

**Date:** November 12, 2020

**To:** Interested Parties

**From:** Lauren Pulver

**RE: Summary of Amendments to Sections 15, 21, 22B, 25, 27, 32 of the Douglas County Zoning Resolution and Articles 4, 5, 6, 6A, 7, 7A, 7B, and 7C of the Douglas County Subdivision Resolution – Project File DR2020-003**

**Request for Review:**

Please review the following proposed update to the Douglas County Zoning Resolution (Zoning Resolution) Sections 15, 21, 22B, 25, 27, 32 and Douglas County Subdivision Resolution (Subdivision Resolution) Articles 4, 5, 6, 6A, 7, 7A, 7B, and 7C and forward any comments to me by December 4, 2020.

The full text of this update can be obtained by contacting this office or by accessing the Douglas County website at [www.douglas.co.us/pro](http://www.douglas.co.us/pro) and entering the project file number DR2020-003 in the search tool.

**Synopsis of Regulation Change:**

Douglas County is proposing changes to the Zoning Resolution and Subdivision Resolution to streamline the process for courtesy notifications. The changes would result in eliminating the requirement for applicants to submit stamped envelopes. Instead, staff would prepare and send courtesy notices and then bill the applicant for materials and postage. The purpose of this change is to reduce potential delays in processing time and provide greater consistency in the courtesy notice process.

Additional changes in Article 7A formalize the presubmittal and submittal review processes that Planning Services staff currently perform as part of the review process.

**Amendment Process**

Please contact Lauren Pulver ([lpulver@douglas.co.us](mailto:lpulver@douglas.co.us)) at 303-660-7460 if you have any questions or would like to discuss the proposal in greater detail.

Once comments from this referral process have been received, a work session will be scheduled with the Board of County Commissioners to review the comments.

Final consideration of the proposed regulations will occur at a public hearing with the Board, following a Planning Commission recommendation. Future hearings date(s) may be obtained by calling 303-660-7460 or by accessing the project information at [www.douglas.co.us/pro](http://www.douglas.co.us/pro).

#### 405 Submittal Process

The preliminary plan application shall be submitted only after the presubmittal meeting has been completed. The submittal is processed as follows:

- 405.01 The applicant shall submit the required submittal information to the Planning Office. An incomplete submittal will not be processed. Staff shall review the submittal information within 15 working days and provide the applicant with initial written comments, specifically noting any inadequacies in the submittal items. Staff may request that the applicant make changes or clarifications to the submittal information prior to referral agency review.
- 405.02 As part of its initial review, staff will identify the number of copies of the submittal information required for distribution to referral agencies and identify which referral agencies are regulatory and which are advisory. The mailing addresses of the referral agencies shall be provided to the applicant. Electronic distribution is preferred. Otherwise, referral packets shall be provided by the applicant in unsealed manila envelopes, without postage, addressed to the appropriate referral agency, with submittal information properly folded and compiled. Staff shall include a referral response sheet, with the mailed paper referral packets and distribute the electronic referral packets. For any subsequent referral reviews, the applicant shall provide revised plans and other materials for distribution to applicable referral agencies, as requested by staff.
- 405.03 ~~The applicant shall also provide stamped letter-sized envelopes, including a corresponding list and map for the project file, addressed to the abutting landowners, and other landowners, as required by staff, for notification of the preliminary plan application.~~ Staff shall send mail a courtesy notice of an application in process and applicable contact information to all abutting landowners and other landowners as identified by staff. ~~to the landowners.~~ The applicant shall reimburse the County for the cost of materials.
- 405.04 If the referral agencies elect to comment, they shall comment within 21 calendar days the referral packets were mailed or electronically distributed, unless the applicant grants, in writing, an extension of no more than 30 calendar days. After the 21 calendar days, if no extension is granted, any referral agency responses received will be accepted for informational purposes only and provided to the applicant, Planning Commission, and Board.

All referral agency comments shall be provided by staff to the applicant upon receipt. The applicant shall address the comments of all regulatory referral agencies received within the 21-day referral period, or as extended by the applicant, by identifying in writing the extent to which the project has been revised in response to the comments. The applicant is strongly encouraged to provide staff with a written response to timely comments of

- 503.06 Provides adequate drainage improvements.
- 503.07 Provides adequate transportation improvements.
- 503.08 Protects significant cultural, archaeological, natural and historical resources and unique landforms.
- 503.09 Has available all necessary services, including fire and police protection, recreation facilities, utility services, streets, and open space to serve the proposed subdivision.

#### 504 Submittal Process

The final plat application shall be submitted only after the presubmittal meeting has been completed. The submittal is processed as follows:

- 504.01 The applicant shall submit the required submittal information to the Planning Office. An incomplete submittal will not be processed. Staff shall review the submittal information within 15 working days and provide the applicant with written initial comments, specifically noting any inadequacies in the submittal items. Staff may request that the applicant make changes or clarifications to the submittal information prior to referral agency review.
- 504.02 As part of its initial review comments, staff will identify the number of copies of the submittal information required for distribution to referral agencies and indicate which referral agencies are regulatory and which are advisory. The mailing addresses of the referral agencies shall be provided to the applicant. Electronic distribution is preferred. Otherwise, referral packets shall be provided by the applicant in unsealed manila envelopes, without postage, addressed to the appropriate referral agency, with submittal information properly folded and compiled. Staff shall include a referral response sheet with the mailed paper referral packets and distribute the electronic referral packets. For any subsequent referral review, the applicant shall provide revised plans and other materials for distribution to applicable referral agencies as requested by staff.
- 504.03 ~~The applicant shall also provide stamped letter sized envelopes, including a corresponding list and map for the project file, addressed to the abutting landowners, and other landowners as requested by staff.~~ Staff shall send mail a courtesy notice of an application in process and applicable contact information to all abutting landowners and other landowners as identified by staff. ~~and applicable contact information to the landowners. The applicant shall reimburse the County for the cost of the materials.-~~
- 504.04 If the referral agencies elect to comment, they shall comment within 28 calendar days of the date the referral packets were mailed or electronically

- 603.07 Provides adequate transportation improvements.
- 603.08 Protects significant cultural, archaeological, natural, and historical resources, and unique landforms.
- 603.09 Demonstrates the extraction of any known commercial mining deposit shall not be impeded.
- 603.10 Has available all necessary services, including fire and police protection, recreation facilities, utility service facilities, streets, and open space to serve the proposed subdivision.

#### 604 Submittal Process

The minor development final plat application shall be submitted only after the presubmittal meeting has been completed. The submittal is processed as follows:

- 604.01 The applicant shall submit the required submittal information to the Planning Office. An incomplete submittal will not be processed. Staff shall review the submittal information within 15 working days and provide the applicant with initial written comments, specifically noting any inadequacies in the submittal items. Staff may request that the applicant make changes or clarifications to the submittal information prior to referral agency review.
- 604.02 As part of its initial review, staff will identify the number of copies of the submittal information required for distribution to referral agencies and indicate which referral agencies are regulatory and which are advisory. The mailing addresses of the referral agencies shall be provided to the applicant. Electronic distribution is preferred. Otherwise, referral packets shall be provided by the applicant in unsealed manila envelopes, without postage, addressed to the appropriate referral agency, with submittal information properly folded and compiled. Staff shall include a referral response sheet with the mailed paper referral packets and distribute the electronic referral packets. For any subsequent referral reviews, the applicant shall provide revised plans and other materials for distribution to the applicable referral agencies as requested by staff.
- 604.03 ~~The applicant shall also provide stamped letter sized envelopes, including a corresponding list and map for the project file, addressed to the abutting landowners, and other landowners, as requested by staff. Staff shall send mail a courtesy notice of an application in process and applicable contact information to all abutting landowners and other landowners as identified by staff, and applicable contact information to the landowners. The applicant shall reimburse the County for the cost of materials.~~

## Referral Draft

precautions have been identified by the subdivider and that the proposed uses of these areas are compatible with such conditions.

- 603A.06 Provides adequate drainage improvements.
- 603A.07 Provides adequate transportation improvements.
- 603A.08 Protects significant cultural, archaeological, natural, and historical resources, and unique landforms.
- 603A.09 Demonstrates the extraction of any known commercial mining deposit shall not be impeded.
- 603A.10 Has available necessary services, including fire and police protection, recreation facilities, utility service facilities, streets, and open space to serve the proposed subdivision.

