

**TOWN OF GRAND LAKE  
ORDINANCE NO. 13-2016**

**AN ORDINANCE AMENDING CERTAIN PARTS OF THE TOWN OF GRAND MUNICIPAL CODE  
6-2-7 [SIGN CODE] PERMIT APPLICATION PROCEDURE;  
6-3-2 [REGULATIONS, ANIMAL DRAWN VEHICLES] UPON APPLICATION;  
9-1-5 [BUILDING REGULATIONS] FEES;  
12-2-29(A)2 [ZONING REGULATIONS] STREAM AND SHORELINE SETBACK;  
12-2-29(B)5 [ZONING REGULATIONS] BOATHOUSE AND COVERED BOAT DOCKS SUBMISSION;  
12-2-31(A)2(E) [ZONING REGULATIONS] GENERAL SPECIAL USE PERMIT;  
12-2-31(B)3(C) CONDITIONAL USE PERMITS; 12-2-33 [ZONING REGULATIONS] ADMINISTRATION;  
12-2-34 [ZONING REGULATIONS] AMENDMENTS;  
12-9-9 [ZONING REGULATIONS] LAND USE DEVELOPMENT VARIANCES**

**WHEREAS**, the Board of Trustees of the Town of Grand Lake (“the Board”), Colorado, pursuant to Colorado statute and the Grand Lake Town Code, including but not limited to Section 2-3-2, is vested with the authority of administering the affairs of the City of the Town of Grand Lake, Colorado; and

**WHEREAS**, the authority of the Board includes, but is not limited to adopting ordinances and resolutions, including those that establish, set, or amend the fees, charges, and deposits assessed in connection with land use applications, water service, water service availability, plant investment and improvement, use of facilities, staff time, and other related services and matters provided by or at the direction of the Town; and,

**WHEREAS**, the Board has previously adopted Ordinance 13-2015 establishing the 2016 Fee and Deposit Schedule setting forth such fees and other charges; and

**WHEREAS**, the adoption of Ordinance 13-2015 created conflicts with the established fees and deposits in the Municipal Code; and

**WHEREAS**, the Municipal Code must be revised in order to accommodate the Board’s desire to revise fees and/or deposits by resolution.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE, COLORADO, AS FOLLOWS:**

**THAT**, the code of the Town of Grand Lake, Colorado, is hereby amended to read as attached herein.

Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Repeal. Existing ordinances or parts of ordinances covering the same matters embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this ordinance.

**DULY MOVED, SECONDED, AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE, COLORADO, THIS 12th DAY OF SEPTEMBER, 2016.**

(SEAL)

Votes Approving:	6
Votes Opposing:	0
Absent:	1
Abstained:	0

ATTEST:

TOWN OF GRAND LAKE

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Katie Nicholls  
Town Clerk

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James C. Peterson  
Mayor



2. This sign must be on premise only.
3. This sign shall be removed or have a new permit issued no later than one (1) year after the issuance of the building permit.

(F) Land Development Signs:

1. The application for this type of sign must be presented to the Board of Trustees at the time of the land development approval process for a decision. The Board of Trustees decision is final.
2. All sign locations and sizes must be included in the land development plans to be approved by the Board of Trustees.
3. All changes to the approved signage locations or sizes will require Board of Trustees review and approval.

6-2-7 Permit Application Procedure

(A) Application for sign permit

1. The application for the sign permit shall be made by the owner, tenant, or authorized agent of the property on which the sign is to be located.
2. Applications shall be made in writing on the form furnished by the Town Clerk, and must be signed by the applicant.

(a) Applications shall include the following information:

1. Type of each sign.
2. The proposed location of each sign.
3. A detailed drawing, drawn to scale, containing complete plans and specifications which show the methods of construction, anchoring to building or ground, and the height from ground level of each sign.
4. A sign layout drawing, drawn to scale, which indicates overall dimensions, square footage, letter and figure dimensions, colors, materials, and type of illumination, if applicable, for each sign.
5. A site plan which must indicate the location of all proposed and existing signs, along with building elevations which depict each sign in its respective location.
6. A statement of valuation of each sign and any supporting structure.

