

APPLICATION SUBMITTAL REQUIREMENTS



HAZARDS ADDRESSED



HOW IT WORKS

Application submittal requirements are the materials that must be submitted to a local government (usually the planning department) to initiate the development review process. Requirements vary from community to community and by type of project. Building a small addition to an existing building may require little more than filling out a brief application, while developing a large new mixed-use project typically requires complex supporting materials that identify uses proposed, the site layout, and building design, among other features. Other requirements might include letters from adjacent property owners demonstrating support of a project and certification of sufficient infrastructure capacity from local utility providers. Submittal requirements are important because they determine what baseline information will be available to help staff and officials make informed decisions about how the community grows.

Concerning natural hazards, submittal requirements are an excellent opportunity for a community to obtain baseline information about where potentially hazardous conditions may exist on a site—for example, where there are steep slopes, or the boundaries of the floodplain. If hazardous materials are going to be stored or used on the site, the applicant could be required to notify the local government of the type and amount of such materials. Communities may also require development applicants to submit evidence that appropriate mitigation techniques will be employed to offset risk to existing hazards. This evidence can take the form of specialized reports prepared by certified professionals, such as trained foresters or licensed geologists and/or engineers.

IMPLEMENTATION

To develop or amend application submittal requirements, it is important to work closely with other local government agencies or departments that will be reviewing applications for development. Predictability is the key. When a developer knows exactly what is required for a submittal package, it

helps them allocate resources and ultimately meet their bottom line. Problems can arise when the community asks for information that is unanticipated and was not requested as part of the original application.

Application submittal requirements typically specify, at a minimum, the type and format of plans required, the number of copies of required documents, applicable fees, proof of ownership, and required signatures. Although some communities include submittal requirements in their zoning and development ordinances, this information is best left outside the ordinances and put online and in the planning department offices, allowing them to be updated over time without ordinance amendments. Keeping administrative material outside the code also makes for a simpler, more user-friendly code.

The types of information typically requested to inform the evaluation of development proposals include a map of the proposed development area and a description of existing site characteristics, including geologic, vegetative, topographical, and environmental conditions. If the site is a known or suspected hazard area, communities often require an assessment of whether site characteristics may create a hazard risk, and an analysis of the intensity and character of existing and proposed development and its relationship to the hazard.

WHERE IT'S BEEN DONE

Frisco hosts application submittal requirements on a dedicated page on the Town's website. Each procedure includes a form that describes the review and approval process, outlines the application materials required, and includes an online standard PDF form that can be filled out digitally.

For example, for preliminary plats, the department can request geologic investigation reports and soil-type interpretations. These can be used to ensure that future development is feasible within or proximate to known hazard areas.

Frisco's approach makes it clear to developers and other property owners what the expectations are for completing an application. The dedicated webpage is a one-stop-shop; it includes forms for building permits, business-related licenses and permits, planning permits, and water billing forms (*Frisco Forms & Permits*, n.d.).

Estes Park also asks for hazard information to be included in most development applications. The application forms with basic submittal requirements are included on the website, and an appendix to the development code lists all submittal requirements for various types of planning activities. For a subdivision preliminary plat, a map of existing conditions is required with an application and must identify floodplains, topography (including detailed slope analysis), and areas of geologic and wildfire hazards. The development code Section 7.7 is referenced to further

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Dedicated to building a desirable, resilient and safe community

PRELIMINARY PLAT APPLICATION

Review Process
Preliminary plat applications are approved by Planning Commission (PC). Complete applications must be submitted a minimum of 52 days in advance of a PC meeting on which the application may be heard. The Planning Commission may approve, conditionally approve, or disapprove the plat.

Submittal Requirements

- 1. Application Form**
Include the name and address of the current owner. If applicant is not the owner, a statement by the owner consenting to this application must be submitted.
- 2. Application Fee**
\$550 fee plus a development review account (DRA) for technical review with an initial deposit of \$800 or \$1500 for large projects (See page 4 for more information).
- 3. Pre-Application Conference**
A pre-application conference with Planning Division staff is required. The meeting is to define the scope of the project and to alert the subdivider and the Town to any particular circumstances concerning the subdivision property. An informal sketch plan should show total acreage, landowners, land uses, streets, highways, utilities that will service the proposed development, major physical features including drainage ways, and the location of natural hazards.
- 4. Preliminary Plat**
After the pre-application conference, submit 1 copy of the preliminary plat application. See page 2 for submittal requirements and checklists. Within 2 days of receipt of the application, staff will determine if it meets the checklist requirements, is complete and ready for review. After the completeness check, the applicant then must submit an additional 6 copies of the application for agency review.
- 5. Written Materials**
In addition to the preliminary plat, written materials must also be submitted. See page 3 for details.
- 6. Additional Information**
The Community Development Department or Planning Commission may request additional information in order to adequately evaluate the development application. See page 3 for details.

