



Arapahoe County

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Board Summary Report

File #: 25-469

Agenda Date: 9/9/2025

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To: Board of County Commissioners

Through: Bryan Weimer, Director, Public Works and Development

Prepared By:
Ernie Rose, Senior Planner, Public Works and Development

Presenter: Ernie Rose, Senior Planner, Public Works and Development

Subject:
LDC24-007 - Wireless Communication Facilities - Land Development Code Text Amendment

Purpose and Request:

This county-initiated project proposes amending the Land Development Code (LDC), retitling the Commercial Mobile Radio Services (CMRS) regulations to Wireless Communication Facilities WCF. Staff are requesting approval from the Board of County Commissioners (BoCC) on the draft regulations.

Alignment with Strategic Plan: Good Governance - Deliver mandated and essential services with excellence.

Background and Discussion: The specific sections of the LDC that will be amended include:

- Section 3-2.1: Permitted Use Table
- Section 3-3.8: Wireless Communication Facilities (WCF) Use Standards (Formerly known as Commercial Mobile Radio Service (CMRS) Use Standards
- Section 5-3.8: Wireless Communication Facilities Procedures (replaces the former CMRS Procedures)
- Section 6-1: Enforcement, Violations and Nonconformities - Wireless Communication Facility- A new section for information on Abandonment and Revocation of Permit has been added.

Staff worked with Clarion Associates to develop the proposed Wireless Communication Facilities Code. The proposed revisions respond to recent legislation and technological advancements in wireless communications. The proposed section of the Wireless Communication Facilities (WCF) code is designed to comply with Federal Communications Commission (FCC) regulations and delineates the criteria for "eligible facilities." It establishes standards on the location, design, maintenance, and removal of wireless communication facilities. This code aims to promote the collaborative use of both new and existing WCF locations, thereby minimizing the necessity for multiple towers within the County. This objective is accomplished by mandating the integration of facilities onto existing structures and encouraging co-location among WCF providers on both new and established towers. For new tower structures, the draft code emphasizes that the applicant must

demonstrate that other sites are not feasible. Furthermore, the code outlines a structured administrative process for the replacement, modification, repair, and upgrading of equipment through the building permit application system.

On January 21, 2025, the BOCC reviewed the proposed amendment during a study session and instructed staff to proceed with the LDC code update. On March 4, 2025, the Planning Commission reviewed the same amendment in a study session and directed it toward the public hearing phase.

Planning staff sent copies of the draft regulations to multiple wireless antenna carriers and consultants who process applications and posted the draft antenna regulations on the County's website for public comment from March 31, 2025, to April 30, 2025. Staff received two comments: one from a Greenwood Village resident concerned about coverage in their area, and another from Verizon, which detailed specific changes they wanted in the language. These comments are included in the attachment named Public Comments, Verizon Attorney, and Referral Table. County staff and Clarion reviewed Verizon's letter and made some of the proposed modifications.

Staff presented the proposed regulations at a public hearing before the Planning Commission on July 15, 2025. During the hearing, the Planning Commission asked questions about Verizon's requested amendments. A representative from Clarion Associates and staff addressed these questions during the public hearing. No members of the public commented at the Planning Commission meeting. Please refer to the attached Planning Commission staff report and minutes of the Planning Commission hearing.

Alternatives: The Board of County Commissioners has alternatives that include the following:

1. Approve the proposed Land Development Code with Conditions of Approval as recommended by staff or with changes.
2. Continue to a date certain for more information.
3. Deny the proposed Land Development Code Amendment.

Fiscal Impact: The proposed amendment is not expected to have any fiscal impact.

Alignment with Strategic Implementation Strategies:

The attached framework helps Arapahoe County institutionalize values-based, transparent decision-making, documenting how we make decisions and carry out actions to achieve the county's strategic plan.

Staff Recommendation: Staff is recommending approval of the proposed code amendments.

Concurrence : The Public Works and Development Department coordinated the draft changes with Clarion Associates. Planning Commission voted 6-0 to recommend approval, effectively forwarding this proposal with a recommendation of approval.