#### 604A Submittal Process

The minor development final plat application shall be submitted only after the presubmittal meeting has been completed. The submittal is processed as follows:

- 604A.01 The applicant shall submit the required submittal information to the Planning Office. An incomplete submittal will not be processed. Staff shall review the submittal information within 15 working days and provide the applicant with initial written comments, specifically noting any inadequacies in the submittal items. Staff may request that the applicant make changes or clarifications to the submittal information prior to referral agency review.
- 604A.02 As part of its initial review, staff will identify the number of copies of the submittal information required for distribution to referral agencies and indicate which referral agencies are regulatory and which are advisory. The mailing addresses of the referral agencies shall be provided to the applicant. Electronic distribution is preferred. Otherwise, referral packets shall be provided by the applicant in unsealed manila envelopes, without postage, addressed to the appropriate referral agency, with submittal information properly folded and compiled. Staff shall include a referral response sheet with the mailed paper referral packets and distribute the electronic referral packets. For any subsequent referral reviews, the applicant shall provide revised plans and other materials for distribution to the application referral agencies as requested by staff.
- 604A.03 ~~The applicant shall also provide stamped letter sized envelopes, including a corresponding list and map for the project file, addressed to the abutting landowners, and other landowners as requested by staff.~~ Staff shall

## Referral Draft

sendmail a courtesy notice of an application in process and applicable contact information to all abutting landowners and other landowners as identified by staff. ~~to the landowners.~~ The applicant shall reimburse the County for the cost of materials.

- 604A.04 If the referral agencies elect to comment, they shall comment within 28 calendar days of the date the referral packets were mailed or electronically distributed, unless the applicant grants, in writing, an extension of no more than 30 calendar days. After the 28 calendar days, if no extension is granted, any referral agency responses received will be accepted for informational purposes only and provided to the applicant, Planning Commission, and the Board.

All referral agency comments shall be provided by staff to the applicant upon receipt. The applicant shall address the comments of all regulatory referral agencies received within the 28 calendar day referral period, or as extended by the applicant, by identifying in writing the extent to which the project has been revised in response to the comments. The applicant is strongly encouraged to provide staff a written response to timely comments of advisory referral agencies and any comments received as a result of the courtesy notice.

The applicant is encouraged to meet with the referral agencies and staff to address any concerns. The applicant is required to pay those fees assessed by regulatory referral agencies.

Following receipt of the applicant's written response to comments, including the submittal of any revised exhibits and plans, the Planning and Engineering staff will provide additional comments to the applicant as necessary.

- 604A.05 Staff will schedule a public hearing before the Planning Commission and notify the applicant in writing of the hearing date and time. The applicant is responsible for public notice of the hearing in accordance with Section 608A herein. Concurrent notice for the Planning Commission and Board public hearings may be provided if requested by the applicant.

- 604A.06 The Planning Commission shall evaluate the minor development final plat, staff report, referral agency comments, applicant responses, and public comment and testimony, and make a recommendation to the Board to approve, approve with conditions, continue, table for further study, or deny the minor development final plat. The Planning Commission's decision shall be based on the evidence presented; compliance with adopted County standards, regulations, and policies; and other guidelines.

- 705.04 Proof of ownership that includes an updated or current title information binder or insurance policy issued no more than 30 days prior to the date of application, to be updated prior to plat recordation.
- 705.05 A notarized letter of authorization from the landowner permitting a designated representative to process the application.
- 705.06 Plan exhibit (*per Section 707, herein*)  
  
Plan reductions (*11-inch by 17-inch*) may be required for public meeting packets.
- 705.07 All required water supply documentation in accordance with Section 18A – Water Supply Overlay District of the Zoning Resolution.
- 705.08 Development reports (*per Section 708, herein*)  
  
Engineering plans and review fees shall be submitted to the Engineering Division.
- 705.09 Any additional information, as requested by staff to adequately review the application.

706 Submittal Process

The replat application shall be submitted only after the presubmittal meeting has been completed. The submittal is processed as follows:

- 706.01 The applicant shall submit the required submittal information to the Planning Office. An incomplete submittal will not be processed. Staff shall review the submittal information within 15 working days and provide the applicant with written initial comments, specifically noting any inadequacies in the submittal items. Staff may request that the applicant make changes or clarifications to the submittal information prior to referral agency review.
- 706.02 As part of its initial review, staff will identify the number of copies of the submittal information required for distribution to referral agencies and indicate which are regulatory and which advisory. The mailing addresses of the referral agencies shall be provided to the applicant. Electronic distribution is preferred. Otherwise, referral packets shall be provided by the applicant in unsealed manila envelopes, without postage, addressed to the appropriate referral agency, with submittal information properly folded and compiled. Staff shall include a referral response sheet with the mailed paper referral packets and distribute the electronic referral packets. For any subsequent referral review, the applicant shall provide revised

plans or other materials for distribution to applicable referral agencies as requested by staff.

706.03 ~~The applicant shall also provide stamped letter sized envelopes, including a corresponding list and map for the project file, addressed to the abutting landowners, and other landowners as requested by staff. Staff shall send mail a courtesy notice of an application in process and applicable contact information to all abutting landowners and other landowners as identified by staff, and applicable contact information to the landowners. The applicant shall reimburse the County for the cost of materials.-~~

706.04 If the referral agencies elect to comment, they shall comment within 21 calendar days of the date the referral packets were mailed or electronically distributed, unless the applicant grants, in writing, an extension of no more than 30 calendar days. After the 21 calendar days, if no extension is granted, any referral agency responses received will be accepted for informational purposes only and provided to the applicant and the Board.

All referral agency comments shall be provided by staff to the applicant upon receipt. The applicant shall address the comments of all regulatory referral agencies received within the 21 calendar day referral period, or as extended by the applicant, by identifying in writing the extent to which the project has been revised in response to the comments. The applicant is strongly encouraged to provide staff a written response to timely comments of advisory referral agencies those received as a result of the courtesy notice.

The applicant is encouraged to meet with the referral agencies and staff to address any concerns. The applicant is required to pay those fees assessed by regulatory referral agencies.

Following receipt of the applicant's written response to comments, including the submittal of any revised exhibits and plans, the Planning and Engineering staff will provide additional comments to the applicant as necessary.

706.05 Staff will schedule a public meeting before the Board, notify the applicant in writing of the meeting date and time, and prepare a staff report for the Board. The subdivision improvements agreement shall be reviewed by staff and approved by the County Manager or Board prior to the Board meeting on the replat.

706.06 Staff will provide a staff report for the Board. The Board shall evaluate the replat request, staff report, referral agency comments, applicant responses, and public comment and testimony, and shall approve, approve with conditions, continue, table for further study, or deny the replat request. The Board's action shall be based on the evidence



## 705A Lot Line and/or Easement Vacation (Amended 4/14/09)

The following administrative process is established for a lot line and/or easement vacation when there is no increase in the number of lots on the original plat, e.g., the combination of 2 or more lots into 1 lot, and the easements were created by the plat.

### 705A.01 Submittal Requirements - Lot Line and/or Easement Vacation

- 705A.01.1 Completed land use application (available from the Planning Services Division)
- 705A.01.2 Written narrative describing the request
- 705A.01.3 Application fee (fee schedule available from the Planning Services Division)
- 705A.01.4 Proof of ownership which includes an updated or current title insurance policy or title commitment, issued no more than 30 days prior to the date of application
- 705A.01.5 A notarized letter of authorization from the landowner permitting a representative to process the application, as applicable
- 705A.01.6 Lot Line and/or Easement Vacation Exhibit - A reproduction of the platted lots on an 8.5-inch X 11-inch sheet of paper, 24 inches X 36 inches on mylar, or another size approved by the staff planner, including the abutting street(s). Indicate the lot line(s) vacated and the new lot number.
- 705A.01.7 Vicinity map - a reduction of the filing showing the relationship of the lot to the filing
- 705A.01.8 A letter from all special districts providing service to the lots stating their recommendations regarding the vacation. Such letters may be obtained during the referral review period. (Amended 7/8/14)
- 705A.01.9 When an easement is vacated, a letter from any known beneficiary stating its recommendation regarding the vacation and any existing facilities over or across the land

### 705A.02 Process - Lot Line and/or Easement Vacation

- 705A.02.1 The applicant shall submit a presubmittal review request to the Planning Services Division. Following receipt of the presubmittal review notes, tThe applicant shall submit the required information to the Planning Services Division. Staff shall review the information

and prepare the Lot Line and/or Easement Vacation Approval Certificate that identifies the affected plat, its reception number, the lot line(s) and/or easement(s) vacated, and reference to the Lot Line and/or Easement Vacation Exhibit, and the recommendation(s) of the special district(s) and easement holders, as applicable, to send as a referral to referral agencies, as deemed necessary.

