

CITY OF ASPEN COMMUNITY DEVELOPMENT DEPARTMENT

GENERAL LAND USE APPLICATION PACKET



THE CITY OF ASPEN

Attached is an Application for review of Development that requires Land Use Review pursuant to the City of Aspen Land Use Code. Included in this package are the following attachments:

1. Development Application Fee Policy, Fee Schedule and Agreement for Payment Form
2. Land Use Application Form
3. Dimensional Requirements Form
4. Matrix of Land Use Application Requirements/Submittal Requirements Key
5. General Summary of Your Application Process
6. Public Hearing Notice Requirements
7. Affidavit of Notice

All applications are reviewed based on the criteria established in Title 26 of the Aspen Municipal Code. Title 26 of the Aspen Municipal Code is available at the City Clerk's Office on the second floor of City Hall and on the internet at www.aspenpitkin.com, City Departments, City Clerk, Municipal Code, and search Title 26.

We strongly encourage all applicants to hold a pre-application conference with a Planner in the Community Development Department so that the requirements for submitting a complete application can be fully described. Also, depending upon the complexity of the development proposed, submitting one copy of the development application to the Case Planner to determine accuracy, insufficiencies, or redundancies can reduce the overall cost of materials and Staff time.

Please recognize that review of these materials does not substitute for a complete review of the Aspen Land Use Regulations. While this application package attempts to summarize the key provisions of the Code as they apply to your type of development, it cannot possibly replicate the detail or the scope of the Code. If you have questions which are not answered by the materials in this package, we suggest that you contact the staff member assigned to your case or consult the applicable sections of the Aspen Land Use Regulations.



Land Use Review Fee Policy

The City of Aspen has established a review fee policy for the processing of land use applications. A flat fee or deposit is collected for land use applications based on the type of application submitted.

A flat fee is collected by Community Development for applications which normally take a minimal and predictable amount of staff time to process. Review fees for other City departments reviewing the application (referral departments) will also be collected when necessary. Flat fees are cumulative – meaning an application with multiple flat fees must pay the sum of those flat fees. Flat fees are not refundable.

A review fee deposit is collected by Community Development when more extensive staff review is required. Actual staff time spent will be charged against the deposit. Various City staff may also charge their time spent on the case in addition to the case planner. Deposit amounts may be reduced if, in the opinion of the Community Development Director, the project is expected to take significantly less time to process than the deposit indicates. A determination on the deposit amount shall be made during the pre-application conference by the case planner. Hourly billing shall still apply.

All applications must include an Agreement to Pay Application Fees. One payment including the deposit for Planning and referral agency fees must be submitted with each land use application, made payable to the City of Aspen. Applications will not be accepted for processing without the required application fee.

The Community Development Department shall keep an accurate record of the actual time required for the processing of a land use application requiring a deposit. The City can provide a summary report of fees due at the applicant's request. The applicant will be billed for the additional costs incurred by the City when the processing of an application by the Community Development Department takes more time or expense than is covered by the deposit. Any direct costs attributable to a project review shall be billed to the applicant with no additional administrative charge. In the event the processing of an application takes less time than provided for by the deposit, the department shall refund the unused portion of the deposited fee to the applicant. Fees shall be due regardless of whether an applicant receives approval.

Unless otherwise combined by the Director for simplicity of billing, all applications for conceptual, final, and recordation of approval documents shall be handled as individual cases for the purposes of billing. Upon conceptual approval all billing shall be reconciled and all past due invoices shall be paid prior to the Director accepting an application for final review. Final review shall require a new deposit at the rate in effect at the time of final application submission. Upon final approval all billing shall again be reconciled prior to the Director accepting an application for review of technical documents for recordation.

The Community Development Director may cease processing of a land use application for which an unpaid invoice is 30 or more days past due. Unpaid invoices of 90 or more days past due may be assessed a late fee of 1.75% per month. An unpaid invoice of 120 days or more may be subject to additional actions as may be assigned by the Municipal Court Judge. All payment information is public domain.

