

Board of County Commissioners Meeting

Tuesday, December 13, 2016

Hearing Room 1, First Floor

AGENDA

The Tuesday meeting of the Board of County Commissioners (The Board) is an open meeting in which The Board approves contracts, expends funds, hears testimony, makes decisions on land use cases and takes care of other county matters. The public is welcome to attend.

The Board meeting has three parts: Public Comment, the Business Meeting and the Public Hearing.

General Procedures

Agenda items will normally be considered in the order they appear on this agenda. However, The Board may alter the agenda, take breaks during the meeting, work through the noon hour; and even continue an item to a future meeting date.

Public Comment (8:00 a.m.)

The Board welcomes your comments; During the Public Comment time, members of the public have three minutes to present views on county matters that are not included on the Hearing Agenda. The Public Comment time is not for questions and answers: it is your time to express your views.

Please note that you are always welcome to communicate with the Board on the county's Web site (www.jeffco.us), by e-mail (commish@jeffco.us), by phone (303-271-8525), fax (303-271-8941) or US mail (100 Jefferson County Parkway, Golden, CO 80419). You can also meet your Commissioners at numerous community events such as town hall meetings, homeowner associations and chamber meetings.

Business Meeting

Call to Order

Pledge of Allegiance

Proclamation - Bill of Rights Day

Tuesday, December 13, 2016 (continued)

Approval of Minutes Dated December 6, 2016

Consent Agenda

CONSENT AGENDA PROCEDURES - Items on the Business Meeting Consent Agenda generally are decided by The Board without further discussion at the meeting. However, any Board member may remove an item from the Business Meeting Consent Agenda. The Board is not required to take public comment on removed items, but may request additional information and input.

1. **Resolution CC16-480** Expenditure Approval Listings - Accounting
2. **Resolution CC16-481** Abatement/Refund of Property Taxes – Board of Equalization
3. **Resolution CC16-482** Abatement/Refund of Property Taxes – Board of Equalization
4. **Resolution CC16-483** Appointments to the Jefferson County Board of Adjustment - Board of County Commissioners
5. **Resolution CC16-484** Appointments to the Jefferson County Cultural Council - Board of County Commissioners
6. **Resolution CC16-485** Appointment of the Jefferson County Veteran Services Officer - Board of County Commissioners
7. **Resolution CC16-486** Jefferson County Surveyor Office Designation as Part Time and Establishment of Salary - Board of County Commissioners
8. **Resolution CC16-487** Payment to the Foothills Animal Shelter for Operation Expenses - Finance and IT
9. **Resolution CC16-488** Payroll and Payment Certifications for the Month of October 2016 - Human Services
10. **Resolution CC16-489** Purchase Order - OJ Watson Company, Inc. for the Purchase of Five (5) Component Packages to be Installed on New Kenworth Dump/Snowplow Trucks (\$350,495.00) - Fleet

Tuesday, December 13, 2016 (continued)

11. **Resolution CC16-490** Purchase Order - MHC Kenworth, Inc. for the Purchase of One (1) New 2017 Kenworth T800 Tandem Axle Cab and Chassis for Sewer Jetter Functions (\$130,716.00) - Fleet
12. **Resolution CC16-491** Purchase Order - MHC Kenworth, Inc. for the Purchase of Two (2) New 2017 Kenworth T800 Tandem Axle Cabs and Chassis for Lowboy Heavy Haul Trailers (\$312,056.00) - Fleet
13. **Resolution CC16-492** Purchase Order - MHC Kenworth, Inc. for the purchase of Five (5) New 2017 Kenworth T470-CL8 Tandem Axle Cabs and Chassis for Dump/Snowplows Trucks (\$612,675.00) - Fleet
14. **Resolution CC16-493** Purchase Order - Honnen Equipment Company for the Purchase of One (1) 2017 John Deere 644K 4-Yard Loader (\$216,637.00) - Fleet
15. **Resolution CC16-494** Purchase Order - Honnen Equipment Company for the Purchase of One (1) 2017 John Deere 410L Backhoe with Thumb (\$111,635.00) - Fleet
16. **Resolution CC16-495** Purchase Order - Honnen Equipment Company for the Purchase of Three (3) 2017 John Deere 772G, 6WD, Motor Graders (\$784,500.00) - Fleet
17. **Resolution CC16-496** Second Contract Renewal - Rolling R Ranch Company, LLC for Forest Slash Collection and Utilization (NTE \$105,000.00) - Facilities
18. **Resolution CC16-497** Policy Manual Part 5, Chapter 3, Section 1 Regarding Training and Education - Human Resources
19. **Resolution CC16-498** Jefferson County Multi-Hazard Mitigation Plan - 2016 Update - Sheriff

Other Contracts and Resolutions for which Notice was not possible may be considered.

Regular Agenda - No Agenda Items

Public Hearing

There are two parts to the Public Hearing Agenda: the Hearing Consent Agenda and the Regular Hearing Agenda.

Tuesday, December 13, 2016 (continued)

Items are listed on the Hearing Consent Agenda because no testimony is expected. In the event a Commissioner or any member of the public wishes to testify regarding an item on the Consent Agenda, the item will be removed and considered with the Regular Hearing Agenda.

Unless otherwise stated by the Chair, a motion to approve the Hearing Consent Agenda shall include and be subject to staff's findings, recommendations, and conditions as listed in the applicable Staff Report.

Hearing Consent Agenda - No Agenda Items

The public is entitled to testify on items under the Public Hearing Regular Agenda. Information on participation in hearings is provided in the County's brochure, *"Your Guide to Board of County Commissioners Hearings."* It may be obtained on the rack outside the hearing room or from the County Public Engagement Office at 303-271-8512.

Hearing Regular Agenda

20. **Resolution CC16-479**

Case Number:

**16-103547AM: Regulation
Amendment (continued from November
15, 2016)**

Applicant:

Jefferson County

Location:

Unincorporated Jefferson County

Purpose:

**To amend the Site Development Plan
process and associated regulations
within the Zoning Resolution and
Land Development Regulations.**

Case Manager:

Heather Gutherless/Christiana Farrell

Reports

County Commissioners

County Manager

County Attorney

Adjournment

Jefferson County does not discriminate on the basis of race, color, national origin, sex, religion, age, disability or sexual orientation in the provision of services. Disabled persons requiring reasonable accommodation to attend or participate in a County service, program or activity should call 303-271-5000 or TDD 303-271-8071. We appreciate a minimum of 24 hours advance notice so arrangements can be made to provide the requested auxiliary aid.

The Board meetings can be viewed on a television monitor in the cafeteria on the lower level of the Jefferson County Administration and Courts Facility. Also, you may use the cafeteria tables there to work or gather until The Board is ready to hear your case. The Board meetings and hearings are recorded and available on the county's Web site at www.jeffco.us.

JEFFERSON COUNTY, COLORADO



PROCLAMATION

Bill of Rights Day

December 15th, 2016

WHEREAS, December 15th, 2016 marks the 225th anniversary of the adoption of the first ten amendments to the United States Constitution known collectively as the Bill of Rights; and

WHEREAS, in 1789, under the First Congress of the United States, James Madison of Virginia was asked to draft a proposal which would later become the Bill of Rights; and

WHEREAS, the Bill of Rights, which enshrines personal liberty and human dignity, were ratified into the United States Constitution on the fifteenth day of December in 1791; and

WHEREAS, the Bill of Rights stands tall as a barrier erected in opposition to unimpeded government power, and is an important core of American values; and

WHEREAS, to preserve the rights and freedoms secured by the Bill of Rights, our Forefathers, and millions of men and women serving on police agencies and armed forces of the United States have sacrificed, suffered, and died under the banner of freedom.

NOW, THEREFORE be it proclaimed, by the Jefferson County Board of County Commissioners, of the State of Colorado, that the fifteenth day of December, 2016, be declared as Bill of Rights day in this county.

Libby Szabo, Chairman

Donald Rosier, Chairman Pro Tem

Casey Tighe, Commissioner



COMMISSIONERS' MINUTES OF DECEMBER 6, 2016

The Board of County Commissioners of the County of Jefferson, State of Colorado, met in regular session on December 6, 2016 in the Jefferson County Government Center, Golden, Colorado. Commissioner Libby Szabo, Chairman presided. Commissioner Donald Rosier, Commissioner Casey Tighe and Katelyn Kellogg, Deputy Clerk to the Board, were present.

Commissioner Libby Szabo, Chairman called the meeting to order.

STAFF PRESENT:

Ralph Schell, County Manager
Ellen Wakeman, County Attorney
Kourtney Hartman, Assistant County Attorney
John Wolforth, Director of Planning and Zoning
Justin Montgomery, Planner
Margaret Chapman, Public Trustee
Mary O'Neil, Director of Budget & Risk Management
Dan Conway, Budget Manager
Jeff Shrader, Sheriff

APPROVAL OF MINUTES

Following a general discussion, the Board upon motion of Commissioner Tighe, duly seconded by Commissioner Szabo and by majority vote with Commissioner Rosier abstaining, approved the Minutes of November 1, 2016.

Following a general discussion, the Board upon motion of Commissioner Rosier, duly seconded by Commissioner Tighe and by majority vote with Commissioner Szabo abstaining, approved the Minutes of November 15, 2016.

CONSENT AGENDA

The Board approved the following Resolutions:

1. **Resolution CC16-457** Expenditure Approval Listings Dated December 1, 2016 - Accounting
2. **Resolution CC16-458** Ratification of Expenditure Approval Listings Dated November 17, 2016 and November 23, 2016 - Accounting
3. **Resolution CC16-459** Bi-Weekly Payroll Register - Accounting

4. **Resolution CC16-460** Abatement/Refund of Property Taxes – Board of Equalization
5. **Resolution CC16-461** Abatement/Refund of Property Taxes – Board of Equalization
6. **Resolution CC16-462** Approval of Public Trustee Quarterly Report Dated October 25, 2016 for 3rd Quarter 2016 - Public Trustee
7. **Resolution CC16-463** Abstract of Assessment - Certification - Assessor
8. **Resolution CC16-464** 2017 Pre-Approval of Certain Items for the Department of Human Services - Human Services
9. **Resolution CC16-465** Payroll and Payment Certifications for the Month of September 2016 - Human Services
10. **Resolution CC16-466** Memorandum of Understanding with Required Workforce Innovation and Opportunity Act Partners - Clear Creek and Gilpin Counties - Human Services
11. **Resolution CC16-467** Intergovernmental Agreement - Teller County - 2016 Community Services Block Grant - Human Services
12. **Resolution CC16-468** Peaks to Plains Trail - Mouth of Clear Creek Canyon Segment Great Outdoors Colorado (GOCO) Grant Award - Open Space
13. **Resolution CC16-469** City of Arvada - Moore Brothers Farm Subordination of Reverter JCOS16-13 - Open Space
14. **Resolution CC16-470** Deer Creek Canyon Park - Lockheed Martin Trail Easement Amendment JCOS16-22 - Open Space
15. **Resolution CC16-471** South Table Mountain Park - Sedita Trail OS10-26, Golden Canal and Reservoir Company (Welch Ditch) JCOS16-06, The Consolidated Mutual Water Company OS01-21 - Open Space

16. **Resolution CC16-472** Hangar Sale and Ground Lease - JETTECH, L.L.C. - Airport

17. **Resolution CC16-473** Contract First Amendment - T-Bone Construction, Inc. to Add Additional Work (Additional \$122,097.70 for Total Revised Contract Amount of \$717,298.36) - Airport

18. **Resolution CC16-474** Contract Second Renewal - W.L. Contractors, Inc for Traffic Signal Maintenance Services (NTE \$170,000.00) - Transportation and Engineering

19. **Resolution CC16-475** Amend the Retirement Benefit Plan Offerings for all Participants - Human Resources

20. **Resolution CC16-425** 2016 Budget - Supplementary Budget and Appropriation - Budget

21. **Resolution CC16-476** Policy Manual Part 7, Chapter 5, Section 5 Regarding Signature Authority for Deeds and Easements - Development and Transportation

22. **Resolution CC16-477** Policy Manual Part 2, Chapter 2, Section 14 Regarding The Airport Advisory Board - Development and Transportation

23. **Resolution CC16-478** Policy Manual Part 5, Chapter 4, Section 4 Regarding Information Technology Resources and Policy Manual Part 4, Chapter 6, Section 2 Regarding Procurement Cards - Finance and IT

REGULAR AGENDA

The Board approved the following Resolutions:

24. **2017 Public Trustee Budget**

25. **Resolution CC16-426** 2017 Budget Adoption and Appropriation - Budget

26. **Resolution CC16-427** Establishment of Mill Levies and Levying of General Property Taxes for the Budget Year 2017 - Budget

27. **Resolution CC16-428** Authorization for Payment of Various 2017 Agency Dues - Budget

SPECIAL REPORTS

Meadow Ranch Public Improvement District

The Board adjourned as the Board of County Commissioners and reconvened as the Board of Meadow Ranch Public Improvement District Authority.

Consent Agenda

28. **Resolution MR16-003** 2016 Budget - Supplementary Budget and Appropriation - Budget

Following a general discussion, the Board upon motion of Commissioner Rosier, duly seconded by Commissioner Tighe and by unanimous vote, approved **RESOLUTION MR16-003**.

Regular Agenda

29. **Resolution MR16-004** Adoption and Appropriation of the Meadow Ranch Public Improvement District Budget for Calendar Year 2017 and Establishing a Mill Levy and Levying of General Property Taxes for the 2017 Budget Year - Budget

Following a general discussion, the Board upon motion of Commissioner Rosier, duly seconded by Commissioner Tighe and by unanimous vote, approved **RESOLUTION MR16-004**.

The Board adjourned as the Meadow Ranch Public Improvement District and reconvened as the Law Enforcement Authority and by unanimous vote, adopted the following resolution:

Law Enforcement Authority

30. **Resolution LEA16-003** Adoption and Appropriation of the Jefferson County Law Enforcement Authority Budget for Calendar Year 2017 and Establishing a Mill Levy and Levying of General Property Taxes for the 2017 Budget Year – Budget

The Board adjourned as the Law Enforcement Authority and reconvened as the Board of County Commissioners.

PUBLIC HEARING CONSENT AGENDA – No Agenda Items

PUBLIC HEARING REGULAR AGENDA

31. Resolution CC16-456

Case Number: 16-105311RZ: Rezoning (continued from September 13, 2016 and October 25, 2016)

Case Name: Emmaus Catholic Retreat & Conference Center ODP
Owner/Applicant: Camp St. Malo Catholic Conference & Retreat Center, Inc.

Location: 13034 South US Highway 285 Sections 5 & 6, Township 7 South, Range 71 West, Sections 31 & 32, Township 6 South, Range 71 West

Approximate Area: 247.1 Acres

Purpose: Rezone from Agricultural-Two (A-2) to Planned Development (PD) to allow a religious retreat and conference center and A-2 uses.

Case Manager: Justin Montgomery

Testimony: Father Randy Dollins, applicant
 Bob Saas
 Bill McLaughlin, Elk Creek Fire Chief
 James Silvestro, Council for Elk Creek Estates LLC and Douglas County Ranch Property HOA
 Valerie Amburn, Glenelk Association
 Susan Festag

Following the taking of testimony and a general discussion, the Board upon motion of Commissioner Rosier, duly seconded by Commissioner Tighe and by unanimous vote, adopted a resolution to go into **executive session for Attorney-Client Communication Only** regarding Rezoning Case #16-105311RZ.

The portion of the executive session that was not recorded was confined to the topic authorized for discussion in an executive session pursuant to Section 24-6-402 (4) C.R.S.

The Board came out of executive session.

Following a general discussion, the Board upon motion of Commissioner Rosier, duly seconded by Commissioner Tighe and by unanimous vote, adopted **RESOLUTION CC16-456** approving Rezoning Case #16-105311RZ.

REPORTS

The Commissioners reported attending many events and meetings including a CCI meeting, a West Connect meeting, the ARC Christmas Party, and the Library Board meeting.

Commissioner Rosier presented proclamations on National Adoption Day and both Commissioner Tighe and Commissioner Rosier presented awards at the Celebrate Women breakfast.

Ralph Schell thanked the Deputy County Manger and Janice Fredrickson for their work on refurbishing the hearing room.

Ellen Wakeman congratulated Ralph Schell on his upcoming retirement.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned.

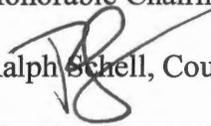
Attest:

Board of County Commissioners of
the County of Jefferson, Colorado

Katelyn Kellogg, Deputy Clerk

Libby Szabo, Chairman

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners
FROM:  Ralph Schell, County Manager
DIST: Tim Kauffman, County Treasurer
RE: EXPENDITURE APPROVAL LISTINGS
DATE: December 13, 2016

Staff Recommendation:

Allow settlement of accounts listed on the Expenditure Approval Listings dated December 8, 2016

Resolution No. **CC 16 - 480**

Background:

Jefferson County has established a system of controls to reasonably assure that the claims to be examined and settled by the BCC on the Expenditure Approval Listings are allowable.

Further, the staff has reviewed all claims and has reasonable assurance that all claims are allowable and are in order to be paid.

Prepared By: Kay Aberle, Accounting Supervisor, x8532, Jefferson County Accounting Division

Reviewed by: Deborah Freischlag, Director of Accounting, x8542, Jefferson County Accounting Division

MEMORANDUM

TO: The Board of County Commissioners
FROM: Board of Equalization
CC: Ellen G. Wakeman, County Attorney
RE: Abatement/Refund of Property Taxes

Staff Recommendation:

Resolved, that the Board of County Commissioners approves the findings and recommendations of the board-appointed referee denoted in the corresponding abatement resolution and adopts those findings and recommendations as its final action on this abatement appeal.

<u>CASE NO.</u>	<u>PETITIONER</u>	<u>TAXES ABATED/ REFUNDED</u>
A16-189	John S. Corbett	\$246.68
Resolution No.	<u>CC 16 - 4 8 1</u>	

Background:

Final Board action on 1 abatement petition, \$246.68 to be refunded. Taxpayer has filed an abatement petition alleging that the property has been overvalued or that the tax levy is illegal. The Assessor recommended that this petition be denied and a hearing was held before a board-appointed referee. The referee recommends approval of this petition in the amount indicated in the corresponding resolution. The Board is taking final action on said petition by accepting or rejecting the referee's recommendations.

If an abatement petition is approved by the Board, the Treasurer's Office will calculate interest owed and send payment to the taxpayer. The Property Tax Administrator must approve all refunds in excess of \$10,000.00. If unsatisfied with this Board's action, a taxpayer may appeal further to the State Board of Assessment Appeals.

Prepared by: Casie Stokes, Assistant County Attorney *CAS*
Distribution: Board of Equalization

M E M O R A N D U M

TO: The Board of County Commissioners
FROM: Board of Equalization
CC: Ellen G. Wakeman, County Attorney
RE: Abatement/Refund of Property Taxes

Staff Recommendation:

Resolved, that the Board of County Commissioners approves the findings and recommendations of the Jefferson County Assessor denoted in the corresponding abatement resolutions and adopts those findings and recommendations as its final action on these abatement petitions.

<u>CASE NO.</u>	<u>PETITIONER</u>	<u>TAXES ABATED/ REFUNDED</u>
A16-139	Analysis Group Inc.	\$110,174.43
A16-244	Donna L. Anderson	\$1,544.27
A16-274	Bankers Life & Casualty	\$1,451.70
A16-276	Joseph Calabrese	\$101.21
A16-232	Idella Lewis	\$0.00
A16-273	Littleton (CO) LLC	\$1,916.65
A16-234	Paul W. Martin	\$1,535.43
A16-258	Steven Michael Petersen	\$5,653.08
A16-218	Roger L. Ryan	\$143.40

Resolution No. CC 16 - 4 8 2

Background:

Final Board action on 9 abatement petitions, \$ 122,520.17 to be refunded. Taxpayers have filed abatement petitions alleging that their property has been overvalued or that their tax levy is illegal. The Assessor recommends approval of these petitions in the amounts indicated in the corresponding resolutions. The Board is taking action on these abatement petitions by accepting or rejecting the Assessor's recommendations.

If an abatement appeal is approved by the board, the Treasurer's Office will calculate interest owed and send payment to the taxpayer. The Property Tax Administrator must approve all refunds in excess of \$10,000.00. If unsatisfied with this Board's action, a taxpayer may appeal further to the State Board of Assessment Appeals. Abatement refunds over \$10,000.00 are recommended for the following reasons:

A16-139: Taxpayer moved to City and County of Denver in 2012.

Prepared by: Casie Stokes, Assistant County Attorney *CAS*

Distribution: Board of Equalization

MEMORANDUM

AGENDA ITEM 4

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM:  Ralph Schell,
County Manager

RE: Appointments to Jefferson County Board of Adjustment

DATE: December 13, 2016

Staff Recommendation:

Approves the appointment of Mindi Grissom as a regular member on the Jefferson County Board of Adjustment.

Approves the term of this appointment to be effective December 22, 2016 and to expire March 31, 2020, or until reappointed or replaced by the Board of County Commissioners.

Approves the appointment of Dave Iadarola as a regular member on the Jefferson County Board of Adjustment.

Approves the term of this appointment to be effective December 22, 2016 and to expire March 31, 2018, or until reappointed or replaced by the Board of County Commissioners.

Approves the appointment of David Wray as an alternate member on the Jefferson County Board of Adjustment.

Approves the term of this appointment to be effective December 22, 2016 and to expire March 31, 2018, or until reappointed or replaced by the Board of County Commissioners.

Resolution No.

CC 16 - 483

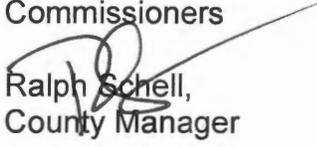
Distribution:

Original returned to: Janice Fredricksen

Copies to: John Wolforth, Planning and Zoning

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM:  Ralph Schell,
County Manager

RE: Appointments to Jefferson County Cultural Council

DATE: December 13, 2016

Staff Recommendation:

Approves the appointments of Diane O'Grady to represent District 2, Barb Moritzky to represent District 3 as regular members on the Jefferson County Cultural Council.

Approves the term of these appointments to be effective Date of this Resolution, and to expire November 30, 2019, or until reappointed or replaced by the Board of County Commissioners.

Resolution No. **CC 16 - 484**

Distribution:

Original returned to: Janice Fredricksen

Copies to: Tracy Emerson, Clerk to Board Office

MEMORANDUM

AGENDA ITEM 6

TO: Honorable Chairman and Members of the Board of County Commissioners
FROM:  Ralph Schell,
County Manager
RE: Appointment of Veteran Services Officer
DATE: December 13, 2016

Staff Recommendation:

Approves the reappointment of Peter P. Mortaro as the Veteran Services Officer.

Approves the term of this appointment to be effective January 1, 2017, and to expire December 31, 2018, or until reappointed or replaced by the Board of County Commissioners.

Resolution No.

CC 16 - 4 8 5

Distribution:

Original returned to: Janice Fredricksen

Copies to: Kat Douglas, Community Development

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM: Ellen Wakeman, County Attorney

RE: Surveyor Office Designation as Part Time and Establishment of Salary

DATE: December 13, 2016

Staff Recommendation:

RESOLVED, that the salary for the County Surveyor for the term commencing January 10, 2017, is set at \$5,000 annually pursuant to § 30-2-102(4), C.R.S. for county officers working part-time. The compensation does not include benefits, office space, or other budgetary support. Compensation for performance of additional duties may be provided at the discretion of the Board under § 30-10-905, C.R.S.

Resolution No. CC 16 - 4 8 6

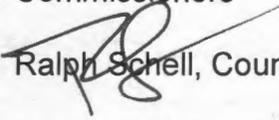
Background:

In 2015, by resolution CC15-018, the BCC previously reduced the office of County Surveyor to part time and reduced the salary from the statutory amount of \$5,500 to the part time amount of \$2,750. The statutory compensation for the Surveyor has increased to \$7,150.

Jefferson County employs a surveyor on staff and the County Surveyor has traditionally deferred to the staff surveyor. However, Robert Hennessy, the incumbent Jefferson County Surveyor, has been in contact with County residents and assisted them with information. Therefore the BCC determined to increase his salary for part time work to \$5,000 per year for the next term.

