

**PUBLIC WAYS REVIEW
(LOCATION AND EXTENT REVIEW)
PROCESS GUIDE**

Clear Creek County Planning Department
P.O. Box 2000
Georgetown, Colorado 80444
(303) 679-2436 - phone
(303) 569-1103 - fax

PURPOSE: The general purpose of this Process Guide is to facilitate the identification, designation and regulation of certain uses as described below in the Applicability section of this Process Guide. This process is a way for public projects such as those described below in the Applicability section to be heard through the appropriate county review process as required by Colorado Revised Statutes.

APPLICABILITY: As per Colorado Revised Statutes (CRS 30-28-110);

Whenever any county planning commission or, if there is none, any regional planning commission has adopted a master plan of the county or any part thereof, no road, park, or other public way, ground, or space, no public building or structure, or no public utility, whether publicly or privately owned, shall be constructed or authorized in the unincorporated territory of the county until and unless the proposed location and extent thereof has been submitted to and approved by such county or regional planning commission.

PRE-APPLICATION CONFERENCE: Prior to submittal of an application, the applicant shall meet with the Planning Department to determine the appropriate zoning district and to review the procedure and submittal requirements. The applicant should bring applicable documentation for review.

SUBMITTAL PROCESS: The below submittal process shall apply to all Public Ways Review cases:

A. Planning Commission Decision

1. After a site visit has been conducted, the Planning Department will determine any additional submittal requirements needed (other than the general requirements), and will provide them in writing to the applicant.
2. The applicant shall submit one (1) copy of the submittal to the Planning Department.
3. The submittal shall be reviewed in a timely manner for completeness by the Planning Department. The applicant shall be notified of any inadequacies, missing, or incomplete documentation. An incomplete submittal shall not be processed.
4. Once the submittal is determined complete (by the Planning Department), staff will notify the applicant of the number of copies and content of the submittal required to be provided for distribution.
5. The Planning Department will notify adjacent property owners within 300 feet of the boundaries of the subject parcel(s) and any referral agencies that may be affected by the proposal. The applicable agencies shall be determined on a case by case basis.
6. Adjacent property owners and referral agencies shall be given twenty-one (21) working days prior to the Planning Commission public hearing to comment.
7. The Planning Department will mail a location map to the Planning Commission so they may visit the proposed site.
8. Based upon the submittal documentation, site characteristics analysis, and comments received, the Planning Department will prepare a staff recommendation/report and draft

resolution for the Planning Commission public hearing.

9. The Planning Department will publish a notice in a newspaper of general circulation in the county a minimum of fourteen (14) calendar days prior to the Planning Commission public hearing. The applicant will be notified of the public hearing date, time, and place.
10. At least fourteen (14) calendar days prior to the Planning Commission public hearing, the applicant shall post and maintain a notice on the parcel(s) under consideration. The notice(s) shall be placed within ten (10) feet of the property line and visible from the right-of-way. Signs will be provided by the Planning Department.
11. During the public hearing, the Planning Commission will evaluate the submittals, referral comments, staff report, and public testimony, and shall approve, approve with conditions, or deny the application.
12. If denied, the Planning Commission shall communicate its reasons to the Board of County Commissioners by submitting to them the adopted Resolution that includes Findings of Fact that the Planning Commission found to be applicable for denial of the application. If the BOCC wishes, they may overrule such disapproval by a vote of not less than a majority of its entire membership through a public hearing process as described below.

B. Appeal by the Board of County Commissioners

1. The applicant may be required to provide additional information prior to the BOCC public hearing based on information found to be applicable during the Planning Commission's public hearing.
2. The Planning Department will publish a notice in a newspaper of general circulation in the county a minimum of fourteen (14) calendar days prior to the BOCC public hearing. The applicant will be notified of the public hearing date, time, and place.
3. Based upon the submittal documentation, site characteristics analysis, comments received, and the Planning Commission's Finding of Facts in their denial recommendation, the Planning Department will prepare a staff recommendation/report and draft resolution for the BOCC public hearing.
4. During the public hearing, the BOCC shall evaluate the submittals, referral comments, staff report, Planning Commission recommendation, and public testimony, and shall approve, approve with conditions, or deny the application.
5. After the public hearing, the Planning Department will notify the applicant of what is required to finalize the decision of the BOCC following the public hearing.
6. The Planning Department is responsible for publishing a notice in a newspaper of general circulation in Clear Creek County fourteen (14) calendar days prior to the public hearing on the vested property rights for the rezoning case. Such notice may be combined with the notice for the rezoning process.

