



COMMUNITY AND ECONOMIC DEVELOPMENT

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# Major Modification

Major modifications are intended to allow for flexibility to make modifications without requiring a variance from the Board of Adjustment. The major modification procedure is not intended to serve as a waiver of current standards of the LDC or to circumvent the variance procedure. The major modification is intended for modifications that otherwise would not satisfy the approval criteria of a variance nor could be approved through the minor modification process.

## Overview

A major modification request is generally: 1) a deviation of more than 20 percent of any numeric requirement set out in Chapter 2, Zoning Districts, Chapter 4, Environmental and Site Design or Chapter 5, Building Design or 2) a modification of any regulation set out in Division 3-1-3, Use-Specific Standards for Primary Land Use. Prior to the submittal of an application for a major modification, a neighborhood meeting is required. A public hearing in front of the Planning Commission and approval from the City Council is required.

## Submittal Requirements

	<b>ITEMS TO BE INCLUDED AT FIRST SUBMITTAL TO PREVENT DELAY OF THE REVIEW PROCESS</b>
	<b>Title Insurance Commitment</b> – development submittal must be within 6 months of the effective date on policy. Highlighted Reception Numbers need to be accessible through the links.
	<b>Legal Description</b> - Metes and Bounds or Lots, Blocks, and Tracts, within specific subdivision and Reception Number thereof. Include Quarter Section, Section, Township, Range, Principal Meridian, City, County, State. Include square footage and acreage.
	<b>Concept Plan</b> - A conceptual site plan showing the proposed layout of the site including: building footprint/s, parking and drive aisles, landscape area, existing and proposed roadways, and other site details needed to demonstrate the modification being requested.
	<b>ADDITIONAL ITEMS MAY BE REQUESTED AFTER THE PRE-APPLICATION MEETING</b>

# Approval Criteria

Major modifications may be approved by the Decision-Making Body only upon a finding that all of the following criteria are met:

1. The requested modification is consistent with the Comprehensive Plan and the stated purpose of the applicable zoning district;
2. The requested modification addresses a unique situation or incorporates creative site design;
3. The requested modification will not result in incompatible development;
4. The requested modification will have no significant adverse impact on the health, safety or general welfare of surrounding property owners or the general public; and
5. Any adverse impacts resulting from the modification will be mitigated to the extent reasonably feasible