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM:  Ralph Schell, County Manager

RE: Payment to Foothills Animal Shelter for Operation Expenses

DATE: December 13, 2016

Staff Recommendation: NOW THEREFORE BE IT RESOLVED, that the Board of County Commissioners ("BCC") authorizes a payment to Foothills Animal Shelter ("FAS") not to exceed One Hundred Eighty Thousand Eight Hundred and Fifty Three Dollars (\$180,853.00) in 2017.

Resolution No. **CC 16 - 487**

Background: FAS is an entity formed by the county and municipalities within Jefferson County to perform animal shelter services for the participating entities Prior to 2012, Jefferson County and the six municipalities served by the Shelter paid annual assessments to support the Shelter's 24/7-365 operations. Seeking a source of sustainable operating support (with the potential for growth) the municipalities and county signed an Intergovernmental Agreement in 2012 which transferred the licensing program from Jefferson County to Foothills Animal Shelter. By doing so, the municipalities and county would pay for the debt on the building and licensing fees would support shelter operations. At the time it was thought by moving the licensing program to Foothills Animal Shelter the shelter would be able to increase licensing compliance and thereby generate sufficient operating funds. However, after 3 years, licensing compliance rates remained low and it was determined that the current operation expenses could not be covered by the licensing earning and the other revenue that is generated at the shelter. FAS has requested that the Board contribute a special assessment for the 2017 Fiscal Year.

BCC Briefing Presented throughout 2017 Budget meetings

Fiscal Impact:

Prepared by: Kate Newman, Deputy County Manager

Distribution:

Original returned to: Holly Bjorklund
Copies to: Kate Newman, Elaine Fears

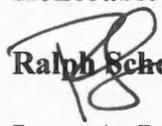
BCC HEARING ROUTING FORM (non-purchasing items)

Contacts: Originating Division and Contact: Holly Bjorklund Phone: X8597
 County Attorney Contact: _____ Phone: _____

Item Title: _____

ROUTING					
O R D E R	Division	Authorized Signatures Name/Initials	Date Rec'd	Date Frw'd	Comments
()	Originator				
()	Division Director				
()	County Attorney				
()	Department Director	HHB	12/2	12/2	
()	Budget				
()	Elected Official				
()	BCC Agenda Coordinator	amg			

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners
FROM:  Ralph Schell, County Manager
DIST: Lynn A. Johnson
RE: PAYROLL AND PAYMENT CERTIFICATIONS
FOR THE MONTH OF OCTOBER 2016

Staff Recommendation:

Resolved, that the Board of County Commissioners approves the Divisions of Community Assistance, and Children, Youth and Families' payrolls and payments for the month of October 2016.

Resolution No. **CC 16 - 4 8 8**

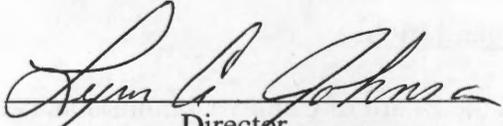
Background:

Section 26-1-123(3)(a), C.R.S. 1973 as amended, requires the County Board of County Commissioners to administer the Human Services' fund pursuant to rules and regulations adopted by the State Department. State Department regulations require all County Division payrolls, defined as "listings of multiple payees on a form providing warrant number, name of payee, and amount of warrant" be certified by the County Director and Chairman of the Board of County Commissioners upon approval by the Board. The October 2016 payrolls and payments have been certified by Lynn A. Johnson, and are temporarily placed in the possession of the Clerk to the Board of County Commissioners pending action on this resolution.

STATE OF COLORADO)
) S.S.
COUNTY OF JEFFERSON)

I, Lynn A. Johnson, Executive Director of the Department of Human Services for Jefferson County, Colorado, hereby certify that the payments herein set forth by the Divisions of Community Assistance, and Children, Youth and Families have been reviewed by staff to be true and accurate payments made to the respective payee(s), and totaling the sum of \$7,252,842.08 for the month of October 2016.

11-30-2016
Date


Director

STATE OF COLORADO)
) S.S.
COUNTY OF JEFFERSON)

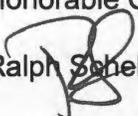
I, Libby Szabo, Chairman of the Board of County Commissioners of Jefferson County, Colorado, hereby certify that the payment(s) as set forth herein have this date been approved, and warrant(s) in payment thereof ordered issued upon the programs as listed for the month of October 2016, totaling the sum of \$7,252,842.08.

Date

Chairman

MEMORANDUM

AGENDA ITEM 10

TO: Honorable Chairman and Members of the Board of County Commissioners
FROM:  Ralph Schell, County Manager
DIST: Buck Benke, Deb Freischlag
RE: Purchase Order for Five (5) Component Packages to be Installed on New Kenworth Dump/Snowplow Trucks.
Fleet Services Division (for Road & Bridge Division)

Staff Recommendation:

Approve an expenditure in the amount of **\$350,495.00** to **OJ Watson Company, Inc.** for the purchase of five (5) dump body component packages for new Kenworth dump/snowplow trucks.

Estimated Delivery Time: By September 2017

RESOLUTION NUMBER:

CC 16 - 4 8 9

Background:

The new units will take the place of units that are due for replacement. They are required by the Road and Bridge Division to perform road maintenance operations.

Over the past years, Fleet Services has made a conscious effort to standardize several essential types of heavy equipment. OJ Watston has been installing the component packages on County vehicles for the past thirteen (13) years. Standardization, both with regard to brand of components and the manner in which they are mounted onto the equipment, reduces parts inventory costs and labor costs, facilitates user training, and promotes interchangeability between equipment units. Component packages from other manufacturers are not interchangeable.

In the BCC briefing of November 15, 2016, Fleet Services received permission to issue a purchase order in 2016 for these component packages to be delivered in 2017 and paid with 2017 funds (contingent upon approval of the 2017 budget). By doing so, the County will avoid a price increase that goes into effect the first of the year, resulting in an estimated minimum savings of \$10,514.00.

Fiscal Information:

Funding is available in the 2017 vehicle replacement budget. This expenditure is within the scope and budget for this project.

BCC Briefing Presented by: Buck Benke, Fleet Services Director on November 15, 2016.

Originator: Agenda memo prepared by Lanny Loveday, Purchasing, Ext. 8587.

Contacts: Randy Sturgeon, x5256.

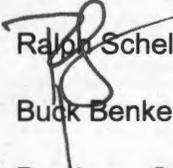
Original returned to: Lanny Loveday, Purchasing.

Copies to: Marcia Sieben, Purchasing Manager
Kate Newman, Deputy County Manager
Randy Sturgeon, Fleet Services

Approvals	Marcia Sieben, Purch Mgr Buck Benke, Div Dir Kate Newman, Dept Dir	Approved: 12/2/2016 Approved: 12/5/2016 Approved: 12/6/2016
Agenda Coordinator Review		<input checked="" type="checkbox"/> Check <i>amy</i>
Final Approval	BCC	
Vendor	OJ Watson Company, Inc.	
End User	Fleet Services	
Document Type	PO	
Dollar Value of PO	\$350,495.00	
Term	N/A	
Description	Five dump body component packages for new cabs/chassis	
Buyer	Lanny Loveday	

MEMORANDUM

AGENDA ITEM 11

TO: Honorable Chairman and Members of the Board of County Commissioners
FROM:  Ralph Schell, County Manager
DIST: Buck Benke, Deb Freischlag
RE: Purchase Order for One (1) New 2017 Kenworth T800 Tandem Axle Cab & Chassis
Fleet Services Division (for Road & Bridge Division)

Staff Recommendation:

Approve an expenditure in the amount of **\$130,716.00** to **MHC Kenworth, Inc.** for the purchase of one (1) 2017 Kenworth T800 tandem axle cab & chassis for sewer jetter functions.

Delivery is estimated to be seven weeks following receipt of an order.

RESOLUTION NUMBER: **CC 16 - 4 9 0**

Background:

The new unit will take the place of a unit that is due for replacement. The Road and Bridge Division requires the new tandem axle cab and chassis to perform road maintenance and storm drain operations.

Fleet Services has made a conscious effort to standardize several essential types of heavy equipment over the past years. This effort has resulted in lower operating costs, as well as lower costs for on-hand parts inventory and mechanic and operator training. MHC Kenworth is the authorized Kenworth dealer in Colorado.

In the BCC briefing of November 15, 2016, Fleet Services received permission to issue purchase orders in 2016 for a number of pieces of equipment to be delivered in 2017 and paid with 2017 funds (contingent upon approval of the 2017 budget). By doing so, the County will avoid price increases that go into effect January 1, 2017, resulting in an estimated overall savings of \$108,384.00.

Fiscal Information:

Funding is available in the 2017 vehicle replacement budget. This expenditure is within the scope and budget for this project.

BCC Briefing Presented by: Buck Benke, Fleet Services Director on November 15, 2016.

Originator: Agenda memo prepared by Lanny Loveday, Purchasing, Ext. 8587.

Contacts: Randy Sturgeon, x5256.

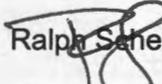
Original returned to: Lanny Loveday, Purchasing.

Copies to: Marcia Sieben, Purchasing Manager
Kate Newman, Deputy County Manager
Randy Sturgeon, Fleet Services

Approvals	Marcia Sieben, Purch Mgr Buck Benke, Div Dir Kate Newman, Dept Dir	Approved: 12/2/2016 Approved: 12/5/2016 Approved: 12/6/2016
Agenda Coordinator Review		<input checked="" type="checkbox"/> Check <i>ams</i>
Final Approval	BCC	
Vendor	MHC Kenworth Inc	
End User	Fleet Services	
Document Type	PO	
Dollar Value of PO	\$130,716.00	
Term	N/A	
Description	One Tandem Cabs & Chassis	
Buyer	Lanny Loveday	

MEMORANDUM

AGENDA ITEM 12

TO: Honorable Chairman and Members of the Board of County Commissioners
FROM:  Ralph Schnell, County Manager
DIST: Buck Benke, Deb Freischlag
RE: Purchase Order for Two (2) New 2017 Kenworth T800 Tandem Axle Cabs & Chassis
Fleet Services Division (for Road & Bridge Division)

Staff Recommendation:

Approve an expenditure in the amount of **\$312,056.00** to **MHC Kenworth, Inc.** for the purchase of two (2) 2017 Kenworth T800 tandem axle cabs & chassis for lowboy heavy haul trailers.

Delivery is estimated to be seven weeks following receipt of an order.

RESOLUTION NUMBER:

CC 16 - 4 9 1

Background:

The new units will take the place of units that are due for replacement. The Road and Bridge Division requires two new tandem axle cabs and chassis to perform the heavy haul/recovery of equipment.

Fleet Services has made a conscious effort to standardize several essential types of heavy equipment over the past years. This effort has resulted in lower operating costs, as well as lower costs for on-hand parts inventory and mechanic and operator training. MHC Kenworth is the authorized Kenworth dealer in Colorado.

In the BCC briefing of November 15, 2016, Fleet Services received permission to issue purchase orders in 2016 for a number of pieces of equipment to be delivered in 2017 and paid with 2017 funds (contingent upon approval of the 2017 budget). By doing so, the County will avoid price increases that go into effect January 1, 2017, resulting in an estimated overall savings of \$108,384.00.

Fiscal Information:

Funding is available in the 2017 vehicle replacement budget. This expenditure is within the scope and budget for this project.

BCC Briefing Presented by: Buck Benke, Fleet Services Director on November 15, 2016.

Originator: Agenda memo prepared by Lanny Loveday, Purchasing, Ext. 8587.

Contacts: Randy Sturgeon, x5256.

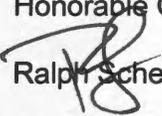
Original returned to: Lanny Loveday, Purchasing.

Copies to: Marcia Sieben, Purchasing Manager
Kate Newman, Deputy County Manager
Randy Sturgeon, Fleet Services

Approvals	Marcia Sieben, Purch Mgr Buck Benke, Div Dir Kate Newman, Dept Dir	Approved: 12/2/2016 Approved: 12/5/2016 Approved: 12/6/2016
Agenda Coordinator Review		<input checked="" type="checkbox"/> Check <i>ms</i>
Final Approval	BCC	
Vendor	MHC Kenworth Inc	
End User	Fleet Services	
Document Type	PO	
Dollar Value of PO	\$312,056.00	
Term	N/A	
Description	Two Tandem Cabs & Chassis	
Buyer	Lanny Loveday	

MEMORANDUM

AGENDA ITEM 13

TO: Honorable Chairman and Members of the Board of County Commissioners
FROM:  Ralph Schell, County Manager
DIST: Buck Benke, Deb Freischlag
RE: Purchase Order for Five (5) New 2017 Kenworth T470-CL8 Tandem Axle Cabs & Chassis Fleet Services Division (for Road & Bridge Division)

Staff Recommendation:

Approve an expenditure in the amount of **\$612,675.00** to **MHC Kenworth, Inc.** for the purchase of five (5) 2017 Kenworth T470-CL8 tandem axle cabs & chassis for dump/snow plow trucks.

Delivery is estimated to be ten weeks following receipt of an order.

RESOLUTION NUMBER:

CC 16 - 4 9 2

Background:

The new units will take the place of units that are due for replacement. The Road and Bridge Division requires five new tandem axle cabs and chassis to perform road maintenance operations.

Fleet Services has made a conscious effort to standardize several essential types of heavy equipment over the past years. This effort has resulted in lower operating costs, as well as lower costs for on-hand parts inventory and mechanic and operator training. MHC Kenworth is the authorized Kenworth dealer in Colorado.

In the BCC briefing of November 15, 2016, Fleet Services received permission to issue purchase orders in 2016 for a number of pieces of equipment to be delivered in 2017 and paid with 2017 funds (contingent upon approval of the 2017 budget). By doing so, the County will avoid price increases that go into effect January 1, 2017, resulting in an estimated overall savings of \$108,384.00.

Fiscal Information:

Funding is available in the 2017 vehicle replacement budget. This expenditure is within the scope and budget for this project.

BCC Briefing Presented by: Buck Benke, Fleet Services Director on November 15, 2016.

Originator: Agenda memo prepared by Lanny Loveday, Purchasing, Ext. 8587.

Contacts: Randy Sturgeon, x5256.

Original returned to: Lanny Loveday, Purchasing.

Copies to: Marcia Sieben, Purchasing Manager
Kate Newman, Deputy County Manager
Randy Sturgeon, Fleet Services

MEMORANDUM

Approvals	Marcia Sieben, Purch Mgr Buck Benke, Div Dir Kate Newman, Dept Dir	Approved: 12/2/2016 Approved: 12/5/2016 Approved: 12/6/2016
Agenda Coordinator Review		<input checked="" type="checkbox"/> Check <i>mg</i>
Final Approval	BCC	
Vendor	MHC Kenworth Inc	
End User	Fleet Services	
Document Type	PO	
Dollar Value of PO	\$612,675.00	
Term	N/A	
Description	Five Tandem Cabs & Chassis	
Buyer	Lanny Loveday	

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM: Ralph Schell, County Manager

DIST: Buck Benke, Deb Freishlag

RE: Purchase Order for One (1) 2017 John Deere 644K 4-Yard Loader
Fleet Services Division (for Road & Bridge Division)

Staff Recommendation:

Approve an expenditure in the amount of **\$216,637.00** to **Honnen Equipment Company** for the purchase of one (1) 2017 John Deere 644K Loader.

Estimated Delivery Time: 90-120 calendar days following receipt of an order.

RESOLUTION NUMBER: **CC 16 - 4 9 3**

Background:

The loader will replace an existing unit under the approved 2017 Fleet Replacement Program. The Road and Bridge Division requires the loader for road maintenance operations.

Fleet Services has made a conscious effort to standardize several essential types of heavy equipment over the past years. This effort has resulted in lower operating costs, as well as lower costs for on-hand parts inventory and mechanic and operator training. The John Deere brand has been standardized for the purchase of loaders.

The County is accessing pricing from a CDOT bid award for this purchase.

In the BCC briefing of November 15, 2016, Fleet Services received permission to issue purchase orders in 2016 for a number of pieces of equipment to be delivered in 2017 and paid for with 2017 funds (contingent upon approval of the 2017 budget). By doing so, the County will avoid price increases that go into effect January 1, 2017, resulting in an estimated overall savings of \$108,384.00.

Fiscal Information:

Funding is available in the 2017 vehicle replacement budget. This expenditure is within the scope and budget for this project.

BCC Briefing Presented by: Buck Benke, Director of Fleet Services, on November 15, 2016.

Originator: Agenda memo prepared by Kathleen Budd, Purchasing, Ext. 8592.

Division Contact: Randy Sturgeon, Ext. 5256.

Original returned to: Kathleen Budd, Purchasing

Copies to: Marcia Sieben, Purchasing Manager
Kate Newman, Deputy County Manager
Randy Sturgeon, Fleet Services

Approvals	Marcia Sieben, Purchasing Manager Buck Benke, Division Director Kate Newman, Deputy County Manager	Approved: 12/06/2016 Approved: 12/06/2016 Approved: 12/06/2016
Agenda Coordinator Review		<input checked="" type="checkbox"/> Check <i>JMS</i>
Final Approval	BCC	
Vendor	Honnen Equipment Company	
End User	Fleet Services (for Road & Bridge Division)	
Document Type	PO	
Dollar Value of PO	\$216,637.00	
Term	N/A	
Description	One (1) 2017 John Deere 644K 4-Yard Loader	
Buyer	Kathleen Budd	

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners
FROM: Ralph Schell, County Manager
DIST: Buck Benke, Deb Freishlag
RE: Purchase Order for One (1) 2017 John Deere 410L Backhoe with Thumb
Fleet Services Division (for Road & Bridge Division)

Staff Recommendation:

Approve an expenditure in the amount of **\$111,635.00** to **Honnen Equipment Company** for the purchase of one (1) 2017 John Deere 410L Backhoe with Thumb.

Estimated Delivery Time: 60-90 calendar days following receipt of an order.

RESOLUTION NUMBER: **CC 16 - 4 9 4**

Background:

The backhoe will replace an existing unit under the approved 2017 Fleet Replacement Program. The Road and Bridge Division requires the backhoe for road maintenance operations.

Fleet Services has made a conscious effort to standardize several essential types of heavy equipment over the past years. This effort has resulted in lower operating costs, as well as lower costs for on-hand parts inventory and mechanic and operator training. The John Deere brand has been standardized for the purchase of backhoes.

Purchasing is accessing the National Joint Powers Alliance (NJPA) cooperative agreement for the procurement of Construction and Agricultural Equipment (Award #032515-JDC) for this acquisition.

In the BCC briefing of November 15, 2016, Fleet Services received permission to issue purchase orders in 2016 for a number of pieces of equipment to be delivered in 2017 and paid for with 2017 funds (contingent upon approval of the 2017 budget). By doing so, the County will avoid price increases that go into effect January 1, 2017, resulting in an estimated overall savings of \$108,384.00.

Fiscal Information:

Funding is available in the 2017 vehicle replacement budget. This expenditure is within the scope and budget for this project.

BCC Briefing Presented by: Buck Benke, Director of Fleet Services, on November 15, 2016.

Originator: Agenda memo prepared by Kathleen Budd, Purchasing, Ext. 8592.

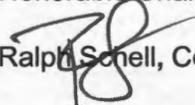
Division Contact: Randy Sturgeon, Ext. 5256.

Original returned to: Kathleen Budd, Purchasing

Copies to: Marcia Sieben, Purchasing Manager
Kate Newman, Deputy County Manager
Randy Sturgeon, Fleet Services

Approvals	Marcia Sieben, Purchasing Manager Buck Benke, Division Director Kate Newman, Deputy County Manager	Approved: 12/06/2016 Approved: 12/06/2016 Approved: 12/06/2016
Agenda Coordinator Review		☑ Check <i>MS</i>
Final Approval	BCC	
Vendor	Honnen Equipment Company	
End User	Fleet Services (for Road & Bridge Division)	
Document Type	PO	
Dollar Value of PO	\$111,635.00	
Term	N/A	
Description	One (1) 2017 John Deere 410L Backhoe with Thumb	
Buyer	Kathleen Budd	

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners
FROM:  Ralph Schnell, County Manager
DIST: Buck Benke, Deb Freishlag
RE: Purchase Order for Three (3) 2017 John Deere 772G Graders
Fleet Services Division (for Road & Bridge Division)

Staff Recommendation:

Approve an expenditure in the amount of **\$784,500.00** to **Honnen Equipment Company** for the purchase of three (3) 2017 John Deere 772G, 6WD, Motor Graders.

Estimated Delivery Time: 90-120 calendar days following receipt of an order.

RESOLUTION NUMBER: **CC 16 - 4 9 5**

Background:

The new motor graders will replace existing motor graders under the approved 2017 Fleet Replacement Program. The Road and Bridge Division requires the motor graders for road maintenance operations.

Fleet Services has made a conscious effort to standardize several essential types of heavy equipment over the past years. This effort has resulted in lower operating costs, as well as lower costs for on-hand parts inventory and mechanic and operator training. The John Deere brand has been standardized for the purchase of motor graders.

The County is accessing pricing resulting from an Elbert County competitive bid.

In the BCC briefing of November 15, 2016, Fleet Services received permission to issue purchase orders in 2016 for a number of pieces of equipment to be delivered in 2017 and paid for with 2017 funds (contingent upon approval of the 2017 budget). By doing so, the County will avoid price increases that go into effect January 1, 2017, resulting in an estimated overall savings of \$108,384.00.

Fiscal Information:

Funding is available in the 2017 vehicle replacement budget. This expenditure is within the scope and budget for this project.

BCC Briefing Presented by: Buck Benke, Director of Fleet Services, on November 15, 2016.

Originator: Agenda memo prepared by Kathleen Budd, Purchasing, Ext. 8592.

Division Contact: Randy Sturgeon, Ext. 5256.

Original returned to: Kathleen Budd, Purchasing

Copies to: Marcia Sieben, Purchasing Manager
Kate Newman, Deputy County Manager
Randy Sturgeon, Fleet Services

Approvals	Marcia Sieben, Purchasing Manager Buck Benke, Division Director Kate Newman, Deputy County Manager	Approved: 12/06/2016 Approved: 12/06/2016 Approved: 12/06/2016
Agenda Coordinator Review		<input checked="" type="checkbox"/> Check <i>mg</i>
Final Approval	BCC	
Vendor	Honnen Equipment Company	
End User	Fleet Services (for Road & Bridge Division)	
Document Type	PO	
Dollar Value of PO	\$784,500.00	
Term	N/A	
Description	Three (3) 2017 John Deere 772G FT4 Motor Graders	
Buyer	Kathleen Budd	

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners
FROM: Ralph Schell, County Manager
DIST: Clerk to the Board, Kate Newman, Kurtis Behn, Deborah Freischlag, Dawn Krank
RE: Second Contract Renewal for Forest Slash Collection and Utilization
Facilities and Construction Management

Staff Recommendation: Approve the renewal of the contract between Jefferson County and **Rolling R Ranch Company, LLC.** in an amount not to exceed **\$105,000.00** for forest slash collection and utilization. The County's Representative is the Deputy County Manager or other person as may be designated by the County Manager.

The renewal term is January 1, 2017 through December 31, 2017.

Resolution No.

CC 16 - 496

Background: Jefferson County requires the services of a contractor to coordinate the implementation of a County-wide forest slash collection and utilization program.

The original contract was approved by the BCC in June 2014 and included options to renew the contract for two (2) additional one-year terms. This request represents the second and final renewal option.

Fiscal Information: This project will be funded from the 2017 OPS budget. This amount is within the scope and budget for these services.

BCC Briefing Presented By: Mark Danner on November 15, 2016.

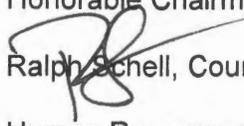
Originator: Agenda memo prepared by Dawn Krank, Purchasing, Ext. 8590.

