

C. NOTICE

Sec. 21-3180. Required Notice

Notice shall be provided in accordance with the following table:

Table III-1. Notice Requirement

Application	Mail	Publication	Placard
Annexations		X	
Appeals	X	X	X
Comprehensive Plan Amendments	X	X	X
Conditional Use Permits	X	X	X
Consolidation Plats	X ²	X ²	X ²
Final Plats	X ²	X ²	X ²
Height Exceptions	X	X	X
Oil and Gas Permits	X ³	X	X
PUD Zone Documents / Zone Document Amendments	X ¹	X	X ¹
Rezoning or Zone Changes	X ¹	X	X ¹
Use-by-Permits	X	X	X
Vacations – Active rights-of-way or easements only	X	X	X
Variances	X	X	X
Vested Property Rights / Site Specific Development Plans	X	X	X

¹ Placards and mailed notification shall not be required when an amendment to the official zoning map is initiated by the city and affects multiple owners.

² When a plat is initiated by the city and affects city-owned land, no notice shall be required.

³ Mailed notice shall be a minimum of 2500 feet from the affected parcel(s)

Section amended by Ord. 1891, August 2012

Sec. 21-3200. Required Review

Applications shall be reviewed in accordance with the processes and standards set forth in this land development code. Table III-2, Development Review Table, establishes the review steps required for specific forms of site development.

Table III-2. Development Review Table

APPLICATION TYPES	REQUIRED REVIEWS					REFERENCE	LAPSE PERIOD
	Staff	DRT	PC	CC	BOA		
Administrative Applications							
Building and Sign Permits	R	R ¹			H ³	§ 21-3210	6 months
Concept Plans	R	R				§ 21-3211	n/a
Development Plans	R	R	H ¹	H ¹		§ 21-3212	2 years
Floodplain Development Permits	R	R ²			H ¹	§ 21-3213	2 years
Grading Permits	R				H ¹	§21-3214	30 days

**Article III – Development Review
Sec. 21-3200. Required Review**

APPLICATION TYPES	REQUIRED REVIEWS					REFERENCE	LAPSE PERIOD
	Staff	DRT	PC	CC	BOA		
Administrative Applications							
Minor Modifications	R	R ¹			H ¹	§ 21-3215	1 year
Oil and Gas Permits	R	R	H ¹	H ¹		§ 21-3216	6 months
Temporary Use Permits	R	R ¹			H ¹	§ 21-3217	§ 21-3217
Applications Requiring BOA Approval							
Height Exceptions	R	R			H	§ 21-3220	3 years
Uses-by-Permit	R	R			H	§ 21-3221	2 years
Variances	R	R			H	§ 21-3222	1 year
Applications Requiring Approval by City Council							
Annexations	R	R	H ¹	H		Division III-	n/a
Comprehensive Plan Amendments	R	R	H	H		§ 21-2110	n/a
Conditional Use Permits	R	R	H	H		§ 21-3230	2 years
Model and Elevation Review	R	R ¹	R ¹	R ¹		§ 21-3231	90 days
Rezoning or Zone Changes	R	R	H	H		§ 21-3232	n/a
Vacation of Rights-of-Way	R	R	H	H		§ 21-3233	60 days
Vested Property Right/Site Specific Development Plans	R	R	H	H		§ 21-3234	3 years
Developments with Multiple Steps							
<u>Planned Unit Development (PUD)</u>							
Concept Schematics	R	R	H ¹			§ 21-3250	n/a
Zone Documents/Amendments	R	R	H	H		§ 21-3251	n/a
Development Permits	R	R	H ¹	H ¹		§ 21-3252	2 years
<u>Subdivisions</u>							
Consolidation Plats	R	R	H ²	H ²		§ 21-3243	60 days
Lot Line Adjustments	R	R ¹	H ¹	H ¹		§ 21-3244	60 days
Plat Corrections and Revisions	R	R ¹	H ¹	H ¹		§ 21-3242	60 days
Sketch Plats	R	R				§ 21-3240	n/a
Final Plats (administrative)	R	R	H ²	H ²		§ 21-3241	60 days
Final Plats (public hearing required)	R	R	H	H		§ 21-3241	60 days

