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SITE REVIEW - SECTION ONE

HOW TO USE THIS ATTACHMENT

Section One of this attachment contains general information about the review type, and the process used to review your application. Keep this section as a reference while your application proceeds through review.

Section Two contains material that **you are required to fill out, detach, and submit with your application.** The Application Submittal Requirements checklist describes the minimum information to include in your application. Your application will not be accepted for review unless all the information is present.

Use the information in this attachment to prepare your application. The information in this, and related, attachments **identifies the criteria that will be used to evaluate your application.** Your application should **focus on demonstrating how your proposal complies with all the criteria.** Effective use of this attachment will help you avoid costly revisions to your application later.

SITE REVIEW SUMMARY

The discretionary review process called Site Review is available to modify certain development standards of the city's land use regulations (see 'Modifications That May Be Requested' section below). The purpose of Site Review, as described in Section 9-2-14(a) B.R.C. 1981, includes allowing flexibility and encouraging innovation in land use development, improving the character and quality of new development, facilitating the adequate and economical provision of streets and utilities, preserving the natural and scenic features of open space, and ensuring compatibility with existing structures and established districts.

MODIFICATIONS THAT MAY BE REQUESTED

Specific sections of the land use regulations may be modified through Site Review (see attached list). Some examples of the major categories of modifications that may be requested in a Site Review are:

Setback modifications: Most zones have specific minimum requirements for the setback of buildings from any property line. Alternative setbacks can be considered through the Site Review process, if the alternatives result in improved site design consistent with the Site Review criteria. Setback variances may also be considered by the Board of Zoning Adjustment and Building Appeals. However, their approval is limited to certain hardship circumstances where it is not possible to comply with the standard setbacks due to unusual characteristics of the site.

Parking reductions: A reduction in the number of required off-street parking spaces. Parking reductions over 25% and all parking reductions for residential projects require Site Review approval. Parking reductions over 50% require approval by Planning Board. Some parking reductions, as permitted by Section 9-9-6 (f), B.R.C. 1981, can be considered by city staff as an Administrative Review (without a Site Review).

Height modification: Building height over the "by-right" standard up to the 55 foot height limit, with the exception of buildings which meet the conditional height criteria of Section 9-7-6, B.R.C. 1981. Height above the "by-right" standard can be considered through the Site Review process, if the height and building design are demonstrated to be consistent with the Site Review criteria. There is also an administrative Site Review (no required Planning Board meeting) for height modifications to buildings that do not exceed the permitted height for principal buildings. This procedure is primarily intended for dwelling units where height is restricted by lot size and for accessory buildings.

Land Use Intensity Modifications:

In the RH-2 zoning district, the Planning Board may reduce the minimum lot area of 3,000 square feet per dwelling unit to 1,600 square feet of lot area per dwelling unit.

In the RH-3 and RH-7 zoning districts, the open space per lot may be reduced from 60% to 30% of the lot if at least half of the open space provided meets the open space requirements of paragraph 9-9-11 (e)(3), B.R.C. 1981. Also see Section 9-8-3, "Density in the RH-1, RH-2, RH-3 and RH-7 Districts" of the land use regulations for other possible modifications.

The density of a project may be increased in the BR-1 district through a reduction of the lot area requirement or in the Downtown (DT), BR-2, or MU-3 districts through a reduction in the open space requirements. See Section 9-2-14(h)(2)(l) of the land use regulations for more information.

MINIMUM AND MAXIMUM THRESHOLDS

Minimum and maximum thresholds apply to Site Review applications (see attached sheet). These threshold categories are based on various measurements of a project's size - either number of units, total building floor area, or land parcel size.

A project that exceeds any of the Site Review maximum thresholds *must complete* a Site Review - "by-right" development is not permitted. Concept Plan Review is also required prior to Site Review.

If a project is large enough to meet any of the minimum thresholds, then it is *eligible* for a Site Review.

If a project is smaller than the minimum thresholds standard, it is *not eligible* for Site Review.

As an example, a project with four residential units in the RL-1 (Low Density Residential - Established) zoning district may not complete a Site Review since it *does not meet the minimum* threshold, but a 50 unit project in the same zoning district must complete a Site Review because it *exceeds the maximum* threshold.

OFF-SITE AFFORDABLE HOUSING

When a developer proposes to provide the affordable units and the development (sending site) is required to successfully complete Site Review, the associated off-site development (receiving site) must also successfully complete Site Review. However, receiving site developments with fewer than five affordable units do not need to undergo Site Review. 8.13 Inclusionary Housing Administrative Regulations.

APPLICATION FEES AND RATES

Simple, Standard, or Complex Site Reviews and Amendments

The initial fee for a Site Review application is based on the estimated complexity of the review, according to the following **guidelines**; in all cases staff will determine which fee category applies:

Simple – a Site Review is Simple if one or more of the following apply:

A pre-application review was conducted for the project, and city staff determined and documented that the Simple review fee would apply, and

No code modifications other than setbacks, parking reductions, or parking deferrals are proposed, and no off-site improvements other than sidewalks and curb and gutter are required, and

The application does not include multiple buildings or multiple lots.

Standard – All projects not meeting the definition of Simple or Complex are considered to be Standard or the application is an amendment of a valid existing Site Review or PUD approval pursuant to Section 9-2-14(m) of the land use regulations and is consistent with the intent of the original approval. For minor amendments pursuant to Section 9-2-14(l) of the land use regulations, see narrative below. A project may also be classified as Standard through a pre-application review, even it meets one of the other definitions, if staff determines the Standard classification is more appropriate to the complexity of the review.

Complex – a Site Review is Complex if one or more of the following apply:

A pre-application review by staff determined the project would have unusual complexity and would require the fee for complex review; or

The application includes three or more Land Use Review types (for example – Site Review, Annexation and Subdivision, or Site Review, Subdivision and Use Review); or

The property exceeds the threshold of required Concept Plan Review and Comment; or

Code modifications in addition to setbacks or parking are proposed, and the project includes multiple buildings or lots.

Minor Amendments – The application is considered a minor amendment if it meets the criteria of Section 9-2-14(l) of the land use regulations. This application has a different fee and set of submittal requirements. (See application requirements within the Land Use Review application for more information.

After the initial review of the application, and issuance of staff comments, hourly charges will apply to additional staff work required, such as review of revisions to the application, or preparation of materials for public hearings. The applicant will be billed monthly for the hourly charges.

SITE REVIEW PROCESS

Applications for Site Reviews are received by the Planning and Development Services Center and are reviewed through the Land Use Review process, including public notification (see attached Land Use Review Process Summary). The initial review of the application takes approximately three weeks from the start of the review track. If your application requires subsequent revisions, each additional staff review of the revisions will also take about three weeks from the start of the review track. Site Review projects must be found to meet the applicable review criteria listed in Section 9-2-14, B.R.C. 1981. A list of the general Site Review criteria is attached.

For certain types of Site Review applications, the Planning and Development Services Department submits a recommendation to the Planning Board. The board holds a public hearing and makes a decision. Staff may also refer applications to the Planning Board that it finds to be inconsistent with the Site Review criteria or if staff finds the application warrants board review.

Planning Board action is required for Site Reviews which include the following modifications or requests:

- A parking reduction of more than 50%.
- A reduction of the open space or lot area requirements which results in an increase in density
- A building above the permitted height (height modification)
- An increase in density in the RH-1 and the RH-2 districts
- An application for which the applicant intends to establish Vested Property Rights (see Section 9-2-19, B.R.C. 1981)

All other Site Review applications may be decided by the Planning and Development Services Department. Planning and Development Services Department decisions on Site Reviews are final after a 14-day "call-up" period. These decisions may be called-up by the Planning Board for a public hearing and decision or appealed to the Planning Board by the applicant or any interested person. All Site Review decisions are issued in a document called "Notice of Disposition." The disposition specifies "approval," "approval with conditions" (and lists those conditions), or "denial." The applicant must begin and substantially complete an approved Site Review within three years from the date of final approval (or as modified by a specific development schedule). If a project is not completed within three years or according to the project's development schedule and no extensions have been approved pursuant to Section 9-2-12, "Development Progress Required" of the land use regulations, the approval expires. Minor modifications and amendments to approved Site Review plans may be applied for, in accordance with the procedures specified in the city code.

