of Transportation (CDOT), held nine study sessions with the Board of County Commissioner, held one study session with the Planning Commission and has developed draft regulations (attached to this report). Staff sent the draft regulations out for external referral on November 20, 2020 and expects to receive input from external referrals no later than December 21, 2020. The external referral comments received prior to November 30, 2020 will be summarized and sent to the Planning Commission via email, by November 30, 2020. Staff requests a recommendation of approval from the Planning Commissioners on these draft regulations.

Background

A number of developers and industry representatives have contacted the Planning Division over the last few years to express the desire to construct new billboards, to convert existing billboards to electronic message boards (EMBs), and to reduce the dwell time for EMBs. A new billboard has not been constructed in unincorporated Arapahoe County in at least 15 years, and there are no Use by Special Review approvals on file for the existing billboards (current regulations require a USR for placement of a billboard). However, there is an important need to amend the existing Sign Code and the approval process set forth therein for billboards and other off-premise signs. The First Amendment strictly limits the County's ability to regulate signs as a matter of free speech and the County Attorney's office has expressed concern over the constitutionality of the existing USR process.

Pursuant to Resolution No. 190273, the Board of County Commissioners approved a 6-month temporary moratorium on May 7, 2019, on the acceptance and processing of applications for any new billboard or other off-premise sign and on applications for conversion of any existing billboard

or other off-premise sign to an electronic messaging sign. Prior to the moratorium adoption, Arapahoe County received applications for two billboards: one proposed at Bellevue and I-25 and the other proposed at Hampden Avenue/Highway 285 and Knox Court. Staff continues processing those applications and the County is awaiting responses to the most recent review comments. This temporary moratorium was extended to February 7, 2020, and further extended to May 7, 2020, September 7, 2020, and to January 7, 2021. The Board of County Commissioners are scheduled to make decision on the draft regulations on January 5, 2021.

Summary of BOCC and Planning Commission Study Sessions and Public Hearings

Since the temporary moratorium was approved and extended multiple times, staff has discussed this with the following Divisions and agencies: Arapahoe County Planning, Arapahoe County Zoning, Colorado Department of Transportation (CDOT) and billboard industry representatives. Staff has compiled and presented research regarding other jurisdictions' regulations and safety of electronic billboards and EMB. The history of the study sessions on the planned billboard and sign code amendments and the moratorium and public hearings, to date, are as follows:

July 29, 2019 BOCC Study Session

Anthony Lovato, CDOT, Outdoor Advertising Program Manager, presented CDOT's regulations to the BOCC. The BOCC asked staff to provide research regarding billboards and safety impacts.

September 10, 2019 BOCC Study Session

Staff presented research regarding billboards and safety impacts. The research on this topic is inconclusive due to the complexity of studying driver distraction. No billboard, road or driver is the same as another. The BOCC directed staff to provide draft language that permits new billboards and conversion of billboards with an approved Use by Special Review and a tentative schedule for review and consideration through a public hearing. The BOCC directed staff to draft language to prohibit billboards along certain travel corridors as part of an updated code for consideration through the hearing process.

October 22, 2019 BOCC Study Session

Staff presented draft USR and Billboard language and a tentative schedule. Commissioners requested staff to compile a list of referrals. The draft referral list was included in the October 29th public hearing packet.

October 29, 2019 BOCC Public Hearing

Staff requested the BOCC to extend the moratorium for three months to allow for staff to continue work on draft regulations and review legal and constitutional requirements for using codes. The BOCC approved a three-month moratorium, which expired February 7, 2020.

February 4, 2020 BOCC Public Hearing

The BOCC approved a three-month extension of the temporary moratorium to May 7, 2020.

April 14, 2020 BOCC Study Session

Staff proposed to the BOCC draft regulations that would establish Billboard Overlay Districts, which would identify potential areas in which billboards would be permitted within Arapahoe County. The BOCC asked staff to remove the Billboard Overlay Districts from the urban areas, which would mean no static to EMC conversions and no new billboards in those areas. Existing billboards would become non-conforming uses that could not be replaced or improved beyond routine maintenance. The BOCC expressed some support for maintaining the proposed Billboard Overlay District in the rural areas of the County and asked staff to look further into that option.

May 5, 2020 BOCC Public Hearing

The BOCC approved a four-month extension of the temporary moratorium to September 7, 2020.

June 2, 2020 BOCC Study Session

Staff proposed to and discussed with the BOCC three potential Billboard Overlay Districts in the non-urban area of the County. Staff also asked the BOCC to discuss appropriate spacing for billboards in the non-urban area. The BOCC directed staff to develop rules that could allow billboards in commercial, industrial, and agricultural zone districts in the rural Billboard Overlay Districts. Staff was directed to survey property owners along the three proposed Billboard Overlay District corridors in the rural areas, since adding billboards to agricultural zone districts represented an expansion of where billboards could potentially be located.

August 31, 2020 BOCC Study Session

Staff presented data from a survey sent to property owners within 600 feet of three proposed billboard overlay corridors, specifically, I-70, east of Watkins Road, East Quincy Avenue, east of Gun Club Road, and along Kiowa Bennett Road. More than two thirds (79%) of the survey respondents opposed allowing new billboards along all three proposed billboard overlay zones in the A-1 and A-E zone districts. Additionally, more than half (64%) of the respondents supported a county-wide prohibition on new billboards. The survey results are attached this report for reference. The BoCC directed staff to draft regulations prohibiting new billboards county-wide and to prohibit conversion of existing billboards to EMCs.

September 1, 2020 BOCC Public Hearing

The BOCC approved a four-month extension of the temporary moratorium to January 7, 2021.

October 6, 2020 Planning Commission Study Session

Staff presented an overview of the draft regulations to the Planning Commissioners for input. The Planning Commission requested clarification regarding the survey staff sent out to residents along three proposed billboard corridors and whether or not existing billboards will be able to be converted to EMBs under the draft regulations. Staff clarified that the proposed regulations will not allow existing billboards to be converted to EMBs. The Planning Commission requested additional information regarding first amendment restrictions. Staff summarized recent court case rulings and why staff has proposed changes that are intended to further comply with first amendment rights and avoid content regulation of signs. The Planning Commission also discussed the referral process, vehicular signs and business interests with staff.

October 19, 2020 BOCC Study Session

Staff provided the Commissioners with an update of the draft regulations and the process. Staff presented the information discussed with the Planning Commission and the proposed schedule moving forward. Commissioners requested clarification of the scope of the changes and previous billboard study sessions with the Board of County Commissioners. The Commissioners also asked for more information regarding CDOT's rules.

Discussion and Recommended Regulations

Staff has prepared draft regulations which will prohibit any new billboards in unincorporated Arapahoe County. The draft regulations will also prohibit billboards proposed on land zoned or to be zoned for Planned Unit Developments. The proposed regulations will define what a Billboard is by the size of the sign and its proposed location relative to roads and highways without reference to the content of the sign as required under developing court precedent. This is intended to remove the existing off/on premise based definitions in the Land Development

Code in their entirety. The draft regulations define billboards as any sign exceeding 48 square feet per sign face or a sign exceeding six feet in height and that is oriented towards a public road with an intent to advertise to travelers on such road.

If the draft regulations are approved, the regulations will:

- Prohibit new billboards
- Prohibit establishing billboards through a PUD process
- Prohibit conversion of existing billboards to EMCs
- Continue to recognize existing billboards as nonconforming, subject to nonconforming provisions of the code (maintenance)
- Clarify that freestanding signs under 48 square feet are not billboards
- Provide limitations of some freestanding signs to 48 square feet
- Prohibit freestanding signs are the primary use of any property
- Reduce the dwell time for EMCs from five minutes to one minute
- Add definitions for interior sign, electronic message board, permanent freestanding sign, and structure, sign
- Revise definitions for sign, billboards, flashing signs and temporary signs

The draft regulations are attached to this report. Staff sent the draft regulations out for external referral on November 20, 2020 and will provide the Planning Commissioners with a summary of the comments received by November 30, 2020.

Fiscal Impact

The proposed draft regulations should not result in any fiscal impact on the County.

Attachments

- Draft Regulations Clean Version
- Draft Regulations with Tracked Changes

4-1.5. Signs

A. INTENT

This Section 4-1.5 is designed to provide regulations for the erection and maintenance of signs. The general objectives of these regulations are to enhance the health, safety, welfare and convenience of the public and to achieve the following:

1. To promote the safety of persons and property by providing that signs not create a hazard due to collapse, fire, collision, decay or abandonment, and do not create traffic hazards by confusing or distracting motorists, by impairing the driver's ability to see pedestrians, obstacles or other vehicles, or to read traffic signs.
2. To promote the efficient communication of sign messages that provide information most needed and sought by the public, and to ensure that persons exposed to signs are not overwhelmed by the number of messages presented and are able to exercise freedom of choice to observe or ignore those messages according to the observer's purpose.
3. To protect the public welfare and to enhance the appearance and economic value of the landscape by protecting scenic views. In addition, signage shall not create a nuisance to persons using the public right-of-way, and shall not create a nuisance to occupancy of adjacent and contiguous property by their brightness, size, or height.
4. To preserve and promote the visual and aesthetic quality of the county in order to enhance citizen's quality of life, provide a favorable investment climate, and implement the goals of the County's adopted comprehensive plan.
5. To serve as general guidelines for the administration of signs through the Planned Unit Development process on rezoning and/or Detailed Development Plan applications, such as a Specific Development Plan.
6. To comply with all federal and state laws promoting freedom of speech and expression and content-neutral regulation of signs, as interpreted by relevant court decisions.

B. GENERAL PROVISIONS

1. A sign permit shall be required from the PWD Building Division for all signs exceeding six square feet in area, unless otherwise exempted by regulations within this Section ~~4-1.5-Chapter 1:4-1.5~~. In addition, a sign permit shall be required at any time the sign area is increased, and any time a static message sign is converted to an electronic message sign, or vice versa. Applications for sign permits shall be made to the Arapahoe County Department of Public Works and Development. Upon receipt of such application the Department shall act on the application within 60 days of the date of receipt of the application. Permit applications for any proposed sign shall be issued if the proposed sign meets the requirements of this Sign Code.
2. Freestanding signs permitted by these regulations shall be no taller than six feet to the top of the sign structure, unless otherwise permitted and the sign face shall be no larger than 48 square feet per face.
3. All requests for a sign permit shall be accompanied by a drawing that is fully dimensioned, showing the sign structure and message, and a site plan showing the location, setbacks, height and sign area of all proposed and existing signage.
4. Sign permit fees shall be established by the Board of County Commissioners and paid to the PWD Building Division.