All invoices shall be paid prior to issuance of a Development Order or recordation of development agreements and plats. The City will not accept a building permit for a property until all invoices are paid in full. For permits already accepted, an unpaid invoice of 90 or more days may result in cessation of building permit processing or issuance of a stop work order until full payment is made.

The property owner of record is the party responsible for payment of all costs associated with a land use application for the property. Any secondary agreement between a property owner and an applicant representing the owner (e.g. a contract purchaser) regarding payment of fees is solely between those private parties.



Agreement to Pay Application Fees

An agreement between the City of Aspen ("City") and

Property Owner ("I"):	Phone No.:
Address of Property: (subject of application)	Email: Billing Address: (send bills here)

I understand that the City has adopted, via Ordinance No. , Series of 2011, review fees for Land Use applications and the payment of these fees is a condition precedent to determining application completeness. I understand that as the property owner that I am responsible for paying all fees for this development application.

For flat fees and referral fees: I agree to pay the following fees for the services indicated. I understand that these flat fees are non-refundable.

\$ _____ flat fee for _____ . \$ _____ flat fee for _____ .

\$ _____ flat fee for _____ . \$ _____ flat fee for _____ .

For deposit cases only: The City and I understand that because of the size, nature or scope of the proposed project, it is not possible at this time to know the full extent or total costs involved in processing the application. I understand that additional costs over and above the deposit may accrue. I understand and agree that it is impracticable for City staff to complete processing, review, and presentation of sufficient information to enable legally required findings to be made for project consideration, unless invoices are paid in full.

The City and I understand and agree that invoices mailed by the City to the above listed billing address and not returned to the City shall be considered by the City as being received by me. I agree to remit payment within 30 days of presentation of an invoice by the City for such services.

I have read, understood, and agree to the Land Use Review Fee Policy including consequences for non-payment. I agree to pay the following initial deposit amounts for the specified hours of staff time. I understand that payment of a deposit does not render an application complete or compliant with approval criteria. If actual recorded costs exceed the initial deposit, I agree to pay additional monthly billings to the City to reimburse the City for the processing of my application at the hourly rates hereinafter stated.

\$ _____ deposit for _____ hours of Community Development Department staff time. Additional time above the deposit amount will be billed at \$315 per hour.

\$ _____ deposit for _____ hours of Engineering Department staff time. Additional time above the deposit amount will be billed at \$265 per hour.

City of Aspen:

Property Owner:

Chris Bendon
Community Development Director

Name: _____

City Use: Fees Due: \$ _____ Received: \$ _____

Title: _____

ATTACHMENT 2 –LAND USE APPLICATION

PROJECT:

Name:	_____
Location:	_____
Parcel ID # (REQUIRED)	(Indicate street address, lot & block number, legal description where appropriate)

APPLICANT:

Name:	_____
Address:	_____
Phone #:	_____

REPRESENTATIVE:

Name:	_____
Address:	_____
Phone #:	_____

TYPE OF APPLICATION: (please check all that apply):

<input type="checkbox"/> GMQS Exemption	<input type="checkbox"/> Conceptual PUD	<input type="checkbox"/> Temporary Use
<input type="checkbox"/> GMQS Allotment	<input type="checkbox"/> Final PUD (& PUD Amendment)	<input type="checkbox"/> Text/Map Amendment
<input type="checkbox"/> Special Review	<input type="checkbox"/> Subdivision	<input type="checkbox"/> Conceptual SPA
<input type="checkbox"/> ESA – 8040 Greenline, Stream Margin, Hallam Lake Bluff, Mountain View Plane	<input type="checkbox"/> Subdivision Exemption (includes condominiumization)	<input type="checkbox"/> Final SPA (& SPA Amendment)
<input type="checkbox"/> Commercial Design Review	<input type="checkbox"/> Lot Split	<input type="checkbox"/> Small Lodge Conversion/Expansion
<input type="checkbox"/> Residential Design Variance	<input type="checkbox"/> Lot Line Adjustment	<input type="checkbox"/> Other:
<input type="checkbox"/> Conditional Use		

EXISTING CONDITIONS: (description of existing buildings, uses, previous approvals, etc.)

