

CHAPTER 14 SUBDIVISION REGULATIONS

14-100	Provisions
14-200	Preliminary Plat
14-300	Final Plat
14-400	Replat
14-500	Minor Subdivision
14-600	Administrative Replat
14-700	Vacation of Roadways, Public Easements, and Plats
14-800	Plat Correction
14-900	Subdivision Exemption
14-1000	Rural Cluster Options

SECTION 14-100 PROVISIONS

14-101 TITLE

- A. This resolution shall be known and may be cited as the Subdivision Regulations of Arapahoe County, Colorado.
- B. For the purposes of this Resolution, “The Subdivision Regulations” shall mean the Subdivision Regulations of Arapahoe County, Colorado.
- C. The Subdivision Regulations include and incorporate the following separate documents duly adopted by the Arapahoe County Board of County Commissioners:
 1. The “Arapahoe County Stormwater Management Manual,” hereinafter as the Stormwater Manual.
 2. The “Arapahoe County Infrastructure Design and Construction Standards,” hereinafter as the Roadway Design Standards.
 3. The “Arapahoe County Grading Erosion Sediment Control Standards, hereinafter as the GESM Manual.
 4. The “Rural Engineering Standards.”

14-102 PURPOSE

- A. The subdivision of land is the first step in the process of urban development. The arrangement of land parcels for residential, commercial, industrial, recreational utilities and other public purposes will determine to a large degree the quality of health, safety, and economy of the environment.
- B. These regulations are designed, intended, and should be administered in a manner to:
 1. Implement the Comprehensive Plan.
 2. Establish adequate and accurate records of land subdivision.
 3. Harmoniously relate the development of the various tracts of land to the existing community and facilitate the future development of appropriate adjoining tracts.
 4. Provide for adequate, safe, and efficient public utilities and improvements; and to provide for other general community facilities and public places.
 5. Provide for light, air, parks, and other spaces for public use.

Chapter 14: Subdivision Regulations

6. Provide for protection from fire, flood, and other dangers; and to provide for proper design of storm water drainage facilities and streets.
7. Provide that the cost of improvements which primarily benefit the tract of land being developed be borne by the owners/developers of the tract, and the costs of improvements which primarily benefit the whole community be borne by the whole community.
8. Provide for the administration and regulation of special areas and activities as might be delineated in the County Master Plan.

14-103 JURISDICTION

14-103.01 UNINCORPORATED COUNTY

These Subdivision Regulations shall apply to all land in the unincorporated portion of Arapahoe County, Colorado.

14-103.02 ENABLING LEGISLATION

The County is enabled to control the subdivision of all of the land within the unincorporated portion of Arapahoe County by virtue of Article 28 of Title 30 of the Colorado Revised Statutes as amended.

14-103.03 AUTHORITY TO PLAN AND REGULATE

The County has the authority to plan for and regulate the use of land and to administer and regulate special areas and activities as might be delineated in the Master Plan or Comprehensive Plan under Article 65.1 of Title 24 of the Colorado Revised Statutes as amended (H.B. 1041 - 1974).

14-104 ENFORCEMENT

14-104.01 SALE OF LAND BEFORE FINAL PLAT

Any subdivider, or agent of a subdivider, who transfers legal or equitable title or sells any subdivided land before a final plat for such subdivided land has been approved by the Board of County Commissioners and recorded or filed in the office of the County Clerk and Recorder is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars nor less than five hundred dollars for each parcel of or interest in subdivided land which is sold. All fines collected under this paragraph shall be credited to the general fund of the County. No person shall be prosecuted, tried, or punished under this paragraph unless the indictment, information, complaint, or action for the same is instituted prior to the expiration of eighteen months after the recordation or filing in the office of the County Clerk and Recorder of the instrument transferring or selling such subdivided land.

14-104.02 TAXES TO BE PAID

No plat for subdivided land shall be approved by the Board of County Commissioners unless, at the time of the approval of platting, the subdivider provides the certification of the County

Chapter 14: Subdivision Regulations

Treasurer's office that all ad valorem taxes applicable to such subdivided land, for years prior to that year in which approval is granted, have been paid.

14-104.03 POWER TO ENJOIN FROM SELLING

The Board of County Commissioners of Arapahoe County shall have the power to bring an action to enjoin any subdivider from selling subdivided land before a final plat for such subdivided land has been approved by the Board of County Commissioners.