5. Signs within PUDs shall comply with the provisions set forth within the General and/or Specific Development Plan for the parcel, as approved and/or amended by the Board of County Commissioners or otherwise as provided under the Land Development Code. However, these, except that no PUD may be approved to allow for the installation of a new billboard sign or to convert an existing billboard sign to an electronic message board billboard sign. These Sign Regulations shall govern if the General and/or Specific Development Plans do not otherwise address provisions required by these regulations (i.e., permits, prohibited signs, definitions, etc.).
 6. These regulations recognize other regulations pertaining to signage, such as the State of Colorado, Department of Highways, "Rules and Regulations Pertaining to Outdoor Advertising," effective January 1, 1984, as may be amended. Where any provision of these regulations cover the same subject matter as other regulations, the more restrictive regulation shall apply.
 7. Sign Area Measurement
 - a. Area to be Measured

The structure or bracing of a sign shall be omitted from the measurement unless the structure or bracing is made part of the message or face of the sign. Where a sign (including but not limited to an awning sign) has two display faces placed back to back, the area of only one face shall be included in determining the area of the sign.
 - b. Sign With Backing

The area of all signs with backing or a background, material or otherwise, that is part of the overall sign display shall be measured by determining the sum of the areas creating the smallest single perimeter enclosing the display surface or face of the sign including the frame, backing, face plates, nonstructural trim or other component parts if not used for support.
 - c. Signs Without Backing

The area of all signs without backing or a background, material or otherwise, that is part of the overall sign display shall be measured by determining the sum of the areas creating the smallest single perimeter enclosing the limits of each letter, word, written representation (including any series of letters), emblems, logos or figures of similar character including the frame, face plates, nonstructural trim or other component parts if not used for support.
 - d. All Other Signs or Combinations of Signs

The area of any sign having parts both with and without backing shall be measured by determining the total area constituting the smallest single perimeter enclosing the limits of either of the following combinations:
 - i. The display surface or face of the sign including all frames, backing, face plates, nonstructural trim: or
 - ii. Other component parts not otherwise used.
8. Illumination and Color

Illuminated signs shall be by illuminated by lighting internal to the sign. If this is not possible, the source of illumination shall be shielded and shall not cause glare on adjacent properties. Top of Building Signs located on office and industrial buildings shall not be illuminated after 10 p.m. or before 6 a.m.
9. Public Right-of-Way

All signs erected in public rights-of-way by the federal, state, or local government or by a public agency authorized by the federal, state, or local government for the purpose of controlling or directing the traveling public shall be exempt from the provision of these Regulations.

10. Maintenance

Signs and sign structures shall be maintained by their owners at all times in a state of good repair, with all braces, bolts, clips, supporting frame and fastenings free from deterioration, insect infestation, rot, rust, or loosening. Signs shall be able to safely withstand the maximum wind pressure for the area in which they are located. The County Building Inspector shall have the authority to order the repair, alteration, or removal of a sign or sign structure which constitutes a hazard to life or property. In the event that such a sign has not been removed, altered, or repaired within 30 days after written notification from the Director of PWD or a designated representative, or the County Zoning Administrator or a designated representative, the County shall have the authority to remove said sign or structure at the expense of the owner of the premises on which the sign is located, without liability to the County.

C. SIGNS NOT REQUIRED TO OBTAIN PERMITS

The following types of signs are allowed without need to first obtain a sign permit from the County:

1. Any official and legal notice issued by, or any sign or notice required to be installed by, any government, public body, person, officer, or court in performance of a public duty or in giving any legal notice.
2. Any interior sign located within an activity and/or structure and not visible from a public right-of-way or adjacent property.
3. Any tablet, plaque, or cornerstone etched or carved into or onto buildings.
4. One sign per building surface that does not exceed two square feet in size and does not project more than six inches from the building surface.
5. Any temporary sign erected for a period not to exceed ~~90~~90 consecutive days in a calendar year, that does not exceed six square feet in size and does not exceed four feet in height on any lot or property where the primary use is for a single-, two-, or multi-family residential structure. These temporary signs shall not be required to meet the minimum yard setback requirements of the districts in which they are located, but shall not impair visibility for traffic movement.
6. Any temporary sign erected for a period not to exceed ~~90~~90 consecutive days in a calendar year, that does not exceed 32 square feet in size, and that does not exceed four feet in height on any property where the primary use is agricultural, commercial or industrial. These temporary signs shall not be required to meet the minimum yard setback requirements of the zoning districts in which they are located, but shall not impair visibility for traffic movement.
7. Temporary site or building decorations that are displayed for a period of not more than 60 consecutive days and not more than 60 days in any one year.
8. Any sign that is located on a lot where the primary use is commercial or industrial, that is oriented primarily for viewing by persons travelling within the lot (and not from a public street or right-of-way), that does not exceed 10 square feet in size and does not exceed four feet in height. The signs allowed under this paragraph shall not be required

to meet the minimum yard setback requirements of the zoning district in which they are located, but shall not impair visibility for traffic movement.

9. Flags that are located on a lot where the primary use is single-, two-, or multifamily residential structure(s) and that do not exceed 20 square feet in size and are mounted on a pole that does not exceed 35 feet in height or the maximum height permitted in the zoning district in which the lot is located, whichever is less.
10. Flags that are located on a lot or parcel where the primary use is agricultural, commercial, or industrial and that do not exceed 50 square feet in size and are mounted on a pole that does not exceed 50 feet in height or the maximum height permitted in the zoning district in which the lot or property is located, whichever is less.

D. SIGNS PROHIBITED IN ALL DISTRICTS

The following types of signs are not permitted in any zoning district in unincorporated Arapahoe County:

1. Signs on which a message appears on more than 2 faces.
2. Signs constituting a traffic hazard.
No person shall install or maintain or cause to be installed or maintained any sign that simulates or imitates in size, color, lettering, or design any traffic sign or signal, or that includes any other words, phrases, symbols and/or characters that may interfere with, mislead or confuse traffic or otherwise create a traffic hazard.
3. Signs on public property.
Signs are prohibited on any street, median, island, parkway, sidewalk utility pole, tree, traffic control sign post, traffic signal, any other official traffic control device, within or projecting over any public road right-of-way, or on or projecting over any other public property without the approval of the government or public entity that owns or regulates traffic or activities on that public property, except that signs on bus benches and transit shelters that conform with this Section [Chapter 1:4-1-5](#) shall be permitted.
4. Obscene or unlawful materials.
It shall be unlawful for any person to exhibit, post or display, or cause to be exhibited, posted, or displayed upon any sign, anything of an obscene nature, or unlawful activity (as defined by the Colorado Revised Statutes, as amended, or as interpreted by the courts of the State of Colorado or the United States).
5. Signs on doors, windows, or fire escapes.
No sign shall be installed or maintained so as to prevent free ingress to or egress from any door, window or fire escape. No sign of any kind shall be attached to a stand pipe or fire escape, except those signs required by other codes or ordinances.
6. Animated or moving signs.
7. Interior and/or exterior signs visible from a public right-of way consisting of any moving, swinging, rotating, flashing, blinking, scintillating, fluctuating or otherwise animated light are prohibited, however this does not include electronic message boards that comply with this Chapter [Chapter 1:4-1-5](#).
- ~~8. General outdoor advertising signs.~~

~~9.8. Signs for the purpose of general outdoor advertising of products or services not located on the lot or parcel where the sign is located, unless approved by the Board of County Commissioners pursuant to the Land Development Regulations, Billboards.~~

~~10.9.~~ Vehicle signs.

Any automobile truck, or other vehicle that is wrapped or coated with materials or is decorated to be used and placed on a property as a sign or any trailer whose primary use is to convey a visual message rather than to transport persons, animals, or goods and is placed on a property to be used as a sign.

Commented [RH1]: Consider moving to Definitions

~~11.10.~~ Flags, banners or other devices designed or allowed to wave, flap or rotate with the wind that do not comply with Sections 4-1.5.C.8, 4-1.5.C.9, 4-1.5.F.5, 4-1.5.F.6, and/or 4-1.5.F.7.

~~12.11.~~ Signs in proximity to utility lines.

No sign shall be constructed or maintained that has less horizontal or vertical clearance, or that is located within any required easement width, from authorized communication or energized electrical power lines, than that required by the laws of the State of Colorado and regulations duly promulgated by agencies of the state or electric utilities authorized to serve Arapahoe County.

~~13.12.~~ Portable signs that are not permanently affixed to any structure on the site or permanently mounted to the ground.

~~14.13.~~ Any signs emitting sound.

~~15.14.~~ Roof-mounted signs or signs which project above the highest point of the building.

~~16.15.~~ Signs attached to a building which project perpendicularly from the building a distance of more than 18 inches.

~~17.16.~~ Signs attached parallel to the wall of a building, but mounted more than 18 inches from the wall.

E. ~~ON-PREMISE SIGNS~~ DISPLAYED ON RESIDENTIAL AND AGRICULTURAL PROPERTIES

1. For lots and parcels on which the primary use is agricultural or residential, the following ~~on-premise~~ signs shall be allowed on agriculturally or residentially zoned properties:
 - a. One sign per dwelling that does not exceed two square feet in area. No permit is necessary for this type of sign.
 - b. One temporary sign per primary structure containing a residential dwelling that is not a multifamily dwelling, that: 1) does not exceed six square feet in area, ~~that 2)~~ does not exceed four feet in height (including posts), and ~~that 3)~~ is not illuminated. These signs shall not be required to meet minimum yard setback requirements of the zone district in which they are located, but shall not impair visibility for traffic movement. No permit is necessary for this type of sign.
 - c. Temporary signs on vacant lots or parcels of land, provided that the total surface area of all such signs (does not exceed 100 square feet per lot or parcel, provided that the total surface area of any one sign does not exceed 50 square feet, and provided that the signs are set back at least 10 feet from the property boundaries and the public rights of way.

