

ARAPAHOE COUNTY PLANNING COMMISSION
PUBLIC HEARING
July 7, 2026
6:30 PM

**SUBJECT: CASE NO. LDC26-002 – DEVELOPMENT APPLICATION MANUAL (DAM)
RELATED TO WIRELESS COMMUNICATION FACILITIES CODE UPDATE**

ERNIE ROSE, SENIOR PLANNER

PURPOSE AND REQUEST

Planning Division proposes an amendment to the Commercial Mobile Radio Service (CMRS) requirements as contained in the Development Application Manual (DAM)

BACKGROUND

In September 2025, the BOCC approved an amendment to the Land Development Code (LDC) regarding wireless communication facilities on private property. Wireless communication facilities include cell towers, base stations, and related equipment. Other forms of wireless communication include, but are not limited to, satellite, infrared, Wi-Fi, Wireless Broadband (Cellular Networks 3G, 4G, 5G), and mobile communication systems, all of which transmit data without physical wires. This code amendment renamed the land-use category from “Commercial Mobile Radio Service” (CMRS) to “Wireless Communication Facilities” (WCF). The WCF section of the code was reorganized and revised to simplify and modernize it, ensure compliance with federal and state laws and current telecommunications industry standards, and provide a general cross-reference to these standards. Now that the LDC has been amended, staff must amend the corresponding Development Application Manual (DAM) to ensure that required application documents and processes align with the adopted code changes.

The DAM was adopted by the Board of County Commissioners (BoCC) in 2019 as a supplement to LDC. In order to adhere to the amended LDC, the DAM must be updated to match the 2025 WCF code update, following the recommendation of the PWD Director or the Planning Commission.

Federal regulations allow existing antenna carriers to make modifications to existing facilities through a more streamlined process for “Eligible Facilities”. After establishing the new Eligible Facilities Request (“EFR”) process, staff decided to evaluate a fee for this service. Currently, there are no fees for EFR applications. In order to establish fees for this process, staff contacted several jurisdictions and found that the average fee was \$380.00.

The Planning staff’s review of EFR applications involves accepting EFR documentation, researching previous case data, and preparing an EFR determination letter. This usually takes five hours, with approximately four hours by the Planner and one hour by the Planner Technician. The Hourly Billable Rates for the staff are set by the Support Services Division, based on the average salaries of the employees involved.

Planner: 133.17 fully loaded hourly rate = 4 hrs. \$532.68
Planning Tech 112.94 fully loaded hourly rate = 1 hr. \$112.94
TOTAL: \$645.62

Recommended Fee \$645

Currently, the fees for (non-eligible facility) WCFs on private property and within county rights-of-way are maintained at \$1,500.

Planning staff presented the DAM amendment to the Board of County Commissioners (BoCC) during a study session on May 12, 2025, and the BoCC directed staff to advance the amendment to the public hearing stage. The BoCC also recommended that staff move forward with a fee of \$645.00 in a separate fee schedule update, which the Board can approve with the accompanying DAM amendment.

PROPOSED REGULATIONS SUMMARY AND ANALYSIS

The proposed DAM amendment redefines the CMRS application type as WCF and introduces new staff review deadlines based on federal timing requirements (Shot Clock). It includes a new process for the Eligible Facility Request (EFR) that covers fees, streamlined submittal requirements, and ends with an EFR determination letter. An Eligible Facility is defined as an existing wireless tower or base station that may be modified if it meets certain criteria as defined by the FCC. Processes in the DAM amendment are renamed to "WCF Eligible Facility Request" and "Non-Eligible on Private Property". Modifications to existing facilities that do not meet the FCC criteria are considered "Non-Eligible". Workflow diagrams for both Eligible and Non-Eligible Facilities have been updated, with detailed charts illustrating the changes. The amendment establishes shot clocks of 30, 60, 90, and 150 days, depending on the application type. Fees for Non-Eligible Facilities are specified, and provisions for WCF in Public-Right-of-Way are addressed.

RECOMMENDATION

The proposed amendments align with the Wireless Communication Facilities (WCF) regulations in the LDC, which delineate the criteria for "Eligible Facilities" and establish standards for their location, design, maintenance, and removal.

ALTERNATIVES

The Planning Commission could take the following actions:

1. Recommend approval of the Development Application Manual Amendment as proposed or with modifications.
2. Continue the amendment to a time and date certain for more information.
3. Recommendation of the Development Application Manual Amendment

CONCURRENCE

Arapahoe County Public Works and the County Attorney have reviewed the proposed regulations and recommend approval.

PLANNING COMMISSION DRAFT MOTIONS – LDC26-002, Development Application Manual (DAM) Amendment related to Wireless Communication Facilities code update:

Recommend Approval

In the case of LDC26-002, Development Application Manual Amendment - I have reviewed the staff report, including all exhibits and attachments, and have listened to the staff presentation and any public comment as presented at the hearing, and hereby move to recommend approval of the proposed amendment of the Development Application Manual as presented in the staff report, subject to the following recommended condition:

1. The County Attorney is authorized to correct scrivener's errors where necessary and in order to conform the amendments with the text of the Development Application Manual .

Staff provides the following Draft Motions listed below as general guidance in preparing an alternative motion if the Planning Commission reaches a different determination:

Recommended Denial

In the case of LDC24-002, Development Application Manual Amendment related to Wireless Communication Facilities code update:, I have reviewed the staff report, including all exhibits and attachments, and have listened to the staff presentation and any the public comment as presented at the hearing and hereby move to recommend denial of the proposed amendment to the Land Development Code.

