



Boulder County
Land Use Department
Publications

Limited Impact Special Use Review

Land Use Department
Courthouse Annex Building
2045 13th Street
PO Box 471
Boulder, CO 80302

Planning Division:
Phone: 303-441-3930
Fax: 303-441-4856
Email: planner@bouldercounty.org
Website: www.bouldercounty.org/lu

Office Hours:
M, W, TH, F 8 a.m. to 4:30 p.m.
Tuesday 10 a.m. to 4:30 p.m.

Limited Impact Special Use Review

General Explanation

A use permitted by Limited Impact Special Use Review may be established only upon approval of the Board of County Commissioners, and subject to the conditions set forth in an approval of the use by the Board of County Commissioners.

Limited Impact Special Use Review

Limited Impact Special Use Reviews typically include developments or uses that may potentially have a significant impact on the property, its resources, and the surrounding areas. These uses include developments such as: **Earthwork of more than 500 Cubic Yards; Accessory Dwelling for Agricultural Unit; Wind Powered Electric Generator; Limited Impact Open Mining; Use of Community Significance; Temporary Fireworks and Christmas Tree Sales; and Adaptive Reuse of a Historic Landmark** (see Boulder County Land Use Code Article 4 for more information).

Pre-Application Conference

Applicant(s) must first contact the Land Use Department to make an appointment for a Pre-Application Conference with a Planner to discuss the proposal.

Following the Pre-Application Conference, the review process begins when the Land Use Department receives a complete application. After the application materials have been received, and prior to the public hearing, the application will be referred out for review by various County Departments, public agencies (as necessary) and adjacent property owners. The Limited Impact Special Use Review process includes a 15-day referral period. Staff review of Limited Impact Special Use Review applications occur after the referral deadline. At the staff review meeting, the staff determines if the application is sufficiently complete and if issues are sufficiently resolved for the application to proceed to a public hearing with the Board of County Commissioners.

Board of County Commissioner Hearing

A hearing before the Board of County Commissioners will be scheduled as soon as is practical. A Limited Impact Special Use Review process can typically take two to three months to complete.

Post-Approval Requirements

The Board of County Commissioners may have specific requirements the applicant must complete before a building permit may be issued. If post-approval requirements are not met and construction under a valid building permit does not begin within five years, the approval will expire.



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Limited Impact Special Use Review Requirements

The purpose of this checklist is to assist applicants in preparing a Limited Impact Special Use Review application. The planner at your Pre-Application Conference will guide you through this checklist and clarify what information is required for your specific project type and location.

Steps for Submittal

Step 1: Gather Requested Information

Items required for the application will be detailed by the pre-application planner on the Submittal Requirements Checklist in the Submittal Requirements section of this packet. Some of these items will require multiple copies for inclusion in referral packets.

Step 2: Organize Referral Packets and Prepare Mailings

Referral Packet Mailing Guidelines is an overview of how to prepare referral packets. The Referral Agencies section of this packet includes a list of agencies and interests (to be completed by the planner at the Pre-application Conference) for whom Applicants are required to organize referral packets.

Step 3: Submit the Application

Complete applications can be delivered to the Land Use Department. Be sure to include the Filing Fee, the \$25 Public Notice Sign Deposit, and signed Fee Agreement with the materials. Please review the Land Use publication *Planning Review Fee Schedule* for the current planning fees applicable to your proposed project. Once an application is deemed complete, staff will send out referral notices and schedule a hearing in front of the Board of County Commissioners approximately six weeks in advance (depending on hearing date availability).

Step 4: Stake Property

Proposed improvements must be staked within one week of submitting the application so that County staff can clearly identify project improvements.

- A. Stake proposed structure(s), accessory structures, driveway, septic, well and other proposed improvements — use brightly colored and labeled (i.e., NW corner of house) stakes.
- B. Proposed driveways are to be staked at the centerline every 20 feet — include dimensions of parking areas and, if the project is located in the mountains, the dimensions of the emergency turn-out and/or turn-around.
- C. Stakes must protrude at least 4 feet above the ground — during the winter months to clear snow cover. Applications may be placed on hold if stakes are not visible.
- D. If your proposal is on an undeveloped parcel — please mark the location for the driveway entrance in a manner which is clearly visible from the access road.

Step 5: Prepare for the Public Hearing

During the public hearing in front of the Board of County Commissioners, Applicants will have an opportunity to make a presentation to the Board. This presentation is made after staff's recommendation, but before public comment, and should be no more than 20 minutes in length. At this hearing, the County Commissioners may either make a decision on the project, or table the hearing for more information.

Limited Impact Special Use Review Submittal Checklist Form

Project Identification

Project Name:
Pre-application Planner:
Process Type:
Date:

Submittal Requirements Checklist

Materials	Land Use Packet	Referral Packets	Attached
Application Form & Fee Schedule		✓	
Fee Agreement			
Fact Sheet(s)			
Building Lot Determination Letter			
Building Plans/Elevation Drawings			
Narrative/Development Report			
Engineering Reports*			
Referral Packets & Referral Agency List			
Site Plan			
Vicinity Map			
Water and Sewer Information			
Plan and Profile			
Landscape/Erosion Control Plan			
Traffic Report			
Title Information			
HB 1088 Form (Mineral Interest Certification)			
Historic Preservation Referral Form			
Limited Impact Special Use Submittal Checklist Form (this form)			
Other:			
Other:			

Application Materials

The purpose of this checklist is to assist applicants in preparing a Limited Impact Special Use Review application. The planner at your Pre-Application Conference will guide you through this checklist and clarify what information is required for your specific project type and location.

The information listed in the Application Checklist may be required, depending on the type of proposal. Please indicate that the information has been enclosed with your application and referral packets by checking the box labeled "Attached" (Article 3-203 of the Land Use Code has detailed information about application materials).

Fees

A non-refundable deposit made payable to **Boulder County Treasurer** is required at the time of application. This deposit is credited toward your final bill. Please review the Land Use publication **Planning Review Fee Schedule** for the current fees applicable to your proposed project.

A billing system is used to assess additional fees for a Limited Impact Special Use Review. Applicants are billed at a per-hour rate based on which staff are assigned the application (you are not billed for the Pre-Application Conference).

Listed below are examples that would contribute to protracted reviews and added costs:

- Changes to the proposal after submission
- Significant community concern
- Confusing or inadequate application materials
- Larger scale projects

* **Engineering Reports** must be certified by a licensed Professional Engineer (P.E.) depending on the type of application. An Engineering Report will include plan and profile, soils characteristics, earthwork manipulations and calculations, drainage plans, geotechnical evaluations, and traffic reports. If you are required to submit an Engineering Report, please discuss the details of the report with your planner.

Referral Agencies

The materials identified in the checklist above by the Pre-Application Conference planner must be included in your referral packets. You will be required to prepare referral packets for the agencies in the attached list, as directed by the Pre-Application Conference planner.

Please include a copy of this form with your application. For general information about preparing referrals, please read the Land Use Department publication **Referral Packet Mailing Guidelines**.

Certification

I certify that all required materials are properly in the referral packets for the above application, and that packets have the proper mailing and first class postage. I understand that error in preparation of the packets may result in a delay in processing the application.

Applicant's Printed Name:	Date:
Applicant's Signature:	Phone:

General Description of Application Materials

1. Application Form

The application form is to be completed and signed by all property owners (provided in the packet).

