

# Modifications

## Section 9.00.03, Definitions:

Minor modification(s) A modification to the final development plan or development order that falls within the following limits and that is necessary in light of technical or engineering considerations first discovered during or before actual development and not reasonably anticipated during the initial process:

1. Alteration of the location of any walkway, landscaping, or structure in a manner consistent with the Comprehensive Plan and Land Development Code, or
2. Alteration of the location of the road right-of-way, or
3. Reduction in the total amount of open space by not more than five percent, or reduction in the yard area or open space associated with any single structure by not more than five percent, provided such reduction does not permit the required yard area or open space to be less than required by this code or otherwise specifically conditioned by the original approval process, or
4. An increase in the use of the site or building(s), provided such change does not increase the overall demand for concurrency capacity for sanitary sewer, solid waste, drainage, potable water, recreation, open space, by more than three percent, or
5. Any change in the use of the site, provided such change does not increase the demand of concurrency capacity for sanitary sewer, solid waste, drainage, potable water, recreation, open space or roadways, or
6. Any change that increases the height of the structure by less than ten percent.  
, or
7. Any relocation of lot lines or change in the configuration of the lots and blocks on an approved subdivision plat, prior to final approval for recording in the public records pursuant to Section 9.02.04D, so long as the gross density is the same or less than originally approved, the change does not involve clustering where the original plat did not involve clustering, all other applicable code requirements are satisfied, and no changes to the specific conditions of the development order are required.

Major Modification(s) A modification other than a minor modification, from a final development plan, including but not limited to any change to a condition in the Final Development Order that was expressly imposed by the Planning Commission or Board of County Commissioners; or any change that adversely affects the compatibility or concurrency of the proposed project as determined by the Planning Department; or any change that the Planning Administrator, or a designee, determines should be reviewed by the Planning Commission and/or the Board of County Commissioners due to the community impact of the proposed change.

## 9.01.05 Modifications to a Final Development Order

When modifications to a Final Development Order constitute either a Major or Minor Modification the following regulations establish the procedure for processing such deviations.

1. Modifications, which have been determined as Minor Modification(s), shall necessitate a formal amendment of such Order. Such an amendment shall be reviewed and processed administratively by the Planning Official who has decision making authority as to such modifications. When the Planning Official deems necessary, such amendments shall be reviewed and approved pursuant to the requirements of a Minor Development.
  2. Major Modifications to an existing Final Minor Development Order shall be reviewed and processed pursuant to the requirements of a Minor Development. However, should the modification satisfy any of the criteria set forth in the definition of minor development when combined with the initial approval and any other authorized deviations, the modification shall then be reviewed and processed pursuant to the requirements for a Major Development.
  3. Major Modifications to an existing Final Major Development Order shall be reviewed and processed pursuant to the requirements of Major Development.
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