- 705A.02.2 ~~Staff shall send a notice of the lot line and/or easement vacation application and applicable contact information to all abutting landowners and other landowners as identified by staff. The applicant shall reimburse the County for the cost of materials. The applicant shall provide stamped envelopes addressed to the abutting landowners, and other landowners as required by staff, notifying them of the lot line and/or easement vacation application. If the request includes vacation or adjustment of a building envelope, the notification shall be either an explanation of the request sent by certified mail, return receipt requested, at least 10 days prior to the Director's consideration of such request, or a signed statement from the abutting landowner(s) stating that they were notified of the request to vacate or adjust the building envelope.~~
- 705A.02.3 The Lot Line and/or Easement Vacation Approval Certificate shall be signed by the owner(s), beneficiaries of the deed of trust, and the Director.
- 705A.02.4 The Director shall either approve or deny the request based on the submittal documents and approval standards.
- 705A.02.5 Within 30 days of approval by the Director, the staff planner shall record the Lot Line and/or Easement Vacation Approval Certificate, Lot Line and/or Easement Vacation Exhibit and vicinity map in the Office of the Clerk and Recorder, and mail a copy of the recorded documents to the applicant.
- 705A.02.6 A final decision may be appealed to the Board at a regular business meeting, when the appeal is submitted to the Planning Services Division in writing, within 30 days of the decision by the Director.

706A Lot Line and/or Easement Adjustment (Amended 4/14/09)

The following administrative process is established for an adjustment or realignment of a lot line and/or easement, which can include replatting of several lots/tracts (e.g., 3 lots into 2), in which the original subdivision is not substantially modified and additional lots are not created. However, tracts may be created provided the intended use of the tract(s)

does not include a structure. The Director may approve a lot line adjustment that also comprises the boundary between subdivisions, or platted and unplatted land, provided:

- no additional lots are created;
- the subdivision design is not significantly altered;
- the intent is not to circumvent the subdivision process; and,
- the zoning is not changed as a result of this action.

#### 706A.01 Submittal Requirements - Lot Line and/or Easement Adjustment

706A.01.1 Completed land use application (available from the Planning Services Division)

706A.01.2 Written narrative describing the request

706A.01.3 Application fee (fee schedule available from the Planning Services Division)

706A.01.4 Proof of ownership which includes an updated or current title insurance policy or title commitment issued no more than 30 days prior to the date of application

706A.01.5 A notarized letter of authorization from the landowner permitting a representative to process the application, as applicable

706A.01.6 Lot Line and/or Easement Adjustment Exhibit

- (1) A certified boundary survey of the lots prepared by a professional land surveyor on an 8.5-inch X 11-inch sheet of paper, or another size approved by staff, that shows the existing and proposed lot and/or easement configuration with distances and bearings shall be provided when the lots affected can be clearly represented; or
- (2) A 24-inch X 36-inch mylar plan exhibit shall be provided in accordance with Article 706A.03 herein when the lots affected cannot be clearly represented on a smaller exhibit, as determined by staff, or if the adjustment requires adjusting a subdivision boundary; and
- (3) Vicinity map - a reduction of the filing showing the relationship of the lots to the filing.

706A.01.7 Letters from the following stating their recommendation regarding the lot line and/or easement adjustment and any existing facilities they have over or across the land:

- (1) all special districts providing service to the lots; and

(2) all known easement beneficiaries, when applicable.

Such letters may be obtained during the referral review period.  
(Amended 7/8/14)

## 706A.02 Process - Lot Line and/or Easement Adjustment

706A.02.1 The applicant shall submit a presubmittal review request to the Planning Services Division. Following receipt of the presubmittal review notes, ~~t~~The applicant shall submit the required information to the Planning Services Division. Staff shall review the information and prepare a Lot Line and/or Easement Adjustment Approval Certificate to send as a referral to the referral agencies, as deemed necessary. The certificate shall identify the affected plat, its reception number, the affected lots, easements or building envelopes, and reference to the Lot Line and/or Easement Adjustment Exhibit and the recommendation(s) of the special district(s) and easement holders, as applicable.

706A.02.2 Staff shall send a notice of the lot line and/or easement adjustment application to the abutting landowners and other landowners as identified by staff. The applicant shall reimburse the County for the cost of materials.~~The applicant shall provide stamped envelopes addressed to the abutting landowners, and other landowners as required by staff, notifying them of the lot line and/or easement adjustment application.~~

~~If the request includes the vacation or adjustment of a building envelope, the notification shall be either an explanation of the request sent by certified mail, return receipt requested, at least 10 days prior to the Director's consideration of such request, or a signed statement from the abutting landowner(s) stating that they were notified of the request to vacate or adjust the building envelope.~~

706A.02.3 The Lot Line and/or Easement Adjustment Approval Certificate shall be signed by the owner(s), beneficiaries of the deed of trust, and the Director.

706A.02.4 The Director shall approve or deny the request based on the submittal documents and approval standards.

706A.02.5 When multiple ownership is involved, the applicant shall provide deeds for the newly adjusted lots and the recordation fee for the deeds, to the staff planner, within 30 days of approval by the Director. The Director may grant an extension of time upon a written request from the applicant for good cause shown.

706A.02.6 Within 30 days of receipt of the deeds, the staff planner shall record the Lot Line and/or Easement Adjustment Approval Certificate, Lot Line and/or Easement Adjustment Exhibit, vicinity map, and deeds in the Office of the Clerk and Recorder, and provide a recorded copy to the applicant.

706A.02.7 A final decision may be appealed to the Board at a regular business meeting, when the appeal is submitted to the Planning Services Division in writing, within 30 days of the decision by the Director.

706A.03 Plan Exhibit - Lot Line and/or Easement Adjustment

706A.03.1 The plan exhibit shall be prepared by or under the supervision of a registered professional land surveyor licensed with the State of Colorado. The plan exhibit shall be an acceptable photographic or computer-generated drawing. Inaccurate, incomplete or poorly drawn plans, as well as, Diazo (sepia) or electrostatic-generated (Xerox) plans shall be rejected.

706A.03.2 The plan exhibit shall be drafted at a scale that best conveys the detail. All lines, rights-of-way, names and descriptions on the plan exhibit which do not constitute a part of the administrative adjustment shall be depicted in dashed or screened lines.

706A.03.3 Sheet size shall be 24 inch X 36 inch with the long dimension horizontal. A margin, left entirely blank, a minimum of 1 inch on all sides, shall be provided on each sheet. The title shall be placed at the top of the sheet along the long dimension. The title shall include the name of the subdivision, filing number (when applicable), and appropriate amendment number. The subtitle shall provide a brief description of the plan exhibit.

EXAMPLE:

<p><b>PINE VIEW Filing #1, 3RD AMENDMENT</b>  AN ADMINISTRATIVE REPLAT OF PINE VIEW FILING #1, 2ND AMENDMENT  SW/4 OF SEC. 9, T6S, R67W OF THE 6TH P.M., DOUGLAS COUNTY, CO  26.2 ACRES LOTS 1-20, including the utility easements  SB__-_____</p>
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All 24 inch X 36 inch exhibits shall include the Surveyors Certificate, Title Verification Certificate, and Clerk and Recorder Certificate in accordance with Article 8 – Certifications, of this Resolution.

- 707A.01.1 Completed land use application (available from the Planning Services Division)
- 707A.01.2 Written narrative describing the request and purpose for original building envelope configuration and how the new configuration will meet those concerns
- 707A.01.3 Application fee (fee schedule available from the Planning Services Division)
- 707A.01.4 Proof of ownership that includes an updated or current title insurance policy or title commitment issued no more than 30 days prior to the date of application
- 707A.01.5 A notarized letter of authorization from the landowner permitting a representative to process the application, as applicable
- 707A.01.6 Building Envelope Adjustment Exhibit  
A certified boundary survey of the lot, prepared by a professional land surveyor on an 8.5-inch X 11-inch sheet of paper, or another size approved by staff, that shows the existing and proposed building envelope configuration, with distances and bearings. The vacated building envelope shall be shown in dashed lines, or screened, with a note and arrow pointing to the line to be vacated, stating that it is hereby vacated. The revised building envelope shall be shown in bold lines with a note and arrow pointing to the line to be granted, stating that it is hereby granted. (Dashed lines shall be graphically different for existing vs. proposed vs. vacated).
- 707A.01.7 Vicinity map - a reduction of the filing showing the relationship of the lot to the other lots in the filing.
- 707A.01.8 Notification

Staff shall send notification of a building envelope adjustment and applicable contact information to all abutting landowners and other landowners as identified by staff. The applicant shall reimburse the County for the cost of materials.