14-104.04 POWER TO ENJOIN FROM DEVELOPMENT ACTIVITY

The Board of County Commissioners of Arapahoe County shall have the power to bring action to enjoin any subdivider or developer from engaging in development activities or development in areas which have been identified as special pursuant to Article 65.1 of Title 24 C.R.S. as amended (H.B. 1041-1974) until a final plat, including any extraordinary required evidence or procedures for such specific areas or activities as prescribed in the County Zoning Regulations has been approved by the Board of County Commissioners.

14-104.05 DUTY TO CONFORM

All departments, officials and public employees of the County of Arapahoe vested with the duty of authority to issue permits, shall conform to the conditions of these regulations. It shall be the duty of the Board of County Commissioners, the Director of PWD, District Attorney, or their duly appointed representatives to enforce the provisions of these regulations.

14-104.06 PERMITS TO CONSTRUCT OR IMPROVE

No permits shall be issued by the Director of PWD, nor any other administrative officer of the County, for the construction of any building, or other improvements requiring a permit, upon any land for which a plat is required by this resolution, unless and until the requirements thereof have been complied with.

14-105 AMENDMENTS

After study and recommendation by the Planning Commission, and upon public hearing, this Resolution may be amended by the Board of County Commissioners.

14-106 SEPARABILITY CLAUSE

If an article, section, sub-section, sentence, clauses, or phrase of this Resolution is for any reason held unconstitutional or illegal, such determination shall not affect the validity of the remaining portion of this Resolution.

14-107 EFFECTIVE DATE

This Resolution shall be in effect from the date of adoption by the Board of County Commissioners, pursuant to legal provisions and procedures as required by state statutes of the State of Colorado.

14-108 GENERAL PROVISIONS

- A. All subdivision applications shall provide evidence that sufficient regional infrastructure, facilities, networks or systems (hereafter “regional improvements” (Section 15-201.16 and 15-201.17) are available or can be made available to serve the development proposal. Examples of regional improvements include, but are not limited to: traffic signals; major intersection improvements; utilities; arterial road infrastructure serving public facilities (such as schools, parks, libraries, and government offices); bridges; parks; schools; libraries; and public transportation facilities.

- B. The Board of County Commissioners may restrict or postpone approval of the subdivision and the issuance of any new building permits until the needs are met. The restrictions may consist of any action or combination of actions which, in the discretion of the Board, sufficiently provide for the particular regional improvements before the impacts of the subdivision create the need for the improvement.

14-108.01 RESTRICTIONS

The restrictions determined by Board of County Commissioners may include any of the following:

- A. Postponement of approval of subdivision plats not yet approved; or
- B. The imposition of conditions upon approval of the subdivision; or
- C. Restrictions or limitations on the issuance of building permits or certificates of occupancy; or
- D. The assessment of fees and charges as needed to equitably provide for the cost of the regional improvements; or
- E. Required pro-rata contributions toward the cost of the regional improvements prior to approval or permit issuance; or
- F. Any combination of the above, with the calculation based upon the benefit to the subdivision and the need created or exacerbated by the subdivision.
- G. All applications for preliminary and Final Plat approval must include evidence addressing regional improvements.

14-108.02 NAMING

No subdivision or plat name shall be used which will duplicate, or be confused with an existing or proposed subdivision name. The County reserves the right to name the subdivision.

14-108.03 BUILDING PERMIT

No building permit shall be issued unless all of the property covered within such a Final Plat /Replat is covered by an approved Final Development Plan, ASP, Subdivision Development Plan, or complies with the building permit process.

14-108.04 BUILDING PERMIT – EXEMPTED FROM SUBDIVISION

Chapter 14: Subdivision Regulations

No building or construction permit shall be issued covering unplatted property prior to approval of the Final Plat, unless the property has been specifically exempted from Final Plat requirement by definition or by official action of the Board of County.

14-109 PROCESSING FEES

14-109.01 FEES PAID WITH APPLICATION

To defray the costs of administrative procedures, the Board of County Commissioners shall require processing fees. Amounts of processing fees shall be determined by the Board of County Commissioners and shall be paid at the time of application.

14-109.02 FEE WAIVER OR REDUCTION

- A. A Subdivider may submit a written request to the PWD Department for the waiver of all or a portion of fees or other platting submittal requirements. The letter should set forth the extent of the waiver and the reasons for requesting the waiver.
- B. The Planning Division Manager or designee will review the request and make a recommendation to the Board of County Commissioners. The County Commissioners will approve or deny the request based on a review of the evidence and the recommendation of the Planning Division Manager or designee.