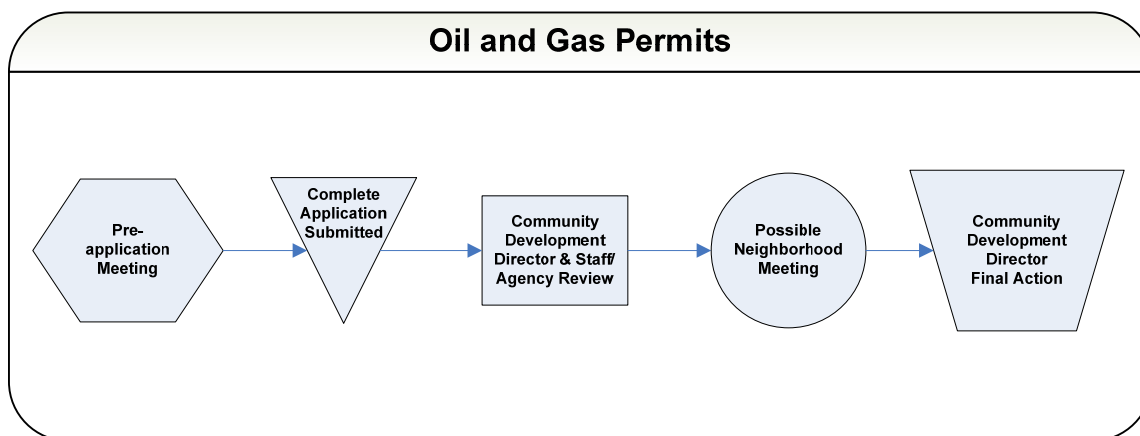
Key	
<i>PC</i>	<i>Planning Commission</i>
<i>CC</i>	<i>City Council</i>
<i>BOA</i>	<i>Board of Adjustment</i>
<i>DRT</i>	<i>Development Review Team</i>
<i>H</i>	<i>Public Hearing</i>
<i>H¹</i>	<i>Hearing upon appeal from staff decision or from director or city council request</i>
<i>H²</i>	<i>Hearing upon appeal from staff decision or by request of director, city council, or public</i>
<i>H³</i>	<i>Hearing on appeal of zoning related matters. Appeals related to building matters are heard by the board of building appeals.</i>
<i>R</i>	<i>Review</i>
<i>R¹</i>	<i>Review requested by director</i>
<i>R²</i>	<i>Review requested by floodplain administrator</i>

Section amended by Ord. 1891, August 2012

Sec. 21-3216. Oil and Gas Permits

- (1) **Description.** An Oil and Gas Permit allows the permit holder to undertake construction of an oil and gas project. The review of such permit is intended to ensure compliance with this land development code.
- (1) **Requirement.** Unless specifically allowed by the director, no building permit shall be issued, and therefore no development, excavation, site preparation, or construction activity, including tree/vegetation removal or grading, shall occur on any property until an Oil and Gas Permit has been approved in accordance with this section.
- (2) **Review.** The Director and the DRT review Oil and Gas Permits. The Director is authorized to approve, approve with conditions, or deny Oil and Gas Permits based on the criteria below.

Figure III-6. Oil and Gas Permits



- (3) **Approval Criteria.** An Oil and Gas Permit may be approved if the application submitted by the Operator conforms to the following requirements:
 - (a) The Operator has submitted the appropriate and complete application form and submitted the required application fee to the City as set forth in this Code.
 - (a) The Operator has submitted the required information acceptable to the City sufficient to meet the requirements set forth in this Code.
 - (b) The Operator has entered into an Extraction Agreement as set forth in this Code.
 - (c) The Operator has provided information acceptable to the City sufficient to demonstrate that it will meet the requirements regarding compliance with the General Standards as set forth in this Code.

- (d) The Operator has provided information acceptable to the City sufficient to demonstrate that it will meet the requirements regarding Site Development as set forth in this Code.
 - (e) The Operator has provided information acceptable to the City sufficient to demonstrate that it will meet the requirements regarding Odor/Dust Containment as set forth in this Code.
 - (f) The Operator has provided information acceptable to the City sufficient to demonstrate that it will meet the requirements regarding Noise Impacts as set forth in this Code.
 - (g) The Operator has met or has demonstrated that it will meet the requirements regarding traffic acceptable to the City Engineer as set forth in this Code.
 - (h) The Operator has provided sufficient information acceptable to the City to meet the Financial Assurances set forth in this Code.
- (4) **Terms of Approval.** Terms and Conditions of the Oil and Gas Permit.
- (a) The term of the Oil and Gas Permit shall be coterminous with the length of any state permit issued by the COGCC allowing Operations on the Site that is the subject of the City's permit. Any extension of a permit granted by the COGCC shall automatically result in a similar extension of the term of the Oil and Gas Permit.
 - (b) The granting of an Oil and Gas Permit shall not relieve the Operator from complying with all applicable regulatory requirements of the City, the state of Colorado, or the United States.
 - (c) The Oil and Gas Permit shall expire upon abandonment and reclamation of the permitted Operation.
 - (d) The Oil and Gas Permit and/or existing use site plan required by this Code is in addition to any permit that may be required by any other provision of this Code, or by any other governmental agency.
 - (e) By accepting an Oil and Gas Permit, the Operator expressly stipulates and agrees to be bound by and comply with the provisions of this Code and any subsequent amendments thereto as set forth therein.
- (5) **Lapse/Permit Period.** If construction of a structure is required, an Oil and Gas Permit shall lapse unless a City building permit has been issued and construction diligently pursued within two (2) years of approval or at such alternative time

specified in the approval. In the event no new structure is required for the operation, the Oil and Gas Permit shall lapse if the Operation is not commenced within 180 days of the approval. In addition, an Oil and Gas Permit shall automatically lapse and have no further effect if the use is discontinued for 180-consecutive days.

Section added by Ord. 1891, August 2012