~~When adjusting a building envelope, the applicant shall notify abutting landowners. Such notification shall be either an explanation of the request sent by certified mail, return receipt requested, at least 10 days prior to the Director's consideration of such request, or a signed statement from the abutting landowner(s) stating that they were notified of the request to relocate the building envelope.~~

## 707A.02 Process - Building Envelope Adjustment

- 707A.02.1 The applicant shall submit a presubmittal review request to the Planning Services Division. Following receipt of the presubmittal review notes, ~~t~~The applicant shall submit the required information to the Planning Services Division. Staff shall review the information and prepare a Building Envelope Adjustment Approval Certificate that identifies the affected plat, its reception number, the affected lot, and reference to the Building Envelope Adjustment Exhibit, to send as a referral to the appropriate referral agencies, as deemed necessary.
- 707A.02.2 The Building Envelope Adjustment Approval Certificate shall be signed by the owner(s) and the Director.
- 707A.02.3 The Director shall approve or deny the request based on the submittal documents and approval standards.
- 707A.02.4 Within 30 days of approval by the Director, the staff planner shall record the Building Envelope Adjustment Approval Certificate, Building Envelope Adjustment Exhibit and vicinity map in the office of the Clerk and Recorder, and provide a recorded copy to the applicant.

- 707A.02.5 A final decision may be appealed to the Board at a regular business meeting, when the appeal is submitted to the Planning Services Division in writing, within 30 days of the decision by the Director.

708A Replat to Add Lots (Amended 7/8/14)

The following administrative process is established for nonresidential and residential replats subject to the limitations set forth in Sections 703.02 and Section 703.03, respectively:

708A.01 Submittal Requirements

- 708A.01.1 Completed land use application (available from the Planning Services Division)
- 708A.01.2 Written narrative describing the request
- 708A.01.3 Application fee (fee schedule available from the Planning Services Division)
- 708A.01.4 Proof of ownership which includes an updated or current title insurance policy or title commitment issued no more than 30 days prior to the date of application
- 708A.01.5 A notarized letter of authorization from the landowner permitting a representative to process the application, as applicable
- 708A.01.6 Plan Exhibit (*per Section 708A.03, herein*)
- 708A.01.7 Additional reports as required by Douglas County or other referral agencies.
- 708A.01.8 Development reports as identified in Article 7 (Replat) if required by Engineering Services.
- 708A.01.9 A Subdivision Improvements Agreement if required by Engineering Services.

708A.02 Submittal Process

- 708A.02.1 The applicant shall submit a presubmittal review request to the Planning Services Division. Following receipt of the presubmittal review notes, tThe applicant shall submit the required submittal information to the Planning Services Division. The submittal shall be reviewed by staff and a determination of completeness shall be made. The applicant shall be notified in writing if the submittal is



incomplete, and any inadequacies shall be specifically identified. An incomplete submittal will not be processed.

708A.02.2 Referral response requests shall be sent to agencies for review and comment as deemed necessary by staff. The referral period shall not exceed 21 calendar days.

708A.02.3 ~~The applicant shall provide stamped letter sized envelopes addressed to the abutting landowners, and other landowners as requested by staff.~~ Staff shall sendmail a courtesy notice of an application in process and applicable contact information to all abuttingthe landowners and other landowners as identified by staff. The applicant shall reimburse the County for the cost of the materials., along with a copy to the applicant.

708A.02.4 The Director shall approve, approve with conditions, or deny the request based on the submittal documents and approval standards.

708A.02.5 The applicant shall provide an executed Plan Exhibit for the Director's signature.

708A.02.~~6~~4 ~~When multiple ownership is involved, the applicant shall provide deeds for the newly adjusted lots and the recordation fee for the deeds to the staff planner within 30 days of approval by the Director. The applicant shall provide evidence that all conditions of approval have been met prior to recordation of the Plan Exhibit. Within 30 days of approval by the Director, the staff planner shall record the Plan Exhibit in the office of the Clerk and Recorder and provide a recorded copy to the applicant.~~ The Director may grant an extension of time upon a written request from the applicant for good cause shown.

708A.02.7 A final decision may be appealed to the Board at a regular business meeting, when the appeal is submitted to the Planning Services Division in writing, within 30 days of the decision by the Director.

### 708A.03 Plan Exhibit

708A.03.1 The plan exhibit shall be prepared by or under the supervision of a registered professional land surveyor licensed with the State of Colorado. The plan exhibit shall be an acceptable photographic or computer-generated drawing.

708A.03.2 Sheet size shall be 24 inch X 36 inch with the long dimension horizontal. A margin, left entirely blank, a minimum of 1 inch on all

- 705B.02 A vacation of a state highway must be approved by the Transportation Commission [§ 43-1-106(11), C.R.S.].
- 705B.03 The road vacation, or vacation and replat, is in keeping with the spirit and intent of the *Douglas County Subdivision Resolution*, and the *Douglas County Comprehensive Master Plan* and *Transportation Plan*.
- 705B.04 The road vacation will not diminish the ability to provide adequate emergency services and will not increase the cost of services
- 705B.05 The approval will not adversely affect the public health, safety, and welfare.

706B Vesting of Title (Amended 04/14/09)

Vesting of title upon vacation shall be in accordance with § 43-2-302, C.R.S., as amended and any discretion authorized by such statute and exercised by the Board.

707B Submittal Documents (Amended 04/14/09)

- 707B.01 Completed land use application (available from the Planning Services Division)
- 707B.02 Written narrative describing the request
- 707B.03 Application fee (fee schedule available from the Planning Services Division)
- 707B.04 Vacation Map - A reproduction of the road or access easement on an 8.5 inch X 11 inch sheet of paper, or another size approved by staff, or on 24 inch X 36 inch mylar. Include the written legal description
- 707B.05 Vicinity map - a reduction of the subdivision plat showing the location of the road in relation to the lots; or the area surrounding the road within a 1 mile radius superimposed on a current Douglas County Development Reference Map
- 707B.06 Letters from the following stating their recommendation regarding the vacation and any existing facility they have over or across the land:
- 707B.06.1 all special districts providing maintenance of infrastructure within the right-of-way; and
- 707B.06.2 all known easement beneficiaries
- 707B.07 ~~Stamped envelopes addressed~~ Staff shall send notification of the vacation application to all abutting landowners and other landowners using the access proposed for vacation, ~~as required by staff, for notification of the~~

~~vacation application, including. Include~~ a map identifying the road section to be vacated and relationship to the ~~abutting~~ landowners. The applicant shall reimburse the County for the cost of materials.-

708B Process - Road Vacation and Replat/Realignment (Amended 04/14/09)

The following process is for the vacation of a road which has been established and used as such, when replatting or realignment of all or a section of the present road alignment is proposed or has been accomplished. A replat application may be required to be processed concurrently:

- 708B.01 The applicant shall submit the required information to the Planning Services Division. Staff shall review the information and send a referral to referral agencies, as required by staff, and mail notification letters to the abutting landowners.
- 708B.02 The referral agencies shall comment within 21 days of receiving the packet. Staff shall review the information, prepare a staff report for the Board, schedule the request for a public hearing with the Board, and notify the applicant of the hearing date and time.
- 708B.03 The applicant shall be responsible for notice of the public hearing, prior to the Board hearing, in accordance with Article 710B, herein.
- 708B.04 The Board shall evaluate the request, staff report, referral agency comments, and public testimony, and shall approve, conditionally approve, table for further study, or deny the request. The Board's action shall be based on the evidence presented, and compliance with the adopted standards, regulations, policies and other guidelines.
- 708B.05 Staff shall prepare a Vacation Resolution that specifies the legal description of the road to be vacated, the reception number of the plat that created the road, if applicable, and reference to the recommendation of the special district(s), and easement holders, as applicable.
- 708B.06 Upon approval by the Board, the staff planner shall, in consultation with the County Attorney, prepare any deeds required by the vacation. Within 30 days, the staff planner shall submit the Vacation Resolution, Vacation Map and/or corresponding replat exhibit, and deeds, as required, for recordation in the Office of the Clerk and Recorder.

709B Process - Road Vacation (Amended 04/14/09)

The following process is for the vacation of all or a section of a road that has been established and used as such when no replatting or realignment will occur.

- 704C.07 Vicinity map - that depicts the area surrounding the subdivision within a 1-mile radius superimposed on a current Douglas County Subdivision Map.
- 704C.08 When an easement is vacated, a letter from all known beneficiaries stating their recommendation regarding the vacation and any existing facilities they have over or across the land.
- 704C.09 Letters from the following stating their recommendation regarding the vacation and any existing facilities they have over or across the land:
- all special districts providing service to the lots; and
  - all known easement beneficiaries.

In addition, the following shall be submitted for a subdivision plat vacation with existing infrastructure and public land dedication:

- 704C.10 Letters from the following stating their recommendation regarding the vacation and any existing facilities they have over or across the land:
- all special districts providing maintenance of infrastructure within the right-of-way; and
  - all landowners abutting or using an access proposed for vacation.
- 704C.11 ~~Stamped envelopes addressed~~ Staff shall send notification of the vacation application to all the abutting landowners and other landowners identified by staff for notification of the vacation application, including. Include a map identifying the platted area to be vacated and relationship to the abutting landowners. The applicant shall reimburse the County for the cost of materials.

