COLORADO GEOLOGICAL SURVEY SUBMITTAL FORM FOR LAND-USE REVIEWS

County _____ **Date** _____

Project Name _____

APPLICANT

(or Applicant's Authorized Representative responsible for paying CGS-review fee)

Name _____

Address _____

_____

_____

Ph. No. _____ **Fax No.** _____

1/4, 1/2, or 1/4 1/4 _____

Section(s) _____

Township _____

Range _____

FEE SCHEDULE

Reviews for Counties

Small Subdivision (> 3 dwellings and < 100 acres) $700
Large Subdivision (≥ 100 acres and < 500 acres) $1,550
Very Large Subdivision (500 acres or more) $2,500
Very small **residential** subdivisions (1-3 **dwellings** and < 100 acres) $590

Reviews for Municipalities . . . . . *At hourly rate of reviewer*
Special Reviews . . . . . *At hourly rate of reviewer*
School Site Reviews $855

CGS LAND USE REVIEWS

Geological studies are required by Colorado counties for all subdivisions of unincorporated land into parcels of less than 35 acres, under State statute C.R.S. 30-28-101 et seq. (Senate Bill 35, 1972). Some Colorado municipalities require geological studies for subdivision of incorporated land. In addition, local governments are empowered to regulate development activities in hazardous or mineral-resource areas under C.R.S. 24-65.1-101 et seq. (House Bill 1041, 1974) and C.R.S. 34-1-301 et seq. (House Bill 1529, 1973), respectively.

Local-government agencies submit proposed subdivision applications and supporting technical reports to the Colorado Geological Survey "...for evaluation of those geologic factors which would have significant impact on the proposed use of the land," in accordance with State statutes. The CGS reviews the submitted documents and serves as a technical advisor to local-government planning agencies during the planning process. Since 1984, the CGS has been required by law to recover the full direct cost of performing such reviews.

The adequate knowledge of a site's geology is essential for any development project. It is needed at the start of the project in order to plan, design, and construct a safe development. Proper planning for geological conditions can help developers and future owners/users reduce unnecessary maintenance and/or repair costs.

Colorado Geological Survey
1313 Sherman Street, Room 715, Denver, CO 80203
Ph: 303-866-2611, Fax: 303-866-2461
http://geosurvey.state.co.us

White copy to CGS
Yellow copy to Planning Agency
Pink copy to Applicant

created 3/16/98, revised 5/25/07

Frequently Asked Questions and Answers
Regarding the CGS Land Use Review Process

1 ***Why am I required to have a CGS review when I already hired and paid for my own consultant?***
In 1972, Senate Bill 35 was passed stating that any person or entity subdividing a property into parcels of 35 acres or less on unincorporated land must submit geologic or geotechnical reports to the County as part of the preliminary plat application process. Municipalities or public agencies may request that CGS review a site, although these reviews are not governed by the statute.

2 ***Why is a CGS review necessary when I already hired my own geologist?***
The CGS review is an independent third-party review that is done for the County, similar to the service a building inspector provides for construction review. The purpose of the CGS review is to ensure that all geologic concerns have been adequately identified and addressed in the geologic reports and that the proposed development is feasible.

3 ***Why does CGS charge for land use reviews? Doesn't taxpayer money pay for this service?***
CGS land use reviews are not subsidized through the general fund, although some other review agencies are supported by taxpayer money. In 1984 the state legislature decided that CGS reviews should be paid for with fees paid by the applicant of the proposed development so that taxpayers are not viewed as subsidizing development.

4 ***Did the CGS geologist make a field visit to the site?***
A CGS geologist visits each site being reviewed. If the review is a re-submittal for a site that has been visited previously, a second site visit may not be necessary. If significant changes have occurred since the initial review, the site may be visited again.

5 ***Why is the CGS review letter so short and simple? What is my fee paying for?***
The CGS letter is a review of the geologic material submitted and reflects the level of detail contained in those documents. CGS does not offer designs, but rather ensures that the work that has been done is meaningful and adequate for the site conditions and proposed development. A site review that adequately addresses all the geologic conditions present at the site may be a short confirmation letter. If more work needs to be done or if difficult site conditions are present, the letter may be longer.

6 ***What type of information do I need to submit to CGS for a land use review?***
The more geologic information that is submitted to CGS, the easier it is for CGS to evaluate the property. The required documents may vary based on county requirements and the potential problems that may impact the proposed development. A topographic map is essential. Also, information regarding slope, surficial materials, subsurface materials and bedrock, presence of groundwater and depth, and specific geologic hazards should be included, where applicable. Grading plans, drainage plans, and geotechnical testing results are also very helpful for the review. The presence of geologic hazards should be evaluated with respect to the development plan. Also, the effect of development on geologic conditions should be discussed. The evaluation should include alternatives such as avoidance and mitigation techniques.

7 ***The subdivision down the road was approved, why wasn't mine?***
There could be several reasons: geologic conditions can change over short distances; subdivisions made prior to 1972 were not required to undergo a CGS review and may have not been evaluated for geologic suitability at all; the area down the road may be incorporated as part of a municipality, which exempts it from the CGS review process. Another consideration is that geologic reviews are continually evolving and site conditions that have been judged acceptable in the past may no longer be considered as such, based on the current understanding of the geologic processes and adverse impacts associated with them.

8 ***Why are CGS reviews required even on low-density properties?***
Senate Bill 35 pertains to subdivisions of less than 35 acres. Geologic hazards can occur on large-scales or small-scales; relying on low-density subdivision can not mitigate all geologic hazards. For instance, entire hillsides might be prone to rockfall or landslide hazards. Large tracts of land may be subject to groundwater problems.

9 ***Why can't I just use the soil conservation maps for a geologic report?***
The USDA soil conservation maps are a good start for geologic investigations, but do not contain sufficient detail on the possible geologic problems that may occur at any site.

10 ***Aren't some of your review comments beyond the scope of geologic hazards on my site?***
Technically other agencies have regulatory authority regarding issues such as flood plains, groundwater availability and wildfire, but these issues are also important factors in the overall geologic context of the site and may affect geologic hazards on the site. The mention of a condition in the CGS review letter is not intended to influence the statutory authority of any other agency, but rather to ensure that all parties are aware of a potentially problematic geologic condition. For instance, mention of a situation involving a major drainage is a flag that the U.S. Army Corps of Engineers or the Colorado Water Conservation Board should be reviewing development plans.

11 ***When I bought this property, no one told me about any geologic hazards on the site; can I go back to the previous owners somehow?***
CGS can not give legal advice. If the seller was aware of adverse conditions with respect to the proposed use, this should have been disclosed. A legal opinion should be sought.

12 ***Can I get a waiver from having the CGS do a review?***
The discretion to grant waivers is vested by law with the counties. Once an application for review is submitted to CGS, we are under a statutory responsibility to respond.

13 ***I am willing to accept the risk associated with my property — why is it anyone's business what I do with my own land?***
The presumption associated with a subdivision is that portions of the property will be sold to others. This then assigns any risk to future buyers, and the county is required to protect their interests. Senate Bill 35 addresses a wide variety of land use issues as well as geologic suitability in an attempt to provide information so that the overall appropriateness of the subdivision proposal can be evaluated.