2. Application Fee

A non-refundable application fee is to be submitted with the application.

3. Fee Agreement

A fee agreement is to be completed and signed (see Land Use publication *Fee Agreement* provided in the Limited Impact Special Use Review packet).

Additional fees are based on the amount of staff time involved in the review and processing the application.

4. Title Information/Building Lot Determination Letter

Include ownership information (list of all owners and interest owners) and title reports for all properties included in the Limited Impact Special Use Review request (see Land Use publication *Title Information* provided in the Limited Impact Special Use Review packet), and Building Lot Determination Letter from Boulder County.

5. Site Plan

Original Site Plans are to be provided to scale and must be legible. Plans can be submitted up to 36" x 24" in size, or may be as small as 8½" x 11" as long as they are legible. Submitted Site Plans must depict all existing boundaries and existing improvements, as well as any proposed additions (if applicable). Site Plans may consist of multiple sheets if necessary to properly depict existing and proposed information.

To Scale: System of drawing a building so that each inch of a drawing corresponds to a certain dimension in reality. In the case of using a ¼ inch scale, a wall ¼ of an inch long in a drawing represents a wall 1 foot long in reality.

6. Building Elevations Drawings

Building Elevation Drawings are also to be provided to scale and must be legible. Plans can be submitted up to 36" x 24" in size, or may be as small as 8½" x 11" as long as they are legible. The Building Elevation Drawings are drawings of each of the outside facing walls of a building. Building Elevation Drawings of an entire building are to include all 4 sides: one drawing of the front; one drawing of the back; and one drawing each for each of the sides of the structure.

Building Elevation Drawings should show the placement of such details as the windows, the doors, the height, pitch, and shape of the roof, and the type of texture or siding that will be placed on the exterior walls.

7. Narrative/Development Report

Provide a detailed written description, discussion of applicable standards, and the justification for the proposal and development report as required and described in Article 3-203 (F) of the Land Use Code (see Land Use publication *Code Excerpt: Limited Impact Special Use*).

8. Plan and Profile Must Include the Following:

- **Existing and Proposed Contour Lines for the Entire Lot** – Intervals must be no greater than 5 feet for 50 feet around all disturbances, however, the remaining portions of the property may have larger (i.e. 20' or 40') interval contours.
- **Benchmarks** – Source of topography lines.
- **Retaining Walls** – With details.
- **Cross Sections and Station Points** – No more than every 100 feet.
- **Collection and Redirection of Drainage.**

9. Referral Packets

As part of the Limited Impact Special Use application process the Boulder County Land Use Department refers applications to various county departments, agencies (as necessary), adjacent property owners, and/or other interested parties.

The application materials/documents to be referred are collectively referred to as the "**Referral Packet.**"

It is the responsibility of the applicant to assemble their Referral Packets in appropriate envelopes with the correct mailing addresses and postage. The completed Referral Packets should be submitted with the rest of the application materials. **The Boulder County Land Use Department** shall be the return address.

10. Adjacent Property Owners (APOs)

Property owners within 1,500 feet of properties under review are notified of the application and subsequent public hearings. No referral packets for APOs are required with submission of your application, as the Land Use Department sends postcard notification to these persons. Please be aware that you will be charged for postage of said postcards, with the exception of postcards sent for Site Plan Review and Site Plan Review Waiver dockets.

11. Mineral Interest Certification

If the proposal includes any new surface development certification of notification of all affected mineral interest holders is required in accordance with Article 65.5 of Title 24, Colorado Revised Statutes (H.B. 01-1088, effective July 1, 2001).

12. Letter of verification of a search of the Inventory of Cultural Resources (Archaeological/Historical)*

Please contact History Colorado at 303-866-5216 or hc_filesearch@state.co.us. Provide the location of the property by section, township, and range to obtain this letter. (*if required)



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 Tuesday 10 a.m. to 4:30 p.m.

Shaded Areas for Staff Use Only
Intake Stamp

Planning Application Form

The Land Use Department maintains a submittal schedule for accepting applications. Planning applications are accepted on Mondays, by appointment only. Please call 303-441-3930 to schedule a submittal appointment.

Project Number		Project Name					
<input type="checkbox"/> Appeal <input type="checkbox"/> Correction Plat <input type="checkbox"/> Exemption Plat <input type="checkbox"/> Final Plat <input type="checkbox"/> Limited Impact Special Use <input type="checkbox"/> Limited Impact Special Use Waiver <input type="checkbox"/> Location and Extent		<input type="checkbox"/> Modification of Site Plan Review <input type="checkbox"/> Modification of Special Use <input type="checkbox"/> Preliminary Plan <input type="checkbox"/> Resubdivision (Replat) <input type="checkbox"/> Rezoning		<input type="checkbox"/> Road Name Change <input type="checkbox"/> Road/Easement Vacation <input type="checkbox"/> Site Plan Review <input type="checkbox"/> Site Plan Review Waiver <input type="checkbox"/> Sketch Plan <input type="checkbox"/> Special Use/SSDP		<input type="checkbox"/> Special Use (Oil & Gas development) <input type="checkbox"/> State Interest Review (1041) <input type="checkbox"/> Subdivision Exemption <input type="checkbox"/> Variance <input type="checkbox"/> Other:	
Location(s)/Street Address(es)							
Subdivision Name							
Lot(s)	Block(s)	Section(s)	Township(s)	Range(s)			
Area in Acres	Existing Zoning	Existing Use of Property			Number of Proposed Lots		
Proposed Water Supply			Proposed Sewage Disposal Method				

Applicants:

Applicant/Property Owner				Email	
Mailing Address					
City		State	Zip Code	Phone	
Applicant/Property Owner/Agent/Consultant				Email	
Mailing Address					
City		State	Zip Code	Phone	
Agent/Consultant				Email	
Mailing Address					
City		State	Zip Code	Phone	

Certification (Please refer to the Regulations and Application Submittal Package for complete application requirements.)

I certify that I am signing this Application Form as an owner of record of the property included in the Application. I certify that the information and exhibits I have submitted are true and correct to the best of my knowledge. I understand that all materials required by Boulder County must be submitted prior to having this matter processed. I understand that public hearings or meetings may be required. I understand that I must sign an Agreement of Payment for Application processing fees, and that additional fees or materials may be required as a result of considerations which may arise in the processing of this docket. I understand that the road, school, and park dedications may be required as a condition of approval.

I understand that I am consenting to allow the County Staff involved in this application or their designees to enter onto and inspect the subject property at any reasonable time, without obtaining any prior consent.

All landowners are required to sign application. If additional space is needed, attach additional sheet signed and dated.

Signature of Property Owner	Printed Name	Date
Signature of Property Owner	Printed Name	Date

The Land Use Director may waive the landowner signature requirement for good cause, under the applicable provisions of the Land Use Code.



**Boulder County
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Planning Review Fee Schedule

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Planning Division:
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Website: www.bouldercounty.org/lu

Office Hours:
8 a.m.-4:30 p.m. Mon., Wed., Thurs., Fri.
10 a.m.-4:30 p.m. Tuesday

Planning Review Fee Schedule

The Planning Review Fee Schedule is adopted by the Board of County Commissioners, and attempts to recover actual costs of providing the services.

The non-refundable application fee/deposit is usually exceeded. The Land Use Department will bill on a monthly basis once the fee is exceeded.

Amendments require the same non-refundable fee as the original process.

Every planning process is required to have a Pre-application Conference completed prior to an application being submitted. For more information, call 303-441-3930.