Original returned to: Dawn Krank, Purchasing

Copies w/o contract to: Mark Danner, Director of Facilities & Construction Management
Sam Bican, Risk Management

Approvals	Kurt Behn, County Atty Mark Danner, Div Dir Kate Newman, Deputy Co Mgr	Approved: 11/18/2016 4:26 PM Approved: 11/18/2016 4:06 PM Approved: 12/6/2016 9:02 AM
Agenda Coordinator Review		<input checked="" type="checkbox"/> Check <i>ams</i>
Final Signatory	Board of County Commissioners	
Vendor	Rolling R Ranch Company, LLC	
End User	Facilities & Construction Management	
Type (Contract, PO, etc)	Contract Renewal Letter	
Dollar Value	\$105,000.00	
Term	January 1, 2017 through December 31, 2017	
Description	2 nd & Final Option to Renew - Forest Slash Collection & Utilization Consulting Contract	
Purchasing Agent	Dawn Krank	

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners
FROM:  Ralph Schell, County Manager
RE: Human Resources – Policy Manual Part 5, Chapter 3, Section 1 Regarding Training and Education
DATE: December 13, 2016

Staff Recommendation: WHEREAS, the existing Training and Education Policy has been revised to specify that a grade of C- or higher is required for undergraduate classes and a grade of B- or higher is required for graduate classes, and

WHEREAS, the amendment increases the maximum reimbursement from \$1500 to \$2000 per calendar year for tuition and eligible expenses.

NOW THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Jefferson County that the existing policy 5.3.1 regarding Training and Education is hereby rescinded and replaced with the policy attached hereto, effective December 13, 2016.

Resolution No. CC16-

CC 16 - 4 9 7

Background:

Staff proposes to revise the policy to increase the maximum reimbursement from \$1500 to \$2000 per calendar year for tuition and eligible expenses and clarify that a grade of C- or higher is required for undergraduate classes and a grade of B- or higher is required for graduate classes.

BCC Briefing Presented on November 15, 2016

Prepared by: Kate Newman

Distribution

Original returned to: Kate Newman

Copies to: Kate Newman, Jennifer Fairweather

Title: Administrative Policy Training and Education	Policy No. Part 5, Staff Policies Chapter 3, Reimbursements Section 1
	Effective Date January 1, 2017
Policy Custodian Human Resources	Adoption/Revision Date December 13, 2016

Adopting Resolution(s): CC16-

References (Statutes /Resos/Policies): I.R.C. §127; CC91-24, CC03-188, CC03-421, CC04-412, CC05-164, CC07-249, CC10-469

Purpose: To assist employees develop and maintain their training and education relevant to the employee's current job duties and responsibilities, a service or career advancement opportunity within Jefferson County government, or increased service delivery to the residents and customers of Jefferson County.

Policy: Training and Education

A. Professional/Technical Training

1. **Description**
In-house classes, apprenticeship and certification programs, training for professional licenses or Continuing Education Units (CEU's), conferences, seminars and workshops, or other job-related training that is not for college credit are considered Professional/ Technical Training.
2. **Approval**
All Professional/Technical Training must be authorized by the Division Director or Elected or Appointed Official.
3. **Eligible Expenses**
Jefferson County may pay for enrollment, tuition and registration fees, conference fees, testing and processing fees, books and training materials. See the Business Related Travel Policy for payment/reimbursement of costs associated with travel, meals and lodging.
4. **Time to take classes**
An employee's participation in Professional/Technical Training may be on County time, at the discretion of the employee's supervisor.
5. **Payment**
Costs associated with Professional/Technical Training are paid through departmental budgets. Payment can be made directly to the organization providing the training or reimbursed to the employee attending the training.

B. Educational Assistance

1. Description

Employees may receive up to \$2,000.00 per calendar year as reimbursement for tuition and eligible expenses for successful completion of a degree program or college or university classes taken for credit. Human Resources shall administer the Education Assistance Reimbursement Program.

2. Approval

- a. An Employee must obtain approval from the Department Director or Elected Official prior to submittal of the Education Assistance Form to Human Resources.
- b. Employees must submit the Education Assistance Form to Human Resources for approval of funds prior to enrollment in any courses.
- c. Approval of Educational Assistance is at the discretion of the Department Director or Elected Official. Approval may be based on the following:
 - (1) The employee is enrolled in a degree program or college or university classes taken for credit that is relevant to the employee's current job duties and responsibilities, relevant to a service or career advancement opportunity with Jefferson County employment, or related to increased service delivery to the residents and customers of Jefferson County, and
 - (2) The employee received credits for the degree program through regionally accredited colleges and universities. Credits received from colleges or universities that are not regionally accredited may qualify for Educational Assistance based on the transfer policies of University of Colorado or Red Rocks Community College. If either of these regionally accredited institutions will accept credits for transfer and fully apply those credits to their degree program requirements, then those credits will be treated as if they were awarded by a regionally accredited institution.
- d. To receive reimbursement, the employee must:
 - (1) Be in a Standard, Selected, or Designated At Will Position, scheduled to work at least twenty (20) hours per week.
 - (2) Must have started attending classes after their first day of employment at Jefferson County.
 - (3) Must be employed by the county at the completion of the class.
 - (4) Must receive a grade of "C-" or better for an undergraduate classes and "B-" or better for a graduate class. For classes that are only offered "Pass" or "Fail," employees must have received a "Pass" grade. Credits given for life or work experience, for testing out of a class, or for repeating a class are not eligible.

3. Eligible Expenses

- a. Tuition, academic fees (such as laboratory fees, student activity fees and computer fees) and books may be reimbursed. Supplies such as paper, pens, notebooks, binders and equipment such as calculators, computers and software are not covered. Parking permits or parking fees are also not covered.
- b. Employees who are using student loans to pay for their education are eligible for Educational Assistance. Employees who receive grants, scholarships, VA benefits or other gifts are eligible for Educational Assistance for any amount above that which is not covered by the grant, scholarship, VA benefit or other gift.

4. Time to take classes

Classes must be taken during non-pay times or, at the discretion of the Department Director, Elected Official or immediate supervisor, while using vacation or leave time.

5. Payment

State or federal taxes will be withheld and reported if required by law.

Title: Administrative Policy Training and Education	Policy No. Part 5, Staff Policies Chapter 3, Reimbursements Section 1
	Effective Date January 1, 2011 January 1, 2017
Policy Custodian Human Resources	Adoption/Revision Date December 7, 2010 December 13, 2016

Adopting Resolution(s): CC10-469

References (Statutes /Resos/Policies): I.R.C. §127; CC91-24, CC03-188, CC03-421, CC04-412, CC05-164, CC07-249, CC10-469

Purpose: To assist employees develop and maintain their training and education relevant to the employee's current job duties and responsibilities, a service or career advancement opportunity within Jefferson County government, or increased service delivery to the residents and customers of Jefferson County.

Policy: Training and Education

A. Professional/Technical Training

1. **Description**
In-house classes, apprenticeship and certification programs, training for professional licenses or Continuing Education Units (CEU's), conferences, seminars and workshops, or other job-related training that is not for college credit are considered Professional/ Technical Training.
2. **Approval**
All Professional/Technical Training must be authorized by the Division Director or Elected or Appointed Official.
3. **Eligible Expenses**
Jefferson County may pay for enrollment, tuition and registration fees, conference fees, testing and processing fees, books and training materials. See the Business Related Travel Policy for payment/reimbursement of costs associated with travel, meals and lodging.
4. **Time to take classes**
An employee's participation in Professional/Technical Training may be on County time, at the discretion of the employee's supervisor.
5. **Payment**
Costs associated with Professional/Technical Training are paid through departmental budgets. Payment can be made directly to the organization providing the training or reimbursed to the employee attending the training.

B. Educational Assistance

1. **Description**
Employees may receive up to \$1,5002,000.00 per calendar year as reimbursement for tuition and eligible expenses for successful completion of a degree program or college or university classes taken for credit. Human Resources shall administer the Education Assistance Reimbursement Program.

2. Approval

- a. An Employee must obtain approval from the Department Director or Elected Official prior to submittal of the Education Assistance Form to Human Resources.
- b. Employees must submit the Education Assistance Form to Human Resources for approval of funds prior to enrollment in any courses.
- c. Approval of Educational Assistance is at the discretion of the Department Director or Elected Official. Approval may be based on the following:
 - (1) The employee is enrolled in a degree program or college or university classes taken for credit that is relevant to the employee's current job duties and responsibilities, relevant to a service or career advancement opportunity with Jefferson County employment, or related to increased service delivery to the residents and customers of Jefferson County, and
 - (2) The employee received credits for the degree program through regionally accredited colleges and universities. Credits received from colleges or universities that are not regionally accredited may qualify for Educational Assistance based on the transfer policies of University of Colorado or Red Rocks Community College. If either of these regionally accredited institutions will accept credits for transfer and fully apply those credits to their degree program requirements, then those credits will be treated as if they were awarded by a regionally accredited institution.
- d. To receive reimbursement, the employee must:
 - (1) Be in a Standard, Selected, or Designated At Will Position, scheduled to work at least twenty (20) hours per week.
 - (2) Must have started attending classes after their first day of employment at Jefferson County.
 - (3) Must be employed by the county at the completion of the class.
 - (4) Must receive a grade of "C-" or better for an undergraduate classes and "B-" or better for a graduate class. For classes that are only offered "Pass" or "Fail," employees must have received a "Pass" grade. Credits given for life or work experience, for testing out of a class, or for repeating a class are not eligible.

3. Eligible Expenses

- a. Tuition, academic fees (such as laboratory fees, student activity fees and computer fees) and books may be reimbursed. Supplies such as paper, pens, notebooks, binders and equipment such as calculators, computers and software are not covered. Parking permits or parking fees are also not covered.
- b. Employees who are using student loans to pay for their education are eligible for Educational Assistance. Employees who receive grants, scholarships, VA benefits or other gifts are eligible for Educational Assistance for any amount above that which is not covered by the grant, scholarship, VA benefit or other gift.

4. Time to take classes

Classes must be taken during non-pay times or, at the discretion of the Department Director, Elected Official or immediate supervisor, while using vacation or leave time.

5. Payment

State or federal taxes will be withheld and reported if required by law.

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM:  Ralph Schell, County Manager

RE: Jefferson County Multi-Hazard Mitigation Plan – 2016 Update

DATE: December 13, 2016

CC 16 - 498

Staff Recommendation: WHEREAS, Jefferson County Recognizes the threat that natural and man caused hazards pose to people and property within our community; and

WHEREAS, undertaking hazard mitigation actions will reduce the potential for harm to people and property from future hazard occurrences; and

WHEREAS, an adopted Multi-Hazard Mitigation Plan is required as a condition of future funding for mitigation projects under multiple FEMA pre- and post-disaster mitigation grant programs; and

WHEREAS, Jefferson County resides in the Planning Area, and fully participated in the mitigation planning process to prepare this Multi-Hazard Mitigation Plan; and

WHEREAS, the Colorado Department of Homeland Security Office of Emergency Management, and FEMA Region VIII officials have reviewed the Jefferson County Multi-Hazard Mitigation Plan – 2016 Comprehensive Update and approved it contingent upon this official adoption by the participating governing body; and

NOW, THEREFORE BE IT RESOLVED, that the Board of County Commissioners, hereby adopts the Jefferson County Multi-Hazard Mitigation Plan – 2016 Comprehensive Update, as an official plan; and

BE IT FURTHER RESOLVED, Jefferson County Emergency Management will submit this Adoption Resolution to the Colorado Department of Homeland Security Office of Emergency Management and FEMA Region VIII officials to enable the Plan's final approval.

Resolution No.

Background: Jefferson County, has prepared this multi-hazard mitigation plan to better protect the people and property of the County from the effects of hazard events. This plan demonstrates the Counties commitment to reducing risks from hazards and serves as a tool to help decision makers direct mitigation activities and resources. This plan was also developed to position Jefferson County for the eligibility of certain federal mitigation funding assistance, specifically, the Federal Emergency Management Agency's (FEMA) Hazard Mitigation Assistance grant programs (HMA), which include Hazard Mitigation Grant Program (HMGP), Pre-Disaster Mitigation (PDM), and Flood Mitigation Assistance (FMA). This plan also aligns with the planning elements of the National Flood Insurance Program's Community Rating System (CRS) which provides for lower flood insurance premiums in CRS communities.

BCC Briefing Presented on: 12/06/2016

Fiscal Impact: Development of this plan was subsidized through a Hazard Mitigation Grant Program (HMPG) matching grant. Any additional expenditure would be associated with undertaking specific mitigation projects, and would need to be budgeted accordingly.

Originator: Brian Daley, Emergency Management (303) 271-4901

Contacts: Rick Newman (303) 271-4903

Distribution:

Original returned to: Brian Daley (303) 271-4901

Copies to: Dan Gard, Kurt Behn (County Attorney) Sheriff Jeff Shrader, Janice Frederickson

CASE SUMMARY

Regular Agenda

PC Hearing Date: October 26, 2016

BCC Hearing Date: December 13, 2016, (Previous Hearing: November 15, 2016)

16-103547AM Regulation Amendment (continued from November 15, 2016)

Applicant: Jefferson County

Location: Unincorporated Jefferson County

Purpose: To amend the Site Development Plan process and associated regulations within the Zoning Resolution and Land Development Regulations.

Case Manager: Heather Gutherless/Christiana Farrell

Summary:

The major regulation revisions include:

1. Create a survey option
2. Increase flexibility of submittal requirements
3. Establish minimum thresholds
4. Clarify process to revise an SDP
5. Modify timeframes
6. Modify Radiation Assessment language

Recommendations:

- **Staff:** Recommends APPROVAL subject to conditions
- **Planning Commission:** Recommends APPROVAL subject to conditions

Interested Parties:

- Developers, Citizens

Level of Community Interest: Low

Case Manager Information: Phone: 303-271-8716 e-mail: hgutherl@jeffco.us
303-271-8740 cfarrell@jeffco.us

It was moved by Commissioner **MOORE** that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION
COUNTY OF JEFFERSON
STATE OF COLORADO

October 26, 2016

RESOLUTION

16-103547AM

Regulation Amendment

Applicant:

Jefferson County

Location:

Unincorporated Jefferson County

Purpose:

To amend the Site Development Plan process and associated regulations within the Zoning Resolution and Land Development Regulations.

Case Manager:

Heather Gutherless/Christiana Farrell

The Jefferson County Planning Commission hereby recommends **APPROVAL WITH CONDITIONS** of the above application on the basis of the following facts:

1. That the factors upon which this decision is based include evidence and testimony and staff findings presented in this case.
2. The Planning Commission finds that:
 - A. The amendments to the Zoning Resolution and Land Development Regulation establish clear, concise and comprehensive documents that meet the needs of our community today.
 - B. The amendments to the Zoning Resolution and Land Development Regulation ensure consistency with current County regulations, State statutes and applicable Federal standards.
 - C. The amendments are in the best interest of the health, safety, and general welfare of the residents of Jefferson County.

The Planning Commission further recommends that Planning and Zoning Division staff be given the authority to revise the Zoning Resolution for the limited purposes of formatting the Regulations and correcting any typographical errors and any other non-substantive changes to the

Jefferson County Planning Commission Resolution
Case # 16-103547AM
October 26, 2016
2 of 2

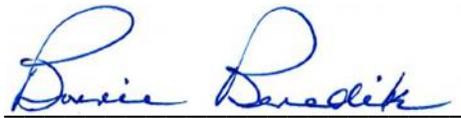
Regulations that Staff deems necessary prior to final publication of the Regulations.

Commissioner **BURKE** seconded the adoption of the foregoing Resolution, and upon a vote of the Planning Commission as follows:

Commissioner	Rogers	Aye
Commissioner	Moore	Aye
Commissioner	Harris	Aye
Commissioner	Hatton	Aye
Commissioner	Burke	Aye
Commissioner	Westphal	Aye

The Resolution was adopted by **unanimous** vote of the Planning Commission of the County of Jefferson, State of Colorado.

I, Bonnie Benedik, Administrative Assistant for the Jefferson County Planning Commission, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Jefferson County Planning Commission at a regular hearing held in Jefferson County, Colorado, October 26, 2016.



Bonnie Benedik
Administrative Assistant

Staff Report

PC Hearing Date: October 26, 2016

BCC Hearing Date: December 13, 2016 (Previous Hearing Date: November 15, 2016)

16-103547AM: Regulation Amendments (Continued from November 15, 2016)

Applicant: Jefferson County

Purpose: To amend the Site Development Plan process and associated regulations within the Zoning Resolution and Land Development Regulations.

Case Manager: Heather Gutherless/Christiana Farrell

BACKGROUND

The Site Development Plan (SDP) process was initially adopted by the Board of County Commissioners on July 23, 2002. It was created to allow for an administrative process to review non-residential site plans. Prior to the creation of the SDP process, regulations required an applicant to go through the Exemption from Platting process, which necessitated a hearing before the Board of County Commissioners. The regulation has been updated several times to clarify aspects of the regulation and now Staff is proposing updates to the regulation again.

Discussion/Proposal

Staff is proposing amendments to multiple sections of both the Zoning Resolution, and the Land Development Regulations, including Zoning Resolution Sections 1, 12, 13, 14, and 15, and Land Development Regulation Sections 1, 4, 8, 27, and 30. The proposed revisions are directly related to elements of the SDP process.

There are six main proposed revisions:

1. Create a Site Adjustment/Dedication Plat
2. Increase flexibility of submittal requirements
3. Establish minimum thresholds
4. Clarify process to revise a SDP
5. Modify timeframes
6. Modify Radiation Assessment language

The specific issues and solutions related to each revision are discussed in detail below.

1. Create a Site Adjustment/Dedication Plat

As Site Development Plans move through the process, most also dedicate right-of-way or easements, reconfigure easements or vacate easements. With the current process, an applicant would need to address these items through a separate deed process that is run concurrently with the SDP process. This can add time to the overall process. There are also many cases where the owner wishes to adjust property lines or merge lots. Currently, changes to property lines must be completed through a separate Minor Adjustment or Merger process. The proposed regulation changes create a new document called the Site Adjustment/Dedication Plat document which is a survey that would allow Site Development Plans to dedicate public right-of-way, dedicate easements to the

County, vacate easements with the County, adjust lot lines, merge lots or create a lot from a superlot plat.

In order to better address these types of items through the Site Development Plan process, then a Site Adjustment/Dedication Plat document would be required. If these items do not need to be addressed, then the current requirements of only a scaled site plan would be required.

2. Increase flexibility of submittal requirements

Site Development Plan cases vary widely in their level of complexity. Some submittal items may not be needed for minor cases. Staff clarified the submittal requirements language so that if a submittal item is marked with an “A”, the Case Manager can make the determination about when a submittal item is warranted, based on guidance in the regulation. If it is marked with an “R”, the item is always required, unless waived by the Director of Planning & Zoning. Descriptions of when each item is required have also been clarified where needed. Currently, over half of the submittal documents are marked with an “A” – as determined by Staff. If the applicant believes staff is requiring certain documents where they are not needed, they may request a waiver from the Director of Planning and Zoning.

Staff has also added a provision that allows the Director of Planning & Zoning to waive portions or all of the SDP process if certain provisions are met. Currently, there is no mechanism for the Director to make a judgment call on whether an SDP is really needed or not. There have been occasions when an SDP has been required (for a parking lot), even when there did not seem to be any benefit to making someone go through the SDP process. Staff has also added language to allow this decision to be appealed to the Board of County Commissioners.

3. Establish minimum thresholds

Current regulations require a Site Development Plan for all new buildings or structures or additions over 50% or 5,000 sq ft in size. For new buildings or structures, Staff has generally been making the interpretation that this means new buildings that are 200 square feet in size because those would typically require a Building Permit rather than a Miscellaneous Permit. However, the 200 square feet trigger was not clearly stated anywhere in the regulations, therefore, Staff is proposing to codify this threshold. Staff is also proposing to remove the term “structure”, as the Zoning Resolution defines structure very broadly, which can include such things as drainage structures and parking lots.

In addition, Staff is proposing a reduction in the size of additions that would require a Site Development plan from 50% or 5,000 square feet to 25% or 2,500 square feet. There have been instances where these larger additions have resulted in impacts that would be best evaluated through the Site Development Plan process. In addition, requiring the Site Development Plan could result in the entire site being brought up to current standards.

Again, there is also language proposed to allow the Director of Planning and Zoning to waive all or a portion of the Site Development Plan process in certain circumstances. Staff also included a process to appeal this decision.

4. Clarify process to revise a SDP

Modifications to approved Site Development Plans are only briefly addressed in the current regulations. They are called Minor Modifications. However, elsewhere in the Zoning Resolution, there is another process also called a Minor Modification that is

related to zoning modifications. To avoid confusion, Staff is proposing that the name of the process to modify an approved SDP be changed to Minor Revisions. Submittal documents and timeframes for that process are also proposed.

5. Modify timelines

The review of a Site Development Plan is very technical and complex. It involves detailed review of construction documents, drainage, landscaping, architectural features and lighting levels. The review is typically more similar to a Subdivision Plat or a complex Rezoning. Therefore, Staff are proposing that the referral periods for internal and external review agencies be consistent with the referral times for a Plat or a Rezoning. These timeframes are 21 days for the first referral and 14 days for the second referral, with 7 days for every subsequent referral period. The time allotted for Staff to compile and coordinate comments remains unchanged, at 5 days after the referral period.

Another reason for the change is that typically it is at the time of the 1st referral comments that Staff identifies areas where the plans do not meet the regulations and the applicant is given the option of meeting the regulations or requesting relief through a Minor Variation or Alternative Standards process. If the applicant requests relief, the initial referral period for the Minor Variation or Alternative Standard reviews are 14 days. The 2nd referral period for SDP's is currently 7 days. Therefore, by regulation, Staff must send 2nd referral comments back to the applicant before it is known whether the requests for relief can be supported.

Additionally, if the Site Adjustment/Dedication Plat is adopted, there will be an additional technical document that will need to be reviewed, so additional time is needed for review of this document. However, the Site Adjustment/Dedication Plat will eliminate the need for a separate process, thereby reducing total processing time and minimizing confusion.

6. Modify Radiation Assessment language

Current regulations require a Radiation Assessment for Site Development Plans in areas where a potential radiation hazard occurs. Radiation hazards could occur in all areas of the County due to naturally occurring radiation, such as radon, and not just at the former Rocky Flats facility or uranium mines. The map in the regulations regarding radiation hazards is outdated and does not reflect the full extent of potential radiation hazard areas in the County. This may give a false sense of where known and potential radiation hazards are located. After consulting with Public Health and Building Safety, Staff proposes to remove the map and clarify the provision of when a Radiation Assessment is required.

The most common and cost effective way to mitigate radon for residential developments is through a radon mitigation system. Therefore, Staff has included the provision that if a radon mitigation system is provided, a Radiation Assessment is not needed for residential proposals. Many national builders are already providing passive radiation systems in new construction.

To address radiation for commercial applications, the Environmental Questionnaire/Disclosure form will include a section about potential radiation hazards. If a potential radiation hazard is identified, then a Radiation Assessment would be required. Currently, a Radiation Assessment is required in all cases. The health benefits to the public, the future cost savings, and the clarity that this change brings to the regulations are significant.

With these changes, Staff is anticipating a reduction in the number of different processes that an applicant needs to complete to obtain a building permit, and a reduction in the number of projects that would be required to go through the Site Development Plan process.

ENCLOSED INFORMATION

- Sections 1, 12, 13, 14, and 15 of the Jefferson County Zoning Resolution
- Sections 1, 4, 8, 27, and 30 of the Land Development Regulation
- Summary of Proposed Changes
- Referral lists
- Comment and response log from Drafts 1 and 2

PUBLIC NOTIFICATION AND OUTREACH

A formal draft of this proposed amendment was sent to the Jefferson County Regulation Review Team, numerous County departments, and every HOA and Umbrella Group registered with the County.

Staff held a meeting with the Jefferson County Economic Development Corporation's Development and Infrastructure Committee to discuss the proposed changes on August 24, 2016.

In addition, a newspaper notification identifying the Planning Commission public hearing and Board of County Commissioner's public hearing was published in the Lakewood/Edgewater Arvada/Wheatridge/Westminster and West Jeffco hubs of the Denver Post and the proposed regulations were posted on the Planning and Zoning website.

Throughout the process Staff has received comments from a variety of agencies, developers and citizens. Their comments may be found in the Comment and Response Logs contained in the hearing packet.

PLANNING COMMISSION:

Planning Commission Recommendation (Resolution Dated October 26, 2016 Attached):

Approval	_____
Approval with Conditions	<u> X (6-0) vote </u>
Denial	_____

There was one person that appeared at the Planning Commission hearing and testified on this application. The testimony from the citizen was related to the appeal process, the size of building additions, and radon mitigation. After hearing all testimony and questioning both the applicant and Staff, the Planning Commission revised the regulations regarding radiation to require installation of a radon mitigation system rather than a radiation assessment for new residential developments going through a rezoning, special use, site development plan, rural cluster, subdivision plat, exemption or minor adjustment process. The Planning Commission then recommended approval of the amendments to the Zoning Resolution and Land Development Regulations with the red-marks made at the hearing.

