

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 25th of October A.D. 2017,

Danny Willcox Commission Chair
Chris Richardson Commissioner
Grant Thayer Commissioner
Dallas Schroeder Clerk to the Board

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

RESOLUTION 17- 35
AMENDMENTS TO THE EXISTING LAND USE FEE SCHEDULE FOR CERTAIN LAND USE APPLICATIONS AND LAND USE PERMITS

WHEREAS, pursuant to C.R.S. §30-11-107(1)(e), 30-28-114 and 30-28-205, the Board of County Commissioners of ELBERT County, Colorado ("Board") is authorized to manage the business and budget of ELBERT County, and to establish land use and building permits, and to charge fees that cover the direct and indirect costs of such permits and attendant services; and

WHEREAS, the adopted Elbert County Zoning Regulations ("ECZR"), at Part I, Section 8, provides that a fee schedule for fees related to land use permitting may be adopted by the Board by resolution, and that such fee scheduled shall be designed to fully compensate the County for all costs incurred or anticipated to be incurred for Land Use matters; and

WHEREAS, pursuant to Part I, Section 8 of the ECZR, the Board may adopt a uniform schedule of fees at a regular meeting of the Board, or at a special meeting called for the purpose of adopting such fees, providing that notice that a fee schedule or amendment thereof will be considered by the Board has been published in the official County newspaper at least thirty (30) days in advance of the Board's consideration; and

WHEREAS, the Board has determined that with certain Land Use applications, the set fees may not be sufficient to cover all associated costs and person hours required to process the application; and

WHEREAS, the Board directed Staff to amend the Land Use Fee Schedule and provide necessary language and an associated fee that might be charged to an applicant when the costs to process the request exceed the set fee.

WHEREAS, Notice was published in the ELBERT County News newspaper on **SEPTEMBER 21, 2017** which is at least thirty (30) days prior to the consideration of the fee schedule and adoption of this resolution by the Board.

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners approves the proposed addition and amendments to the Land Use Fee Schedule as provided in Part I, Section 8 of the ECZR, and as set forth in the revised "Land Use Fee Schedule" attached hereto as Exhibit A. This schedule of fees shall be effective as to all permit applications filed after this date of adoption of the Land Use Fee Schedule, and until amended or repealed by the Board.

APPROVED AND ADOPTED THIS 25th DAY OF OCTOBER, 2017.

Data attached hereto as "Exhibit A", which is attached hereto and incorporated herein by reference. This resolution shall be effective upon adoption.

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



DANNY WILLCOX, CHAIR

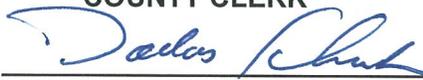


CHRIS RICHARDSON, COMMISSIONER



GRANT THAYER, COMMISSIONER

ATTEST: DALLAS SCHROEDER
COUNTY CLERK

BY: 

DALLAS SCHROEDER, CLERK TO THE BOARD





ELBERT COUNTY COMMUNITY & DEVELOPMENT SERVICES

215 Comanche Street / P.O. Box 7 - Kiowa, CO 80117
 303-621-3185 office -- 303-621-3165 fax
 www.ElbertCounty-CO.Gov

EXHIBIT A
 RESOLUTION 17-_____

The fees listed below are Plan Review fees. Some applications may require additional reviews (e.g. engineering, environmental health, etc.) and may have additional fees associated with them. All anticipated fees will be discussed with applicant prior to formal submittal.

1. Unless otherwise noted, all applications include two reviews per application: Initial Submittal Review (1st submittal review) and Checking Resubmittal Following Referral Period (2nd submittal review).

2. All submittals after the second submittal are charged on a cost basis at the hourly cost of Elbert County to have the plans/reports/documents reviewed (+10% for County administrative costs if using an outside consultant for resubmittal review). A \$1000 minimum resubmittal fee shall be provided with each submittal and in advance of any review taking place.

3. When using an outside consultant for plan review, all fees below may also be assessed a 10% administrative cost to cover the County's costs of handling unless otherwise noted.