Process	Non-Refundable Application Fee	Additional Billing*
Pre-application Conference: <input type="checkbox"/> In office	No Charge	N/A
Pre-application Conference: <input type="checkbox"/> On site	\$218.00	N/A
Appeal of Administrative Decision	\$750.00 deposit and time billed for staff up to a total amount of \$2,000.00 If the appellant prevails with the Board of Adjustment, the deposit and any additional payments will be refunded.	\$106/hr up to \$2,000.00
Building Lot Determination: <input type="checkbox"/> In a platted subdivision or previous Building Lot Determination completed in previous 5-year period.	\$50.00	Flat Fee
Building Lot Determination: <input type="checkbox"/> All others	\$75.00	Flat Fee
Comprehensive Plan change	\$1,000.00	\$106.00/hr
Correction Plat	\$125.00	Flat Fee
Exemption Plat¹	\$1,575.00 (\$900.00 due at application, \$675.00 due one week prior to hearing)	Flat Fee (if hours exceed 18 hours excess time to be billed at 106.00/hr)
Extension of Approval	\$150.00	N/A
Hazard Mitigation Review	\$260.00	N/A

*The hourly billing rate of \$106.00/hr is for planner/engineer time. Administrative time will be billed for non-flat rate items at \$30.00/hr. Public Notices required as part of a process will be billed for actual costs. Other agencies may require additional fees for review of land use applications, which must be paid separately.

Note: Additional consultant or referral fees may be required per Article 3-203.C as necessary to process application.

¹No charge for Exemption Plats and Subdivision Exemptions which remove a unit of density.

(continued on page 2)

Process	Non-Refundable Application Fee	Additional Billing*
Limited Impact Special Review (except as noted below)	\$750.00	\$106.00/hr
Limited Impact Special Review for: <input type="checkbox"/> Accessory Agricultural Sales 4-516 <input type="checkbox"/> Agricultural Accessory Dwellings 4-516 <input type="checkbox"/> Demonstration Farm or Farm Camp 4-516 <input type="checkbox"/> Farm Events 4-516 <input type="checkbox"/> Farm Store 4-502 <input type="checkbox"/> Watershed Restoration Project (grading 500 cubic yards or more)	\$450.00	\$300.00 hearing fee, to be collected prior to Board of County Commissioners hearing.
Limited Impact Special Review Waiver	\$450.00	N/A
Location and Extent	\$500.00	\$106.00/hr
Preliminary Plan and/or Final Plat	\$850.00	\$106.00/hr
Public Notice Sign Deposit (*refundable if sign is returned) required at time of application, as applicable.	\$25.00*	N/A
Replat	\$600.00	\$106.00/hr
Rezoning	\$750.00	\$106.00/hr
Site Plan Review <input type="checkbox"/> Proposal where the resulting Residential Floor Area exceeds the applicable Presumptive Size Maximum for the neighborhood. <input type="checkbox"/> Commercial telecommunications facility. <input type="checkbox"/> Establishment of use on a previously vacant or abandoned property. <input type="checkbox"/> Changes in use in combination with structural or other significant physical improvements (i.e. parking increase).	\$1,854.00 (Flat Fee)	N/A
Site Plan Review <input type="checkbox"/> Proposals where the resulting Residential Floor Area is less than the applicable Presumptive Size Maximum for the neighborhood. <input type="checkbox"/> Proposals for non-residential floor area not eligible for SPRW. <input type="checkbox"/> Grading less than 500 cubic yards if not approved through waiver.	\$1,287.00 (Flat Fee)	N/A
Site Plan Review <input type="checkbox"/> Change in use other than to an Agricultural Use under 4-502 of the Land Use Code with no significant physical improvements.	\$978.00 (Flat Fee)	N/A
Site Plan Review <input type="checkbox"/> Change in use to an Agricultural Use under 4-502 of the Land Use Code with no significant physical improvements. <input type="checkbox"/> Watershed Restoration project.	\$489.00 (Flat Fee)	N/A
Site Plan Review Waiver	\$618.00 (Flat Fee)	N/A
Renewable Energy System, Residential	\$100.00 (Flat Fee limited by statute)	N/A
Renewable Energy System, non-Residential	\$500 (Flat Fee limited by statute)	N/A
Site Specific Development Plan	\$1,000.00 (Flat Fee)	N/A
Sketch Plan	\$1,000.00	\$106.00/hr
Special District	\$500.00	N/A
Special Use/SSDP	\$1,450.00	\$106.00/hr
Special Use Monitoring	\$125.00	\$106.00/hr
State Interest Review (1041)	\$750.00	\$106.00/hr
Subdivision Exemption ¹	\$500.00	\$106.00/hr
Subdivision or PUD (combined process SP/PP/FP/SSDP)	\$1,450.00	\$106.00/hr

Process	Non-Refundable Application Fee	Additional Billing*
Special Review for Oil and Gas Operations		
<input type="checkbox"/> Registration Fee	\$250.00	\$250.00 Annually
<input type="checkbox"/> 1-7 well pad or other development covered under Article 12 (e.g. pipelines)	\$5,850.00	Land Use: \$127.00/hr
<input type="checkbox"/> 8 or more wells	\$7,000.00	County Attorney: \$140.00/hr
<input type="checkbox"/> Other Oil & Gas Operations subject to review under Article 12	\$5,850.00	Public Health: \$101.00/hr
Oil and Gas Operations Construction Permit		
<input type="checkbox"/> 1-7 well pad or other development covered under Article 12 (e.g. pipelines)	\$1,350.00	N/A
<input type="checkbox"/> 8 or more wells	\$1,600.00	N/A
Transferrable Development Credits (TDC) Determination		
<input type="checkbox"/> Basic TDC determination request (no bonus credits) by parcel owner/ authorized agent.	No Charge	N/A
<input type="checkbox"/> Basic TDC determination request (no bonus credits) on a parcel not owned by the applicant.	\$200.00	N/A
<input type="checkbox"/> TDC determination request by parcel owner/authorized agent applying for bonus credits.	\$100.00	N/A
<input type="checkbox"/> TDC determination request on a parcel not owned by the applicant applying for bonus credits.	\$300.00	N/A
Substantial Modification Determination <i>Complex determinations as identified by staff may require staff billing for additional time. Applicants will be notified and given a written estimate for amount anticipated and an additional deposit may be required. If determined to be a Major/Substantial modifications, these fees will be applied to the subsequent required process.</i>	\$160.00	\$106.00/hr
Vacation (road / easement)	\$750.00	\$106.00/hr
Variance	\$500.00	\$106.00/hr
Zoning Verification (when a formal zoning verification letter is requested) <i>Zoning compliance verification letter contains information regarding current zoning on the parcel, previous reviews and permits on the parcels and any known unresolved zoning or building code complaints on record.</i>	\$125.00	\$106.00/hr

*The hourly billing rate of \$106.00/hr is for planner/engineer time. Administrative time will be billed for non-flat rate items at \$30.00/hr. Public Notices required as part of a process will be billed for actual costs. Other agencies may require additional fees for review of land use applications, which must be paid separately.

Note: Additional consultant or referral fees may be required per Article 3-203.C as necessary to process application.

¹No charge for Exemption Plats and Subdivision Exemptions which remove a unit of density.