FINDINGS/RECOMMENDATIONS:

Staff recommends that the Board of County Commissioners find that:

- 1. The amendments to the Zoning Resolution and Land Development Regulation establish clear, concise and comprehensive documents that meet the needs of our community today.**
- 2. The amendments to the Zoning Resolution and Land Development Regulation ensure consistency with current County regulations, State statutes and applicable Federal standards.**
- 3. The amendments are in the best interest of the health, safety, and general welfare of the residents of Jefferson County.**

And;

Staff recommends that the Board of County Commissioners APPROVE Case No. 16-103547AM subject to the following condition:

- 1. Revision to all applicable Sections of the Zoning Resolution in accordance with the red-marked prints dated December 13, 2016. The amendments shall be effective December 13, 2016, and shall apply to all applications submitted on or after that date.**

And;

Staff further recommends that Planning and Zoning Division staff be given the authority to revise the Zoning Resolution and the Land Development Regulations for the limited purposes of formatting the Regulations and correcting any typographical errors and any other non-substantive changes to the Regulations that Staff deems necessary prior to final publication of the Regulations.

COMMENTS PREPARED BY:



Heather Gutherless, AICP
Senior Planner
December 6, 2016

It was moved by Commissioner **HARRIS** that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION
COUNTY OF JEFFERSON
STATE OF COLORADO

October 26, 2016

RESOLUTION

16-110589VA

Vacation

Owner: Jefferson County
Applicant: John B. Roybal
Location: Right-of-way adjacent to 16774 County Road 126
Section 27, Township 7 South, Range 71 West
Approximate Area: 0.04 Acre
Purpose: **To vacate a portion of a County road.**
Case Manager: Steve Krawczyk

The Jefferson County Planning Commission hereby recommends **APPROVAL WITH CONDITIONS** of the above application on the basis of the following facts:

1. That the factors upon which this decision is based include evidence and testimony and staff findings presented in this case.
2. The Planning Commission finds that:
 - A. The right-of-way described herein is no longer necessary for used by the public.
 - B. The right-of-way is not within the limits of any city or town and does not form the boundary line of a city, town or county.
 - C. By a vacation of said right-of-way no land would be left without an established public street or road or private access easement connecting it with another established public street or road.
 - D. The proposal conforms with the Land Development Regulation because all applicable regulations have been satisfied as indicated within this report.
3. The following are conditions of approval:

- A. The submission of a property merger agreement (16-122487MA), signed by the applicant that merges the vacated right-of-way with the adjoining lots which shall be recorded immediately following the Vacation resolution.

And, the Planning Commission further recommends, pursuant to the authority granted in C.R.S. 43-2-302(1)(f), the portion of adjoining vacated right-of-way as described on the legal descriptions attached hereto as Exhibit "A", shall vest in and to adjoining property owner, John B. Roybal, property address of 16774 County Road 125, Pine Grove, Colorado 80470.

Commissioner **MOORE** seconded the adoption of the foregoing Resolution, and upon a vote of the Planning Commission as follows:

Commissioner	Rogers	Aye
Commissioner	Moore	Aye
Commissioner	Harris	Aye
Commissioner	Hatton	Aye
Commissioner	Burke	Aye
Commissioner	Westphal	Aye

The Resolution was adopted by **unanimous** vote of the Planning Commission of the County of Jefferson, State of Colorado.

I, Bonnie Benedik, Administrative Assistant for the Jefferson County Planning Commission, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Jefferson County Planning Commission at a regular hearing held in Jefferson County, Colorado, October 26, 2016.



Bonnie Benedik
Administrative Assistant

Proposed Regulation Changes

Planning Commission October 26, 2014

Board of County Commissioners November 15, 2014

Zoning Resolution

Section 1 – Administrative	<ul style="list-style-type: none"> ➤ Relocated Proof of Access requirements ➤ Modified language to reflect the change to electronic submittals ➤ Modified explanation of submittal documents R and A. ➤ Updated Submittal Documents table ➤ Rearranged Survey submittal document description ➤ Added the Site Adjustment/Dedication Plat as an optional submittal for the Site Development Plan (SDP) process ➤ Revised Water Supply and Wastewater Information submittal documents to address uses that do not require a permanent water supply or wastewater disposal. ➤ Revised Radiation submittal documents to address radon gas ➤ Modified language regarding when a SDP is required ➤ Added a provision for a waiver of all or a portion of the SDP process. ➤ Added language regarding what the Site Adjustment/Dedication Plat can accomplish and its limitations ➤ Modified SDP timeframes ➤ Clarified process to revise an SDP ➤ Modified some notes and certificates required on the SDP document ➤ Removed the specific requirements related to Landscape Plans, Architectural Elevations, Parking Plans, and Lighting Plans. ➤ Added Vacations to the list of processes which may accept Minor Variation requests.
Section 12 – Lighting	<ul style="list-style-type: none"> ➤ Added specific Lighting Plan requirements.
Section 13 – Architecture	<ul style="list-style-type: none"> ➤ Added specific Architectural Elevation requirements.
Section 14 – Off-Street Parking	<ul style="list-style-type: none"> ➤ Added specific Parking Plan requirements.
Section 15 – Landscaping	<ul style="list-style-type: none"> ➤ Modified requirement for trees and other landscape materials within 5 feet of the back of curb. ➤ Added specific Landscape Plan requirements. ➤ Modified requirement for shade trees in landscape islands.

Land Development Regulation

Section 1 - Administrative	<ul style="list-style-type: none"> ➤ Added language allowing Site Adjustment/Dedication Plats ➤ Added example of when the Board of County Commissioners may exempt a division of land from the definition of Subdivision.
Section 4 – Submittal Requirements	<ul style="list-style-type: none"> ➤ Relocated Proof of Access requirements ➤ Modified language to reflect the change to electronic submittals ➤ Modified explanation of submittal documents R and A. ➤ Revised Radiation submittal documents to address radon gas ➤ Added language regarding format of Landscape Plans
Section 8 – Final Plat	<ul style="list-style-type: none"> ➤ Added Radon Mitigation Restriction
Section 27 - Radiation	<ul style="list-style-type: none"> ➤ Modified language regarding when a Radiation Assessment is required.
Section 30 – Environmental Assessment	<ul style="list-style-type: none"> ➤ Removed language that Environmental Questionnaire and Disclosure is only applicable when dedicating any interest to the County.

Section 1: Administrative Provisions

(orig. 5-6-46; am. 2-6-84)

A. Purpose

In pursuance of the authority conferred by Chapter 92, Session Laws of Colorado, 1939, this Zoning Resolution is enacted for the purpose of promoting the health, safety and welfare of the present and future inhabitants of Jefferson County by lessening the congestion in streets or roads, securing safety from fire and other dangers, providing light and air, avoiding undue congestion of population, facilitating the adequate provision of transportation, water, sewage, schools and other public requirements, securing protection of the tax base, and by other means in accordance with a Comprehensive Plan. (orig. 5-6-46; am. 4-20-10)

B. When Effective

This Zoning Resolution shall be in effect from and after its passage. (orig. 5-6-46)

C. Repeal

The Zoning Resolution is passed and adopted February 3, 1941, and all other Resolutions in conflict with the provisions of this Zoning Resolution are hereby repealed. (orig. 5-6-46; am. 12-17-02)

D. Validity

Should any section, clause, sentence or part of this Zoning Resolution be adjudged by any Court or competent jurisdiction to be unconstitutional or invalid, the same shall not affect, impair or invalidate the Zoning Resolution as a whole or any part thereof, other than the part so declared to be invalid. (orig. 5-6-46)

E. Violation and Penalty

1. Any person, firm partnership, joint venture, association or corporation violating any regulation of this Zoning Resolution shall be subject to the penalties provided in C.R.S. § 30-28-124 and 30-28-124.5. (orig. 5-6-46; am. 12-17-02; am 6-27-06; am. 10-13-09)
2. In case of a violation of this Zoning Resolution, the Board of County Commissioners, the County Attorney, or any owner of real estate in the zoned area may institute injunction proceedings to halt such violation. (orig. 5-6-46; am. 12-17-02)
3. Any person, firm or corporation failing to obtain the required zoning approval and/or permit(s) as required by this Zoning Resolution and having submitted an application for a process to correct such violation, shall be required to pay an additional fee in an amount established by the Board of County Commissioners (orig. 5-3-94; am. 12-17-02; am. 10-13-09)

F. Interpretation

1. In interpreting and applying the provisions of this Zoning Resolution, they shall be held to be the minimum requirements for the promotion of the health, safety and welfare. It is not intended by this Zoning Resolution to interfere with or abrogate or annul any easements, covenants or agreements between parties; provided however, that wherever this Zoning Resolution imposes a greater restriction upon the use of buildings or land or upon the location or height of buildings or structures or required larger open spaces about buildings than are imposed or required by other laws, resolutions or by easements, covenants or agreements between parties, the provisions of this Zoning Resolution shall govern. If there is a conflict between sections in this Zoning Resolution that were adopted at different times, the most recent amendment applies. (orig. 5-6-46; am. 12-17-02; am. 4-20-10)
2. Restrictive or protective covenants which contain any specification limiting the transfer, rental, or lease of any housing because of race, creed, religion, color, sex, marital status, national origin or ancestry or handicap are prohibited by C.R.S. 1973, 24-34-502 of Title VIII of the Fair Housing Act of 1968, 42 U.S.C. 3604 (c), or as amended. (orig. 5-12-81; am. 12-17-02)
3. When the term "Director of Planning and Zoning" is used in this Zoning Resolution it shall mean the Jefferson County Director of Planning and Zoning or his/her appointed designee. (orig. 3-3-15)

G. Zoning Maps

1. Adoption and Recording

The computer generated Zoning Maps, which together with this Zoning Resolution constitute the Zoning Plan of Jefferson County, as amended, are hereby declared to be the official Jefferson County Zoning Maps. The zone districts set forth on the Zoning Maps are hereby and herewith adopted and approved, except that in the case of a conflict between the zone district depicted on the Jefferson County Zoning Maps and the zone district adopted at a hearing pertaining to a particular parcel of property or shown in other official documents of Jefferson County, the latter shall control. Planning and Zoning shall maintain on file true and correct copies of all official Jefferson County Zoning Maps. This version of the zoning maps, as of the date of adoption, will be recorded with the Clerk and Recorder's Office. (orig. 5-6-46; am. 11-14-55; am. 8-2-60; am. 7-10-79; am. 8-18-92; am. 3-28-00; am. 12-17-02; am. 4-27-04)

2. Zone District Designations

a. Zone District Classification

The zone district for any piece of property within the unincorporated area of the County is shown on the appropriate zoning map by a letter and/or number symbol corresponding to the appropriate zone district classification as set forth in the Table of Contents section of this Zoning Resolution. (orig. 7-10-79; am. 12-17-02; am. 3-26-13)

b. Subject to Platting (S.T.P.) or Subject to Conditions (S.T.C.)

(1) Where the zone district classification symbol is followed by the symbol "S.T.P.," the zone district shown thereon was approved by a Rezoning resolution subject to platting. No building permits will be issued until such time as said condition has been fulfilled. Said condition of platting is fulfilled upon the recordation of a plat approved by the Board of County Commissioners or upon the recordation of a Platting Exemption Agreement after approval of the exemption by the Board of County Commissioners. (orig. 7-10-79)

(2) Where the zone district classification symbol is followed by the symbol "S.T.C.," the zone district shown thereon was approved by a Rezoning resolution subject to conditions. No building permits will be issued until such time as said condition has been fulfilled. The Director of Planning and Zoning is hereby empowered to determine whether said condition(s) has (have) been fulfilled. Upon an adverse decision of said Director of Planning and Zoning, the aggrieved party may appeal the decision to the Board of Adjustment for review pursuant to the provisions of Board of Adjustment Section of this Zoning Resolution. (orig. 7-10-79; am. 12-17-02; am. 3-26-13; am. 3-3-15)

c. Rezoning Case Number

(1) The Rezoning case number, if any, shall appear on the map following the zone district classification symbol and any S.T.P. or S.T.C. designation. (orig. 7-10-79; am. 12-17-02)

(2) If no Rezoning case number appears following the zone district classification symbol, the zone district shown for that property is the original zoning on said property according to the official documents of Jefferson County. (orig. 7-10-79; am. 8-18-92)

3. Amendment of Zoning Maps

It shall be the responsibility of the Director of Planning and Zoning to keep, revise, and maintain the Jefferson County Zoning Maps. Revision shall be made upon the receipt of a certification of a zone district classification change from the Clerk to the Board of County Commissioners or upon determination by the Director of Planning and Zoning that there is an error in the official zoning maps, based on the official documents of Jefferson County. The Director of Planning and Zoning shall also revise said maps upon receipt of a certification by the County Clerk and Recorder that an approved Subdivision Plat or Platting Exemption Agreement has been recorded covering the subject property. The S.T.P. designation shall be removed upon such certification. The S.T.C. designation shall be removed upon certification of fulfillment of the

condition(s) by the Director of Planning and Zoning. (orig. 7-10-79; am. 8-18-92; am. 12-17-02; am. 3-3-15)

4. **Geologic Hazard (G-H) and Floodplain (F-P) Overlay Zone District Maps**

The special floodplain study maps showing the boundaries of the various Floodplain Overlay Zone Districts as they have been adopted or as they may be adopted in connection with each Rezoning case which places all or a portion of the 100-year floodplain of any stream within the Flood Plain Overlay Zone District, and the special series maps showing the boundaries of the various Geologic Hazard Overlay Zone Districts, are hereby declared to be a part of the Zoning Plan of Jefferson County and are the official Zoning Maps of Jefferson County for purposes of the delineation of the aforementioned zone district boundaries. (orig. 7-10-79)

H. Applicability To Government Facilities

1. The permitted uses and the lot and building standard provisions of this Zoning Resolution shall not apply to buildings, facilities or uses owned or operated by the government of the United States, State of Colorado or any political subdivision thereof provided that: (orig. 9-16-85; am. 4-20-10)
 - a. No state or federal law, statute or regulation requires such building, facility or use to comply with local zoning regulations. (orig. 9-16-85)
 - b. Such building, facility or use has been reviewed pursuant to the provisions of Section 30-28-110(1), Section 22-32-124(1) or Section 22-32-124(1.5) C.R.S. or as amended. (orig. 9-16-85; am. 3-26-13)
 - c. Such building, facility or use provides or fulfills a governmental (nonproprietary) function which the governmental owner/operator is legally authorized to provide. (orig. 9-16-85; am. 12-17-02)
 - d. A Land Disturbance permit has been obtained, where applicable, in accordance with the requirements of the Land Disturbance Section of this Zoning Resolution for the construction of onsite and/or offsite improvements related to the proposed development, unless said improvements have been obtained through another County development process. The Land Disturbance permit shall include improvements typically required for the development of land as identified in the Land Development Regulation and shall be approved prior to issuance of a building permit. Onsite disturbance through the Land Disturbance Permit will not be required for properties that are covered by a separate Municipal Separate Storm Sewer System (MS-4) permit through the State of Colorado. (orig. 7-11-06; am. 4-20-10; am. 12-21-10; am. 3-26-13)
 - e. Such building, facility or use has all applicable permits including but not limited to building, fence, sign, floodplain and miscellaneous permits required by this Zoning Resolution. (orig. 4-20-10)
2. Where subsequent private use of buildings or facilities originally erected and used in legal noncompliance with this Zoning Resolution by virtue of this exemption is substantially the same in nature as the prior governmental use, such subsequent use shall be considered a legal nonconforming use and shall be administered pursuant to the provisions of the Nonconforming Buildings, Structures, and Uses Section of this Zoning Resolution. (orig. 9-16-85; am. 3-26-13)
3. For purposes of this section, "facility" shall not include any open mining of gravel, gravel excavation, crushing or stockpiling conducted by the County pursuant to the County Gravel Mining, Crushing and Stockpiling Section of this Zoning Resolution. (orig. 4-18-89; am. 12-17-02; am 5-20-08)

I. Submittal Requirements

1. **Intent and Purpose**

The purpose of this section is to provide applicants with a clear description of the documents that will be required to be submitted for specific development processes. This section differentiates between documents that must be submitted as a part of the development application, those documents that must be submitted prior to hearing or determination, and those documents that need to be submitted after hearing or determination. This section also identifies required submittal documents and additional documents that are required based on

the specific circumstances of the proposed development. (orig. 4-20-10)

2. Requirements

- a. The tables within this section identify the submittal requirements for each specified application type. Each document is listed as either a **required document (R)** or an **additional document (A)**. A **required document** is a document that is required to be submitted for a specific application. An **additional document** is a document that can be required by the Case Manager based on the specific circumstances of the application. (orig. 4-20-10)
- b. Any submittal documents that have been submitted and approved as a part of a previous development application will not have to be resubmitted as long as the previous documents are applicable to the property being developed and are in compliance with current County regulations. In addition, the circumstances related to the development have to be consistent to the circumstances of the previous application during which the documents were originally submitted. (orig. 4-20-10)
- c. The Case Manager, the Planning Commission or the Board of County Commissioners may require the applicant to submit additional documents, not listed in the tables below, in response to unique circumstances or based upon information received from referral agencies or other sources. (orig. 4-20-10)

~~d. **Proof of Access:** Prior to acceptance of a Formal Application, Planning and Zoning must verify that all of the access locations that will be utilized to serve the proposed development meet the criteria listed below. The Director of Planning and Zoning may allow the formal application to be accepted without meeting the criteria below, if in his/her opinion the circumstances related to proving access should be finalized during the processing of the development application. (orig. 4-20-10; am. 12-21-10)~~

~~(1) Evidence must be submitted demonstrating that the applicant has right of access in accordance with the Access Standards of the General Provisions and Regulations Section of the Zoning Resolution and the following: (orig. 4-20-10; am. 3-26-13)~~

~~(a) The provision for "road of record" may only be considered for applications that meet the conditions listed below. The determination of "road of record" for a development process shall be made by the Director of Planning and Zoning. (orig. 4-20-10; am. 12-21-10)~~

~~(a-1) Any application where the proposal does not increase the number of existing building sites and where there are existing properly permitted dwelling structures within the building sites. (orig. 4-20-10)~~

~~(a-2) Any application where the proposal does not increase the number of existing building sites within a platted subdivision, regardless of whether there are existing properly permitted dwelling structures. (orig. 4-20-10)~~

~~(b) If a development is proposing to create or authorize additional lots or building sites, then the access must be shown to be transferable to the future owners within the development. (orig. 4-20-10)~~

~~(2) The required width of the access right must be in accordance with the Access Standards of the General Provisions and Regulations of the Zoning Resolution, unless a variance or a minor variation has been granted. In cases where a variance or a minor variation is being considered, the evaluation will include a review of the physical location of the access and the physical standards of the access. (orig. 4-20-10; am. 3-26-13)~~

~~**Note:** The physical location of an existing access and the physical standards of an existing access, shall be described as a part of this proof of access review, however, the resolution of any issues that arise related to the physical location or standards will be resolved at the time of processing the application, except as described above. (orig. 4-20-10)~~

ed. An applicant should review the submittal requirements with Planning and Zoning prior to submitting an application. A review of the submittal requirements can be accomplished by

meeting with Staff and discussing the proposed application, or by going through the Pre-Application Review Process. (orig. 4-20-10)

- ~~fe.~~ The Director of Planning and Zoning may waive required ~~submittal requirements documents if he/she determines that~~ for Rezoning and Special Use applications if the information would not materially aid in reviewing the application. (orig. 10-25-05; am. 5-20-08; am. 4-20-10; am. 12-21-10; am. 9-27-11; am. xx-xx-xx)
- ~~g.~~ The Director of Planning and Zoning may waive submittal requirements for a Site Development Plan if the information would not materially aid in reviewing the application. (orig. 7-23-02; am. 12-17-02; am. 7-1-03; am. 4-27-04; am. 10-25-05; am. 4-20-10; am. 9-27-11; am. 3-3-15)
- ~~hf.~~ All documents submitted for a referral process must be submitted electronically collated and packaged by the applicant. The applicant is responsible for any the postage required ~~ments during the application process to mail the referral documents to outside reviewing agencies.~~ (orig. 4-20-10; am. xx-xx-xx)
- ~~ig.~~ The submittal requirements for the Pre-Application Review Process are listed in the Pre-Application Review Process Section of this Regulation. (orig. 4-20-10)
- ~~jh.~~ The submittal of notification documents is required in accordance with the Notification Section of this Regulation. (orig. 4-20-10)
- ~~ki.~~ The table below identifies the documents that are to be submitted as a part of the development application. (orig. 4-20-10; am. 9-27-11; am. 4-30-13; am. 8-27-13; am. 9-24-13; am 11-24-15; am. xx-xx-xx)

Document Type		Rezoning to Standard Zone District	Rezoning to Planned Development	Special Use	Site Development Plan (Nea-Residential)	Site Development Plan (Multi-Family)	Floodplain Development Permit
R	A document that is required to be submitted for an application. <u>Relief from submitting this type of document may be considered by the Director of Planning and Zoning.</u>						
A	A document that can be required by the Case Manager based on the specific circumstances of an application. <u>If required by the Case Manager, then relief from submitting this type of document may be considered by the Director of Planning and Zoning.</u>						
1.	Application Form	R	R	R	R	R	R
2.	Application and Referral Fees	R	R	R	R	R	R
3.	Cover Letter	R	R	R	R	R	R
4.	Proof of Ownership	R	R	R			R
5.	Title Insurance Commitment				R	R	
6.	Survey	A	A	A	A	A	A
7.	Access	A	A	A	A	A	A
8.	Legal Description	RA	RA	R A			A
9.	Official Development Plan (ODP)		R				
10.	Special Use Plan			R			
11.	Site Development Plan				R	R	
12.	Site Adjustment/Dedication Plat				A		
13.	Architectural Elevations				A	A	
14.	Lighting Plan				A	A	
15.	Parking Plan	A	A	A	A	A	
16.	Landscape Plan				A	A	

4617.	Visual Analysis	A	A	A									
4718.	Slope Analysis	A	A	A									
	<p>Document Type</p> <table border="1"> <thead> <tr> <th colspan="2">Table Key</th> </tr> </thead> <tbody> <tr> <td>R</td> <td>A document that is required to be submitted for an application. <u>Relief from submitting this type of document may be considered by the Director of Planning and Zoning.</u></td> </tr> <tr> <td>A</td> <td>A document that can be required by the Case Manager based on the specific circumstances of an application. <u>If required by the Case Manager, then relief from submitting this type of document may be considered by the Director of Planning and Zoning.</u></td> </tr> </tbody> </table>	Table Key		R	A document that is required to be submitted for an application. <u>Relief from submitting this type of document may be considered by the Director of Planning and Zoning.</u>	A	A document that can be required by the Case Manager based on the specific circumstances of an application. <u>If required by the Case Manager, then relief from submitting this type of document may be considered by the Director of Planning and Zoning.</u>	Rezoning to Standard Zone District	Rezoning to Planned Development	Special Use	Site Development Plan (Non-Residential)	Site Development Plan (Multi-Family)	Floodplain Development Permit
Table Key													
R	A document that is required to be submitted for an application. <u>Relief from submitting this type of document may be considered by the Director of Planning and Zoning.</u>												
A	A document that can be required by the Case Manager based on the specific circumstances of an application. <u>If required by the Case Manager, then relief from submitting this type of document may be considered by the Director of Planning and Zoning.</u>												
4819.	Vegetation Preservation Plan	A	A	A									
4920.	Market Analysis	A	A	A									
2021.	Water Supply Information	R	R	R	R	R							
2422.	Wastewater Collection Information	R	R	R	R	R							
2223.	Fire Protection Proof	R	R	R	R	R							
2324.	Forest Management Plan	A	A	A	A	A							
2425.	Construction Plans				A	A	A						
2526.	Exhibit A				A	A	A						
2627.	Transportation Information	A	A	A	A	A							
2728.	Deeds/Easements/Agreements	A	A	A	A	A	A						
2829.	Phase I Drainage Report	A	A	A									
2930.	Phase III Drainage Report				R	R	A						
3031.	Geologic and Geotechnical Report	A	A	A	R	R							
3432.	Radiation Assessment/Report/Plan	A	A	A	A	A							
3233.	Environmental Questionnaire/Assessment	AR	AR	AR	R	R							
3334.	Floodplain Study						A						