14-110 ENGINEERING WAIVERS

14-110.01 AUTHORITY

The Engineering Division has published a document describing the method for requesting and processing requests for variances, exceptions, and waivers of County engineering criteria. Generally, the process involves a three-level authority for hearing and acting on these requests:

- A. A Technical Review Committee,
- B. The Director of Development Services/Infrastructure Management, and
- C. The Board of County Commissioners.

14-110.02 UNFAVORABLE CONSIDERATION

Unfavorable consideration by the Technical Review Committee may be reversed by subsequent action of the Director of Development Services/Infrastructure Management, or ultimately, the Board of County Commissioners. The Board of County Commissioners reserves the right to deny waiver requests approved by the Technical Review Committee or the Director of Development Services/Infrastructure Management.

14-110.03 EXEMPTION FOR DRAINAGE STUDY

An exception to the three level processes is that individual case engineers may approve an Exemption from the drainage study submittal requirement, without Technical Review

Chapter 14: Subdivision Regulations

Committee action, if certain criteria are met. The specific criteria are set forth in Technical Bulletin 89-2 “Procedures for Processing and Approving Drainage Study Exemptions.”

14-110.04 PROCESS

A waiver request must be made in writing, including requests for the Director of Public Works and Development and/or the Board of County Commissioners to reverse the decisions of the lower authority. Administrative Procedural Directive 88-7, “Variances, Exceptions, and Waivers of County Engineering Criteria,” and Technical Bulletin 89-2, “Procedures for Processing and Approving Drainage Study Exemptions,” are available upon request at the Engineering Services Division office.

14-111 DEDICATION STANDARDS

14-111.01 INTENT

Public land dedication shall be provided by the Owner/Subdivider of land which is subdivided to permit residential uses, for use of public parks, public schools and other public purposes to serve the future residents of the subdivision. As used in this Section, the term “other public purposes” would include, but not be limited to, libraries, fire stations, public buildings and other similar facilities.

14-111.02 LAND SUITABILITY AND IMPROVEMENTS

The agency or department eligible for the land dedication must evaluate land suitable for dedication and provide written comments to the Board of County Commissioners prior to the final plat hearing before the Board. Land may also be excluded when determined by the Board of County Commissioners that the land is unsuitable for the development purposes and does not meet County requirements. A determination of land suitability will include the following:

A. LAND FOR PUBLIC SCHOOLS

1. Land without geologic hazards or contaminated waste;
2. Land exclusively outside of the floodplain with slopes no greater than 5%;
3. Land agreed upon by the school district, and
4. Land with access to a public street of suitable classification.

B. LAND FOR PUBLIC PARKS

1. Land without geologic hazards or contaminated waste.
2. Land with appropriate access for pedestrian use with limited parking.
3. Land strategically located as a link between other open space areas and parklands.
4. The owner/subdivider shall be required to install street, sidewalk and drainage improvements serving the dedicated site and sewer and water lines to the site. The site shall be preserved in its natural physical condition, unless otherwise approved by the Board of County Commissioners. Public improvements and sewer and water line extensions shall be provided at the time when adjacent improvements are installed, or upon request of the Arapahoe County Board of County Commissioners, and shall be included within the subdivision improvement agreement for the development.

Chapter 14: Subdivision Regulations

5. Once these improvements have been installed, the school district, park district or other public entity shall be responsible for the repair of any damage to such improvements caused during construction on such dedicated sites.

C. LAND FOR OTHER PUBLIC PURPOSES

1. Land without geologic hazards or contaminated waste; and
2. Land that includes floodplain area may use no more than 5% of the floodplain for credit towards the dedication requirement.

14-111.03 FORMULA FOR CALCULATING LAND DEDICATION REQUIREMENT

The method to determine the amount of land to be dedicated by any Owner/Subdivider of residential land shall be based upon the population and students expected to be generated at the time of completion of the project, determined in accordance with the standards set forth in these regulations. The following standards shall be used to calculate the amount of land to be dedicated in connection with final plat approval.

