

Guide to Uses by Special Review

INTRODUCTION

The Douglas County Department of Community Development (DCD) is committed to providing open, transparent application processes to the public. This Guide is provided to assist anyone interested in the procedures and expectations involved in the use by special review (USR) process. The information in this packet is a summary of Section 21 of the Douglas County Zoning Resolution (DCZR).

WHAT IS A USE BY SPECIAL REVIEW?

The USR process is established for the review of uses in specific zone districts that require public hearings and final approval by the Board of County Commissioners. Such uses may require additional conditions and safeguards as may be imposed by the Board of County Commissioners to ensure compatibility with the surrounding areas. A Management Plan is required for all special uses, which details the day-to-day operations of the use. A site plan shows the overall layout of the site and any proposed improvements. Both components comprise the USR Plan Exhibit and form the basis for annual inspections by County Zoning Compliance staff.

Project review includes evaluation of access, adequate water and sanitation, availability of services, site layout, and other considerations intended to encourage compatibility with a proposed project's surroundings. The USR process ensures that properties are in conformance with the Douglas County Comprehensive Master Plan (CMP), DCZR, Douglas County Subdivision Resolution (DCSR), and Douglas County Public Works Engineering Manuals.

WHEN IS A USE BY SPECIAL REVIEW NECESSARY?

The DCZR specifies uses within each zone district that are subject to the USR process. These uses are also listed in Section 2107 of the DCZR.



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Steps 1-3 of the Use by Special Review Process

Presubmittal Review

STEP 1

COUNTY STAFF'S GOAL FOR COMPLETION: 7-10 DAYS

The presubmittal review is the initial review of a proposal to identify potentially significant issues and submittal requirements. While Planning Services staff strives to identify critical issues at presubmittal, additional issues may be identified during the formal application review and referral process.

Presubmittal reviews are held weekly and proposals are evaluated by Planning Services, Public Works Engineering and Building staff. The applicant may schedule a meeting to discuss a proposal in person by calling 303-660-7460.

Written comments from the presubmittal review team are typically provided to the applicant within one week from the presubmittal meeting. Presubmittal comments are valid for one year from the date of the presubmittal meeting.

Submittal

STEP 2

COUNTY STAFF'S GOAL FOR COMPLETION: 2 DAYS

Following the presubmittal review, the applicant may submit a formal application to Planning Services. A planning technician reviews the application submittal to ensure that all required items have been included. Once all materials are provided, a planner is assigned to the project.

Submittal Checklist (summarized from Section 2111 of the DCZR)

- Presubmittal review
- Completed Land Use Application form
- Project Narrative, including a description of:
 - General project concepts
 - Zoning of the land and compliance with zoning requirements
 - Overall impacts of the proposed use on adjoining lands
 - Compliance with the Douglas County CMP
 - Compliance with appropriate agencies and necessary permits
 - Proof of water availability
 - Method of wastewater treatment
 - Type or method of fire protection
 - Impacts on existing flora and fauna
 - Impacts on air and water quality
 - Impacts on peace and quiet of neighborhood
 - Provision of buffering, including additional landscaping
- Impacts on County services
- Legal Description
- Name and address of the owner, the developer if different than the owner, and the person preparing the plan exhibit and site improvement plan
- Application fee
- Copy of a title policy or commitment
- Notarized letter from the landowner authorizing a representative to process the application, if applicable
- USR - Site Improvement Plan (SIP) exhibit (see examples on pages 6 and 7)
- Management or Operational Plan
- Evidence of a sufficient water supply in accordance with Section 18A of the DCZR, except as provided in Section 2101.11.2 for parcels in the A-1 and LRR Zone Districts with minimal water demands.

Pre-Referral Review

STEP 3

COUNTY STAFF'S GOAL FOR COMPLETION: 15 DAYS

Planning Services and Public Works Engineering staff perform a completeness review to identify any additional exhibits and reports that may be required, and comment on any obvious conflicts with Douglas County's Roadway Design & Construction Standards Manual, Storm Drainage Design & Technical Criteria Manual, and Grading Erosion & Sediment Control Manual.

