

## Arvada LDC Update – DRAFT Code Module 3

### Decision Making Track by Application Type

<b>Table 4-3-2-2.A.: Decision-Making Tracks</b>					
Track	Decision-Maker	Public Hearing	Public Outreach		Administrative Appeal To
			Neighborhood Meeting	Notice	
<b>Track 1</b>	Director <sup>1</sup>	No	No <sup>3</sup>	No	Planning Commission
<b>Track 2</b>	Director <sup>2</sup>	Planning Commission	Yes	Yes	City Council
<b>Track 3</b>	Planning Commission	Planning Commission	Yes	Yes	City Council
<b>Track 4</b>	City Council	City Council	No	Yes	N/A
<b>Track 5</b>	City Council	Planning Commission; City Council	Yes	Yes	N/A
<b>Track 6</b>	Floodplain Administrator	Floodplain Administrator	No	Yes	Floodplain Hearing Officer
<b>Track 7</b>	Board of Adjustment	Board of Adjustment	No	Yes	N/A

Table Note:

<sup>1</sup> For Public Improvements Construction Drawings for private development, and is not appealable to the Planning Commission; for Floodplain Development Permits, the decision is by the Floodplain Administrator, and is appealable to the Floodplain Hearing Officer; for Revocable Right-of-Way License Agreements, the decision is by the City Manager in consultation with the Director, and is not appealable.

<sup>2</sup> Planning Commission fact-finding is not advisory. Director must issue decision on facts found by Planning Commission as to application's compliance with the applicable standards of this LDC.

<sup>3</sup> At the discretion of the Director, a neighborhood meeting may be required to inform residents of the proposed development in their neighborhood.

**Table 4-3-2-2.B.: Decision-Making Track by Application Type**

Application Type	Required For	Exceptions	Reference	Decision-Making Track	Submittal Type
<b>1. Annexation, Zoning, and Rezoning</b>					
<b>Annexation</b>	Annexing property into the City	N/A	Division 4-4-2, Annexation and Disconnection	Track 5 <sup>1</sup>	Project
<b>Disconnection</b>	Removing property from the City limits	N/A	Division 4-4-2, Annexation and Disconnection	Track 5 <sup>1</sup>	Project
<b>Zoning or Rezoning</b>	Changing the zoning designation of land within the City or establishing initial zoning for land being annexed into the City	N/A	Division 4-4-3, Zoning and Rezoning	Track 5	Project
<b>2. Land Use</b>					
<b>Limited Use</b>	Establishing a limited use	N/A	Division 2-2-3, Use-Specific Standards, as applicable to the use	Track 1	Project
<b>Conditional Use</b>	Establishing a conditional use	N/A	Division 2-2-3, Use-Specific Standards, as applicable to the use; and Sec. 2-2-3-2, Standards Applicable to All Conditional Uses	Track 5	Project
<b>Temporary Use / Special Event</b>	Commencing / conducting certain temporary uses on a subject property	N/A	Division 2-2-4, Temporary Uses, as applicable to the temporary use or special event	Track 1	Permit
<b>3. Certificate of Compliance, Site Plans and Site Development</b>					
<b>Certification of Compliance with Design Guidelines or Certification of Waiver from Design Guidelines</b>	Verifying compliance with or waiver from applicable Design Guidelines, if the subject property is located in an area that is subject to Design Guidelines (e.g., Olde Town or Reno Park)	As provided in the applicable design guidelines document 4-4-4.2B2; see Appendix A: Design Guidelines for Olde Town Arvada; and Appendix B: Reno Park Addition Design Guidelines	Applicable design guidelines document; see Appendix A: Design Guidelines for Olde Town Arvada; and Appendix B: Reno Park Addition Design Guidelines	Track 1, if not processed with another application type; otherwise same track as related application. See Sec. 4-4-4-2, Certificate of Compliance with or Waiver from Design Guidelines	Project
<b>Site Plan</b>	Establishing or modifying the physical layout of a subject property, including infrastructure, development and architectural standards, parking and loading, landscaping, lighting, grading, drainage, detached sign locations, major structure footprints, and building footprints	Single-family detached and duplex housing types on individual lots Accessory dwelling units and accessory buildings	Applicable provisions of Chapter 2, Zoning Districts, Land Use, Buildings, and Structures; Chapter 3, Site Design and Environmental Quality; and Chapter 4, Nonconformities, Development Review Process, and Enforcement	Track 1	Project
<b>Floodplain Map Amendment</b>	Changing the boundaries of a special flood hazard area	N/A	As provided by federal regulation	As provided by federal regulation	As provided by federal regulation
<b>Floodplain Development Permit</b>	Authorizing development within the floodplain or floodway	N/A	Applicable provisions of Division 3-5-3, Floodplain Regulations; and TBD	Track 6 (see footnote 1 of Table 4-3-2-2.A., above)	Permit
<b>Miscellaneous Structure</b>	Authorizing the construction or installation	Mini-structures less than 220		Track 1	Permit

