

# **DEVELOPMENT REVIEW PROCESS**

## **Town of Columbine Valley, Colorado**

(This is an abbreviated summary. For the full processing procedures refer to Article VI of the Land Use Manual)

### **I. Preliminary Development Plan/Preliminary Plat**

#### **A. Pre-Submittal**

These are meetings where the staff meets with the developer prior to the submittal of a formal Application for Land Development. The purpose of the meetings is to clarify any questions concerning the submittal requirements and to fully explain the process.

#### **B. Formal Application**

The formal application consists of the Preliminary Development Plan and Preliminary Subdivision Plat and supporting engineering documents relating to soils, drainage and preliminary engineering plans. The applicant also provides the necessary legal documents establishing ownership and, a list of all property owners within 300' of the site. A Traffic Impact Study is also submitted at this time.

#### **C. Acceptance and Scheduling**

If all the submittal requirements have been met, the case is accepted and a date set for a public hearing by the Planning and Zoning Commission

#### **D. Referrals**

The case is referred to the interested outside agencies. There are standard referrals required by statute which include utilities, adjacent municipalities, counties, school districts, Urban Drainage and park and recreation districts. In addition adjacent neighborhoods HOA's are included. Other referrals are discretionary

#### **E. Public Notice**

No later than 21 days prior to the Planning Commission public hearing, the following notifications are required:

1. Notice of Public Hearing posted at Town Hall.
2. Notice of Public Hearing published in a newspaper of general circulation.
3. Notice of Public Hearing sent to all property owners of record within 300 feet of the development site and to the appropriate HOA's.
4. A sign or signs containing the Notice of Public Hearing posted on or adjacent to the site.

#### **F. Staff Review, Field Work and Analysis**

The staff typically begins their review with site visits. This is followed by a detailed review of the Preliminary Plan and Plat, the traffic study and the engineering plans and studies. The staff then reviews the referral comments that have been received. A letter is then sent to the developer outlining the major issues and recommended major revisions, if any. If there are major concerns, the developer is asked to respond. The staff is then ready to prepare the staff report for the Planning Commission hearing.

#### **G. Staff Report**

##### **1. Contents.**

A draft staff report is typically prepared 10-12 days prior to the hearing. The draft is sent to the developer and, usually, there is a meeting to identify those staff recommendations that will be agreed to and those that will be left for resolution at the hearing. The complete staff

report is then prepared and sent to the Planning Commission members 4-5 days prior to the hearing. The staff report contains the development purpose and location of the site, description of the plan and plat, comments of the referral agencies, a summary of the traffic impacts and the Town Engineer's report

## 2. Findings

This section summarizes the results of the staff analysis and included both factual findings and findings bases on professional experience.

Typical findings include:

- a. Whether the project is consistent with the Master Plan.
- b. If the Plan is in conformance with the requirements and intent of the Town's Land Use Regulations including the engineering requirements.
- c. Whether the proposed project is compatible with existing adjacent development and whether it will have a significant negative impact.

## 3. Recommendations

This final section may contain one of four recommendations:

- a. That the Planning Commission recommend that the Board of Trustees deny the application for reasons specified**
- b. Continue the meeting or hearing to a date specific in order for the staff, the developer or both, to provide additional information.**
- c. That the Planning Commission recommend the case favorably with specified conditions. This is the most common recommendation.**
- d. That the Planning Commission recommends the case favorably as submitted. This rarely happens.**

## H. Planning and Zoning Commission

The Planning Commission Chair opens the public hearing and hears the staff report, the Applicants presentation and comments of the public. The hearing then may be continued to a date certain for more information or the hearing may be closed. The Planning Commission members then discuss the case and may ask questions of the staff and applicant. The Planning Commission will then take one of the actions listed in paragraph G above. Following the action by the Planning Commission the staff will meet with the applicant. The applicant will normally agree to the approval conditions, agree to some of the conditions and appeal some, or in the case of a recommendation to deny, appeal that recommendation. The staff then schedules the case for Board of Trustees meeting. The staff then reviews the revised plan and plat, if any and prepares a revised staff report for the Board of Trustees.

## J. Board of Trustees Meeting

The Trustees do not hold a public hearing on the Preliminary Development Plan/Preliminary Plat. The case is placed on the agenda of the meeting. The procedure followed at the Trustees meeting is essential the same as at the Planning Commission meeting:

**The Board of Trustees will take one of four actions:**

- 1. Deny the application for reasons specified.**
- 2. Continue the meeting to a date specific in order for the staff, the developer or both, to provide additional information.**
- 3. Approve the application with specified conditions.**

#### **4. Approve the application as submitted.**

In the event the application is denied or the applicant does not accept the approval conditions, the decision can be appealed. The process for appealing a Board of Trustees decision is as provided in State Statutes.

If the applicant accepts the approval conditions, the plan and plat are revised accordingly, reproducible copies (Signature Mylars) are made and signed by the Mayor. The approved and signed signature mylar is recorded.

Although the rezoning and plan approval is not final until the Final Development Plan and Final Plat are approved, the approval of the **Preliminary Development Plan and Preliminary Plat establishes the basic development standards including:**

- 1. Permitted and accessory uses.**
- 2. Minimum open space.**
- 3. Minimum set-backs**
- 4. Maximum height of structures.**
- 5. Minimum parking requirements**
- 6. Primary street alignments and major access points.**
- 7. Required public improvements.**
- 8. Conceptual architecture.**

#### **II. Final Development Plan/Final Plat**

The review process for the Final Development Plan and Final Subdivision Plat follows generally the same as for the Preliminary Plan and Plat. The Final Plat and Plan contain much more specific information but there can be no significant changes to the basic development standards (permitted uses, density, lot sizes building heights, set-backs, minimum open space). Significant changes require approval of a Major Amendment and the process for a major amendment is the same as for an original preliminary development plan. Processing the Final Plan/Plat is essentially the same as for the Preliminary Plan and Plat with a few differences:

1. The initial meeting with the Planning Commission is not a Public Hearing. Therefore there is no notice mailed to adjacent property owners, no sign posted or newspaper publication. The notice of the Planning Commission meeting is posted at the Town Hall 3-5 days prior to the meeting.
2. The meeting by the Board of Trustees is a public hearing and the full notification requirements (mail to adjacent property owners, sign posting and newspaper publication) must be met.
3. The alternative actions by the Board of Trustees are the same as for a Preliminary Plan and Plat. If approved the Board of Trustees passes an Ordinance. The applicant then prepares the final signature mylars, has them signed and they are recorded in the office of the Arapahoe County Clerk and Recorder.
4. Other Approvals  
Before any public improvement can be started, the Board of Trustees must approve the Subdividers Improvement Agreement and the Final Engineering Plans.  
Unless otherwise approved, all public improvements must be completed before any building permits can be issued.