



MEMORANDUM

BRYAN D. WEIMER, PWLF
Director

Lima Plaza
6924 South Lima Street
Centennial, Colorado 80112-3853
720-874-6500
arapahoe.gov



TO: Planning Commission

THRU: Jason Reynolds, Planning Division Manager
Loretta Daniel, Long Range Planning Program Manager

FROM: Larry Mugler, Planner

DATE: April 15, 2025

SUBJECT: Study Session - Revisions to Location and Extent Review Process – Proposed Land Development Code Amendment

Background

The Planning staff has reviewed the Location and Extent (L and E) provisions in the Land Development Code (LDC) and the Development Application Manual (DAM) and identified several changes that should make the L and E review process more efficient for applicants, staff, and the Planning Commission. This memorandum summarizes the proposed changes and updates the Planning Commission on changes since a study session in July 2024.

Arapahoe County undertakes location and extent reviews based on two Colorado statutes: Colorado Revised Statutes, § 30-28-110, as amended, and Colorado Revised Statutes, § 22-32-124, as amended. Under the first statute,

No road, park, public way, ground, or space, no public building or structure, and no major facility of a public utility shall be constructed or authorized in the unincorporated areas of Arapahoe County unless and until the proposed location and extent thereof has been submitted to and approved by the Arapahoe County Planning Commission.

The second statute concerns the location and construction of public and charter schools. This statute is not currently referenced in the LDC. The proposed change provides this summary of C.R.S. § 22-32-124,

prior to acquiring land or contracting for the purchase of land for a school site, the school district shall consult with and advise the Planning Commission in writing to ensure that the proposed site conforms to the adopted Comprehensive Plan as far as is feasible. Prior to the construction of any structure or building, the school district shall submit a site development plan for review and comment to the Planning Commission.

One unique element of these statutes is that the applicant in either case is not bound by the Planning Commission's action and can override a Planning Commission disapproval by action of their own board. The Colorado Land Planning and Development Law publication describes the L and E process this way, "Generally, the approval process is not intended to be a mechanism to

prevent the construction of public improvements and public utilities, rather, it is intended to encourage intergovernmental communication and coordination in the development of public improvements and public utilities.”¹

The intent of this review and suggested changes is to clarify the L and E process, simplify where possible, and make the LDC and DAM consistent. Planning staff reviewed the L and E processes for neighboring counties. Generally, they do not require the amount of detail that Arapahoe County lists in the LDC and the DAM. El Paso County has an extensive L and E provision but also includes a list of projects that are excluded from the L and E process. That is an element that the staff is proposing to add to the Arapahoe County LDC.

While the LDC does not have a reference to the school location and building review statute, the County has reviewed new schools. One difficulty has been the process for public charter schools. The statute states that the Planning Commission may request a hearing before the school district board to address concerns. However, charter schools have their own boards of directors and make their own decisions on siting. The Planning Commission, a school district board, and a charter school board need a clear process for making sure the Planning Commission’s comments are considered. Douglas County seems to have solved this problem by having the school district require the charter school to contact the Planning Commission at the same time as the charter requests approval from the school district. If the Planning Commission has concerns that should be considered at a public hearing, early notification will allow the Planning Commission to participate in the school district’s public hearing. The revisions to the LDC will provide the linkages among the County, the school district board, and the charter school with the correct state statute cited.

The changes to the DAM are more technical. The current version requires several special studies that may not be appropriate for some L and E projects. The proposed changes allow the staff more flexibility in determining which studies are necessary.

At a study session with the Board of County Commissioners, they requested that the staff prepare a case study illustrating the effect of the proposed changes on a past project. The staff used case LE18-003 Arapahoe County Sheriff’s Substation to identify how the proposed changes would have affected the review of that case. A summary is attached. The major concern was the amount of detail initially submitted by the applicant. The proposed changes to the DAM give staff more latitude in eliminating special studies (like traffic studies) that would have saved the Sheriff’s Department the costs of preparing the studies. In this case, identifying the unneeded studies at the pre-submittal meeting might have saved time and money. The proposed changes to the LDC and DAM now emphasize the need to determine the special studies at the earliest opportunity in the review process.