Additional Billing

- Additional or repeated inspections: \$155.75
- Re-application fee for incomplete applications:
 - 1st re-application: \$75.00 or 10% of application fee, whichever is greater.
 - 2nd or more re-application: \$155.75 or 15% of application fee, whichever is greater.

Other Development Review Fees and Reductions

- Fees for applications not specifically listed in this fee schedule will be determined by the Land Use Director based on the hourly rate and actual time spent.
- Fees for certain conditional use permit and site plan applications may be reduced, at the discretion of the Board of County Commissioners subsequent to the conclusion of the review process, when the County's cost of review is less than the applicable fee.

Payment

Checks should be made out to **Boulder County Treasurer**.

Credit/Debit Card Convenience Fee

A Credit/Debit Card Convenience Fee of 2.5% applies to all credit card and debit card transactions.



**Boulder County
Transportation
Department
Publications**

Floodplain Development Permit Fee Schedule

Transportation Department
2525 13th St. Suite 203
PO Box 471
Boulder, CO 80304

Phone:
303-441-3900

Email:
floodplainadmin@bouldercounty.org

Website:
www.bouldercounty.org/
transportation/permits/flood-control/

Floodplain Development Permit Fee Schedule

The fee structure is adopted by the Board of County Commissioners and attempts to recover actual costs of providing the services.

Fees are due upon permit issuance.

Fees effective February 1, 2019.

Floodplain Application Type	Floodplain Development Category	Fee	Fee Agricultural Accessory -- work value under \$50,000
Floodplain Development Permit -- Staging/ OWTS/ Building (minor)	Staging/ OWTS / Building (minor) FDP	\$806	\$403
Floodplain Development Permit -- Building	Building FDP	\$1,550	\$775
Floodplain Development Permit -- Floodway	Floodway FDP	\$1,916	
Letter of Map Revision (LOMR)	LOMR	\$1,610	

- Examples of building (minor) projects include such projects as single room remodel; new windows/doors/roofs; new electrical; new mechanical or HVAC equipment; non-structural; and repairs that do not require a BP. Non-minor building projects include substantial improvements; full house remodels (ie gutting and renovating); lateral and vertical additions.
- Boulder County does not charge other governmental subdivisions of the state FDP fees when their projects primarily serve residents of Boulder County.

Payment

Checks should be made out to **Boulder County Treasurer**.

Credit/Debit Card Convenience Fee

A Credit/Debit Card Convenience Fee of 2.5% applies to all credit card and debit card transactions.

Code Excerpts



Special Use & Limited Impact Special Use

Excerpt from Article 4 • Zoning

4-600 Uses Permitted by Special Review and Limited Impact Special Review

A land use designated as a special use in a zoning district is one that – because of its inherent nature, extent and external effects – may be allowed to establish if subject to Special Review to assure the use is located, designed, and operated in harmony with neighboring development and the surrounding area and does not adversely affect the public health, safety, and welfare. The purpose of the review process is to determine the compatibility of the use with the site and surrounding land and uses and the adequacy of services. Public review is necessary because the effect of a special use on the surrounding environment cannot be determined adequately in advance of the use being proposed for a particular location. During the review process, the county considers location, design, configuration, intensity, and impacts by comparing the proposal to the code criteria, intergovernmental agreements, established hazard areas, parcel specific conditions, site context and any other applicable regulations to assure that the use can operate in a sustainable way with minimal danger or impact to the users, the natural environment, or the developed environment.

- A. A use permitted by Special Review may be established in a zoning district only upon approval of the Board, after review by the Planning Commission, subject to conditions and mitigation measures.
- B. A use permitted through Limited Impact Special Review may be established in a zoning district only upon approval of the Board subject to conditions and mitigation measures.

4-601 Review Criteria

- A. A use will be permitted by Special Review or Limited Impact Special Review only if the Board finds that the proposed use meets the following criteria as applicable:
 1. Except as otherwise noted, the use will comply with the minimum zoning requirements of the zoning district in which the use is to be established, and will also comply with all other applicable requirements;
 2. The use will be compatible with the surrounding area. In determining compatibility, the Board should consider the location of structures and other improvements on the site; the size, height and massing of the structures; the number and arrangement of structures; the design of structures and other site features; the proposed removal or addition of vegetation; the extent of site disturbance, including, but not limited to, any grading and changes to natural topography; and the nature and intensity of the activities that will take place on the site. In determining the surrounding area, the Board should consider the unique location and environment of the proposed use; assess the relevant area that the use is expected to impact; and take note of important features in the area including, but not limited to, scenic vistas, historic townsites and rural communities, mountainous terrain, agricultural lands and activities, sensitive environmental areas, and the characteristics of nearby development and neighborhoods;
 3. The use will be in accordance with the Comprehensive Plan;

4. The use will not result in an over-intensive use of land or excessive depletion of natural resources. In evaluating the intensity of the use, the Board should consider the extent of the proposed development in relation to parcel size and the natural landscape/topography; the area of impermeable surface; the amount of blasting, grading, or other alteration of the natural topography; the elimination or disruption of agricultural lands; the effect on significant natural areas and environmental resources; the disturbance of plant and animal habitat, and wildlife migration corridors; the relationship of the proposed development to natural hazards; and available mitigation measures such as the preservation of open lands, the addition or restoration of natural features and screening, the reduction or rearrangement of structures and land disturbance, and the use of sustainable construction techniques, resource use, and transportation management;
 5. The use will not have a material adverse effect on community capital improvement programs;
 6. The use will not require a level of community facilities and services greater than that which is available;
 7. The use will support a multimodal transportation system and not result in significant negative impacts to the transportation system or traffic hazards;
 8. The use will not cause significant air, odor, water, or noise pollution;
 9. The use will be adequately buffered or screened to mitigate any undue visual impacts of the use;
 10. The use will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of Boulder County; and
 11. The use will establish an appropriate balance between current and future economic, environmental, and societal needs by minimizing the consumption and inefficient use of energy, materials, minerals, water, land, and other finite resources.
 12. The use will not result in unreasonable risk of harm to people or property – both onsite and in the surrounding area – from natural hazards. Development or activity associated with the use must avoid natural hazards, including those on the subject property and those originating off-site with a reasonable likelihood of affecting the subject property. Natural hazards include, without limitation, expansive soils or claystone, subsiding soils, soil creep areas, or questionable soils where the safe-sustaining power of the soils is in doubt; landslides, mudslides, mudfalls, debris fans, unstable slopes, and rockfalls; flash flooding corridors, alluvial fans, floodways, floodplains, and flood-prone areas; and avalanche corridors; all as identified in the Comprehensive Plan Geologic Hazard and Constraint Areas Map or through the Special Review or Limited Impact Special Review process using the best available information. Best available information includes, without limitation, updated topographic or geologic data, Colorado Geologic Survey landslide or earth/debris flow data, interim floodplain mapping data, and creek planning studies.
 13. The proposed use shall not alter historic drainage patterns and/or flow rates unless the associated development includes acceptable mitigation measures to compensate for anticipated drainage impacts. The best available information should be used to evaluate these impacts, including without limitation the Boulder County Storm Drainage Criteria Manual, hydrologic evaluations to determine peak flows, floodplain mapping studies, updated topographic data, Colorado Geologic Survey landslide, earth/debris flow data, and creek planning studies, all as applicable given the context of the subject property and the application.
- B.** If the proposed use is approved or conditionally approved, the Board may impose such conditions and safeguards to insure compliance with the requirements, standards, and conditions of this Section 4-600. Where development or activity associated with the proposed use cannot completely avoid one or more natural hazard, whether because no other site on the subject property can be reasonably designated or developed for the use or because the proposed site is the best location due to the need to avoid or minimize significant adverse impacts under other applicable review criteria, the use may be conditionally approved only if one or more measures will satisfactorily mitigate all significant natural hazard risk posed by the proposed use to the subject property and to the surrounding area. The violation of any condition, safeguard, or commitment of record shall be sufficient grounds for revocation of the Special Review approval by the Board, after a public hearing held in accordance with provisions of Paragraph 3-205(C).
- C.** An application for a use by Special Review shall include a development agreement which must be submitted and approved by the Board.
- D.** Where appropriate, in order to enable the proposed use to meet the standards set forth in (A) above, the Board may require the dedication of a perpetual conservation easement upon so much of the site as may be determined necessary to mitigate impacts of special uses.

