

TOWN OF SNOWMASS VILLAGE

ZONING PLAN REVIEW APPLICATION (Building Permit not required)

A Zoning Plan review is to allow detailed administrative review of development proposals that would not otherwise require submission of a development application, in order to ensure compliance of the proposal with the provisions of the Land Use and Development Code.

GENERAL DATA REQUIREMENTS

Date: _____

Name of Owner: _____

Address: _____ Phone: _____ Email: _____

Name of Applicant (if different than owner): _____

Address: _____ Phone: _____ Email: _____

Physical Address of Property: _____

Legal Description: _____

DESCRIBE YOUR PROPOSED ZONING PLAN REVIEW

PROVIDE THE FOLLOWING ADDITIONAL INFORMATION

- Owner's Permission.** If the applicant is not the owner of the land, or is a contract purchaser of the land, the applicant shall submit a letter signed by the owner consenting to the submission of the application. If the applicant is not the sole owner of the land, the applicant shall submit a letter signed by the other owners, or an association representing the owners, consenting to or joining in the development application.
- Name, Address, Telephone Number and Power of Attorney.** The applicant's name, address and telephone number. If the applicant is to be represented by an agent, a letter signed by the applicant granting power of attorney to the agent shall be submitted, authorizing the agent to represent the applicant and stating the representative's name, address and phone number.
- Disclosure of Ownership.** A certificate from a title insurance company or attorney licensed in the State which shall set forth the names of all owners of property included in the application and shall include a list of all mortgages, judgments, liens, contracts, easements or agreements of record that affect the property. At the Town's option, the holders or owners of such mortgages, judgments, liens, contracts, easements or agreements of record may be required to consent to the application before it is acted upon by the Town.
- Vicinity Map.** An eight and one-half inch by eleven inch (8 1/2" x 11") vicinity map locating the subject parcel within the Town of Snowmass Village.

5. **Other Maps.** All other maps required for the application shall be prepared at a scale of one inch equals one hundred feet (1" = 100') or larger, on sheets no larger than thirty inches by forty-two inches (30" x 42"), with an unencumbered margin of one and one-half inches (1.5") on the left hand side of the sheet and one-half inch (0.5") around the other three (3) sides of the sheet. Sheets of twenty-four by thirty-six inches (24" x 36") are preferred. If it is necessary to place information on more than one (1) sheet, an index shall be included on the first sheet. Report-size versions of all maps, reduced to a sheet size of no greater than eleven inches by seventeen inches (11" x 17"), shall also be submitted.
6. **Site Plan.** A site plan of the subject property, showing existing improvements and proposed development features that are relevant to the review of the proposed administrative modification application. As necessary, the applicant shall also submit such other written or graphic information as is necessary to describe the proposed modification, such as a sketch of those elements of the proposed structure for which an administrative modification is requested.
7. **Improvement Survey.** An improvement survey, showing the location and dimensions of all existing structures, streets, alleys, easements, drainage areas, irrigation ditches, public and private utilities and other significant features within the property or proximate to the project area shall be required as may be determined necessary by the Planning Director to ensure adequate review of the application.
8. **Base Fee.** The application shall be accompanied by the applicable base fee from the Building and Planning Department's fee schedule. The applicant shall reimburse the Town for such amounts in excess of the base fee as determined by the Planning Director. The reimbursement to the Town by the applicant shall be due and payable within fifteen (15) days of the date of billing.
9. **Other Information.** The Planning Director may request the applicant to submit such other information as is necessary to evaluate the impacts of the zoning plan review application. Examples of the information that may be requested are elevations of proposed new or remodeled structures, analysis of the traffic impacts of the proposed use, or evaluation of the environmental or fiscal impacts of the proposed use.

RULES OF PROCEDURE

The following procedures shall apply to an application for zoning plan review.

1. **Pre-Application Conference.** Attendance at a pre-application conference is optional prior to submission of a zoning plan review application.
2. **Submission of Application.** The applicant shall submit an application to the Planning Department.
3. **Staff Review and Notice.** Staff review of the application shall be accomplished, as specified in Section 16A-5-50, Staff Review of Application.
4. **Action By Planning Director.** Following staff review of the application, the Planning Director shall determine whether the application complies with the standards of Section 16A-5-270(2). Based on this determination, the Planning Director shall issue a written decision notice approving, approving with conditions, or denying the application. Provided, however, that the Planning Director may determine that the scope and nature of the development proposed in the zoning plan may create impacts that would be of significance to the community, or may determine that issues have arisen that cannot be resolved between staff and the applicant, and may refer the application to the Planning Commission, or to the Planning Commission for recommendation to the Town Council. The standards for zoning plan review by the Planning Director, Planning Commission or Town Council are as follows:

- a. **Compliance with Code.** The zoning plan shall comply with all applicable standards of the Land Use and Development Code, including but not limited to, the Development Evaluation Standards; and
 - b. **Compliance with prior conditions.** The zoning plan shall comply with any applicable terms and conditions imposed by the Town on any prior approval granted to the property.
6. **Appeal.** A decision by the Planning Director or Planning Commission on a zoning plan may be appealed, pursuant to Section 16A-5-80, Appeals. The appeal shall be referred to the Town Council, which shall consider the matter pursuant to Section 16A-5-80(d), Procedure.
 7. **Recording.** When required as a condition of zoning plan approval, the applicant shall submit two 2) Mylar copies of the zoning plan, together with any documents that are to be recorded. The required documents shall be submitted within ninety (90) days of the date of the site plan's approval. The Planning Director shall review the documents to ensure they comply with the terms and conditions of the approval, shall obtain signatures for all of the applicable certificates on the zoning plan and shall return the documents to the applicant. The applicant shall promptly cause the documents to be recorded in the records of the County Clerk and Recorder, at the applicant's expense.
 8. **Amendments.** An amendment to an approved zoning plan shall be reviewed by the Planning Director, who may approve the application, approve it with conditions or deny it, based on whether the proposed amendment complies with the standards for site plan review, above.

An administrative modification shall only be granted for the following types of activities:

1. **Setback.** The intrusion of a building or an above-grade structure into a required setback by one foot (1') or less for new construction.
2. **Floor Area.** An increase in the maximum allowable floor area of a structure by no more than two percent (2%) or fifty (50) sq. ft., whichever is less.
3. **Building Height.** An increase in a building's height by one foot (1') or less.
4. **Parking Space Size.** A decrease in the size of a required parking space by one foot (1') or less.
5. **Crawl Space or Attic Space.** A crawl space or attic space that is greater than five and one-half feet (5 1/2') at any point when rational construction methods will not allow compliance with the maximum height of five and one-half feet (5 1/2'), provided that the Planning Director may impose reasonable conditions to limit or restrict the use of said space.
6. **On-Grade or Below-Grade Structures.** The projection of an on-grade or below-grade structure into a required setback in a manner that exceeds the limitations established in Section 16A-2-20, Definitions, in particular 'Grade, Above' and Section 16A-3-300, Zone district dimensional limitations, of the Snowmass Village Municipal Code (the Code). The Planning Director may impose reasonable conditions to ensure that such structures will not hinder road maintenance and snow plowing operations and will have minimal visual impacts, and to ensure that the owner indemnifies the Town against any damage that may occur to said structures.
7. **Building Outside of Established Envelope.** An intrusion into a required setback, where a building or portion thereof was previously constructed outside of the established building envelope for the lot.
8. **Adjustment to Building Envelope.** Adjustment of a building envelope to correct an existing condition or to allow it to better conform to the standards of the Code, such as by allowing less vegetation to be removed from the site, helping to lessen impacts from drainage or site grading, or permitting better access to the site to be provided.
9. **Administrative Amendments.** An administrative amendment to any other design feature of an approved PUD, subdivision or building lot, or an administrative amendment to the uses approved for a PUD. Activities that shall not be considered administrative include changes to the overall character of the project, changes that substantially increase trip generation or the demand for public facilities, and changes that are inconsistent with a condition or a representation of the project's original approval, or that require granting a further variation from that granted in the original approval.
10. **Interim SPA (SPA-1 ad SPA-2) Authorization.** Improvements to existing development within Specially Planned Area (SPA-1 and SPA-2) and Governmental Specially Planned Area zone districts that have not been reviewed pursuant to the procedures and standards of Article V, Division 3, Planned Unit Development, provided: 1) the improvements are necessary for the maintenance and repair or remodeling of an existing building; 2) there will be no change in type of use except as may be accessory to or customary in connection with the existing principal use(s) of the building; 3) the total square footage of the floor space of the building is not increased by more than ten percent

(10%) or five hundred (500) square feet, whichever is less, except in the case of Governmental Specially Planned Areas it shall be ten percent (10%) of the building floor space; 4) the proposed improvements will be consistent with Section 16A-4-340, Building design guidelines to preserve community character; and 5) all future development improvements within the property shall be reviewed pursuant to the procedures and standards of Article V, Division 3, Planned Unit Developments. The Planning Director shall require the preparation of an Interim Site Development and Land Use Plan and may impose reasonable conditions to ensure that such structures will not change the basic character of existing building or surrounding areas or have a substantially adverse impact upon surrounding properties.

11. **Site Disturbance Outside Building Envelope.** Earth berms located outside the building envelope which do not satisfy the criteria specified within Section 16A-4-320(b)(2)a. Earth berm outside building envelope. The Planning Director may impose reasonable conditions to ensure that such berm will be located and designed to reasonably fit the site and to minimize the visual impact upon surrounding property owners.

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