14-111.03.01 ACREAGE REQUIRED FOR PARKS AND OTHER PUBLIC PURPOSES

- A. Public Parks: 6.00 acres of dedicated land/1,000 population
- B. Other Public Purposes: 0.25 acre of dedicated land/1,000 population

114-111.03.02 ACREAGE REQUIRED FOR SUBURBAN AND RURAL PUBLIC SCHOOLS

A. CLASSIFICATION OF SCHOOLS

Although average household size and student population per household is generally similar throughout Arapahoe County, the regulations should recognize differences between suburban and rural school facilities. The following is a breakdown of the school districts within Arapahoe County that are considered suburban and rural, respectively:

Suburban School Districts

Aurora School District No. 28j
Cherry Creek School District No. 5
Englewood School District No. 1
Littleton School District No. 6
Sheridan School District No. 2

Rural School Districts

Bennett School District No. 29j
Byers School District No. 32j
Deer Trail School District No. 26j
Strasburg School District No. 31j

B. LAND REQUIRED FOR PUBLIC SCHOOLS PER STUDENT

The following figures shall be used to determine the land area per student that is required to be dedicated for subdivisions creating new residential units:

1. SUBURBAN SCHOOL DISTRICTS

The land area required is 0.0260 acres per student. This is based on the total land area required for elementary, middle, and high schools divided by the total number of students, or 81.25 acres divided by 3,125 students. It is assumed that elementary schools require 11.5 acres for 650 students, middle schools require 21.75 acres for 675 students, and high schools require 48 acres for 1,800 students.

2. RURAL SCHOOL DISTRICTS

The land area required is 0.0597 acres per student. This is based on the total land area required for elementary, middle, and high schools divided by the total number of students, or 60.06 acres divided by 1,006 students. It is assumed that elementary schools require 8.7 acres for 370 students, middle schools require 17.12 acres for 212 students, and high schools require 34.24 acres for 424 students.

C. POPULATION AND STUDENT GENERATION CALCULATIONS

Calculations for determining population have been broken down into three residential land use densities in dwelling units per acre (du/ac) and with the following persons per dwelling unit and students per dwelling unit:

<u>Residential Density</u>	<u>Population Generated</u>	<u>Students Generated</u>
0.00 – 7.49 du/ac	2.96 persons/du	0.775 students/du
7.50 - 14.99 du/ac	2.39 persons/du	0.364 students/ du
15.00 du/ac and above	1.76 persons/du	0.195 students/du

14-111.05 LAND VALUE CALCULATION

14-111.05.01 DETERMINATION TO DEDICATE OR PAY EQUIVALENT

If the Board of County Commissioners determines that the acreage required within a development for schools, parks or other public purposes is too small to be viable or desirable or cannot be integrated into the development, the owner/subdivider shall be required to pay a sum of money to Arapahoe County, Colorado, in lieu of the land dedication requirement set forth in Section 201 and 202 above.

14-111.05.02 APPRAISAL METHOD

A. Equivalent Value: The amount of said sum of money shall be the equivalent value of the area calculated to be dedicated. This shall mean the current fair market value of the total zoned and platted lands, improved with access and utility improvements as required for dedicated sites.

B. Methods to Determine Fair Market Value: There are two methods available to the applicant to determine the fair market value of the land: the Appraisal Method and the Assumed Value Method. Under both methods, the value shall be current to within six months of the Board of County Commissioners hearing on the final plat.

Chapter 14: Subdivision Regulations

1. Appraisal Method: The Appraisal Method shall be followed to determine the fair market value of the property unless the applicant elects to determine the value under the Assumed Value Method described below as Option 2. Under the Appraisal Method, the fair market value of the property is determined by the Board of County Commissioners after consideration of qualifying appraisals submitted to the Board of County Commissioners.
 - a. After acceptance of a final plat submittal, the Planning Division shall determine whether cash-in-lieu of land dedication will be required for the plat, and shall mail such determination to the applicant and the public agencies eligible to receive dedicated sites from the development. The determination shall also set forth the estimated cash-in-lieu amounts using the Assumed Value Method.
 - b. Unless the applicant notifies the Planning Division of the applicant's decision to accept the valuation determined by the Assumed Value Method (on a form approved by the Planning Division), the applicant shall submit, prior to the scheduling of a Board of County Commissioners hearing, a complying M.A.I. appraisal of the developable portion of the property which is the subject of the final plat application. The appraisal shall state the fair market value of such property assuming that the final plat is approved, and assuming that the school site is improved with the public improvements and water and sewer facilities required for dedicated sites. The appraisal shall otherwise comply with all form and content requirements for appraisals established by the County Attorney's Office, if any.
 - c. Upon receipt of the applicant's appraisal, the Planning Division shall mail copies to the public agencies eligible to receive dedicated sites from the development, and shall notify such agencies that they may submit qualifying appraisals for consideration by the Board. The County shall allow sufficient time for submittal of appraisals prior to scheduling the final plat for Board of County Commissioners hearing.
 - d. Appraisals which comply with the above criteria and which are certified by a M.A.I. appraiser shall be included within the packet of materials for consideration and determination of value by the Board. All appraisals shall be updated as necessary to ensure that the effective date of the valuation determination is current to within six months of the Board of County Commissioners hearing on the final plat.
2. Assumed Value Method: The applicant may waive its right to submit an appraisal, in which case the fair market value shall be determined pursuant to the values set forth in this paragraph.
 - a. For proposed subdivisions located within the boundaries of one or more rural school districts, the land value to be used in the cash-in-lieu formula shall be established at \$20,000 per acre.
 - b. For proposed subdivisions located within the boundaries of one or more suburban school districts, the land value to be used in the cash-in-lieu formula shall be established at \$40,000 per acre.
 - c. These assumed values shall be periodically updated by the Board of County Commissioners, and these regulations amended accordingly, to reflect changing land values and improvement costs.
 - d. In the event an applicant believes that the Assumed Value Method would result in a cash-in-lieu amount greater than the fair market value of the site to be dedicated, the applicant shall have the right, prior to the Board of County