1. *State new findings in support of denial as part of the motion.*

Continue to Date Certain:

In the case of LDC26-002, Development Application Manual Amendment related to Wireless Communication Facilities code update: I move to continue the hearing to [date certain], 6:30 p.m., to obtain additional information and to further consider the information presented.

ATTACHMENTS

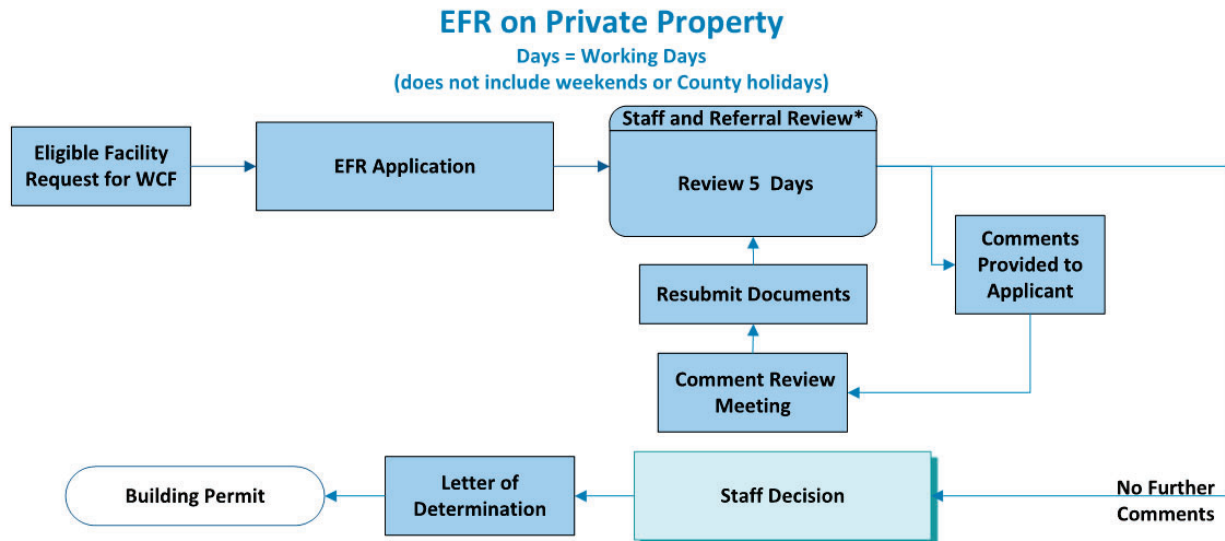
1. Proposed Development Application Manual (DAM) Amendments
2. Proposed Development Application Manual (DAM) Amendments (Redlines)
3. BoCC BSR 05/26/2026
4. BoCC Meeting Minutes 05/26/2026
5. Redlined Fee Schedule

2-8 Wireless Communication Facilities (WCF)

Wireless Communication Facilities (WCF) can be located on private property or in public right-of-way. WCF requires review and approval by staff, with consideration given to comments received at the required neighborhood meeting, where applicable. Section 5-3.8 of the Land Development Code (LDC) outlines the approval processes, which are summarized in the accompanying flowcharts.

2-8.1 WCF ON PRIVATE PROPERTY - ELIGIBLE FACILITY REQUESTS (EFR)

The approval process for an EFR of WCF on private property is summarized in the flowchart below and is described in more detail in Section 5-3.8 of the Land Development Code. The 30-day shot clock begins upon receipt of the EFR Application and is paused when the applicant receives staff comments requesting additional information on their application materials. Upon Staff Decision, a Letter of Determination is sent to the applicant. If it is determined that an application does not meet the requirements for an Eligible Facility as per FCC regulations, the applicant then proceeds to 2-8.2 Non-Eligible WCF process for review.



To determine if you qualify for an Eligible Facility Request (EFR) to expedite review process, (see LDC 5-3.8.B.2. Review Process for Eligible Facility Request). Under Section 6409 of the Spectrum Act and Federal Communications Commission (FCC) rules, this EFR request must be approved administratively if the proposed modification qualifies as an eligible facilities request that does not exceed the FCC *substantial change thresholds* for towers not located in the right of way.

A. SUBMITTAL MATERIALS (EFR)

1. EFR Determination Form and Submittal documents
2. Submittal Fees
3. Letter of Eligible Facility Request or project narrative that outlines the FCC's six "substantial change" thresholds and how the proposed modifications to your project facility meets these thresholds.
4. Please include the original case number for this facility along with your request.

B. WCF SITE PLAN AND EXHIBITS

1. Plan Format

All plans will be 11" x 17" (for areas less than one acre) or 24" x 36" (for areas greater than one acre or if required by staff) format. No plans shall contain copyright restrictions or public use restrictions.

2. Cover Sheet

The cover sheet shall have Site Name, Project Information, Project Description, Vicinity Map, Site Photo, Sheet Index, Project Team, Denote Original Case number bottom left corner.

3. Second Sheet shall depict Elevations of existing facility.

4. Third Sheet shall depict Elevation drawings of the proposed facility

This shall include ground-based equipment and associated screening, fencing, landscaping, lighting, and other improvements related to the facility, showing specific materials, placement, and colors.