Excerpt from Article 3 • Processes

3-203 Standards for Submittal Requirements

E. Development Report

1. A development report is required for subdivision requests to plat unsubdivided land, PUDs, special review approvals, rezonings, and exemptions. At a minimum the development report shall include the following information, unless specifically waived by the Director.
 - a. An address list of all owners and their addresses of real property adjacent to the subject property.
 - b. A description of site features such as streams, areas subject to flooding, lakes, high ground water areas, topography, vegetative cover, climatology, and other features that may aid in the evaluation of the proposed development.
 - c. A description of soil characteristics of the site which have a significant influence on the proposed use of the land.
 - d. The long and short term effect on flora and fauna shall be determined through field surveys, and/or expert opinions. The applicant shall address any material adverse impacts of the development on these biological systems, including plans for the mitigation of these impacts. Wildlife impact reports shall be required in accordance with Section 7-1700.
 - e. The effect on significant cultural (archaeological and historic) resources and on other designated environmental resources, including but not limited to critical wildlife habitats, shall be assessed and plans for protection of such resources included. Wildlife impact reports shall be required in accordance with Section 7-1700.
 - f. An evaluation of any potential radiation hazard that may have been identified by the State or County Public Health Departments.
 - g. An evaluation of the expected demands and effects of the development on the ability of local governments and quasi-governmental agencies to provide water, sanitation, natural gas, electricity, access, fire, schools, hospitals, police, flood protection, solid waste disposal, and other services to this development while maintaining adequate levels of service to other areas.
 - h. Provision of financial guarantees for public or communal improvements.

F. Engineering Report

1. Engineering reports may be required depending on the application, site conditions and scope of the project. Applicants should discuss these reports with staff during the pre-application conference.
 - a. Geology Report. A report on the geologic characteristics of the area including any potential natural or man-made hazards which would have a significant influence on the proposed use of the land, a determination of what effect such factors would have, and proposed corrective or protective measures.
 - b. Soils Report. A description of soil characteristics of the site which have a significant influence on the proposed use of the land.
 - c. Sewage Collection. Plans for an adequate and safe sanitation system must be provided. This system must be designed, constructed and maintained in accordance with all applicable regulations and requirements of Boulder County Public Health and other applicable regulatory agencies.
 - (i) Connection to a public sewer system is preferable. If a public sanitation system is not available within a reasonable distance of the subject property, then adequate treatment facilities must be planned to dispose of the sewage.
 - (ii) Sewer system design must be based on the maximum number of estimated users of the development, and must be approved by Boulder County Public Health prior to application.
 - d. Water Supply and Distribution. A report on the environmental effects of the development addressing the effect on the existing water supply. An adequate supply of water must be provided for the development.
 - (i) The source and method of distribution must be approved by Boulder County Public Health and other applicable regulatory agencies. The source of the water supply should be sufficient to meet all the present and future domestic and agricultural requirements of the proposed area.
 - (ii) Proof of contract with supplier or well log and completion report showing sustained yield. For domestic water proof that the supply meets the Colorado Primary Drinking Water Standards must be provided.
 - (iii) The relation of the subject parcel to floodplains, the nature of soils and subsoils, and their ability to adequately support waste disposal, the slope of the land, the effect of sewage effluents, and the presence of streams as related to pollution shall be evaluated.
 - (iv) The applicable health and water resource agency's regulations shall be considered.
 - e. Grading Report.
 - f. Drainage Report consistent with the Storm Drainage Criteria Manual.
 - g. Engineering report for structural features such as retaining walls and bridges.
 - h. Transportation System Impact Analysis. An assessment of the transportation impacts of the development as described in the Transportation Standards.

Limited Impact Special Use Review Fact Sheet

Project Identification

Project Name:
Property Address/Location:
Current Owner:
Size of Property in Acres:

The applicant(s) is/are required to complete each section of this Limited Impact Special Use Review Fact Sheet even if the information is duplicated elsewhere in the application. Completed Fact Sheets reduce the application review time which helps expediate the Director's Determination. Please make duplicates of this Limited Impact Special Use Review Fact Sheet if the project involves more than two structures.

Determining Floor Area

If an existing wall(s) and/or roof(s) are removed and a new wall(s)/roof(s) are constructed, the associated floor area due to the new wall(s)/roof(s) are considered new construction and must be included in the calculation of floor area for the Limited Impact Special Use Review and shown on this Fact Sheet.

Structure #1 Information

Type of Structure: (e.g. residence, studio, barn, etc.)			
Total Existing Floor Area: (Finished + Unfinished square feet including garage if attached.)		sq. ft.	Deconstruction: sq. ft.
Are new floor areas being proposed where demolition will occur? <input type="checkbox"/> Yes (include the new floor area square footage in the table below) <input type="checkbox"/> No			
Proposed Floor Area (New Construction Only)			
	Finished	Unfinished	Total
Basement:	sq. ft.	sq. ft.	sq. ft.
First Floor:	sq. ft.	sq. ft.	sq. ft.
Second Floor:	sq. ft.	sq. ft.	sq. ft.
Garage: <input type="checkbox"/> Detached <input type="checkbox"/> Attached	sq. ft.	sq. ft.	sq. ft.
Covered Deck:	sq. ft.	sq. ft.	sq. ft.
Total:	sq. ft.	sq. ft.	sq. ft.
			Height (above existing grade)
			Exterior Wall Material
			Exterior Wall Color
			Roofing Material
			Roofing Color
			Total Bedrooms

Structure #2 Information

Type of Structure: (e.g. residence, studio, barn, etc.)			
Total Existing Floor Area: (Finished + Unfinished square feet including garage if attached.)		sq. ft.	Deconstruction: sq. ft.
Are new floor areas being proposed where demolition will occur? <input type="checkbox"/> Yes (include the new floor area square footage in the table below) <input type="checkbox"/> No			
Proposed Floor Area (New Construction Only)			
	Finished	Unfinished	Total
Basement:	sq. ft.	sq. ft.	sq. ft.
First Floor:	sq. ft.	sq. ft.	sq. ft.
Second Floor:	sq. ft.	sq. ft.	sq. ft.
Garage: <input type="checkbox"/> Detached <input type="checkbox"/> Attached	sq. ft.	sq. ft.	sq. ft.
Covered Deck:	sq. ft.	sq. ft.	sq. ft.
Total:	sq. ft.	sq. ft.	sq. ft.
			Height (above existing grade)
			Exterior Wall Material
			Exterior Wall Color
			Roofing Material
			Roofing Color
			Total Bedrooms

Grading Calculation

Cut and fill calculations are necessary to evaluate the disturbance of a project and to verify whether or not a Limited Impact Special Use Review (LISR) is required. A Limited Impact Special Use Review is required when grading for a project involves more than 500 cubic yards (minus normal cut/fill and backfill contained within the foundation footprint).