4. Make all checks payable to Elbert County.

Pre-Application Work

Preliminary Application Review (Most Applications - Optional)	\$100
Pre-Application Meeting	\$100
Pre-Application Meeting for Subdivison	\$600

SITE PLAN

Non-Residential for Single Pad Site	\$1,800
Non-Residential for Multiple Pads	\$1800 + \$200 per building
Residential	\$1800 + \$200 per building
Major Revision	\$1,600
Minor Revision/Modification	\$500
Approval Extension	\$100

TIER I - SPECIAL USE BY REVIEW (SUR)

- Day care providers-unlicensed by state	\$1,000
- Second Residence (where permitted by SUR)	
- Fire Sub-Station	
- Private Residential Solar & Wind Generators	

TIER II - SPECIAL USE REVIEW

Commercial Towers: Communication, Radio, MET, Cell, etc.	\$2,200 plus 1% of total cost of construction * (* SEE DEVELOPMENT FEES)
0 - 40 Acres	\$2,200
40.1 - 100 Acres	\$1000 + \$30 per Acre
100.1 - 500 Acres	\$3,000 + \$15 per Acre
Multifamily	Base fee as calculated above with acres + \$65 per building

(Wind Farms, Solar Farms, Pipelines, power Installations, etc.)	\$20,000 plus 1% of total cost of construction * (* SEE DEVELOPMENT FEES)
- Wind Farms	
- Solar Farms	
- Pipelines	
- Power Installations	
- Solid Waste Disposal Facility (when processed with SUR)	
- SUR Covering 500.1 Acres + - "Other" (large scale, high impact SUR)	



FEE - SCHEDULE -- COMMUNITY DEVELOPMENT SERVICES
ELBERT COUNTY ZONING REGULATIONS, PART I, SECTION 8

SPECIAL USE FOR LANDFILL/MINING/GRAVEL PIT	
0 - 40 acres	\$2,000
40.1 - 100 Acres	\$50 per acre
100.1 - 320	\$4500 plus \$40 per acre
320.1 - 640	\$17,500 plus \$30 per acre
640.1 - 1000 Acres	\$36,500 plus \$25 per acre
1000.1 + Acres	\$61,500 plus \$20 per acre
Landfill/Mining amendment	\$1,000
Exemption/Borrow Site (temp)	\$1,000
OTHER:	
Temporary Use (1-180 days in a calendar year)	\$1,500
Long Term Temporary Use (exceeds 180 days a year & not longer than 24 mos. total)	\$2,500
Seasonal Use	
Special Event Permit	See Special Event Application
Sign Permit	\$250 (per individual sign)
MATTERS OF STATE INTEREST - 1041	
- New 1041 Major	\$10,000
- New 1041 Minor	\$5,000
- 1041 Amendment	\$2,500
REZONING	
Planned Unit Development (PUD) (residential or non-residential)	
0 - 20 Acres	\$2,500
20.1 - 40 Acres	\$4,000
40.1 - 160 Acres	\$3000 + 35 per acre
160.1 - 1000 Acres	\$8400 + \$10 per acre / max \$15,000
All Other Zone Districts (Straight Zoning)	
0 - 10 Acres	\$2,000
10.1 - 40 Acres	\$3,000
40.0 - 160 acres	\$3,000 + \$25 per acre + \$25 per lot
160.1+	\$8,000 + \$10 per acre + \$10 per lot
Planned Unit Development (PUD) Amendments	
Administrative Amendment	\$500
Major Amendment (non-administrative)	\$2,000
Development Guide Amendment	\$1,000
SUBDIVISION	
Preliminary Plat (PP)	
1 - 10 Lots	\$1,000
11 - 50 Lots	\$500 + \$70 per lot
51 - 500 Lots	\$3,500 - + \$15 per lot
501+ Lots	\$11,000 + \$3 per lot
Preliminary Plat - Non-Residential	\$1800 + \$25/gross acre
Subdivision Improvement Agreement (SIA)	\$2500 residential/\$2000 non-residential
If final plat is submitted more than 6 months after preliminary plat, see separate FP and PP fees.	
Concurrent Preliminary Plat/Final Plat or Final Plat w/in 6 mos of Preliminary Plat	
1 - 500 Lots	\$3,500
501+ Lots	\$2,000 + \$3 per lot
Final Plat (FP)/Replat	
Final Plat	\$1,500