705C Process #1 - Vacation of subdivision plat with no infrastructure/dedication  
(Amended 03/28/01)

The following *administrative* process is established for the vacation of a subdivision plat with no existing infrastructure, and/ or public land dedication.

- 705C.01 The applicant shall submit the required information to the Planning Services Division. Staff shall review the information and send a referral to the Assessor's Mapping Division and other referral agencies, as required by staff.
- 705C.02 A Vacation Approval Certificate shall be prepared for the Director's signature that identifies the plat vacated, its reception number, the lot line(s) vacated, and reference to the vacation map and the recommendation(s) of the special district(s), and easement holders, as applicable.

- 1505.03 ~~The applicant shall also provide stamped letter sized envelopes addressed to the abutting landowners, and other landowners as requested by staff.~~ Staff shall ~~sendmail~~ a courtesy notice of an application in process and applicable contact information to all abutting the landowners and other landowners as identified by staff., along with a copy to the applicant. The applicant shall reimburse the County for the cost of materials.
- 1505.04 If the referral agencies elect to comment, they shall comment within 21 calendar days of the date the referral packets were mailed or electronically distributed, unless the applicant grants, in writing, an extension of no more than 30 calendar days. After the 21 calendar days, if no extension is granted, any referral agency responses received will be accepted for informational purposes only and provided to the applicant, Planning Commission, and the Board. *(Amended 11/12/13)*
- All referral agency comments shall be provided by staff to the applicant upon receipt. The applicant shall address the comments of all referral agencies - regulatory received within the 21 calendar day referral period, or as extended by the applicant, by identifying in writing the extent to which the project has been revised in response to the comments. The applicant is strongly encouraged to provide staff a written response to timely comments of any and/or all referral agencies – advisory. *(Amended 11/12/13)*
- The applicant is encouraged to meet with the referral agencies and staff to address any concerns. The applicant is required to pay those fees assessed by referral agencies – regulatory.
- 1505.05 Staff will review the referral agency comments, discuss the concerns with the applicant, schedule a public hearing before the Planning Commission, notify the applicant in writing of the hearing date and time, and prepare a staff report for the Planning Commission. The applicant is responsible for public notice of the hearing in accordance with Section 1511 herein.
- 1505.06 The Planning Commission shall evaluate the rezoning request, staff report, referral agency comments, applicant responses, and public comment and testimony, and make a recommendation to the Board to approve, approve with conditions, continue, table for further study, or deny the rezoning request. The Planning Commission's decision shall be based on the evidence presented, compliance with the adopted County standards, regulations, policies, and other guidelines.
- 1505.07 Following the recommendation by the Planning Commission, staff shall schedule a public hearing before the Board, notify the applicant in writing of the hearing date and time, and prepare a staff report for the Board. The hearing shall be scheduled for the earliest available time taking into

If the Director determines that the proposed amendment to an approved use by special review does represent a substantial increase in the intensity of the use or impacts to the neighborhood, the proposed amendment shall be subject to the same submittal and process requirements as required for a new use by special review application. This type of amendment shall be referred to as a use by special review amendment. When making the determination, the Director shall consider the proposed degree of change to the site improvements and management plan as reflected on the approved Plan Exhibit, with specific consideration for potential increased impacts to the surrounding community.

The applicant may appeal the Director's determination on the amendment process for an approved use by special review to the Board of Adjustment in accordance with Section 26A.

### 2109 Submittal Process

The following shall apply to a use by special review or a use by special review amendment. The application shall be submitted only after the presubmittal meeting(s) has been completed and the applicant has received the written staff comment summary from the presubmittal meeting. For a request for a use by special review or a use by special review amendment, the submittal is processed as follows:

2109.01 The applicant shall submit the required submittal information to the Planning Services Division. The submittal shall be reviewed by staff and a determination of completeness shall be made within 15 working days. The applicant shall be notified in writing if the submittal is incomplete, and any inadequacies shall be specifically identified. An incomplete submittal will not be processed.

2109.02 Once the submittal is determined complete, staff will notify the applicant in writing of the number of copies of the submittal information required for distribution to referral agencies. Staff will identify in the written notice which referral agencies are referral agency - regulatory and which referral agencies are referral agency - advisory. The mailing addresses of the referral agencies shall be provided to the applicant. Electronic distribution is preferred. Otherwise, referral packets shall be provided by the applicant in unsealed manila envelopes, without postage, addressed to the appropriate referral agency, with submittal information properly folded and compiled. Staff shall include a referral response sheet and distribute the referral packets to the referral agencies.

2109.03 ~~The applicant shall also provide stamped letter sized envelopes addressed to the abutting landowners, and other landowners as requested by staff.~~ Staff shall mail send a courtesy notice of an application in process and applicable contact information to all abutting landowners and other landowners as identified by staff. ~~the landowners, along with a copy to the applicant.~~ The applicant shall reimburse the County for the cost of materials.

2203B.09 Lighting shall comply with Section 30, Lighting Standards.

2203B.10 Entertainment Event permits shall be valid for the property and permittee identified on the permit and may not be transferred upon sale of the property, or otherwise assigned to another person or business. The new landowner or lessee shall apply for a new permit.

2204B Permitting Procedure – Minor Entertainment Events

2204B.01 Following a presubmittal meeting with Planning Services, the applicant shall submit the information required in 2206B herein to Planning Services at least 30 days prior to the event. *(Amended 08/28/18)*

2204B.02 The submittal shall be reviewed for completeness and the applicant notified of any inadequacies. Once the submittal is determined complete, Planning staff will send referral response requests to other agencies, for review and comment on the application. Such agencies may include but are not limited to Engineering Services, the Douglas County Sheriff's Office, the affected fire district, the health department, and homeowners associations. The applicant will be asked to address all comments received. *(Amended 8/28/18)*

2204B.03 Staff shall sendmail a courtesy notice of an application in process and applicable contact information to all abutting landowners and other landowners as identified by staff. as required by staff. The applicant shall reimburse the County for the cost of materials.

2204B.04 Minor Entertainment Event Permits shall be approved, approved with conditions, referred to the Board of County Commissioners for final action at a public meeting, or denied by the Director. The Director shall evaluate the Entertainment Event request, applicant responses, and public comment. The Director's action shall be based on the evidence presented and compliance with the adopted County standards, regulations, policies, and guidelines.

2204B.05 Appeals to an administrative determination shall be processed in accordance with Section 26A of this Resolution.

2204B.06 If the conditions or restrictions imposed by this Section 22B, or by the Entertainment Event Permit have not been complied with, the Director may take such action as is deemed necessary to remedy the noncompliance, including but not limited to revocation of the permit. The Director's action may be appealed to the Board of Adjustment pursuant to Section 26A of this Resolution.

2205B Permitting Procedure – Major Entertainment Events

- 2205B.01 Following a presubmittal meeting with Planning Services, the applicant shall submit the information required in 2206B herein to Planning Services at least 45 days prior to the event. *(Amended 08/28/18)*
- 2205B.02 The submittal shall be reviewed for completeness and the applicant notified of any inadequacies. Once the submittal is determined complete, Planning staff will send referral response requests to other agencies for review and comment on the application. Such agencies may include but are not limited to Engineering Services, the Douglas County Sheriff’s Office, the affected fire district, the health department, and homeowners associations. The applicant will be asked to address all comments received. *(Amended 8/28/18)*
- 2205B.03 Staff shall sendmail a courtesy notice of an application in process and applicable contact information to all abutting landowners and other landowners as identified ~~required~~ by staff. The applicant shall reimburse the County for the cost of materials.
- 2205B.04 At least 14 days prior to the public meeting, the applicant shall mail, by first-class, a written notice of the public meeting to the address of each abutting landowner as such address is shown in the records of the Douglas County Assessor’s Office. The notice shall read:

**NOTICE OF PUBLIC MEETING BEFORE THE BOARD OF COUNTY COMMISSIONERS**

A public meeting will be held on (date), at (time), in the Commissioners’ Hearing Room, 100 Third Street, Castle Rock, CO, to consider an entertainment event proposed at (address or nearest intersection). For more information call Douglas County Planning at 303-660-7460.

File No./Name: \_\_\_\_\_

The person completing the mailing of the written notice shall execute a certificate of mailing. Such certificate shall read as follows:

**CERTIFICATE OF MAILING**

I hereby certify that a true and correct copy of the attached written notice was placed in the U.S. mail, first-class, postage prepaid this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and addressed as follows:

(list of addresses)

\_\_\_\_\_

(signature of person completing the mailing)



In the event the applicant fails to mail a notice to an abutting landowner, the landowner that did not receive such complying notice may waive such notice by submitting a written waiver to Douglas County Planning prior to the meeting.