THRESHOLDS FOR SITE REVIEW APPLICATIONS

Excerpt of Section 9-2-14(b)(1), B.R.C. 1981:

(1) Development Review Thresholds:

(A) Minimum Thresholds for Voluntary Site Review: No person may apply for a site review application unless the project exceeds the thresholds for the "minimum size for site review" category set forth in [table 2-2](#) of this section or a height modification pursuant to Subsection (e) below on any lot is requested.

(B) Minimum Thresholds for Required Site Review: No person may apply for a subdivision or a building permit for a project that exceeds the thresholds for the "concept plan and site review required" category set forth in [table 2-2](#) of this section until a site review has been completed.

(C) Common Ownership: All contiguous lots or parcels under common ownership or control, not subject to a planned development, planned residential development, planned unit development, or site review approval, shall be considered as one property for the purposes of determining whether the maximum site review thresholds below apply. If such lots or parcels cross zoning district boundaries, the lesser threshold of the zoning districts shall apply to all of the lots or parcels.

(D) Previously Approved Developments: Previously approved valid planned unit developments that do not otherwise meet the minimum site review thresholds may be modified or amended consistent with the provisions of this title pursuant to Subsections (k) and (l) of this section.

(E) Height Modifications: A development which exceeds the permitted height requirements of [Section 9-7-5](#), "Building Height," or [9-7-6](#), "Building Height, Conditional," B.R.C. 1981, is required to complete a site review and is not subject to the minimum threshold requirements. No standard other than height may be modified under the site review unless the project is also eligible for site review.

TABLE 2-2: SITE REVIEW THRESHOLD TABLE

Zoning District Abbreviation	Use	Form	Intensity	Minimum Size for Site Review	Concept Plan & Site Review Required	Former Zone
A	A	a	1	2 acres	–	(A-E)
BC-1	B3	f	15	1 acre	3 acres or 50,000 square feet of floor area	(CB-D)
BC-2	B3	f	19	1 acre	2 acres or 25,000 square feet of floor area or any site in BVRC	(CB-E)
BCS	B4	m	28	1 acre	3 acres or 50,000 square feet of floor area	(CS-E)
BMS	B2	o	17	0	3 acres or 50,000 square feet of floor area	(BMS-X)
BR-1	B5	f	23	0	3 acres or 50,000 square feet of floor area	(RB-E)

Zoning District Abbreviation	Use	Form	Intensity	Minimum Size for Site Review	Concept Plan & Site Review Required	Former Zone
BR-2	B5	f	16	0	3 acres or 50,000 square feet of floor area	(RB-D)
BT-1	B1	f	15	1 acre	2 acres or 30,000 square feet of floor area	(TB-D)
BT-2	B1	e	21	0	2 acres or 30,000 square feet of floor area	(TB-E)
DT-1	D3	p	25	0	1 acre or 50,000 square feet of floor area	(RB3-X/E)
DT-2	D3	p	26	0	1 acre or 50,000 square feet of floor area	(RB2-X)
DT-3	D3	p	27	0	1 acre or 50,000 square feet of floor area	(RB2-E)
DT-4	D1	q	27	0	1 acre or 50,000 square feet of floor area	(RB1-E)
DT-5	D2	p	27	0	1 acre or 50,000 square feet of floor area	(RB1-X)
IG	I2	f	22	2 acres	5 acres or 100,000 square feet of floor area	(IG-E/D)
IM	I3	f	20	2 acres	5 acres or 100,000 square feet of floor area	(IM-E/D)
IMS	I4	r	18	0	3 acres or 50,000 square feet of floor area	(IMS-X)
IS-1	I1	f	11	2 acres	5 acres or 100,000 square feet of floor area	(IS-E)
IS-2	I1	f	10	2 acres	5 acres or 100,000 square feet of floor area	(IS-D)
MH	MH	s	–	5 or more units are permitted on the property	–	(MH-E)
MU-1	M2	i	18	0	1 acre or 20 dwelling units	(MU-D)
MU-2	M3	r	18	0	3 acres or 50,000 square feet of floor area	(RMS-X)
MU-3	M1	n	24	5 or more units are permitted on the property	1 acre or 20 dwelling units, or 20,000 square feet of nonresidential floor area	(MU-X)

Zoning District Abbreviation	Use	Form	Intensity	Minimum Size for Site Review	Concept Plan & Site Review Required	Former Zone
MU-4	M4	o	24.5	0	3 acres or 50,000 square feet of floor area	–
P	P	c	5	2 acres	5 acres or 100,000 square feet of floor area	(P-E)
RE	R1	b	3	5 or more units are permitted on the property	–	(ER-E)
RH-1	R6	j	12	0	2 acres or 20 dwelling units	(HR-X)
RH-2	R6	c	12.5	0	2 acres or 20 dwelling units	(HZ-E)
RH-3	R7	l	14	5 or more units are permitted on the property	2 acres or 20 dwelling units	(HR1-X)
RH-4	R6	h	15	5 or more units are permitted on the property	2 acres or 20 dwelling units	(HR-D)
RH-5	R6	c	19	5 or more units are permitted on the property	2 acres or 20 dwelling units	(HR-E)
RH-6	R8	j	17.5	5 or more units are permitted on the property	3 acres or 20 dwelling units	–
RH-7	R7	i	14	5 or more units are permitted on the property	2 acres or 20 dwelling units	–
RL-1	R1	d	4	5 or more units are permitted on the property	3 acres or 18 dwelling units	(LR-E)
RL-2	R2	g	6	5 or more units are permitted on the property	3 acres or 18 dwelling units	(LR-D)
RM-1	R3	g	9	5 or more units are permitted on the property	2 acres or 20 dwelling units	(MR-D)
RM-2	R2	d	13	5 or more units are permitted on the property	2 acres or 20 dwelling units	(MR-E)
RM-3	R3	j	13	5 or more units are permitted on the property	2 acres or 20 dwelling units	(MR-X)
RMX-1	R4	d	7	5 or more units are permitted on the property	2 acres or 20 dwelling units	(MXR-E)
RMX-2	R5	k	8	0	2 acres or 20 dwelling units	(MXR-D)
RR-1	R1	a	2	5 or more units are permitted on the property	–	(RR-E)
RR-2	R1	b	2	5 or more units are permitted on the property	–	(RR1-E)

(2) Poles Above the Permitted Height: The city manager will follow the following procedures for the review, recommendation, call-up, and effective date for the approval of poles above the permitted height.

(A) Light Poles At Government-Owned Facilities: The city manager will determine whether or not to approve an application for light poles at government-owned recreation facilities between thirty-five and fifty-five feet in height, subject to call-up by the planning board pursuant to the procedures set forth in subsection [9-2-7\(b\)](#), B.R.C. 1981.

(B) Poles Over Fifty-Five Feet in Height: The city manager will determine whether or not to approve all applications for poles over fifty-five feet in height, subject to call-up by the city council pursuant to the procedures set forth in subsection [9-2-7\(c\)](#), B.R.C. 1981.

(3) Exceptions: The following developments that exceed the maximum site review thresholds set forth in this section shall not be required to complete a site review:

(A) Minor modifications and amendments to approved development review applications;

(B) Building permits for additions to existing structures that do not exceed a cumulative total, over the life of the building, of twenty-five percent of the size of the building on which the addition is proposed and that do not alter the basic intent of an approved development;

(C) Subdivisions solely for the purpose of amalgamating lots or parcels of land;

(D) Subdivisions solely for the purpose of conveying property to the City; and

(E) City of Boulder public projects that are otherwise required to complete a public review process.

LAND USE REVIEW AND TECHNICAL DOCUMENT REVIEW PROCESS SUMMARY

The Planning Department coordinates discretionary reviews through a Land Use Review process. The various review types are listed on the Land Use Review Application Form and include annexation, site review, use review and preliminary plat for subdivision. The Land Use Review process is summarized here.