5. Clouding

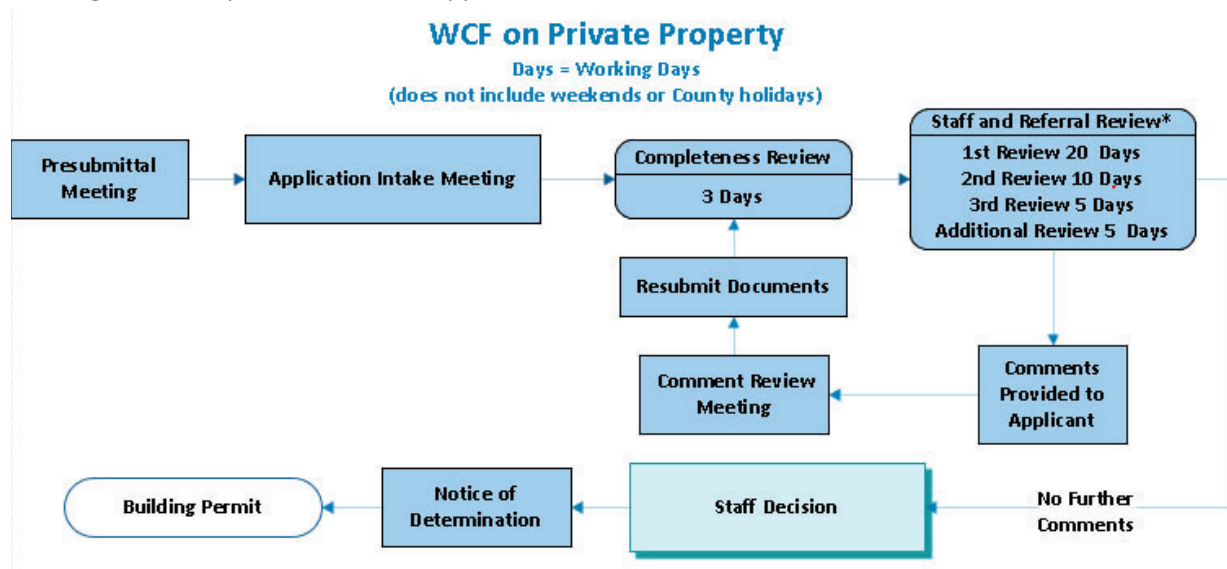
All amendments to the plan shall be identified and denoted with clouding.

6. Photo-realistic Simulations

Photo sims or photo realistic renderings of the site before and after construction, demonstrating the true impact of the facility on the surrounding visual environment. The Planning Division Manager may request such exhibits from specific vantage points.

2-8.2 Wireless Communication Facilities on Private Property – Non EFRs

FCC's shot clock order (90 days for collocation applications and 150 days for all other siting applications), will begin to run upon the date the application is first submitted.



A. SUBMITTAL MATERIALS

Applications for proposed WCF, and additions or modifications to existing facilities, must include the following:

1. Completed Land Development Application:
[https://files.arapahoeco.gov/Public%20Works_Development/planning_land%20development /Application%20Process%20and%20Forms/Land%20Development%20Application.pdf](https://files.arapahoeco.gov/Public%20Works_Development/planning_land%20development/Application%20Process%20and%20Forms/Land%20Development%20Application.pdf)
2. Presubmittal Meeting notes with Submittal Checklist.
3. Submittal fees.

Wireless Communication Facility DAM draft for BOCC

4. Letter of intent or project statement that outlines the details of the proposed facility. Include proposed facility height and setbacks, underlying zoning, maximum height allowed in zone district, setbacks in zone district, area of all ground-based equipment and applicable screening for such equipment, other landscaping and screening information, and any other relevant information. Such letter should include information regarding the intent to remove the facility at the expense of the facility and/or property owner if it is abandoned, as provided in the LDC (abandonment).
5. If the facility is located within 500 ft. of a residentially zoned property provide a letter to “interested parties” and mailing addresses and vicinity map of all interested parties within 100 ft. buffer.
6. Completed Carrier Acknowledgement Form. The Carrier Acknowledgement Form is intended to provide evidence that the applicant has read the County’s Land Development Code Regulations and, to the best of their knowledge, the application is in compliance therewith.
7. Other Information:
 - a. A report describing the facility and the technical, economic, and other rationale for its design and location; the need for the facility and its role in the network; and the capacity of the structure, including the number and type of antennas it can accommodate.
 - b. The FAA response to the notice of proposed construction or alteration (FAA Form 7460 - 1 or equivalent), if the facility is located within an Airport Influence Area.
 - c. Documentation detailing responsibility for maintenance of landscaping, screening and the replacement of dead landscaping.
 - d. The Planning Division Manager may request additional copies of any submittal item for review by other agencies.
8. Facility Inventory
The first application in a calendar year (January through December) for a proposed WCF by a provider must include an inventory of all the provider’s existing and approved facilities within Arapahoe County, and one mile beyond the county border. Such inventory shall include the location and type of facilities.
9. Site Plan and Exhibits per Section B below.

B. WCF SITE PLAN AND EXHIBITS

1. *Site Plan showing:*

- a. Lease area;
- b. On-site land uses and zoning;
- c. Adjacent roadways;
- d. Parking and access;
- e. Areas of vegetation and landscaping to be added, retained, replaced or removed;
- f. Setbacks per zoning;
- g. Setbacks from property lines;
- h. Screening and/or fencing; and
- i. The location of the facility, including all related improvements and equipment.
- j. Landscaping -- A schedule for the installation of landscaping and screening, if applicable.

