

**RESOLUTION NO. 22-XXX**

It was moved by Commissioner \_\_\_\_\_ and duly seconded by Commissioner \_\_\_\_\_ to approve the following Resolution.

WHEREAS, On July 31, 2018, by adoption of Resolution No. 180499, the Board of County Commissioners for Arapahoe County ("the Board") adopted a Fee Schedule for Planning Division fees for review of land development applications under the Arapahoe County Land Development Code by Board of County Commissioners Resolution No. 180499; and

WHEREAS, Department of Public Works & Development, Planning Division staff conducted a review of said Fee Schedule and recommends certain amendments as reflected in the proposed amended Fee Schedule presented to the Board with this Agenda item and as is printed below in the Resolution; and

WHEREAS, Planning Division staff recommends that the fee for Administrative Oil and Gas Use by Special Review applications be increased to cover the cost of staff time spent reviewing such applications and further to provide clarification language for the fees for applications for permits under the Regulations Governing Areas and Activities of State Interest in Arapahoe County ("1041 Permits"); and

WHEREAS, Planning Division staff also recommends, in order to provide incentives for any affordable or attainable development option that the Board may adopt in a future proposed amendment to the Land Development Code, if any, authorization in the Fee Schedule to reduce the Planning Division application review fee by a percentage amount equal to the percentage of affordable or attainable residential units proposed for the development, but not to exceed fifty (50%) percent; and

WHEREAS, The Board finds that said proposed amended Fee Schedule reasonably reflects the costs to Planning Division in processing and reviewing land development applications under the Land Development Code.

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

1. That the Board of County Commissioners hereby adopts the following Fee Schedule for all Planning Division land use and development applications processed by the Arapahoe County Department of Public Works and Development, Planning Division.

## 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; Revised \_\_\_\_\_ Resolution No. \_\_\_\_\_

| Administrative Cases (No Public Hearing Process)   |   |                    |    |       |
|--|---|--------------------|----|-------|
| Planning Fees shall be paid in full upon receipt of invoice.<br>Fees may be paid by check or online via ACH or Credit Card |   |                    |    |       |
| Administrative Amendment   | Administrative Site Plan or Specific Development Plan<br>During Construction, prior to C.O.   | Per Case           | \$ | 3,000 |
| Administrative Amendment   | Administrative Site Plan or Specific Development Plan<br>Before Construction  | 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<br>Minor adjustments to a plan.   | Per Case           | \$ | 500   |
| Administrative Energy Case (Solar – reduced fee mandated by state statute)   |   | Per Case           | \$ | 500   |
| Commercial Mobile Radio Service (Wireless Facility)  |   | Per Case           | \$ | 1,500 |
| Small Cell Wireless Facility (in Public Right of Way)<br>(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-.6.B DAM)  |   | Per Extension      | \$ | 100   |

| Major Cases (Require One or More Public Hearings)  |                         |             |    |        |
|--|-------------------------|-------------|----|--------|
| Planning Fees shall be paid in full upon receipt of invoice.<br>A \$500.00 setup fee is required per case, except where noted.<br>Fees may be paid by check or online via ACH or Credit Card |                         |             |    |        |
| Administrative Site Plan and Administrative Energy Case (Oil & Gas) (No public hearings are required-unless the case is elevated by request.)  |                         | 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.

Rev \_\_\_\_\_

| Major Cases (Require One or More Public Hearings)   |                                   |   |    |          |             |    |          |
|---|-----------------------------------|---|----|----------|-------------|----|----------|
| Planning Fees shall be paid in full upon receipt of invoice.<br>A \$500.00 setup fee is required per case, except where noted.<br>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);<br>Use by Special Review for major electrical, natural gas, & petroleum derived facilities;<br>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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REV \_\_\_\_\_

- That Planning Division staff and Public Works and Development Department are hereby authorized to take such actions as staff determine are reasonably necessary to implement and collect the fees stated in said such Fee Schedule.

The vote was:

Commissioner Baker, \_\_\_\_; Commissioner Holen, \_\_\_\_; Commissioner Jackson, \_\_\_\_; Commissioner Sharpe, \_\_\_\_; Commissioner Warren-Gully, \_\_\_\_.

The Chair declared the motion carried and so ordered.