PROPOSAL: (description of proposed buildings, uses, modifications, etc.)

Have you attached the following?

FEE DUE: \$ _____

- Pre-Application Conference Summary
- Attachment #1, Signed Fee Agreement
- Response to Attachment #3, Dimensional Requirements Form
- Response to Attachment #4, Submittal Requirements- Including Written Responses to Review Standards
- 3-D Model for large project

All plans that are larger than 8.5" X 11" must be folded. A disk with an electric copy of all written text (Microsoft Word Format) must be submitted as part of the application. Large scale projects should include an electronic 3-D model. Your pre-application conference summary will indicate if you must submit a 3-D model.

**ATTACHMENT 3
DIMENSIONAL REQUIREMENTS FORM**

Project: _____
Applicant: _____
Location: _____
Zone District: _____
Lot Size: _____
Lot Area: _____

(for the purposes of calculating Floor Area, Lot Area may be reduced for areas within the high water mark, easements, and steep slopes. Please refer to the definition of Lot Area in the Municipal Code.)

Commercial net leasable: *Existing:* _____ *Proposed:* _____
Number of residential units: *Existing:* _____ *Proposed:* _____
Number of bedrooms: *Existing:* _____ *Proposed:* _____

Proposed % of demolition (Historic properties only): _____

DIMENSIONS:

Floor Area: *Existing:* _____ *Allowable:* _____ *Proposed:* _____
Principal bldg. height: *Existing:* _____ *Allowable:* _____ *Proposed:* _____
Access. bldg. height: *Existing:* _____ *Allowable:* _____ *Proposed:* _____
On-Site parking: *Existing:* _____ *Required:* _____ *Proposed:* _____
% Site coverage: *Existing:* _____ *Required:* _____ *Proposed:* _____
% Open Space: *Existing:* _____ *Required:* _____ *Proposed:* _____
Front Setback: *Existing:* _____ *Required:* _____ *Proposed:* _____
Rear Setback: *Existing:* _____ *Required:* _____ *Proposed:* _____
Combined F/R: *Existing:* _____ *Required:* _____ *Proposed:* _____
Side Setback: *Existing:* _____ *Required:* _____ *Proposed:* _____
Side Setback: *Existing:* _____ *Required:* _____ *Proposed:* _____
Combined Sides: *Existing:* _____ *Required:* _____ *Proposed:* _____
Distance Between Buildings *Existing* _____ *Required:* _____ *Proposed:* _____

Existing non-conformities or encroachments: _____

Variations requested: _____

ATTACHMENT 4- MATRIX OF LAND USE APPLICATION REQUIREMENTS

For application requirements, refer to the numbers in the in second column. These numbers correspond to the key on page 9. For multiple reviews, do not duplicate information. All application materials must be complete and submitted in collated packets. All drawings must include an accurate graphic scale