If grading totals are close to the 500 yard trigger, additional information may be required, such as a grading plan stamped by a Colorado Registered Professional Engineer.

Earth Work and Grading

This worksheet is to help you accurately determine the amount of grading for the property in accordance with the Boulder County Land Use Code. Please fill in all applicable boxes.

Note: Applicant(s) must fill in the shaded boxes even though foundation work does not contribute toward the 500 cubic yard trigger requiring Limited Impact Special Use Review. Also, all areas of earthwork must be represented on the site plan.

Earth Work and Grading Worksheet:

	Cut	Fill	Subtotal
Driveway and Parking Areas			
Berm(s)			
Other Grading			
Subtotal			Box 1
* If the total in Box 1 is greater than 500 cubic yards, then a Limited Impact Special Review is required.			
	Cut	Fill	Total
Foundation			
Material cut from foundation excavation that will be removed from the property			

Excess Material will be Transported to the Following Location:

Excess Materials Transport Location:

Is Your Property Gated and Locked?

Note: If county personnel cannot access the property, it could cause delays in reviewing your application.

Certification

I certify that the information submitted is complete and correct. I agree to clearly identify the property (if not already addressed) and stake the location of the improvements on the site within four days of submitting this application. I understand that the intent of the Site Plan Review process is to address the impacts of location and type of structures, and that modifications may be required. Site work will not be done prior to issuance of a Grading or Building Permit.

Signature	Date
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**Boulder County
Land Use Department
Publications**

Title Information

Land Use Department
Courthouse Annex Building
2045 13th Street
PO Box 471
Boulder, CO 80302

Planning Division:
Phone: 303-441-3930
Fax: 303-441-4856
Email: planner@bouldercounty.org
<http://www.bouldercounty.org/lu/>

Office Hours:
Monday — Friday 8:00 AM to 4:30 PM

Title Information

Title information is required for the processing of certain types of Land Use applications. Information contained in the Title Report allows the Land Use Department to be reasonably sure that all parties with an interest in the property are notified. The notification allows these parties to review the development proposal and submit comments to protect their interest in the property.

Owner Information

It is the responsibility of the Applicant to make a reasonable and diligent search of the public records to locate, and identify as part of the application, all owners and interest holders in the subject property as of the time of the application filing. These owners and interest holders include but are not necessarily limited to fee owners, easement owners, lessees, and lienholders, and mortgagees in the subject property's surface, subsurface, or above surface (including land, water, mineral, air, or other real property which is part of the subject property).

The Applicant shall provide the current names and addresses of these owners and interest holders, along with information describing the nature of their respective right, interest or estate.

Title Reports

To fulfill the requirements of the Land Use Code, the Applicant, at a minimum, shall provide from a licensed title insurance or abstract company either:

1. A title commitment for the subject property (no more than six months old); or,
2. A copy of the existing title insurance policy on the subject property with a letter from the issuing company providing updated title information. If the title information indicates the existence of a severed mineral estate, the Applicant shall be responsible for making a diligent and good faith effort to ascertain the current names and addresses of the owners and interest holders in the severed estate.

An O & E (owners and encumbrances) report **shall not** be considered sufficient to provide the title information required in this Subsection.

Title work must be current within six months of the application submittal date.

Other Required Information

The Applicant shall have the responsibility to search other records which may be reasonably available and known to the Applicant which may provide the information required in the Code.

In addition to the information required above, the Applicant shall identify any holdings of the Applicant adjacent to the subject property, and shall provide an accurate legal description of the subject property.



Boulder County Land Use Department

Courthouse Annex Building
 2045 13th Street • PO Box 471 • Boulder, Colorado 80302
 Phone: 303-441-3930 • Email: planner@BoulderCounty.org
www.BoulderCounty.org/lu

Office Hours: * Sž ž&,% bž ž? a` ž I Wž FZgčž &đ.
 #" Sž ž&,% bž žFgVčV/Sk

Intake Stamp
Docket#:

Applicant’s Mineral Rights Certification of Compliance

With Article 65.5 of Title 24, Colorado Revised Statutes (H.B. 01-1088, Effective July 1, 2001).

Note to Applicant & Land Use Department:

This form must be completed for any application for development under the Boulder County Land Use Code which (1) requires a public hearing before the Planning Commission or Board of County Commissioners, and which (2) is either (a) any kind of planned unit development, subdivision, or resubdivision/replat sketch plan, preliminary plan, or final plat application, or (b) an application for any other type of Land Use Code approval which anticipates new surface development (“a Subject Application”).

- I. The Applicant must complete the following certification as a prerequisite to the Land Use Department accepting as complete any Subject Application which is tendered for processing to the Land Use Department on or after July 1, 2001. [Applicants for an approval of an application such as Site Plan Review, which is granted administratively and may not require a public hearing, do not need to complete the following certifications unless and until their application is appealed to or called up for a public hearing]:

I, _____, Applicant for the following named development under the Boulder County Land Use Code _____ (Docket # _____) (“the proposed Development”), hereby certify that I or my agent have examined the records in the Office of the Boulder County Clerk and Recorder to determine if any owners or lessees of any severed mineral estate in the property which is the subject of the Proposed Development (“the Subject Property”) (i.e., owners or lessees of mineral rights constituting less than full fee title in the Subject Property) can be identified, as required by Article 65.5 of Title 24, Colorado Revised Statutes (also known as “H.B. 01-1088” (“the Act”). Further, based on this examination, I have determined that (check applicable entry):

- No such mineral estate owners or lessees exist in the Subject Property.
- Mineral estate owners or lessees exist in the Subject Property to whom notice of the County’s initial public hearing on my application will need to be sent as required by the Act.

Certification:

I certify that the information and exhibits I have submitted are true and correct to the best of my knowledge.

Applicant Signature:	Applicant Name:	Date:
Applicant Signature:	Applicant Name:	Date:

Note: The same person(s) signing the development/docket application form on behalf of the Applicant must also sign the foregoing certification.

II. If the Applicant has certified above that mineral estate owners or lessees exist in the Subject Property to whom notice of the County’s initial public hearing on the Subject Application will need to be sent as required by Article 65.5 of Title 24, Colorado Revised Statutes (H.B. 01-1088, effective July 1, 2001) (“the Act”), then the Applicant must complete the following additional certification as a prerequisite to the Land Use Department proceeding with the initial public hearing (before the Planning Commission or Board of County Commissioners, as applicable) on the Subject Application:

I, _____, Applicant for the following named development under the Boulder County Land Use Code _____ (Docket # _____) (“the Proposed Development”), hereby certify that I or my agent have sent a notice, by first-class mail, not less than thirty days before the date scheduled for the initial public hearing on the Subject Application/Proposed Development, to: (1) all mineral estate owners or lessees in the Subject Property, containing the time and place of the initial public hearing, the nature of the hearing, the location of the Subject Property, and the name of the Applicant, and (2) the County, containing the name and address of all mineral estate owners or lessees in the Subject Property, all as required by the Act. I further acknowledge and agree that while the County has no obligation whatsoever to check or independently determine my compliance with the Act, to the extent information becomes know to the County indicating that I have failed to comply with the public hearing notice requirement of the Act, the County may, in its discretion, refuse to set, continue, reschedule, or vacate any public hearing on the Subject Application to enable proper notice to mineral estate owners or lessees under the Act, and may take such other action regarding any approval of the Subject Application as authorized by the Act. I further acknowledge and agree that to the extent any other state statute or provision of the County’s Land Use Code purport to entitle me to action or a decision on the Subject Application within a designated period of time, this certification and agreement constitute a written waiver of any such entitlement to the extent necessary for me to comply with the public hearing notice requirements of the Act.