¹ John G. McGrath and Burke S. Lewis, “Planning,” in *Colorado Land Planning and Development Law*, sixth edition, Donald L. Elliott, General Editor. Denver: Colorado Chapter of the American Planning Association. p. 26.

Copies of the L and E sections of the LDC and DAM are attached with the proposed changes shown in red.

Action Requested and Study Session Presentation

The attached PowerPoint presentation highlights the proposed changes. The staff encourages the Commission to review all aspects of the proposed regulations and welcomes comments and direction on the entire set of proposed code amendments.

Code Amendment Process and Tentative Adoption Schedule

Assuming that the Planning Commission does not identify issues with the proposed changes that require extensive effort, the proposed changes will be included with other LDC and DAM revisions soon.

Attachments

Land Development Code Proposed Changes
Development Application Manual Proposed Changes
Case Study Summary
PowerPoint presentation

Proposed Changes to the Land Development Code for Location and Extent Reviews

5-7.3. Location and Extent

A. INTENT

The regulation of the location and extent of public facilities is provided by Colorado Revised Statutes, Section 30-28-110, as amended. ~~It is the intent of the paragraphs of this Section~~The paragraphs of this Section intend to conform to the provisions of the State Statute, to define the factors to be considered in the “Location and Extent” process, and to prescribe procedures for the orderly consideration of Location and Extent applications in order to effectuate the purposes of the state statute.

B. GENERAL REQUIREMENTS AND PROCEDURE

1. Applicability

- a. No road, park, public way, ground, or space, no public building or structure, and no major facility of a public utility shall be constructed or authorized in the unincorporated areas of Arapahoe County unless and until the proposed location and extent thereof has been submitted to and approved by the Arapahoe County Planning Commission.
- b. ~~Public Schools and Charter Schools.~~ Public school site locations and site development plans are governed by state statute. As required by Section 22-32-124(1)(a), Colorado Revised Statutes, prior to acquiring land or contracting for the purchase of land for a school site, the board of education for the school district shall consult with and advise the Planning Commission in writing to ensure that the proposed site conforms to the adopted Comprehensive Plan as far as is feasible. Prior to the construction of any structure or building, the school district shall submit a site development plan for review and comment to the Planning Commission. The Planning Commission may request a public hearing before the board of education on such proposed site location or site development plan and the board of education shall promptly schedule same.
- ~~a-c.~~ Charter Schools. Charter school facilities are governed by state Statute. As required by Section 22-32-124(1.5)(a), Colorado Revised Statutes, prior to contracting for a facility, a charter school shall advise in writing the planning commission and the planning commission, within ten (10) days of such written advisement, may request the charter school to submit a site development plan for the propose facility and, if requested, the charter school shall submit a site development plan for the planning commission’s review and comment. The planning commission shall provide comments within thirty (30) days of receiving such plan. The planning commission, if not satisfied with the charter school’s response to such comments, may request a hearing before the board of education on the charter School’s proposed development plan.
- d. The following facilities or actions are exempted from location and extent review, but shall comply with any other permit or development requirements:
 - i. Routine extensions of public utility lines and minor modifications to existing utility lines and/or facilities~~shall not be subject to this procedure.~~

- ii. Capital road projects within Arapahoe County or Colorado Department of Transportation rights of way.
- iii. Operation, maintenance, repair, and replacement of existing water and sewage collection, treatment, storage, and delivery facilities and associated works, provided that improvements or replacements of existing facilities do not expand the level of service beyond existing design capacity and do not materially alter the location of the existing facility.
- iv. Operation, maintenance, repair, and replacement of existing electrical substations, transmission, and distribution facilities and associated works, provided that improvements or replacements of existing facilities do not materially alter the existing facility.
- v. The extension of any utility facility or line necessary to serve a particular subdivision, particular subdivision or other use approved under this Code and Code and provided that a permit under the Arapahoe County Regulations Governing Areas Governing Areas and Activities of State Interest (1041 Regulations) is not otherwise required.
- vi. A facility identified within a PUD, where the Administrative Site Plan has been submitted and reviewed through the County's PUD process.
- ~~ii.~~ vii. Expansion of existing facilities does not require the submittal of a new application if the expansion was identified and approved in the original application.
- viii. Certain minor changes to existing L&Es can proceed as administrative amendments. [For instance, adding a new or reconfigured ballfield or new equipment, new or trails or trailheads or even amphitheaters to existing parks or open spaces can be decided by staff without hearing and might need to have some manner of notice to the PC. Similarly, perhaps certain amendments to cell tower L&Es can be exempted or treated administratively with notice to PC.]

