



**ARAPAHOE COUNTY
PLANNING COMMISSION
TUESDAY, SEPTEMBER 15, 2009**

MEMBERS

Paul Rosenberg, Chair
Arnold Hayutin, Chair Pro Tem
Brian Weiss
Leah Martin, Absent and Excused
Brett Larson
Kim Herzfeldt
Mark Brummel, Absent and Excused

OTHERS PRESENT

Jan Yeckes
Ron Hovland
Sherman Feher
Terri Maulik

OPENING COMMENTS

Ron Hovland announced that the October 6th and October 20th Planning Commission meetings will be held. He said that the Board of County Commissioners is holding a volunteer appreciation reception on October 19th at 5:00 p.m. in the East Hearing Room. Mr. Hovland encouraged all members to attend. He reported that the American Planning Association meets in Estes Park on Saturday, October 10th to conduct planning commission training workshops. Public Works is willing to send members to the training and will pay for registration fees if anyone is interested in attending. Mr. Hovland distributed a handout to the members.

Ron Hovland explained to the Board that there are currently 750 pages of Land Development Code (Code) which requires revision. The Planning Commission staff will bring the revisions to the Board a piece at a time so that it does not become overly burdensome a process. Mr. Hovland reported further that many jurisdictions, nationwide, are going through this process as there have been many changes. Notices are published whenever a change to the Code is put on the Agenda; therefore, this becomes a very public process and it further establishes the Board's jurisdiction in today's case. Mr. Hovland plans on presenting amendments to the Board every-other-meeting and assured the Board that the Planning Commission staff will be there to walk them through the process.

CONSENT AGENDA

There were no Consent Agenda items.

REGULAR AGENDA ITEMS

Item 1 – W09-008 – Land Development Code Amendment #8 2009/1-4100 Small Wind Energy Conversion Systems

Sherman Feher indicated that while no public notice is required for this case, Planning Staff has published public notices in The Villager and in the I-70 Scout. Mr. Feher reported that he is requesting Board approval of a few revisions in the Wind Section of the Code. He reported that the main revision is to the maximum decibel noise level and believes the levels that are permitted in the Colorado Revised Statutes would be more appropriate than the County's current policy.

There was discussion regarding the number of potential applicants requesting Board approval of a small wind energy conversion system. Mr. Feher reported that there are three major items that make it unlikely many residents will actually consider small wind energy conversion systems (1) the wind regime is poor; (2) covenants can be used to prohibit wind farms; and (3) most lots in urban areas are not of the size required to support wind turbines. He feels it is unlikely the Board will see many applicants.

There was further discussion regarding the utility buy-back program. Mr. Feher indicated that the County would allow utility buy-back as long as the maximum installed capacity is no more than 100kw.

Mr. Rosenberg opened the hearing for public comments. There were no members of the public in attendance.

The Public Hearing was closed.

The motion was made by Mr. Hayutin in Case No. W09-008 – Land Development Code Revision, Small Wind Energy Conversion Systems, Section 1-4100, that the Planning Commission has read the staff report and received testimony at the public hearing. The Planning Commission finds itself in agreement with staff findings 1 through 3 including all plans and attachments as set forth in the staff report dated September 1, 2009 and recommend approval to the Board of County Commissioners, subject to the following condition of approval:

- **All minor modifications to the text are required prior to the incorporation into the original documents.**

Seconded by Mr. Larson.

The motion passed unanimously.

ADOPTION OF MINUTES

The motion to adopt the minutes from the August 18, 2009 Planning Commission hearing was made by Mr. Herzfeldt, duly seconded by Mr. Weiss.

The motion passed unanimously.

The meeting adjourned at 6:47 p.m.

Paul Rosenberg, Chair

**Terri Maulik
Assistant Clerk to the Board**