- d. One temporary sign per street frontage on each lot containing a primary structure with a multifamily or non-residential use, provided that the total surface area of each sign does not exceed 32 square feet per face (a maximum of two faces are permitted for each sign) and does not impair traffic visibility.
2. In Agricultural zoning districts A-E and A-1, one additional sign per permitted use, accessory use, special exception use or use by special review shall be permitted per street frontage, provided the total surface area of such signs does not exceed 50 square feet per lot or parcel.
3. One sign located at each entrance to a residential [property](#) from an adjacent public street, provided that the surface area of each sign does not exceed 40 square feet, the maximum height of such signs shall not exceed six feet, and the signs are located so as not to impair vehicular visibility.
4. Temporary signs located at the entrance to an approved subdivision where dwelling units are under construction or approved to be constructed; provided that no more than one sign is located adjacent to each street abutting the subdivision and that the total surface area of each sign face do not exceed 32 square feet. This type of sign shall be located at least 10 feet from the public right of way, but otherwise shall not be required to meet minimum yard setback requirements of the zoning district in which it is located and shall not remain erected after the last dwelling unit is sold, rented or leased.
5. One temporary sign per model home within an approved residential subdivision, provided that the surface area of each sign does not exceed 16 square feet. Such signage shall be located at least 10 feet from the public right of way, and shall not remain erected after the last model home is sold, rented or leased.

F. GENERAL PROVISIONS FOR ALL USES

1. Fascia Signage Message Heights

The maximum [allowable](#) height of fascia messages shall be determined by measuring the distance between the nearest adjacent public right-of-way and the location of the fascia upon which the fascia sign is to be placed, at the rates shown in the table below. Up to 10 percent of the width of the fascia may be occupied by message content up to one and one-half (1 ½) times the maximum height of the message height shown in the table below.

TABLE 4-1.5.1 LETTER HEIGHT FOR SIGNS		
Distance from R-O-W (feet)	Signs Between Top of Storefronts and Second Level Finish Floor (inches)	Top of Building Signs (inches)
0 - 50	12	18
51 - 100	18	24
101 - 150	24	30
151 - 200	30	36
201 - 250	36	42
251 - 300	42	48
301+	48	48

2. Fascia Signage Maximum Sign Area and Location

The maximum allowable sign area for any fascia sign shall be measured by multiplying the permitted letter height by two-thirds the length of the fascia or building elevation upon which such sign is placed, provided, however, that no fascia sign shall exceed 200

square feet, unless otherwise stated in this Section [Chapter 1:4-1-5](#) (see Sections 4-1.5.G, 4-1.5.H, and 4-1.5.I for additional limitations). In cases where a property user has two structures, one of which is accessory, whether attached or not, and more than one structure faces the same adjacent public right-of-way, only one of the structures will be permitted fascia signage. Fascia signage shall not be permitted to be placed above the first floor elevation for the structure upon which it is placed, unless otherwise specifically permitted in this Section [Chapter 1:4-1-5](#). Fascia signs may be placed on commercial buildings in only two locations: (1) the space between the top of storefronts and the second finish floor and, (2) Top of Building Signs (See Chapter 7, Sign, Top of Building). Fascia signs shall not overlap or cover features of the building, such as cornices, eaves, windows, door frames, columns and other decorative elements.

3. Top of Building Sign Locations

Top of Building Signs may not be located on building elevations adjacent to residential zoned property. Top of Building Signs shall not be visible from residences located within one-half mile of the building.

4. Additional Freestanding Signs

Up to two freestanding signs per access to a public right-of-way shall be permitted for each lot or parcel, or for contiguous lots or parcels under common ownership or control, provided that the included property contains at least 10 acres in land, the primary use of the property is institutional, commercial, or industrial, or a combination of such uses, each allowed additional sign does not extend more than six feet above ground level, and the total surface area of each sign does not exceed 48 square feet per sign face.

5. Banners

Banners shall be allowed and shall be limited to a total of one banner sign not exceeding 50 square feet in area per business, organization, or tenant. Banners for properties where the primary use is a multi-family structure(s) shall not exceed one 50 square foot banner per street frontage. Banners shall be securely mounted to wall or structure on the premises. Banners may be allowed on fencing for projects currently under construction. Banners are never allowed to be freestanding. Banners must be maintained in good repair at all times. These Banners may be authorized through an application for temporary use permit in accordance with this Land Development Code.

6. Flag Banners/Feather Flags

Flag banners/feather flags shall be allowed at a rate of two per business, organization, or tenant, provided that each banner and feather flag does not exceed 20 square feet in area, does not exceed 10 in height, is placed in a landscaped area, is set back at least 10 feet from each public right-of-way, and does not impede sidewalk pedestrian traffic. Flag banners/feather flags shall not be placed in any public right-of-way. These Flag banners/feather flags may be authorized through an application for temporary use permit in accordance with this Land Development Code.

7. Flags or Banners on Light Poles

Flags may be installed interior to a development, or banners may be attached to existing light poles interior to a development, provided that the flag or banner is not on or overhanging a public right-of-way and provided that the flag or banner does not exceed 15 square feet in size. These flags or banners may be authorized through an application for temporary use permit in accordance with this Land Development Code.

8. Electronic Message Boards

For any sign type that is proposed to have or be an electronic message board, the Electronic Message Board must meet the following performance and location standards:

- a. The information displayed on the sign face of an electronic message board during any one dwell time must be a complete message, ~~thought and/or advertisement~~ symbol, picture or other communication and shall be shown in its entirety at one time. No message ~~shall~~ symbol, picture or other communication visible on the sign face shall require a change in words, devices, symbols, etc., or additional words, devices, or symbols, etc., to complete ~~it~~ the message, symbol, picture or meaning other communication during a subsequent dwell time. At no time may the sign face flash, blink, rotate ~~or change~~, or feature animated/moving images or text. The minimum dwell time for a message, symbol, picture or other communication on a sign face is one (1) minute and no electronic message board sign face may not be changed more than once every five minutes and one minute. The message, symbol, picture or other communication on the sign face may include multiple colors. ~~The entire~~ The message, symbol, picture or other communication display must be turned off shall be static or any transition must occur instantaneously or over a period of no more than one (1) second while the sign face is being changed. ~~Lighting shall conform to chart below:~~

- ~~b. Candela-per-square meter shall mean a unit of measurement referring~~ Electronic message boards must be equipped with a sensor or other device that is programmed to determine the ambient illumination of exposed LED (light emitting diode) lighting and also referred to as nits.

- ~~c. The intensity of~~ automatically dim the LED display shall not exceed the levels specified in the table below according to ambient light conditions.

TABLE 4-1.5.2 LED-DISPLAY-INTENSITY		
Intensity levels (nits)		
Color	Daytime	Nighttime
Red only	3,150	1,125
Green only	6,300	2,250
Amber only	4,690	1,675
Full color	7,000	2,500

- c. No electronic message board may exceed a brightness level of 0.3 foot-candles above ambient light. Electronic message boards shall have a default mode to prevent the display from malfunctioning in a flashing or intermittent fashion.
- d. Electronic Message Boards are not permitted for Billboards.
- e. Electronic Message Boards are allowable only for signs that are otherwise permitted in in B-3, B-4, B-5, I-1 and I-2 zoning districts, as well as in commercial or industrial areas of a Planned Unit Development, provided that the PUD does not otherwise prohibit Electronic Message Boards.
- f. Wall-mounted/fascia signs of 48 square feet or smaller may have or be Electronic Message Boards.
- g. Nonconforming signs shall not be converted to Electronic Message Boards.

G. SPECIFIC PROVISIONS - OFFICE AND INDUSTRIAL USES

1. Single Tenant Office Building

~~An office building containing a single tenant shall be allowed a maximum of three signs.~~

The tenant shall be allowed to place more than one fascia sign on a building elevation (up to the maximum of three fascia signs), but in no event shall the total square footage of fascia signage placed on any one building elevation exceed 64 square feet. Only one Top of Building Sign per elevation is permitted. One freestanding sign per street frontage is permitted.

2. Multi-Tenant Office Building

An office building containing more than one tenant shall be allowed fascia signage and Top of Building signage at the same rate as permitted for the single tenant office building. Two freestanding signs per street frontage are permitted.

H. SPECIFIC PROVISIONS FOR HOTEL AND HOSPITAL USES

1. Fascia Signage

Hotels and hospitals shall be permitted a maximum of three fascia signs. The total square footage of fascia signage per building elevation shall not exceed 120 square feet or the square footage of the allowable letter height times one-half (1/2) the length of the building elevation containing the fascia sign, whichever is less.

2. Freestanding Project Identification Sign

One freestanding sign per street frontage shall be permitted provided that the sign does not exceed six feet in height, ~~or~~ 48 square feet per face.

I. SPECIFIC PROVISIONS FOR RETAIL USES

1. Single Tenant Retail Buildings

A building containing one retail tenant shall be permitted a maximum of three fascia signs and one freestanding sign. The freestanding sign shall not exceed six feet in height, ~~or~~ 48 square feet per face.

2. Multi-Tenant Retail Buildings

A building containing more than one retail tenant shall be permitted one fascia sign per entrance. Each tenant is allowed one fascia sign per storefront facing a public and/or private right-of-way. If the primary entrance to a multi-tenant retail building does not face a public right-of-way and if the rear of said building does not have an entrance but does face a public right-of-way, the rear fascia of the tenant's lease space may contain a fascia sign. Such fascia sign square footage shall not exceed one-half (1/2) of the size of the fascia sign located above the primary entrance to the lease space.

J. SPECIFIC PROVISIONS FOR CMRS FACILITIES

Commercial Mobile Radio Service Facilities (CMRS) shall be permitted only the signs allowed under Section 4-1.5.C, except as otherwise regulated by the use specific standards for CMRS facilities in Sections ~~Error! Reference source not found.3-3.8.A.~~ Owners/Operators are encouraged to provide emergency maintenance response information.