2. Procedures

- a. Location and Extent applications shall follow the application procedures in Section 5-2.1.B.
- b. When the application is determined to be complete, staff will set a hearing date before the Planning Commission.
- ~~b-c.~~ Once the hearing before the Planning Commission has commenced, the Planning Commission shall render its decision within thirty (30) days and no continuance may extend such decision for more ~~beyond~~ than thirty (30) days without the written consent of the applicant.
- d. The Planning Commission will use the following criteria in its review:
 - a. The compatibility with the existing and allowable land uses in the surrounding area.
 - b. The degree of conformance with the County's Comprehensive Plan and applicable subarea plans.
 - c. The applicant's efforts for public outreach concerning the project.
 - d. The ability to mitigate negative impacts upon the surrounding area.
 - e. The availability of infrastructure and services.

- f. The public way, ground, space, building, structure, or utility, does not conflict with that of another authorizing or financing entity as contemplated by C.R.S. sec. 30-28-110(c).
- ~~a-g.~~ The effect on the health, safety, and welfare of the residents and landowners in the surrounding area.
- e. If the Planning Commission disapproves a proposed public facility authorized or financed by the County, or approves it with conditions the applicant is not willing to accept, ~~the applicant may appeal such decision to the Board of County Commissioners, and~~ the Planning Commission shall communicate the reasons for such disapproval to the Board of County Commissioners and the applicant may appeal such decision to the Board, who may overrule such disapproval by a majority vote.
- f. If the project is not required to be authorized or financed by the County, the Planning Commission's disapproval may be overruled by the body or official having jurisdiction consistent with the provisions of CRS 30-28-110f.
- g. Public Schools and Charter Schools. Public schools and charter schools do not require a location and extent and shall be processed in accordance with the provisions of CRS 22-32-124. Upon receipt of the written advisements specified under CRS 22-32-124 concerning site locations for new school facilities or site development planning or construction of new facilities for public or charter schools, an agenda item for the Planning Commission to consider and propose such comments as it desires to communicate to the School District Board shall be scheduled within such time frame as may be required under CRS 22-32-124 and in accordance with said law.

3. Public Notice

- a. The applicant shall be responsible for providing public notice prior to the Planning Commission hearing in compliance with the public notice requirements in Section 5-2.2 of this Code.
- b. If a Planning Commission decision is appealed, the applicant shall be responsible for providing notice of the Board of County Commissioners hearing in compliance with the requirements in Section 5-2.2 of this Code.

4. Decision and Findings

- a. The Planning Commission and the Board of County Commissioners, when applicable, may approve the facility as submitted, approve it with conditions, or deny the facility. The conditions to be imposed are those necessary, at the discretion of the Planning Commission and Board of County Commissioners, to mitigate or eliminate any adverse impacts of the proposed facility on the surrounding area and may include the posting of sufficient performance guarantees with the County to guarantee the construction of any public improvements.
- b. Upon approval of the Location and Extent, a photographic mylar or equivalent, prepared in accordance with the standards established in the Development Application Manual, Part 5, shall be submitted to the PWD Department for the Planning Commission's signature. The mylar will be kept on file at the PWD Department Planning Division.

C. POST APPROVAL ACTIONS

- a. Approval of a Location and Extent request shall be and may be subject to stipulations and/or conditions precedent which the applicant is deemed to accept by preparing a reproducible mylar for signature by the Chairman of the Planning Commission or Board, as applicable, within

60 days from approval date. If no mylar is submitted, the PWD Department will recommend the Planning Commission rescind approval of the request.

- b. After the Planning Commission or Board Chair signs the final mylar, building permits may be obtained (upon proof of an approved Final Plat before Location and Extent approval) if applicable. Many times, the land underlying a Location and Extent is not yet platted.