Wireless Communication Facility DAM draft for BOCC

- k. Vicinity Map showing adjacent properties (including all adjacent zoning), general land uses, and road-ways:
 - i. Within 500 feet of a proposed attached antenna site; and
 - ii. Within a distance of (tower height × twenty) feet of a proposed WCF.

2. Elevation drawings of the proposed facility

This shall should include ground-based equipment and associated screening, fencing, landscaping, lighting, and other improvements related to the facility, showing specific materials, placement, and colors.

3. Photo Sims

Photo-realistic renderings or photo simulations of the site before and after construction, demonstrating the true impact of the facility on the surrounding visual environment. The Planning Division Manager may request such exhibits from specific vantage points.

4. General Notes

Any Standard Notes, applicable Specific Notes, and Certificates required by County staff shall be included on the plan as described in Part 4: of this Manual.

5. Other information that may be required by the Planning Division, Engineering Services Division or Mapping Section.

2-8.3 WCF IN PUBLIC RIGHT-OF-WAY

WCF may be located in public rights-of-way in accordance applicable state and federal law and pursuant to the procedures and design standards set forth in Chapter 14 of the Arapahoe County Infrastructure Design and Construction Standards. WCF may be allowed as attached facilities to an existing traffic signal light pole, street light standard, utility pole, or other vertical infrastructure, or on a replacement traffic signal light pole, street light standard, utility pole, other vertical infrastructure or new poles as provided in the Infrastructure Design and Construction Standards. Applicant will be referred to Engineering.

A. SUBMITTAL REQUIREMENTS

Applications for proposed CMRS WCF facilities in public right-of-way, and additions or modifications to existing facilities, may include up to five (5) locations on an individual application. Applications must include the following:

1. Completed Land Development Application:
https://files.arapahoeco.gov/Public%20Works_Development/planning_land%20development/Application%20Process%20and%20Forms/Land%20Development%20Application.pdf
2. Presubmittal Meeting notes with Submittal Checklist.
3. Submittal fees.
4. Letter of Intent or project statement that outlines the details of the proposed facility. Include proposed facility height and setbacks, underlying zoning, maximum height allowed in zone district, setbacks in zone district, area of all ground-based equipment and applicable screening for such equipment, other landscaping and screening information, and any other relevant information. Such letter shall include information regarding the intent to remove the facility at the expense of the carrier or property owner (excluding the County) if it is abandoned, as provided in the LDC (abandonment).

Wireless Communication Facility DAM draft for BOCC

5. The applicable License Agreement as described in Chapter 14 of the County's Infrastructure Design and Construction Standards.
6. For any wireless communication facility proposed on any County owned structure, the appropriate engineering plans and specifications as described in Chapter 14 of the County's Infrastructure Design and Construction Standards.
7. Clear Zone Analysis as described in Chapter 14 of the County's Infrastructure Design and Construction Standards.
8. Other information as may be required by Engineering Services.
9. Plan set exhibit(s) per Section B below.

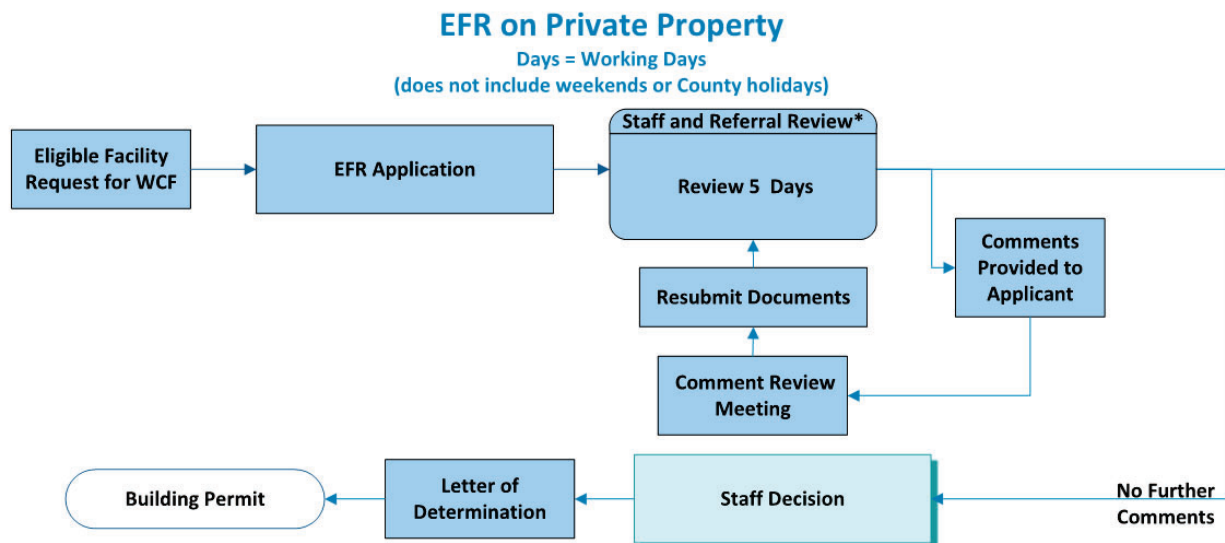
C. WCF PLAN SET

The plan set shall be prepared in accordance with Chapter 14 of the Infrastructure Design and Construction Standards.