(b) The Building Administrator or his designee shall, within five (5) working days of the date the application is received by the Town of Grand Lake, either approve or disapprove the sign application or refer the sign application back to the applicant in instances where there is insufficient information provided.

(c) A permit fee, as determined by resolution adopted by the Board of Trustees, ~~of ten dollars (\$10.00)~~ shall be paid to the Town Clerk upon application for each sign requiring a permit.

(d) The Town of Grand Lake shall not issue this permit unless the applicant (its constituents or members) are current with the Town and all Town enterprises for all fees, assessments, charges, taxes, or amount due of any type.



(B) Appeal Process for Denial of Permit

1. If the sign application is denied, the applicant may appeal the decision to the Board of Trustees, whose decision is final.
2. The Applicant shall submit an appeal in writing to the Town within seven (7) days.
- ~~1~~3. The Applicant shall pay the appropriate fee and/or deposit as determined by resolution adopted by the Board of Trustees.
- ~~2~~4. The date for the appeal hearing shall be set by the Town Clerk.

6-2-8 Revocation of Permits

(A) The Building Administrator or his designee may revoke a sign permit if any of the following occurs:

1. Any information in the sign permit is erroneous.
2. The sign is not manufactured or placed according to the specifications in the sign application.
3. The work for the sign has not commenced within sixty (60) days of the date of issuance of the permit.
  - (a) Delays which are not the result of willful acts or neglect of the applicant may be cause for an extension of the sixty (60) day limitation, and may be granted an extension of thirty (30) by the Building Administrator or his designee upon written request from the applicant.

(B) The Building Administrator or his designee will first notify the sign applicant, in writing, of any misrepresentations or violations and the necessity of correcting such misrepresentations or violations within ten (10) days of the date the notice is sent or posted.

(C) The sign applicant shall have the right to appeal the revocation of the sign permit to the Board of Trustees, whose decision is final.

1. The date for the appeal hearing shall be set by the Town Clerk.

6-2-9 Removal of Signs

(A) Any sign that is constructed or maintained in violation of this Article, or in violation of any permit issued pursuant to this Article is declared to be a public nuisance and subject to abatement and removal as provided herein. The Building Administrator or his designee may cause to be removed any sign found in violation of this Article.

1. The Building Administrator or his designee shall prepare a notice describing the sign, listing the location, specifying the violation, and stating the sign must be removed or the violation must be corrected within ten (10) days of the date of receipt or posting of said notice.
2. The notice shall be posted on the property or sent by certified mail to the owner of the sign and the owner of the property on which the sign is located at their last known addresses.



See Ord. #07-1984      Adopted June 25, 1984  
See Ord. #03-1988      Adopted March 28, 1988  
See Ord. #40-2009      Adopted October 26, 2009

## **CHAPTER 6: BUSINESS REGULATIONS**

### **ARTICLE 3: REGULATIONS, ANIMAL DRAWN VEHICLES**

#### **6-3-1 License Required**

In addition to such other licenses as are or may be required by the Town of Grand Lake, Colorado to operate a business within the municipal limits, no person shall operate an animal drawn vehicle for commercial purposes on any street or for any purpose on a street within the municipal limits except in accordance with this ordinance and with the provisions of this ordinance.

- (A) The Town of Grand Lake shall not issue this license unless the applicant (its constituents or members) are current with the Town and all Town enterprises for all fees, assessments, charges, taxes, or amount due of any type.

#### **6-3-2 Upon Application**

The Mayor or the mayor's designee shall issue an animal drawn vehicle permit if the mayor finds that:

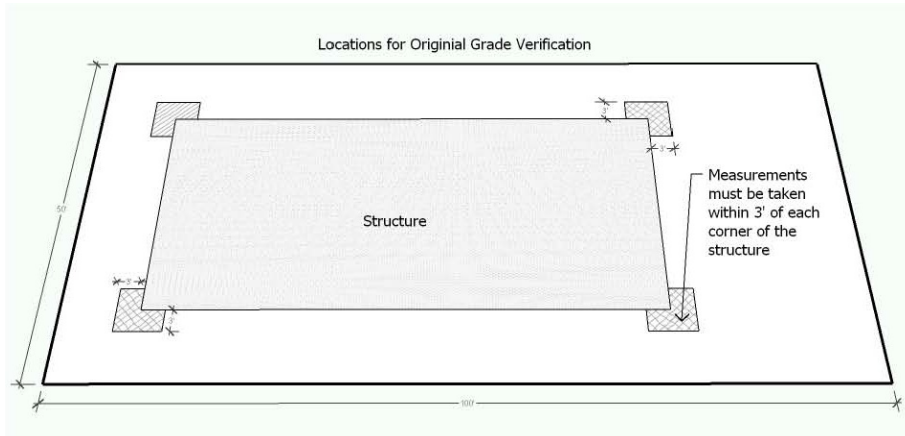
- (A) The proposed animals, vehicles, routes, hours, frequency and other aspects of use of the streets will not unreasonably interfere with the efficient movement of other traffic;
- (B) The applicant presents a workable plan of sanitation such that no animal waste is deposited or left on any public or private property as a result of operations;
- (C) The applicant presents a workable plan for feeding, sheltering, quartering and stabling and transporting the animals used in compliance with the ordinances of the Town and all other applicable law;
- (D) The applicant presents adequate public liability insurance, the amount to be set by the Mayor or his designee;
- (E) The applicant has paid a permit fee [as determined by resolution adopted by the Board of Trustees](#) ~~of fifty (\$50.00) dollars;~~
- (F) The applicant has posted a cash bond in the amount of three hundred (\$300.00) dollars; said cash bond to be held by the Town for faithful compliance regarding animal waste resulting from the operations.

#### **6-3-3 Period of Extent of License**

The period of the license is twelve months from date of issue and may be renewed annually. The license is valid for the operation of not more than two (2) vehicles under one ownership.



1. Original Grade (Preconstruction Elevation): means the ground level before any human disturbance in the last five years. Soil tests may be required if the Town can not determine if human disturbance has occurred in the last five years.



- (C) The following Sections relating to floodplains and floodplain administration shall be regulated by the Town of Grand Lake as per the provisions of Municipal Code CHAPTER 12:ARTICLE 5: FLOOD DAMAGE PREVENTION.

1. 2009 International Residential Code: R109.1.3, Floodplain inspections; R112.2.1, Determination of substantial improvements in areas prone to flooding; R112.2.2, Criteria for issuance of a variance for areas prone to flooding; Table R301.2(1), Climatic and Geographic Design Criteria, R309.5, Flood hazard areas; R322, Flood-Resistant Construction; R408.7, Flood Resistance; and G2404.7, Flood Hazard
2. 2009 International Building Code: 110.3.3, Lowest Floor Elevation; 1605.3.1.2, Flood loads; 1612, Flood Loads; 1804.4, Grading and fill in hazard areas; 1805.1.2.1, Flood hazard areas; 3403.2, Flood hazard areas; 3404.2, Flood hazard areas; 3409.2, Flood hazard areas; and 3412.2.4.1, Flood hazard areas
3. 2009 International Plumbing Code: 309, Flood Hazard Resistance
4. Any other applicable Sections, as adopted and incorporated by reference herein, pertaining to flooding, flood hazard areas, floodplains, floodplain administration and flood-resistant construction.

- (D) All amendments adopted by Grand County prior to the effective date of this ordinance are hereby incorporated herein by reference, except where specifically provided otherwise.

#### 9-1-5 Fees

- (A) Building Permit Fees. No Building Permit shall be issued ~~for the construction~~ within the Town of Grand Lake unless and until all applicable Building Permit fees have been paid. Building Permit fees shall be set and amended by Resolution by the Grand Lake Board of Trustees.

# 12-2-29(A)2 [Zoning Regulations] Stream and Shoreline Setback



4. Submission Requirements – Complete applications include a site plan and supplemental information. All proposals must adhere to Boathouse and Boat Dock Design Standards, as identified in the previous Section of this Article.