- h). The table below identifies documents that are required during the processing of the application, ~~and~~ prior to hearing or determination, and recordation. In addition to the documents listed below, the Case Manager will require the submittal of any of the documents from the table above that were either not submitted by the applicant or may require revisions based on review by the Case manager or referral agencies. (orig. 4-20-10; am. 8-27-13; am. 9-24-13; am. xx-xx-xx)

Document Type		Rezoning to Standard Zone District	Rezoning to Planned Development	Special Use	Site Development Plan (Non-Residential)	Site Development Plan (Multi-Family)	Floodplain Development Permit
Table Key							
R	A document that is required to be submitted for an application. <u>Relief from submitting this type of document may be considered by the Director of Planning and Zoning.</u>						
A	A document that can be required by the Case Manager based on the specific circumstances of an application. <u>If required by the Case Manager, then relief from submitting this type of document may be considered by the Director of Planning and Zoning.</u>						
3435.	Mylar		A	A	RA	R	
3536.	Improvements Agreement				A	A	A
3637.	Performance Guarantee				A	A	A
3738.	Executed Deeds/Easements/Agreements	A	A	A	A	A	A
3839.	Final Documents				AR	A	A
3940.	Recording Fees		R	R	A	A	
4041.	Fees-in-Lieu of Land Dedication				A	A	
4142.	Mineral Estate Notification Form			R			
4243.	Cash-in-Lieu of Construction				A	A	
4344.	Title Insurance Commitment (updated)				R	R	

~~m.—The following table identifies the documents that must be submitted prior to recordation of the final documents. In addition to the documents below, any documents that have been listed as a condition of approval by the Board of County Commissioners will also need to be submitted prior to recording. (orig. 4-20-10; am. 12-21-10; am. 9-27-11; am. 9-24-13)~~

Document Type		Rezoning to Standard Zone District	Rezoning to Planned Development	Special Use
Table Key				
R	A document that is required to be submitted for an application			
A	A document that can be required by the Case Manager based on the specific circumstances of an application			
34.	Mylar		A	A
37.	Executed Deeds/Easements/Agreements	A	A	A
39.	Recording Fees		R	R

3. Submittal Requirement Definitions

a. The submittal requirements are defined as follows:

- (1) Application Form: A fully completed and executed application on the form provided by Planning and Zoning. (orig. 7-21-81; am. 7-11-95; am. 4-27-04; am. 10-25-05)
- (2) Application and Referral Agency Fees:
 - (a) Application Fee: Application Fee as specified by the Board of County Commissioners. The fee shall be made payable to the Jefferson County Treasurer. (orig. 2-22-00; am. 12-17-02; a.m. 4-27-04; am. 10-25-05; am. 4-20-10)
 - (b) Referral Agency Fees: Review fees charged by a referral agency shall be made payable to the reviewing agency based on current rates and paid at the time of

application. The fee amounts can be obtained by contacting Planning and Zoning. (orig. 9-12-83; am. 7-11-95; am. 10-25-05; am. 4-20-10)

- (3) Cover Letter: The cover letter shall include the name, address and phone number of both the property owner(s) and any appointed representative. The cover letter must provide a clear, concise description of the proposal and should include a graphic depiction of the proposal as necessary for clarification purposes. (orig. 2-22-00; am 12-17-02; am. 10-25-05; am. 4-20-10; am. 12-21-10)
- (4) Proof of Ownership: A copy of a current deed, title commitment or title policy showing that the person signing as the owner on the application is indeed the fee owner of the property. (orig. 7-11-95 am. 10-25-05; am. 4-20-10)
- (5) Title Insurance Commitment: A copy of recent title insurance commitment or policy issued by a company authorized to transact title insurance business in Colorado. The legal description on the commitment shall exactly match the legal description of the proposed development. The commitment or policy shall indicate the names and addresses of all current surface owners, mortgagees or lien holders; and any mineral estate owners or lessees of mineral owners. The names submitted shall be listed as they appear on the relevant title documents and instruments that have been recorded with the County Clerk and Recorder. Copies of the documents listed in said commitment or policy shall be submitted for review. Any easement listed in said commitment must be shown and labeled on the survey document. If Any-an easement is within a proposed Jefferson County right-of-way dedication, will need subordination (consent to street dedication) will be needed from the easement holder. ~~The commitment shall be approved by the County Attorney's office.~~ The applicant may be required to have the commitment updated to remove any unacceptable liens or encumbrances. (orig. 7-23-02; am. 12-17-02; am. 10-25-05; am. 4-20-10; am. xx-xx-xx)
- (6) Survey: A survey may be required if the legal description on a deed is not adequate to determine the size and shape of the parcel in question, or if there appears to be conflicts with adjoining deeds or surveys. In addition, a survey may be required in order to establish the location of the physical improvements in relation to parcel boundaries. The format of the survey shall comply with the Final Plat provisions for format and survey as set forth in the Land Development Regulation. Any documents of record that are referenced on the survey document shall also be submitted with the survey document. ~~A survey may be required if the legal description on a deed is not adequate to determine the size and shape of the parcel in question, or if there appears to be conflicts with adjoining deeds or surveys. In addition, a survey may be required in order to establish the location of the physical improvements in relation to parcel boundaries.~~ (orig. 7-23-02; am. 7-1-03; am. 10-25-05; am. 4-20-10; am. 12-21-10; am. xx-xx-xx)
- (7) Access: Prior to acceptance of a Formal Application, Planning and Zoning must verify that all of the access locations that will be utilized to serve the proposed development meet the criteria listed below. The Director of Planning and Zoning may allow the formal application to be accepted without meeting the criteria below, if in his/her opinion the circumstances related to proving access should be finalized during the processing of the development application. (orig. 4-20-10; am. 12-21-10; reloc. xx-xx-xx)
 - (a) The right of access must be in accordance with the Access Standards of the General Provisions and Regulations Section of the Zoning Resolution. (orig. 4-20-10; am. 3-26-13; reloc. and am. xx-xx-xx)
 - (a-1) The provision for "road of record" may only be considered for applications that do not increase upon the number of existing building sites. (orig. 4-20-10; am. 12-21-10; reloc. and am. xx-xx-xx)
 - (a-2) If a development is proposing to create or authorize additional lots or building sites, then the right of access must be shown to be transferable to the future owners within the development. (orig. 4-20-10; reloc. xx-xx-xx)

(b) The required width of the access right must also be in accordance with the Access Standards of the General Provisions and Regulations of the Zoning Resolution, unless a variance or a minor variation has been granted. In cases where a variance or a minor variation is being considered, the evaluation will include a review of the physical location and the physical standards of the access. (orig. 4-20-10; am. 3-26-13; reloc. xx-xx-xx)

Note 1: The physical location of an existing access and the physical standards of an existing access, shall be described as a part of this proof of access review, however, the resolution of any issues that arise related to the physical location or standards will be resolved at the time of processing the application, except as described above. (orig. 4-20-10; reloc. xx-xx-xx)

~~The applicant shall submit the memorandum from Planning and Zoning that verifies the legal right of access and width of the access for the property in accordance with the proof of access provisions listed above.~~ **Note 2:** If the location of the access for the development changes from that originally verified, as described above, then additional access information may be required by the Case Manager. (orig. 2-22-00; am. 10-25-05; am. 4-20-10; am. 3-26-13; am. 11-24-15; am. xx-xx-xx)

Note 3: As a part of the review of the development application, the applicant will have to prove that the physical location and physical standards of the existing access are in conformance with the Access Standards of the General Provisions and Regulations Section of the Zoning Resolution, the requirements of the Land Development Regulation and the Transportation Design and Construction Manual. The review of the physical location and physical standards of the existing access may lead to the requirement for the right of access and width of the access to be re-evaluated and for additional rights to be obtained by the applicant. (orig. 2-22-00; am. 10-25-05; am. 4-20-10; am. 3-26-13; am. 11-24-15; am. xx-xx-xx)

- (8) Legal Description: The legal description of the property designated as a lot, block or tract on a recorded plat or aliquot description or a metes and bounds description. Copies of all documents called for or made reference to in the legal description must be submitted. (orig. 9-11-90; am. 5-5-92; am. 7-1-03; am. 10-25-05; am. 12-21-10)

Rezoning and Special Use: If an application includes only a portion of the property, a legal description of the portion of the property going through the process is required. If there is an existing hazard overlay district on the property, a legal description or a graphic describing the location of such hazard overlay district shall be provided. The Director of Planning and Zoning may waive the submittal of the legal description or graphic for the hazard overlay district if the Director of Planning and Zoning finds that such information would not materially aid in the rezoning process. (orig. 9-11-90; am. 5-5-92; am. 7-1-03; am. 10-25-05; am. 12-21-10; am. 3-3-15; am. xx-xx-xx)

~~The legal description written on the application form shall match the written legal description on the deed or title commitment, or the land survey if one is required. The application for a Rezoning shall also include a qualification phrase if present on the land survey. (orig. 9-11-90; am. 7-11-95; am. 10-25-05; am. 4-20-10)~~

- (9) Official Development Plan (ODP): The main component of an ODP is the written restrictions that identify the uses and standards for the subject property. A graphic may also be required by Planning and Zoning to show the configuration of use areas and other features. The typical format for the ODP (with a graphic) is a 24" X 36" size document; however, a smaller format may be allowed at the discretion of Planning and Zoning. (orig. 5-20-08; am. 4-20-10; am. 9-27-11)

(a) Written Restrictions: The written restrictions serve to establish the specific regulations and requirements for the lot or parcel. The written restrictions shall list permitted and accessory uses, and may include specific standards for signs, fences, lighting, parking, buildings, lots, architecture, open space and landscaping. The written restrictions may also address general provisions dealing with matters specific to the property, for example (without limitation) animals, pollution control, or hours of operation. (orig. 5-20-08; am. 4-20-10; am. 9-27-11)

- (b) Graphic: When required, the graphic shall depict the layout of the parcel and proposed use areas, and may show other features such as the location of existing buildings, buildable and non-buildable areas, hazard areas, and/or other relevant physical features of the property. (orig. 5-20-08; am. 9-27-11)
- (10) Special Use Plan: The main component of a Special Use Plan is the written restrictions that identify the uses and standards for the subject property. A graphic may also be required by Planning and Zoning to show the configuration of use areas and other features. The typical format for the Special Use Plan (with a graphic) is a 24" X 36" size document; however, a smaller format may be allowed at the discretion of Planning and Zoning. (orig. 5-20-08; am. 4-20-10; am. 9-27-11)
- (a) Written Restrictions: The written restrictions serve to establish the specific regulations and requirements for the lot or parcel. The written restrictions shall list permitted and accessory uses, and may also include specific standards for signs, fences, lighting, parking, buildings, lots, architecture, open space and landscaping. The written restrictions may also address general provisions dealing with matters specific to the property, for example (without limitation) animals, pollution control, or hours of operation. (orig. 5-20-08; am. 4-20-10; am. 9-27-11)
 - (b) Graphic: When required, graphic shall depict the layout of the parcel and proposed use areas, and may show other features such as the location of existing buildings, buildable and non-buildable areas, hazard areas, and/or other relevant physical features of the property. (orig. 5-20-08; am. 4-20-10; am. 9-27-11)
- (11) Site ~~Development~~ Plan: The Site Plan in accordance with the Plan Format section Site Development Plan Format provisions. (orig. 2-22-00; am. 10-25-05; am. 4-4-06; am. 4-20-10; xx-xx-xx)
- (12) Site Adjustment/Dedication Plat: A Site Adjustment/Dedication Plat prepared in accordance with the specific requirements located within the Site Development Plan provisions and in accordance with the Final Plat provisions of the Land Development Regulation. (orig. xx-xx-xx)
- ~~(1213)~~ Architectural Elevations: Architectural Elevations prepared in accordance with the provisions in the Architecture Section~~Site Development Plan Format provisions~~. (orig. 10-25-05; am. 4-4-06; am. xx-xx-xx)
- ~~(1314)~~ Lighting Plan: Lighting Plan prepared in accordance with the provisions in the Lighting Section~~Site Development Plan Format provisions~~. (orig. 10-25-05; am. 4-4-06; am. xx-xx-xx)
- ~~(1415)~~ Parking Plan: Parking Plan prepared in accordance with the provisions in the Off-Street Parking and Loading Section~~Site Development Plan Format provisions~~. (orig. 10-25-05; am. 4-4-06; am. xx-xx-xx)
- ~~(1516)~~ Landscape Plan: Required when necessary to ensure that developments comply zoning documents, or to ensure compliance with the Landscaping Section of this Resolution. The areas to be landscaped may include common areas, greenbelts, traffic islands, buffer areas and streetscapes. The plan shall include, but not be limited to, species, general location of plantings, type of ground cover, berm, walls, fences and bodies of water and water courses. The intents and purposes of such features shall be indicated on the plan. The Landscaping Plan shall be prepared in accordance with the provisions in the Landscaping Section. (orig. 2-22-00; am. 12-17-02; am. 10-25-95; am. 4-4-06; am. 4-20-10; am.xx-xx-xx)

- (4617) Visual Analysis: Required when necessary to ensure developments comply with recommendations of applicable community plan or when a proposed development has the potential to significantly impact view corridors, such as mountain backdrops, ridgelines, scenic vistas, historic sites or other areas of visual significance. The analysis shall determine the impacts of a proposal upon view corridors. The preparation of the plan may use methods such as photo mockups or simulations, view corridor mapping, modeling or other techniques, and should indicate how the surrounding land uses and associated viewer groups will be affected by different placement locations. The plan should include views from public areas as well as from private residences; and should include recommended mitigation measures such as height limitations, building clustering or massing, camouflage, screening, blending measures, or designated areas of open space. (orig. 4-20-10)
- (4718) Slope Analysis: Required when necessary to ensure developments comply with recommendations of applicable community plan or when topographical constraints would result in development that requires significant cut and fill activities or presents adverse impacts to health, safety and welfare. The analysis shall include a scaled site plan based upon a topographic contour map with contour intervals of not less than 5 feet. Areas of between 0-20%, 20%-30% and greater than 30% slope shall be indicated. The plan shall include the location of existing and proposed building footprints and other development, proposed roads, sidewalks, rock outcroppings, ridges, tree stands, water courses or other geographical features. (orig. 4-20-10)
- (4819) Vegetation Preservation Plan: Required when necessary to ensure developments comply zoning documents or when there is vegetation onsite that would meet the preservation criteria of the Landscaping Section of this Resolution. The plan must be prepared by a registered landscape architect or forester. The plan shall consist of a scaled site plan and indicate vegetation to be preserved, proposed grading activities, and measures to be taken to protect existing vegetation. (orig. 4-20-10)
- (4920) Market Analysis: Required when necessary to ensure developments comply with recommendations of applicable community plan and/or to justify that a proposal for a commercial use when the community plan does not recommend a commercial use. The analysis is required to justify that the market area can support the proposed development. This could include a map of the market area, demonstration of the level of demand for the subject land use, analysis of the economic base of the market area, growth projections, demographics of the surrounding market, including income and education, and the potential impact on surrounding businesses. (orig. 4-20-10)
- (2021) Water Supply Information: Submit information on the proposed water supply in accordance with the Water Supply Section of the Land Development Regulation.
If a structure or use is proposed that does not require a permanent water supply system, then a letter verifying that the structure is unoccupied and no water will be extended may be submitted and reviewed by staff for adequacy to meet this requirement. (orig. 7-11-07; am. 4-20-10; am. 4-30-13, am. xx-xx-x)
- (2422) Wastewater Information: Submit information on the proposed wastewater disposal in accordance with the Wastewater Section of the Land Development Regulation.
If a structure or use is proposed that does not required wastewater disposal, then a letter verifying that the structure is unoccupied and no sanitation will be provided may be submitted and reviewed by staff for adequacy to meet this requirement. (orig. 4-20-10; am. 4-30-13; am. xx-xx-xx)
- (2223) Fire Protection Proof: A written statement from the appropriate fire district, indicating that they serve the referenced property. If the property is not located within a fire protection district, a contract with a district or a municipality indicating that they will provide service to the property shall be required. (orig. 7-23-02; am. 12-17-02; am. 10-25-05; am. 4-20-10)

- (~~2324~~) Forest Management Plan: Forest Management Plan(s) prepared in accordance with the Fire Protection Section for all developments located within the boundary of the Wildfire Hazard Overlay District. (orig. 4-20-10)
- (~~2425~~) Construction Plans: When the provisions of any applicable County regulation or plan require improvements associated with a development application, those improvements will be incorporated into the Civil Construction Plans. The construction plans shall be comprised of the following applicable plans: (orig. 10-25-05; am. 4-4-06; am. 4-20-10)
- (a) Circulation Improvement Plans prepared in accordance with the Jefferson County Transportation Design and Construction Manual and the Circulation Section of the Land Development Regulation. The plans shall include any design elements required to address necessary improvements identified in a ~~Traffic-Transportation~~ Analysis or Study. (orig. 4-20-10; am. 11-24-15)
 - (b) Trail construction plans, as required by the Transportation Design and Construction Manual and the Trails Section of the Land Development Regulation. (orig. 4-20-10; am. 11-24-15)
 - (c) Grading, Erosion and Sediment Control Plans prepared in accordance with the Grading, Erosion and Sediment Control Section of the Land Development Regulation and the Land Disturbance Section of this Resolution. (orig. 10-25-05; am. 4-4-06; am. 4-20-10)
 - (d) Fire protection measures as required by the Fire Protection Section of the Land Development Regulation shall be incorporated into the plans listed below, as appropriate. (orig. 4-20-10)
 - (e) Geologic and Geotechnical Plans prepared in accordance with the Geologic and Geotechnical Section of the Land Development Regulation and in conformance with the requirements of the Geologic and Geotechnical Report, unless waived by the County Engineering Geologist. (orig. 4-20-10)
 - (f) Floodplain mitigation measures as required by the Floodplain Section of the Land Development Regulation shall be incorporated into the plans listed below, as appropriate. (orig. 7-23-02; am. 10-25-05; am. 4-20-10)
 - (g) Water Supply System Plans prepared in accordance with the Water Supply Section of the Land Development Regulation. (orig. 4-20-10)
 - (h) Wastewater Collection Plan(s) prepared in accordance with the Wastewater Section of the Land Development Regulation. (orig. 4-20-10)
 - (i) Groundwater Collection Plans as required by the Subsurface Groundwater Collection Systems Section of the Land Development Regulation. (orig. 4-20-10)
- (~~2526~~) Exhibit A: When the provisions of any applicable County regulation or plan require improvements associated or fees with a development application, then a detailed list of those improvements and fees will need to be provided. The detailed improvement/fee list will be divided into different sections, as applicable, for the different types of improvements or fees associated with the project. The different categories that may be included are public improvements, landscape improvements, cash in-lieu of construction and fees as described in the Development Agreements, Warranties and Guarantees Section of the Land Development Regulation. The Exhibit A may either be submitted with the initial application or at the time of resubmittal after the 1st Referral. (orig. 4-20-10; am. 9-24-13)

- (~~26~~27) Transportation Information: Detailed Transportation Information will be required during the development process in accordance with the following provisions, unless it was submitted with a previous process and the information related to ~~traffic transportation~~ has not changed. In addition, the submittal of an analysis or a study may be required by the underlying zoning regardless of the number of vehicular trips being generated. (orig. 7-11-95; am. 3-13-99; am. 4-27-04; am. 10-25-05; am. 5-20-08; am. 4-20-10; am. 11-24-15)
- (a) Transportation Analysis: A Transportation Analysis may be required by Planning and Zoning to determine the amount and/or distribution of traffic generated from a proposed development. A transportation analysis is a computation of the traffic that is generated by a proposed development that is expected to generate less than 1000 average daily trips. The analysis should address any onsite and offsite improvements that may be necessary to mitigate traffic impacts from the proposed development. Required improvements may include the addition of turning lanes, traffic signals and bicycle/pedestrian facilities, including any other improvements which may be suggested by the analysis. (orig. 4-20-10; am. 11-24-15)
 - (b) Minor Transportation Study: A Minor Transportation Study is required when a proposed development is expected to generate 1000 average daily trips or more, and the traffic impacts are localized as determined by Planning and Zoning. The study should address any onsite and offsite improvements that may be necessary to mitigate traffic impacts from the proposed development. Required improvements may include the addition of traffic signals, turning lanes and bicycle/pedestrian facilities, including any other improvements which may be suggested by the study. (orig. 4-20-10; am. 11-24-15)
 - (c) Major Transportation Study: A Major Transportation Study is required when a proposed development is expected to generate 1000 average daily trips or more, and the traffic impacts are regional as determined by Planning and Zoning. The study should address any onsite and offsite improvements that may be necessary to mitigate traffic impacts from the proposed development. Required improvements may include the widening of existing streets; the addition of new intersections or interchanges; and the addition of traffic signals, turning lanes and bicycle/pedestrian facilities, including any other improvements which may be suggested by the study. (orig. 4-20-10; am. 11-24-15)
 - (d) Updated Analysis/Study: Updated information may be required when there is a proposed alteration to the traffic patterns of a development that previously required an analysis or a study. Planning and Zoning may require either a new transportation analysis or study or an amendment to the analysis or study on file as a part of the previous development. (orig. 4-20-10; am. 11-24-15)
- (~~27~~28) Deeds/Easements/Agreements: Deeds/Easements/Agreements for off-site improve-ments and dedications that may arise due to the requirements of the development application. (orig. 7-28-02; am. 4-20-10)
- (~~28~~29) Phase I Drainage Report and Plan: A Phase I Drainage Report and Plan prepared in accordance with the Storm Drainage Design and Technical Criteria, if the property is traversed by a major drainageway which is to be modified in any way. If Planning and Zoning determines that the Phase I Drainage Report and Plan would not materially aid in the review of the application, the submittal may be deferred to a subsequent development process. (orig. 5-12-87; am. 12-17-02; am. 10-25-05; am. 5-20-08; am. 4-20-10)
- (~~29~~30) Phase III Drainage Report and Plan: A Phase III Drainage Report and Plan prepared in accordance with the Storm Drainage Design and Technical Criteria. (orig. 4-20-10)

(3031) Geologic and Geotechnical Report: If the property is located within the Designated Dipping Bedrock Overlay District, the Geo-Hazard Overlay District or in an area of known geologic hazards, a Geologic and Geotechnical Report must be submitted in accordance with the Geologic and Geotechnical Section of the Land Development Regulation. The County Engineering Geologist may defer the submittal of the report to a subsequent development process or to the building permit process, if he/she determines that the information required for the subsequent process or building permit will sufficiently provide recommendations for foundation design, floor slab, pavement design and site grading. For example, a rezoning for a residential development in the Designated Dipping Bedrock Overlay District may have the report requirements deferred to the subsequent platting process since the characteristics of the geology and the methods of mitigation are fairly consistent for that hazard. (orig. 7-23-02; am. 12-17-02; am. 10-25-05; am. 4-20-10)

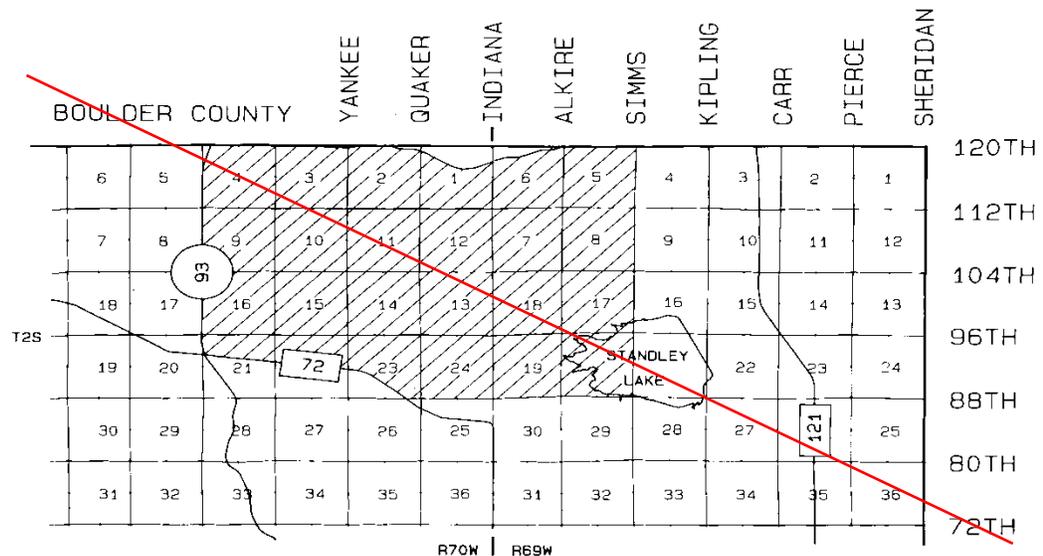
Site Development Plan: A proposal for a Site Development Plan, regardless of whether it is located in the hazard areas listed above, must include a the Design Level Geotechnical Report as described in the Geologic and Geotechnical Section of the Land Development Regulation. (orig. 4-20-10)