D. AMENDMENTS

An approved Location and Extent Plan may be amended pursuant to the provisions of Section 5-2.3. The Planning Division Manager will make the determination of whether an amendment is a major amendment or can follow the administrative amendment procedures. Appeals to the Planning Division Manager's determination may be made to the Planning Commission.

Proposed Changes to the Development Application Manual for Location and Extent Reviews

2-26 Location and Extent

C.R.S. 30-28-110 requires the Planning Commission to review and approve construction of or plans for the construction of any road, park or other public way, ground or space, public building or structure, or public utility, whether publicly or privately owned. Procedures for this approval are summarized in the following flowchart and are described in more detail in Section 5-7.3 of the Land Development Code.

A. SUBMITTAL REQUIREMENTS

Before applying, it is recommended that the applicant contact the Planning Division and Engineering Services Division to establish the specific submittal requirements. The requirements will be discussed at the Pre-submittal meeting.

1. Completed Land Development Application form:

<http://www.arapahoegov.com/DocumentCenter/View/1211/Land-Development-Application?bidId=>

2. Presubmittal Meeting Notes with Submittal Checklist.

3. Submittal Fees.

4. Letter of Intent.

5. Notarized Letter(s) of Authorization. (Letter signed by property owners(s) authorizing another person to process the application.)

6. Technical Reports and Plans as required by the Engineering Services Division:

a. Phase III Drainage Report conforming to the Stormwater Management Manual, if required;

b. Traffic Impact Study conforming to the requirements of the Arapahoe County Guidelines for Traffic Impact Studies, unless waived by the Engineering Services Division;

c. Grading, Erosion, and Sediment Control Plans and Report, if required;

d. Construction Plans and engineer's cost estimate for public improvements; and

e. Legal descriptions and exhibits for any required right-of-way or easement dedications.

7. Letters of Intent for:

a. Public improvements collateral; and

b. Grading, erosion, and sediment control collateral.

8. Additional Information may be requested by the Planning Division, Engineering Services Division or Mapping Section if deemed appropriate to the request. Information required above may be waived by the Planning Division Manager, Engineering Services Manager, ~~or~~ Mapping Section Manager, or designees, if it is deemed to be immaterial to the request.

9. Location and Extent Plan exhibit(s) per Section B below.

B. LOCATION AND EXTENT PLAN

The Location and Extent Plan shall be prepared in accordance with the standards included below with the information indicated:

1. GENERAL GRAPHIC STANDARDS

- a. All plans shall be prepared on 24" x 36" sheets.
- b. All lettering and numbering shall be in upper case sans serif with a minimum 12-point font unless otherwise approved by the Planning Division Manager or designee. Font size shall be readable when reduced to 11" x 17" size.
- c. No plan shall include copyright restrictions.
- d. All maps shall show a true north arrow, section corners and the appropriate land grid, the name of the person who prepared the map, and the date the map was prepared.
- e. All sheets will be numerically ordered. All graphic representations, notes, charts, tables and other types of categorized information will be accompanied by common drafting information such as, but not limited to, the following:
 - i. A logical system of ordering the different graphic elements of the plan such as numbered details; and
 - ii. Expository titles for charts, tables, and other categories of information.
- f. Maps showing topography shall have a contour interval of two feet (2') or less on a **NAVD 88 datum** or another contour interval approved by staff. All contours, spot elevations and design elevations shall be to the benchmark shown on the plan for the NAVD 88 datum.
- g. The minimum scale of the drawing shall be one (1) inch to one hundred (100) feet. Enough sheets shall be used to accomplish this end. Acceptable larger scales are one (1) inch to twenty (20) feet, thirty (30) feet, forty (40) feet, fifty (50) feet and sixty (60) feet. For a large project (e.g., a 100-acre park). Staff may approve a scale appropriate for review.