Pre-Application

If you are considering filing a development review application, a pre-application review may be beneficial. An interdepartmental city staff team is available to answer questions about applicable regulations, application requirements, and how they may affect a project on a particular site. Many pre-application questions can be answered without need for a meeting. Occasionally, staff will determine that a meeting will be the most effective approach. Pre-application review is usually optional. Exceptions are the Off-site Affordable Housing Location Review, when land is proposed for Inclusionary Housing, and certain Housing Funding requests; however, there are certain types of projects and reviews for which city staff recommends a pre-application review. Refer to the "Pre-application Review" brochure for details.

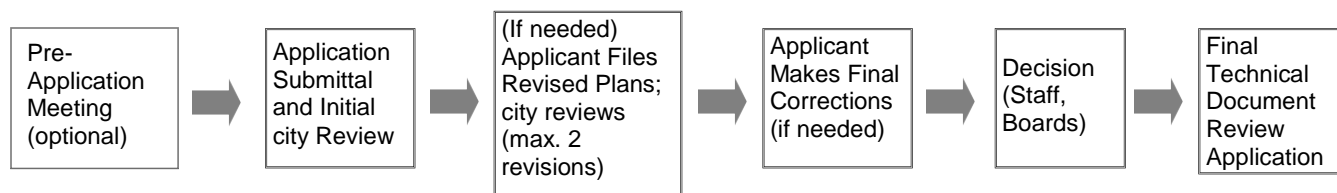
Application

Land Use Review (LUR) applications for new projects are accepted in the Planning and Development Services Center, Monday, Wednesday, Thursday and Friday from 8:00 a.m. to 4:00 p.m. and Tuesday from 10:00 a.m. to 4:00 p.m. Applications are processed and routed for staff's review on the Monday of the next review track. A calendar of submittal dates for review tracks can be found on the city's website at: <https://bouldercolorado.gov/plan-develop>.

Review Schedule

Each application is assigned a three-week review "track" based on availability of staff resources to conduct the review. The track assigned determines the review schedule the project will follow and help applicants gauge the time needed to complete the review process. A generalized diagram of the land use review process appears below. Once a review track has been assigned, the city commits to this time schedule, assuming the applicant meets the required deadlines. Some projects may be placed on a later track based on the applicant's response time, the number of revisions, and staff, Planning Board or City Council work volume.

Basic Steps in the Land Use Review (LUR) Process



Reviewers

The land use review process includes review by the Development Review Committee (DRC), which is made up of representatives from city departments and other referral agencies. Each representative provides review and comment about how the application complies with code and policy requirements within their area of responsibility. When the interests of individual departments diverge, developing consensus is the responsibility of the Policy Resolution Group (PRG), made up of supervisors of Planning and Development Services and the City Attorney's Office.

Initial Review and Review of Revised Plans

Public notice, by mail and posting a sign on the property, occurs during the initial review. The applicant is responsible for posting of a sign that is issued by the Planning and Development Services Center.

During a project's initial review, a summary of the city's findings, a list of requirements and informational comments are identified and given to the applicant in the form of Development Review Results and Comments.

Projects are reviewed for conformance with development standards and requirements and some are evaluated against qualitative design criteria. City comments and/or a decision are issued approximately three weeks after the start of the assigned review track.

Issuance of the Development Review Results and Comments concludes the services covered by the initial application fee. Any additional time spent by staff after this point is subject to hourly billing or by revision fees where applicable.

The case manager is available to meet with the applicant to review and discuss the city comments. After considering the issues identified in the initial review, the applicant is given the opportunity to propose revisions. Revisions must be submitted, or a written request for continuance received within 60 days from the date of city comments; otherwise, staff will either take action on the latest plans on file or the application is voided. Revised applications are evaluated by DRC staff members and review of revision comments are issued by the case manager within 15 working days after the start of the assigned review track. Up to two revisions may be filed for each project.

Decisions/Call-ups/Appeals

Depending on the potential impact, Boulder's land use regulations assign approval authority to either city staff, Planning Board, or both Planning Board and City Council. After the completion of staff review, the Planning Department either issues a staff decision or refers the project to the Planning Board or City Council. For site review, use review and subdivision (at final plat review), a "Notice of Disposition" is issued. This is a one- or two-page document stating the decision and listing any conditions of approval. These decisions are final after a 14-day "call-up" period. Staff-level decisions may be called up by the Planning Board for a final decision or appealed to the Planning Board by the applicant or any interested person. Planning Board decisions are also issued as dispositions and are final after a 30-day call-up period. Board decisions may be called up for review by City Council with a majority vote of City Council in favor of the call-up. Decisions by Planning Board and City Council are made following public hearings at regularly scheduled meetings.

Several types of Land Use Review applications do not have dispositions issued and follow a slightly different review process at the time of the project decision. For example, out-of-city utility permits are approved by city staff and subject to a call-up by the City Council. Annexations follow a state law approval process, including a recommendation by the Planning Board and approval of an ordinance at two readings by City Council. For additional information on the steps towards a final decision for a particular application type, please refer to the application attachment for the review type or contact the Planning and Development Services Center.

Technical Document Review and Permit Review

The conditions of approval for most Land Use Review applications will generally require several documents to be prepared, filed and recorded depending on the review type. These may include final plans (architecture, site, landscape), a subdivision final plat and agreement, a development agreement, engineering plans, and dedications of easements or rights-of-way.

For city review and approval of these technical and final documents, *the applicant files a Technical Document Review application*. The Technical Document Review process (TEC DOC) is similar to Land Use Review (same application deadlines, but no hearings are involved).

After the required technical documents have been approved, the applicant may file a building permit application for any new construction. Information on building permits is available in the Planning and Development Services Center (303-441-1880). The applicant may also need to obtain other permits to complete the project, including growth management allocations and floodplain development permits.

Expiration of Approval

For site and use reviews, the applicant must begin and substantially complete an approved project within three years from the date of final approval (or as modified by a specific development schedule). If a project is not completed within three years, or according to the project's approved development schedule, the approval expires. If the project is not completed within this time frame, the applicant may request administrative extension of the development approval. Up to two six-month extensions can be granted by staff. After that, extensions can only be granted by the Planning Board, after a public hearing, and upon a showing by the applicant that reasonable diligence has been exercised to complete the project.

SITE REVIEW - SECTION TWO

SITE REVIEW APPLICATION REQUIREMENTS CHECKLIST

Complete and Submit with application.

A Site Review application must include the basic requirements listed in the city's land use regulations (found in Sections 9-2-6, 9-2-14(d), and 9-2-14(e), B.R.C. 1981). These requirements are detailed below. **An application fee, as specified on the application form, is also required.** In addition, an applicant may submit any additional materials which may be appropriate to the review.

All required materials must be included along with a complete form in order for your application to be accepted for review. Incomplete applications will not be entered in the review process and will be returned to applicant.

All application materials must be submitted in 15 collated packets, with one complete packet marked "Original." Each packet must contain one of each required plan, statement, etc. Every packet must include a cover sheet that clearly indicates the contents of the packet. Where fewer than 15 copies of an item are required, the cover sheet should clearly indicate the packets that contain those items.

Complete the checklist below, marking those items as they are included in your application submittal, and sign it at the end. The checklist is intended to assist the applicant in collecting all of the required materials and to assist the Planning and Development Services Center in determining that all of the application requirements are met.