The planner reviews the submittal to ensure compliance with Douglas County's CMP, DCSR, and the DCZR. If applicable, the planner reviews the USR in accordance with any Planned Development (PD) requirements and verifies that PD commitments are satisfactorily addressed.

The following is intended to assist the planner in determining whether the requirements of the USR and accompanying SIP have been addressed. Compliance with all the requirements of Section 21 of the DCZR will help to facilitate a timely plan review. Please note that not all items below will be applicable to all projects. Where minimal site changes are proposed, the form and required elements of the site plan component of the Plan Exhibit may be simplified. When applicable, the plan sets (24" x 36") should include the following:

(continued on the next page)

Steps 3-6 of the Use by Special Review Process

Pre-Referral Review *continued*

Plan Exhibit Elements (summarized from Section 2112 of the DCZR; for sample exhibit see page 6)

- Site plan (graphic) component prepared in accordance with specific subsections of Section 27 of the DCZR:
 - General Plan Requirements
 - Site Plan
 - Landscape Plan
 - Grading and Drainage
 - Building Elevations
 - Lighting Plan
 - Title and Approval Blocks shall be prepared in accordance with Sections 2112.03 and 2112.04)
- Management Plan component for the specific use addressing all aspects of day-to-day operations of the USR, including at minimum:
 - Number of clients, boarders, parishioners or animals
 - Hours of operation - indicate whether the use is seasonal and the number of days of the week
 - Number of employees
 - Required outside storage, parking and loading areas
 - Permit requirements from other state, federal or local agencies
 - Method of providing fire protection
 - Other items as detailed in Section 21 by use category
 - Other operational items necessary to address the potential impacts of the specific proposal

STEP
3
continued

Applicant Revision

APPLICANT'S AVERAGE: 18 DAYS

The applicant reviews the pre-referral letter provided by staff and updates the USR exhibit, as necessary. It is the applicant's responsibility to provide any additional exhibits, plans, studies, or fees requested by staff in order to proceed with the referral. A prompt resubmittal addressing all staff comments will help achieve a speedy process.

STEP
4

Referral Period and Courtesy Notification

REGULATORY REFERRAL PERIOD: 21 DAYS

The planner verifies the contents of the applicant's referral packets, inserts a Referral Response Request form to solicit comments, and distributes the packets to necessary referral agencies. The referral period provides an opportunity for various agencies and other stakeholders to comment on the application. Referral agencies have 21 days to comment unless the applicant grants, in writing, an extension of up to 30 days. The applicant must pay any referral agency fees, if charged.

The planner forwards referral comments to the applicant as they are received so the applicant can immediately begin addressing comments directly with the referral agencies. The planner assists in facilitating meetings or discussions between the applicant and referral agencies, as necessary.

Concurrent with the distribution of referral packets, the planner prepares and mails courtesy notices to abutting landowner(s) that state the application is in process.

STEP
5

Post Referral Review

COUNTY STAFF'S GOAL FOR COMPLETION: 7 DAYS

The planner ensures all referral responses have been forwarded to the applicant. Following the referral period, the planner provides a post-referral letter to the applicant summarizing any outstanding comments from Planning Services and referral agencies that the applicant must address. The applicant is encouraged to meet with the planner and referral agencies to discuss any comments or questions.

STEP
6

Applicant Revision and Response

APPLICANT'S AVERAGE: 31 DAYS

The applicant reviews the post-referral letter provided by staff and revises all necessary exhibits, plans, and studies accordingly. The applicant addresses the comments of all regulatory referral agencies by identifying, in writing, the extent to which the project has been revised in response to the comments. The applicant is strongly encouraged to provide a written response to comments from all advisory referral agencies. It may be necessary for the applicant to meet with the planner and referral agencies in order to address all comments. A prompt resubmittal addressing all comments may reduce the process by several weeks.