~~K. OFF-PREMISE SIGNS~~

~~K. OTHER FREESTANDING AND BUS STOP SIGNS~~

1. ~~Bus Stop or Transit Shelter~~

~~Bus stop or transit shelter signs shall be permitted in all zoning districts, and shall not be larger than the bench on which they are placed. At any officially recognized public bus or transit shelter, no more than one bench or transit shelter may be placed within the public right-of-way following issuance of applicable County permit. However, except that a maximum of two bus benches shall be permitted at any officially recognized public bus stop located along a designated arterial roadway. Complaints registered by adjacent property owner and/or a homeowners association regarding the condition or maintenance of the sign (but not its content) may be cause for removal of the bus bench or transit shelter and/or its advertising. Bus bench and transit shelter signs shall be maintained in good condition. This paragraph does not authorize advertising on buildings or light rail stations.~~

2. ~~Off-Premise Freestanding Signs~~

~~Off-premise signs Permanent Freestanding Signs are permitted in the B-3, B-4, B-5, I-1, and I-2 zoning districts, and within a Planned Unit Development, subject to the Use-By-Special-Review procedure an approved sign permit, provided that these the signs meet the following criteria:~~

- ~~a. Any off-premise sign shall meet the required accessory use setbacks for the zoning district in which it is located.~~
- ~~b. a. Off-premise Except as otherwise provided in these sign regulations, one permanent freestanding sign is permitted per lot or parcel of property. Permanent freestanding signs shall not extend more than six (6) feet above ground level and shall not exceed forty-eight (48) square feet in sign area per face.~~
- ~~c. The minimum distance between off-premise signs shall not be less than three hundred (300) feet.~~
- ~~d. Permits for off-premise signs shall be approved for periods of one (1) year each, which may be renewable.~~
- ~~e. The State of Colorado Department of Transportation (CDOT) has adopted "Rules and Regulations Pertaining to Outdoor Advertising Effective January 1, 1984," pursuant to the Colorado Revised Statutes (C.R.S., 43-1-401 et seq., as amended). On all properties within the unincorporated portions of Arapahoe County that abut Interstate 25 (I-25) and other state highways (Highway 83, Arapahoe Road, etc.), these State Highway Regulations, to the extent that they are more restrictive and comply with all requirements of state and federal law, are recognized to be in full force and effect and supersede these regulations.~~

~~L. BILLBOARDS~~

- ~~b. Permanent freestanding signs must be set back a minimum distance of five (5) feet from all adjacent public road rights-of-ways and five (5) feet from side and rear property lines property lines.~~
- ~~c. All permanent freestanding signs shall be accessory to an allowed non-residential use on a lot or parcel within the zone district and no freestanding sign may be the principal use on any lot or parcel of property.~~

d. Permanent freestanding signs proposed as electronic message boards must comply with the provisions of Section 4-1.5(f)(8).

e. Applicants for any permanent freestanding sign permit must obtain all applicable State of Colorado or CDOT approvals and all building permits required under the Arapahoe County building Code prior to erecting the sign.

L. BILLBOARDS

- ~~1. Billboards, because of their size, design, visual impact along public roadways and potential interference with public safety, are permitted only in B-3, B-4, B-5, I-1, and I-2 districts, and are subject to the Use-By-Special-Review procedure outlined in these Land Development Regulations, and to the following: are not permitted within unincorporated Arapahoe County, Colorado.~~
- ~~2. Billboards proposed to be erected on property abutting right-of-way for the Interstate or State Highway system require sign permit approval from the CDOT and the Public Works Department Building Division, or as may be required by federal and/or state laws.~~
- ~~3. The maximum sign area permitted for a billboard shall be 300 square feet per sign face, the maximum height of any billboard shall be 35 feet above ground level, and the location of each billboard shall not impair traffic visibility. If there are two sign faces they must be placed back to back on the same structure.~~
- ~~4. No billboard shall be located less than 500 feet of any other billboard.~~
- ~~5. No billboard shall be located within 500 feet of any residentially zoned property in any jurisdiction measured in a straight line in any direction from the nearest point on the sign structure to the residential zoning district boundary.~~
2. Any Billboard existing prior to May 19, 2019 shall be a non-conforming use as provided in Section 6-4.6 of this Land Development Code and shall be subject to such provision of the Land Development Code.

M. NONCONFORMING SIGNS

Nonconforming sign provisions are found in Section 6-4.6.

N. PLANNED SIGN PROGRAM

1. Intent

Chapter 5: A Planned Sign Program is intended to allow some flexibility and deviation from this Section ~~Chapter 1:4-1.5 (Signs)~~ in the location, design, number, size, and materials of signs permitted for freestanding signage for residential and nonresidential uses, as part of a cohesive sign package. Applicants may include, but are not limited to Metropolitan Districts, Master Developers, Business Improvement Districts, Neighborhood Associations, and/or Homeowners Associations. Except as set forth below, it is not the intent of these provisions to alter the permitted sign area for any residential or nonresidential use ~~or for any Billboard sign~~. Under this Section 4-1.5.N, an alternative sign package may be allowed as part of a comprehensive Planned Sign Program, notwithstanding the fact that such signs may not conform to all the specific sign regulations found elsewhere in this Land Development Code. **2.1.Purpose**

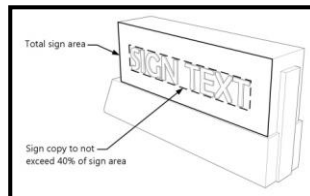
- a. To allow one or more contiguous lots or parcels under single or multiple ownership that contains at least 25 acres in land to create a branding or community identity program;
- b. To reallocate sign area allowed for freestanding signs;

Chapter 9: To allow for deviations from sign height, size, and setback requirements in this Section ~~Chapter 1:4-1.5 (Signs)~~ **Criteria**.

In addition to any other criteria ~~to be considered by the Public Works and Development Department and the Planning Commission-related~~ applicable to the approval of an application for a Planned Sign Program, the following criteria shall be considered:

- a. The application shall be made on behalf of an entire defined development area; individual businesses within a development may not apply for a Planned Sign Program.
- b. The Planned Sign Program may include standard templates for individual business signs as part of a coordinated sign plan.
- c. All signage shall be designed to be clean and to minimize visual clutter, with a minimal number of colors on the face of the sign;
- d. The proposed Planned Sign Program assures that the color scheme, lettering style and materials used in signs within the sign program are consistent with and coordinated within the Planned Sign Program area;
- e. The proposed signage shall present a cohesive and unified identity for the Planned Sign Program area;
- f. The proposed sign program does not negatively impact the safety of motorists and pedestrians and shall be developed in a manner compatible with the surrounding environment;
- g. The proposed sign program is compatible with surrounding land uses and the neighborhood and will not create a substantial adverse impact on adjacent properties or infrastructure;
- h. The total signage as presented shall be architecturally integrated;

- i. The height of individual freestanding signs within a Planned Sign Program for areas greater than 250 acres shall not exceed 55 feet for non-residential uses or 25 feet for residential uses;
- j. The height of individual freestanding signs within a Planned Sign Program for areas between 25 and 250 acres shall not exceed 35 feet for non-residential uses or 12 feet for residential uses;
- k. The sign copy for each sign shall not exceed 40 percent of each individual sign area shown on the plan set;
- l. Monument-style signs shall be designed with architecturally compatible bases and shall avoid a top-heavy appearance;
- m. No pole-mounted signs are permitted;
- n. An applicant who desires to include a sign program into a PUD shall do so either concurrent with the zoning amendment development review process or by a PUD modification development review process as provided for in this Code.
- o. Landscaping shall be included with the Planned Sign Program and shall be designed to minimize negative visual impact of the base of monument and ground signs;
- p. Signs, including associated lighting, shall be designed to minimize negative visual impacts to the adjacent properties;
- q. Signage may be allowed in the public right-of-way, on a case-by-case basis, subject to review and approval of the County Engineering Services Division;
- r. Signage contained within the Planned Sign Program shall not include signs with changeable messaging;
- s. Sign materials may be flexible, such as canvas or fabric, if approved as part of a Planned Sign Program;
- t. If an alternative setback is requested, such request shall be proposed as part of the Planned Sign Program;
- u. Signs approved as part of the Planned Sign Program and located adjacent to State Highways may be subject to additional requirements of the State of Colorado Department of Transportation (CDOT); and
- v. The Planning Commission may impose appropriate and reasonable conditions on the approval of any Planned Sign Program, including, but not limited to conditions which alter sign configurations, reduce sign area, relocate signs, or require other design modifications based upon the application's conformance with the criteria outlined in this Section 12-1.4.24-1.5.N.3.



4.3. Application and Submittal Requirements

Application and Submittal Requirements for a Planned Sign Program are found in the Development Application Manual, Section 2-10.

5.4. Approval Required

- a. Applicants for a Planned Sign Program shall obtain approval of a Planned Sign Program from the Board of County Commissioners prior to any signs being erected in or upon any structure or property. All signs erected or maintained within the structure or property shall conform at all times to the approved Planned Sign Program.

- b. The Planning Commission shall consider applications for a Planned Sign Program based on criteria stated in this Section 4-1.5.N.1 to ~~12-1.4.64-1.5.N.7~~ and after review and recommendation by the Public Works and Development Department.
- c. After Planning Commission review and recommendation of the Planned Sign Program, the item shall be placed on the consent agenda of the Board of County Commissioners for review and approval.
- d. Any deviations from an approved Planned Sign Program shall be unlawful unless and until ~~a revised~~ an amendment to the Planned Sign Program is approved by the Planning Division Manager and/or Board of County Commissioners to allow for the deviation.

6.5. Individual Sign Permits

Individual sign permits, along with all applicable fees, are required for signs contained within an approved Planned Sign Program. The sign permit is separate and distinct from any additional permit required by the Building Division, Planning Division or other agency within the County.

7.6. Amendment to an Existing Planned Sign Program

a. Administrative Amendment

The Planning Division Manager may administratively approve revisions to a Planned Sign Program, provided the proposed amendment does not alter the approved sign area, the height of any individual sign, or the setbacks.

b. Full Amendment

Modifications that fall outside of an Administrative Amendment shall follow the same provisions for approval of a Planned Sign Program.

c. Approval of Amendments to an Existing Sign Program

Provided that the proposed amendment complies with the applicable provisions of this Land Development Code, the proposed amendment will be approved.

O.B. REVOCATION OF A SIGN PERMIT

Chapter 13: Any signs found not to be in conformance with this provision of this Section ~~Chapter 1:4-1.5 (SignsSigns)~~ shall be subject to revocation of the sign permit. No refund of any fees will be made if the permit is revoked under the provisions of this Section ~~12-1.4.B4-1.5.O.~~

6-4.6, 18-4.6. Non-Conforming Signs

A. GENERAL PROVISIONS

The Intent Section describes an intended direction for the administration of signs in Arapahoe County. In order to reach those objectives, the eventual termination of signs which do not conform to these Regulations is both reasonable and desirable.

