MINOR PLAN AMENDMENT PROCESS GUIDE FOR REVISIONS AND MODIFICATIONS TO OFFICIAL DEVELOPMENT PLANS AND DEVELOPMENT REVIEW SITE PLANS

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

PURPOSE: If the Planning Director determines revisions and modifications to be minor in nature, they may be approved by the Planning Director, as authorized in Section 9(909) and Section 20(2008) of the Clear Creek County Zoning Regulations, through this Minor Plan Amendment process.

CRITERIA: Revisions and Modifications of an Official Development Plan shall comply with the Standards for Approval in Section 9. Revisions and Modifications of a Development Review Site Plan shall comply with the Findings for Approval in Section 20. Additionally, in order for a revision/modification to be considered minor, they shall meet the following additional criteria:

1. The modification does not increase the amount of square footage, site disturbance, or unit count by more than 10% of the total approved in the original Official Development Plan or Development Review Site Plan.

2. The modification complies with zoning regulations including use regulations and development regulations and standards.

3. The modification does not change the location of uses or the layout of streets, trails, or pathways except for minor adjustments within areas approved for development or within approved rights-of-way.

4. The modification does not include the addition of a drive-through in which the patron's automobile is accommodated from which the occupants may receive a service or in which products purchased from the establishment may be consumed.

5. The modification is not a detriment to public health, safety, and welfare.

VESTED PROPERTY RIGHTS: Vested Property Rights that were granted for the original Site Specific Development Plan shall remain for approved period. A Minor Plan Amendment that amends the original Site Specific Development Plan will not extend the vesting period, reset the effective date of the original vesting period, or create a new vested property right, unless requested by the applicant and expressly authorized by the appropriate authority.

PREAPPLICATION CONFERENCE: Prior to submittal of an application, the applicant shall meet with the Planning Department to determine whether the request meets the criteria of the Minor Plan Amendment process and to review the procedure and submittal requirements. The applicant should bring applicable documentation for review.

If the Planning Department denies the application, the applicant shall have a right to appeal it to the Board for a decision in a public hearing. Appeals must be filed within twenty-one (21) calendar days following the Planning Department's denial.

SUBMITTAL PROCESS: The below submittal process shall apply to all Minor Plan Amendments:

1. The applicant shall submit one (1) copy of the submittal to the Planning Department.

2. 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.

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 notification will inform them of the proposal and any changes the proposal made regarding vested property rights established from approval of the original Site Specific Development Plan. The applicable agencies shall be determined on a case by case basis.

6. Adjacent property owners and referral agencies shall be given fourteen (14) working days prior to the Planning Director's final decision to comment.

7. 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 Director's final decision to notify the public of the proposal and any changes the proposal made to the vested property rights granted from approval of the original Site Specific Development Plan.

8. Based upon the submittal documentation, site characteristics analysis and comments received, the Planning Department will prepare a staff report, draft Administrative Decision, including findings of fact and conditions/stipulations for approval, stating the Planning Director's final decision.

9. The Planning Director shall evaluate the submittals, staff report, and draft Administrative Decision and shall approve or deny the application.

10. In the event the Planning Director approves the proposal, no more than 14 days after approval, the Planning Department will publish a notice in a newspaper of general circulation in Clear Creek County describing generally the type and intensity of use approved, the specific parcel or parcels of property affected, and explain any changes the proposal made to the original vested property rights.

11. Appeals may be filed by any affected party and must be submitted in writing to the Planning Department within fourteen (14) calendar days following publication.

    A. If there are no appeals, or appeals are received and resolved between parties, the Planning Department will notify the applicant of any modifications or requirements needed to finalize the Minor Plan Amendment or other final documents prior to recording with the County Clerk and Recorder.

B. If an appeal cannot be resolved between parties, the case will go to the Board of County Commissioners for a decision in a public hearing.

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 judgment 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 ½" 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 ½" 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.
- ❑ A copy of the previously approved Official Development Plan or Development Review Site Plan.
- ❑ A narrative verifying that the following criteria can be met:

    1. The modification does not increase the amount of square footage, site disturbance, or unit count by more than 10% of the total approved in the original Official Development Plan or Development Review Site Plan.

    2. The modification complies with zoning regulations including use regulations and development regulations and standards.

    3. The modification does not change the location of uses or the layout of streets, trails, or pathways except for minor adjustments within areas approved for development or within approved rights-of-way.

    4. The modification does not include the addition of a drive-through in which the patron's automobile is accommodated from which the occupants may receive a service or in which products purchased from the establishment may be consumed.

5. The modification is not a detriment to public health, safety, and welfare.

❑ Revised Official Development Plan or Development Review Site Plan - The scaled Plan 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).
- All existing and proposed roads, driveways, easements, buildings, structures, rights-of-way, streams, utilities, other features, and site modifications.
- Existing wells, water supply systems, and wastewater treatment systems.

ADDITIONAL DOCUMENTATION: The following additional documentation, when checked, are to be included in a submittal application.

❑ 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.

❑ Initial Traffic Analysis - A narrative and supporting data addressing the following:
- Existing access to the subject property(s) from County, State, and Federal road systems/exit interchanges.
- Impacts from increased traffic resulting from the most intensive permitted principal use(s) as outlined in the requested zoning designation, 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.

❑ 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

❑ Verification letters of service from all applicable utility companies.

❑ Base 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.

❑ 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.

❑ 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!

MINOR PLAN AMENDMENT APPLICATION

Application Fee is $500

CLEAR CREEK COUNTY PLANNING DEPARTMENT
Post Office Box 2000 Georgetown, CO 80444
303/679-2436

OWNER(S) _____

MAILING ADDRESS_____

CITY _____ STATE _____ ZIP _____

EMAIL ADDRESS_____

HOME PHONE _____ WORK PHONE _____

APPLICANT(S) _____

MAILING ADDRESS_____

CITY _____ STATE _____ ZIP _____

EMAIL ADDRESS_____

HOME PHONE _____ WORK PHONE _____

LEGAL DESCRIPTION OF PROPERTY _____
1/4 Section & Section-Township-Range or Subdivision-Lot & Block

PARCEL #_____ TOTAL ACREAGE _____

CURRENT ZONING _____ PREVIOUS CASE #_____

DESCRIBE REASON FOR REQUEST

☐ 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

SAVE: A Copy MUST be saved

SUBMIT: Submit button works only from the saved copy!

PRINT

RESET: Will reset entire application