Community Development Department
Frisco Town Hall • 1 Main Street
PO Box 1100 • Frisco, CO 80443
Phone: 970-668-5276 • Fax: 970-668-0677
Email: info@townoffrisco.com
http://www.frisco.gov/officehours
Office Hours: Monday - Friday 9:00 a.m. to 5:00 p.m.

Town of Frisco preliminary plat application submittal requirements information sheet .

Source: Town of Frisco

describe the requirements for mapping those hazards and implementing proper mitigation techniques (*Development Code*, 2015).

ADVANTAGES AND KEY TALKING POINTS

The key benefit to requiring hazard information with development applications is that any issues can be addressed up front, rather than after the project has been through a round of designs. Other benefits include:

- Requiring hazards information with an application submittal makes it clear that minimizing risks to hazards is a priority in the community.
- Benefits property owners over time by reducing potential property damage by minimizing risks to hazards.
- Requiring the applicant to provide evidence of appropriate mitigation relieves staff and local decision-government makers from making judgments that they may not otherwise be trained to make. It also minimizes liability since communities can require evidence to be prepared by licensed professionals (geologists, engineers, foresters, etc.).
- Early identification of potential hazard issues can be dealt with during development review, avoiding awkward opposition during the public hearing process.

CHALLENGES

The amount and type of information required for development applications can be a point of contention among the development community. Developers that work in several jurisdictions are quick to compare the requirements to another community where “development is much easier.” Communities that are relatively demanding with applications may run the risk of discouraging development. Planners should ask themselves whether the required information will be used in the decision-making process and is necessary to adequately make a determination of compliance.

Additionally, technical reports and studies can be expensive to produce, so staff should make sure these are necessary for developments during a pre-submittal process. Applicants should not be expected to make large investments in documenting hazard areas and mitigation techniques before they have a sense of whether the project is viable.

MODEL CODE LANGUAGE AND COMMENTARY

For any type of development project, most communities have standard rules that control the format and contents of applications. For example, communities specify the type and format of plans required, along with the number of copies needed for supporting documents like maps. Applicants must indicate which local code requirements are applicable to their project, and how they meet the criteria for approval. Applications must be accompanied by required fees, proof of ownership, and contain authorized signatures. Application submittal requirements are typically found with each specific procedure in the zoning ordinance. However, they are often

Commentary

located outside the zoning ordinance and included in an administrative manual or on the local government website. That allows staff to update the application submittal requirements without amending the ordinance.

In addition to these general requirements, applications for projects in hazard-prone areas should be required to include additional materials and/or complete additional steps that are tailored to local conditions and the natural hazard being regulated. These may include:

- Attendance at a pre-application meeting;
- Completion of a site visit;
- Preparation of a site-specific natural hazards map;
- Submission of technical reports; and
- Development of a mitigation plan.

The following sections describe each of these elements and provide standard language that can be considered by Colorado local governments. Model language is in blue shading. Commentary is located in *italics* in the column at the right. The model language used in this document is based on several existing ordinances and programs from varying communities around the state, including municipalities and counties. The language is illustrative only; consult local counsel to tailor language for your jurisdiction.

Ideally, submittal requirements should be developed collaboratively by all agencies that will be involved in the ultimate review of the application. Agencies such as the local fire district or flood management agency should be consulted in the initial development of the community's application requirements for projects in hazard-prone areas.

Pre-application Meeting

The language below is a good example of where hazard area maps are called out specifically. This shows the applicant that hazard mitigation and avoidance are critical to the development review process.

A pre-application meeting is required prior to submitting an application for development. Prior to the pre-application meeting, the applicant should consult the official hazard area maps available in the Planning Department to identify any potential hazard areas on the proposed development site.

- A.** The applicant shall submit a brief description of the existing land use of the site and of the proposed land use and an informal sketch of the existing site prior to the pre-

***Pre-Application Meeting:** The pre-application meeting is an important tool to make sure the applicant is aware that natural hazards may affect the subject property and to identify gaps in the hazard-related information currently available in official maps and reports. Not all hazards can be mapped, but those commonly mapped include flood hazards, wildfire hazards, geologic hazards (landslides, rockfall, and subsidence), avalanche areas, fault zones (earthquake), and hazardous material areas. Applicants can also find hazard maps in the Local Hazard Mitigation Plan, or sometimes in the Comprehensive Plan.*

The meeting also is an opportunity for the applicant and staff to discuss the specific local ordinance requirements that will apply to the development.

application meeting. The sketch shall show the total acreage of the site, land owners, land uses, streets, highways, utilities, major physical features (rock outcroppings, drainages, etc.), and the location of natural hazards.