Chapter 14: Subdivision Regulations

Commissioners hearing, to follow the procedures for valuation pursuant to the Appraisal Method outlined above.

e. In the event an affected public agency believes that the Assumed Value Method would result in a cash-in-lieu amount less than the fair market value of the site to be dedicated, the agency shall have the right to submit an appraisal meeting the requirements of the Appraisal Method. Upon receipt of the agency's appraisal, the Planning Division shall mail copies to the applicant and other public agencies eligible to receive dedicated sites from the development, and shall notify such parties that they may submit qualifying appraisals for consideration by the Board. The Planning Division shall establish a reasonable deadline for the submission of agency appraisals to allow sufficient time for submittal of all appraisals prior to scheduling the final plat for Board of County Commissioners hearing.

f. Appraisals which comply with the above criteria and which are certified by a M.A.I. appraiser shall be included within the packet of materials for consideration and determination of value by the Board. All appraisals shall be updated as necessary to ensure that the effective date of the valuation determination is current to within six months of the Board of County Commissioners hearing on the final plat. The Board of County Commissioners shall be entitled to determine the correct property value, and shall base its decision upon the evidence presented to it.

14-111.06 CASH-IN-LIEU OF LAND FORMULA

14-111.06.01 Formula

The following formulae shall be used to calculate the dollar amount of the cash-in-lieu of land dedication required for subdivisions, which create lots for dwelling units.

A. LAND FOR PUBLIC SCHOOLS:

1. Number of dwelling units (du) times the number of students generated per du = total students generated.
2. Total students times 0.026 acres/student (suburban) **or** 0.0597 acres/student (rural) = dedicated acres.
3. Dedicated acres times value of land/acre = the total number of dollars for cash-in-lieu for public school land.

B. LAND FOR PUBLIC PARKS:

1. Number of dwelling units (du) times the number of persons generated per du = total persons generated.
2. Total persons generated divided by 1,000 = number of persons per 1000.
3. Number of persons per 1000 times 6.00 acres = dedicated acres.
4. Dedicated acres times the value of land/acre = the total number of dollars for cash-in-lieu for public parks.

C. LAND FOR OTHER PUBLIC PURPOSES:

1. Number of dwelling units (du) times the number of persons generated per du = total persons generated.
2. Total persons generated divided by 1,000 = number of persons per 1000.
3. Number of persons per 1000 times 0.25 acres = dedicated acres.
4. Dedicated acres times value of land/acre = the total number of dollars for cash-in-lieu for other public purposes.

14-111.06.02 Alternate for Combined Dedication and Payment

Chapter 14: Subdivision Regulations

As an alternative to the above-noted requirements, the Board of County Commissioners may require a combination of dedication of land and payment of a sum of money, provided that such a combination shall be at a minimum of the amount equivalent to the value of the area calculated to be dedicated.