2205B.05 Major Entertainment Event Permits shall be approved, approved with conditions, continued, tabled for further study, or denied by the Board of County Commissioners at a public meeting. The Board shall evaluate the Entertainment Event request, staff report, applicant responses, and public comment and testimony. The Board's action shall be based on the evidence presented; compliance with adopted County standards, regulations and policies; and other guidelines.

2205B.06 If the conditions or restrictions imposed by this Section 22B, or by the Entertainment Event Permit have not been complied with, the Director may take such action as is deemed necessary to remedy the noncompliance, including but not limited to revocation of the permit. The Director's action may be appealed to the Board of Adjustment pursuant to Section 26A of this Resolution.

#### 2206B Submittal Requirements

The following information shall be submitted to Planning Services, unless waived by the Director:

2206B.01 Completed land-use application form.

2206B.02 Proof of ownership, or written confirmation from the property owner(s) agreeing to the use of their property or right-of-way for the Entertainment Event, or a copy of the lease agreement.

2206B.03 A notarized letter of authorization from the landowner permitting a representative to process the application.

~~2206B.04 Stamped, letter-sized envelopes addressed to all abutting landowners and other landowners as required by staff.~~

2206B.05~~4~~ A written description of the event, including:

- Description of proposed activities
- Description of the proposed event's compatibility with the intent of the zone district
- Description of the proposed event's expected impacts to the subject land and surrounding properties, and how adverse impacts on surrounding properties will be mitigated
- Expected daily and total attendance

- Event schedule (including setup) and daily hours of operation
- Number of employees
- Description of water requirements, including the source of water
- Description of sanitation requirements, including the number and location of temporary toilets

2206B.06 A site plan depicting:

- Parcel boundary or lease area
- Driveway access
- Zoning and current use of the parcel and adjacent parcels
- Location and dimension of existing and proposed structures
- Setback from the property line
- Location and surface material of proposed off-street parking areas
- Food service and vendor information
- Method of trash disposal and location of bins

agencies are referral agency - advisory. The mailing addresses of the referral agencies shall be provided to the applicant. Electronic distribution is preferred. Otherwise, referral packets shall be provided by the applicant in unsealed manila envelopes, without postage, addressed to the appropriate referral agency, with submittal information properly folded and compiled. Staff shall include a referral response sheet and distribute the referral packets to the referral agencies.

2504.03 ~~The applicant shall also provide stamped letter sized envelopes addressed to the abutting landowners, and other landowners as requested by staff.~~ Staff shall send mail a courtesy notice of an application in process and applicable contact information to all abutting landowners and other landowners as identified by staff,~~the landowners, along with a copy to the applicant.~~ The applicant shall reimburse the County for the cost of materials.

2504.04 If the referral agencies elect to comment, they shall comment within 21 calendar days of the date the referral packets were mailed or electronically distributed, unless the applicant grants, in writing, an extension of no more than 30 calendar days. After the 21 calendar days, if no extension is granted, any referral agency responses received will be accepted for informational purposes only and provided to the applicant, Planning Commission, and the Board. *(Amended 11/12/13)*

All referral agency comments shall be provided by staff to the applicant upon receipt. The applicant shall address the comments of all referral agencies - regulatory received within the 21 calendar day referral period, or as extended by the applicant, by identifying in writing the extent to which the project has been revised in response to the comments. The applicant is strongly encouraged to provide staff a written response to timely comments of any and/or all referral agencies - advisory. *(Amended 11/12/13)*

The applicant is encouraged to meet with the referral agencies and staff to address any concerns. The applicant is required to pay those fees assessed by referral agencies - regulatory.

2504.05 Staff will review the referral agency comments, discuss the concerns with the applicant, schedule a public hearing before the Planning Commission, notify the applicant in writing of the hearing date and time, and prepare a staff report for the Planning Commission. The applicant is responsible for public notice of the hearing in accordance with Section 2508 herein.

2504.06 The Planning Commission shall evaluate the rezoning request, staff report, referral agency comments, applicant responses, and public comment and testimony, and make a recommendation to the Board to approve, approve with conditions, continue, table for further study, or deny

- 2505.03 Proof of ownership that may be an updated or current title insurance policy or title commitment no more than thirty days old from the date of application.
- 2505.04 A notarized letter of authorization from the landowner permitting a representative to process the application, as necessary.
- 2505.05 Project Summary (*per 2506 herein*)
- 2505.06 Plan Exhibit (*3 copies of the plan per 2507 herein*)
- Plan reductions (11"X17") will be required for public hearing packets for the Planning Commission and the Board.
- 2505.07 An analysis of the capacity of public facilities and services within the impact area.
- 2505.07.1 A traffic impact study in accordance with the Douglas County Roadway Design and Construction Standards.
- 2505.07.2 Documentation of capacity from the fire protection district in accordance with adopted fire district level of service standards.
- 2505.07.3 Documentation of capacity from the school district in accordance with the adopted school district capacity policy.
- 2505.08 Water supply documentation in accordance with Section 18A, Water Supply - Overlay District, herein. (*Amended 5/26/15*)
- 2505.09 Documentation of the physical and legal capability to provide sanitation.
- 2505.10 Referral packets
- Referral packets shall be provided by the applicant in unsealed manila envelopes, addressed to the appropriate referral agency, with all submittal information properly folded and compiled.
- ~~2505.11 Notification of abutting landowners~~
- ~~The applicant shall provide stamped envelopes addressed to the abutting landowners and other landowners as requested by staff.~~
- 2505.1~~1~~2 A copy of the formal staff analysis from the presubmittal meeting and additional information, as requested by staff.

2506 Project Summary (*Amended 11/18/14*)

2704.03 Once the submittal is determined complete, staff shall notify the applicant in writing of the number of copies of the submittal information required for distribution to referral agencies. Staff shall identify in the written notice which referral agencies are regulatory agencies and which referral agencies are advisory agencies. Referrals shall be sent to all County recognized HOAs within one (1) mile of the SIP site, unless the project is in the nonurban area, per the Comprehensive Master Plan, where referrals shall be sent to all recognized HOAs within a two (2) mile radius. The mailing addresses of the referral agencies shall be provided to the applicant. Electronic distribution of referral packets is preferred. Otherwise, referral packets shall be provided to the staff planner by the applicant in unsealed manila envelopes, without postage and a return address, addressed to the appropriate referral agency, with submittal information properly folded and compiled. Staff shall include a referral response sheet and distribute the referral packets to the referral agencies. The following shall be included in the packets:

- Copy of the completed land use application form
- Project narrative (*Section 2705.08*)
- Site plan (*Section 2707*)
- Landscape plan (*Section 2708*)
- Grading and drainage plan (*Section 2709*)
- Building elevations (*Section 2710*)
- Lighting plan (*Section 2711*)
- Other reports, studies, and fees as required

2704.04 ~~The applicant shall provide stamped letter sized envelopes addressed to the abutting landowners, and other landowners as requested by staff.~~ Staff shall sendmail a courtesy notice of an application in process and applicable contact information to all abutting landowners and other the landowners as identified by staff., along with a copy to the applicant. The applicant shall reimburse the County for the cost of materials.

2704.05 If the referral agencies elect to comment, they shall comment within 21 calendar days of the date the referral packets were mailed or electronically distributed, unless the applicant grants, in writing, an extension of no more than 30 calendar days. After the 21 calendar days, if no extension is granted, any referral agency comments received will be accepted for informational purposes only and provided to the applicant. (*Amended 11/12/13*)

2704.05.1 The staff planner may reduce the referral period upon concurrence by Engineering Services. In the event the referral period is reduced, it is the applicant's responsibility to obtain comments from the agencies within the reduced time frame.

fully executed by the owner and County prior to SIP approval. A SIP shall be approved by the Director (or designee) based on staff recommendations.