Rezoning: A rezoning, application located in the Geo-Hazard Overlay District or in an area of known geologic hazards, will be required to submit detailed hazard mitigation plans, along with the Geologic and Geotechnical Report, unless the hazard area is set aside as an area that will not be disturbed. (orig. 4-20-10)

(3432) Radiation Assessment/Report/Plan: The proposed development shall evaluate and mitigate naturally occurring and man-made radiation hazards through the following: (reloc. 7-12-05; am. 4-4-06, am. xx-xx-xx)

a. A radon mitigation system shall be required for new residential construction in accordance with the International Residential Code to address the health hazard associated with radiation from radon gas. (orig. xx-xx-xx)

b. During the evaluation of the Environmental Questionnaire/Assessment, if radiation not associated with radon gas is identified as a potential hazard, a Radiation Assessment will be required. Radiation Assessment/Report/Plan prepared in accordance with the Radiation Section applicable to those proposed developments located within any potential radiation hazards that may be identified by Public Health and/or the Colorado Department of Public Health and Environment, and for the area as delineated by diagonal hatching on the following Map. (orig. 4-20-10; am xx-xx-xx)



(~~3233~~) Environmental Questionnaire/Assessment: An Environmental Questionnaire/Assessment in accordance with the Environmental Assessment Section of the Land Development Regulation. (orig. 10-25-05; am. 4-20-10; ~~am. xx-xx-xx~~)

(~~3334~~) Floodplain Study: A Floodplain Study prepared in accordance with the Floodplain Overlay District Section of the Zoning Resolution. (orig. 8-27-13)

(~~3435~~) Mylar: The Mylar shall: (orig. 4-20-10)

- (a) Reflect all corrections as indicated on the red-marked print. (orig. 4-20-10)
- (b) Be a minimum of 0.003 inches in thickness, black line and have a matte finish on both sides. Sepia Mylars are not acceptable for recording. (orig. 4-20-10)
- (c) Not have any erasures. (orig. 4-20-10)
- (d) Be signed in fine tip, black permanent ink by:
 - (d-1) the fee simple owners and the holders of deeds of trust (if applicable), with signatures notarized. (orig. 4-20-10)
 - (d-2) the developer's attorney or the developer's title company (if applicable). (orig. 4-20-10)
- (e) Have the appropriate seals affixed. No seals shall be placed within the margins. (orig. 4-20-10)

Rezoning (Planned Development) and Special Use: The Planning and Zoning Division will determine if the Official Development Plan or Special Use Document will need to be submitted on a Mylar. (orig. 9-27-11)

(~~3536~~) Improvements Agreement: The executed Improvements Agreement with the attached Exhibit A is required if there are improvements associated with the proposed development and the applicant would like to postpone the submittal of the performance guarantee. By entering into an improvement agreement, an applicant may begin site construction without submitting a performance guarantee for the improvements, with the understanding that the construction will need to be completed or a performance guarantee submitted prior to sale or issuance of a building permit. The Improvements Agreement shall: (orig. 7-23-02; am. 7-1-03; am. 6-21-05; am. 7-12-05; am. 10-25-05; am. 4-20-10)

- (a) Match the County standard template unless alterations have been approved by the County Attorney's Office. There are different templates for an original improvement agreement and an amended improvement agreement. (orig. 4-20-10)
- (b) Be signed by the fee simple owners and the holders of deeds of trust, with signatures notarized. (orig. 4-20-10)
- (c) Have the attached Exhibit A (quantity estimate only) for public improvements and landscape improvements that have been signed by the developer and by the preparer of the exhibit. (orig. 4-20-10)

(~~3637~~) Performance Guarantees shall be administered in compliance with the Development Agreements, Warranties and Guarantees Section of the Land Development Regulation. (orig. 7-23-02; am. 7-1-03; am. 6-21-05; am. 7-12-05; am. 10-25-05; am. 4-20-10)

(~~3738~~) Executed Deeds/Easements/Agreements: Any deeds, easements or agreements that were required based on the processing of the development shall be properly executed and submitted so that the recordation of these documents can be coordinated with the recording of the final development documents. (orig. 4-20-10; am. 9-27-11)

If any interest (fee simple, easement or otherwise) in a street, road, tract, parcel or strip of land is to be dedicated to the County, the property owner shall indemnify the County from any and all damages, claims, losses, injuries and expenses (including attorneys' fees) related to or arising out of the presence of hazardous materials,

whether known or unknown, including, without limitation, any clean-up costs for such hazardous materials. Such indemnification shall be in a form acceptable to the County Attorneys Office. (orig. 4-20-10)

- (3839) Final Documents: All final plans related but not limited to site development, construction, drainage and landscaping shall be submitted in accordance with the correspondence from the Case Manager and shall be properly executed and sealed. (orig. 4-20-10)
- (3940) Recording Fees: Recording fees shall be those currently charged by and made payable to the Jefferson County Clerk and Recorder. (orig. 4-25-05)
- (4041) Fees-in-Lieu of Land Dedication: If the applicant is proposing to satisfy some or the entire park or school land dedication requirement through the payment of fees, then the fees must be paid prior to recordation of the final development documents. ~~Prior to scheduling a case for hearing, the applicant must submit a letter indicating that they agree to pay the calculated fee prior to recordation of the final development documents.~~
Site Development Plan: This is only required when the Site Development Plan is creating multi-family units. (orig. 4-20-10; am. 9-27-11; ~~am. xx-xx-xx~~)
- (4442) Mineral Estate Owner Notification Form: A completed and executed Mineral Estate Owner Notification Form must be provided to the Case Manager. The Case Manager will provide the blank form for the applicant to use to satisfy this requirement. (orig. 10-25-05; am. 4-20-10)
- (4243) Cash-In-Lieu of Construction: If the County has agreed to take cash payment for a portion or all of the improvements required for a development, the cash payment shall be made prior to recordation of the final development documents, unless the County has agreed to incorporate the payment into the requirements of the Improvements Agreement. (orig. 4-20-10; am. 9-27-11)
- (4344) Title Insurance Commitment (updated): The title insurance commitment should have an effective date within 45 days of the approval/recordation date of the final development documents. (orig. 4-20-10; am. 9-27-11; ~~am. xx-xx-xx~~)

J. Pre-Application Review Process (orig. 2-22-00; am. 10-25-05)

1. Intent and Purpose

The Pre-Application Review Process was created to provide applicants with a quick review of development proposals based on very limited information. The review by Staff is intended to provide the type of information that will assist an applicant in making key decisions about the development proposal prior to making application. The Pre-Application Review Process will also assist the applicant in gaining a more thorough understanding of the County's process and issues relative to the land use request. (orig. 2-22-00, am. 10-25-05; am. 4-20-10)

2. Application

The Pre-Application Review Process is optional and may be used before applying for any process. (orig. 2-22-00, am. 10-25-05)

3. Procedure

- a. The applicant must submit a complete Pre-Application package to Planning and Zoning. Planning and Zoning will schedule a date and time for the Pre-Application Review Meeting. (orig. 2-22-00; a.m. 4-27-04, am. 10-25-05; am. 5-20-08)
- b. Staff will send the information submitted by the applicant to a select few referral agencies in order to obtain the type of information that will be of most benefit to the applicant. (orig. 4-20-10)
- c. The Pre-Application Review Meeting will begin with a description by the applicant of what is being requested. The Case Manager and other county staff will present their comments and findings, as well as request any additional information that may be required. Issues that need to be resolved prior to application submittal will also be identified. (orig. 2-22-00, am. 10-25-05)

- d. After the Pre-Application Meeting, Staff will provide written comments outlining the key issues that must be addressed as a part of the application submittal. (orig. 2-22-00, am. 10-25-05; am. 4-20-10)
4. Submittal Requirements
- The following shall be the minimum information required in order to schedule the Pre-Application Meeting. The number of copies of each document that will need to be submitted for review is identified in the Pre-Application Guide available in Planning and Zoning. (am. 4-20-10)
- a. Cover Letter: The cover letter shall include the name, address and phone number of the property owner(s), the applicant(s) or any appointed representative. The letter should include a clear, concise description of the proposal, including the proposed uses. It should also address following key items related to the proposed development: (orig. 2-22-00; am. 12-17-02; am. 10-25-05; am. 4-20-10)
 - (1) Access (orig. 4-20-10)
 - (2) Water (orig. 4-20-10)
 - (3) Sanitation (orig. 4-20-10)
 - b. Vicinity Map: The vicinity map showing the location of the property involved in the request. (orig. 2-22-00; am. 10-25-05)
 - c. Site Plan: A site plan drawn to scale, including the following information: (orig. 2-22-02; am. 10-25-05; am. 4-4-06; am. 4-20-10)
 - (1) Scale (orig. 4-20-10)
 - (2) North Arrow (orig. 4-20-10)
 - (3) Existing and proposed lot lines (orig. 4-20-10)
 - (4) Streets/Roads: The proposed and existing streets/roads (orig. 4-20-10)
 - (5) Access Points: Location of existing and proposed access points (orig. 4-20-10)
 - (6) Structures: Location and size of existing structures (orig. 4-20-10)
 - (7) Use Areas: Proposed use areas if the proposal is for a multi-use Planned Development rezoning. (orig. 4-20-10)
 - (8) Any additional information that may aid in the review of the proposal (orig. 4-20-10)
 - d. Written Restrictions: Written restrictions if the proposal is for a Planned Development rezoning (orig. 12-17-02; am. 10-25-05; am. 4-20-10)
 - e. Proof of Ownership: A copy of the deed which the owner holds for the property or a current title commitment or policy. (orig. 7-11-95; am. 10-25-05; am. 4-20-10)
 - f. Proof of Access: Information shall be submitted for review that is intended to prove access for the proposed development in accordance with the Submittal Requirements Section. (orig. 2-22-00; am. 10-25-05; am. 4-20-10)
 - g. Additional Documentation: The applicant should provide any additional information that they believe would aid in the review of the Pre-Application, such as proof of water, proof of sewer and proof of fire protection. (orig. 2-22-00; am. 10-25-05; am. 4-20-10)

K. Notification

1. Intent and Purpose

The purpose of this section is to specify the notification requirements and procedures for various applications. The notification requirements are intended to keep property owners and registered associations informed of proposed development activities in Jefferson County. (orig. 10-25-05; am. 10-13-09)

2. Application

- a. Specific notification requirements for various applications are identified in the table below. These notification requirements include Community Mailing, Sign Posting and Newspaper Publication. If an application type is not listed below, then the notification requirements for

that application are either listed in that application's process requirements or notification is not required. Reference the criteria section below for a description of the levels described in the notification table. (orig. 10-13-09; am 4-20-10; am. 8-27-13; am 3-29-16)

Application Type	Notification Requirements						
	Community Meeting		At Time of 1st Referral*		Prior to Hearing		
	Community Mailing	Sign Posting	Community Mailing	Sign Posting	Community Mailing	Sign Posting	Newspaper Publication
Rezoning	Level 1	Level 1	Level 1	Not Required	Level 1	Level 1	Yes
Special Use	Level 1	Level 1	Level 1	Not Required	Level 1	Level 1	Yes
Site Development Plan	N/A	N/A	Level 1	Level 1	N/A	N/A	N/A
Land Disturbance Permit	N/A	N/A	Level 2	Level 2	N/A	N/A	N/A
Floodplain Development Permit**	N/A	N/A	Level 2	Level 2	N/A	N/A	N/A
Administrative Exception	N/A	N/A	Level 2	Level 2	N/A	N/A	N/A

* In accordance with the process requirements for each application type, the 1st Referral is scheduled to occur within 3 days of the applicant making a Formal Application. (orig. 4-20-10)

** Notification requirements are only applied to Floodplain Development Permits that include an **alteration of a watercourse**. (orig. 8-27-13)

- b. If any one of the following occurs during the hearing process, the applicant will be required to provide additional notification in accordance with the "Prior to Hearing" notification requirements in the table above. (orig. 12-21-10)
 - (1) The application has been continued, but a hearing date has not been specified in the continuance. (orig. 12-21-10)
 - (2) The application has been in the hearing process for more than 6 months without a final determination. Under this circumstance, the additional notification will serve to reset the clock for an additional 6 months. (orig. 12-21-10)
 - (3) The application is remanded back to the Planning Commission by the Board of County Commissioners. (orig. 12-21-10)
 - (4) The application needs to return to hearing in order to effect a change to the application. This provision will not apply if the change is determined to be a non-substantial change as discussed below, however the notification described in the provision below still apply. (orig. 12-21-10)
- c. If an application has been approved in a public hearing and needs to return to hearing to effect a non-substantial change that does not materially affect the content of the approved application, then the Director of Planning and Zoning may allow the application to proceed to hearing without notification in accordance with this section; provided, however any notification specifically required by the Colorado Revised Statutes is still completed for such hearing. (orig. 4-20-10; am. 12-21-10)

3. Criteria

- a. Community Mailing: Community mailing requirements fall into two (2) levels.
 - (1) Level 1 requires notices to be sent to property owners and registered associations within a specified radius based on whether the proposed development is located in the Mountains or Plains as defined in the Definition Section of this Regulation. (orig. 10-13-09; am 4-20-10)

- (a) The following table shows the Notification Radius of the Mountains and Plains. The notification area will be measured from the exterior boundary of the proposed development. (orig. 10-25-05; am. 10-13-09)

	Mountains	Plains
Registered Associations	Two (2) miles	One (1) mile
Individual Property Owners	1,320 feet (1/4 mile)*	500 feet

When the subject property is located in an area of unusually high density development, greater than 50 individual property owners within 1,320 feet (1/4 mile), then the area of notification shall be decreased to 500 feet from the subject property. (orig. 10-25-05; am. 10-13-09)

- (2) Level 2 requires notices to be sent to adjoining property owners. For the purpose of this Regulation adjoining will mean a property that shares any length of common boundary with the applicant's property. In addition, if it is determined that the proposed development is on property that is located within a property owners association, or other similar entity, then notice will also be sent to that entity. The Case Manager may require additional notices to be sent if in the opinion of the Case Manager the development activity may have impacts to other properties. (orig. 10-13-09)
- b. Sign Posting: Sign posting requirements fall into two (2) levels:
- (1) Level 1 requires a minimum of one (1) sign to be posted on each boundary of the property having frontage on either a public or private street/road. The provision for posting along public streets/roads shall not apply to freeways, unless the freeway has a frontage road on which the requirements will apply. For the purpose of this Regulation, freeways shall be identified as I-70, US-285, SH-58, C-470, and US-6 east of its intersection with I-70. If the frontage on a public or private street/road is greater than 500 feet, then additional sign(s) will be required in accordance with the table below. The maximum number of signs required to be posted along public or private streets/roads shall be six (6). If the number of signs calculated for posting exceeds six (6), then the required signs will be spaced along the street/road frontage as deemed appropriate by the Case Manager. If the property does not have any street/road frontage at the time of posting, then a minimum of one (1) sign must be posted on the property at the location most visible to the general public. If the Case Manager determines that the signs required to be posted on the property would not be readily seen by the general public, then he/she may require the posting of off-site signs, in the number and location deemed appropriate. (orig. 10-13-09; am 4-20-10)

Sign requirements for frontage along public or private	
Length of Frontage (feet)	Number of signs required
0 to 500	1
501 to 1000	2
1001 to 1500	3
1501 to 2000	4
2001 to 2500	5
Greater than 2500	6

- (2) Level 2 requires one (1) sign to be posted on the property at a location most visible to the general public. If the Case Manager determines that the sign required to be posted on the property would not be readily seen by the general public, then he/she may require the posting of off-site signs, in the number and location deemed appropriate. (orig. 10-13-09; am 4-20-10)
 - c. Newspaper Publication: Newspaper publication is a notification requirement where notice of a hearing is published in one publication of a newspaper of general circulation in the County. (orig. 10-13-09)
3. Procedure
- a. Community Mailings: Notification letters shall be mailed in accordance with the following:
 - (1) Community Mailings at the time of 1st Referral shall be mailed at the time the case is sent out on the 1st Referral. Prior to the 1st Referral, the Case Manager will provide the applicant the completed notification form and other information so that the applicant can prepare the notification documents. (orig. 10-13-09; am 4-20-10)
 - (2) Community Mailings prior to a Community Meeting or hearing shall be mailed at least 14 calendar days prior to the Community Meeting or the first scheduled hearing. Approximately 19 days prior to the Community Meeting or the first scheduled hearing, the Case Manager will provide the applicant the completed notification form and other information so that the applicant can prepare the notification documents. (orig. 10-13-09)
 - (3) General Requirements;
 - (a) The Case Manager shall provide the applicant:
 - (a-1) A completed notification form and vicinity map; and (orig. 4-4-06; am. 10-13-09)
 - (a-2) A list of all registered associations and/or property owners that are required to be notified; (orig. 4-4-06; am. 10-13-09)
 - (b) The applicant shall provide the Case Manager the community mailing envelopes corresponding to the list of registered associations and individual property owners. The envelopes must: (orig. 4-4-06; am. 10-13-09)
 - (b-1) be addressed; (orig. 10-13-09)
 - (b-2) have sufficient postage; (orig. 4-4-06)
 - (b-3) use the Planning and Zoning's return address; (orig. 4-4-06)
 - (b-4) contain a completed notification form and vicinity map; and (orig. 4-4-06)
 - (b-5) be un-sealed. (orig. 4-4-06; am. 10-13-09)
 - b. Sign Posting: Sign posting shall be completed in accordance with the following requirements.
 - (1) Sign posting at the time of 1st Referral: The sign(s) will be given to the applicant when the case is sent out on the 1st Referral. It is the applicant's responsibility to post the sign(s) on the property within 4 calendar days from the date on which the application was sent out on the 1st Referral. The applicant shall take every reasonable effort to keep the sign(s) posted on the property until a determination has been made on the application. The signs shall be removed from the property within 7 calendar days after the final determination. (orig. 10-13-09; am. 4-20-10; am. 12-21-10)
 - (2) Sign posting at the time of Community Meeting or hearing:
 - (a) Community Meeting: The sign(s) will be given to the applicant approximately 19 calendar days prior to the Community Meeting. It is the applicant's responsibility to post the sign(s) on the property a minimum of 14 calendar days prior to the meeting. The applicant shall take every reasonable effort to keep the sign(s) posted on the property until the Community Meeting has been completed. The signs shall be removed from the property within 7 calendar days after the Community Meeting. (orig. 10-13-09; am. 12-21-10)

- (b) Hearing: The sign(s) will be given to the applicant approximately 19 calendar days prior to the first scheduled hearing. It is the applicant's responsibility to post the sign(s) on the property a minimum of 14 calendar days prior to the first hearing. The applicant shall take every reasonable effort to keep the sign(s) posted on the property until the application is approved, conditionally approved or denied at the final hearing for the application. The signs shall be removed from the property within 7 calendar days after the final hearing for the application. (orig. 10-13-09; am. 12-21-10)
- (3) General Requirements:
 - (a) The Case Manager shall provide the applicant:
 - (a-1) A map indicating where the signs shall be posted; (orig. 10-13-09)
 - (a-2) the completed signs; (orig. 10-13-09)
 - (a-3) instructions on how to post the signs; and (orig. 10-13-09)
 - (a-4) a blank posting affidavit form. (orig. 10-13-09)
 - (b) The applicant shall:
 - (b-1) Post the sign(s) on the property in accordance to the location map and instructions; and (orig. 10-13-09)
 - (b-2) Return the completed posting affidavit to the Case Manager indicating that the sign(s) were posted upon the subject property in accordance with the requirements. (orig. 10-13-09)
- c. Newspaper Publication: Planning and Zoning shall publish notice of the hearing before the Board of County Commissioners in one publication of a newspaper of general circulation in the County. The notice shall be published at least 14 calendar days prior to the Board of County Commissioners Hearing. (orig. 10-13-09)

L. Community Meeting Process

1. Intent and Purpose

The purpose of the Community Meeting is to inform the public of a possible land use change. The Community Meeting will provide the applicant the opportunity to answer any community concerns and solicit input about the proposal to achieve the best possible results. (orig. 2-22-00; am. 10-25-05)
2. Application

The Community Meeting requirement shall apply to Rezoning and Special Use applications. (orig. 2-22-00; am. 10-25-05)
3. Procedure
 - a. The Community Meeting must occur prior to formal submittal of the application and after the Pre-Application Review Meeting, if one was held. (orig. 10-25-05)
 - b. The applicant shall arrange the date, time and location for the Community Meeting. The applicant shall coordinate with the Case Manager at least 21 calendar days prior to the Community Meeting. (orig. 2-22-00; am. 12-17-02; am. 4-27-04; am. 10-25-05)
 - c. Notification is required in accordance with the notification provisions of this section. (orig. 10-25-05; am. 4-4-06; am. 10-13-09)
 - d. Community Meeting: The applicant shall present their request to the attendees at the Community Meeting, and the applicant shall facilitate the meeting. The Case Manager may attend the Community Meeting and may provide information to the attendees regarding County regulations. The applicant may desire to revise the application to respond to expressed concerns, prior to formal submittal. (orig. 2-22-00; am. 12-17-02; am. 10-25-05)
4. Community Meeting Waiver: A written request to waive the Community Meeting requirement may be submitted to the Director of Planning and Zoning. The request to waive the Community Meeting requirement must include the reason(s) why relief from this requirement should be granted. Waiver requests may be approved at the discretion of the Director of Planning and

Zoning prior to formal submittal of the Rezoning or Special Use application. (orig. 2-22-00; am. 12-17-02; am. 10-25-05; am. 5-20-08; am. 12-21-10)

M. Rezoning Process

(orig. 5-6-46; am. 6-2-58; am. 12-26-62; am.2-7-72; am. 5-1-72; am. 7-21-81; am. 9-12-83; am. 5-12-87; am. 1-31-89; am. 9-11-90; am. 5-5-92; am. 12-14-93; am. 5-3-94; am. 6-7-94; am. 7-11-95; am. 7-22-97; am. 3-23-99; am. 2-22-00; am. 10-25-05; am. 5-20-08)

1. Intent and Purpose

This process was created to move projects through the review and approval process as quickly as possible. The process outlines time frames and expectations that provide the applicant with a clear understanding of the steps involved prior to being scheduled for hearing before the Planning Commission and the Board of County Commissioners. The Director of Planning and Zoning may waive the time frames included in this process depending on Planning and Zoning staffing levels and the complexity of the proposal. (orig. 2-22-00; am. 12-17-02; am. 4-27-04; am. 10-25-05; am. 5-20-08; am. 12-21-10)

2. Application

- a. A nonrefundable processing fee in an amount established by the Board of County Commissioners is required for this process. (orig. 5-20-08)
- b. The following procedure, requirements and criteria shall apply to Rezoning applications. (orig. 10-25-05)
- c. Notification is required in accordance with the notification provisions of this section. (orig. 10-13-09)

3. Procedure

If the applicant complies with all given time frames, submits a complete application and complies with all requirements of the regulation, the estimated time to reach the public hearing phase of the process is 100 calendar days from the date of the 1st Referral. (orig. 10-25-05; am. 4-4-06; am. 5-20-08; am. 10-13-09)

Process Steps	Processing Time Frames
Optional Pre-Application Review Process or Meeting with Staff	Prior to Process
Community Meeting	
Steps prior to 1st Referral	
Sufficiency Review	7 calendar days
Formal Application	3 calendar days
Process from 1st Referral to Public Hearings	
1st Referral	21 calendar days
Forwarding 1st Referral Comments	5 calendar days
Response 1 st Referral	21 calendar days
Submittal of Revised Documents	3 calendar days
2 nd Referral	14 calendar days
Forwarding 2 nd Referral Comments	5 calendar days
Hearing Documents	10 calendar days
Hearing Preparation	21 calendar days
Public Hearings and Post Hearing Review	
Planning Commission Hearing	Time varies based on PC and BCC actions; and applicant meeting approval conditions
Board of County Commissioners Hearing	
Post Hearing Review	