B. CONTINUANCE OF NONCONFORMING SIGNS

Except as provided in Section ~~18-4.6.C6-4.6.C~~ below, any nonconforming sign may be continued in operation and maintained after the effective date of this Section; provided, however, that no such sign shall be changed in any manner that increases the nonconformance of such sign with the provisions of this Section; and provided that the

burden of establishing a sign to be nonconforming under this Section rests entirely upon the person(s), firm, or corporation claiming a nonconforming status for a sign.

C. TERMINATION OF NONCONFORMING SIGNS

1. **Abandonment (Signs Relating to Inoperative Activities)**

Signs pertaining to activities or occupants that are no longer using a property shall be removed from the premises within 30 days after the associated activity or occupant has vacated the premises. Any such sign not removed within the required period shall constitute a nuisance and shall be subject to removal by action of the Arapahoe County Zoning Administrator.

2. **Violation**

Any violation of this Section and/or any pre-existing Arapahoe County sign provisions shall terminate immediately the right to maintain such sign.

3. **Destruction, Damage, or Obsolescence**

Destruction, Damage, or Obsolescence: the right to maintain any nonconforming sign shall terminate and shall cease to exist whenever the sign sustains damage in excess of 50 percent of the replacement cost, or becomes obsolete, or substandard to the extent that the sign becomes a hazard.

~~4. **Amortization**~~

~~The right to continue the use of a legal nonconforming sign shall terminate in accordance with the following schedule:~~

- ~~a. Animation, fluctuation, rotation, or flashing of any sign shall cease within 90 days of the effective date of this Section.~~
- ~~b. The use or display of banners, pennants, balloons, wind-operated signs, and other portable signs shall cease within 90 days of the effective date of this Section.~~
- ~~c. Other Signs: Arapahoe County recognizes a reasonable and proper amortization period of five years from the date that said sign is made non-conforming by Regulations adopted by the County.~~

D. NONCONFORMING DEVELOPMENT STANDARDS

Reserved

Chapter 7 Definitions

Section 7-2:

Animated Sign

Any sign, or any part thereof which changes physical position by means of movement or rotation.

Banner

A temporary sign that is not attached to a permanently mounted backing and/or that is allowed to wave, flap or rotate with the wind.

Sign, Billboard

Any permanent freestanding sign that is of a dimension exceeding forty-eight (48) square feet per sign face or exceeding six (6) feet in height above ground level. Billboard signs will often, but are not required to, be oriented towards a public street or highway.

Electronic Message Board

An Electronic Message Board (EMB), when allowed, is a component or feature of an otherwise permitted sign that is capable of displaying words, symbols, figures or images that can be electronically changed by remote or automatic means.

Display Surface

The display surface is the area made available by the sign structure for the purpose of displaying the advertising message.

Flag Banners/Feather Flags

Any sign, banner, valance or advertising display constructed of cloth, canvas, fabric, or other light material, with or without frames.

Flashing Signs

Any directly or indirectly illuminated sign, either stationary or animated, which exhibits changing natural or artificial light or color effects by any means.

Ground Sign

A sign structure supported by poles, uprights, or braces extending from or anchored into the ground but not attached to any part of the building.

Interior Sign

A sign that is located within the external boundaries of a development but not visible from any, or if visible the message is not discernible, from any public right-of-way adjacent to the lot or multi-lot development.

Marquee

A permanent roof structure attached to and entirely supported by a wall of a building, having no connection or relationship with the roof of the building to which it is attached.

Permanent Freestanding Sign

Any permanent sign that is erected as an individual or stand-alone structure, not attached to a building, wall, or fence.

Structure, Sign

See Sign Structure

Temporary Sign

Temporary signs shall include, but not be limited to, any exterior sign, banner, pennant, valance or other display:

- A. Which is constructed of cardboard, paper, cloth, canvas, fabric, plywood, light weight plastic or other light weight material, with or without frame; or
- B. Which is designed for short-term use, or to be moved about from place to place, or not permanently affixed to a nonmovable, non-portable supporting structure

Top of Building Sign

A sign located above the top row of windows and below the parapet edge or leading edge of the building roofline.

Wall Sign

A sign attached to, painted on, or erected against a wall or parapet wall of a building, structure or fence whose display surface is parallel to the face of the building, structure or fence and whose height does not exceed the height of the wall, structure or fence to which said sign is attached, painted upon, or against which said sign is erected.

Window Sign

A sign which is applied or attached to, or located within one (1) foot of the interior of a window, which sign can be seen through the window from the exterior of the structure.

LDC10-002 Billboards and Off-Premise Signs Land Development Code Amendment
 External Referral Responses and Staff Comments
 December 22, 2020

Referral Agencies	Referral Comment	Staff Comment
REAP	LDC19-002 Billboards and Off-Premise Signs Proposed Code Amendment does not distinguish between Rural and Urban Areas within this document. The I-70 Corridor has both urbanizing areas such as Strasburg and Byers communities, Prosper and Sky Ranch vs. the remainder of the Rural Areas. In addition, the how does this proposed code deal with the relationship between the various road types such as collectors (major and minor), local and highways?	Staff does not find it necessary to distinguish between rural and urban areas because billboards are proposed to be prohibited County-wide. The proposed amendment does not address the relationship between various road types.
Weld County Planning Department	<p>Thank you very much. Here are a few things I noticed that you might consider:</p> <ol style="list-style-type: none"> 1. Under C.5 and C.6, you might consider deleting “consecutive” if the intent is to limit temporary signs to 90 days per calendar year. As written, I think someone could put up a sign for 90 days, take it down for one day, and put it back up for another 90 days, etc. Or you could add “and not more than 90 days in any one year” like C.7. (These are so hard to enforce it may be a moot point, especially without permits.) 2. Space missing in C.7 (60days). 3. The second paragraph under D.9 at the top of page 5 appears to be a definition. 4. You might consider renaming E. from “On-Premise Signs” to something like “Specific Provisions for Residential and Agricultural Uses”. 5. In E.3 there is a word missing after “residential”. 6. In F.4, delete the “f” in “f48”. 7. In K the capitalization is different. 8. The font is different in K.2.c. 	Staff will address formatting errors as suggested and appropriate.
Denver South	No comments	
E470	No comments	
RTD	No comments	
May Farms	Concerns about existing signs and flags. Would like the County to consider different regulations in more rural areas of the County.	Existing signs will be non-conforming and will be subject to the non-conforming regulations of the LDC
Strasburg School District	No concerns	
Thunder Ranches HOA	Concerns with more regulations	
CDOT-Advertising	No objection	
Town of Parker	No comments	

LDC10-002 Billboards and Off-Premise Signs Land Development Code Amendment
 External Referral Responses and Staff Comments
 December 22, 2020

Referral Agencies	Referral Comment	Staff Comment
Centennial Properties/ Cherry Vista HOA	No comments. Would like County to enforce political signs (removal after 15 days).	Comment forwarded to Zoning Department
City of Sheridan	Supportive of proposed amendment. The City of Sheridan prohibits billboards. Proposed changes will promote compatible development between the City and Arapahoe County.	
UACED	Supportive of proposed amendment for urban areas. Not supportive of proposed amendment prohibiting billboards in more rural areas of the County. Question what it would look like to institute these regulations in phases/stages, as growth occurs into the more eastern areas. Not supportive of regulations or procedures covering billboards and off-premise signs in Unincorporated Arapahoe County extending from Bennett eastward to Deer Trail.	Staff provided UACED Board Member with survey results and current regulations.
Town of Columbine	No concerns.	
Mile High Outdoor Advertising	Opposed. Would like the County to consider allowing conversion from existing static billboards to an EMB billboard on a case-by-case basis, for all the reasons stated in the letter dated December 18, 2020, through a special review process. MHOA states conversions would only be possible on 1-4 of the currently existing MHOA signs in unincorporated Arapahoe County, due to CDOT's rules for EMB conversions or the financial investment for these LED displays does not make business sense. MHOA believes that if the County's end goal is to reduce the number of billboards over time, MHOA suggests that the County consider a process adopted by the City of Centennial, where billboard companies are allowed to earn square footage credit for an EMB billboard conversion by the removal of an existing static billboard(s) in the equivalent amount.	The BoCC has considered EMB and reviewed the City of Centennial's regulations.
City of Cherry Hills Village	The City supports the County's proposed Code Amendment. Generally speaking, the proposed amendment will be a benefit to the residents of Arapahoe County.	
Scenic Colorado	Supportive of proposed changes. The amendment as drafted addresses all of their concerns regarding driver safety and the preservation of scenic views. They have not identified any provisions considered to be objectionable or problematic and they strongly encourage a full, complete and unanimous adoption of this County-initiated Land Development Amendment by the Arapahoe County's BoCC.	

LDC10-002 Billboards and Off-Premise Signs Land Development Code Amendment
External Referral Responses and Staff Comments
December 22, 2020

Referral Agencies	Referral Comment	Staff Comment
East Arapahoe Advisory Planning Commission - Tom Coker	I reviewed the bill-board issues...have mixed feelings on the issue... in parts of Colorado I enjoy the scenic views and want no signs to speak of... other parts need to know where next stop is...tough call.	
City of Centennial	No additional comments at this time.	

Kathleen Hammer

From: Jobe - CDOT, Jacquelyn <jacquelyn.jobe@state.co.us>
Sent: Tuesday, December 15, 2020 2:14 PM
To: Kathleen Hammer
Cc: Richard Solomon - CDOT; Steven Loeffler - CDOT; Lovato - CDOT, Anthony; Kirk Allen
Subject: Arapahoe County Land Development Code Proposed Amendment

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Kathleen,

We received your request for comments concerning the Proposed Code Amendments in Arapahoe County regarding billboards. Please be advised that we have no objections to the proposed amendment changes.

If you need anything further, please do not hesitate to let us know.

Thank you.