GENERAL SUBMITTAL REQUIREMENTS: In addition to the submittal requirements listed below, the Planning Department may request other materials or information as deemed necessary to adequately review the application. Additionally, for good cause shown, the Planning Department may waive submittal requirements listed below which, in the judgement of the Planning Department, are not pertinent to the application.

- Application Form as provided by the Planning Department.
- The appropriate fee(s), as established by the Board.
- Proof of Ownership - deeds or other proof of ownership for the subject property(s).
- Legal description.
- Landowner Authority - a notarized letter of authority from the landowner permitting a representative to process the application, if applicant is other than the owner(s) of record.
- Vicinity Map - submitted on a 8 $\frac{1}{2}$ " x 11" sheet of paper, that indicates the location of the subject property(s) in relation to the general context of the County.
- Location Map - submitted on a 8 $\frac{1}{2}$ " x 11" sheet of paper or another size approved by the Planning Department, that indicates the location of the subject property(s) in relation to roads, streams, utilities, adjacent parcels and other features.
- Zoning Map - that indicates the existing and proposed zoning of the subject property(s) and the zoning of the adjacent parcels within 300 feet of the boundaries of the parcel(s) proposed for rezoning. Such zoning information shall be provided by the Planning Department.
- Water Supply Plan - evidence that a legal water supply is available as follows:
 - ▶ When the subject property(s) is located within an existing water or special district, a letter of commitment to serve the proposed development stating the amount of water available for use.
 - ▶ When the subject property(s) is proposing that a water or special district will be formed, an outline of how the district shall be structured in compliance with Colorado revised statutes.
 - ▶ If an individual well is proposed, a copy of the State approved permit.
- Sewage Disposal System Report - evidence of the physical and legal capability to provide sanitation as follows:
 - ▶ When the subject property(s) is located within an existing sanitation district, a letter of commitment to serve the proposed development stating the capacity to serve.
 - ▶ When the subject property(s) is proposing that a sanitation or special district will be formed, an outline of how the district shall be structured in compliance with applicable regulations.

- ▶ Where individual sewage disposal systems are proposed, evidence prepared by a Colorado licensed Professional Engineer that the sewage treatment system and leach field will be in compliance with the County Individual Sewage Disposal System regulations.
- ☐ Site Characteristics Analysis - an analysis of site features and environmental and wildlife impacts as depicted on the Site Characteristics Analysis Maps, provided by the Planning Department, and an on-site investigation addressing the following:
- ▶ Wildlife habitats including breeding grounds, nesting areas, migration routes, and wintering areas. Rare and endangered species habitat protection shall be addressed, if applicable.
 - ▶ Geologic hazard areas and conditions, indicating all potential areas of unstable slopes, snow avalanches, explosive natural gases, debris flows, land slides, rockfalls, etc..
 - ▶ Wildfire hazard areas.
 - ▶ 100-year floodplain, all existing watercourses, wetlands, streams and lakes.
 - ▶ Significant natural or man-made features, including major peaks, rock outcroppings, notable stands of vegetation, mine shafts/tailings, etc..
 - ▶ Slope analysis.
 - ▶ Constraints on development based on the analysis and findings.
 - ▶ Proposed mitigation measures.
- ☐ Detailed narrative and supporting data describing the nature and extent of the proposed development, including, but not limited to:
- ▶ Why the proposed development should be considered?
 - ▶ What was the historical make-up of the area?
 - ▶ How will the proposed development impact the immediate community?
- ☐ Business Plan - a narrative describing, at a minimum, the following elements:
- ▶ Types of uses proposed.
 - ▶ Days and hours of operation.
 - ▶ Number of employees.
 - ▶ Phasing of project, if applicable.
- ☐ Scaled Site Plan - The Drawing shall, at a minimum, depict the following:
- ▶ Title block, a written and graphic scale, and north arrow designated at true north.
 - ▶ Boundaries of the subject property(s).
 - ▶ Boundaries of adjacent parcels or portions of those boundaries that are in immediate proximity of the subject property(s).
 - ▶ Proposed topography.
 - ▶ All existing and proposed roads, driveways, easements, buildings, structures, structural screening elements, rights-of-way, streams, utilities, signage/outside advertising, exterior lighting, other features, and site modifications.
 - ▶ Existing and proposed wells, water supply systems, and wastewater treatment systems.
- ☐ Existing and Proposed Buildings - a narrative describing the following elements of all existing and proposed buildings:
- ▶ The total square footage.
 - ▶ The total square footage of the footprints.