Type of Review	App. Submission Requirements (See key on page 9.)	Process Type (See Process Description in Att.5)	Number of Required Submittal Packets
8040 GREENLINE REVIEW	1-7, 8-10,35	P & Z	10
8040 GREENLINE EXEMPTION	1-7, 8-10, 35	ADMINISTRATIVE REVIEW	2
STREAM MARGIN REVIEW	1-7, 8, 10, 11, 12, 35	P & Z OR ADMINISTRATIVE (Based on Location)	2 for 0 Admin., 10 for P & Z
STREAM MARGIN EXEMPTION	1-7, 8, 10, 11, 12, 35	ADMINISTRATIVE REVIEW	2
HALLAM LAKE BLUFF REVIEW	1-7, 13, 14, 35	P & Z	10
MOUNTAIN VIEW PLANE	1-7, 15, 16, 35	P & Z	10
CONDITIONAL USE	1-7, 9, 17	P & Z	10
SPECIAL REVIEW*	1-7, Additional Submission Req. depend on nature of the Special Review Request.	P & Z	10
SUBDIVISION	1-7, 18, 19, 20, 21, 35	P & Z, AND CITY COUNCIL	20
EXEMPT SUBDIVISION	1-7, 18, 19, 20, 21, 35	CITY COUNCIL	10
LOT LINE ADJUSTMENT	1-7, 22	ADMINISTRATIVE REVIEW	2
LOT SPLIT	1-7, 22	CITY COUNCIL	10
CODE AMENDMENT	1-4, 7, 23	P & Z, AND CITY COUNCIL	20
WIRELESS TELECOM.	1-7, 16, 24, 25, 26, 27, 35	ADMIN. OR P & Z	2 for Admin., 10 for P & Z
SATELITE DISH OVER 24" IN DIAMETER	1-7	ADMIN. OR P & Z	2 for Admin., 10 for P & Z
RES. DESIGN STANDARDS VARIANCE	1-7, 9, 28, 29, 30	P & Z OR DRAC	10
GMQS EXEMPTION*	1-7, Additional Submission Req. depend on nature of the Exemption Request.	ADMIN., OR P & Z, AND/OR CC (BASED ON EXEMPTION TYPE)	2 for Admin., 10 for P & Z, 20 for P & Z and CC
CONDOMINIUMIZATION	1, 31	ADMINISTRATIVE	2
PUD	1-7, 32, 33, 35	CONCEPTUAL – P & Z, AND CC FINAL – P & Z, AND CC	20 for P & Z and CC (Submit Separately for Final PUD Review)
LODGE PRESERVATION PUD	1-7, 35	P & Z, AND CC	20

PUD AMENDMENT	1-7	ADMIN., OR P & Z, AND/OR CC (BASED ON AMENDMENT TYPE)	2 for Admin., 10 for P & Z, 20 for P & Z and CC
SPECIALLY PLANNED AREA (SPA)	1-7, 35	CONCEPTUAL – P & Z, AND CC FINAL- P & Z, AND CC	20 for P & Z and CC (Submit Separately for Final SPA)
AMENDMENT TO SPA	1-7	ADMIN., OR P & Z AND CC (BASED ON SIGNIFICANCE OF AMENDMENT)	2 for Admin., 20 for P & Z and CC
TEMPORARY USE	1-7	ADMIN. OR CC (BASED ON DURATION TIME)	2 for Admin., 10 for City Council
ACCESSORY DWELLING UNIT	1-7, 9	ADMIN OR P & Z (BASED ON IF THE PROPOSAL MEETS REVIEW STANDARDS)	2 for Administrative Review
REZONING	1-7	P & Z AND CC	20
DIMENSIONAL REQUIREMENTS VARIANCE	1-7, 34	BOARD OF ADJUSTMENT	9

* Consult with a Planner about submittal requirements.

** A pre-application conference with a Planner should be conducted prior to submitting any land use application. Please call 920-5090 to schedule a pre-application conference.