STEP
7

Steps 7-9 of the Use by Special Review Process

Staff Review

COUNTY STAFF'S GOAL FOR COMPLETION: 10 DAYS

The planner ensures all outstanding comments have been adequately addressed in the applicant's resubmittal. If any comments have not been addressed, the planner provides the applicant with a letter stating the deficiencies. It may be necessary for the applicant to resubmit in order to satisfactorily address the review comments. If necessary, the planner will facilitate a meeting between the applicant and referral agencies to resolve outstanding comments. If required based upon necessary drainage, access, or other public improvements, a Use by Special Review Improvements Agreement (USRIA) shall be required to be submitted and approved as part of the process. Public Works Engineering manages this aspect of the project.

Once the application is finalized, the planner schedules the project for Planning Commission and Board of County Commissioners Hearings. The applicant must meet all public notice requirements listed in Section 2118 of the DCZR. At each hearing the following approval standards are used to evaluate the project:

Approval Standards (summarized from Section 2102 of the DCZR)

- Complies with the minimum zoning requirements of the zoning district where the special use will be located
- Complies with the requirements of Section 21 of the DCZR
- Compatible with the character of the surrounding areas and neighborhood
- Conforms with the goals, objectives, and policies of the Douglas County Comprehensive Master Plan
- Will not result in an over-intensive use of the land
- Will not have a material adverse effect on community capital improvement programs
- Will not require a level of community facilities and services greater than what is currently available
- Will not cause significant air, water, or noise pollution
- Adequately landscaped, buffered, and screened
- Demonstrate a sufficient water supply in terms of quantity, quality and dependability, as determined in accordance with the standards in Section 18A, Water Supply - Overlay District of the DCZR
- Will not be detrimental to the health, safety, or welfare of the present or future inhabitants of the County

STEP
8

Public Hearings

APPLICANT'S AVERAGE: 18 DAYS (DEPENDS ON HEARING SCHEDULE)

Planning Commission Hearings are generally held the first and third Monday of every month at 7 p.m. in the Commissioners' Hearing Room. The Board of County Commissioners generally hears land use proposals on the second and fourth Tuesdays of each month at 2:30 p.m. Staff will identify upcoming hearing dates and relay them to the applicant. The planner creates a staff report in preparation for the hearings, a copy of which is mailed to the applicant.

The applicant must provide proper public notice (published, posted and mailed to adjacent property owners) of the hearing in accordance with Section 2113 of the DCZR 14 days prior to the hearing date.

At the hearing, the planner will present general project information. The applicant should be prepared to present pertinent information and address questions about the proposed development. Common question topics include layout, water supply, referral agency comments, neighborhood compatibility, and traffic.

During this step, the Board of the County Commissioners (Board) may approve, approve with conditions, or deny the USR request.

STEP
9

Final Submittal

APPLICANT'S AVERAGE: 17 DAYS

If approved by the Board of County Commissioners, the applicant will submit a final, signed version of the USR Plan Exhibit for the Community Development Director's signature. The USR Plan Exhibit will not be finally approved until all of the Board's conditions of approval, including technical corrections, are made to the County's satisfaction. The USRIA, if required, must also be finally approved by the County Manager before the Director's will sign the USR Plan Exhibit.

STEP
10

Steps 10-11 of the Use by Special Review Process

Approved USR Plan Exhibit

COUNTY STAFF'S GOAL FOR COMPLETION: 5 DAYS

The planner reviews the applicant's final submittal to ensure that all conditions and corrections have been made to the USR Plan Exhibit and the USRIA has been approved. Once verified, the planner routes the USR Plan Exhibit SIP for signature by the Director of Community Development. The fully executed copy of the approved USR Plan Exhibit is placed in the County's records, and a copy provided to the applicant.