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3. Letter of Eligible Facility Request or project narrative that outlines the FCC's six "substantial change" thresholds and how the proposed modifications to your project facility **do not** meet any of these thresholds.
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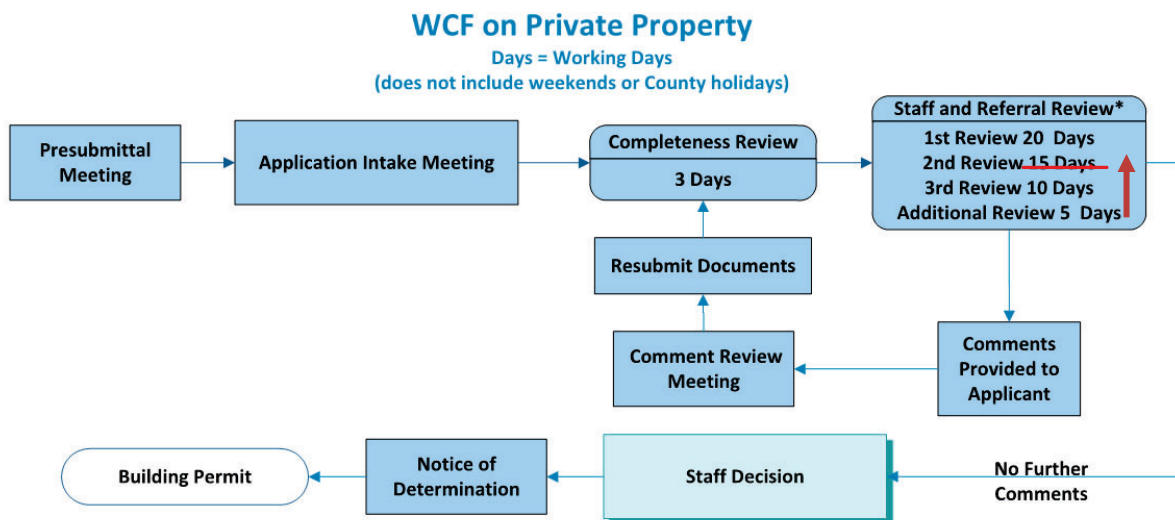
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 - b. The FAA response to the notice of proposed construction or alteration (FAA Form 7460 - 1 or equivalent), if the facility is located within an Airport Influence Area.
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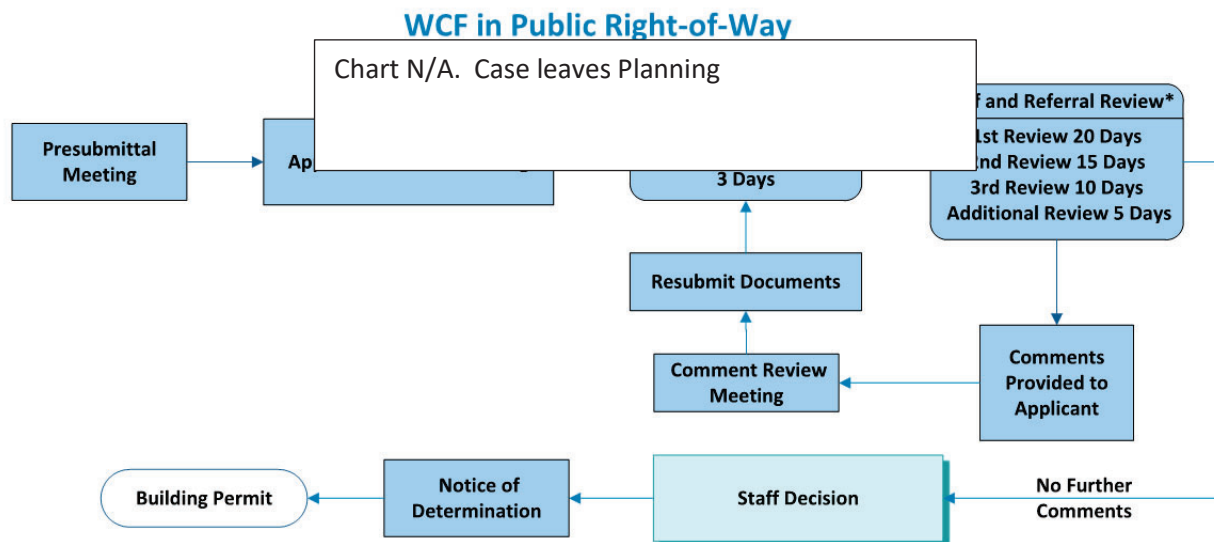
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5. The applicable License Agreement as described in Chapter 14 of the County's Infrastructure Design and Construction Standards.
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7. Clear Zone Analysis as described in Chapter 14 of the County's Infrastructure Design and Construction Standards.
8. Other information as may be required by Engineering Services.
9. Plan set exhibit(s) per Section B below.

C. WCF PLAN SET

The plan set shall be prepared in accordance with Chapter 14 of the Infrastructure Design and Construction Standards.