2. ALL SHEETS OF THE PLAN SET

- a. A title shall be located at the top of each sheet containing the following information: project name, type of application (Name of Project Location and Extent). In smaller lettering: the ¼ section(s), section, township and range in which the project or subdivision is located, followed by 6th Principal Meridian, County of Arapahoe, State of Colorado. In addition, if located in a subdivision, the subdivision name, block and lot number(s) shall be identified.
- b. A blank rectangular space will be left in the upper left hand corner of each sheet measuring 2"(h) x 4"(w) for staff use.
- c. A legend with line types and symbols used.
- d. Each sheet shall have the case number in the bottom left hand corner that reads, "Arapahoe County Case No. XX-XXX."
- e. Sheet Number and count (lower right, e.g., Sheet 1 of 10).
- f. North Arrow, Graphic Scale, and Numeric Scale.

g. The sheet number and the relation of each adjoining sheet shall be clearly shown by a small key map on each sheet.

3. COVER SHEET

a. Legal Description (full written lot and block or metes and bounds legal description per ownership information).

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

c. Signature Blocks (Owner(s), Planning Commission Approval, BOCC Approval if applicable).

d. A Revisions Block updated as needed.

e. Names and Addresses of the owner(s), plan preparer(s), landscape architect, engineer, surveyor, and date of the survey.

f. Vicinity Map (scale of 1"=2,000' preferred) showing the subject property in relation to section lines and existing or proposed major roadway network and drainageways within one (1) mile, with Scale and North Arrow.

g. Index of Sheets identifying the title of each sheet. All sheets shall be titled as they are listed in the index.

4. SITE PLAN SHEET(S)

a. Name of the proposed facility.

b. Proposed land use for each area and its area in square feet.

c. Existing and proposed public and private rights-of-way serving the site, types of surfacing, and width of paving.

d. The existing zoning of the property to be used, as well as the zoning and residential density of all adjacent properties.

e. All easements and drainageways should be identified.

f. Existing and proposed finished grade topography shown at two-two-foot (2') contours on an NAVD 88 datum. (Staff may approve another contour interval.) All contours, spot elevations, and design elevations shall be to the benchmark shown on the plan for the NAVD 88 datum.

g. The location(s) and dimension(s) of all existing and proposed structures, the use(s) to be located therein, the building elevations, gross floor area, and locations of entrances and loading points.

h. Location of outdoor waste disposal systems.

i. All existing and proposed curb cuts, driveways, parking (including the number of spaces) and storage areas. Also, the location(s) and dimension(s) of existing curb cuts and driveways on adjacent properties and across right-of-way.

j. All walks, open and recreation areas with a description of these improvements.

k. An illustrative landscape plan showing locations, general types and sizes of all proposed landscaping materials, fences, walls, planters and any other landscaping features.

l. Provisions for access by emergency vehicles.

m. Lighting and signage devices fully detailed (See Sections 4-1.4 and 4-1.5 of the LDC).

n. Utility lines and appurtenances.

o. 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.

p. Other information that may be required by the Planning Division, Engineering Services Division, or Mapping Section. Information above may be waived by the Planning Division Manager, Engineering Services Division Manager, ~~or~~ Mapping section Manager, or designees, if deemed immaterial to the request.

C. AMENDMENTS

1. Amendments to approved Location and Extent Plans may be administrative or major as determined by the Planning Division Manager according to the criteria in Section 5-2.3 of the Land Development Code, with submittal requirements following Section 2-23.1, Administrative Amendment, or Section 2-23.2, Major Amendment of this Manual, as applicable.

2. If approved as either an administrative or major amendment, the applicant shall submit a final mylar of the Location and Extent Plan according to the standards established in Part 5: and Section 2-23 of this Manual. The amended plan shall contain all the original information, the items which are being changed, and an Amendment History.

Location and Extent Case Study: Arapahoe County Sheriff Substation

The Board of County Commissioners (BOCC), at a study session on July 16, 2024, reviewing proposed changes to the Land Development Code for Location and Extent (L and E) reviews, requested that staff provide a case study illustrating how the proposed changes would have affected a previous project. This report uses a project of the Arapahoe County Sheriff's Department for a new substation within the Four Square Mile neighborhood. After a brief description of the proposed project, the report presents an assessment of how the review of this project would have been conducted under the proposed changes for the Location and Extent process.