--

Jacquelyn Jobe
Technician III/Outdoor Advertising Coordinator
Permits/Utilities/Traffic



P 303.512.4272 | F 303.757.9886

2829 W. Howard Place, 2nd Floor
Denver, CO 80204

jacquelyn.jobe@state.co.us | www.coloradodot.info | www.cotrip.org

The way to get started is to quit talking and begin doing.
Walt Disney

Kathleen Hammer

From: Centennial Property Services <hoa@centps.com>
Sent: Tuesday, December 15, 2020 1:52 PM
To: Kathleen Hammer
Subject: RE: Arapahoe County Land Dev. Code Proposed Amendment Referral - Billboards and Off-Premise Signs

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Kat,

I am fine with these changes. I would like the county to enforce the political sign requirement of removing them 15 days after an election though.

Best Regards,

David Ariss
Centennial Property Services, Inc
303.400.8494

From: Kathleen Hammer <KHammer@arapahoegov.com>
Sent: Tuesday, December 15, 2020 11:45 AM
To: Kathleen Hammer <KHammer@arapahoegov.com>
Subject: RE: Arapahoe County Land Dev. Code Proposed Amendment Referral - Billboards and Off-Premise Signs

Hello,

Please see the below message regarding a proposed Arapahoe County Land Development Code amendment. Thank you if you have already provided a response.

The proposed changes can also be accessed via the internet,
<https://www.arapahoegov.com/1464/Proposed-Code-Amendments>

Thanks,
Kat

Kat Hammer
Arapahoe County Planner II

Arapahoe County Public Works and Development
6924 South Lima Street
Centennial CO, 80112
Planning Department: 720.874.6666

Arapahoe County Public Works and Development Offices are open to the public by appointment only to ensure social distancing in accordance with the State's Safer at Home

Order. The County requires anyone visiting County Offices to wear a mask or facial covering while indoors.

I am working offsite, so email is the best way to reach me. Many County services can be accessed online and I encourage you to visit our website at <https://www.arapahoegov.com/519/Public-Works-and-Development> to learn more.

Please consider emailing us at planning@arapahoegov.com, presubmittals@arapahoegov.com, or landusesubmittals@arapahoegov.com as these email inboxes are monitored by several staff members. You may also call (720) 874-6650 to leave a message.

From: Kathleen Hammer <KHammer@arapahoegov.com>

Sent: Friday, November 20, 2020 1:52 PM

To: Kathleen Hammer <KHammer@arapahoegov.com>

Subject: Arapahoe County Land Dev. Code Proposed Amendment Referral - Billboards and Off-Premise Signs

"Hello,

I hope this message finds you well. You are receiving this message because the County has considered you or your agency as a stakeholder or interested party regarding a County-initiated Land Development Amendment related to billboards and off-premise signs.

Staff has prepared draft regulations which will prohibit any new billboards in unincorporated Arapahoe County. The draft regulations will also prohibit billboards proposed on land zoned or to be zoned for Planned Unit Developments. The proposed regulations will define what a Billboard is by the size of the sign and its proposed location relative to roads and highways without reference to the content of the sign. The draft regulations define billboards as any sign exceeding 48 square feet per sign face or a sign exceeding six feet in height and that is oriented towards a public road with an intent to advertise to travelers on such road.

The draft regulations would not allow billboards, Electronic Message Board (EMB) billboards or the conversion of old existing billboards to EMB billboards. The draft regulations also clarify that freestanding signs are not permitted as a primary use on a property. The draft regulations are attached to this email for your review.

Please review the draft regulations and provide a referral response by **December 21, 2020.**

The Planning Commission is schedule to review the draft regulations at a public hearing on December 1, 2020. The Board of County Commissioners is scheduled to review the draft regulations and make decision at a public hearing on January 5, 2021. The agendas for both of these public hearings can be found here closer to the meeting dates:

<https://www.arapahoegov.com/AgendaCenter/Search/?term=&CIDs=1,&startDate=&endDate=&dateRange=&dateSelector=>

Please do not hesitate to contact me directly with any concerns or questions."

Thanks,
Kat

Kat Hammer

Arapahoe County Planner II

Arapahoe County Public Works and Development
6924 South Lima Street
Centennial CO, 80112
Planning Department: 720.874.6666

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CITY OF CHERRY HILLS VILLAGE

2450 E. Quincy Avenue
Cherry Hills Village, CO 80113
www.cherryhillsvillage.com

Village Center
Telephone 303-789-2541
FAX 303-761-9386

December 21, 2020

Kat Hammer, Planner II
6924 S. Lima Street
Centennial, CO 80112

RE: Billboard and Off-Premises Signage Code Amendment

Ms. Hammer,

Thank you for allowing the City of Cherry Hills Village to comment on the above-mentioned project. The City supports the County's proposed Code Amendment. Speaking generally, the proposed amendment will be a benefit to the residents of Arapahoe County.

If you have any questions, please reach out.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Workman", is displayed on a light blue rectangular background.

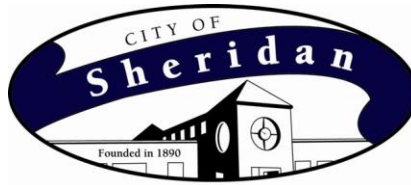
Paul Workman, Senior Planner
pworkman@cherryhillsvillage.com
303.783.2729

Dear Kat,

Thank you for offering the City of Centennial the opportunity to review proposed changes to the Arapahoe County LDC regarding Billboards and Off-Premise Signs. We offer no additional comments at this time.

Sincerely,

**Michael Gradis, AICP | Senior Planner
City of Centennial | Community Development**



Community Development Department

December 21, 2020

Arapahoe County Public Works and Development

Attn: Kat Hammer

6924 South Lima Street

Centennial, CO. 80112

Via email: KHammer@arapahoegov.com;

RE: Arapahoe County Code Amendment Concerning Billboards and Off-Premises Signs

Dear Ms. Hammer,

Thank you for including the City of Sheridan as an interested party in the review of Arapahoe County's proposed changes to the above-referenced code amendment.

I have reviewed the proposed changes to the regulations governing billboards and would like to offer the City's enthusiastic support of these amendments. The City of Sheridan does not allow billboards within City limits either and we believe that these changes will help to better align our respective Codes on this topic and promote compatible development between the City and Arapahoe County.

If you have any additional questions or wish to include our agency in future correspondence we may be reached via the information below.

Sincerely,

A handwritten signature in black ink that reads "Andrew Rogge".

Andrew Rogge

Senior Planner

arogge@ci.sheridan.co.us

303-438-3307



Public Works and Development

6924 S. Lima Street Centennial, Colorado 80112 Phone: 720-874-6650; FAX 720-874-6611

www.co.arapahoe.co.us

Planning Division

Referral Routing

Case Number/Name: LDC19-002 Billboards and Off-Premise Signs Proposed Code Amendment
Planner: Kat Hammer – khammer@arapahoegov.com
Date sent: November 20, 2020
Date to be returned: December 21, 2020

The enclosed development application has been submitted to the Arapahoe County Planning Office for consideration. Due to the close proximity of the proposed development to your property or area of influence, this development proposal is being referred to your agency for comment. Please examine the referenced materials and check the appropriate line before returning the form to the Arapahoe County Planning Office. Responding on or before the date indicated above is appreciated.

	COMMENTS	INSERT YOUR ORGANIZATION & NAME/SIGNATURE
<input checked="" type="checkbox"/>	I Have NO Comments to make on the case as submitted	<u>E-470 Public Highway Authority</u>
<input type="checkbox"/>	I Have the following comments to make related to the case:	

Comments: (responding by email, letter, or an email attachment is optional)

Kathleen Hammer

From: Gary May <garym@mayfarms.com>
Sent: Thursday, December 17, 2020 12:46 PM
To: Kathleen Hammer
Cc: Jeff Baker; Bill L. Holen; Nancy Jackson; Nancy Sharpe; Caitlyn Cahill; Jan Yeckes
Subject: RE: Signage changes

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank You Kat,

When reviewing the responses to the Bill Board Questions, I did not see a definition of a Billboard. Did the initial solicitation include a definition?

When I think of a Bill Board I think of the large Bill Boards along I-70, if that's what the surveyors were thinking ... I agree. So the huge dislike for Bill Boards could be a single minded approach to only the large Bill Boards.

Please remember when looking at change in this area, people move here because they like the way it is without consideration for the individuals who have toiled to earn there space here. In other words "Now that I'm here, shut the gate".



Gary May

Garym@mayfarms.com

303-822-5800 x 5

From: Kathleen Hammer <KHammer@arapahoegov.com>
Sent: Thursday, December 17, 2020 11:36 AM
To: Gary May <garym@mayfarms.com>
Cc: Jeff Baker <JBaker@arapahoegov.com>; Bill L. Holen <BHolen@arapahoegov.com>; Nancy Jackson <NJackson@arapahoegov.com>; Nancy Sharpe <NSharpe@arapahoegov.com>; Caitlyn Cahill <CCahill@arapahoegov.com>; Jan Yeckes <JYeckes@arapahoegov.com>
Subject: RE: Signage changes

Hi Gary,

It was a pleasure speaking with you today. I appreciate your feedback regarding the proposed billboards and off-premise signs Land Development Code amendment. I have attached the results from a survey the County sent out to property owners adjacent to three proposed "billboard overlay corridors." I have also attached the associated staff report which provides more details regarding who received the survey.

I will include your comments for the record. To summarize, (please correct me if I am wrong) you do not have strong opposition to prohibiting billboards in the urban/more populated areas of unincorporated Arapahoe County but you believe the County should consider separate billboard and off-premise sign regulations for rural/less populated areas in unincorporated Arapahoe County.

Please review the attached documents and please reach out with any additional questions or concerns.

Thanks,
Kat

Kat Hammer
Arapahoe County Planner II

Arapahoe County Public Works and Development
6924 South Lima Street
Centennial CO, 80112
Planning Department: 720.874.6666

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From: Gary May <garym@mayfarms.com>
Sent: Wednesday, December 16, 2020 2:00 PM
To: Kathleen Hammer <KHammer@arapahoegov.com>
Cc: Jeff Baker <JBaker@arapahoegov.com>; Bill L. Holen <BHolen@arapahoegov.com>; Nancy Jackson <NJackson@arapahoegov.com>; Nancy Sharpe <NSharpe@arapahoegov.com>
Subject: Signage changes

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Attn: Kat Hammer

I'm wondering what is prompting this change in the signage rules. In our area, a sign goes a long way, and in the far eastern part of Arapahoe County signage of commercial property generally aligns with the rural format. There could be

areas where an electronic sign could be intrusive but very few new signs here. So again I ask “What is prompting this change?” I’m apposed to any regulations that eliminate EMB that are within the guidelines of the SQ FT requirements. Lighting is a major part of a site plan and 15 years ago, lighting in this region of the County was used for customer ease and maintaining the rural view. Since that time, LED and Mercury Vapor Lights are everywhere. One major reason is for security. In an area where we used to leave the Keys in the Cars, we now need to bring Tractors in from the field at night.