14-111.07 PRIVATELY OWNED PARKS

Where parks are provided in a proposed subdivision and are to be privately owned and maintained by the future residents of the subdivision for the mutual use and benefit of said residents, such land area and/or improvements may be credited against the park requirements set forth Section herein, provided the Board of County Commissioners finds that it is in the public interest to do so, and that the following standards are met:

- A. That the private ownership and maintenance of said land area is adequately provided for by written agreement;
- B. That the proposed land area is reasonably adaptable for use for park and recreation purposes. Reasonably adaptable may include but not be limited to, sufficient size, accessibility, location, topography, drainage and soil capacity;
- C. That the facilities proposed for said land areas are in substantial accordance with the provisions of this regulation, and are approved by the Board of County Commissioners. All park improvements shall comply with the Arapahoe County Landscape Regulations.
- D. The Planning Division is permitted to recommend to the Board of County Commissioners adoption of regulations as further guidelines in the analysis of land suitable for dedication.

14-111.07.01

If the Board of County Commissioners approves such private parks the following notes shall be added to the Final Plat and to the Final Development Pan for the subdivision:

- A. The private park site as shown on this plat (plan), shall be maintained in perpetuity by the owner(s), homeowners association, and/or entity other than Arapahoe County.
- B. Building permits will be issued for only one-half of the lots in this subdivision until the park facilities have been installed in accordance with the approved plan.
- C. When a project consists of one lot, the private park shall be installed prior to the certificate of occupancy.

14-111.07.02

If the Board of County Commissioners determines that privately owned park lands are appropriate to receive credit against the requirements of this section, the amount of credit to be allowed shall not exceed 35 percent of the requirement, and additional funds shall be paid to the County, or additional lands shall be dedicated to the County, or additional lands shall be dedicated to the County, or a combination of land and funds shall be provided to the County to fulfill the requirements of this Section based on the needs and recommendations of the affected park district and other affected government entities.

14-111.08 PAYMENT OF DEDICATION REQUIREMENTS

- A. Public lands to be designated for use as school sites shall be negotiated directly between the Owner/Subdivider and the appropriate school district subject to the approval of the Board of County Commissioners. The amount of land to be dedicated for school purposes shall be in compliance with the requirements of these Regulations.
- B. For property zoned for residential uses, the evidence shows that the school district can serve

Chapter 14: Subdivision Regulations

- the student population expected to be generated from the development. The Board may deny a subdivision request for which the evidence shows that the school district cannot serve the student population generated from the development.
- C. If required by the Board of County Commissioners, land areas to be designated for public land dedication should be determined at the time of the zoning hearing or final plat consideration. If required by the Board of County Commissioners, public land dedication or payment-in-lieu thereof should be given prior to or at the time of Final Platting.
 - D. Public land dedication will be negotiated by the school district, and, if approved by the Board of County Commissioners, may be provided directly to the school district or to the County. Proof of such dedication or payment shall be provided to the Board of County Commissioners.
 - E. Public land dedication for public parks shall be negotiated with the park district, and, if approved by the Board of County Commissioners, may be given directly to the County or parks district, as determined by the Board of County Commissioners.

14-111.09 PUBLIC LAND FUNDS

14-111.09.01

The Board of County Commissioners shall hold the funds paid to the County until:

- A. The acquisition of reasonable sites and land area for parks, fire stations, libraries or other public purposes are determined necessary by the Board of County Commissioners;
- B. Other capital outlay purposes for parks to serve the proposed subdivision and future residents thereof are determined necessary by the Board of County Commissioners;
- C. The development of sites and land areas for park purposes or other purposes are determined necessary by the Board of County Commissioners.

14-111.09.02

- A. After approval of the Final Plat and receipt of the dedications of sites and land areas or payment-in-lieu thereof pursuant to this section, the Board of County Commissioners, through the Arapahoe County Planning Division, shall give written notice to the appropriate local government entities. After receipt of such a notice, the local government entity (including park districts, fire districts and library districts) may request land or funds, and shall demonstrate in writing a need for land or funds for a use authorized this section. The entity requesting such lands and/or funds shall provide written justification setting forth the amount of land and/or funds sought, the proposed uses of said land and/or funds, and the benefits which the residents and future residents of the subdivision for which the land and/or funds were obtained will receive.
- B. Requests for land and/or funds shall be made directly to the Arapahoe County Planning Division. The Arapahoe County Planning Division shall review the requests for funds and, on a quarterly basis, present these to the Board of County Commissioners along with the Division's recommendations. In addition, when the request is for land, the Arapahoe County Planning Division shall inform the Applicant whether a "Location and Extent" hearing is necessary, and, if such a hearing is required, no land shall be transferred until approval has been granted after the hearing process.
- C. The Board of County Commissioners, at its discretion, may vote to allocate some of the lands and/or the funds for the subject project and, if approved, will transfer the land and/or funds to the appropriate local government entity.