Case number LE18-003 was a request for a location and extent review from the Sheriff's Department submitted to the Planning Division in 2018 and considered by the Arapahoe County Planning Commission (PC) at a public hearing on August 9, 2018. The Sheriff's Department had proposed converting a former adult daycare facility into a substation to serve the Four Square Mile neighborhood. The facility was located at 1641 South Parker Road. As described in the staff report to the PC, the changes to the site would include:

- New accessory building (~ 260 sq. ft.)
- Accessible ramps
- New perimeter fence and gate
- Site lighting
- Detention Pond
- Additional landscaping, and
- Grading, asphalt paving, and striping of the parking lot

No external changes would be made to the main building with internal renovations to accommodate sheriff deputies during shift changes.

Following the public hearing, the PC approved the project, and it is now being used as a substation.

Likely effects of proposed changes to L and E process

Appeal of Denial

In this case, the PC did not deny the request. If they had voted to deny, the applicant could have appealed that decision to the Board of County Commissioners, since it was a County-funded project. One of the proposed changes to the L and E process is required by Colorado Statute C.R.S. §§ 30-28-110, et seq. For any project denied by the PC, the PC is required by statute to provide a summary of the project and the reasons for the denial to the BOCC, regardless of the applicant requesting BOCC review. This requirement is not described in the current L and E regulations but is identified in the proposed revision.

Fee waiver

After some consideration, both planning and engineering review fees were waived since this was a County-financed project. It should be clarified in the L and E guidance that fees are waived for projects financed from the general fund and may be for projects using other funds as directed by the BOCC. Required application submittals

The applicant was required to provide the following documents:

1. Proposed land development plan
2. Grading, Erosion, and Sediment Control Plans and Report
3. Construction Plans
4. Traffic Impact Study
5. Drainage Study
6. Operations and Maintenance Manual

The proposed changes to the L and E process would allow staff to eliminate several of these items from the submittal, including the Grading, Erosion, and Sediment plan, the traffic impact study, and the drainage study. In addition, detailed construction plans are not needed to determine if the location of the substation is appropriate.

A review of the files for LE18-003 indicates that several of these items were, in fact, not required but that decision was not made until after the applicant had already incurred the preparation costs. The intent is that the revised review process will highlight the optional items so that the staff can decide on the necessity of special studies during the pre-submittal meeting. The applicant would save the cost of preparing such items. (Although some of these reports may be required later in order to obtain a building permit.)

The original submittal of the substation L and E application included 65 pages for the construction plans, a two-page traffic impact statement with a waiver request, a 51-page drainage study (for a 0.5-acre site), and an 11-page operations and maintenance manual for a stormwater detention pond on site.

By the time the final application was submitted, the submittal package had been reduced to less than 15 pages.

The proposed revised L and E process would clarify the level of detail for project submittals and explain this clearly at the pre-submittal meeting.

The changes proposed to the Development Application Manual (DAM) include staff flexibility regarding the topographic interval for plan documents. The DAM currently requires two-foot contours. The Substation documents used both 1-foot and 5-foot contours. I did not find any notes from the staff about this difference. Under the proposed changes, staff would have the flexibility to accept contours like those used in the case study.

Conclusion

This case study used a relatively simple project but demonstrated the problem that initially too much material was submitted by the applicant. The revised application and review process would reduce the amount of detail required by the applicants. In the case study, the staff did encourage the applicant to provide less detail, but this did not occur until after several rounds of review. By

providing flexibility and simplification in the review process, which would be explained at the earliest pre-submittal meeting, this would save applicants time and money and also staff time.

Location and Extent Discussion

Planning Commission

Study Session – April 15, 2025

State Statutes

- Colorado Revised Statutes, Section 30-28-110
- Major Statute
- Requires planning commission review and approval of public improvements with an emphasis on consistency with comprehensive plan

- CRS, Section 22-32-124
- Most counties also reference
- Requires planning commission review and approval of public and charter schools