ATTACHMENT 4-CONT'D- SUBMITTAL KEY

<p>1. Land Use Application with Applicant's name, address and telephone number, contained within a letter signed by the applicant stating the name, address, and telephone number of the representative authorized to act on behalf of the applicant.</p> <p>2. The street address and legal description of the parcel on which development is proposed to occur.</p> <p>3. A disclosure of ownership of the parcel on which development is proposed to occur, consisting of a current certificate from a title insurance company, or attorney licensed to practice in the State of Colorado, listing the names of all owners of the property, and all mortgages, judgments, liens, easements, contracts and agreements affecting the parcel, and demonstrating the owner's right to apply for the Development Application.</p> <p>4. An 8 1/2" x 11" vicinity map locating the subject parcel within the City of Aspen.</p> <p>5. A site improvement survey including topography and vegetation showing the current status of the parcel certified by a registered land surveyor, licensed in the State of Colorado. (This requirement, or any part thereof, may be waived by the Community Development Department if the project is determined not to warrant a survey document.)</p> <p>6. A site plan depicting the proposed layout and the project's physical relationship to the land and its surroundings.</p> <p>7. A written description of the proposal and a written explanation of how a proposed development complies with the review standards relevant to the development application.</p> <p>8. Plan with Existing and proposed grades at two-foot contours, with five-foot intervals for grades over ten (10) percent.</p> <p>9. Proposed elevations of the development</p> <p>10. A description of proposed construction techniques to be used.</p> <p>11. A Plan with the 100-year floodplain line and the high water line.</p>	<p>12. Accurate elevations (in relation to mean sea level) of the lowest floor, including basement, of all new or substantially improved structures; a verification and recordation of the actual elevation in relation to mean sea level to which any structure is constructed; a demonstration that all new construction or substantial improvements will be anchored to prevent flotation, collapse or lateral movement of any structure to be constructed or improved; a demonstration that the structure will have the lowest floor, including basement, elevated to at least two (2) feet above the base flood elevation, all as certified by a registered professional engineer or architect.</p> <p>13. A landscape plan that includes native vegetative screening of no less than fifty (50) percent of the development as viewed from the rear (slope) of the parcel. All vegetative screening shall be maintained in perpetuity and shall be replaced with the same or comparable material should it die.</p> <p>14. Site sections drawn by a registered architect, landscape architect, or engineer shall be submitted showing all existing and proposed site elements, the top of slope, and pertinent elevations above sea level.</p> <p>15. Proposed elevations of the development, including any rooftop equipment and how it will be screened.</p> <p>16. Proposed elevations of the development, including any rooftop equipment and how it will be screened.</p> <p>17. A sketch plan of the site showing existing and proposed features which are relevant to the review.</p> <p>18. One (1) inch equals four hundred (400) feet scale city map showing the location of the proposed subdivision, all adjacent lands owned by or under option to the applicant, commonly known landmarks, and the zone district in which the proposed subdivision and adjacent properties are located.</p> <p>19. A plat which reflects the layout of the lots, blocks and structures in the proposed subdivision. The plat shall be drawn at a scale of one (1) equals one hundred (100) feet or larger. Architectural scales are not acceptable. Sheet size shall be twenty-four (24) inches by thirty-six (36) inches. If it is necessary to place the plat on more than a one (1) sheet, an index shall be included on the first sheet. A vicinity map shall also appear on the first sheet showing the subdivision as it relates to the rest of the city and the street</p>	<p>system in the area of the proposed subdivision. The contents of the plat shall be of sufficient detail to determine whether the proposed subdivision will meet the design standards pursuant to Land Use Code Section 26.480.060(3).20. Subdivision GIS Data.</p> <p>21. A landscape plan showing location, size, and type of proposed landscape features.</p> <p>22. A subdivision plat which meets the terms of this chapter, and conforms to the requirements of this title indicating that no further subdivision may be granted for these lots nor will additional units be built without receipt of applicable approvals pursuant to this chapter and growth management allocation pursuant to Chapter 26.470.</p> <p>23. The precise wording of any proposed amendment.</p> <p>24. Site Plan or plans drawn to a scale of one (1") inch equals ten (10') feet or one (1") inch equals twenty (20') feet, including before and "after" photographs (simulations) specifying the location of antennas, support structures, transmission buildings and/or other accessory uses, access, parking, fences, signs, lighting, landscaped areas and all adjacent land uses within one-hundred fifty (150') feet. Such plans and drawings should demonstrate compliance with the Review Standards of this Section.</p> <p>25. FAA and FCC Coordination. Statements regarding the regulations of the Federal Aviation Administration (FAA) and the Federal Communications Commission (FCC).</p> <p>26. Structural Integrity Report from a professional engineer licensed in the State of Colorado.</p> <p>27. Evidence that an effort was made to locate on an existing wireless telecommunication services facility site including coverage/ interference analysis and capacity analysis and a brief statement as to other reasons for success or no success.</p> <p>28. Neighborhood block plan at 1"=50' (available from City Engineering Department) Graphically show the front portions of all existing buildings on both sides of the block and their setback from the street in feet. Identify parking and front entry for each building and locate any accessory dwelling units along the alley. (Continued on next page.)</p>
---	---	---

