



Larimer County Planning Division

ELIGIBLE FACILITIES REQUEST PROCESS GUIDE

Purpose

It is the intent and purpose of this chapter of the county's Land Use Code to establish a regulatory framework for Wireless Communications Facilities (WCFs) constructed or located within Larimer County that accommodates the communication needs of residents and businesses, protects the public health, safety, and general welfare of the community, and minimize adverse impacts.

PROCESS STEPS FOR SUBMITTING AN EFR APPLICATION

Steps

1. Pre-Application Meeting
2. Application Submittal
 - a. Building permit can come in at the same time, but nothing will be approved until planning has completed review.
3. Planner will deem if the application is complete within 10 days of submittal
4. Approval or denial will be completed within 60 days

Contact planning to schedule the required Pre-Application Meeting at:

cell-towers@co.larimer.co.us

Within 7-10 business days a planner will contact you to set up the pre-application meeting.

Review Criteria

Review procedures for eligible facilities requests. This section applies to any eligible facilities requests for collocation on, or modification to an existing tower or base station that does not substantially change the physical dimensions of such facility.

- A. Review required for eligible facilities. No collocation or modification to any existing tower or base station may occur except after a written request from an applicant is reviewed and approved by the director.
- B. Review criteria. Upon receipt of an application for an eligible facilities request pursuant to this section, the county shall review administratively such application to determine whether the application meets the following criteria for an eligible facilities request:
 1. Does not result in a substantial change;
 2. Does not violate a generally applicable law, regulation, or other rule reasonably related to public health and safety and complies with generally applicable building, structural, electrical, and safety codes;
 3. Complies with the original application design elements or conditions of approval, including but not limited to colors, textures, surfaces, scale, character, and siting, or any approved amendments thereto, subject to the thresholds established in the definition of substantial change; and
 4. Complies with concealment elements of the eligible support structure necessary to qualify as a concealed facility.

- C. Timeframe for reviewing eligible facilities requests. Subject to the tolling provisions of subparagraph (4) below, within 60 days of the date on which an applicant submits a complete application, as determined by the director, seeking approval under this subsection, the county shall approve the application unless it determines that the application is not covered by this section or otherwise in non-conformance with applicable codes.
- D. Tolling of the timeframe for review. The 60-day review period begins to run when the submission of a completed application is accepted and may be tolled only by mutual agreement of the county and the applicant, or in cases where the director determines that the application is incomplete.
 - 1. To toll the timeframe for an incomplete application, the county must provide written notice to the applicant within 30 days of receipt of the application, specifically delineating all missing documents or information required in the application;
 - 2. The timeframe for review continues running again the following business day after the applicant makes a supplemental written submission in response to the county's notice of incompleteness; and
 - 3. Following a supplemental submission, the county will notify the applicant within ten calendar days that the supplemental submission did not provide the information identified in the original notice delineating missing information. The timeframe is tolled in the case of second or subsequent notices pursuant to the procedures identified above in subsections (a) and (b). In the case of a second or subsequent notice of incompleteness, the county may not specify missing information or documents that were not delineated in the original notice of incompleteness.
- E. Interaction with Telecommunications Act Section 332(c)(7). If the county determines that the applicant's request is not an eligible facilities request as delineated in this section of the Code, the presumptively reasonable timeframe under Section 332(c)(7), as prescribed by the FCC's Shot Clock order, will begin to