(a) Site Plan –The minimum site plan data required includes:

1. Name of property owner and applicant
2. Location of property: Legal Description and Street Address
3. Lots and blocks numbered consecutively.
4. Date of preparation, map scale, and north sign.
5. High water line
6. The existing topography of the site shall be shown.
7. Abutting property lines
8. Existing structure(s) – with labels
9. Proposed structure(s) – with labels
  - (i) Dimensions of proposed structure(s) including height
  - (ii) Setbacks from property lines
  - (iii) Square footage of decks

#### 10. Supplemental Information

The following information does not have to be addressed on the site plan but must be included with building permit application. The minimum supplemental information required includes:

- (i) Description of materials (including color samples) for siding, roof, window trim, decks, docks, railings, etc.
- (ii) Erosion and sediment control practices. Silt fencing or equivalent is required on any site adjacent to a body of water or on a steep hillside. Erosion control will be required to insure sedimentation does not leave the site. Town officials have the right to require erosion control on any site.
- (iii) Identify existing landscaping that will be disturbed. Identify landscaping material(s) to be placed on the site after construction.
- (iv) H.O.A. approval, if applicable.
- (v) U.S. Forest Service approval if the proposed development is located on Shadow Mountain Lake.
- (vi) Indemnification Agreement

(vii)

(viii)

#### 5. Submission

One complete building permit application, including a site plan, and supplemental information, ~~and with the appropriate fee and/or deposit, a nonrefundable processing fee, as~~ set by resolution by the Town Board of Trustees, must be received twenty-one (21) days prior to the next regularly-scheduled Planning Commission meeting. Staff will have fourteen (14) days to determine completeness. Upon determination of completeness, the applicant must submit an additional ten (10) copies, a CD of all drawings in PDF format, of supplemental information to Town Staff.

(a) The Town of Grand Lake shall not review requests of this nature unless the

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# 12-2-29(B)5 [Zoning Regulations] Boathouse and Covered Boat Docks Submission



determination. Fifteen (15) days prior to the scheduled Public Hearing date, legal notice shall be placed in the local newspaper of general circulation advertising the time, date, and location of the Public Hearing. In addition, certified letters are to be mailed at least fifteen (15) days prior to the Public Hearing to all property owners within two hundred (200') feet of any portion of the property.

The Town Board of Trustees may opt to hold a Public Hearing. The Town Board of Trustees will hold a Public Hearing within 45 days from receiving a recommendation from the Planning Commission. Fifteen (15) days prior to the scheduled date, legal notice shall be placed in the local newspaper of general circulation advertising the time, date, and location of the public hearing. In addition, certified letters are to be mailed at least fifteen (15) days prior to the Public Hearing to all property owners within two hundred (200') feet of any portion of the property.

During the public hearing the burden of the Applicant shall include but not be limited to, establishing that the activity conforms to one or more of the exceptions set in 12-3-5(A)4 (a) through (e). ~~A non-refundable fee, set by resolution by the Board of Trustees, is required for a variance request to the Stream and Lake Setbacks.~~

(a) At a minimum, a variance request shall include the following information:

1. A site map that includes locations of all streams, wetlands, floodplain boundaries, slope, topography, and other natural features, as determined by field survey.
2. A description of the size, shape, soils, vegetation and other physical characteristics of the property.
3. A detailed site plan that shows the locations of all existing and proposed disturbances, both inside and outside the setback. The exact area of buffer to be affected shall be accurately and clearly indicated.
4. Documentation of unusual hardship should the setback be maintained. (Refer to 12-3-5(A)4 (a) through (e))
5. At least one alternative plan, which does not include a setback intrusion, or an explanation of why such a plan is not possible.
6. A calculation of the total area and length of the proposed intrusion.
7. An erosion and sedimentation control plan.
8. A stormwater control plan, if applicable.
9. Proposed mitigation, if any, for the intrusion.

(b) The following factors will be considered in determining whether to issue a variance:

1. The shape, size, topography, slope, soils, vegetation, and other physical characteristics of the property.
2. The locations of all bodies of water on the property, including along property boundaries.
3. The location and extent of the proposed setback intrusion.
4. Whether alternative designs are possible which require less intrusion or no intrusion.
5. Sensitivity of the body of water and affected critical habitats.
6. Intensity of land use adjacent to the body of water proposed to intrusion.