<p>Indicate whether any portions of the houses immediately adjacent to the subject parcel are one story (only one living level).</p> <p>29. Roof Plan.</p> <p>30. Photographic panorama. Show elevations of all buildings on both sides of the block, including present condition of the subject property. Label photos and mount on a presentation board</p> <p>31. A condominium subdivision exemption plat drawn with permanent ink on reproducible mylar. Sheet size shall be twenty-four (24) inches by thirty-six (36) inches with an unencumbered margin of one and one-half (1 1/2) inches on the left hand side of the sheet and a one-half (1/2) inch margin around the other three (3) sides of the sheet pursuant to Land Use Code Section 26.480.090.</p> <p>32. A description and site plan of the proposed development including a statement of the objectives to be achieved by the PUD and a description of the proposed land uses, densities, natural features, traffic and pedestrian circulation, off-street parking, open space areas, infrastructure improvements, and site drainage.</p> <p>33. An architectural character plan generally indicating the use, massing, scale, and orientation of the proposed buildings.</p> <p>34. A written description of the variance being requested.</p>	<p>35. Exterior Lighting Plan. Show the location, height, type and luminous intensity of each above grade fixture. Estimate the site illumination as measured in foot candles and include minimum, maximum, and average illumination. Additionally, provide comparable examples already in the community that demonstrate technique, specification, and/or light level if they exist.</p>	
---	--	--

ATTACHMENT 5 DEVELOPMENT REVIEW PROCEDURE

1. **Attend pre-application conference.** During this one-on-one meeting, staff will determine the review process which applies to your development proposal and will identify the materials necessary to review your application.

2. **Submit Development Application.** Based on your pre-application meeting, you should respond to the application package and submit the requested number of copies of the complete application and the appropriate processing fee to the Community Development Department.

3. **Determination of Completeness.** Within five working days of the date of your submission, staff will review the application, and will notify you in writing whether the application is complete or if additional materials are required. Please be aware that the purpose of the completeness review is to determine whether or not the information you have submitted is adequate to review the request, and not whether the information is sufficient to obtain approval.

4. **Staff Review of Development Application.** Once your application is determined to be complete, it will be reviewed by the staff for compliance with the applicable standards of the Code. During the staff review stage, the application will be referred to other agencies for comments. The Planner assigned to your case or the agency may contact you if additional information is needed or if problems are identified. A memo will be written by the staff member for signature by the Community Development Director. The memo will explain whether your application complies with the Code and will list any conditions which should apply if the application is to be approved.

Final approval of any Development Application which amends a recorded document, such as a plat, agreement or deed restriction, will require the applicant to prepare an amended version of that document for review and approval by staff. Staff will provide the applicant with the applicable contents for the revised plat, while the City Attorney is normally in charge of the form for recorded agreements and deed restrictions. We suggest that you not go to the trouble or expense of preparing these documents until the staff has determined that your application is eligible for the requested amendment or exemption.