It seems to me that the old regulations were strong enough . Any New Developments would need to be approved within the PUD.





Public Works and Development

6924 S. Lima Street Centennial, Colorado 80112 Phone: 720-874-6650; FAX 720-874-6611

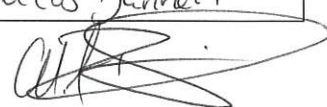
www.co.arapahoe.co.us

Planning Division

Referral Routing

Case Number/Name:	LDC19-002 Billboards and Off-Premise Signs Proposed Code Amendment
Planner:	Kat Hammer – khammer@arapahoegov.com
Date sent:	November 20, 2020
Date to be returned:	December 21, 2020

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	COMMENTS	INSERT YOUR ORGANIZATION & NAME/SIGNATURE
<input type="checkbox"/>	I Have NO Comments to make on the case as submitted	
<input checked="" type="checkbox"/>	I Have the following comments to make related to the case:	Mile High Outdoors, Marcus Dannel 

Comments: (responding by email, letter, or an email attachment is optional)



12-18-2020

Kathleen Hammer
Arapahoe County
6924 S. Lima St W Howard Pl.
Centennial CO 80112

RE: LDC19-002 Billboards and Off-Premises Signs Proposed Code Amendment

Dear Ms. Hammer,

I have reviewed the draft regulations concerning Billboards and Off-Premise Signs in Arapahoe County and would like to officially submit comments on behalf of Mile High Outdoor.

I am quite surprised at how drastic and overreaching these proposed sign code changes are, especially when considering that outdoor advertising companies are legal, tax-paying businesses within the County. While sign code reviews by municipalities are normal, such reviews typically result in clarification to standards for off-premise sign businesses. In Arapahoe County's most recent draft, it has eliminated any options available to existing off-premise sign businesses, which have adhered to the County's rules and regulations for decades. We understand there are concerns of new billboards proliferating the County, and the desire to eliminate that possibility with the proposed amendment. We do not understand why modernizing existing billboards to EMB billboards would not at least be considered on a case by case basis. There are already 5 operating EMB billboards in Arapahoe County, and I am confident the County has never received a complaint about any of them, internally or from the outside community.

During the recent moratorium, the COAA (Colorado Outdoor Advertising Association), which Mile High Outdoor is a member of, has provided staff with multiple studies that show EMB billboards do not increase accidents through distracted driving. To my knowledge, no studies have been looked at to provide information to suggest an opposite finding. After listening to multiple study sessions during this process, it seems instead that the County Commissioners' personal beliefs on EMB billboard distraction is what is being followed versus any statistical information.





Notably, I would like to point out that under the current Arapahoe County Sign Code, EMB billboards are only allowed to change messages every 5 minutes. This message (advertisement) change is instantaneous with no movement or animation, like a slide show. Why would this be more distracting than a static billboard advertisement, which is currently allowed? The only difference between the two is the mechanism for changing the advertisement and the fact that signs with LED technology are automatically set to dim to appropriate, state-regulated, luminance levels. The static change requires 2 persons to physically remove and install the billboard advertising materials, creating much greater risk. In actuality, this LED technology produces less light spillage than the current upward facing bulbs that illuminate our static billboards. Finally, manufacturers of these EMB billboards now have the technology to make sure the message displayed is only seen by the intended traffic. Outside of the intended viewing angle, the EMB billboard message is drastically reduced and, in many cases, entirely blacked out. We have provided staff and the Commissioners with several examples of this.

In a recent virtual study session, it was mentioned that all existing billboards in unincorporated Arapahoe County will become “legal, non-conforming”. It was then followed by a comment stating that this status would eventually lead to the eradication of these off-premise billboards. This is simply not true. These billboards, many of which were built in the 1980s or prior, are not going to go away because of a legal, non-conforming status. The property owners that lease the land to billboard companies earn substantial income providing these leases, and will not want to forgo this revenue stream. Because demand for advertising in Arapahoe County by local and regional businesses remains high, billboard companies are not inclined to take these billboards down. And because the materials used to construct these billboards are built to last (most all constructed with steel), consequently, the billboards that currently exist in Arapahoe County will remain there. This being the case, the ability to modernize these signs offers the County an opportunity for a cleaner visual off-premise sign presence due to less structural clutter such as protruding light fixtures and metal catwalks on both sides of the billboard. In addition, these signs become less hazardous to change copy since installers no longer need to access the billboard. An option to modernize also gives local Arapahoe County businesses a greater opportunity to advertise on the signs, and draw in more customers, at a lower price point, because more spots are available to advertise on with EMB billboards. With all of these benefits, it simply makes no sense to completely close the door on EMB billboard conversions.

Finally, EMB billboards offer the ability for emergency messaging for the community. During 2020 outdoor advertising companies throughout Colorado including Arapahoe County have displayed multiple Amber Alerts, community event messaging, and COVID messaging for Governor Polis and Arapahoe County. These signs serve the community in an almost instantaneous manner by displaying important messages that informs the public and, in some cases, save lives. We have attached example photos on the last page for your review.





It is our opinion that Arapahoe County should carefully consider the following....

Allow consideration of conversion from existing static billboards to an EMB billboard on a case-by-case basis, for all of the reasons stated in these comments, through a use by special review process. The County should consider that the number of conversions would only be possible on 1 to 4 of the currently existing billboards (out of 15 total) in Unincorporated Arapahoe County. The other locations would not conform to CDOT's rules for EMB conversions or the financial investment for these LED displays does not make business sense. Ultimately, if the County's end goal is to reduce the number of billboards over time, we suggest that the County consider a process adopted by the City of Centennial, where billboard companies are allowed to earn square footage credit for an EMB billboard conversion by the removal of an existing static billboard(s) in the equivalent amount. Example: remove one 300 square foot existing billboard to allow for one 300 sqft EMB billboard conversion. This reduce the "clustering" of billboards that some Council members have discussed.

Sincerely,

Marcus Danneil
General Manager
Mile High Outdoor



Photo Examples:







Public Works and Development

6924 S. Lima Street Centennial, Colorado 80112 Phone: 720-874-6650; FAX 720-874-6611

www.co.arapahoe.co.us

Planning Division

Referral Routing

Case Number/Name: LDC19-002 Billboards and Off-Premise Signs Proposed Code Amendment

Date sent: November 20, 2020

Date to be returned: December 21, 2020

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	COMMENTS	INSERT YOUR ORGANIZATION & NAME/SIGNATURE
<input type="checkbox"/>	I Have NO Comments to make on the case as submitted	
<input checked="" type="checkbox"/>	I Have the following comments to make related to the case:	Julio Iturreria Regional Economic Advancement Partnership

Comments: (responding by email, letter, or an email attachment is optional)

Thanks for the opportunity to review this referral.

LDC19-002 Billboards and Off-Premise Signs Proposed Code Amendment does not distinguish between Rural and Urban Areas within this document. The I-70 Corridor has both urbanizing areas such as Strasburg and Byers communities, Prosper and Sky Ranch vs. the remainder of the Rural Areas. In addition, the how does this proposed code deal with the relationship between the various road types such as collectors (major and minor), local and highways?



Public Works and Development

6924 S. Lima Street Centennial, Colorado 80112 Phone: 720-874-6650; FAX 720-874-6611

www.co.arapahoe.co.us

Planning Division

Referral Routing

Case Number/Name:	URS20-002 Copperleaf #21 – New Horizons Academy at Copperleaf – Use By Special Review
Planner:	Kat Hammer – khammer@arapahoegov.com
Engineer:	Kurt Cotton – kcotten@arapahoegov.com
Date sent:	11/16/2020
Date to be returned:	12/09/2020

The enclosed development application has been submitted to the Arapahoe County Planning Office for consideration. Due to the close proximity of the proposed development to your property or area of influence, this development proposal is being referred to your agency for comment. Please examine the referenced materials and check the appropriate line before returning the form to the Arapahoe County Planning Office. Responding on or before the date indicated above is appreciated.

	COMMENTS	INSERT YOUR ORGANIZATION & NAME/SIGNATURE
<input checked="" type="checkbox"/>	I Have NO Comments to make on the case as submitted	<u>C. Scott Woodruff , RTD</u>
<input type="checkbox"/>	I Have the following comments to make related to the case:	

Comments: (responding by email, letter, or an email attachment is optional)

Dear Ms. Hammer:

Please accept this response to the draft County-initiated Land Development Amendment related to billboards and off-premise signs, on behalf of Scenic Colorado, a not-for-profit 501c(3) Colorado Corporation.

Scenic Colorado would like to congratulate Arapahoe County and specifically the county planning department for drafting this fully comprehensive Land Development Amendment as it relates to billboards and off-premise signs. We believe that the Amendment as drafted addresses all of our concerns regarding driver safety and the preservation of scenic views. We are greatly encouraged by Arapahoe County's endeavors to prohibit new billboards, including Electronic Messaging Boards (EMB's). Billboards, especially EMB's, pose a significant risk to driver safety, create unnecessary and ugly visual pollution and once erected are exceedingly difficult to have removed. (See <https://www.scenic.org/resources/> and <https://www.scenic.org/sign-control/billboard-laws/important-legal-cases/> and <https://www.scenic.org/sign-control/digital-billboards/safety-studies/>)

Scenic Colorado's mission is to reduce the negative impacts outdoor advertising has on our environment. Many other jurisdictions within Colorado have taken the very positive step of prohibiting new billboards and we are ecstatic at the prospect of Arapahoe County taking similar measures. The return on the investment of time and energy expended by county planners and the Arapahoe County Board of County Commissioners in achieving this laudable goal will pay incalculable dividends for the residents of and visitors to Colorado generally and specifically for those of us who live in Arapahoe County for many, many years to come.

Again, after careful review of the draft Amendment, we have not identified any provisions we consider to be objectionable or problematic and we strongly encourage a full, complete and unanimous adoption of this County-initiated Land Development Amendment by the Arapahoe County's Board of County Commissioners.