The planner provides the applicant with an electronic copy of the approved SIP. The planner sends a Notice of Action-Final Status form to all landowners who received a courtesy notice, notifying them that the SIP has been approved.

STEP
11

Additional Information and Fees

CHANGES TO APPROVED USR

Proposed changes to an approved USR are processed as a USR Amendment. Amendments involving significant changes require are subject to the same review process as the initial USR request, including public hearings before the Planning Commission and Board. Changes which are minor in nature and are not anticipated to increase impacts to the surrounding neighborhood may be processed administratively. The type of USR amendment process is determined by the Director of Community Development following a required presubmittal meeting with Planning Services.

Non-administrative USR Amendment

The submittal and process steps for a nonadministrative amendment mirror those of a new USR, and culminate with public hearings before the Planning Commission and Board of County Commissioners. A presubmittal meeting is required for any amendment to a USR. A submittal checklist will be provided at that time based upon the nature of the proposed changes.

Administrative USR Amendment

If the Director determines that the proposed change does not substantially increase the intensity of the use or impacts to the neighborhood, the change may be processed as an Administrative USR Amendment. Administrative USR Amendments are reviewed and approved by the Director or Community Development.

Administrative Amendment Checklist

- Presubmittal meeting accomplished
- Completed Land Use Application
- Application fee
- Narrative explanation of the amendment and its resulting impacts
- Stamped, addressed envelopes to abutting land owners for courtesy notice of application in process
- Amended USR Plan Exhibit
- Other information necessary to evaluate the request

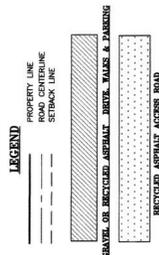
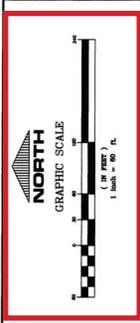
USR FEES

1-40 acres	\$1,200
41-100 acres	\$30/acre
101+ acres	\$3,030 + \$15/acre
Multifamily	Base fee + \$65/building
Administrative Amendment (no plan required)	\$275
Administrative Amendment (plan required)	\$750

*Make checks payable to Douglas County
Depending on the project, additional fees may apply*

Sample USR SIP Exhibit - Site Plan

Scale & North Arrow



Approval Certificate
 Engineering: [Signature]
 Planning: [Signature]
 Date: [Date]
 License: [Number]
 (if applicable)
 Issued/Date: [Date]

PROJECT BENCHMARK: PROPERTY OR BENCHMARK HAS LOCATED ON THE WEST SIDE OF ROXBOROUGH PARK ROAD, APPROXIMATELY 1/4 MILE SOUTH OF THE INTERSECTION OF O'VILLE & ROXBOROUGH PARK ROAD, PUBLISHED ELLA-2006-030 (NAD 83)

DATE: 1-28-03
 APPROVED: [Signature]
 NETWORKS: [Signature]

HBL
 Engineering & Surveying, LLC
 7900 E. BELLEVUE, SUITE 250
 ENGLEWOOD, CO. 80111
 PHONE: (303) 773-1665
 FAX: (303) 773-3997