- B.** At the pre-application meeting, planning staff will assist the applicant to determine if a hazard area exists on the property and explain the relevant procedures for review if a hazard area is identified.
- C.** At the pre-application meeting, planning staff will provide the applicant with a list of the documents, maps, and technical reports required for the application.
- D.** Following the pre-application meeting, a site visit may be scheduled for planning staff to meet with the applicant at the proposed development site.

Site Visit

When hazards are identified on a development site, a site visit shall be conducted by planning staff to verify the information on the official hazard maps, review the information required for the application process, and discuss mitigation requirements with the applicant.

Site Visit: *Technical staff knowledgeable in the natural hazard may be referenced and included in a site visit to provide more detailed information about mitigation and requirements.*

Site Natural Hazards Map

For all development proposals or land use activities on a site where a natural hazard is identified at the pre-application meeting and confirmed during the site visit, a site map prepared by a licensed geologist or engineer depicting the extent and severity of all identified natural hazards shall be submitted by the applicant to the Planning Department. The site map shall show the extent and severity of the hazard(s) at the particular site. Maps shall be produced at a scale sufficient to determine the nature, extent and severity of the natural hazard. If needed, cross-sections can be used to portray the hazard conditions.

Technical Specialists Should Prepare Maps: *A professional engineer and/or geologist should prepare all maps and technical reports describing and evaluating natural hazards. It is typical for the type of engineer to be specified in the code (e.g., geotechnical engineer for reports on a geologic hazard area). For wildfire hazard reports, a professional forester is usually required to prepare the documents.*

Technical Reports

The local ordinance should specify the types of technical reports and documentation that are necessary to determine the extent of potentially hazardous conditions on the site, the exposure of the site to off-site hazards that could damage land uses on the site, and the risk of causing damage to adjacent properties because of disturbance to the site. The information contained in such reports should be presented clearly and be based on technical site-specific data and surveys. The report should address the potential effects of the hazards on the

proposed development in terms of risk and potential damage. Below is a generalized example of the type of technical reports that could be required for review of development in a natural hazard area.

Technical reports prepared by professional engineers and/or geologists are required for all development applications on a site in an identified natural hazard area. Reports and studies required to evaluate the development in the context of known natural hazards will be determined by the Planning Director in conjunction with the Building Official and Fire District Official. Technical reports may be forwarded to professional experts for review and recommendation. The following information may be required based on the pre-application meeting, the site characteristics, type of development proposed, surrounding land use, and environmental conditions.

A. Geologic Hazard Report

1. An index map showing the general location of the development area and its relationship to surrounding topographic features.
2. A map showing the location, nature, and density of the proposed development or land use activity. The map should be at a scale sufficiently detailed to meet the objectives to evaluate the scope of the geologic hazard in relation to the development.
3. On-site soils investigation if in a soils hazard area.
4. Geologic hazard map showing geologic, hydrologic, soil, and topographic features relating to the geologic hazard and geologic cross-sections if needed.
5. Site history describing any prior grading, soil instability, or slope failure.
6. A site evaluation explaining all maps and technical data and describing the suitability of the site to accommodate the proposed development or land use activity.

B. Wildfire Hazard Report

1. A map showing the extent and severity of the wildfire hazard at the particular site.
2. A site map showing existing vegetation on the site.
3. A site evaluation describing the potential for wildfire on the site and the potential for wildfire to spread from the site to surrounding property and vegetation.

C. Flood Hazard Report

1. A report detailing all hydrologic and hydraulic calculations used in preparing maps and plans, or an acceptable floodplain study report prepared by a

Technical Reports: Some communities include a list of very specific technical data requirements in the zoning code itself. Another, more common approach is identify technical reports in a general way in the zoning ordinance and remove specific details (such as scale requirements for maps) to an administrative manual, user's guide, or handouts outside the code. This allows the technical specifications to be updated and kept current by staff without having to make frequent ordinance amendments.

Smaller communities with limited staff can work with local subject matter experts or other jurisdictions (such as the County or the Colorado Geologic Survey) to determine whether technical reports should be required as part of a development application.

recognized agency such as the Federal Insurance Administration or Colorado Water Conservation Board (CWCB).

2. Elevation (in relation to mean sea level) of the lowest floor (including basement) of all new and substantially improved structures.
3. Elevation (in relation to mean sea level) to which any nonresidential structure shall be floodproofed.
4. A certificate from a registered Colorado Professional Engineer or architect that the nonresidential floodproofed structure shall meet the floodproofing criteria contained in the development standards section of this code.