- ▶ Height, roof pitch, and snow load capacity.
 - ▶ Types of building and roof materials and color (sample of color chips and/or photographs should be provided).
- ☐ Existing and Proposed Structural Screening (e.g., fencing, walls) - a narrative and associated drawings describing the following elements of all existing and proposed structural screening:
- ▶ The total length and height.
 - ▶ Type of building materials, design, and color (sample of color chips and/or photographs should be provided).
- ☐ Existing and Proposed Outdoor Signage/Advertising and Lighting - a narrative and supporting documentation/drawings describing the following elements:
- ▶ Height, building material, and color (sample of color chips and/or photographs should be provided) of signage/outside advertising.
 - ▶ Scaled elevation drawings depicting the front and back views of all signage/outside advertising.
 - ▶ Type of outdoor lighting to be used and hours lighting will be on.
- ☐ Analysis of burden on public services and infrastructure, if applicable, to include the following. This analysis shall also address measures taken to avoid or mitigate identified impacts.
- ▶ Emergency services - fire, ambulance, and police protection
 - ▶ County Roads - County Road and Bridge Department (from increased traffic, impact on maintenance, how traffic will be kept from parking on the road, etc.)
 - ▶ Schools
- ☐ Grading and Drainage Plan - prepared and stamped by a Colorado licensed Professional Engineer that indicates the following:
- ▶ Existing and proposed topographic contours depicted at _____ foot intervals (to be determined on a case-by-case basis by the Planning Department). Contour lines may be extrapolated from the USGS quadrangle maps when approved by the Planning Department.
 - ▶ Drainage patterns and stormwater runoff from on-site and off-site flow.
 - ▶ Drainage study to include, but not be limited to, design capacity and calculations.
 - ▶ Location and construction details for all proposed watercourses, retention and detention areas.
 - ▶ Location and construction details for all proposed culverts, retaining walls, curbs/gutters, etc..
 - ▶ Demonstrated compliance with the County's adopted Best Management Practices (BMPs).
 - ▶ Slope stabilization measures for all cut and fill slopes.
- ☐ Traffic Analysis - A narrative and supporting data, prepared by a transportation engineer or transportation planner, addressing the following:
- ▶ Existing access to the subject property(s) from County, State, and Federal road systems/exit interchanges.
 - ▶ The number of vehicle trips likely to be generated during peak hour(s).
 - ▶ Impacts from increased traffic resulting from the proposed development, including but not limited to, level of service, congestion, noise, dust, odors, and traffic hazards.

- ▶ The analysis shall also address measures taken to avoid or mitigate identified impacts.
- Scaled Vehicular Circulation and Parking Plan - that indicates the following:
 - ▶ Adequate access and maneuverability for emergency vehicles.
 - ▶ Ingress, egress, and internal vehicular circulation.
 - ▶ Location and number of off-street parking spaces, in compliance with County Zoning Regulations.
 - ▶ All existing and proposed driveways and roads.
- Landscaping Plan - a plan prepared by a Landscape Architect or Designer that is sufficient to offer an adequate visual barrier of the proposed development from public roads and adjacent properties that indicates the following:
 - ▶ Existing vegetation on site.
 - ▶ Proposed plant species, size, quantity, and location of plants.
 - ▶ Type of irrigation system and source of water, if applicable.
 - ▶ Structural elements (e.g., landscape edging) - type, location, design, height, building material, and color.