**Table 4-3-2-2.B.: Decision-Making Track by Application Type**

Application Type	Required For	Exceptions	Reference	Decision-Making Track	Submittal Type
<b>Permit</b>	of fences, walls, decks, retaining walls, garden walls, or sheds	square feet combined			
<b>Revocable Right-of-Way License Agreement</b>	Authorizing encroachments within public rights-of-way (e.g., signs, outdoor dining areas, etc.)	Temporary structures that are approved by Temporary Use or Special Event Permits	Section 4-4-4-5, Revocable Right-of-Way License Agreements	Track 4	Project
<b>4. Wireless Telecommunications Facilities</b>					
<b>Wireless Facilities Permit</b>	Authorizing the co-location of wireless communications facilities; authorizing small-cell facilities in the Right-of-Way	N/A	Article 2-5, Wireless Communications Facilities; and Division 4-4-5, Wireless Communications Facilities	Track 1, as modified by Division 4-4-5, Wireless Communications Facilities	Project
<b>Wireless Communications Facility</b>	Authorizing the installation of a new wireless communications facility on private property	N/A	Article 2-5, Wireless Communications Facilities; and Division 4-4-5, Wireless Communications Facilities	Track 1, as modified by Division 4-4-5, Wireless Communications Facilities	Project
<b>New Free-standing Towers</b>	Authorizing the new installation of a wireless communications tower in the Right-of-Way	N/A	Article 2-5, Wireless Communications Facilities; and Division 4-4-5, Wireless Communications Facilities	Track 4, as modified by Division 4-4-5, Wireless Communications Facilities	Project
<b>5. Signs</b>					
<b>Sign Permit</b>	Installing or displaying a sign (may also require Certification of Compliance with Design Guidelines)	Exceptions and exemptions listed in Sec. 2-4-2-2, Exemptions and Partial Exemptions; and Sec. 2-4-2-3, Permit Exceptions	Article 2-4, Signs, or an approved alternative sign program; Sec. 4-4-6-1, Sign Permits	Track 1	Permit
<b>Alternative Sign Program</b>	Establishing a specific signage program for a particular subject property or development, which may modify some of the standards of Article 2-4, Signs	N/A	Article 2-4, Signs; Sec. 4-4-6-2, Alternative Sign Programs	Track 2	Project
<b>6. Subdivisions, Plats, and Vacations</b>					
<b>Major Subdivision Concept Plan</b>	Providing the City with a generalized land use plan and layout for the area proposed to be included within a subdivision	This review process is available at the applicant's option	Applicable standards of Division 2-1-3, Zoning Districts and Bulk Standards; Division 2-1-4, Housing Palette; Article 2-3, Lots, Buildings, and Structures; Chapter 3, Site Design and Environmental Quality; and Article 4-1, Nonconformities	Track 1	Project
<b>Major Subdivision Preliminary Plat</b>	Establishing the general layout of lots, streets, utilities, and open spaces within a subdivision, prior to approval of a major subdivision final plat	Subdivisions that include 10 or more new lots or tracts	Applicable standards of Division 2-1-3, Zoning Districts and Bulk Standards; Division 2-1-4, Housing Palette; Article 2-3, Lots, Buildings, and Structures; Chapter 3, Site Design and Environmental Quality; and Article 4-1, Nonconformities	Track 5	Project

**Table 4-3-2-2.B.: Decision-Making Track by Application Type**

Application Type	Required For	Exceptions	Reference	Decision-Making Track	Submittal Type
<b>Major Subdivision Final Plat</b>	Establishing the specific layout of the lots, tracts, streets, alleys, and easements within a subdivision	Subdivisions that include 10 or more new lots or tracts	Applicable standards of Division 2-1-3, Zoning Districts and Bulk Standards; Division 2-1-4, Housing Palette; Article 2-3, Lots, Buildings, and Structures; Chapter 3, Site Design and Environmental Quality; and Article 4-1, Nonconformities	Track 1	Project
<b>Minor Subdivision Final Plat</b>	Establishing the specific layout of the lots, tracts, streets, alleys, and easements within a subdivision that includes 9 or less new lots or tracts	N/A	Applicable standards of Division 2-1-3, Zoning Districts and Bulk Standards; Division 2-1-4, Housing Palette; Article 2-3, Lots, Buildings, and Structures; Chapter 3, Site Design and Environmental Quality; and Article 4-1, Nonconformities	Track 1	Project
<b>Vacation of Right-of-Way</b>	Extinguishing Right-of-Way that is held by and in use by the City	N/A	Division 4-4-8, Vacation or Termination of Plats or Easements	Track 5	Project
<b>Vacation of Easement</b>	Extinguishing an easement that is held by but not in use by the City	N/A	Division 4-4-8, Vacation or Termination of Plats or Easements	Track 1 (see footnote 3 of Table 4-3-2-2.A., above)	Project
<b>7. Infrastructure Development and Public Improvements</b>					
<b>Public Improvement Construction Drawings</b>	Approving construction drawings for wastewater, water, stormwater, street, and landscaping improvements	Landscaping on individual lots used for single-family detached and duplex housing types	Engineering Code of Standards and Specifications; Article 3-3, Landscaping and Buffering	Track 1 (see footnote 1 of Table 4-3-2-2.A., above)	Project
<b>Development Agreement</b>	Setting out the timing and terms for the installation of public and private improvements, and providing for security to ensure that the improvements are constructed and warranted			Track 1	Project
<b>Formation of Reimbursement Assessment District</b>	Creating reimbursement assessment districts for financing public improvements	Development that does not require a reimbursement assessment district, as determined by the applicant		Track 4	Project
<b>Out of City Utility Request</b>	Utility Service where prior agreements for areas or districts to provide utility services	NA		Track 5	Project
<b>8. Planned Unit Developments</b>					
<b>PUD Sketch Plan</b>	Providing the City with an early, informal, and generalized land use/site plan for the area proposed to be included within a PUD	This review process is available at the applicant's options	Division 4-4-9, Planned Unit Development	Track 5	Project
<b>PUD Preliminary and Final Development Plans (PDP &amp; FDP)</b>	Establishing the specific plan for development and construction plans within a PUD (or phase of a PUD); may run concurrently with preliminary plat		Division 4-4-9, Planned Unit Development	Track 5	Project