Mitigation Plan

A mitigation plan identifies specific recommendations for the development of a site in a natural hazard area to reduce the risk from the identified natural hazard. These may include building construction techniques and building material specifications. They may direct site layout and installation of landscaping and vegetation or other on-site mitigation measures (such as placement of water cisterns in wildfire hazards). Mitigation plans are usually prepared as part of the technical reports described above. The site plan and accompanying development agreements for the proposed development must incorporate the mitigation plan in order for the development to be permitted.

Examples of mitigation plans vary widely by community, by type of hazard, and by type of development. Reviewing authorities frequently require additional site-specific mitigation techniques to be added to a mitigation plan prior to approving the development. Below are two examples of the type of information that could be required in a mitigation plan.

A. Wildfire Hazard Mitigation Plan

When new development or land use activity is proposed within a wildfire hazard area, the applicant shall be required to submit a mitigation plan addressing how the development or subdivision will either avoid or mitigate the hazard, as more fully set forth below.

1. Mitigation plans shall be prepared by a professional forester according to generally accepted wildland-urban interface protection standards.

***Mitigation Plans:** Mitigation plans should be made part of the development approval, either through recordation of the plan or inclusion of the plan requirements in required site plans or development agreements. Or they may end up being included in other approval instruments, such as a condition of approval in a Board of County Commissioners or City Council resolution.*

2. The mitigation plan shall recommend how to design, manage, and maintain the proposed development or land use activity to adequately mitigate wildfire hazard, including any mitigation for construction activities. The plan shall describe how the recommendations reduce wildfire hazard levels.
3. The plan shall address site vegetation as well as existing and proposed on-site structures, access and emergency fire access.
4. Mitigation methods may include, but are not limited to:
 - a. Specific requirements for construction, location and density of structures and lots;
 - b. Provision of defensible space;
 - c. Specific requirements for alteration to the vegetative features of the land; and
 - d. Specific requirements for emergency access and water system capacity.

B. Geologic Hazard Mitigation Plan

When new development or land use activity is proposed within a geologic hazard area, the applicant shall be required to submit a mitigation plan addressing how the development or land use activity will either avoid or mitigate the hazard, as more fully set forth below. Licensed professional engineers and/or geologists who are experienced in the engineering specialty (e.g., soils, slope stability) may submit mitigation plans for steep slope and alluvial soils hazards.

1. The mitigation plan shall be prepared by a professional geologist and shall recommend how to design, manage, and maintain the proposed development or land use activity to adequately mitigate the geologic hazard(s), including any mitigation for construction activities.
2. The plan shall address how the recommendations reduce geologic hazard risks both on and off-site.
3. Alternatives and solutions to abate and/or minimize the adverse geologic hazard conditions on structures, utilities, and roads shall be included in the plan.
4. Mitigation methods may include, but are not limited to:

Other Sources for Mitigation

Information: *If the community does not have adopted mitigation or development standards for natural hazard areas, other recognized sources can be referenced. Several communities rely on standards and guidelines published by the Colorado State Forest Service and Colorado Geological Survey for development standards in wildfire and geologic hazard areas.*

- a. Avoidance of run-out zones in rock fall hazard areas;
- b. Specific requirements for construction, location, density of structures and/or lots;
- c. Specific requirements for construction of roads; and
- d. Specific requirements for grading and alteration to the physical characteristics of the land.
- e. Mitigation techniques recommended by the Colorado Geological Survey and as published in *"Guidelines and Criteria for Identification and Land Use Controls of Geologic Hazard and Mineral Resource Areas, 1974."*

KEY FACTS

Administrative capacity	Minimal experience but good communication about procedures and review requirements will improve quality of submittal documents received
Mapping	Applications may include a general site map showing known hazard areas (e.g., floodplain)
Regulatory requirements	Land use regulations and/or development permits such as building permits
Maintenance	Forms and submission requirements should be updated as new federal, state or local regulations are adopted
Adoption required	Not required but authorizing a responsible agency or department to develop submittal requirements and forms defines authority and minimizes gaps
Statutory reference	N/A
Associated costs	Minimal staff time

EXAMPLES

Town of Estes Park Estes Valley Development Code	municode.com/library/co/estes_valley/codes/development_code?nodeId=CH7. GENERAL DEVELOPMENT STANDARDS S7.7GEWIHAAR Section 7.7
Town of Frisco Flood Hazard Areas and Forms and Permits	friscogov.com/wp-content/uploads/2011/03/TownCode_97-Flood-Hazard-Areas.pdf and friscogov.com/forms-permits

Jefferson County Land Development Regulations	jeffco.us/planning-and-zoning/regulations/land-development-regulation/ Section 25
Larimer County Land Use Code	municode.com/library/co/larimer_county/codes/code_of_ordinances?nodeId=PTIILAUSCO_8.0STALDE Section 8.3.8
Summit County Zoning Regulations	co.summit.co.us/DocumentCenter/Home/View/59 Section 4204.02