Wireless Communication Facility DAM draft for BOCC Ava's Edits are highlighted

To: Board of County Commissioners

Through: Celia Rethamel, Acting Director, Public Works and Development

Prepared By:

..prepared

Ernie Rose, Senior Planner, Public Works and Development

..end

..presenter

Presenter:

Ernie Rose, Senior Planner, Public Works and Development

..end

Subject:

..title

Planning Case. No, LDC26-002 - Development Application Manual Amendment Related to Wireless Communication Facilities

..end

Purpose and Request:

..recommended action

Staff is consulting the Board of County Commissioners for guidance on updating the Development Application Manual (DAM) to address Wireless Communication Facilities (WCF), previously known as Commercial Mobile Radio Service (CMRS).

..end

Alignment with Strategic Plan: Good Governance - Leverage technology to improve governance and service delivery.

Background and Discussion: Arapahoe County's Land Development Code provides the ground rules for development and is a significant part of implementing the Comprehensive Plan's goals and policies. The code should respond to changes in development patterns and resident lifestyles over time. Residents of Arapahoe County depend on various wireless communication technologies. In 2022, the Board of County Commissioners (BOCC) directed staff to begin amending a new code section for Wireless Communication Facilities (WCF) located on private property. Wireless communications facilities include cell towers, base stations, and related equipment. Commercial Mobile Radio Service (CMRS) is a type of wireless communication. Other forms of wireless communication include, but are not limited to, satellite, infrared, Wi-Fi, Wireless Broadband (Cellular Networks 3G,4G,5G), and mobile communication systems, all of which allow for the transmission of data without the need for physical wires.

In 2017, the General Assembly enacted HB17-1193, allowing the installation of small wireless service infrastructure in local government-owned rights-of-way. These facilities support existing networks and enable 5G service, which requires more antennas. In September 2018, the Federal Communication Commission (FCC) issued a ruling (FCC18-133) that interpreted the Federal Telecommunications Act of 1996, placing restrictions on local government's ability to limit small cell installations; because of the short time frame specified under the FCC order to adopt any design standards and because these standards only applied within public rights-of-way, the County's Engineering Division adopted Small Cell regulations for Wireless Communication Facilities by adding Chapter 14 in the County's Infrastructure Designs Standards (IDCS) in 2019.

In September 2025, BOCC approved an amendment to the Land Development Code (LDC), officially renaming the Commercial Mobile Radio Service Code (CMRS) to Wireless Communication Facilities. The WCF section of the code was reorganized and revised to simplify and modernize it, ensuring compliance with federal and state laws and current telecommunications industry standards and providing a general cross-reference to these standards. Now that the Land Development Code has been amended, staff proposes to amend the corresponding Development Application Manual (DAM) to ensure that required application documents and processes are in alignment with the recently adopted code changes. The purpose of this BOCC study session is to discuss the DAM update to ensure its submission process aligns with the code amendment.

The Development Application Manual (DAM) has been adopted by the Board of County Commissioners (BoCC) as a supplement to the Land Development Code (LDC). The manual is incorporated into, and forms part of, the Land Development Code, and it must be amended to ensure its submission process aligns with the 2025 WCF code update by the Board of County Commissioners, following the recommendation of the PWD Director or the Planning Commission.

The proposed DAM amendment redefines the CMRS application type as WCF and introduces new deadlines for staff review based on federal timing requirements (Shot Clock). It includes a new process for the Eligible Facility Request (EFR) that covers fees, streamlined submittal requirements, and ends with an EFR determination letter. Processes are renamed to "WCF Eligible Facility Request" and "Non-Eligible on Private Property". Workflow diagrams for both Eligible and Non-Eligible Facilities have been updated, with detailed charts illustrating the changes. The amendment establishes shot clocks of 30, 60, 90, and 150 days. Fees for Non-Eligible Facilities are specified, and provisions for WCF in Public-Right-of-Way are addressed.

Finally, with the implementation of the new EFR process, the EFR Determination Letter fee was reviewed. Staff reached out to several jurisdictions while researching a fee for an EFR Determination Letter, and the average EFR Determination Letter was \$380.00

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		TOTAL: \$645.62

Recommended Fee \$645

Currently, the fees for (non-eligible facility) WCFs on private property and within county rights-of-way are maintained at \$1,500.

Alternatives: The Board has several options:

1. Direct staff to proceed with the proposed DAM amendment to the public hearing.
2. Direct staff to consider modifications to the proposed amendment code and come back for an additional study session.
3. Direct staff not to proceed with the proposed DAM amendment.

Fiscal Impact: Staff does not anticipate any fiscal impacts as a result of this amendment, other than collecting fees for Eligible Facilities requests. On average, staff expects to process approximately 5-10 Eligible Facilities request applications.

Alignment with Strategic Implementation Strategies:

- Be fiscally sustainable
- Provide essential and mandated service.
- Be community focused

Staff Recommendation: At this study session, staff requests the Board to review the proposed changes to the Development Application Manual and the proposed fee for eligible facilities requests and provide direction to staff to move forward with the proposed changes or with recommended changes.

Concurrence: The Public Works and Development Department coordinated the draft changes with the County Attorney's office, Clarion Associates and numerous wireless providers.