- 2704.08 If the SIP is denied, written findings shall be provided by staff to the applicant within seven (7) calendar days of the denial.
- 2704.09 The final status of a SIP shall be set forth via the Notice of Action - Final Status using the following process:
- 2704.09.1 The date considered to be the final action on the SIP shall be the date on the Notice of Action - Final Status.
- 2704.09.2 Should a discrepancy exist between the dates on the SIP and Notice of Action - Final Status, the date of the Notice of Action - Final Status shall control.
- 2704.09.3 The Notice of Action - Final Status shall be mailed to the applicant, ~~all the~~ abutting landowners and other landowners who received courtesy notices, and any homeowner's associations (HOAs) that received a referral courtesy notices, as described herein. The Notice of Action - Final Status shall be mailed via first class mail, within three (3) calendar days of final determination.
- 2704.10 A Notice of Action - Final Status of a SIP may be appealed to the Board of Adjustment. An appeal shall be submitted in writing to the Director within thirty (30) calendar days from the date on the Notice of Action - Final Status.
- 2704.10.1 Upon failure to request an appeal, the decision is final.
- 2704.10.2 If a SIP is denied, any new SIP shall require submittal of a new application and processing fee.
- 2704.11 SIPs that are inactive due to the applicant's failure to submit requested materials for a period of four (4) months shall be closed, and the resubmittal of a new application and fees shall be required.
- 2704.11.1 After three (3) months of inactivity, staff shall notify the applicant in writing that the application shall be closed within thirty (30) calendar days. If the applicant fails to submit all of the required materials within the thirty (30) calendar days, staff shall notify the applicant, in writing, that the SIP application is closed.

- 2704.11.2 The Director may grant time extensions to the inactive period of a SIP, not to exceed a total of twelve (12) months, upon written request by the applicant, prior to closure of the SIP.
- 2704.12 The SIP shall be effective for a period of three (3) years from the date of approval. The initial building permit shall not be issued for a SIP after the end of its effective period, unless an extension is granted, as follows:  
*(Amended 4/28/15)*
- 2704.12.1 The Director may grant time extensions to the effective period of a SIP, not to exceed a total of three (3) years from the end of the initial effective period, upon written request by the applicant. To be eligible for an extension, the applicant shall submit the request no later than six (6) months after the end of the effective period. *(Amended 4/28/15)*
- 2704.12.2 The Director may include conditions with the time extension as necessary to ensure the SIP remains in compliance with approval standards. Site construction drawings that have expired shall be re-approved by Engineering Services. *(Amended 4/28/15)*
- 2704.13 Where a SIP brings an existing use into compliance with applicable regulations, or is designed to correct a Notice of Violation, all improvements shall be completed within six (6) months of the Notice of Action - Final Status, unless otherwise agreed to in writing by the owner and the County.
- 2705 Submittal Requirements *(Amended 12/07/10)*

The applicant shall be required to submit the following information to Planning Services. Incomplete applications shall not be accepted for processing.

- 2705.01 A completed SIP submittal checklist.
- 2705.02 A completed land use application form.
- 2705.03 Proof of ownership consisting of a current title insurance policy or title commitment no more than thirty (30) calendar days old from the date of the application, or other documentation acceptable to staff.
- 2705.04 A notarized letter of authorization from the landowner permitting a representative to process the application, unless the landowner and applicant are the same.
- 2705.05 A boundary survey of the site certified by a professional land surveyor, if the land is unplatted.

~~2705.08.7~~ 2705.07.7 Describe the proposed development schedule and phases of development for all proposed construction.

~~2705.09~~ 2705.08 The applicant shall demonstrate conformance with Section 18A, Water Supply – Overlay District, herein, when the proposed SIP is located on an unplatted parcel of land determined to be legal by Douglas County. The demonstration of conformance for the proposed SIP shall be in accordance with the standards set forth in the applicable water supply zone as depicted on the Water Supply Overlay Map, Figure 18A, herein, and as follows: *(Amended 4/28/15)*

~~2705.09.1~~ 2705.08.1 A SIP proposed within the Pike/Rampart - Water Supply Zone shall conform with the water supply standards of Section 1806A, herein. If the SIP is proposing a water supply from an Existing District or New Special District, the water supply documentation shall conform with the standards of Section 1805A.01.4 and 1805A.02.4, respectively. *(Amended 4/28/15)*

~~2705.09.2~~ 2705.08.2 A SIP proposed within the Margin A - Water Supply Zone shall conform with the water supply standards of Section 1807A, herein. If the SIP is proposing a water supply from an Existing District or New Special District, the water supply documentation shall conform with the standards of Section 1805A.01.4 and 1805A.02.4, respectively. *(Amended 4/28/15)*

~~2705.09.3~~ 2705.08.3 A SIP proposed within the Margin B - Water Supply Zone shall conform with the water supply standards of Section 1808A, herein. If the SIP is proposing a water supply from an Existing District or New Special District, the water supply documentation shall conform with the standards of Section 1805A.01.4 and 1805A.02.4, respectively. *(Amended 4/28/15)*

~~2705.09.4~~ 2705.08.4 A SIP proposed within the Central Basin - Water Supply Zone shall conform with the water supply standards of Section 1809A, herein. If the SIP is proposing a water supply from an Existing District or New Special District, the water supply documentation shall conform with the standards of Section 1805A.01.4 and 1805A.02.4, respectively. *(Amended 4/28/15)*

~~2705.09.5~~ 2705.08.5 A SIP, proposed within any water supply zone, which has no water supply demand except as may be temporarily necessary to establish required landscaping, shall not be required to demonstrate compliance with Section 18A, Water Supply - Overlay District, herein. *(Amended 4/28/15)*

~~2705.08.6~~ 2705.08.6 A SIP proposed within any water supply zone, when located on a conforming parcel within the A-1 or LRR zone district, which has a



2705.06 Planning and Engineering Services fees. Building Services fees are collected when construction plans are submitted to Building Services.

~~2705.07 Stamped, addressed envelopes for staff to prepare courtesy notices to the following:~~

- ~~• All abutting landowners with addresses shown in the records of the Douglas County Assessor Office, having a common border with, or separated from such a common border by a right-of-way, alley, or easement~~
- ~~• All owners using a shared access easement that is proposed for the SIP access~~
- ~~• All County recognized HOAs within one (1) mile of the SIP site, unless the project is in the nonurban area, per the Comprehensive Master Plan, where courtesy notices shall be sent to all recognized HOAs within a two (2) mile radius~~

~~2705.08~~ 2705.07A narrative description of the project, addressing the following:

~~2705.08.1~~ 2705.07.1 Name and address of the landowner, the developer or representative, and the person or firm preparing the SIP, if different than the owner.

~~2705.08.2~~ 2705.07.2 The subdivision name, filing number, (planning area number when located in a Planned Development), and lot and block number; or street address and section, township, range if not in a subdivision.

~~2705.08.3~~ 2705.07.3 Zoning of the site and the zoning and current uses of adjacent land.

~~2705.08.4~~ 2705.07.4 Source of water and sanitation facilities. If the water source has irrigation limitations, describe the manner in which landscape irrigation is to be accomplished. If irrigation water is from an offsite source, provide the following:

- Name, address, and phone number of water provider
- Source of water
- Contractual details (i.e. delivery frequency, length of contract)

~~2705.08.5~~ 2705.07.5 Describe overall impacts of the proposed development to adjacent land.

~~2705.08.6~~ 2705.07.6 Describe how the development complies with the Comprehensive Master Plan and intent of this section.

water demand not to exceed three (3) acre-feet per year to be supplied by a groundwater well which has or is capable of receiving a permit from the Colorado Division of Water Resources for the use proposed, shall not be required to demonstrate compliance Section 18A, Water Supply – Overlay District, herein. Water demands shall be estimated in accordance with the Minimum Water Demand Standards defined in Section 18A. *(Amended 4/28/15)*

~~2705.10~~ 2705.09 Two (2) copies of the SIP plan set, to include the following:

- Site plan (*Section 2707*)
- Landscape plan (*Section 2708*)
- Grading and drainage plan (*Section 2709*)
- Building elevations (*Section 2710*)
- Lighting plan (*Section 2711*)

Copies of the following development reports, unless waived by Engineering Services:

- Engineered site construction drawings – two (2) copies
- Traffic study
- Phase III Drainage Report and plan
- GESC report and plan
- Utility drawing(s)
- For unplatted land, a boundary survey of the site certified by a professional land surveyor
- Offsite improvement plans, as required

~~2705.11~~ 2705.10 A colors and materials sample sheet with color photos of each material, the manufacturer's name, product number, and specifications.

~~2705.12~~ 2705.11 Detailed technical studies may be required, based upon the scale and impact of the project. These studies may include, but are not limited to, the following: soil, traffic, drainage, water, noise, wildlife, environmental, lighting, shadow, photo-simulations, or a material sample board. The County may require that an independent outside consultant be retained, at the applicant's expense, to perform such studies or review such studies when performed by the applicant.

~~2705.13~~ 2705.12 All or portions of the required SIP elements may be waived by the Director if it is determined that the use will occupy an existing structure or will not otherwise require significant public or private improvements. *(Amended 4/28/15)*

2706 General Plan Requirements *(Amended 12/07/10)*

The SIP shall be a detailed and accurate depiction of the proposed built environment. The final engineered site and architectural drawings shall be consistent with the SIP. The following information shall be required, unless otherwise noted, on all plans (except the engineered site construction and utility plans). All plans shall be prepared to generally accepted professional standards.