Site Review Application Requirements

- 1. A complete **Land Use Review Application Form**, including signatures by, or the written consent of, the owners of all property to be included in the development.
- 2. A completed Sign Posting Requirements Acknowledgment form (attached).
- 3. Three (3) copies of an **improvement survey** or improvement location certificate by a registered surveyor, of the subject property.
- 4. One (1) copy of the subject property's **legal description**, printed clearly on an 8 1/2" x 11" sheet.
- 5. Fifteen (15) copies of a **vicinity map** (8 1/2" x 11") indicating the site and names of adjacent streets. If the site is less than one acre, the map must be drawn at a minimum scale of 1":200'.
- 6. Fifteen (15) copies of a **written statement** which describes the proposal and addresses **how the application meets the applicable criteria** for approval found in Sections 9-2-14 (h), B.R.C. 1981 (see attached Site Review Criteria Response form). This written statement shall include the following information:
 - (A) A statement of the current ownership;
 - (B) An explanation of the objectives to be achieved by the project, including without limitation building descriptions, sketches, or elevations that may be required to describe the objectives;
 - (C) A development schedule indicating the approximate date when construction of the project or phases of the project can be expected to begin and be completed; and
 - (D) Copies of any special agreements, conveyances, restrictions, or covenants that will govern the use, maintenance, and continued protection of the goals of the project and any related parks, recreation areas, playgrounds, outlots, or open space.

- [] 7. Fifteen (15) prints of a complete **site development plan(s)** (18" x 24" or 24" x 36") folded to 9" x 12"; prepared at a standard engineering scale sufficient to clearly show the details of the drawing (such as 1"= 50'); showing elements of the development, including without limitation:
 - [] (A) The existing topographic character of the land, showing contours at two foot intervals;
 - [] (B) The site and location of proposed uses with dimensions indicating the distance from lot lines;
 - [] (C) The location and size of all existing and proposed buildings, structures, and improvements, and the general location of adjacent streets, structures, and properties;
 - [] (D) The density and type of uses;
 - [] (E) The internal traffic and circulation systems, off-street parking areas, service areas, loading areas, and major points of access to public rights-of-way;
 - [] (F) The location, height, and size of proposed signs, lighting, and advertising devices;
 - [] (G) The areas that are to be conveyed, dedicated, or reserved as parks, recreation areas, playgrounds, outlots, or open space and as sites for schools and other public buildings;
 - [] (H) The areas that are to be conveyed, dedicated, or reserved for streets, alley and utility easements;
 - [] (I) The areas subject to the one hundred year flood as defined in Chapter 9-3-3, "Regulations Governing the Floodplain", B.R.C. 1981, and any area of the site that is within a designated space conveyance zone or high hazard zone;
 - [] (J) A general landscaping plan at the time of initial submission to be followed by a detailed landscaping plan prior to or as a condition of approval showing the spacing, sizes, specific types of landscaping materials, quantities of all plants and whether the plant is coniferous or deciduous. All trees with a diameter of six (6) inches and over measured fifty-four (54) inches above the ground on the property or in the landscape setback of any property adjacent to the development shall be shown on the landscaping plan;
 - [] (K) A north arrow and scale of drawing clearly indicated on each sheet.
 - [] (L) A tree inventory that includes the location, size, species and general health of all trees with a diameter of six (6) inches and over measured fifty-four (54) inches above the ground on the property or in the landscape setback of any property adjacent to the development. The inventory shall indicate which trees will be adversely affected and what if any steps will be taken to mitigate the impact on the trees. The tree inventory shall be prepared by a certified arborist that has a valid contractor license pursuant to [chapter 4-28](#), "Tree Contractor License," B.R.C.
- [] 8. Fifteen (15) prints (18" x 24" or 24" x 36"), folded to 9" x 12", drawn at a standard architectural scale sufficient to show the details of the drawing, of **architectural floor plans and elevations** of the existing structure(s) and any proposed additions or renovations, including the maximum height of all buildings measured per the requirements of Section 9-7-5, B.R.C. 1981, and building elevations showing exterior colors and materials and any anticipated roof top appurtenances. If new residential units are proposed label each unit with a discreet unit address and total floor area per B.R.C 9-16 Floor Area. Please see item #17, Inclusionary Housing for additional information.
- [] 9. Fifteen (15) prints (18" x 24" or 24" x 36"), folded to 9" x 12" of a **utility plan or utility connection plan**, depending on whether public improvements are required. *See City of Boulder Design and Construction Standards for specific requirements.*

- [] 10. Fifteen (15) prints (18" x 24" or 24" x 36"), folded to 9" x 12", drawn at a standard engineering scale, of **preliminary stormwater plan**, and two (2) copies of **preliminary stormwater report**, depending on whether public improvements are required. See city of Boulder design and construction standards for specific requirements.
- [] 11. Three (3) copies of the **travel demand management (TDM) plan** which outlines strategies to mitigate traffic impacts created by the proposed development and implementable measures for promoting alternate modes of travel, in accordance with section 9-2-14(D), B.R.C., 1981 and section 2.03(l) of the City of Boulder Design and Construction Standards.
- [] 12. A **shadow analysis** depicting shadows on December 21st (see attached sheet) for each structure in the project, and depicting shadows calculated pursuant to Section 9-9-17, "Solar Access Protection," B.R.C. 1981, for those buildings that affect adjacent properties.
- [] 13. A completed **vested property rights option form** (attached).
- [] 14. Fifteen (15) copies of the completed **Project Fact Sheet** (attached).
- [] 15. Two (2) copies of a **current title insurance commitment** or attorney memorandum based on an abstract of title, current to within 30 days.
- [] 16. One (1) copy of **notification sent to each Mineral Estate Owner**. See sections 9-4-3 or 9-4-3(e) for requirements ore written certification that the applicant performed a Mineral Estate search and found no owners.
- [] 17. Developments that include housing units must meet the requirements of B.R.C. 9-13, Inclusionary Housing which requires that 20% of all residential development be permanently affordable. Developments that include housing units provide two (2) copies each of the **Preliminary Determination of Inclusionary Housing Compliance form** and email the **Inclusionary Housing Unit Information Excel Spreadsheet** to a housing planner. The form, spread sheet, contact information and program details are available at www.boulderaffordablehomes.com, click on Inclusionary Housing/Inclusionary Housing Program Details. If on-site affordable units are proposed, a housing planner will work with applicant to determine which units will be deed restricted. Detailed floor plans including room dimensions, cabinetry and appliance details will be required for these units.
- [] 18. The site review **fee**, as stated on the Land Use Review Application Form.
- [] 19. Any other information that the applicant wishes to submit.

Additional Height Modification Application Requirements:

The following additional application requirements must be met if the site review application includes a request for a height modification:

- [] 1. For developments in all Downtown (DT) districts, a **model**, at a scale of no less than one inch equals thirty feet, of the proposed building and all buildings and property within one hundred feet of the proposed project.
- [] 2. For developments in all Downtown (DT) districts, an **illustration** of the proposed building shown from street level demonstrating the pedestrian view, including without limitation, a **perspective, computer model, or photographic** montage.
- [] 3. A **shadow analysis**, as described in the solar analysis instructions provided by the city manager, that shows the shadow cast by a thirty-five foot building located at the required setback and the shadow cast by the proposed building.

- [] 4. A list of the **height of each principal building** located or known to be proposed or approved **within one hundred feet** of the proposed project.
- [] 5. A **written statement and drawings** which describes the way in which the proposal accommodates pedestrians, including without limitation uses proposed for the ground level, percent of transparent material at the ground level, and signage and graphics.
- [] 6. When additional open space is required by code due to building height, include a detailed plan showing the **location of all useable open space** and a written statement of how it serves the public interest.

Combined Site Review and Subdivision Applications:

An approved Site Review plan may be subdivided under Chapter 9-12, "Subdivisions," B.R.C. 1981. The approved site plan may substitute for a preliminary plat if it meets the conditions of Section 9-12-6, "Application for and Approval of Preliminary Plat," B.R.C. 1981.

If an applicant for a site review intends to subdivide a project and combine subdivision and site review applications, then the applicant should refer to:

- [] 1. The **attachment for Preliminary Plat for Subdivision** including preliminary plat requirements. The site review and preliminary plat requirements may be met on the same site plan document(s).