ARAPAHOE COUNTY

Carrie Warren-Gully, District 1
Jessica Campbell, District 2
Jeff Baker, Chair Pro Tem, District 3
Leslie Summey, Chair, District 4
Rhonda Fields, District 5

Arapahoe County

Board of County Commissioners Study Session

Meeting Minute Summaries

Tuesday, May 26, 2026
11:00 AM

Administration Building
5334 S. Prince St.
Littleton, CO 80120
West Hearing Room

The Arapahoe County Board of Commissioners typically holds weekly study sessions on Monday and Tuesday. Study sessions (except for executive sessions) are open to the public and agendas are available online at arapahoe.legistar.com. Meetings marked with an asterisk () can be attended virtually via arapahoe.legistar.com while non-asterisked (*) sessions are open to in-person attendance only. The members of the Board of County Commissioners may choose to attend study sessions virtually.*

The Board of County Commissioners may go into executive session during or at the conclusion of a study session or administrative meeting as necessary to receive legal advice or discuss other confidential matters, and if they do so, the public will be excluded from that portion of the meeting. The Board may alter the times of the meetings throughout the day, as well as cancel or reschedule noticed meetings. Contact the Commissioners' Office at 303 795 4630 or kdavis2@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.

Commissioners Present

Jeff Baker
Jessica Campbell
Leslie Summey
Rhonda Fields

Others Present

John Christofferson
Michelle Halstead
Cooney Sarracino
Callie Pecore
Ernie Rose

11:00 AM Administrative Meeting on Employee Engagement Survey
Tres Shoemaker, Learning & Development Program Manager, Human Resources

12:00 PM Administrative Meeting with HR Director
Patrick Hernandez, Director, Human Resources

1:30 PM E-Team Chair Update

Katherine Smith, Community Resources Director, E-Team Chair

Karl Herrmann, Chief Deputy, Clerk and Recorder's Office, E-Team Vice Chair

STUDY SESSION TOPICS

2:00 PM* Development Application Manual Amendment Related to Wireless Communication Facilities, Case No. LDC26-002

Attachments: [Board Summary Report](#)
[AC Decision Support Framework Presentation](#)
[Draft Amendment - clean](#)
[Draft Amendment - red-line](#)
[EFR Jurisdictional Fees Summary](#)
[EFR Checklist](#)
[Revised Planning Fee Schedule](#)

The purpose of this study session was staff consulted the Board of County Commissioners for guidance on updating the Development Application Manual (DAM) to address Wireless Communication Facilities (WCF), previously known as Commercial Mobile Radio Service (CMRS).

A PowerPoint presentation was presented, a copy of which has been retained for the record.

A background of the purpose and request was presented. Staff are seeking approval from the BOCC for amending the Development Application Manual (DAM) CMRS to WCF Transition, and the approval to proceed with next steps for public referrals and hearings.

The different types of wireless communication were listed and reviewed.

A list of the proposed revisions for the CMRS section of the DAM was discussed.

Staff shared the new process for Eligible Facility Requests (EFR). A workflow chart was displayed showing the EFT on private property.

The WCF Eligible Facility Request Form was reviewed and discussed.

The process for non-eligible Facility Request was discussed. A workflow chart was displayed showing the WCF on private property.

WCF fees for eligible and non-eligible facilities were reviewed. A table was displayed showing the different EFR jurisdictional fees in surrounding areas. Staff recommended no changes to the fees on WCFs on private property or in the public right-of-way.

Staff presented a screen shot from the Arapahoe County Website showing how to access the Wireless Communication Facilities Regulations.

The different options for the BOCC to consider were listed and reviewed. Staff does not anticipate any fiscal impacts with the proposed amendments.

Commissioner asked if there are any foreseeable adverse consequences with anything that the county is involved with pertaining to wireless facilities.

Clarification on what staff are seeking BOCC approval for during today's meeting was discussed.

Commissioner asked regarding the eligible facilities and what the community input has been. Commissioner also asked about the location of the facilities and the eligibility criteria.

Staff recommended approval to move forward with the proposed amendments as presented.

4-0 in favor of request. Commissioner Campbell appeared virtually. Commissioner Warren-Gully absent and excused.

2:30 PM *Executive Session

Executive Session and County Attorney Administrative Meeting [Section 24-6-402(4)(b)C.R.S.](As required by law, specific agenda topics will be announced in open meeting prior to the commencement of the closed and confidential portion of this session)

John Christofferson, Acting County Attorney

The motion was made by Commissioner Baker and duly seconded by Commissioner Fields that the Board go into executive session pursuant to Section 24-6-402(4)(b) of the Colorado Revised Statutes, to receive legal advice regarding the purchase of real property in Aurora by the County, instead of the Arapahoe County Housing Authority, for affordable housing purposes; and pursuant to sections 24-6-402(4)(b)&(e) of the Colorado Revised Statutes to develop strategy and instruct negotiators, and receive legal advice, regarding the former 18th Judicial District Financial Dissolution Intergovernmental Agreement.

The motion passed 4-0. Commissioner Campbell appeared virtually. Commissioner Warren-Gully absent and excused.

The meeting was adjourned.