5. **Board Review of Application.** If a public hearing is required for the land use action that you are requesting, then the Planning Staff will schedule a hearing date for the application upon determination that the Application is complete. The hearing(s) will be scheduled before the appropriate reviewing board(s). The Applicant will be required to mail notice (one copy provided by the Community Development Department) to property owners within 300 feet of the subject property and post notice (sign available at the Community Development Department) of the public hearing on the site at least fifteen (15) days prior to the hearing date (please see Attachment 6 for instructions). The

Planning Staff will publish notice of the hearing in the paper for land use requests that require publication.

The Planning Staff will then formulate a recommendation on the land use request and draft a memo to the reviewing board(s). Staff will supply the Applicant with a copy of the Planning Staff's memo approximately 5 days prior to the hearing. The public hearing(s) will take place before the appropriate review boards. Public Hearings include a presentation by the Planning Staff, a presentation by the Applicant (optional), consideration of public comment, and the reviewing board's questions and decision.

6. **Issuance of Development Order.** If the land use review is approved, then the Planning Staff will issue a Development Order which allows the Applicant to proceed into Building Permit Application.

7. **Receipt of Building Permit.** Once you have received a copy of the signed staff approval, you may proceed to building permit review. During this time, your project will be examined for its compliance with the Uniform Building Code. It will also be checked for compliance with applicable provisions of the Land Use Regulations which were not reviewed in detail during the one step review (this might include a check of floor area ratios, setbacks, parking, open space and the like). Fees for water, sewer, parks and employee housing will be collected if due. Any document required to be recorded, such as a plat, deed restriction or agreement, will need to be reviewed and recorded before a Building Permit is submitted.

ATTACHMENT 6

PUBLIC HEARING NOTICING REQUIREMENTS

Three forms of notice are required by the Aspen Land Use Regulations: publication in the newspaper, posting of the property, and mailing to surrounding landowners.

Following is a summary of the notice requirements, including identification of who is responsible for completing the notice.

1. **Publication** - Publication of notice in a paper of general circulation in the City of Aspen is to be done at least fifteen (15) days prior to the hearing. The legal notice will be written by the Community Development Department and we will place the notice in the paper within the appropriate deadline.
2. **Posting** - Posting of a sign in a conspicuous place on the property is to be done fifteen (15) days prior to the hearing. It is the applicant's responsibility to obtain a copy of the sign from the Community Development Department, to fill it in correctly and to bring proof to the hearing that posting took place (use attached affidavit).
3. **Mailing** - Mailing of notice is to be made to all owners of property within 300 feet of the subject development parcel by the applicant. It is the applicant's responsibility to obtain a copy of the notice from the Community Development Department, to mail it according to the following standards, and to bring proof to the hearing that the mailing took place (use attached affidavit).

Notice to mineral Estate Owner. An Applicant for surface Development shall notify affected mineral estate owners by at least thirty (30) days prior to the date scheduled for the initial public hearing on the application for development. The applicant shall certify that the notice has been provided to the mineral estate owners.

The names and addresses of property owners shall be those on the current tax records of Pitkin County as they appeared no more than sixty (60) days prior to the date of public hearing.

_____ *Rezoning or text amendment.* Whenever the official zoning district map is in any way to be changed or amended incidental to or as part of a general revision of this Title, or whenever the text of this Title is to be amended, whether such revision be made by repeal of this Title and enactment of a new land use regulation, or otherwise, the requirement of an accurate survey map or other sufficient legal description of, and the notice to and listing of names and addresses of owners of real property in the area of the proposed change shall be waived. However, the proposed zoning map shall be available for public inspection in the planning agency during all business hours for fifteen (15) days prior to the public hearing on such amendments.

Signature

The foregoing "Affidavit of Notice" was acknowledged before me this ____ day of _____, 200__, by _____.

WITNESS MY HAND AND OFFICIAL SEAL

My commission expires: _____

Notary Public

ATTACHMENTS:

COPY OF THE PUBLICATION

PHOTOGRAPH OF THE POSTED NOTICE (SIGN)

**LIST OF THE OWNERS AND GOVERNMENTAL AGENCIES NOTICED
*BY MAIL***