(signature of person who filled out checklist)

(print name)

SITE REVIEW CRITERIA RESPONSE

In order for a Site Review application to be approved, the approving agency must find that the application meets the applicable Site Review criteria. These criteria are found in Section 9-2-14, B.R.C. 1981 of the city's land use regulations. The criteria are rephrased below to put them in question form. **Applicants must provide responses to all the criteria, explaining how their application complies with each criterion.**

For your convenience, the criteria below are also available as an electronic form on the Planning and Development Services web site at www.boulderplandevlop.net . You may type in your responses to each criterion in the electronic form, and then print it to attach to your written statement. Alternatively, you may retype the criteria form on the following pages and insert responses to each of the criteria.

In addition to general criteria which apply to all site review applications, there are additional specific criteria which apply to certain types of requested variations. These additional criteria must be addressed by the applicant in the written statement, and are found in the following sections of the land use regulations:

- Additional criteria for Land Use Intensity Modifications: Section 9-2-14 (h)(2)(I), B.R.C. 1981
- Additional criteria for Floor Area Ratio Increase for buildings in the BR-1 district: Section 9-2-14 (h)(2)(J), B.R.C. 1981
- Additional criteria for Parking Reductions: Section 9-2-14 (h)(2)(K), B.R.C. 1981
- Additional criteria for Off-Site Parking: Section 9-2-14 (h)(2)(L), B.R.C. 1981

CRITERIA FOR REVIEW

Submit with Application.

No site review application shall be approved unless the approving agency finds that:

(1) Boulder Valley Comprehensive Plan:

___(A) The proposed site plan is consistent with the land use map and the service area map and, on balance, the policies of the Boulder Valley Comprehensive Plan.

___(B) The proposed development shall not exceed the maximum density associated with the Boulder Valley Comprehensive Plan residential land use designation. Additionally, if the density of existing residential development within a three-hundred-foot area surrounding the site is at or exceeds the density permitted in the Boulder Valley Comprehensive Plan, then the maximum density permitted on the site shall not exceed the lesser of:

___(i) The density permitted in the Boulder Valley Comprehensive Plan, or,

___(ii) The maximum number of units that could be placed on the site without waiving or varying any of the requirements of [chapter 9-8](#), "Intensity Standards," B.R.C. 1981.

___(C) The proposed development's success in meeting the broad range of BVCP policies considers the economic feasibility of implementation techniques require to meet other site review criteria.

(2) Site Design: Projects should preserve and enhance the community's unique sense of place through creative design that respects historic character, relationship to the natural environment, multi-modal transportation connectivity and its physical setting. Projects should utilize site design techniques which are consistent with the purpose of site review in subsection (a) of this section and enhance the quality of the project. In determining whether this subsection is met, the approving agency will consider the following factors:

___(A) **Open Space:** Open space, including, without limitation, parks, recreation areas, and playgrounds:

___(i) Useable open space is arranged to be accessible and functional and incorporates quality landscaping, a mixture of sun and shade and places to gather;

___(ii) Private open space is provided for each detached residential unit;

___(iii) The project provides for the preservation of or mitigation of adverse impacts to natural features, including, without limitation, healthy long-lived trees, significant plant communities, ground and surface water, wetlands, riparian areas, drainage areas and species on the federal Endangered Species List, "Species of Special Concern in Boulder County" designated by Boulder County, or prairie dogs (*Cynomys ludovicianus*), which is a species of local concern, and their habitat;

___(iv) The open space provides a relief to the density, both within the project and from surrounding development;

___(v) Open space designed for active recreational purposes is of a size that it will be functionally useable and located in a safe and convenient proximity to the uses to which it is meant to serve;

___(vi) The open space provides a buffer to protect sensitive environmental features and natural areas; and

___(vii) If possible, open space is linked to an area- or city-wide system.

___(B) **Open Space in Mixed Use Developments (Developments that contain a mix of residential and non-residential uses)**

___(i) The open space provides for a balance of private and shared areas for the residential uses and common open space that is available for use by both the residential and non-residential uses that will meet the needs of the anticipated residents, occupants, tenants, and visitors of the property; and

___(ii) The open space provides active areas and passive areas that will meet the needs of the anticipated residents, occupants, tenants, and visitors of the property and are compatible with the surrounding area or an adopted plan for the area.

___(C) **Landscaping:**

___(i) The project provides for aesthetic enhancement and a variety of plant and hard surface materials, and the selection of materials provides for a variety of colors and contrasts and the preservation or use of local native vegetation where appropriate;

___(ii) Landscape design attempts to avoid, minimize, or mitigate impacts to important native species, plant communities of special concern, threatened and endangered species and habitat by integrating the existing natural environment into the project;

___(iii) The project provides significant amounts of plant material sized in excess of the landscaping requirements of [sections 9-9-12](#), "Landscaping and Screening Standards" and [9-9-13](#), "Streetscape Design Standards," B.R.C. 1981; and

___(iv) The setbacks, yards, and useable open space along public rights-of-way are landscaped to provide attractive streetscapes, to enhance architectural features, and to contribute to the development of an attractive site plan.

___(D) **Circulation:** Circulation, including, without limitation, the transportation system that serves the property, whether public or private and whether constructed by the developer or not:

___(i) High speeds are discouraged or a physical separation between streets and the project is provided;

___(ii) Potential conflicts with vehicles are minimized;

___(iii) Safe and convenient connections are provided that support multi-modal mobility through and between properties, accessible to the public within the project and between the project and the existing and proposed transportation systems, including, without limitation, streets, bikeways, pedestrianways and trails;

___(iv) Alternatives to the automobile are promoted by incorporating site design techniques, land use patterns, and supporting infrastructure that supports and encourages walking, biking, and other alternatives to the single-occupant vehicle;

___(v) Where practical and beneficial, a significant shift away from single-occupant vehicle use to alternate modes is promoted through the use of travel demand management techniques;

___(vi) On-site facilities for external linkage are provided with other modes of transportation, where applicable;

___(vii) The amount of land devoted to the street system is minimized; and

___(viii) The project is designed for the types of traffic expected, including, without limitation, automobiles, bicycles, and pedestrians, and provides safety, separation from living areas, and control of noise and exhaust.

___(E) **Parking:**

___(i) The project incorporates into the design of parking areas measures to provide safety, convenience, and separation of pedestrian movements from vehicular movements;

___(ii) The design of parking areas makes efficient use of the land and uses the minimum amount of land necessary to meet the parking needs of the project;

___(iii) Parking areas and lighting are designed to reduce the visual impact on the project, adjacent properties, and adjacent streets; and

___(iv) Parking areas utilize landscaping materials to provide shade in excess of the requirements in Subsection [9-9-6](#) (d), "Parking Area Design Standards," and Section [9-9-14](#), "Parking Lot Landscaping Standards," B.R.C. 1981.

___(F) Building Design, Livability, and Relationship to the Existing or Proposed Surrounding Area:

___(i) The building height, mass, scale, orientation, and configuration are compatible with the existing character of the area or the character established by an adopted plan for the area;

___(ii) The height of buildings is in general proportion to the height of existing buildings and the proposed or projected heights of approved buildings or approved plans for the immediate area;

___(iii) The orientation of buildings minimizes shadows on and blocking of views from adjacent properties;

___(iv) If the character of the area is identifiable, the project is made compatible by the appropriate use of color, materials, landscaping, signs, and lighting;

___(v) Projects are designed to a human scale and promote a safe and vibrant pedestrian experience through the location of building frontages along public streets, plazas, sidewalks and paths, and through the use of building elements, design details and landscape materials that include, without limitation, the location of entrances and windows, and the creation of transparency and activity at the pedestrian level;

___(vi) To the extent practical, the project provides public amenities and planned public facilities;

___(vii) For residential projects, the project assists the community in producing a variety of housing types, such as multifamily, townhouses and detached single family units, as well as mixed lot sizes, number of bedrooms and sizes of units;

___(viii) For residential projects, noise is minimized between units, between buildings, and from either on-site or off-site external sources through spacing, landscaping, and building materials;

___(x) A lighting plan is provided which augments security, energy conservation, safety, and aesthetics;

___(xi) The project incorporates the natural environment into the design and avoids, minimizes, or mitigates impacts to natural systems;

___(xii) Buildings minimize or mitigate energy use; support on-site renewable energy generation and/or energy management systems; construction wastes are minimized; the project mitigates urban heat island effects; and the project reasonably mitigates or minimizes water use and impacts on water quality.

