

governmental entity with an interest in pursuing goals compatible with the purposes of this section shall be placed on the entirety of the tract.

- H. Effect of Approval of a Conservation Subdivision Plat.** All Conservation Subdivision Final Plats shall be subject to the provisions of Section 5-280.B.5.d., Effect of Approval of a Final Plat for Subdivision.
- I. Subdivision Agreement.** All Conservation Subdivisions shall be subject to the provisions of Section 5-280.B.5.e., Subdivision Agreement.

SECTION 5-300 LIMITED REVIEW USE

- A. Limited Review Use.** Limited Review Uses are those that may be considered compatible with other uses in a zone district, and have minimal impacts. They are subject to an abbreviated review of the standards applicable to the proposed use. All proposed Limited Review Uses shall comply with the provisions of this Section 5-300 Limited Review Use.
- B. Procedure.** Applications for Limited Review Uses may be submitted at any time to the Planning Director by the property owner, or their authorized Agent.
- 1. Application Contents.** The application shall contain the materials specified in Section 5-210.D.2 Minimum Contents of Application, and the following:
 - a. Site Plan.** A detailed site plan of the property, drawn to scale, that shows all existing natural and man-made features, including driveways to public ways, and the proposed development of the property. If the application is for an accessory dwelling unit or any use that will result in a building permit, the application may be accompanied by the building permit application.
 - b. Written Description.** A written description of the proposal in sufficient detail to describe the nature of the proposed use, how it will be operated, and how its impacts on surrounding properties will be minimized and mitigated.
 - c. Other Materials.** Evidence to show conformance with the Minimum Standards for the particular use as indicated in Section 3-310 Review Standards or Section 3-330, Review Standards, if any.
 - 2. Public Notice.** Notification that an application for a Limited Review Use has been received by the Eagle County Planning Department (use to be specified) shall be sent by mail, first-class postage prepaid, to all landowners of the land subject to the application, all adjacent landowners, and, if applicable, the homeowners association of the development in which the property is located. The notice shall contain all of the applicable information required under Section 5-210.E.1. Notice in Newspaper, and shall be sent no less than fifteen (15) calendar days prior to the date on which the Eagle County Planning Director is scheduled to render a decision on the application.
 - 3. Review of Applications.** The sufficiency of a Limited Review Use application shall be determined by the Planning Director based on compliance with the Minimum Standards for

the particular use as noted in Section 3-310 Review Standards or Section 3-330 Review Standards.

4. Action on Limited Review Use Applications.

- a. Application determination.** Once the application is deemed complete, a decision approving, approving with conditions or denying the Use shall be issued by the Planning Director within five (5) working days, provided that in no event will such a decision be issued earlier than fifteen (15) days after public notice has been given. Approval of the Use shall result in the issuance of a Section 5-2100 Certificate of Zoning Compliance unless approval of the Use results in a Building Permit, in which case the issuance of the Building Permit shall constitute the issuance of the Certificate of Zoning Compliance.
- b. Review by the Board of Eagle County Commissioners.** In the event that public notice results in written comments in opposition to the proposed Limited Review Use, and said opposition is based on relevant development standard(s) in these Land Use Regulations, the Planning Director shall place the Limited Review Use application on the earliest available scheduled meeting agenda of the Board of Eagle County Commissioners, provided that the Planning Director's review has been completed and a staff report with all supporting materials has timely been prepared in advance of the hearing. The Board of County Commissioners shall review the Limited Review Use application pursuant to Section 5-210.F.5 Conduct of Public Hearing, and shall approve, approve with conditions, or disapprove the application based on whether it conforms to the standards set forth in Section 5-300 Limited Review Uses.

5. Time Limitations. Except where otherwise expressly provided herein or in the Article 3 review standards applicable to the use, approval of a Limited Review Use shall be valid for a period of three (3) years from the date of the issuance of the Certificate of Zoning Compliance.

- a.** A Limited Review Use established during this three year period is valid for the life of the Use, or the period provided in (b.) below, whichever is shorter; a discontinuation of the actual Use for a period of twelve (12) months shall be deemed an abandonment of the Use.
- b.** If a Building Permit for structures integral to the Use is issued during this three year period or the period provided in (a.) above, whichever is shorter, approval of the Use shall be valid for the life of the structure;
- c.** Any Limited Review Use that is temporary, or has received conditional approval limiting the length of its approval, shall only be valid for the time period specified in the Certificate of Zoning Compliance.
- d.** The duration of the Limited Review Use shall not change with successive owners of the property to which it applies.

- e. **Extension.** Upon written request, extension of a Certificate of Zoning Compliance may be granted by the Board of County Commissioners, not to exceed two (2) years in length, if the applicant demonstrates by competent substantial evidence that failure to proceed with development of the Limited Review Use was beyond the applicant's control, the Limited Review Use is not speculative in nature, the Limited Review Use still complies with these Land Use Regulations and the Comprehensive Plan, and there is a reasonable likelihood that the Limited Review Use will be developed in the next two (2) years. No request for an extension shall be considered unless a written application requesting the extension is submitted to the Planning Director no later than thirty (30) calendar days prior to the date that the Certificate of Zoning Compliance is to expire. (am 11/08/05)

- f. **Building Permits.** The time limitations in this Section do not affect the time limits applicable to a Building Permit. The effective period thereof, and any extension thereof, is determined only in accordance with the Eagle County Building Resolution. (am.9/27/99)

SECTION 5-2100. CERTIFICATE OF ZONING COMPLIANCE

- A. **Purpose.** A Certificate of Zoning Compliance shall be required in accordance with the provisions of this Section in order to ensure that proposed development complies with the standards in these Land Use Regulations.

- B. **Applicability.** Issuance of a Building Permit or Development Permit shall constitute the issuance of a Certificate of Zoning Compliance.

- C. **General.** Prior to the issuance of the Building Permit, the Planning Director shall review all Building Permit applications and Development applications to ensure they are in compliance with these Land Use Regulations.

- D. **Procedure.**
 - 1. **Initiation.** An application for a Certificate of Zoning Compliance shall only be submitted by the owner, or any other person having a recognizable interest in the land, or their authorized agent.

 - 2. **Submission of application.** An application for a Certificate of Zoning Compliance shall be submitted to the Planning Director. (am 3/12/02)

 - 3. **Contents of application.** The application shall be in a form established by the Planning Director and made available to the public.

SECTION 5-2200. PUBLIC WAY AND EASEMENT VACATIONS

- A. **General.** Public way and easement vacations accomplished pursuant to this Section shall be in compliance with and subject to C.R.S. 43-2-301, et. seq.