***Virtual/Streamed**

Planning Review Fee Schedule

For Engineering review fees, see the Engineering Review Fee Schedule

Effective Date -January 1, 2003, Revised September 13, 2011, Resolution No. 110673, February 25, 2014, Resolution No. 140180, July 31, 2018, Resolution No. 180499; Effective Date 11-22-2022, Revised 11-22-2022, Resolution No. 22-328

Administrative Cases (No Public Hearing Process)				
Planning Fees shall be paid in full upon receipt of invoice. Fees may be paid by check or online via ACH or Credit Card				
Administrative Amendment	Administrative Site Plan or Specific Development Plan <i>During Construction, prior to C.O.</i>	Per Case	\$	3,000
Administrative Amendment	Administrative Site Plan or Specific Development Plat <i>Before Construction</i>	Per Case	\$	1,500
Administrative Amendment	Use by Special Review, Location and Extent, Final Development Plan, Preliminary Development Plan, Planned Sign Program, Master Development Plan	Per Case	\$	1,500
Administrative Amendment	Minor <i>Minor adjustments to a plan.</i>	Per Case	\$	500
Administrative Energy Case (Solar – reduced fee mandated by state statute)		Per Case	\$	500
Commercial Mobile Radio Service (Wireless Facility) Wireless Communication Facilities		Per Case	\$	1,500
Small Cell Wireless Facility (in Public Right of Way) (1-5 locations = \$1,500.00; 6-10 locations = \$3,000; etc.)		Per Five Locations	\$	1,500
Administrative Replat		Per Case	\$	1,500
Plat Correction		Per Case	\$	1,500
Extension Request Fee (5-2.1.H.2. LDC and 1-8.6.1-8.6.2 DAM)		Per Extension	\$	100

Wireless Communication Facilities - Eligible Facility Request (EFRs) Per Case 645

Major Cases (Require One or More Public Hearings)				
Planning Fees shall be paid in full upon receipt of invoice. A \$500.00 setup fee is required per case, except where noted. Fees may be paid by check or online via ACH or Credit Card				
Administrative Site Plan and Administrative Energy Case (Oil & Gas) <i>(No public hearings are required-unless the case is elevated by request.)</i>			Per Sheet	\$ 500
Certificate of Designation	Setup fee not required		Per Case	\$ 15,000
Comp Plan Amendment	Setup fee not required		Per Case	\$ 7,500
Conventional Rezoning	Sheets 1-10	\$ 2,000 ea	Sheets 11-X	\$ 500 ea
Development Agreement	Setup fee not required		Per Case	\$ 7,500
Final Development Plan, Specific Development Plan, General Development Plan, Master Development Plan, Preliminary Development Plan, or Major Amendments requiring a public hearing	Sheets 1-10	\$ 2,000 ea	Sheets 11-X	\$ 500 ea

NOTE, SOME LAND USE CASES WILL BE REFERRED TO OTHER AGENCIES, SUCH AS FIRE DISTRICTS, WATER/SEWER DISTRICTS, AND COLORADO GEOLOGICAL SURVEY FOR REVIEW. YOU MAY BE BILLED SEPARATELY BY THOSE AGENCIES FOR THEIR REVIEW OF YOUR PROJECT. PLEASE PAY THEM DIRECTLY.

Major Cases (Require One or More Public Hearings)						
Planning Fees shall be paid in full upon receipt of invoice. A \$500.00 setup fee is required per case, except where noted. Fees may be paid by check or online via ACH or Credit Card						
Final Plat or Replat	Sheets 1-10	\$	2,000 ea	Sheets 11-X	\$	500 ea
Land Development Code Rewrite	Setup fee not required			Per Case	\$	10,000
Location and Extent	Sheets 1-10	\$	2,000 ea	Sheets 11-X	\$	500 ea
Minor Subdivision	Sheets 1-10	\$	2,000 ea	Sheets 11-X	\$	500 ea
Planned Sign Program – less than 100 acres	Setup fee not required			Per Case	\$	7,500
Planned Sign Program – 100 acres or more	Setup fee not required			Per Case	\$	10,500
Preliminary Plat	Sheets 1-10	\$	2,000 ea	Sheets 11-X	\$	2,000 ea
Rural Cluster	Sheets 1-10	\$	2,000 ea	Sheets 11-X	\$	500 ea
	Site Analysis	Setup fee not required			Per Case	\$ 750
	Conservation Area Management Plan	Setup fee not required			Per Case	\$ 750
Street Name Change	Setup fee not required			Per Case	\$	750
Subdivision Exemption	Setup fee not required			Per Case	\$	1,000
1041 Permit Areas & Activities of State Interest (this fee includes the Location and Extent Plan, if part of the 1041 application); Use by Special Review for major electrical, natural gas, & petroleum derived facilities; Certificate of Designation	A \$10,000.00 initial deposit is required at the time of application. Then staff hours, dedicated to reviewing the case, will be tracked and the applicant will be invoiced based on an average, fully loaded hourly rate. If the review exceeds the deposit amount, an additional invoice will be sent to the applicant for immediate payment. At case closure, any unused deposit will be returned to the client.					
Special District Requests (Title 32)	\$10,000.00 or 1/100 of 1% of the debt listed in the Service Plan, whichever is less - Per Case					
Use By Special Review, amendments, or Oil and Gas/Solar cases requiring a public hearing	Sheets 1-10	\$	2,000 ea	Sheets 11-X	\$	500 ea
Vacation of Easement / Dedication	Setup fee not required			Per Case	\$	750
Vacation of Right of Way	Setup fee not required			Per Case	\$	750
Vesting (concurrent with site-specific development plan)	Setup fee not required			Per Case	\$	500
Vesting (after site-specific development plan approval)	Setup fee not required			Per Case	\$	1,500
Resubmittal Charges (after three or more reviews) a customer may be assessed excessive review fees at 50% of the original submittal fee for each, subsequent submittal.						
Affordable/Attainable Housing: Planning Division fees for applications proposing affordable or attainable housing, as defined by the Land Development Code, shall be reduced by a percentage equal to the percentage of affordable or attainable units provided in the development, but not to exceed a 50% reduction of the fees						

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