___(xiii) Exteriors or buildings present a sense of permanence through the use of authentic materials such as stone, brick, wood, metal or similar products and building material detailing;

___(xiv) Cut and fill are minimized on the site, the design of buildings conforms to the natural contours of the land, and the site design minimizes erosion, slope instability, landslide, mudflow or subsidence, and minimizes the potential threat to property caused by geological hazards;

___(xv) In the urbanizing areas along the Boulder Valley Comprehensive Plan boundaries between Area II and Area III, the building and site design provide for a well-defined urban edge; and

____(xvi) In the urbanizing areas located on the major streets shown on the map in Appendix A of this title near the Boulder Valley Comprehensive Plan boundaries between Area II and Area III, the buildings and site design establish a sense of entry and arrival to the City by creating a defined urban edge and a transition between rural and urban areas.

____(G) **Solar Siting and Construction:** For the purpose of ensuring the maximum potential for utilization of solar energy in the City, all applicants for residential site reviews shall place streets, lots, open spaces, and buildings so as to maximize the potential for the use of solar energy in accordance with the following solar siting criteria:

____(i) *Placement of Open Space and Streets:* Open space areas are located wherever practical to protect buildings from shading by other buildings within the development or from buildings on adjacent properties. Topography and other natural features and constraints may justify deviations from this criterion.

____(ii) *Lot Layout and Building Siting:* Lots are oriented and buildings are sited in a way which maximizes the solar potential of each principal building. Lots are designed to facilitate siting a structure which is unshaded by other nearby structures. Wherever practical, buildings are sited close to the north lot line to increase yard space to the south for better owner control of shading.

____(iii) *Building Form:* The shapes of buildings are designed to maximize utilization of solar energy. Buildings shall meet the solar access protection and solar siting requirements of [section 9-9-17](#), "Solar Access," B.R.C. 1981.

____(iv) *Landscaping:* The shading effects of proposed landscaping on adjacent buildings are minimized.

____(H) **Additional Criteria for Poles Above the Permitted Height:** No site review application for a pole above the permitted height will be approved unless the approving agency finds all of the following:

____(i) The light pole is required for nighttime recreation activities, which are compatible with the surrounding neighborhood, or the light or traffic signal pole is required for safety, or the electrical utility pole is required to serve the needs of the City; and

____(ii) The pole is at the minimum height appropriate to accomplish the purposes for which the pole was erected and is designed and constructed so as to minimize light and electromagnetic pollution.

____(I) **Land Use Intensity Modifications:**

____(i) Potential Land Use Intensity Modifications:

(a) The density of a project may be increased in the BR-1 district through a reduction of the lot area requirement or in the Downtown (DT), BR-2, or MU-3 districts through a reduction in the open space requirements.

(b) The open space requirements in all Downtown (DT) districts may be reduced by up to one hundred percent.

(c) The open space per lot requirements for the total amount of open space required on the lot in the BR-2 district may be reduced by up to fifty percent.

(d) Land use intensity may be increased up to 25 percent in the BR-1 district through a reduction of the lot area requirement.

____(ii) *Additional Criteria for Land Use Intensity Modifications:* A land use intensity increase will be permitted up to the maximum amount set forth below if the approving agency finds that the criteria in paragraph (h)(1) through subparagraph (h)(2)(H) of this section and following criteria have been met:

- (a) *Open Space Needs Met*: The needs of the project's occupants and visitors for high quality and functional useable open space can be met adequately;
- (b) *Character of Project and Area*: The open space reduction does not adversely affect the character of the development or the character of the surrounding area; and
- (c) *Open Space and Lot Area Reductions*: The specific percentage reduction in open space or lot area requested by the applicant is justified by any one or combination of the following site design features not to exceed the maximum reduction set forth above:

(i) Close proximity to a public mall or park for which the development is specially assessed or to which the project contributes funding of capital improvements beyond that required by the parks and recreation component of the development excise tax set forth in [chapter 3-8](#), "Development Excise Tax," B.R.C. 1981: maximum one hundred percent reduction in all Downtown (DT) districts and ten percent in the BR-1 district;

(ii) Architectural treatment that results in reducing the apparent bulk and mass of the structure or structures and site planning which increases the openness of the site: maximum five percent reduction;

(iii) A common park, recreation, or playground area functionally useable and accessible by the development's occupants for active recreational purposes and sized for the number of inhabitants of the development, maximum five percent reduction; or developed facilities within the project designed to meet the active recreational needs of the occupants: maximum five percent reduction;

(iv) Permanent dedication of the development to use by a unique residential population whose needs for conventional open space are reduced: maximum five percent reduction;

(v) The reduction in open space is part of a development with a mix of residential and non-residential uses within an BR-2 zoning district that, due to the ratio of residential to non-residential uses and because of the size, type, and mix of dwelling units, the need for open space is reduced: maximum reduction fifteen percent; and

(vi) The reduction in open space is part of a development with a mix of residential and non-residential uses within an BR-2 zoning district that provides high quality urban design elements that will meet the needs of anticipated residents, occupants, tenants, and visitors of the property or will accommodate public gatherings, important activities, or events in the life of the community and its people, that may include, without limitation, recreational or cultural amenities, intimate spaces that foster social interaction, street furniture, landscaping, and hard surface treatments for the open space: maximum reduction 25 percent.

___(J) Additional Criteria for Floor Area Ratio Increase for Buildings in the BR-1 District:

___(i) *Process*: For buildings in the BR-1 district, the floor area ratio ("FAR") permitted under table 8-2, [section 9-8-2](#), "Floor Area Ratio Requirements," B.R.C. 1981, may be increased by the city manager under the criteria set forth in this subparagraph.

___(ii) *Maximum FAR Increase*: The maximum FAR increase allowed for buildings thirty-five feet and over in height in the BR-1 district shall be from 2:1 to 4:1.

___(iii) *Criteria for the BR-1 District*: The FAR may be increased in the BR-1 district to the extent allowed in subparagraph (h)(2)(J)(ii) of this section if the approving agency finds that the following criteria are met:

- (a) Site and building design provide open space exceeding the required useable open space by at least ten percent: an increase in FAR not to exceed 0.25:1.

(b) Site and building design provide private outdoor space for each office unit equal to at least ten percent of the lot area for buildings 25 feet and under and at least 20 percent of the lot area for buildings above 25 feet: an increase in FAR not to exceed 0.25:1.

(c) Site and building design provide a street front facade and an alley facade at a pedestrian scale, including, without limitation, features such as awnings and windows, well-defined building entrances, and other building details: an increase in FAR not to exceed 0.25:1.

(d) For a building containing residential and non-residential uses in which neither use comprises less than 25 percent of the total square footage: an increase in FAR not to exceed 1:1.

(e) The unused portion of the allowed FAR of historic buildings designated as landmarks under [chapter 9-11](#), "Historic Preservation," B.R.C. 1981, may be transferred to other sites in the same zoning district. However, the increase in FAR of a proposed building to which FAR is transferred under this paragraph may not exceed an increase of 0.5:1.

(f) For a building which provides one full level of parking below grade, an increase in FAR not to exceed 0.5:1 may be granted.

(K) Additional Criteria for Parking Reductions: The off-street parking requirements of [section 9-9-6](#), "Parking Standards," B.R.C. 1981, may be modified as follows:

(i) Process: The city manager may grant a parking reduction not to exceed fifty percent of the required parking. The planning board or city council may grant a reduction exceeding fifty percent.