Key Provisions

1. **Coverage** - road, park, public way, ground, or space, public building or structure, and major facility of a public utility
2. **Exceptions** – Arapahoe – routine extensions of public utility lines and minor modifications to existing lines or facilities
3. **Submittal requirements**
4. **Timing** – 30-day limit, Arapahoe County starts the 30-day clock at the PC hearing
5. **Appeal** – projects sponsored by a county entity can appeal a denial to the BOCC, the statute requires the PC to submit a denial with reasons to the BOCC
6. **Non-county projects** – the body having jurisdiction can overrule the disapproval by a majority vote
7. **Fee** - \$2,000 per sheet for first 10 sheets, \$500 per sheet over 10

Review of Other Counties

- **Adams, Weld and Mesa** have no provision for L and E in their codes
- **Boulder** – requires an engineering report, mineral rights statement, referral package, service area description, and a site plan
 - Does not require a sign for the public hearing
 - Webpage link is supposed to include both 1041 and L and E, no L and E
 - Fee - \$500 and \$106 per hour



Douglas County

- ❖ A pre-application meeting w/ BOCC may be required
- ❖ Denial of a county funded project is forwarded to the BOCC by the PC.
- ❖ L and E Exhibit Includes:
 - ❖ *Access, easements, road widths, parking and outdoor storage.*
 - ❖ *Topography (staff can approve a interval different than 2 feet).*
 - ❖ *Source of water and method of waste disposal, illustrative landscape plan. Utility lines.*
- ❖ L and E Report:
 - ❖ *Community impact report, Phase III Drainage report, Narrative or traffic study*
 - ❖ *a guarantee of public improvements.*
 - ❖ *Information may be waived by the planning services director*
- ❖ School siting is embedded in the text
- ❖ No information on notice requirements for the public hearing.

Review of Other Counties

El Paso

- ❖ A site development plan is required
- ❖ Projects requiring 1041 review do not need an L and E; some others including “a facility identified within a PUD”
- ❖ School review process included
- ❖ Disapproval of a county-funded project is communicated to the BOCC
- ❖ Submittal requirements are supposed to be in the Code and Procedures Manual but the manual does not mention L and E
- ❖ Fee - \$3,800



Review of Other Counties

Jefferson

- ❖ Requires a site plan and environmental assessment;
- ❖ Lists several other reports but all are at the discretion of the case manager
- ❖ School review is specifically described
- ❖ Lists several activities that do not require L and E, such as:
 - ❖ *sale, lease, or acquisition of any property or structure approved by the BOCC;*
 - ❖ *roadways in the Major Thoroughfare Plan*
 - ❖ *any other proposal deemed minor by the planning director*
- ❖ Notification requires a community mailing and sign but no newspaper publication with some exceptions
- ❖ Fee – table is by function (e.g., PC hearing is \$200) not by process

Review of Other Counties

Larimer

- ❖ 2003 guide has been replaced by section 6.4.4 in the LDC
- ❖ List of exemptions is gone but a list of required projects is provided
- ❖ School review process described
- ❖ Disapproval of a county-funded project is communicated to the BOCC
- ❖ No sketch plan is required, no topo is required
- ❖ Published and mailed notices required, no sign
- ❖ Fee - \$1,700 with general fund projects exempt; L and E administrative amendment - \$600

Proposed Changes

➤ Public and Charter Schools

➤ Exemptions

- County or CDOT Capital Road Projects
- Existing Water & Sewage Facilities
- Existing Electrical Facilities
- Extension of Utility Facilities
- Facility ID w/i PUD
- Expansion of Existing Facilities, if ID & Approved in Original Application
- Minor Changes to Existing L&E

➤ Procedural

- PC 30-day Decision, 30 Day Continuance
- Advise Decision of PC on County Project to BOCC
- Over-rule PC Decision by Jurisdiction Responsible, PUC, etc.



Key Changes

- **We have included a list of exclusions.**
- **We will request school districts to notify the PC when a charter application is filed.**
- **Added a statements in the submittal requirements giving “case managers” latitude.**
- **Revised LDC includes a requirement that the Planning Commission send a report but only the applicant can ask for BOCC review.**

Case Study

- Reviewed the 2018 Sheriff's Substation L and E
- Applicant prepared several special reports such as traffic study, drainage, etc.
- Before Planning Commission action, staff eliminated most of the special reports
- Revised the Proposed Changes to include a discussion of required special studies at the pre-submittal meeting

