# Subdivision Waiver - Ordinance or Standard Application Requirements

**REVIEW CRITERIA**: Subdivision Waivers must meet all of the criteria listed:

Procedural Requirements Reviewed by the City Planning Commission

- Specific application of the procedural requirements makes strict enforcement an unreasonable burden upon the property and presents a difficulty unique to the development of that property given its circumstances. An assertion or showing that compliance increases costs of development does not satisfy this test;
- The benefit to the public in waiving the requirement outweighs the harm to the property owner in strictly enforcing the requirement;
- The intent and purpose of the chapter and applicable articles are implemented and waiver from any requirement may be reasonable calculated to substantially secure the objectives of the Ordinance and the Comprehensive Plan as well as the requirement so waived.

Design Standards Reviewed by the City Planning Commission

- The waiver will not be detrimental to the public good or to surrounding properties;
- There are exceptional topographical, soil or other surface conditions particular to the property which are not ordinarily found in the general vicinity.
- The strict application of the requirements of this article when applied to to he property with its exceptional conditions prohibits the use of the property or its reasonable physical development when compared to the opportunity to use and develop similar properties in the general vicinity;
- The waiver shall be consistent with the intent and purpose of Article 3, the Comprehensive Plan and Colorado State Law.

**SUBMITTAL CHECKLIST**: The following items will need to be included in any Subdivision Waiver review submittal.

| Applicant | | Planner |
|---|---|---|
| ☐ | **General Development Application Form** | ☐ |
| ☐ | 1 copy of a **Project Statement** identifying the following:<br>1. A **clear description** of the proposed waiver.<br>2. A **Justification** based on the review criteria addressing why the proposed waiver should be approved; and<br>3. An Issue List stating how each of the pre-application issues, as communicated to the applicant/owner by the reviewing planner, has been addressed in the proposal. | ☐ |
| ☐ | **Mineral Estate Owner Notification Certification Affidavit** (Public Hearing Items ONLY) | ☐ |
| ☐ | 1 copy of a **Site Plan** showing all "Plan Contents" below | ☐ |
| ☐ | A l**egal description** of the proposed project | ☐ |
| ☐ | A copy of the **Pre-Application Form**, or the Pre-Application review letter from the assigned City Planner. | ☐ |
| ☐ | All plans, documents, and reports uploaded to **Dropbox folder** (Planner to send folder invite link through email) | ☐ |

**PLAN CONTENT REQUIREMENTS**: The content of the site plan must include the following information.

| Applicant | | Planner |
|---|---|---|
| ☐ | Provide an area for the Land Use Review file number in the lower right-hand corner of all sheets. | ☐ |
| ☐ | Legal Description | ☐ |
| ☐ | Indication of standardized scale, both fractional and bar (i.e. 1" = 20') | ☐ |
| ☐ | North arrow | ☐ |
| ☐ | Data of preparation | ☐ |
| ☐ | Name, address and daytime phone number of applicant | ☐ |
| ☐ | The following information on all existing and proposed buildings: | ☐ |
| | ☐ Location and specific distance from property lines | ☐ |
| | ☐ Dimensions and square footage | ☐ |
| | ☐ Building height | ☐ |
| | ☐ Proposed Use | ☐ |
| ☐ | Location and dimensions of required building setbacks | ☐ |