(ii) Criteria: Upon submission of documentation by the applicant of how the project meets the following criteria, the approving agency may approve proposed modifications to the parking requirements of [section 9-9-6](#), "Parking Standards," B.R.C. 1981 (see tables 9-1, 9-2, 9-3 and 9-4), if it finds that:

(a) For residential uses, the probable number of motor vehicles to be owned by occupants of and visitors to dwellings in the project will be adequately accommodated;

(b) The parking needs of any non-residential uses will be adequately accommodated through on-street parking or off-street parking;

(c) A mix of residential with either office or retail uses is proposed, and the parking needs of all uses will be accommodated through shared parking;

(d) If joint use of common parking areas is proposed, varying time periods of use will accommodate proposed parking needs; and

(e) If the number of off-street parking spaces is reduced because of the nature of the occupancy, the applicant provides assurances that the nature of the occupancy will not change.

(L) Additional Criteria for Off-Site Parking: The parking required under [section 9-9-6](#), "Parking Standards," B.R.C. 1981, may be located on a separate lot if the following conditions are met:

(i) The lots are held in common ownership;

(ii) The separate lot is in the same zoning district and located within three hundred feet of the lot that it serves; and

(iii) The property used for off-site parking under this Subsection continues under common ownership or control.

REQUESTED CODE MODIFICATIONS CHECKLIST

Submit with application.

The following development standards may be modified through the Site Review process. **Only those modifications specifically identified can be approved.** Modifications incorporated in the site design, but not identified, cannot be approved. Check off all the code sections and standards below that are proposed to be modified. **Additional detail about each modifications requested must be provided in the appropriate sections of the Project Fact Sheet** (attached). Please fill out the checklist and sign at the end.

Check all that apply:

<u>Section</u>	<u>Title</u>
___ 9-7-1	"Bulk and Density Standards" ___ lot area less than 3,200 s.f. per unit in RH-2 zone per Section 9-8-3 (requires Planning Board hearing) ___ minimum lot area, other zones ___ open space per unit less than 1,600 s.f. per unit in RH-1 zone per Section 9-8-3 (requires Planning Board hearing) ___ minimum open space other zones, where permitted through site review ___ parking reduction 50% or greater for residential uses (requires Planning Board hearing) ___ parking reduction of less than 25% for non-residential uses ___ parking reduction 50% or greater for non-residential uses (requires Planning Board hearing) ___ minimum setbacks ___ maximum building height over zone limit (requires Planning Board hearing) ___ maximum number of stories ___ maximum building size ___ floor area ratio increase or transfer permitted through site review ___ density bonus in RMX-2 zone permitted through site review ___ other (specify) _____ _____ _____ _____
___ 9-7-1	"Schedule of Form and Bulk requirements"
___ 9-8-4	"Housing Types within an RMX-2 Zoning District"
___ 9-9-3(a)	"Window Requirements for Buildings"
___ 9-9-4	"Public Improvements" and Subsection 9-12-12(a), "Standards for Lots and Public Improvements, Conditions Required," only to the extent that certain development criteria for alternative street standards are noted in the City of Boulder <i>Design and Construction Standards</i>
___ 9-9-5	"Site Access Control"
___ 9-9-6	"Parking Standards"
___ 9-9-7	"Sight Triangles"
___ 9-9-9	"Off-Street Loading Standards"
___ 9-7-10	"Mobile Home Park Form and Bulk Standards"
___ 9-9-10	"Landscaping and Screening Standards"
___ 9-9-11(c)	"Open Space Standards for Buildings Over 25 Feet in Height"
___ 9-9-12	"Streetscape Design Standards"
___ 9-2-14(h)(2)(I) and (J)	"Land Use Intensity Modifications for Non-residential Buildings"
___ 9-9-14	"Parking Lot Landscaping Standards"

- ___ 9-9-15 "Fences and Walls"
- ___ 9-9-17 "Solar Access "
- ___ 10-12-7 "Accessory Structures"
- ___ 10-12-13(a) "Mobile Home Park Environmental Standards"
- ___ 10-12-14 "Non Residential Uses in Mobile Home Parks"
- ___ 10-12-18 "Windbreaks"
- ___ 10-12-19 "Mobile Home Park Streets and Walkways"
- ___ 10-12-23 "Permanent Buildings"

(signature of person who filled out checklist)

(print name)

Please indicate with a checkmark if your property is affected by any of the following:

- Wetland area _____
- Airport Influence Zone _____
- Historic landmark designation/district _____
- Boulder Valley Regional Center (BVRC) _____
- 100 Year Flood Zone _____
- North Boulder Subcommunity Plan _____
- CAGID parking district _____
- UHGID parking district _____
- Other local improvement district _____

Land Use

Please describe the proposed use(s) of the property, including activities conducted on site, number of seats, number of guest rooms, number of residents, number of employees, hours of operation and any other unique operating characteristics. Also, please specify which land use category(ies) in the Schedule of Permitted Land Uses (Section 9-6-1) that most closely describes the proposed use:

Utilities

- Are existing buildings hooked-up to city water? Yes No
- Are existing buildings hooked-up to city sewer? Yes No
- Are there city water mains adjacent the property? Yes No
- Are there city sewer mains adjacent the property? Yes No

Please name any utility districts that currently serve the property: _____

Parking

Total # off-street parking spaces <i>existing</i>	standard size	_____	(dimensions: 9' x 19')
	small car	_____	(dimensions: 7'9" x 15')
	accessible	_____	(dimensions:12'x19'+3')
	bicycle	_____	(type:_____)
	other	_____	(dimensions:_____)
	TOTAL	_____	

Total # off-street parking spaces <i>proposed</i>	standard size	_____	(dimensions: 9' x 19')
	small car	_____	(dimensions: 7'9" x 15')
	accessible	_____	(dimensions:12'x19'+3')
	bicycle	_____	(type:_____)
	other	_____	(dimensions:_____)
	TOTAL	_____	

Specify % of parking reduction requested _____ % spaces where _____ are required
 Specify % of parking deferral requested _____ % spaces where _____ are required

Setbacks

Certain streets are categorized in the city code as Major Streets and have more restrictive setback requirements.

Does your property abut a Major Street? Yes No
 What is the setback requirement? _____

Are any setback variations requested? Yes No

Please specify request: _____ feet for the _____ yard setback, where feet is required
 _____ feet for the _____ yard setback, where feet is required
 _____ feet for the _____ yard setback, where feet is required
 _____ feet for the _____ yard setback, where feet is required

Are you requesting any other variations to the Land Use Regulations? Yes No

If so, please list the specific variation(s) requested:

Projects with residential dwelling units (existing or proposed)

	Existing	Proposed
Total # of lots	_____	_____
Size of lots	_____	_____
Total # of buildings	_____	_____
Size of each building	_____	_____
	_____	_____
	_____	_____
Total # of dwelling units	_____	_____
Total # of kitchens	_____	_____
Total floor area	_____	_____
Number of stories	_____	_____
Maximum building height	_____	_____

	Existing	Proposed	Floor Area/unit
Specify the number of units with each bedroom configuration.	_____ ELU*	_____ ELU*	_____ ELU*
	_____ 1 BR	_____ 1 BR	_____ 1 BR
	_____ 2 BR	_____ 2 BR	_____ 2 BR
	_____ 3 BR	_____ 3 BR	_____ 3 BR
	_____ 4 BR	_____ 4 BR	_____ 4 BR
	_____ other	_____ other	_____ other

* *efficiency living unit*

Project density:	Existing	Proposed
Gross units/acre	_____	_____
Net units/acre	_____	_____
Lot area/unit	_____	_____
Total useable open space	_____	_____
Useable open space/unit	_____	_____
Floor area ratio	_____	_____

Is open space reduction requested**? (If yes, specify %) _____

** *Open space reduction requests may only be made for properties in the RH-1 or RH-2 zoning district.*

Projects with non-residential uses (existing or proposed)

	Existing	Proposed
Total # of lots	_____	_____
Total # buildings	_____	_____
Size of each building	_____	_____
	_____	_____
	_____	_____
Total floor area	_____	_____
Floor area ratio	_____	_____
Total building coverage	_____	_____
Number of stories	_____	_____
Maximum building height	_____	_____
Ratio of non-residential floor area to number of parking spaces	_____	_____
Ratio of non-residential floor area to residential floor area	_____	_____

What type of building code occupancy classification is required? _____

Projects with a mix of non-residential and residential uses

In addition to the information above, please describe the proposed project, and any project characteristics or requested variations of the mixed-use project.