ADDITIONAL DOCUMENTATION (Recommended when box is checked)

It is strongly recommended that the following additional documentation, when checked, are to be included in a submittal application; however, are not required to be deemed complete or to proceed with public hearings.

- An Environmental and Safety Assessment Report which includes, at a minimum, an analysis of the following factors, where applicable:
 - ▶ Subsidence potential and risk to potential locations of structures.
 - ▶ Physical safety hazards associated with open mine workings.
 - ▶ Potential for preferential groundwater flow paths via underground workings, including the relationship of any known underground workings to potential locations of onsite ISDS absorption fields and wells, and offsite transport to potential receptors.
 - ▶ Any other mining-related hazards or liabilities which could affect suitability as a potential building site.

The report shall include maps of the locations on the property affected or potentially affected by any of the listed factors. Where mitigative measures are indicated to enable all or a part of the property to be suitable for building, the need for these shall be stated.

The report shall be prepared by a qualified professional acceptable to the County. Minimum qualifications include a minimum of a B.S. degree in relevant engineering, physical or natural sciences combined with at least five (5) years of documented professional work experience related to the identification, assessment and mitigation of the mining-related factors listed.

- Performance Guarantee
 - ▶ Before a Certificate of Occupancy is provided or final inspection is conducted, the County may, in its discretion, require the applicant to file a performance guarantee of financial security deemed adequate by and made payable to the County.

- ▶ The purpose of this performance guarantee shall be to assure that the applicant shall faithfully perform all conditions as specified in the approval of the application.
- ▶ Any requirement for a performance guarantee shall be specified in the written decision of the County in a resolution.

Axonometric drawing - a bird's-eye view of a three-dimensional drawing. This view is used to present the overall size (massing and bulk) of structures.

Other documentation/analysis may be requested based on use(s) and/or site/location characteristics as follows:

WARNING!

The following pages are form fill pages.
Not all browsers submit the following pages properly.
DO NOT USE GOOGLE CHROME
At this time, Google Chrome will not work with form fill.
Please choose another browser to complete your
application.
As always, save a copy for your files and call to verify
that your form submitted properly.

**DO NOT ASSUME THAT WE HAVE
RECEIVED YOUR APPLICATION.**

If you are attempting to make payment please wait for someone at Clear Creek
County to call you to collect payment. **DO NOT SUBMIT YOUR FORMS WITH
ANY CREDIT CARD INFORMATION.**

Checks made out to Clear Creek County can be sent to the following address:

Clear Creek County
Land Use Department
PO Box 2000
Georgetown, CO 80444
Phone: 303-679-2436 Fax: 303-569-1103
planning@co.clear-creek.co.us

Please call with any questions or to verify that your permit has submitted
successfully!

**PUBLIC WAYS REVIEW APPLICATION
(LOCATION AND EXTENT REVIEW)**

APPLICATION FEE: \$ 1000.00

CLEAR CREEK COUNTY PLANNING DEPARTMENT
PO BOX 2000, GEORGETOWN, CO 80444
303-679-2436

OWNER(S) _____

MAILING ADDRESS _____

CITY _____ STATE _____ ZIP _____

EMAIL ADDRESS _____

PHONE _____ WORK PHONE _____

APPLICANT(S) _____

MAILING ADDRESS _____

CITY _____ STATE _____ ZIP _____

EMAIL ADDRESS _____

PHONE _____ WORK PHONE _____

LEGAL DESCRIPTION OF PROPERTY _____

¼ Section & Section-Township-Range or Subdivision – Lot & Block

PARCEL # _____ TOTAL ACREAGE _____ ZONING _____

DESCRIPTION OF PROJECT

I (we) do hereby certify that the information contained in or presented in connection with this application is true and accurate to the best of my (our) knowledge and belief. I (we) do hereby further agree to abide by the agreements, conditions and stipulations that are a part of this request.

I (we) understand that the Planning Department staff will need to go onto my (our) property in order to process this request.

OWNER(S) _____ DATE _____

OWNER(S) _____ DATE _____

APPLICANT(S) _____ DATE _____