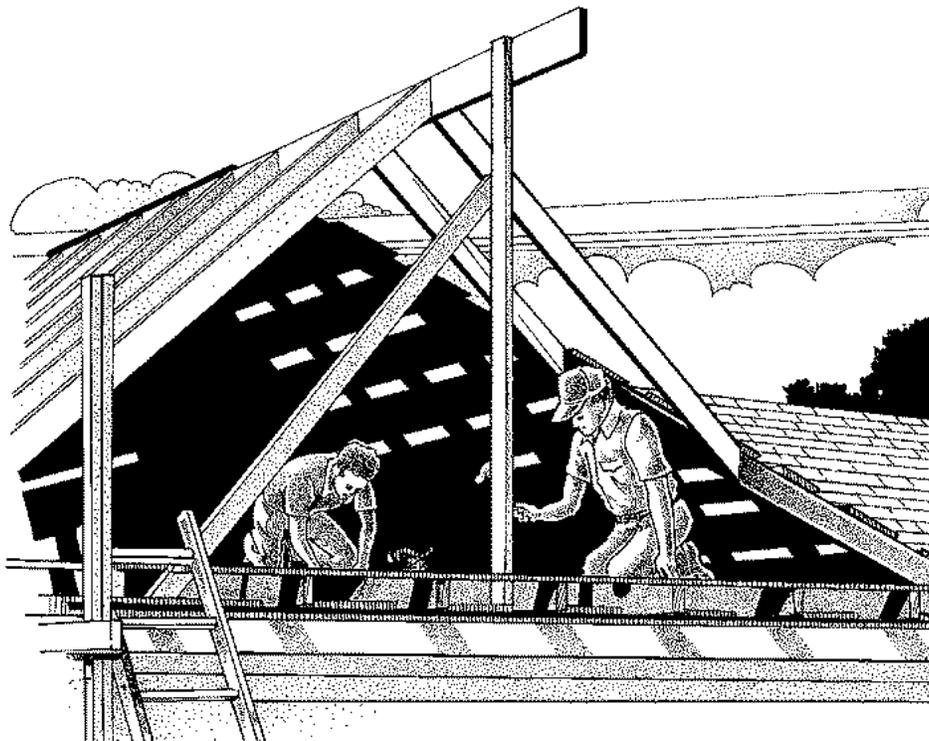


Minor Modification

Attachment to Administrative Review Application Form



City of Boulder
Planning and Development Services Center
1739 Broadway, third floor
Mail: P.O. Box 791
Boulder, CO 80306-0791
Phone: 303-441-1880, Fax: 303-441-3241
Web: boulderplandevlop.net

Revised April 2016
118.pdf

**CRITERIA FOR
MINOR MODIFICATION
TO AN APPROVED DISCRETIONARY REVIEW PLAN**

When a discretionary review, such as a site review or use review (or a former review type such as planned unit development), is approved, site, building, and/or landscape plans are part of the approval documents. If an applicant does not wish to develop a property as approved, there are two methods available to attempt to change the approved plans for a project: a minor modification and an amendment. Amendments require a development review application and approval through the site review or use review process. However, if the proposed changes are minor and are in keeping with the intent of the original approval, they may be eligible for minor modification approval. **Requests for a minor modification must be considered through an administrative review application.**

In order for an administrative review application to be approved for a minor modification, Planning and Development Services must find that the proposed changes meet the relevant criteria. These criteria are found in Section 9-2-14(k) B.R.C. 1981 of the city's land use regulations and are listed below.

The administrative review application must include:

1. 5 copies of the **Administrative Review Application Form**.
2. 5 copies of a **Written Statement**, which addresses *how* the proposal meets the applicable review criteria found in section 9-2-14(k), B.R.C. 1981.
3. 5 copies of the **approved discretionary review plans**, which show, in redline form, the proposed modifications being requested.
4. 5 copies of the **proposed plan set**, including, but not limited to site plan, elevations, utilities, floor plans, etc.
5. For projects that are partially or totally developed, the applicant must provide **notice to owners of property within the development** that might be affected by the proposal. The applicant must also provide proof of this notification (i.e. copies of letters, mailing lists, etc.) as part of the initial application submittal. Applicants should contact Planning and Development Services for a determination of affected owners.

An applicant should note that if a proposed change to a previously approved plan does not meet the minor modification criteria, then an application for a site review amendment or a use review amendment may be appropriate. Contact Planning and Development Services for additional information.

Application Fees:

Please note that applications for administrative reviews are not subject to hourly billing and are not meant to be iterative. The application fee covers one staff review. If an application is incomplete or cannot be approved after the initial staff review, a full resubmittal, including a new application and fee, will be required. Typically, corrections to plans will not be accepted however, staff will use their discretion in determining whether minor corrections can be accepted. Contact Planning and Development Services staff for additional information.

CRITERIA (CITY CODE EXCERPT OF SECTION 9-2-14(k), B.R.C. 1981):

(k) MINOR MODIFICATIONS TO APPROVED SITE PLANS

Changes to the site plan, building plans, and landscaping plans may be approved by the city manager without an amendment to the site plan if such changes are minor. All minor modifications shall be noted, signed, and dated on the approved site plan. For proposed minor modifications of site review projects that are partially or totally developed, the applicant shall provide notice to any owners of property within the development that might be affected as determined by the city manager. In determining whether a proposed change is a minor modification, the following standards shall apply:

- (1)** Setbacks on the perimeter of a development can not be varied by a minor modification to less than the minimum setbacks permitted by the underlying zoning district.
- (2)** The floor area of the development, including principal and accessory buildings, may be expanded by the cumulative total of no more than the greater of ten percent or 200 square feet or, in the case of a building that exceeds the permitted height, no more than five percent, except that the portion of any building over thirty-five feet in height may not be expanded under the provisions of this paragraph;
- (3)** Commercial and industrial building envelopes may be moved or expanded by no more than the greater of ten feet, or ten percent of the length of the building, measured along the building's axis in the direction that the building is being moved;
- (4)** Principal and accessory buildings not within an approved building envelope may be expanded or moved by no more than ten feet in any direction within the development in residential districts and lots abutting residential districts. The resulting setbacks shall not be less than the minimum allowed setback of the underlying zone.
- (5)** Dwelling unit type may not be changed;
- (6)** The portion of any building over the permitted height under Section 9-7-1, "Schedule of Form and Bulk Standards," B.R.C. 1981, may not be expanded under the provisions of this Subsection;
- (7)** No increase may be granted to an open space reduction or to a parking reduction in excess of that allowed in Subsection 9-9-6(f), "Parking Reduction," B.R.C. 1981; and
- (8)** No change may alter the basic intent of the site plan approval.