



STATE OF COLORADO }
 }
COUNTY OF ELBERT }

At a regular meeting of the Board of County Commissioners for Elbert County, State of Colorado, held at 215 Comanche Street, Kiowa, Colorado on Wednesday, the 27th of April A.D. 2016,

Larry Ross Commission Chair
Kelly Dore Commissioner
Robert Rowland Commissioner
Dallas Schroeder Clerk to the Board

When the following proceedings, among other, we had and done, to wit:

RESOLUTION 16-16

RESOLUTION SUPERSEDING AND REPLACING ELBERT COUNTY ZONING REGULATIONS – PART I, SECTION 8: FEES

WHEREAS, the Elbert County Planning Commission, on March 29, 2016, held a public hearing on the proposed additions/amendments to the Elbert County Zoning Regulations; and

WHEREAS, the Elbert County Planning Commission is forwarding a recommendation for approval of the proposed additions/amendments to the Elbert County Zoning Regulations with minor changes recommended, for consideration by the Board of County Commissioners of Elbert County (Board); and

WHEREAS, on April 27, 2016, the Board held a public hearing on the proposed additions/amendments to the Elbert County Zoning Regulations; and

WHEREAS, the additions/amendments to the Elbert County Zoning Regulations will necessitate the complete replacement of Part I, Section 8 of the regulations.

WHEREAS, the Board finds that this hearing was properly noticed, and has reviewed the recommendations of the Planning Commission, and has reviewed the documentation supplied by Staff, and has listened to the presentation by Staff, and has listened to all public comment, and is fully advised in the premises.

BE IT THEREFORE RESOLVED, the Board of County Commissioners of Elbert County do hereby approve the additions/amendments to the Elbert County Zoning Regulations as recommended for approval by the Elbert County Planning Commission and as presented by the Staff at the April 27, 2016, with the following modifications, which are attached hereto and incorporated herein by reference:

This Resolution supersedes and replaces Part I, Section 8 of the Elbert County Zoning Regulations, and is effective immediately.



Upon a motion duly made and seconded, the foregoing Resolution was adopted by the following vote:

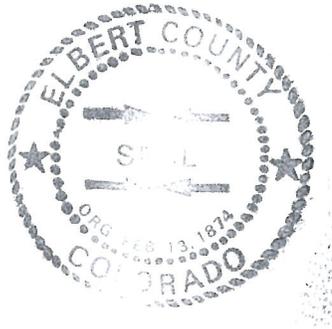
 Aye
LARRY ROSS, CHAIRMAN

 Aye
KELLY DORE, VICE CHAIR

 Aye ~~Nay~~ (PP)
ROBERT ROWLAND, COMMISSIONER

ATTEST: DALLAS SCHROEDER
COUNTY CLERK

BY: 
Clerk to the Board





PART I, SECTION 8: FEE STRUCTURE FOR LAND USE APPLICATIONS

A. INTENT

The fees noted below are designed to cover anticipated costs incurred by the County in the review and processing of Land Use applications submitted for consideration.

B. PAYMENT

All fees are payable to Elbert County by cash, check, credit card or money order.

C. CONDITIONS

1. The Board of County Commissioners reserves the right to adjust the fees noted when, in its opinion, it is necessary to accomplish a change, subject to public notice of any such change.
2. All fees paid are non-refundable, with the exception of those requests which are withdrawn or terminated by the applicant in writing, prior to the scheduling of the formal application to be heard before the Planning Commission or Board of Adjustments. However when a refund is properly requested, the refunds will be calculated as a pro rata share of the fees paid that have not already been consumed by county staff time or costs associated with the use of outside consultants. Appeals to the pro rata refund may be made to the Board of County Commissioners.
3. The fees indicated in the fee schedule shall be paid by all applicants. The Board of County Commissioners may use its discretion to waive fees.
4. Under no circumstance, except as above noted, will any Land Use Application be receipted for processing without the appropriate fee(s) being paid when fees are required. In the event such checks are returned for insufficient funds, there will be an additional charge required before continuing the processing (see current fee schedule).
5. A complete Fee Schedule related to development within the County is available in Community and Development Services and will be recorded with the County Clerk and Recorder. County officials will review fee adequacy as necessary or at one (1) year intervals and present fee adjustment recommendations to the Board of County Commissioners for modification and adoption by resolution. The fee schedule may include, but not necessarily be limited to the following: an effective date, residential rezoning, non-residential rezoning, concept plan, preliminary plat/residential, preliminary plat/non-residential, final plat, vacation(s), special use review, variance procedure, minor development plat, recorded plat amendments and adjustments, administrative adjustments, interpretations of uses not itemized, sign permits, substitution of original



improvement security, mineral exploration permits, recording of modified County Regulations, review of other governmental agencies, impact fees, temporary structure/office permits, building permits, inspections, certificates of occupancy, reviews, bonding, etc. All fees will be set at a level to recover costs incurred by the County to accommodate development. Determination of costs will include, but not be limited to: personnel, benefits, administration, equipment, expert consultation, contracted services, mileage, inspections, etc. Fee update information and research may also be done utilizing fees from similar organizations and neighboring communities, through comparison studies, from consultants' and related professionals' pricing and fees may be affected by actual costs when using outside consultants.

6. The County may solicit consultation for any reason. The applicant will be advised of estimated costs regarding independent services and consultation, and will provide written agreement for County reimbursement or withdraw the application. Such costs will be paid in full by the applicant at the time of application submittal. The applicant will provide the Community and Development Services Director a signed and dated Application Agreement Form. When using outside consultants Elbert County may impose an administrative fee to cover costs for processing and handling. Internal and external agencies and consultants may impose their own fees.
7. Applications that are dormant for more than sixty (60) days shall be permanently discarded and a new application shall be required if desired by applicant. Dormant means that the applicant has not taken the next step required of the application and/or has not communicated in writing with CDS staff. Refunds may be applied for in accordance with paragraph C.2. of this section.