# 12-2-31(A)2(e) [Zoning Regulations] General Special Use Permit



2. Name and address of property owner and the legal description, street address and other identifying data concerning the proposed Special Use site.
3. Authorization by the property owner for the proposed use.
4. A description of the precise nature of the Special Use and a site plan showing its operating characteristics, including but not limited to: dimensions and locations of specific activities, off-street parking, ingress and egress points, traffic circulation, utilities and drainage features, and measures proposed to make the use compatible with other properties in the vicinity.
5. Copy of a current and valid:
  - (i) Colorado Sales Tax License,
  - (ii) Grand Lake Sales Tax License,
  - (iii) Grand Lake Business License.
6. Any other information deemed by Town Staff to be reasonably necessary to carry out the provisions and the fair administration of this Article.
7. An affidavit signed by the applicant stating that the information contained on the application is true and correct to the applicant's knowledge and further stating that knowing submission of false information shall be cause for the SUP to be immediately revoked without notice or hearing.

~~8. 1. A non-refundable administrative processing fee, set by Resolution, by the Town Board of Trustees.~~

(f) Commission Processing and Review Criteria for a General SUP:

1. The Planning Commission shall review the SUP application in a Public Hearing to receive testimony and comment of interested citizens, businesses, and adjoining property owners prior to making a recommendation to the Town Board of Trustees.
  - (i) At least fifteen (15) days prior to the scheduled Public Hearing date, Town Staff shall cause a legal notice to run in a local newspaper of general circulation advertising the time, date, and location of the SUP Public Hearing, and Town Staff shall cause certified letters to be mailed to all property owners within two hundred (200') feet of any portion of the property proposed for the SUP indicating the time, date, and location of the SUP Public Hearing.
2. In making determination of a recommendation of approval or denial of the SUP application, the Commission shall consider the following factors:
  - (i) Relationship of the proposed Special Use to the economic development objectives of the Town and the anticipated impact of the SUP on existing businesses.
  - (ii) Effect upon traffic, with particular reference to congestion, automotive and pedestrian safety and convenience, traffic flow and control, access, maneuverability, and (if applicable) snow removal from the streets and parking areas.
  - (iii) Effect upon the character of the area in which the proposed Special Use is to be located, including the scale and bulk of the proposed Special Use in relation to surrounding uses and neighborhood.
  - (iv) Such other factors and criteria as the Commission deems applicable to the proposed Special Use including but not limited to: proposed

# 12-2-31(B)3(c) Conditional Use Permits



1. The applicant may not alter an application or submit additional materials to the Town Board of Trustees for review. Submittal of new materials shall constitute a new application, ~~shall require deposits,~~ and shall be reviewed by the Planning Commission prior to going before the Town Board of Trustees.



- (G) Change in Non-conforming Use - A non-conforming use of a building or lot may be changed to a conforming use.
- (H) Construction Prior to Ordinance Passage - Nothing herein contained shall require any change in plans, construction, or designated use of a building or buildings for which a building permit has been issued or City approval obtained and construction of which shall have been diligently prosecuted within Three (3) Months of the date of such permit or approval.
- (I) Creation of a non-conforming use or building from rezoning of property initiated by the Town of Grand Lake after January 2006
1. Uses and Buildings that were conforming prior to the Town of Grand Lake initiating rezoning of the property will be permitted to expand the building or building containing a nonconforming use to the Building Height Limit and Area Regulations of the previous zone as declared in the ordinance adopted by the Board of Trustees and recorded with the Grand County Clerk and Recorder's Office.

## 12-2-33 Administration

### (A) Administration

~~(A)~~—The administration of this Article shall be the responsibility of the Town Board of Trustees, the Town Manager, or his designee. The administration of the provisions of this Article shall authorize the Town to administer and enforce the requirements set forth herein.

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~~(B) (A) Building Permit Applications — The Town shall require a building permit application for all projects that are required in CHAPTER 9: BUILDING REGULATIONS including all items incorporated by reference to the Municipal Code. Guidelines for building permit processing and inspections will be set by the Board of Trustees by Resolution.~~

### (B) Enforcement

~~(C)~~—The provisions of this Article shall be enforced by the Mayor, the Town Board of Trustees, the Town Attorney and the Zoning Code Administrator, or his designee, by use of the following methods:

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- (a) Inspection and Ordering Removal of Violations.
- (b) Proceedings in Municipal Court.