100 Days to tentatively scheduled hearings if processing time frames are met.

Prior to submitting an application for this process, it is recommended that the applicant go through the Pre-Application Review Process, as identified in the pre-application provision of this

section. The Pre-Application Review Process will help identify the key issues that will need to be addressed during the platting process and will also help to establish the specific submittal requirements. The specific submittal requirements can also be established by obtaining an appointment with Staff to discuss the proposal. (orig. 10-13-09)

Community Meeting: The applicant shall hold a Community Meeting, pursuant to the Community Meeting Process, prior to submittal of the formal application and following the Pre-Application Review Meeting, if one was held. (orig. 2-22-00; am. 10-25-05)

Steps Prior to 1st Referral

- a. Sufficiency Review: The applicant shall submit all documents as identified in the Submittal Requirements Section of this Regulation for review by Staff. (5-20-08)

Staff shall have 7 calendar days to review this submittal. (5-20-08)

Staff will review the sufficiency application to determine if the submittal documents are complete. Following this review, Staff will prepare a letter explaining any deficiencies in the submittal documents. The letter will include a referral matrix that identifies the referral agencies that will require referral documents. The response from Staff will also include a request for the applicant to submit the notification documents that are required to be mailed when the case is sent out on the 1st Referral. The applicant shall revise the submittal information as may be required to comply with County standards, and then submit the Formal Application. (orig. 2-22-00; am. 10-25-05; am. 5-20-08; am. 10-13-09)

- b. Formal Application: The applicant shall submit all documents as identified in the Staff response to the Sufficiency Review. (orig. 5-20-08; am. 10-13-09)

The Case Manager shall have 3 calendar days to refer the application and referral fees to County divisions/departments and other agencies. A submittal package that is not complete in terms of the type and quantity of documents required will not be sent out on referral. (orig. 2-22-00; am. 12-17-02; am. 4-27-04; am. 10-25-05; am. 4-4-06; am. 5-20-08)

Process from 1st Referral to Public Hearings

- c. 1st Referral:

The referral agencies shall have 21 calendar days to respond in writing to the application. An extension of no more than 30 calendar days may be agreed to by the applicant. (orig. 5-20-08)

Notification is required at the time of the 1st Referral in accordance with the notification provisions of this section. (orig. 10-13-09)

The Case Manager will tentatively schedule the Planning Commission Hearing and the Board of County Commissioners' hearing when the application is sent out on the 1st Referral. The Planning Commission hearing will be tentatively set to the first available hearing date after 100 calendar days from the date of the 1st Referral. The Board of County Commissioners hearing will be scheduled for the first available hearing date after 19 calendar days from the Planning Commission hearing. (orig. 2-22-00; am. 4-27-04; am. 10-25-05; am. 5-20-08)

- d. Forwarding 1st Referral Comments:

The Case Manager shall have 5 calendar days, after the end of the referral period, to provide the applicant with a Staff response inclusive of referral agency responses. If the Case Manager indicates that the application is in substantial conformance with all applicable regulations and that only minor revisions to the documents are required, the application may proceed directly to the Hearing Documents phase of the process. Under this circumstance, the application will be able to get to the hearing phase earlier than the date(s) tentatively scheduled at the time of the 1st Referral. (orig. 2-22-00; am. 4-27-04; am. 10-25-05; am. 5-20-08)

- e. Response to 1st Referral:

The applicant shall have 21 calendar days to address, in writing, any issues identified by

the Case Manager or any referral agency and resubmit revised documents for the 2nd referral. The applicant will be deemed to have consented to later hearing dates, than the tentatively scheduled hearing dates, if the resubmittal is not received within the 21 calendar day period. (orig. 2-22-00; am. 4-27-04; am. 10-25-05; am. 5-20-08)

The applicant shall have a maximum of 120 calendar days to respond to the referral comments, or the application will be considered withdrawn. The applicant will then have to file a new application with the required fees and documents. The Director of Planning and Zoning may extend this 120 calendar day maximum response deadline for additional 120 calendar day periods if, in his or her opinion, the delay in response is for good cause. (orig. 2-22-00; am. 12-17-02; am. 10-25-05; am. 5-20-08; am. 12-21-10)

- f. Submittal of Revised Documents: The Case Manager shall have 3 calendar days to refer the revised documents and referral fees to County divisions/departments and other agencies. A submittal package that is not complete in terms of the type and quantity of documents required will not be sent out on referral. (orig. 10-25-05; am. 5-20-08)
- g. 2nd Referral: The referral agencies shall have 14 calendar days to respond in writing to the 2nd referral. (orig. 5-20-08)
- h. Forwarding 2nd Referral Comments: The Case Manager shall have 5 calendar days after the end of the referral period to provide the applicant with a Staff response inclusive of referral agency responses. The response from the Case Manager will include an opinion as to whether or not the case should proceed forward to hearing or if revised documents should be submitted for a subsequent referral process. (orig. 5-20-08)

If the applicant has not consented to later hearing dates based on the time frames of this Regulation and chooses to move forward to the tentatively scheduled hearings, the applicant shall submit the Hearing Documents as requested by the Case Manager in accordance with the Hearing Documents phase of the process. (orig. 2-22-00; am. 12-17-02; am. 4-27-04; am. 10-25-05; am. 5-20-08)

- i. Response to 2nd Referral: The applicant shall have a maximum of 120 calendar days to respond to the referral comments, or the application will be considered withdrawn. The applicant will then have to file a new application with the required fees and documents. The Director of Planning and Zoning may extend this 120 calendar day maximum response deadline for additional 120 calendar day periods if, in his/her opinion, the delay in response is for good cause. (orig. 5-20-08; am. 12-21-10)
- j. Additional Changes: For the 3rd referral, and for any subsequent referrals thereafter, the Case Manager shall have 3 calendar days to refer the revised documents and referral fees to County divisions/departments and other agencies. A submittal package that is not complete in terms of the type and quantity of documents required will not be sent out on referral. (orig. 5-20-08)

The referral agencies shall have 7 calendar days to respond in writing to the 3rd referral, and for any subsequent referrals thereafter. (orig. 5-20-08)

The Case Manager shall have 5 calendar days after the end of the 3rd referral, and for any subsequent referrals thereafter, to provide the applicant with a full Staff response inclusive of referral agency responses. The response from the Case Manager will include an opinion as to whether or not the case should proceed forward to hearing or if revised documents should be submitted for a subsequent referral process. (orig. 5-20-08)

The applicant shall have a maximum of 120 calendar days to respond to the referral comments, or the application will be considered withdrawn. The applicant will then have to file a new application with the required fees and documents. The Director of Planning and Zoning may extend this 120 calendar day maximum response deadline for additional 120 calendar day periods if, in his/her opinion, the delay in response is for good cause. (orig. 2-22-00; am. 4-27-04; am. 10-25-05; am. 5-20-08; am. 12-21-10)

- k. Hearing Documents: The Hearing Documents shall be comprised of the revised ODP and Written Restrictions (if applicable) and other final documents as identified by the Case Manager. (orig. 5-20-08; am. 9-27-11)

If the applicant has not consented to later hearing dates based on the time constraints of this process, the applicant shall have 10 calendar days to address, in writing, any issues identified by the Case Manager or any referral agency and submit the Hearing Documents for the tentatively scheduled hearings. The applicant will be deemed to have consented to

later hearing dates if the Hearing Documents are not received within the 10 calendar day period. (orig. 2-22-00; am. 10-25-05; am. 5-20-08)

The applicant shall have a maximum of 120 calendar days to respond to the referral comments or to submit the Hearing Documents, or the application will be considered withdrawn. The applicant will then have to file a new application with the required fee and documents. The Director of Planning and Zoning may extend this 120 calendar day maximum response deadline for additional 120 calendar day periods if, in his/her opinion, the delay in response is for good cause. (orig. 2-22-00; am. 12-17-02; am. 10-25-05; am. 5-20-08; am. 10-13-09; am. 12-21-10)

I. Hearings Scheduled:

(1) Planning Commission Hearing: If the applicant has consented to later hearing dates based on the time frames of this Regulation, the Planning Commission hearing will be scheduled for the first available hearing date after 21 calendar days from the submittal of the Hearing Documents. (orig. 2-22-00; am. 12-17-02; am. 10-25-05; am. 5-20-08)

(2) Board of County Commissioners Hearing: The Board of County Commissioners hearing will be scheduled for the first available hearing date after 19 calendar days from the Planning Commission hearing. (orig. 2-22-00; am. 12-17-02; am. 10-25-05; am. 5-20-08)

m. Hearing Preparation

(1) Revisions to Documents Prior to Hearing: To ensure completeness and to allow adequate public review, no substantial revisions or additions, except in response to a Staff request or those specifically requested by the Planning Commission or the Board of County Commissioners, may be made to any application or supporting documents within 21 calendar days prior to any hearing. (orig. 2-22-00; am. 12-17-02; am. 4-27-04; am. 10-25-05; am. 5-20-08)

(2) Notification: Notification of the scheduled hearings is required in accordance with the notification provisions of this section. (orig. 10-13-09)

Public Hearings and Post Hearing Review

n. Planning Commission Hearing: The Planning Commission shall review the request and the Staff report, receive testimony and evidence on the application, and shall recommend approval, conditional approval, or denial of the request to the Board of County Commissioners. The Planning Commission may continue the request for no more than 40 calendar days without the consent of the applicant. The continuance of a request will typically be to a date certain, however, a continuance without a specific hearing date may be granted when it is not clear how long it will take for the applicant to address the issues associated with the continuance. (orig. 2-22-00; am. 12-17-02; am. 10-25-05; am. 5-20-08; am. 12-21-10)

o. Board of County Commissioners Hearing: The Board of County Commissioners shall review the request, Staff report, and the Planning Commission recommendation, receive testimony and evidence on the application, and shall approve, conditionally approve or deny the application. The Board of County Commissioners may continue the request for no more than 40 calendar days without the consent of the applicant. The continuance of a request will typically be to a date certain, however, a continuance without a specific hearing date may be granted when it is not clear how long it will take for the applicant to address the issues associated with the continuance. (orig. 2-22-00; am. 10-25-05; am. 5-20-08; am. 12-21-10)

p. Post Hearing Review

- (1) Planned Development: The applicant shall comply with all conditions of approval within 180 calendar days from the approval date by the Board of County Commissioners. If the applicant does not comply with the conditions within this timeframe, the approval of the rezoning shall be automatically rescinded. The Director of Planning and Zoning may extend this 180 calendar day recordation deadline for additional 180 calendar day periods if, in his/her opinion, the delay is for good cause. (orig. 5-20-08; am. 12-21-10)

The Case Manager shall have 7 calendar days to review all documents submitted by the applicant for compliance with the approval conditions. If the revisions have been made in accordance with the approval conditions, the Case Manager will authorize the preparation of the final ODP document and other any final documents. If additional revisions are required to meet the approval conditions, the Case Manager will return a letter to the applicant identifying the revisions that must be made in order to comply with the approval conditions. (orig. 5-20-08; am. 9-27-11)

At such time as the applicant complies with the approval conditions, submits the executed ODP and other final documents, and pays the recordation fees, Staff will obtain the required County approval signatures on the ODP and final documents, and have the documents recorded, as appropriate. (orig. 2-22-00; am. 10-25-05; am. 5-20-08; am. 9-27-11)

- (2) Standard Zone District: The Board of County Commissioners resolution shall be recorded within 7 calendar days after approval. (orig. 2-22-00; am. 12-17-02; am. 10-25-05; am. 5-20-08)
- (3) If an application needs to return to hearing for a non-substantial change that does not materially affect the content of the approved application, then the Director of Planning and Zoning may allow the application to proceed directly to a hearing before the Board of County Commissioners' without a hearing before the Planning Commission. (orig. 4-20-10; am. 12-21-10)

q. Rehearings of Rezoning Cases

- (1) Upon denial of a Rezoning application by the Board of County Commissioners, the applicant may petition the Board within 1 year of the Board's decision, requesting a rehearing of its application if there is a substantial change. Said petition shall be comprehensive in delineating all proposed changes. (orig. 7-11-66; am. 2-7-72; am. 7-21-81; am. 12-6-82; am. 12-17-02; am. 10-25-05)
- (2) The Board of County Commissioners at its sole discretion may grant a petition for rehearing where it determines that a substantial change is being proposed that could significantly affect one or more of the reasons for denial of the original case. The Board may deny the petition solely upon the contents of the petition or when deemed advisable by the Board upon the petition and evidence presented. Discussion of such petition may occur at a regularly scheduled Board of County Commissioners briefing. Public testimony will not be allowed during such meeting. (orig. 7-21-81; am. 12-6-82; am. 7-1-03)
- (3) When the Board of County Commissioners grants a rehearing petition, it shall set a date and time for said rehearing before the Board, and public notice of same shall be given as set forth in the rezoning provisions. Planning and Zoning shall present the amended application to the Planning Commission and the Planning Commission shall review and make a recommendation thereon, prior to the date of the Board of County Commissioners rehearing. (orig. 7-21-81; am. 12-6-82; am. 12-17-02; am. 4-27-04; am. 5-20-08)
- (4) After conducting the rehearing, the Board of County Commissioners shall approve, conditionally approve or deny the Rezoning application as amended based upon the evidence submitted at the rehearing together with the relevant evidence received at the prior hearings on said application. (orig. 7-21-81; am. 10-25-05)

- (5) No petition for rehearing may be granted where the decision of the Board of County Commissioners on the Rezoning application has been appealed or contested in any court of law or during the pendency of said court action. (orig. 7-21-81; am. 12-17-02; am. 10-25-05)
4. Criteria for Decisions in Standard Zone District Cases
- In reviewing Standard Zone District Rezoning applications, the Planning Commission and the Board of County Commissioners may consider the following criteria: (orig. 7-1-03)
- a. The compatibility of the permitted uses with existing and allowable land uses in the surrounding area. (orig. 7-1-03)
 - b. The degree of conformance of the proposed zone change to applicable land use plans. (orig. 7-1-03)
 - c. The effect upon the health, safety, and welfare of the residents and landowners in the surrounding area. (orig. 7-1-03)
5. Criteria for Rezoning Open Space within the Planned Development Zone District
- a. Except as set forth in paragraph b. below, requests to rezone all or any portion of a property designated in the Planned Development Zone District as open space, conservation, preservation, or other similar term to a classification that would permit development may be granted only if the applicant shows to the satisfaction of the Board of County Commissioners that the open space designation is not warranted because: (orig. 8-31-93)
 - (1) The property has none of the following features: (orig. 8-31-93)
 - (a) Significant or desirable wildlife habitat or migration routes. (orig. 8-31-93)
 - (b) Rare or unusual vegetation or ecosystems. (orig. 8-31-93)
 - (c) Remarkable geologic features such as rock outcrops or formations. (orig. 8-31-93)
 - (d) Historic resources. (orig. 8-31-93)
 - (e) Significant views or view corridors. (orig. 8-31-93)
 - (f) Riparian and/or wetland areas. (orig. 8-31-93)
 - (g) Bodies of water, except those constructed for utilitarian purposes which are no longer needed for that purpose and which were not intended also to provide wildlife habitat. (orig. 8-31-93)
 - (h) Trail corridors, such as existing trails, trail easements, or trail connections shown on an ODP. (orig. 8-31-93)
 - (2) The open space area was not set aside as an integral part of the overall development, rather than designated as "open space" because future development was unknown or unplanned at the time of zoning to Planned Development. (orig. 8-31-93)
 - (3) The property is not being used for active or passive recreation by the surrounding community. (orig. 8-31-93)
 - (4) The open space was not designated as the result of a density transfer or other adjustment to allow a higher density elsewhere. (orig. 8-31-93)
 - (5) The open space was not part of a Rural Cluster development. (orig. 7-1-03)
 - b. Property not eligible for Rezoning under the Open Space Rezoning criteria may only be rezoned where all of the following exist. (orig. 8-31-93; am. 12-17-02)
 - (1) The Rezoning request includes additional land in the same vicinity which land would replace the lost open space value set forth above with land that is superior in open space quality. (orig. 8-31-93)

- (2) The applicant has given notice of the Rezoning request by first class mail, return receipt requested, to property owners, registered associations, the Colorado State Division of Wildlife, local park and recreation district, and other referral agencies, as determined by Planning and Zoning. This provision does not supersede notice requirements set forth elsewhere in this Zoning Resolution. (orig. 8-31-93; am. 4-27-04; am. 5-20-08)
 - c. Nothing set forth above shall require the Board of County Commissioners to grant a Rezoning request which meets the criteria set forth above where the Board of County Commissioners determines that such request is not in the best interests of the present and future inhabitants of Jefferson County or is not in conformance with the Rezoning criteria set forth elsewhere in this Zoning Resolution. (orig. 8-31-93)
6. Limitations upon Rezoning Applications
- a. Non-contiguous properties may not be rezoned to Planned Development within a single rezoning application. For the purposes of Rezoning Applications, contiguous shall be defined as a common or shared boundary or tract wide enough to provide sufficient access in accordance with the access requirements in the General Provisions Section. Properties on opposite sides of local, collector or arterial streets/roads shall not be considered contiguous. The Director of Planning and Zoning may allow non-contiguous parcels to be processed as a single Planned Development Application if in his or her opinion the processing of a single application would be appropriate. If the Director of Planning and Zoning makes such a determination, the applicant(s) will be required to pay the standard application fee for each non-contiguous parcel. (orig. 5-20-08; am. 10-13-09; am. 12-21-10)
 - b. The boundary of the area subject to Rezoning may not be drawn to result in contiguous property under the same ownership that does not conform to the zone district standards applicable to said contiguous parcel. (orig. 9-11-90; am. 10-25-05)
 - c. Except as provided in the "Rehearings of Rezoning Cases" portion of this section, no Rezoning application shall be accepted for a Rezoning to the same zone district for the same parcel of ground or portion thereof for which a previous application has been denied by the Board of County Commissioners within 1 year prior to the date of filing of said application. (orig. 7-11-66; am. 2-7-72; am. 7-21-81; am. 10-25-05)
 - d. A Rezoning application shall not be accepted for any lot, parcel, tract of land or portion thereof where a court action brought by the applicant is pending against the County contesting the existing zoning or any previous Rezoning decision of the Board of County Commissioners thereon. (orig. 7-24-72; am. 7-21-81; am. 7-1-03; am. 10-25-05)
 - e. A Rezoning application shall not be accepted by Planning and Zoning as long as there is a pending application for Rezoning or Special Use of said premises before the Planning Commission or the Board of County Commissioners. However, nothing herein shall prevent amendment of a pending application before the Planning Commission or the Board of County Commissioners by the applicant, except amendment to a new zone district or Special Use that is more restrictive than the original request will require that the pending application be withdrawn and a new application be submitted in accordance with the "Rezoning Procedures," portion of this section. (orig. 7-11-66; am. 2-7-72; am. 7-21-81; am. 12-17-02; am. 7-1-03; am. 4-27-04; am. 10-25-05; am. 5-20-08)

7. County-Initiated Rezoning

The Planning Commission and/or the Board of County Commissioners may, at any time, direct Planning and Zoning to initiate Rezoning for any parcel or parcels of land within the unincorporated area of Jefferson County. Notwithstanding any provisions of this section to the contrary, County Initiated Rezoning procedures shall be only in accordance with the provisions of Section 30-28-116, C.R.S. 1973, or as amended. (orig. 12-17-74; am. 7-21-81; am. 12-17-02; am. 4-27-04; am. 5-20-08)

N. Special Use Process

1. Intent and Purpose

This process was created to move projects through the review and approval process as quickly as possible. The process outlines time frames and expectations that provide the applicant with a clear understanding of the steps involved prior to being scheduled for hearing before the Planning Commission and the Board of County Commissioners. The Director of Planning and Zoning may waive the time frames included in this process depending on Planning and Zoning staffing levels and the complexity of the proposal. (orig. 10-25-05; am. 5-20-08; am. 12-21-10)

2. Application
 - a. A nonrefundable processing fee in an amount established by the Board of County Commissioners is required for this process. (orig. 5-20-08)
 - b. The following procedure, requirements and criteria shall apply to Special Use applications. (orig. 10-25-05)
 - c. Notification is required in accordance with the notification provisions of this section. (orig. 10-13-09)

3. Procedure

If the applicant complies with all given time frames, submits a complete application and complies with all requirements of the regulation, the estimated time to reach the hearing phase of the process is 100 calendar days from the date of the 1st Referral. (orig. 10-25-05; am. 4-4-06; am. 5-20-08)

Process Steps	Processing Time Frames	
Optional Pre-Application Review Process or Meeting with Staff	Prior to Process	
Community Meeting		
Steps prior to 1st Referral		
Sufficiency Review	7 calendar days	
Formal Application	3 calendar days	
Process from 1st Referral to Public Hearings		
1st Referral	21 calendar days	100 Days to tentatively scheduled hearings if processing time frames are met.
Forwarding 1st Referral Comments	5 calendar days	
Response 1st Referral	21 calendar days	
Submittal of Revised Documents	3 calendar days	
2 nd Referral	14 calendar days	
Forwarding 2 nd Referral Comments	5 calendar days	
Hearing Documents	10 calendar days	
Hearing Preparation	21 calendar days	
Public Hearings and Post Hearing Review		
Planning Commission Hearing	Time varies based on PC and BCC actions; and applicant meeting approval conditions	
Board of County Commissioners Hearing		
Post Hearing Review		

Prior to submitting an application for this process, it is recommended that the applicant go through the Pre-Application Review Process, as identified in the Pre-Application Process Section. The Pre-Application Review Process will help identify the key issues that will need to be addressed during the platting process and will also help to establish the specific submittal requirements. The specific submittal requirements can also be established by obtaining an appointment with Staff to discuss the proposal. (orig. 10-13-09)

Community Meeting: The applicant shall hold a Community Meeting, pursuant to the Community Meeting Process, prior to submittal of the formal application and following the Pre-Application Review Meeting, if one was held. (orig. 10-25-05)

Steps Prior to 1st Referral

- a. Sufficiency Review: The applicant shall submit all documents as identified in the Submittal Requirements Section of this Regulation for review by Staff. (orig. 5-20-08; am. 10-13-09)
Staff shall have 7 calendar days to review this submittal. (orig. 5-20-08)

Staff will review the sufficiency application to determine if the submittal documents are complete. Following this review, Staff will prepare a letter explaining any deficiencies in the submittal documents. The letter will include a referral matrix that identifies the referral agencies that will require referral documents. The response from Staff will also include a request for the applicant to submit the notification documents that are required to be mailed when the case is sent out on the 1st Referral. The applicant shall revise the submittal information as may be required to comply with County standards, and then submit the Formal Application. (orig. 10-25-05; am. 5-20-08; am. 10-13-09)

- b. Formal Application: The applicant shall submit all documents as identified in the Staff response to the Sufficiency Review. (orig. 5-20-08; am. 10-13-09)

The Case Manager shall have 3 calendar days to refer the application and referral fees to County divisions/departments and other agencies. A submittal package that is not

complete in terms of the type and quantity of documents required will not be sent out on referral. (orig. 10-25-05; am. 4-4-06; am. 5-20-08)

Process from 1st Referral to Public Hearings

- c. 1st Referral: The referral agencies shall have 21 calendar days to respond in writing to the application. An extension of no more than 30 calendar days may be agreed to by the applicant. (orig. 5-20-08)

Notification is required at the time of the 1st Referral in accordance with the notification provisions of this section. (orig. 10-13-09)

The Case Manager will tentatively schedule the Planning Commission Hearing and the Board of County Commissioners' hearing when the application is sent out on the 1st Referral. The Planning Commission hearing will be tentatively set to the first available hearing date after 100 calendar days from the date of the 1st Referral. The Board of County Commissioners hearing will be scheduled for the first available hearing date after 19 calendar days from the Planning Commission hearing. (orig. 10-25-05; am. 5-20-08)

- d. Forwarding 1st Referral Comments: The Case Manager shall have 5 calendar days, after the end of the referral period, to provide the applicant with a Staff response inclusive of other referral responses. If the Case Manager indicates that the application is in substantial conformance with all applicable regulations and that only minor revisions to the documents are required, the application may proceed directly to the Hearing Documents phase of the process. Under this circumstance, the application will be able to get to the hearing phase earlier than the date(s) tentatively scheduled at the time of the 1st Referral. (orig. 10-25-05; am. 5-20-08)