ROBERTS RANCH
 SITE & HORIZONTAL CONTROL PLAN

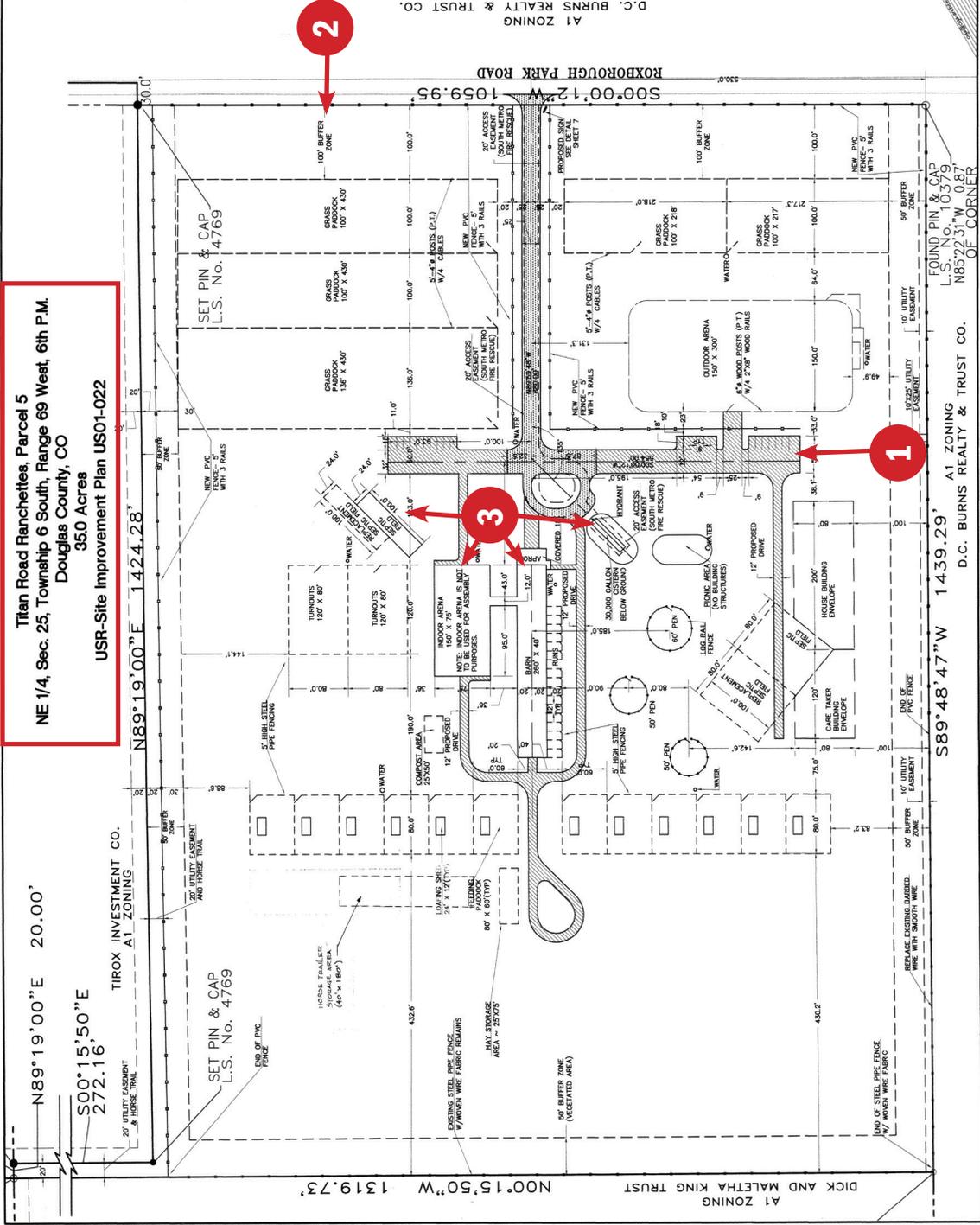
OWNER: [Name]
 ADVISOR: [Name]
 CONTRACT NUMBER: [Number]
 SHEET: 12

ANTERSON ARCHITECT
 9005 Roberts Ranch Rd
 Littleton, CO 80120
 Phone: (303) 948-3000

Approval Certificate
 Initial Block

Title & Legal Description

Titan Road Ranchettes, Parcel 5
 NE 1/4, Sec. 25, Township 6 South, Range 69 West, 6th P.M.
 Douglas County, CO
 350 Acres
 USR-Site Improvement Plan US01-022



- 1 - Identify parking and drive aisles
- 2 - Identify buffer areas
- 3 - Identify site improvements