Vested Rights Option Form and/or Waiver
Submit with application.

Type of Review

Property Owner's Name

Address of Property

Applicant's Name

OPTION #1

I, _____, intend to pursue the creation of a vested property right as provided for in Section 9-2-19, B.R.C. 1981. In order to accomplish that, I am requesting that my application be referred to the Planning Board for a public hearing pursuant to Section 9-2-7(b)(1), B.R.C. 1981. I understand that if my development is approved by the Board, I shall cause a notice advising the general public of the Planning Board's approval and the creation of a vested property right to be published in a newspaper of general circulation no later than fourteen days following final approval and shall provide the Planning Director with the newspaper's official notice of publication no later than ten days following the date of publication, in order to perfect my vested right. Said right will be vested for three years from the date of final approval and will cover the following elements of the approval:

[type of use; number of units; building footprint; building square footage; etc.]

I understand and acknowledge that certain delays in my project's approval time may result in order to meet the hearing and notice requirements of state law for the creation of a vested property right.

Property Owner

By: _____
Date

Witness: _____
Date

OPTION #2

I, _____, understand that I may pursue the creation of a vested property right as provided for in Section 9-2-19, B.R.C. 1981, and Section 24-68-103, C.R.S. 1973, and I choose to voluntarily waive this right. I have been advised by the City to consult an attorney prior to signing this waiver. Further, I understand that this waiver does not abridge any common law vested rights which I may acquire nor does it diminish any right which may exist under the City's land use regulations, except for Section 9-2-19, B.R.C. 1981.

Property Owner

By: _____
Date

Witness: _____
Date

**SIGN POSTING REQUIREMENTS
APPLICANT'S ACKNOWLEDGMENT FORM**

Required for Certain Land Use Review, Administrative Review, Technical Document Review, and
Board of Zoning Adjustment (BOZA) Applications

CITY CODE REQUIREMENT FOR SIGN POSTING OF LAND USE REVIEW APPLICATIONS -

Excerpt of Section 9-4-3(c), B.R.C. 1981: Public Notice of Application: The city manager will provide the following public notice of a development review application:

(1) Posting: After receiving such application, the manager will cause the property for which the application is filed to be posted with a notice indicating that a development review application has been made, the type of review requested, and that interested persons may obtain more detailed information from the planning department. The notice shall meet the following standards:

- (A) The notice shall be placed on weatherproof signs that have been provided by the City and placed on the property that is the subject of the application.
- (B) All such notice shall be posted no later than ten days after the date the application is filed to ensure that notice is posted early in the development review process.
- (C) The signs shall be placed along each abutting street, perpendicular to the direction of travel, in a manner that makes them clearly visible to neighboring residents and passers-by. At least one sign shall be posted on each street frontage.
- (D) The signs shall remain in place during the period leading up to a decision by the approving authority, but not less than ten days.
- (E) On or before the date that the approving authority is scheduled to make a decision on the application the city manager will require the applicant to certify in writing that required notice was posted according to the requirements of this section.

I, _____, am filing a Land Use Review, Administrative Review, Technical Document Review
(PRINT NAME OF APPLICANT OR CONTACT PERSON)

or BOZA application [on behalf of the property owner(s)] _____ for property
(PRINT NAME OF OWNER(S) IF OTHER THAN APPLICANT/CONTACT)

located at _____. I have read the city's sign posting requirements above and acknowledge
(PRINT PROPERTY ADDRESS OR LOCATION)

and agree to the following:

1. I understand that I must use the sign(s) that the city will provide to me at the time that I file my application. The sign(s) will include information about my application and property location to provide required public notice.
2. I am responsible for ensuring that the sign(s) is posted on the property described above in such a way that meets the requirements of Section 9-4-3(c), B.R.C. 1981 (listed above), including visibility of the sign(s) and time and duration of the sign(s) posting, and including reposting any signs that are removed, damaged, or otherwise displaced from the site. As necessary, I shall obtain a replacement sign(s) from the city for reposting.
3. I understand that certain future changes to my application, including but not limited to, changes to the project description or adding a review type, may require that I post a new sign(s). The city will notify me if such a reposting is required and provide me with a necessary replacement sign(s).
4. I understand that failing to provide the public notice by sign posting required by the city's land use regulation may result in a delay in the city's issuing a decision or a legal challenge of any issued decision.

NAME OF APPLICANT OR CONTACT PERSON

DATE

Please keep a copy of this signed form for your reference. If you have any questions about the sign posting requirements or to obtain a replacement sign, please call 303-441-1880.



**ACKNOWLEDGEMENT OF OBLIGATION TO PAY
PLANNING AND DEVELOPMENT SERVICES (P&DS)
HOURLY BILLING CHARGES**

This form is provided to inform you of the obligation to pay the hourly rate after initial comments are issued by the city for your development review application. Refer to the Schedule of Fees for the effective hourly rate.

I, _____, as the "Applicant," am
(PRINT DESIGNATED PERSON RESPONSIBLE FOR PAYMENT)
filing a Land Use Review or Technical Document Review application for property
located at _____ for the following
(PROPERTY ADDRESS OR LOCATION)
development review services: _____
(SPECIFIC APPLICATION TYPES)

I understand that I will be obligated to pay hourly billing charges for P&DS reviewer services rendered following the initial city response (written comments) to the City of Boulder for this development review application and acknowledge the following:

1. I understand the City will not accept an application for processing unless the Applicant, as the designated person responsible for payment of development review services rendered, signs this Acknowledgement.
2. As the Applicant, I am responsible for paying all fees associated with this development review application.
3. I understand any billing mailed to the Applicant at this address and not returned to the City shall be considered by the City as being received. I may change the billing person and/or address under this paragraph by providing written notification, by U.S. Mail or hand delivery, of such change to:

City of Boulder
Planning and Development Services
Park Central Building, Third Floor
P.O. Box 791
Boulder, CO 80306

4. I understand the City has established, for some development review application types, a fee structure under Chapter 4-20, B.R.C. 1981, based upon an hourly rate for review services rendered. The hourly rate applies to P&DS reviewer services rendered following the initial city response (written comments). The fees in Section 4-20-43, "Development Application Fees," B.R.C. 1981, in place at the time such services are rendered shall be the basis for the rates charged by the City. The billing rates in Chapter 4-20, B.R.C. 1981 may be amended from time to time by the City Council.

5. I understand I will be billed every 30 days for P&DS reviewer services rendered in the previous 30 day billing cycle. I realize the City will stop its review of the application for failure to pay the fees when due. I understand that Section 2-2-10, "Delinquent Fees and Set-offs or Refunds Due," B.R.C. 1981, states that if any "payment is delinquent for a period of thirty (30) days or more, the city manager shall furnish no further services, other than services for which no specific fee is charged, to any person who owes such payment to the City, until such delinquent payment is made."
6. I understand that all fees associated with the application shall be paid in full before the City will take final action on the approval or denial of the application.
7. I understand that in the event of nonpayment of fees required to be paid by the Boulder Revised Code, in addition to all other remedies that it may have at law or equity the City may:
 - a. Suspend processing the application. This suspension may involve the postponement of scheduled Planning Board or City Council hearings or meetings.
 - b. Terminate the processing of any application which is declared to be withdrawn because of inactivity under the provisions of Section 9-2-6 (e), B.R.C. 1981.
 - c. Collect the monies due in a manner provided for in Section 2-2-12, "City Manager May Certify Taxes, Charges, and Assessments to County Treasurer for Collection," B.R.C. 1981.
8. I understand acceptance of the application for filing does not necessarily mean that the application is complete under the applicable requirements of the Boulder Revised Code. All City ordinances, regulations, codes, policies and procedures shall be applicable to the review, use, and development of the property.

SIGNATURE OF APPLICANT

DATE

TITLE AND COMPANY