FEE - SCHEDULE -- COMMUNITY DEVELOPMENT SERVICES
ELBERT COUNTY ZONING REGULATIONS, PART I, SECTION 8

SUBDIVISION CONTINUED	
Replat/Lot Line Vacation/Lot Line Adjustment	
- (Non-Administrative)	\$2,500
- (Administrative)	\$1,000
- Administrative Parcel Consolidation	\$750
Replat/Lot Line Vacation/Lot Line Adjustment - Continued	
Road Vacation/Plat Vacation	\$1,500
Minor Development (7 lots or fewer - Straight Zoning)	\$2,600
SB35 Exemption	\$1,200
Plat Correction	\$200
VARIANCE	
Variance (administrative)	\$500
Variance (BOA)	\$1,500
SIGN PERMIT	
Each Separate Sign	\$250
MASTER PLAN AMENDMENT	
Per Amendment	\$1,500
SPECIAL DISTRICTS/SERVICE PLAN	
Plan Review Fee - Planning Review Only (New District)	\$3,500
Outside Consultant/Review for New District (legal, finance, etc.)	Actual Cost + 15% (est. at \$10,000 - 15,000)
Outside Consultant/Review for Amendment	Actual Cost + 15% (est. at \$5,000)
Clerk and Recorder Fee (for new)	See clerk and recorder fees
Clerk and Recorder Fee (for amendment)	See clerk and recorder fees
OTHER FEES (* Some in addition to plan review fees)	
Environmental Health	As Determined by EC Environmental Health
Water Consultant	Actual Cost + 15%
Colorado Geological Survey	Actual Cost + 15%
Engineering Review Fees	See Engineering Fee Schedule
Re-Hearing Fee (all application types)	\$150 + actual costs for Plan Comm if needed
Resubmittal for 3rd Referral (all application types)	\$450 or see #2 of the fee schedule, whichever is higher
Resubmittal for 4th, 5th, etc. Referral (all application types)	\$800 or see #2 of the fee schedule, whichever is higher
2nd Pre-Application Meeting (all application types)	\$250
Address list for Mailing Public Notice (Assessor)	\$50
Addressing fee for new lots (Assessor)	\$100 + \$5 per lot
Returned Check Fee	\$20.00
Assessor Mapping Fees (includes new, amend, & corrections) -- (no charge if mapper-ready digital files are provided)	\$100 + \$10 per lot affected
Time Extension for Recording	\$150 (each extension)
Re-Instatement Fee for Any Application that has been withdrawn for any reason	\$50% of the original application fee(s). Includes all applications associated with the project.
Hourly Rate for Calculating "Time and Materials" (T&M)	
- Outside Consultant (Fee Based on Expertise Required)	Fee set by Consultant by Agreement with Elbert County
- Hourly County Fee (if not assessed already for admin)	\$120



DEVELOPMENT FEES

* Development Fees associated with an SUR shall be paid following the Board approval of the SUR. Fees will be due and payable prior to any work taking place on the approved site or within six months of Board approval, whichever comes first. A "cost of construction" statement shall be provided by the applicant to CDS within 45 days of Board Approval or before work begins whichever comes first. Elbert County will review the statement and may seek 3rd party input for validation of the statement should it feel necessary to do so and will invoice applicant. If agreement on "cost to build statement cannot be reached between the County and the applicant (parties), the parties shall agree on a 3rd party consultant to determine the cost to build and fees will be based on the consultant's analysis. The parties will equally share the cost of the 3rd party evaluation.

LAND DEDICATION AND/OR IMPACT FEES

Open Space / Land Dedication Formula

Cash-in-Lieu Formula = (Appraised Value of total divided acreage based upon approved Preliminary Plat or proposed Final Plat) X (the required Percentage of Open Space) X 20% + \$1,000 per lot

Example: One lot of a 4-lot subdivision with an individual lot value of \$165,000.00

Improved appraised value (One lot)	\$165,000.00
Multiplied by percentage of required open space.(20%-50%)	
Minor subdivision required percent of open space (20%) (X .2)	\$33,300.00
Multiplied by 20%(X.2)	\$6,600.00
Plus flat fee of \$1000 per lot	\$7,600.00

Note- For complete information see Resolution 07-39

LAND DEDICATION AND/OR IMPACT FEES CONTINUED

Appraisal must be prepared by a Member of the Appraiser Institute (MAI) or by an Accredited Rural appraiser (ARA) and must be current within 6 months of approval.

The Open Space land dedication and/or any cash-in-lieu of land dedication will be dedicated/paid prior to recording the Final Plat.

No more than ten percent (10%) of the required open space may be credited with cash-in-lieu fees.

Developments of 80 acres or less are required to pay cash-in-lieu rather than land dedication.

School Dedication -

All subdivisions shall negotiate an agreement with the appropriate school district for: Land Dedication, Cash-in-Lieu and Capital Deficiencies. Compliance with Resolution 99-14 will be required.

Fire Dedication -

All growth related requests will be required to provide identified fire protection facilities or cash-in-lieu of facilities. Compliance

Parks Dedication -

Refer to formula in Subdivision Regulations.

Transportation Impact Fee -

In accordance with the adopted Plan Based Road Impact Fee System for Elbert County, Colorado (June 27, 2001) the following are road impact fees for residential developments within the three identified Traffic Analysis Zones (TAZ). Fee due prior to recordation.