- 2706.01 Provide the name and legal description of the proposed development, site acreage, and project file number. The business name does not appear in the title. The name of the proposed SIP is based upon the legal description when subdivided or the street address as follows: *(Amended 4/28/15)*

Subdivided land:

SPRUCE SUMMIT, Filing No. 3, Lot 14  
NW¼ Section 11, Township 8 South, Range 67 West  
5 acres  
Site Improvement Plan – SP2010-002

Within a PD:

SPRUCE SUMMIT, Filing No. 3, Lot 14  
NW¼ Section 11, Township 8 South, Range 67 West  
**Planning Area 63** – 5 acres  
Site Improvement Plan – SP2010-002

When unplatted:

**(STREET ADDRESS – Address available from County Addressing Specialist)**

NW¼ Section 11, Township 8 South, Range 67 West  
5 acres  
Site Improvement Plan – SP2010-002

- 2706.02 Utilize a sheet size of 24"x36". Provide an information block which includes the date of preparation and revision(s); a north arrow; the scale used, including a graphic scale; sheet title, i.e., site plan, landscape plan, grading and drainage plan; business name; and preparer's name, address, and phone number.
- 2706.03 Provide a composite plan showing the entire project area, including a key sheet diagram, when more than one (1) sheet is required to delineate the project area.
- 2706.04 Include the individual sheet number and total number of sheets, i.e., 1 of 3. For plans containing multiple sheets, include a sheet index.
- 2706.05 For the purpose of scanning, provide a margin line of at least 0.5" drawn completely around the sheet.

water demand not to exceed three (3) acre-feet per year to be supplied by a groundwater well which has or is capable of receiving a permit from the Colorado Division of Water Resources for the use proposed, shall not be required to demonstrate compliance Section 18A, Water Supply – Overlay District, herein. Water demands shall be estimated in accordance with the Minimum Water Demand Standards defined in Section 18A. *(Amended 4/28/15)*

~~2705.10~~ 2705.09 Two (2) copies of the SIP plan set, to include the following:

- Site plan (*Section 2707*)
- Landscape plan (*Section 2708*)
- Grading and drainage plan (*Section 2709*)
- Building elevations (*Section 2710*)
- Lighting plan (*Section 2711*)

Copies of the following development reports, unless waived by Engineering Services:

- Engineered site construction drawings – two (2) copies
- Traffic study
- Phase III Drainage Report and plan
- GESC report and plan
- Utility drawing(s)
- For unplatted land, a boundary survey of the site certified by a professional land surveyor
- Offsite improvement plans, as required

~~2705.11~~ 2705.10 A colors and materials sample sheet with color photos of each material, the manufacturer's name, product number, and specifications.

~~2705.12~~ 2705.11 Detailed technical studies may be required, based upon the scale and impact of the project. These studies may include, but are not limited to, the following: soil, traffic, drainage, water, noise, wildlife, environmental, lighting, shadow, photo-simulations, or a material sample board. The County may require that an independent outside consultant be retained, at the applicant's expense, to perform such studies or review such studies when performed by the applicant.

~~2705.13~~ 2705.12 All or portions of the required SIP elements may be waived by the Director if it is determined that the use will occupy an existing structure or will not otherwise require significant public or private improvements. *(Amended 4/28/15)*

2706 General Plan Requirements *(Amended 12/07/10)*

2712.02 When a CO is not required, the following shall apply regarding approvals and security:

2712.02.1 When a building addition or modification is proposed, all building improvements and all site improvements such as drainage, parking, landscaping, and lighting shall be fully completed prior to final building inspections. The applicant shall perform the tasks required by the Requirements for Release of Final Inspections form prior to scheduling any final site inspections.

2712.02.2 If the scale, impact, or phasing of the proposed development warrants, a letter of credit equal to 115 percent of the estimated cost of improvements may be required at the time of SIP approval to ensure the required improvements are completed.

2712.02.3 The security shall be held by Douglas County and released, as set forth in the SIPIA, when all site improvements identified on the SIP, are deemed completed by Douglas County.

2713 Revision to an Approved SIP (Amended 12/07/10)

Proposed changes to an approved SIP shall be reviewed for scale and impact to determine whether the changes will be processed as a revision or modification to an approved SIP.

2713.01 Applicability

A revision shall be for the purpose of additional review and referral based on the scale and impacts of the proposed changes. In general, a revision impacts grading, drainage, parking, access, building footprint, or landscaping. These impacts typically require the entire site be brought into conformance with the current Zoning Resolution.

2713.02 Approval Standards

Approval of a revision to an approved SIP shall be in accordance with Section 2703 and applicable provisions contained herein.

2713.03 Process

A revision shall follow the full SIP process as described herein, however, the referral period for a revision shall be twenty-one (21) calendar days.

2713.04 Submittal Requirements

The applicant shall be required to submit the following information to Planning Services. Incomplete applications shall not be accepted for processing.

- Completed land use application and fee
- New plan sets, as necessary, to depict the proposed revision
- Development reports in accordance with Section 2705.10
- Detailed technical studies in accordance with Section 2705.12, if applicable
- Current title commitment or insurance policy (*Section 2705.03*)
- Notarized letter of authorization from the property owner, if applicable (*Section 2705.04*)
- ~~Stamped addressed envelopes for courtesy notices (*Section 2705.07*)~~
- A written narrative explanation of the revision (*Section 2705.08*)
- Letter from HOA and architectural control committee, if applicable

2713.05 The legal description for a revision to the SIP shall be consistent with the originally approved SIP, except as otherwise provided for below. (*Amended 4/28/15*)

For Revisions:

SPRUCE SUMMIT, Filing No. 3, Lot 14 – **1st Revision**  
 NW¼ Section 11, Township 8 South, Range 67 West  
 5 acres  
 SP2010-002 (**Revision to SP2003-049**)

For Revision on Lot with Amended Legal Description:

SPRUCE SUMMIT, Filing No. 3, **1st Amendment**, Lot 14-A – **1st Revision**  
 NW¼ Section 11, Township 8 South, Range 67 West  
 5 acres  
 SP2010-002 (**Revision to SP2003-049**)

2714 Modification to an Approved SIP (*Amended 12/07/10*)

Proposed changes to an approved SIP shall be reviewed for scale and impact to determine whether the changes will be processed as a revision or modification to an approved SIP.

2714.01 Applicability

A modification shall be for the purpose of minor changes to the approved SIP. In general, a modification shall not increase the building footprint, impervious surface, or affect fire access.

2714.02 Approval Standards

- 3203.01.3 Application fee (*fee schedule available from Planning Services*)
- 3203.01.4 Location and extent plan exhibit (*per Section 3205, herein*)
- 3203.01.5 Location and extent report (*per Section 3206, herein*)
- 3203.01.6 Any additional information as requested by staff needed to thoroughly review the impacts of the location and extent application.

#### 3204 General Procedure (*Amended 5/4/2010*)

The location and extent application should be submitted after the presubmittal meeting(s) has been completed. At the presubmittal meeting, staff will make a determination as to whether the entity with jurisdiction over the public facilities or uses will be requested to attend the location and extent hearing before the Planning Commission. Staff shall provide the written presubmittal comments to the applicant within five (5) business days. In addition to the presubmittal meeting, the applicant may be required to attend a pre-application meeting with the Board of County Commissioners. The pre-application meeting with the Board may not be required if the proposed public facility is included within the taxing and service area boundaries of the applicant district and is described in its service plan, or for a school submitted by or on behalf of the Douglas County School District.

- 3204.01 The submittal shall be reviewed for completeness and the applicant notified of any incomplete information. If the submittal is incomplete and cannot be scheduled for a Planning Commission hearing within the thirty (30) day timeframe established by statute, the hearing may be continued with the consent of the applicant.
- 3204.02 Once the submittal is determined to be complete, staff shall review the application and schedule a hearing before the Planning Commission within thirty (30) days, unless an extension of time is agreed to by the applicant. Staff shall notify the applicant of the date and time of the public hearing.
- 3204.03 ~~The applicant shall provide stamped letter sized envelopes addressed to the abutting landowners, and other landowners as identified by staff.~~ Staff shall sendmail a courtesy notice of the application in process and applicable contact information to all the abutting landowners and other landowners as identified by staff, owners, along with a copy to the applicant. ~~A copy shall also be sent to~~ the owners of all parcels included in the location and extent application. The notice at a minimum shall include the narrative, ~~community impact report, application,~~ and the location and extent plan exhibit. The notice shall be sent within three (3) business days of receipt of a complete submittal. The applicant shall reimburse the County for the cost of materials.