Certification:

I certify that the information and exhibits I have submitted are true and correct to the best of my knowledge.

Applicant Signature:	Applicant Name:	Date:
Applicant Signature:	Applicant Name:	Date:

Note: The same person(s) signing the development/docket application form on behalf of the Applicant must also sign the foregoing certification.

Boulder County

**Boulder County
Land Use Department
Publications**

**Referral
Packet
Guidelines**

Land Use Department
 Courthouse Annex Building
 2045 13th Street
 PO Box 471
 Boulder, CO 80302

Planning Division:
 Phone: 303-441-3930
 Fax: 303-441-4856
 Email: planner@bouldercounty.org
<http://www.bouldercounty.org/lu/>

Office Hours:
 Monday — Friday 8:00 AM to 4:30 PM

Referral Packet Guidelines

As part of a Land Use review process the Boulder County Land Use Department refers applications to appropriate agencies, adjacent property owners, and other interested parties for their review. Collectively the agencies, adjacent property owners, and other interested parties are referred to as the Referral Agencies. The application materials/documents to be reviewed are collectively called the Referral Packet.

Referral Agencies

Agencies

Referral Packets may be required for Federal, State, County, and Municipal government agencies, Special Districts, and other agencies that may have an interest in the proposal. Please be aware that you will be charged for postage for each agency, with the exception of Boulder County Government Agencies.

Adjacent Property Owners (APOs)

Property owners within 1,500 feet of properties under review are notified of the application and subsequent public hearings. No referral packets for APOs are required with submission of your application, as the Land Use Department sends postcard notification to these persons. Please be aware that you will be charged for postage of said postcards, with the exception of postcards sent for Site Plan Review and Site Plan Review Waiver dockets.

Other Parties

Referral Packets are required for all parties (lien holders, mortgage holders, etc.) discovered in the title research to have an interest in the property. See the handout titled Title Information Required for Boulder County Land Use Applications for information regarding title commitment along with property interest notification.

Referral Packet Preparation

1. Your pre-application planner will identify which agencies you will be required to make referral packets for and which application materials/documents must go in each packet.
2. Once you have collected all of the application materials/documents make the required number of copies and place the required materials in mailing envelopes (please use white envelopes when possible as these are recyclable).
3. Add the correct mailing and return addresses to each envelope. The Land Use Department's address must be used as the return address:

 Boulder County Land Use Department
 PO Box 471
 Boulder, CO 80306
4. Please do not seal or fasten the envelopes, as the Land Use Department will add additional materials to the packets before mailing them.
5. One copy of Referral Agency List provided to you by the pre-application planner shall be submitted with the referral packets.

It is the responsibility of the Applicant to assemble their Referral Packets; applications will not be accepted without the required referral packets.



**Boulder
County**

**Boulder County
Land Use Department
Publications**

**Fee
Agreement**

Land Use Department
 Courthouse Annex Building
 2045 13th Street
 PO Box 471
 Boulder, CO 80302

Planning Division:
 Phone: 303-441-3930
 Fax: 303-441-4856
 Email: planner@bouldercounty.org
<http://www.bouldercounty.org/lu/>

Office Hours:
 Monday — Friday 8:00 AM to 4:30 PM

Fee Agreement

Agreement for payment of Land Use Department Application Fees and for processing of Application in accordance with the Boulder County Land Use Code.

I/We (applicant),

as Property Owner of Record/Applicant ("APPLICANT"), AGREE AS FOLLOWS with the County of Boulder and its Land Use Department (collectively "COUNTY"), in consideration of the County's acceptance of Applicant's application for the land use approval as further described below:

1. Applicant has submitted to County an application for approval of:

Application Type:

2. Applicant acknowledges and understands that Board of County Commissioners has established and amends from time to time a fee structure for County Land Use Department applications for most applications, this includes a non-refundable deposit which must be paid prior to the Department's acceptance of any application for processing, and provision for billing the Applicant for any costs of processing applications which may accrue above the non-refundable deposit amount. The Applicant acknowledges and agrees that this Agreement shall govern the payment of fees for the processing of the Application.
3. The Application shall not be accepted for processing unless the property owner of record of the property included in the Application signs this Agreement. In the case of multiple property owners, the Director of the County Land Use Department ("Director") shall have the discretion to determine which owner(s) shall sign. A person other than the property owner of record may sign the Application and this Agreement only if the Land Use Director, for good cause shown, waives the requirement for landowner signature under the applicable provisions of the Land Use Code.
4. The Applicant shall be billed by the County Land Use Department ("the Department") for all direct and indirect costs (including but not limited to staff time of the Department, the County Attorney's Office, and the County Transportation, Public Health, and Parks Departments); mailing, copying, recording, and publication fees and costs; and authorized consultants' fees incurred by the County), which the Department has accrued to date in processing the Application. The Department will continue to bill the Applicant until all costs have accrued and are paid.
5. The Applicant agrees to pay all such bills in full, and by whatever manner of payment is specified as acceptable by the Director, by delivery made to the Department no later than one month after the billing date. The Director shall have the discretion to suspend processing of the Application if any payments under this Agreement are not made on time. This suspension may involve the postponement of scheduled Planning Commission or Board of County Commissioner hearings or meetings, and the incurrence of additional costs such as for remodification or republication. Similarly, the Director shall have the discretion to terminate the processing of any Application for which any billed payment is more than three months overdue.
6. The person/address whom the Applicant designates to receive all billings for fees under this Agreement are as follows:

Mailing Address		
City:	State:	ZIP Code:

Any billing mailed to this person/address and not returned to the Department shall be deemed received. The Applicant may change the billing address under this Paragraph by providing written notification of such change to the Department.

