



ask the architect

By Scott Rodwin, owner of Rodwin Architecture/Skycastle Construction

Understanding The COUNTY SITE PLAN Review Process

Unincorporated Boulder County has a reputation as being a scary place to try and get a permit to build or add to a home. It is rigorous and complex, but if you follow the rules, it is navigable. Here's what you need to know.

Planning and Zoning + Building Permit

There are two parts to obtaining permission to build in Boulder County; the first is the Planning and Zoning process, called the Site Plan Review. Once you get through the SPR, you can complete your design and documentation of the house and apply for Building Permit. Overall, for a typical house, the timeline of the process generally is: 3-4 months for conceptual design and engineering, plus preparation of the SPR application, two months while the County evaluates the application, then 1-2 month of finalizing the design, and another two months while the Building Permit application is being reviewed.

Typically, it takes 8-10 months from the time you start with your architect to the day you can start construction.

The fees for SPR are \$1000-2000. Building permit fees on a \$1M house are generally about \$15K.

Some important notes about SPR: SPR is required for any residential grading projects, construction on any vacant parcel or any proposals that add more than 1000 sf. (any additions since 1998 count cumulatively towards that 1000 sf. threshold).

While the County application suggest that you can submit for SPR with a

simple sketch, in reality, if you want to have a successful application, they require very detailed drawings and engineering, including complete civil engineering & full exterior façade drawings with a final material palette. And if you get approved through SPR, you have to stick closely to that plan, so a quick sketch can backfire if you subsequently change your mind.

Make sure you get a Building Lot Determination prior to beginning. Not all lots are legally buildable. Additionally, even if you get a BLOT, the property may not be technically buildable. For example, the only driveway access might be too steep

(>14%) to be approved by the County. In many cases you will need a full Survey with topography before some of those technical questions can be definitively answered.

Perhaps the most helpful part of the process is the initial Pre-application meeting with a County Planner. It's free and can usually be scheduled within a couple of weeks of when you call. In this meeting, the planner will tell you what the process and required documentation will be; and most importantly, they will tell you what the Presumptive Size Maximum for your property is (if this is a critical piece of information to have be-

fore a contract is signed, you can call or stop by the County Planning office at 13th & Spruce and ask the Planner on Duty to pull up the PSM.)

The PSM is determined as 125% of the median size in your neighborhood (typically defined as a 1500 ft. radius). It includes the house, garage, basement, occupiable attic, and outbuildings (except for Ag buildings in an Ag zone) even if they are unfinished or unheated.

The most commonly asked question we get is can we exceed the PSM? It is extremely difficult; it generally requires that your house has minimal visibility from other properties, and that an unusual amount of the square footage is below grade.

Other than PSM, what could stop your design from getting approved? Lots. The County has specific rules for height (30ft.), color (dirt colored generally), amount of windows (no giant walls of unprotected glass – they don't want reflection or a lantern effect), landscaping (tree thinning near the house and appropriate revegetation), ignition resistance (no combustible materials in the mountains), lighting (Dark Sky compliant), fire truck access (specific requirements like a hammerhead turn-around near, but not too near the house), location (avoiding ridges, wetlands and other sensitive or visually obtrusive areas), having adequate areas for a septic and leach field, having a water source and most significantly of all, moving too much dirt.

If your property requires a long driveway, tall retaining walls or significant grading, there is a reasonable chance that it will exceed the 500 cubic yard threshold of the Site Plan Review (this is determined by your civil engineer, but it typically takes several months to get to that point in the Site Plan engineering). If it does exceed it, then the SPR application gets kicked up to a Limited Impact Special Use Review (LUSR). The LUSR applica-

tion is more rigorous, but the main issue is that it now becomes a public process. It goes before the County Commissioners (which adds roughly a thousand dollars and two months to the process), and they have broad discretion as to how they subjectively see your proposal (whereas the SPR process is more rule-based). Neighbors are asked to weigh in. The primary filter the Commissioners consider is, "Could this project be modified to reduce its impact?" Large houses with long driveways or steep sites are routinely rejected by the County, and there is no appeals process.

Building Permit

The Building permit process is actually relatively straight-forward in comparison. That doesn't mean it's easy. The green building rules are some of the strictest in the country, and it's critically important to understand them in depth before creating the conceptual design as it could radically impact what you submit for SPR. For example, a 5000 sf. house requires a HERS rating of Net-Zero Energy (with a HERS score of 50 or better before you include solar panels), which is nearly impossible to achieve if your house has a lot of large windows facing West (bad passive solar design). Therefore the overall shape and layout of the house will be substantially affected by green building considerations. This is one more example of why the County's "concept sketch" actually needs to be a nearly complete design.

About the author:

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