



Zoning Compliance Verification Policy

Applicability: All development projects must comply with the City’s zoning regulations, including height and location, and are subject to periodic inspection during construction and a final inspection prior to project completion. When required by the City’s Zoning Officer, certain development projects within the City of Aspen shall verify height and/or location compliance through submission of a survey report.

Unless otherwise exempted, all commercial, multi-family, lodging, and mixed-use projects proposed within one foot of the maximum permissible height or within one foot of allowable setbacks shall verify zoning compliance through this method.

In addition, the Zoning Officer may require this method be used to verify zoning compliance for single-family/duplex development or other projects where compliance may be in question. Independent of this policy, all projects must comply with all applicable zoning limitations.

The Zoning Officer will inform the applicant during building permit review if verification will be required. However, circumstances may require zoning compliance verification of a project which is already underway.

Timing: Height verification should be accomplished at a point of construction when enough roof structure is in place to accurately measure the structure yet early enough in the process to still make changes if the structure is too tall. Location verification should be accomplished at a point of construction when the final exterior of the structure can be accurately measured in relation to setback requirements.

Applicants are encouraged to confer with the Zoning Officer regarding the timing of zoning compliance verification. Applicants are encouraged to perform their own verification during construction to ensure the building is progressing to plan, including the height and location of foundation forms prior to concrete pours.

Survey Report: A Colorado Professional Land Surveyor shall describe and depict the height and location of a structure compared to the dimensions shown on the zoning sheets of the approved building permit plan set. The City’s Zoning Officer can assist in determining which elements of the structure should be measured and if natural or finished grade should be used.

The report shall include the following information:

- A brief cover letter with the building permit number, name of the project, name of the owner and general contractor, with a written description of the measurement methods including date(s) of measurement.
- For location verification: A plan drawing showing property boundaries, permitted setbacks, building envelope (if applicable), location of foundation walls, location of the outermost exterior of each structure (inclusive of all exterior veneer or other exterior treatments), and the location and dimension of each observed measurement.



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- For height verification: Elevation drawing(s) showing the natural or finished grade of the property, maximum permitted height, building elevations including the nominal roof form (inclusive of the first layer of exterior sheathing or weatherproofing membrane but excluding all exterior surface treatments such as shakes, singles, or other veneer treatments or ornamentation), and the location and dimension of each observed measurement. Additional roof plans showing location of measurements may be necessary.
- Plans and elevations must include height or setback exemption items unique to the building, such as stair/elevator overruns, utility/mechanical apparatus, hot tubs and spas, and other height or setback exemption items unique to the project.
- The report shall include a written description or drawing notes of the benchmarks or control points used to establish property boundaries, setbacks, building location, building height, and grades for each measurement.
- All drawings must correlate with the building locations, elevations, and grading/drainage representations in the approved building permit set.
- The report must include the signature, date, and stamp of Colorado Professional Land Surveyor who conducted the field measurements certifying that the field measurements are accurately represented.

Review and Acceptance of Report. The Zoning Officer shall review the report(s) and either confirm the project conforms to the dimensions shown on the zoning sheets of the approved building permit plan set and meets the zoning limitations for the property or shall determine which elements of the project are not in compliance. The Zoning Officer may request additional information to verify zoning compliance, which may include but is not limited to additional survey work or a site visit.

All drawings of the survey report must correlate with representations in the approved building permit set for acceptance. Modifications to field conditions or amendments to the building permit may be required.

A determination of non-compliance shall result in the issuance of a correction notice and possible work stoppage. Applicants are encouraged to verify zoning compliance as early as reasonably practical in the construction process to minimize disruption to the construction schedule.

Acknowledgment:

I (contractor name) _____ understand this policy. I agree that this project will comply with the zoning limitations affecting this parcel and the representations made on the zoning sheets of the approved building permit plans. I understand that a Certificate of Occupancy will not be issued until this project complies with all applicable zoning limitations.

Contractor signature: _____

Date: _____