7. In the event of nonpayment of fees, the County shall have the right to file a fee collection action against any or all of the persons signing this Agreement or the Application as Applicant. Any resulting judgment for fees may be enforced in any legal manner whatsoever and may be filed as a judgment lien against the real property which is the subject of the Application, as well as against any real property owned in whole or in part by any judgement debtor hereunder.
8. Any agreement by the Director or County to forego any of the judicial or administrative remedies available to them under this Agreement in response to the late payment or nonpayment of fees, shall not in any way constitute a waiver of the Director's or County's rights to collect fees or appropriately adjust the processing of the Application as provided herein.
9. In submitting the Application and signing this Agreement, the Applicant acknowledges and agrees that the Application is subject to the applicable processing and public hearing requirements set forth in the Boulder County Land Use Code. The Applicant acknowledges that the Applicant has obtained or has access to the Boulder County Land Use Code, and that, prior to filing the Application, the Applicant has had the opportunity to consult the relevant provisions governing the processing of and decision on the Application.
10. In submitting the Application and signing this Agreement, the Applicant acknowledges and agrees that the Applicant is authorized to make available to the County, for purposes of copying and distributing for public review, all of the documents and information which the Applicant submits with or in support of the Application. Upon demand from the County, the Applicant agrees to indemnify and defend the County and its officials, agents and employees, and to hold them harmless from, any action, claim, suit, loss, cost, damage, or expense which may be brought or assessed against the County or any of its officials, agents or employees on account of any allegation by the Applicant or any person that the County may have violated federal copyright law, or violated any law, agreement, or provision allegedly protecting the confidentiality of or restricting public review of the Application materials which the Applicant submits to the County for review as part of the Application.
11. In submitting the Application and signing this Agreement, the Applicant acknowledges and agrees that the County Land Use Department and any other County staff involved in processing the Application or their duly authorized representatives will need to enter upon the property which is the subject of the Application and conduct inspections thereof to evaluate the Application pursuant to the applicable criteria of the Land Use Code, and perform related tasks. The Applicant hereby consents to allow the County staff or their designees to enter upon and inspect the subject property at any time for this purpose without obtaining the Applicant's separate consent at the time of inspection. This consent extends to inspections while the Application is in process, as well as after it has been approved to assure that any imposed conditions of approval are met.
12. The Applicant agrees to waive any requirements for the Applicant's written consent to extend voluntarily any public hearing or other deadline associated with processing the Application, if the Applicant or its representative agrees orally to any such extension.
13. The Applicant acknowledges that the Applicant executes this Agreement freely, voluntarily, and without threat of compulsion. The Applicant understands that the Applicant may consult an attorney or any other person concerning the Application or this Agreement prior to executing this Agreement, if the Applicant so chooses.
14. Acceptance of the Application for filing and receipt of the Application fee deposit do not necessarily mean that the Application is complete under the applicable requirements of the Land Use Code.
15. This Agreement shall become effective once signed by the Applicant and the County. It shall remain in effect throughout the processing of the Application Form, and until all obligations of the Applicant under this Agreement and under any County approval of the Application Form are met.
16. This Agreement shall be construed and enforced in accordance with the law of the State of Colorado.

Applicant Signature:

Property Owner must sign this document per Paragraph 3.

Property Owners Signature:	Date:
Property Owners Signature:	Date:
Property Owners Signature:	Date:
Property Owners Signature:	Date:

Boulder County:

Land Use Director or Designee:	Date:
--------------------------------	-------

For Land Use Department Use

Docket Name:	Docket Number:	Deposit Amount: \$	Date Received:
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**Boulder
County**

**Boulder County
Land Use Department
Publications**

Historic Preservation Referral Requirement

Land Use Department
 Courthouse Annex Building
 2045 13th Street
 PO Box 471
 Boulder, CO 80302

Planning Division:
 Phone: 303.441.3930
 Fax: 303.441.4856
 Email: planner@bouldercounty.org
 Website: www.bouldercounty.org/lu

Office Hours:
 Monday – Friday 8 a.m. to 4:30 p.m.
 Closed Tuesdays 8 to 10 a.m.

Historic Preservation Referral Requirement

Boulder County is committed to identifying and preserving the rich history of the unincorporated areas of the county. Through our Comprehensive Plan, Land Use Code, and other policies we have created a program to document, protect, and preserve the varying historic resources in our jurisdiction. County Land Use staff and the Historic Preservation Advisory Board (HPAB) are available to assist property owners in researching their property history, determining whether it is eligible for landmark designation, identifying ways to preserve the property and finding financial incentives for preservation.

The Historic Preservation Advisory Board (HPAB) serves as a referral body to review and comment on development proposals which would affect historic properties (any property with structures 50 years of age or older). Development review applications may require review by the full Historic Preservation Advisory Board, however, this depends on the nature of the historic resource and specific development proposal. A Boulder County Historic Preservation Planner in coordination with the members of HPAB determines the appropriate level of review for each development project.

Please contact a Boulder County Land Use Historic Preservation Planner at historic@bouldercounty.org or 303-441-3930 to discuss your project, and complete this form prior to submitting an application. Contact staff as soon as possible, since historic property research can take time. To avoid delays, contact the staff to begin this research well in advance of your submittal.

Applicant - Please complete this section:


Applicant(s):		
Project Address:		
City:	State:	Zip Code:
Parcel Information:		

The following is required to be completed by a Boulder County Historic Preservation Planner:

Land Use Staff in cooperation with HPAB has considered an application for:

at the property listed above and has determined that the Application:

<input type="checkbox"/>	Does not require a referral
<input type="checkbox"/>	Requires a referral only to the Boulder County Historic Preservation Planner
<input type="checkbox"/>	Requires a review by the Historic Preservation Advisory Board
Historic Preservation Planner Signature:	
Date:	



Boulder County

**Boulder County
Land Use Department
Publications**

**BOCC
Guidelines
for Land Use
Hearings**

Land Use Department
 Courthouse Annex Building
 2045 13th Street
 PO Box 471
 Boulder, CO 80302

Planning Division:
 Phone: 303-441-3930
 Fax: 303-441-4856
 Email: planner@bouldercounty.org
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Office Hours:
 Monday — Friday 8:00 AM to 4:30 PM

BOCC Guidelines for Land Use Hearings

Overview of the Hearing Process

1. Convening and introduction by the Chair
2. Commissioners' Site Visit impressions
3. Staff Presentation – Basic cases 10 minutes. Involved cases 20 minutes
 - a. Board questions
4. Applicant – 20 minutes (see below)
 - a. Board questions
5. Public Hearing – 3 minutes per speaker (see below)
6. Staff response to issues raised
7. Applicant response
8. Commissioners' discussion and decision

Applicant Presentations

1. Applicant presentations should be no longer than 20 minutes. Planners will notify the applicant of this requirement at the time a hearing with the Commissioners is requested.
2. If the applicant wishes to exceed 20 minutes, he/she needs to notify the planner as soon as possible. Requests will be forwarded to the Commissioners for their consideration at the next agenda PMI. If the Commissioners decide to grant an extension of time and the scheduled date/time for the hearing does not allow for it, the applicant may be asked to reschedule, rather than inconveniencing other applicants who already have been scheduled for that day.
3. At the beginning of the meeting, the chair of the board will remind the applicant of the time allotted for the presentation. The presentation will be timed, so the applicant knows when time is running out.
4. The presentation time does not include any questions from the Board and the time it takes to answer them. Commissioners will attempt to hold their questions until the applicant has finished presenting. If a question is asked during the presentation, the timer will be stopped and restarted after the question has been answered.
5. If the applicant exceeds the allotted time, the chair may interrupt and end the presentation, at the chair's discretion.
6. Requests by the applicant to extend the presentation time on the day of the hearing may only be granted with an affirmative vote of the Board.

Public Hearing

1. Comments are generally limited to three minutes, unless otherwise determined by the Board of Commissioners.
2. Presenters may pool time, at three minutes per person, so long as everyone who is pooling time is present at the time of the presentation.
3. Any organized groups are allowed to present first, with rules for pooling time to be followed.
4. The presentations will be timed, so that the presenter knows when time is running out.
5. The presentation time does not include any questions from the Board and the time it takes to answer them. Commissioners will attempt to hold their questions until the presentation is finished. If a question is asked during the presentation, the timer will be stopped and restarted after the question has been answered.
6. If the presenter exceeds the allotted time, the chair may interrupt and end the presentation, at the chair's discretion.
7. Once everyone has had the chance to speak, the chair may open the hearing for additional comments from those who have previously presented, at the chair's discretion.