

USE BY SPECIAL REVIEW

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

WHEREAS, application has been made by CR Land Services on behalf of DJ South Gathering, LLC and Rocky Mountain Midstream, LLC for a Use by Special Review, Remora Connections, Case No. UASI25-003, for certain property hereinafter described to-wit:

Sections 1 and 2 of Township 4 South, Range 64 West of the 6th Principal Meridian in the County of Arapahoe, State of Colorado

Sections 6 Township 4 South, Range 63 West, of the 6th Principal Meridian in the County of Arapahoe, State of Colorado

and

WHEREAS, after public hearing on this matter on July 7, 2026, the Arapahoe County Planning Commission recommended that the application be approved subject to certain recommended conditions of approval;

WHEREAS, following said Planning Commission hearing, public notice of hearing before the Board of County Commissioners for Arapahoe County, Colorado was made for a hearing on such proposed Use by Special Review by publication on July 22, 2026, in The I-70 Scout and July 23, 2026, in the CCM, newspapers of general circulation within Arapahoe County, by posting of said property, and by mail notification of adjacent property owners in accordance with the Arapahoe County Land Development Code;

WHEREAS, pursuant to applicable law and the Arapahoe County Land Development Code, a public hearing was held before the Board of County Commissioners at the Arapahoe County Administration Building, 5334 South Prince Street, Littleton, Colorado, on the 11th day of August 2026 at 9:30 o'clock A.M., at which time evidence and testimony were presented to the Board concerning said Use by Special Review request; and

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

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

1. The Board of County Commissioners for Arapahoe County hereby approves the application for Use by Special Review, Case No. UASI25-003, Remora Connections, for the property described in this Resolution, subject to the stipulations and/or conditions precedent as hereinafter delineated.
2. Approval of this Use by Special Review is based upon the following understandings, agreements, and representations:
 - a) The applicant's assent and agreement to make all modifications to the final version of the documents that are necessary to conform the documents to the form and content requirements of the County in existence at the time the documents are submitted for signature.
 - b) The representations, statements, and positions contained in the record that were made by or attributed to the applicant and its representatives, including all such representations made at the hearing and statements contained in materials submitted to the Board by the applicant and County staff.
3. Approval of this Use by Special Review shall be and is subject to the following stipulations and conditions precedent, which the applicant has accepted and which the applicant is also deemed to accept by preparing a mylar for signature by the Chairman of the Board of County Commissioners within sixty (60) days of this date and by continuing with the development of the property:
 - a) Prior to signing the Use by Special Review, Applicants will have secured all necessary property rights or easements needed for the pipeline.
 - b) If the Project overlaps with mule deer, white-tailed deer, or antelope migratory corridors and their winter concentration areas, Applicants shall make reasonable efforts to install fencing or other effective methods to keep these animals out of trenches and construction zones. During construction, Applicant shall make reasonable efforts to monitor open trenches daily for trapped wildlife.
 - c) If grading or construction is to occur on the Project between December 1 and April 30, Applicants shall conduct a survey to determine if Mule Deer are present. The survey results shall be submitted to CPW and the Planning Division for review. If Mule Deer are present, no construction or grading is permitted during those dates unless CPW advises Arapahoe County that the survey results do not support limiting construction or grading.
 - d) If grading or construction is to occur from March 15 to June 15, Applicants shall conduct a survey to identify and locate swift fox den sites in the Project area. The survey results shall be submitted to CPW and the Planning Division for their review. If a den is identified and located, no

human encroachment, surface disturbance, or construction within 0.25 miles of an active maternal den unless CPW advises Arapahoe County that the survey results do not support the need to limit said activities.

- e) Applicants shall conduct a pre-construction survey to determine the presence of migratory bird nests following Colorado Parks and Wildlife's protocol. The survey results shall be submitted to CPW and the Planning Division for their review. If migratory nests are found, Applicants shall refrain from construction activities from January 15 to August 31 or until migration, unless CPW advises Arapahoe County that the survey results do not support the need to limit construction activities.
 - f) If grading is to occur during the raptor nesting season from February 1 to July 31, Applicants shall conduct a preconstruction survey. If an active raptor nest is detected, CPW's buffer and seasonal guidelines will be followed unless CPW advises Arapahoe County that the survey results do not support the need to limit construction activities.
 - g) Applicants shall conduct a pre-construction survey to determine the presence of burrowing owls following Colorado Parks and Wildlife's protocol. The survey results shall be submitted to CPW and the Planning Division for their review. If burrowing owls are found, Applicants shall refrain from construction activities within 200 meters of nests from March 15 to August 15 or until migration, unless CPW advises Arapahoe County that the survey results do not support the need to limit construction activities.
- 4. Upon the applicant's completion of any and all changes to the revised Use by Special Review mylar as may be required by this Resolution, the Chairman of the Board of County Commissioners is hereby authorized to sign the same.
 - 6. County planning, engineering and legal staff are authorized to make any changes to the mylar form of the approved document as may be needed to conform the documents to the form and content requirements of the County. No other deviation or variance from the form and content of the documents submitted for the Board's consideration are approved except to the extent stated in this resolution.
 - 7. The County Attorney is authorized to make appropriate modifications to this Resolution and the underlying document(s), as needed, to correct errors and omissions, and to accurately reflect the matters presented to the Board and to record and clarify, as necessary, the Board's action.

The vote was:

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

The Chair declared the motion carried and so ordered.