(c) Injunctive Proceedings.

(d) 1-1-11 Administrative Enforcement

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~~(e)~~

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~~2. Penalty — Failure to comply with any of the provisions of this Article shall constitute a violation and is punishable by a fine of Three Hundred Dollars (\$300). Each day such violation persists or continues shall constitute a separate and distinct offense.~~



~~3.2. Notification—Whenever the Town Staff shall find a violation of any of the provisions of this Article, Town Staff shall notify the person responsible for the violation in writing and order correction of the violation which must be completed within thirty (30) days of the notification.~~

(C) Complaints

4. —Any person aggrieved by a violation or apparent violation of the provisions of this Article may file a written complaint with Town Staff who shall investigate such complaint and take legal action within Five (5) Days to have the violation penalized or removed, if such violation is found to exist.

(D) Liability for Damages

5. —This Article shall not be construed to hold the Town of Grand Lake or its authorized representatives responsible for any damage to persons or property by reason of the inspection or re-inspection authorized herein or failure to inspect or re-inspect or by reason of issuing a building permit as herein provided.

(E) Fees and Deposits

6. s—The Board of Trustees may establish such fees and/or deposits as deemed necessary to carry out the administration enforcement of this Article. Such fees and/or deposits shall be established by resolution adopted by the Board.

(F) Appeals

7. —Unless otherwise indicated in this Article Chapter or Municipal Code Chapter 9: Building Regulations, any person adversely affected by any interpretation, requirement, application or enforcement of these Regulations may file an application for a variance, to be considered by the Planning Commission. Such application for a variance shall be filed with Town Staff on a furnished form specifying the grounds of appeal and after paying the appropriate fee.

12-2-34 Amendments

Amendments to this Article shall be in accordance with the Statutes of the State of Colorado, with report and recommendations from the Planning Commission to the Town Board of Trustees required prior to the adoption of any such Amendment.

(A) Declaration of Policy and Standards for Rezoning

For the purpose of establishing and maintaining sound, stable and desirable development within the Town of Grand Lake, the rezoning of land is to be discouraged and allowed only under certain circumstances as provided hereafter. This policy is based on the opinion of the Town Board of Trustees that the Town's Zoning Map is the result of a detailed and comprehensive appraisal of the Town's present and future needs regarding land use allocation and as such, should not be amended unless to correct a manifest error or because of changed or changing conditions in a particular area of the Town in general. Rezoning shall only be allowed if the applicant demonstrates by clear and convincing evidence that rezoning is necessary because of one or more of the following reasons:

1. The land to be rezoned was zoned in error and as presently zoned is inconsistent with the policies and goals of the Town's Comprehensive Plan.

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2. The area for which rezoning is requested has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or new approach to development.
3. The proposed rezoning is necessary in order to provide land for a community-related use which was not anticipated at the time of the adoption of the Town's Comprehensive Plan and that such rezoning will be consistent with the policies and goals of the Comprehensive Plan. This Declaration of Standards for Rezoning shall not control a rezoning which occurs incidental to a comprehensive revision of the Town's Zoning Map.

(B) Procedure for Amendments in General

—The Town Board of Trustees may, from time to time, on its own Motion, on Petition of any person or persons of interest, or on initial recommendation of the Planning Commission, amend, supplement or repeal the regulations and provisions of this Article, provided that where territory is sought to be rezoned on proposal other than by the Town Board of Trustees or by the Planning Commission, the person proposing or petitioning for rezoning of territory shall have a property interest in the subject territory.

1. Planning Commission Advisory Report

—Any proposed amendment or change to this Article or to the Zoning Map when initiated by the Town Board of Trustees shall be referred to the Planning Commission for an advisory report thereon. When a proposed amendment or change is initiated by the Planning Commission said advisory report shall accompany the initial recommendation of the Planning Commission.

2. Procedure Before Planning Commission

—Before giving an advisory report or initial recommendation on any proposed amendment to this Article or to the Zoning Map, the Planning Commission shall first conduct a public meeting thereon. Notice of the time and date of such meeting and a brief summary or explanation of the subject matter of the Hearing shall be given by adequate notice.