<b>Table 4-3-2-2.B.: Decision-Making Track by Application Type</b>					
<b>Application Type</b>	<b>Required For</b>	<b>Exceptions</b>	<b>Reference</b>	<b>Decision-Making Track</b>	<b>Submittal Type</b>
	application				
<b>9. Interpretations, Variances, Modifications, Exceptions, and Conversions</b>					
<b>Administrative Minor Modifications</b>	Authorizing a minor variation to the standards of this LDC	N/A	Sec. 4-4-10-1, Administrative Minor Modifications	Track 1	Project
<b>Reasonable Accommodations</b>	Authorizing a minor variation to the standards of this LDC	NA	Sec. 4-4-10-4, Reasonable Accommodations	Track 1	Project
<b>Official Interpretations</b>	Providing an official written interpretation of the provisions of this LDC	N/A	Sec. 4-4-10-2, Official Interpretations	Track 1	Project
<b>Height Exception</b>	To exceed building or structure height standards in the LDC	N/A		Track 5	Project
<b>Variance or Exception to Standards</b>	Authorizing a departure from the strict application of the standards in the LDC	Where other methods exist for authorizing the modification, such as an administrative minor modification, floodplain variance; or where standards are statutory requirements (e.g., state-mandated subdivision monumentation standards)	Sec. 4-4-10-5, Variances	Track 7	Project
<b>Floodplain Variance</b>	Authorizing a departure from the strict application of Division 3-5-3, Floodplain Regulations	N/A		Track 6	Project
<b>10. Vested Rights</b>					
<b>Early Vested Rights</b>	Obtaining vested rights prior to the approval of a site-specific development plan	N/A		Track 4	Project
<b>Vested Rights (and Extension)</b>	Obtaining vested rights in accordance with Article 68 of Title 24, C.R.S., as amended	N/A	Sec. 4-4-11-2, Vested Rights	Track 4	Project
<b>11. Amendments and Terminations</b>					
<b>Annexation Agreement Amendment</b>	Amending an annexation agreement	N/A		Track 4	Project
<b>Major Comprehensive Plan Amendment</b>	Amending text or Future Land Use Map, where amendment does not fall within the category of "minor"	N/A		Track 5	Project
<b>Minor Comprehensive Plan Amendment</b>	Correcting obvious errors (either text or mapping), and updating outdated data without changing policy	N/A		Track 1	Project
<b>Major LDC Amendment</b>	Changing procedures or standards in the LDC, where amendment does not fall within the category of "minor"	N/A		Track 5	Project
<b>Minor LDC Amendment</b>	Correcting non-substantive clerical or formatting errors in the LDC text or maps,	N/A		Track 1	Product

**Table 4-3-2-2.B.: Decision-Making Track by Application Type**

Application Type	Required For	Exceptions	Reference	Decision-Making Track	Submittal Type
	or adding or correcting illustrations				
<b>Abandonment of Development Approval</b>	Terminating a development approval without a replacement development approval			Track 1 if development never commenced and there is no development agreement	Project
<b>12. Administrative Appeals</b>					
<b>Appeal of Director Decision</b>	Obtaining administrative relief from an incorrect decision of the Director	N/A	Division 4-3-5, Administrative Appeals	Track 1 (Administrative Appeal)	Project
<b>Appeal of Planning Commission Decision</b>	To obtain administrative relief from an incorrect decision of the Planning Commission	N/A	Division 4-3-5, Administrative Appeals	Track 2 (Administrative Appeal)	Project
Table Note: <sup>1</sup> As modified by Colorado law pertaining to annexation and disconnection.					