Thank you again for your significant efforts in crafting this plan.

Very truly yours,

Miles Davies
President
Scenic Colorado
5710 S Happy Canyon Dr.
Cherry Hills Village, CO 80111
www.scenic-colorado.org

Kathleen Hammer

From: Thunder Ranches <thunderranches@gmail.com>
Sent: Friday, November 20, 2020 2:04 PM
To: Kathleen Hammer
Subject: Re: Arapahoe County Land Dev. Code Proposed Amendment Referral - Billboards and Off-Premise Signs

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Why more regulations?

On Fri, Nov 20, 2020, 1:52 PM Kathleen Hammer <KHammer@arapahoegov.com> wrote:

“Hello,

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Please do not hesitate to contact me directly with any concerns or questions.”

Thanks,

Kat

Kat Hammer

Arapahoe County Planner II

Arapahoe County Public Works and Development

6924 South Lima Street

Centennial CO, 80112

Planning Department: 720.874.6666

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Kathleen Hammer

From: tomcoker67 <tomcoker67@comcast.net>
Sent: Thursday, December 17, 2020 9:33 AM
To: Kathleen Hammer
Subject: RE: Arapahoe County Land Dev. Code Proposed Amendment Referral - Billboards and Off-Premise Signs

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I reviewed the bill-board issues...have mixed feelings on the issue... in parts of Colorado I enjoy the scenic views and want no signs to speak of... other parts need to know where next stop is...tough call.

Tom

Sent from my Samsung Galaxy , an AT&T LTE smartphone

----- Original message -----

From: Kathleen Hammer <KHammer@arapahoegov.com>
Date: 12/15/20 11:45 AM (GMT-07:00)
To: Kathleen Hammer <KHammer@arapahoegov.com>
Subject: RE: Arapahoe County Land Dev. Code Proposed Amendment Referral - Billboards and Off-Premise Signs

Hello,

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Thanks,

Kat

Kat Hammer

Arapahoe County Planner II

Arapahoe County Public Works and Development

6924 South Lima Street

Centennial CO, 80112

Planning Department: 720.874.6666

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Sent: Friday, November 20, 2020 1:52 PM

To: Kathleen Hammer <KHammer@arapahoegov.com>

Subject: Arapahoe County Land Dev. Code Proposed Amendment Referral - Billboards and Off-Premise Signs

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<https://www.arapahoegov.com/AgendaCenter/Search/?term=&CIDs=1,&startDate=&endDate=&dateRange=&dateSelector=>

Please do not hesitate to contact me directly with any concerns or questions.”

Thanks,

Kat

Kat Hammer

Arapahoe County Planner II

Arapahoe County Public Works and Development

6924 South Lima Street

Centennial CO, 80112

Planning Department: 720.874.6666

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Public Works and Development

6924 S. Lima Street Centennial, Colorado 80112 Phone: 720-874-6650; FAX 720-874-6611

www.co.arapahoe.co.us

Planning Division

Referral Routing

Case Number/Name:	LDC19-002 Billboards and Off-Premise Signs Proposed Code Amendment
Planner:	Kat Hammer – khammer@arapahoegov.com
Date sent:	November 20, 2020
Date to be returned:	December 21, 2020

The enclosed development application has been submitted to the Arapahoe County Planning Office for consideration. Due to the close proximity of the proposed development to your property or area of influence, this development proposal is being referred to your agency for comment. Please examine the referenced materials and check the appropriate line before returning the form to the Arapahoe County Planning Office. Responding on or before the date indicated above is appreciated.

	COMMENTS	INSERT YOUR ORGANIZATION & NAME/SIGNATURE
<input checked="" type="checkbox"/>	I Have NO Comments to make on the case as submitted	<u>Town of Columbine Valley</u> <u>Town Planner, Brent Kaslon</u>
<input type="checkbox"/>	I Have the following comments to make related to the case:	

Comments: (responding by email, letter, or an email attachment is optional)

Dear Ms. Hammer

Thank you for sending us the referral for the Billboards and Off-premise signs proposed Code Amendment. After review, the Town of Columbine Valley does not have any comments or concerns with the proposed changes. Town of Columbine Valley staff appreciates the opportunity to comment on the proposed amendment.

Sincerely,

Brent Kaslon

Town Planner, Town of Columbine Valley



Public Works and Development

6924 S. Lima Street Centennial, Colorado 80112 Phone: 720-874-6650; FAX 720-874-6611


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Planning Division

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	COMMENTS	INSERT YOUR ORGANIZATION & NAME/SIGNATURE
<input checked="" type="checkbox"/>	I Have NO Comments to make on the case as submitted	Town of Parker, Jeff Miller Community Development 
<input type="checkbox"/>	I Have the following comments to make related to the case:	

Comments: (responding by email, letter, or an email attachment is optional)

UACED Response to Billboard Regulations

Subject: Code Proposed Amendment Referral – Billboards and Off-Premise Signs

We agree that this new proposed regulation to billboards and off-premises signs **would be beneficial** to the Unincorporated Areas that are surrounded by cities such as Aurora, Centennial, Denver, and Greenwood Village.

In the above areas of Unincorporated Arapahoe County, these areas consist of crowded urban areas, ever increasing population and traffic. We agree that these areas would benefit from this level of oversight and regulation pertaining to the subject.

The area of Unincorporated Arapahoe County extending from the town of Bennett south along Kiowa Bennett Road to the county line east of Deer Trail is a different story....

We cannot discern whether this document is brand new or has been amended? There were no redline edits that were visible in the document. We are concerned that just because “a couple of people have called” inquiring about “regulations pertaining to billboards” that this has warranted drafting an expansive 15-page regulation for a mostly very rural area of the county.

Presently, rural housing has been the number one growth area in our rural communities with very little to no businesses that have either moved in or created a business. Signage in the extreme eastern area of ARAPCO can provide quick and effective communication in any form for a lot of situations.

We would like to collectively comment that instituting this type of an intensive city regulation all at once, into a sizeable unincorporated rural area is a lot to adjust to. We question what it would look like to institute these regulations in phases/stages, as growth occurs into the more eastern areas?

Thank you for the opportunity to comment on this issue. In closing, this organization would not be in support of regulations or procedures covering bill boards and off-premise signs in Unincorporated Arapahoe County extending from Bennett eastward to Deer Trail.

Thank you for your consideration.

James Shelley

Executive Director

Unincorporated Arapahoe County Economic Development

Kathleen Hammer

From: Jim Flesher <jflesher@weldgov.com>
Sent: Monday, November 30, 2020 2:31 PM
To: Kathleen Hammer
Subject: RE: Arapahoe County Land Dev. Code Proposed Amendment Referral - Billboards and Off-Premise Signs

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Kat:

Thank you very much. Here are a few things I noticed that you might consider:

1. Under C.5 and C.6, you might consider deleting "consecutive" if the intent is to limit temporary signs to 90 days per calendar year. As written, I think someone could put up a sign for 90 days, take it down for one day, and put it back up for another 90 days, etc. Or you could add "and not more than 90 days in any one year" like C.7. (These are so hard to enforce it may be a moot point, especially without permits.)
2. Space missing in C.7 (60days).
3. The second paragraph under D.9 at the top of page 5 appears to be a definition.
4. You might consider renaming E. from "On-Premise Signs" to something like "Specific Provisions for Residential and Agricultural Uses".
5. In E.3 there is a word missing after "residential".
6. In F.4, delete the "f" in "f48".
7. In K the capitalization is different.
8. The font is different in K.2.c.

Thanks again,
Jim

From: Kathleen Hammer <KHammer@arapahoegov.com>
Sent: Monday, November 30, 2020 1:53 PM
To: Jim Flesher <jflesher@weldgov.com>
Subject: RE: Arapahoe County Land Dev. Code Proposed Amendment Referral - Billboards and Off-Premise Signs

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Hi Jim,

The draft regulations with tracked changes can be accessed here:
<https://www.arapahoegov.com/1464/Proposed-Code-Amendments>

We are planning to do an more in depth analysis and amendment to the sign code next year to address a number of other things we noticed during this process. We decided to focus on billboards and off-premise signs for this amendment because a moratorium has been in place for over a year.

Thanks,
Kat

Kat Hammer

Arapahoe County Planner II

Arapahoe County Public Works and Development
6924 South Lima Street
Centennial CO, 80112
Planning Department: 720.874.6666

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From: Jim Flesher <jflesher@weldgov.com>

Sent: Monday, November 23, 2020 9:26 AM

To: Kathleen Hammer <KHammer@arapahoegov.com>

Subject: RE: Arapahoe County Land Dev. Code Proposed Amendment Referral - Billboards and Off-Premise Signs

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Kat:

I was very interested to see your draft amended sign regs because we need to update ours as well. Would you be able to send me a strike-through version? The existing definition of "sign," which is not included in the update, appears to exclude political signs, is that right? I also noticed your existing code has a definition of "political sign" but no regs on them.

Thanks,
Jim Flesher, AICP
Long-Range Planner
Weld County Planning Services
1555 N. 17th Ave.
Greeley, CO 80631
Phone: (970) 400-3552
www.weldgov.com

From: Kathleen Hammer <KHammer@arapahoegov.com>

Sent: Friday, November 20, 2020 1:52 PM

To: Kathleen Hammer <KHammer@arapahoegov.com>

Subject: Arapahoe County Land Dev. Code Proposed Amendment Referral - Billboards and Off-Premise Signs

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"Hello,

I hope this message finds you well. You are receiving this message because the County has considered you or your agency as a stakeholder or interested party regarding a County-initiated Land Development Amendment related to billboards and off-premise signs.

Staff has prepared draft regulations which will prohibit any new billboards in unincorporated Arapahoe County. The draft regulations will also prohibit billboards proposed on land zoned or to be zoned for Planned Unit Developments. The proposed regulations will define what a Billboard is by the size of the sign and its proposed location relative to roads and highways without reference to the content of the sign. The draft regulations define billboards as any sign exceeding 48 square feet per sign face or a sign exceeding six feet in height and that is oriented towards a public road with an intent to advertise to travelers on such road.

The draft regulations would not allow billboards, Electronic Message Board (EMB) billboards or the conversion of old existing billboards to EMB billboards. The draft regulations also clarify that freestanding signs are not permitted as a primary use on a property. The draft regulations are attached to this email for your review.

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