3. Procedure Before the Town Board of Trustees

—After receiving the advisory report from the Planning Commission, the Town Board of Trustees shall hold a Public Hearing before acting on the proposed amendment to this Article or to the Zoning Map. Notice of the time and place of the Public Hearing before the Town Board of Trustees shall be given by Town Staff, by one publication of the same at least Fifteen (15) Days prior to the Hearing, in a newspaper of general circulation in the Town of Grand Lake.

(C) Amendments to the Official Zoning Map

—Any person petitioning for amendment to the Official Zoning Map shall submit an application ~~petition~~ to the Planning Commission through the Building ~~Administrator~~ Inspector.

1. Planning Commission Advisory Report

—Any proposed amendment on the Zoning Map, when initiated by individual petition, shall be referred to the Planning Commission for an advisory report thereon.



2. Procedure Before Planning Commission

—Before giving an advisory report or initial recommendation on any proposed amendment to the zoning map, the Planning Commission shall first conduct a public meeting thereon. Prior to the public meeting, the applicant requesting amendment to the Official Map shall post his property with a sign, notifying the general public of the time and place of Planning Commission meeting at which said Application for Amendment shall be reviewed. Said sign shall be posted on the property frontage at intervals of approximately Five Hundred Feet (500') at least Fifteen (15) Days prior to the scheduled meeting date and shall recite the rezoning applied for.

3. Procedure Before Town Board of Trustees

—After receiving the advisory report from the Planning Commission, the Town Board of Trustees shall hold a Public Hearing Before acting on the proposed amendment. Notice of the time and place of the Public Hearing before the Town Board of Trustees shall be given by Town Staff, by One (1) Publication of the same at least Fifteen (15) Days prior to the hearing, in a newspaper of general circulation in the Town of Grand Lake.

~~4.1. Fee for Map Amendments—For individual applications for rezoning, a fee of Five Hundred Dollars (\$500) shall be charged for advertising and processing.~~



witnessed by a registered land surveyor, concerning the change which shall be approved by the Planning Commission and the Board of Trustees. If, however, the correction of the error results in such major alterations that the corrected plat no longer meets the design standards and criteria of these regulations, then the corrected plat shall require full approval procedures as previously described and the recording of a corrected plat.

- (B) A copy of all Final Plat revisions shall be submitted to the Planning Commission and the Board of Trustees for their review.
- (C) Where the redevelopment complies with the appropriate requirements of these regulations, a Recorded Plat indicating the redevelopment shall be submitted to the Town Planning Commission and the Board of Trustees for their endorsements, prior to the filing of such plat with the Town Clerk. Such plats shall specifically indicate the revisions being made compared to the previously recorded plat.

#### 12-9-9 Land Use Development Variances

##### (A) Procedural Variances:

1. The Planning Commission may grant a procedural variance by simple majority vote upon application of the Developer at any regular meeting of the Planning Commission regarding submission requirements for any land use development project.

##### (B) Substantive Development Variance:

1. All other Sections of this Article are hereby found, determined and declared to be matters of substance.
2. A Developer may request a substantive variance from Land Use Procedures and Standards by filing a written request, with Town Staff, specifying the variance(s) being sought ~~and paying such filing fees as have been adopted by the Board of Trustees~~ at least fourteen (14) days in advance of the next Planning Commission meeting. The Developer must prove to the Planning Commission's satisfaction that strict compliance with the requirements of these Land Use Procedures and Standards would result in extraordinary hardship to the developer because of unusual topography, or other conditions beyond his control or that these conditions would result in inhibiting the achievement of the objectives of this Article and that such substantive variance(s) will not have the effect of nullifying the intent and purpose of these Land Use Procedures and Standards or the Town of Grand Lake Master Plan.
3. The Town shall cause a public notice to be published stating the legal description of the proposed development, the nature of the variance being sought, the name, address and telephone number of the Developer, and the date, time and place of the public hearing.
4. The Town will also notify by certified letter, return receipt requested, all property owners within two hundred (200') feet of the property for which the variance is being sought. The information contained in the public notice shall be included in the letter.