- e. Response to 1st Referral: The applicant shall have 21 calendar days to address, in writing, any issues identified by the Case Manager or any referral agency and resubmit revised documents for the 2nd referral. The applicant will be deemed to have consented to later hearing dates, than the tentatively scheduled hearing dates, if the resubmittal is not received within the 21 calendar day period. (orig. 10-25-05; am. 5-20-08)

The applicant shall have a maximum of 120 calendar days to respond to the referral comments, or the application will be considered withdrawn. The applicant will then have to file a new application with the required fees and documents. The Director of Planning and Zoning may extend this 120 calendar day maximum response deadline for additional 120 calendar day periods if, in his or her opinion, the delay in response is for good cause. (orig. 10-25-05; am. 5-20-08; am. 12-21-10)

- f. Submittal of Revised Documents: The Case Manager shall have 3 calendar days to refer the revised documents and referral fees to County divisions/departments and other agencies. A submittal package that is not complete in terms of the type and quantity of documents required will not be sent out on referral. (orig. 10-25-05 am. 5-20-08)
- g. 2nd Referral: The referral agencies shall have 14 calendar days to respond in writing to the 2nd referral. (orig. 5-20-08)
- h. Forwarding 2nd Referral Comments: The Case Manager shall have 5 calendar days after the end of the referral period to provide the applicant with a Staff response inclusive of

referral agency responses. The response from the Case Manager will include an opinion as to whether or not the case should proceed forward to hearing or if revised documents should be submitted for a subsequent referral process. (orig. 5-20-08)

If the applicant has not consented to later hearing dates based on the time frames of this Regulation and chooses to move forward to the tentatively scheduled hearings, the applicant shall submit the Hearing Documents as requested by the Case Manager in accordance with the Hearing Documents phase of the process. (orig. 10-25-05; am. 5-20-08)

- i. Response to 2nd Referral: The applicant shall have a maximum of 120 calendar days to respond to the referral comments, or the application will be considered withdrawn. The applicant will then have to file a new application with the required fees and documents. The Director of Planning and Zoning may extend this 120 calendar day maximum response deadline for an additional 120 calendar day period if, in his/her opinion, the delay in response is for good cause. (orig. 5-20-08; am. 12-21-10)
- j. Additional Changes: For the 3rd referral, and for any subsequent referrals thereafter, the Case Manager shall have 3 calendar days to refer the revised documents and referral fees to County divisions/departments and other agencies. A submittal package that is not complete in terms of the type and quantity of documents required will not be sent out on referral. (orig. 5-20-08)

The referral agencies shall have 7 calendar days to respond in writing to the 3rd referral, and for any subsequent referrals thereafter. (orig. 5-20-08)

The Case Manager shall have 5 calendar days after the end of the 3rd referral, and for any subsequent referrals thereafter, to provide the applicant with a full Staff response inclusive of referral agency responses. The response from the Case Manager will include an opinion as to whether or not the case should proceed forward to hearing or if revised documents should be submitted for a subsequent referral process. (orig. 5-20-08)

The applicant shall have a maximum of 120 calendar days to respond to the referral comments, or the application will be considered withdrawn. The applicant will then have to file a new application with the required fees and documents. The Director of Planning and Zoning may extend this 120 calendar day maximum response deadline for additional 120 calendar day periods if, in his/her opinion, the delay in response is for good cause. (orig. 10-25-05; am. 5-20-08; am. 12-21-10)

- k. Hearing Documents: The Hearing Documents shall be comprised of the revised Special Use Plan and other final documents as identified by the Case Manager. (orig. 10-25-05; am. 9-27-11)

If the applicant has not consented to later hearing dates based on the time constraints of this process, the applicant shall have 10 calendar days to address, in writing, any issues identified by the Case Manager or any referral agency and submit the Hearing Documents for the tentatively scheduled hearings. The applicant will be deemed to have consented to later hearing dates if the Hearing Documents are not received within the 10 calendar day period. (orig. 10-25-05; am. 5-20-08)

The applicant shall have a maximum of 120 calendar days to respond to the referral comments or to submit the Hearing Documents, or the application will be considered withdrawn. The applicant will then have to file a new application with the required fee and documents. The Director of Planning and Zoning may extend this 120 calendar day maximum response deadline for additional 120 calendar day periods, if in his/her opinion, the delay in response is for good cause. (orig. 10-25-05; am. 5-20-08; am. 12-21-10)

- l. Hearings Scheduled:
 - (1) Planning Commission Public Hearing: If the applicant has consented to later hearing dates based on the time frames of this Regulation, the Planning Commission hearing will be scheduled for the first available hearing date after 21 calendar days from the submittal of the Hearing Documents. (orig. 10-25-05; am. 5-20-08)

- (2) Board of County Commissioners Hearing: The Board of County Commissioners hearing will be scheduled for the first available hearing date after 19 calendar days from the Planning Commission hearing. (orig. 10-25-05; am. 5-20-08)
- m. Hearing Preparation:
 - (1) Revisions to Documents Prior to Hearing: To ensure completeness and to allow adequate public review, no substantial revisions or additions, except in response to a Staff request or those specifically requested by the Planning Commission or the Board of County Commissioners, may be made to any application or supporting documents within 21 calendar days prior to any public hearing. (orig. 10-25-05; am. 5-20-08)
 - (2) Notification: Notification of scheduled hearings is required in accordance with the notification provisions of this section. (orig. 10-13-09)

Public Hearings and Post Hearing Review

- n. Planning Commission Hearing: The Planning Commission shall review the application and the Staff report, receive testimony and evidence on the application, and shall recommend approval, conditional approval, or denial of the application to the Board of County Commissioners. The Planning Commission may continue the hearing for no more than 40 calendar days without the consent of the applicant. The continuance of a request will typically be to a date certain, however, a continuance without a specific hearing date may be granted when it is not clear how long it will take for the applicant to address the issues associated with the continuance. (orig. 10-25-05; am. 5-20-08; am. 12-21-10)
- o. Board of County Commissioners Hearing: The Board of County Commissioners shall review the application, Staff report, and the Planning Commission recommendation, receive testimony and evidence on the application, and shall approve, conditionally approve or deny the application. The Board of County Commissioners may continue the hearing for no more than 40 calendar days without the consent of the applicant. The continuance will typically be to a date certain, however, a continuance without a specific hearing date may be granted when it is not clear how long it will take for the applicant to address the issues associated with the continuance. (orig. 10-25-05; am. 5-20-08; am. 12-21-10)
- p. Post Hearing Review: The applicant shall comply with all conditions of approval within 180 calendar days from the approval date by the Board of County Commissioners. If the applicant does not comply with the conditions within this timeframe, the approval of the Special Use shall be automatically rescinded. The Director of Planning and Zoning may extend this 180 calendar day recordation deadline for additional 180 calendar day periods if, in his/her opinion, the delay is for good cause. (orig. 5-20-08; am. 10-13-09; am. 12-21-10)

The Case Manager shall have 7 calendar days to review all documents submitted by the applicant for compliance with the approval conditions. If the revisions have been made in accordance with the approval conditions, the Case Manager will authorize the preparation of the final Special Use Plan and other any final documents. If additional revisions are required to meet the approval conditions, the Case Manager will return a letter to the applicant identifying the revisions that must be made in order to comply with the approval conditions. (orig. 5-20-08; am. 9-27-11)

If the application needs to return to hearing for a non-substantial change that does not materially affect the content of the approved application, then the Director of Planning and Zoning may allow the application to proceed directly to a hearing before the Board of County Commissioners' without a hearing before the Planning Commission. (orig. 4-20-10; am. 12-21-10)

At such time as the applicant complies with the approval conditions, submits the executed Special Use Plan and other final documents, and pays the recordation fees, Staff will obtain the required County approval signatures on the Special Use Plan and final documents, and have the documents recorded, as appropriate. (orig. 10-25-05; am. 5-20-08; am. 9-27-11)

- q. Rehearings of Special Use Cases:

- (1) Upon denial of a Special Use application by the Board of County Commissioners, the applicant may petition the Board within 1 year of the Board's decision, requesting a rehearing of its application if there is a substantial change. Said petition shall be comprehensive in delineating all proposed changes. (orig. 7-11-66; am. 2-7-72; am. 7-21-81; am. 12-6-82; am. 12-17-02; am. 10-25-05)
 - (2) The Board of County Commissioners at its sole discretion may grant a petition for rehearing where it determines that a substantial change is being proposed that could significantly affect one or more of the reasons for denial of the original case. The Board may deny the petition solely upon the contents of the petition or when deemed advisable by the Board upon the petition and evidence presented. Discussion of such petition may occur at a regularly scheduled Board of County Commissioners briefing. Public testimony will not be allowed during such meeting. (orig. 7-21-81; am. 12-6-82; am. 7-1-03)
 - (3) When the Board of County Commissioners grants a rehearing petition, it shall set a date and time for said rehearing before the Board, and public notice of same shall be given as set forth in the Special Use Provisions. Planning and Zoning shall present the amended application to the Planning Commission and the Planning Commission shall review and make a recommendation thereon, prior to the date of the Board of County Commissioners rehearing. (orig. 7-21-81; am. 12-6-82; am. 12-17-02; am. 4-27-04; am. 5-20-08)
 - (4) After conducting the rehearing, the Board of County Commissioners shall approve, conditionally approve or deny the Special Use application as amended based upon the evidence submitted at the rehearing together with the relevant evidence received at the prior hearings on said application. (orig. 7-21-81; am. 10-25-05)
 - (5) No petition for rehearing may be granted where the decision of the Board of County Commissioners on the Special Use application has been appealed or contested in any court of law or during the pendency of said court action. (orig. 7-21-81; am. 12-17-02; am. 10-25-05)
4. Criteria for Decisions in Special Use Cases
- a. Inclusion of a use as a Special Use within a zone district as set forth in this Zoning Resolution represents a determination only that that use may under certain circumstances or conditions and in certain locations, be compatible with land uses in the surrounding area. Special review of such proposed use to determine its compatibility with those other uses is necessary and therefore such use may not occur without approval of the Board of County Commissioners as set forth in this Zoning Resolution. (orig. 7-21-81)
 - b. The Planning Commission, in reviewing Special Use applications, and the Board of County Commissioners, in making its decision upon such applications, shall consider the following criteria: (orig. 7-21-81)
 - (1) The impacts of the proposed use upon property in the surrounding area, including but not limited to: (orig. 7-21-81)
 - (a) Traffic impacts, volumes of trips, safety and access; (orig. 7-21-81; am. 9-11-90)
 - (b) Fire hazards; (orig. 7-21-81)
 - (c) Visual and aesthetic impact, including bulk, scale of buildings as they relate to the surrounding uses; (orig. 7-21-81; am. 9-11-90)
 - (d) Solar access; (orig. 7-21-81)
 - (e) Noise; (orig. 7-21-81)
 - (f) Geological hazards; (orig. 7-21-81)
 - (g) Drainage, erosion and flood hazards; (orig. 7-21-81)
 - (h) Radiation hazards; (orig. 7-21-81)
 - (i) Community character; (orig. 7-21-81)
 - (j) Adequate water quality and quantity and sewage disposal availability; (orig. 7-21-

81)

- (k) Availability of public facilities to serve the proposed use. (orig. 7-21-81)
 - (2) The availability of methods of mitigating the negative impacts of the proposed use upon the surrounding area, including but not limited to construction of necessary public facilities. (orig. 7-21-81)
 - (3) The compatibility of the proposed use with existing and allowable land uses in the surrounding area. (orig. 7-21-81)
 - (4) The effect upon health, safety and welfare of the residents in the surrounding area. (orig. 7-21-81)
 - (5) The degree of conformance of the proposed Special Use to the Jefferson County Comprehensive Master Plan. (orig. 5-21-13)
 - c. Where reasonable methods or techniques are available to mitigate any negative impacts which could be generated by the proposed use upon the surrounding area, the Board of County Commissioners may condition the decision to approve the Special Use application upon implementation of such methods or techniques and may require sufficient performance guarantees to be posted with the County to guarantee such implementation. (orig. 7-21-81)
5. Limitations upon Special Use Applications
- a. The lot, parcel, or boundary area subject to the Special Use must conform to the minimum lot and building standards of the underlying zone district. (orig. 9-11-90; am. 10-25-05, am. 10-13-09)
 - b. Except as provided in the "Rehearings of Special Use Cases" portion of this section, no Special Use application shall be accepted for the same Special Use for the same parcel of ground or portion thereof for which a previous application has been denied by the Board of County Commissioners within 1 year prior to the date of filing of said application. (orig. 7-11-66; am. 2-7-72; am. 7-21-81; am. 10-25-05)
 - c. A Special Use application shall not be accepted for any lot, parcel, tract of land or portion thereof where a court action brought by the applicant is pending against the County contesting the existing zoning or any previous Special Use decision of the Board of County Commissioners thereon. (orig. 7-24-72; am. 7-21-81; am. 7-1-03; am. 10-25-05)
 - d. A Special Use application shall not be accepted by Planning and Zoning as long as there is a pending application for Rezoning or Special Use of said premises before the Planning Commission or the Board of County Commissioners. However, nothing herein shall prevent amendment of a pending application before the Planning Commission or the Board of County Commissioners by the applicant, except amendment to a new zone district or Special Use that is more restrictive than the original request will require that the pending application be withdrawn and a new application be submitted in accordance with the "Special Use Procedures," portion of this section. (orig. 7-11-66; am. 2-7-72; am. 7-21-81; am. 12-17-02; am. 7-1-03; am. 4-27-04; am. 10-25-05; am. 5-20-08)

O. Site Development Plan

1. Intent and Purpose

The Site Development Plan process was established to provide an administrative evaluation procedure for industrial, commercial, multi-family, recreational and institutional developments ~~that do not include the subdivision of land~~. The development must be in compliance with Plat and/or Exemption from Platting restrictions, zoning conditions, the Land Development Regulation and the Zoning Resolution. (orig. 7-23-02; am. 12-17-02; am. 4-20-10; am. 3-26-13; am. xx-xx-xx)

The process outlines time frames and expectations, providing the applicant with a clear understanding of the steps involved prior to the final decision on the application. The Director of Planning and Zoning may waive the time frames included in this process depending on the Planning and Zoning staffing levels and complexity of the application. (orig. 7-23-02; am. 12-17-02; am. 5-20-08; am. 4-20-10; am. 12-21-10)

2. Application

a. Compliance with this process shall be required for industrial, commercial, multi-family, mobile home park, recreational and institutional uses in the following situations. (orig. 7-23-02; am. 7-12-05; am. 4-20-10; am. 3-26-13)

(1) Prior to the issuance of ~~any~~ permit to construct ~~any~~ new building ~~or structure on vacant land, where the new building or structure is:~~

(a) Over 200 square feet in size; or

(b) Under 200 square feet where proposed vehicular trips would require site improvements;

(orig. 7-23-02; am. 7-12-05; am. 4-20-10, am. xx-xx-xx)

(2) Prior to the issuance of any permit to construct an addition of ~~50~~25% or greater to any existing building ~~or structure~~. (orig. 7-23-02; am. 7-12-05; am. 4-20-10; am. xx-xx-xx)

(3) Prior to the issuance of any building permit to construct an addition of ~~2,500~~5,000 square feet or greater even if the addition is less than ~~50~~25% of an existing building ~~or structure~~. (orig. 4-20-10; am. xx-xx-xx)

(4) Subsequent to any changes from a residential use or residential zoning to an industrial, commercial or institutional use or zone regardless of whether there are existing or proposed ~~structures~~buildings. (orig. 7-23-05; am. 7-12-05; 4-20-10; am. xx-xx-xx)

(5) Prior to the creation of any additional multi-family units within an existing ~~structure~~building. This does not include adding a caretakers unit to an existing commercial structure building. (orig. 4-20-10, am. xx-xx-xx)

(6) Tenant finish where additional floor space will be created within an existing building, such as a second floor being added to the interior air space of an existing one story building. (orig. xx-xx-xx)

~~(6) When modifying a previously approved Site Development Plan, unless the modification is determined to be minor in accordance with the provisions of this section. (orig. 4-20-10)~~

(7) Prior to the issuance of a the first permit for a mobile home in a new mobile home park or when more than 50% of the existing mobile home spaces have been modified. (orig. 3-26-13)

(8) The Director of Planning and Zoning may waive or conditionally waive, all or a part of, the Site Development Plan process, if the following are met:

(a) There will be no material impact to adjacent or adjoining properties as a result of the waiver, or the County has a comprehensive development plan in accordance with C.R.S. § 29-20-105;.

(b) If public improvements are required, they could be obtained through another County process.

(c) State and Federal regulations do not require the process or prohibit the requirement. (orig. xx-xx-xx)

The decision on a request for a waiver of all or part of the Site Development Plan process by the Director of Planning and Zoning may be appealed to the Board of County Commissioners. The request for appeal shall be in writing within 30 days of the decision and shall state the specific reasons and evidence why the Director of Planning and Zoning's decision should be overturned. The appeal shall be submitted to the Planning and Zoning Case Manager. (orig. xx-xx-xx)

b. This process shall not be applicable to:

(1) Residential land uses, with the exception of multi-family. (orig. 7-23-02; am. 4-20-10; am. 12-21-10)

- (2) Any property that had a site plan reviewed and approved as part of an approved Plat, Site Approval, or Exemption from Platting after 1978 and prior to the adoption of the Site Development Plan process (July 23, 2003), if proposed for development as originally approved. (orig. 7-23-02; am. 4-27-04; am. 4-20-10)
- (3) Planned Developments for Mining. (orig. 7-23-02)
- (4) Government facilities. (orig. 7-11-07; am. 4-20-10)

c. A Site Development Plan may be used for the following types of development activities if a Site Adjustment/Dedication Plat is submitted and all other applicable requirements are met. The development activities and limitations described below can only be waived or modified by direct action of the Board of County Commissioners in a public hearing. The authority of the Director of Planning and Zoning, described in the Alternative Standards/Requirements section of this Regulation, shall not extend to the development activities and limitations set forth below (orig. xx-xx-xx):

(1) Superlots: The creation of additional non-residential lots within a superlot as described in the Lot and Tract Standards Section of this Regulation, where the applicant can demonstrate compliance with the following limitations: (orig. xx-xx-xx)

(a) The superlot was previously platted in accordance with the Jefferson County Land Development Regulation. (orig. xx-xx-xx)

(b) The impervious area and Gross Leasable Area (GLA) proposed in the Site Adjustment/Dedication Plat plus any impervious area and GLA approved in any prior developments within the same superlot does not exceed the maximums for the superlot as set forth on the Plat. (orig. xx-xx-xx)

(c) Public water and sewer service is available. (orig. xx-xx-xx)

(2) Adjustments to property lines and the elimination of interior property lines involving any combination of lots, parcels or tracts, which does not increase the number of existing legal building sites and does not increase the number of lots, parcels or tracts, except as allowed within this section. (orig. xx-xx-xx)

(3) Adjustments to previously established building envelopes with regard to location and configuration, provided the new building envelope complies with all of the requirements of the Land Development Regulation and Zoning Resolution. (orig. 4-20-10; am. xx-xx-xx)

(4) Adjustments to previously established non-buildable areas and non-disturbance areas with regard to size, location and configuration. (orig. xx-xx-xx)

(5) Creation of non-buildable tracts. (orig. xx-xx-xx)

(6) Changes to or elimination of notes, restrictions, and certificates that do not adversely affect traffic safety, visual impact, wildlife, drainage, soil erosion, wildfire hazard, noise, or the provision of open space. If these items are affected, it will need to be demonstrated that the effect can be adequately mitigated. (orig. xx-xx-xx)

(7) Dedications of easements or right-of-way (orig. xx-xx-xx);

(8) Vacations of easements (orig. xx-xx-xx);

(9) All Site Adjustment/Dedication Plats must be in compliance with the following limitations.

(a) The request does not conflict with any County regulations unless relief is granted through an adopted County process. (orig. xx-xx-xx)

(b) The request does not create any additional lots, unless specifically authorized within this Section. (orig. xx-xx-xx)

(c) The exterior boundary must be comprised of property lines that have been properly subdivided. (orig. xx-xx-xx)

(d) If served by well and/or on-site wastewater treatment system (OWTS), the resulting property boundaries or building sites must meet all State Engineer and Public Health requirements for issuance of a well permit and approval of an individual sewage disposal system. (orig. xx-xx-xx)

(e) A reconfiguration of a non-residential development or development with non-residential uses may include alterations to the existing streets or roads system. (orig. xx-xx-xx)

The format of the Site Adjustment/Dedication Plat shall comply with the Final Plat provisions for format, survey, certificates and notes as set forth in the Land Development Regulation and in accordance with County procedures. (orig. xx-xx-xx)

- ~~e. The Site Development Plan process may occur simultaneously with other development or entitlement processes. (orig. 7-23-02; am. 12-17-02; am. 5-20-08; am. 4-20-10)~~
- ~~de. The Site Development Plan Process is allowed on either platted or unplatted property, provided that the property is a proper division of land. (orig. 4-20-10)~~
- ~~e. The Site Development Plan may redefine building envelopes defined on a previously approved Plat or Exemption from Platting, provided the new building envelope complies with all of the requirements of the Land Development Regulation and Zoning Resolution. (orig. 4-20-10)~~
- f. A nonrefundable processing fee in an amount established by the Board of County Commissioners is required for this process. (orig. 5-20-08)
- g. Notification is required in accordance with the Notification Section. (orig. 10-16-09; am. 4-20-10)
- h. The following procedure and requirements shall apply to Site Development Plan applications. (am. 5-20-08)

3. Procedure

The following are the typical processing steps and timeframes for the Site Development Plan process. It is recommended that the applicant contact other agencies regarding their timelines for easements, etc. prior to formal application. If the applicant complies with all given time frames, submits a complete application and complies with all requirements of this Regulation, the estimated time to reach the Determination Phase of the process is 70 calendar days from the date of the 1st Referral. (orig. 10-25-05; am. 5-20-08; am. 3-3-15; am. xx-xx-xx)

Process Steps	Processing Time Frames	
Optional Pre-Application Review Process or Meeting with Staff	Prior to Process	
Steps prior to 1st Referral		
Sufficiency Review	7 calendar days	
Formal Application <u>Referral Distribution</u>	3 calendar days <u>upon acceptance of sufficient application</u>	
Process from 1st Referral to Determination		
1st Referral <u>and Staff response</u>	44-26 calendar days	<u>Example timeframe</u> <u>70-84 Days to</u> <u>tentatively scheduled</u> <u>determination if</u> <u>processing time</u> <u>frames are met. May</u> <u>take longer if issues</u> <u>arise.</u>
Response 1st Referral Applicant submits <u>response/revision to 1st referral.</u>	21 calendar days <u>(varies dependent upon issues)</u>	
Submittal of Staff sufficiency review and referral distribution <u>Revised Documents</u>	3 calendar days	
2 nd Referral <u>and Staff response</u>	7-19 calendar days	
Submittal of Final Documents by applicant	10 calendar days	
Determination Preparation <u>Staff review of final documents</u>	5 calendar days	
Determination		
Determination, <u>Decision and Recordation</u>	7 calendar days. Time varies based on Director of Planning and Zoning action and the applicant meeting approval conditions	

Details regarding these processing timeframes are listed below.

Prior to submitting an application for this process, it is recommended that the applicant go through the Pre-Application Review Process, as identified in the Pre-Application Process Section. The Pre-Application Review Process will help identify the key issues that will need to be addressed during the Site Development Plan process and will also help to establish the specific submittal requirements. The specific submittal requirements can also be established by obtaining an appointment with Staff to discuss the proposal. (orig. 10-13-09; am. 12-21-10)

If the applicant is unable or unwilling to comply with a standard in the ~~Land Development Regulations~~, then a request for ~~an Alternative Standard as specified in the Land Development Regulation -waiver or Minor Variation as specified in this regulation~~ from that standard must be made by the applicant pursuant to the ~~waiver requirements of the applicable Land Development Regulations~~. ~~Waiver-Final determination of Alternative Standard and Minor Variation~~ requests shall be ~~approved~~ prior to approval of the Site Development Plan. ~~Alternative Standard and Minor Variation requests are subject to their specified process and timeframes, which may add to the length of this process.~~ (orig. 7-23-02; am. 10-25-05; am. xx-xx-xx)

~~If the applicant is unable or unwilling to comply with a standard in this Zoning Resolution, then a request for a variance or minor variation from that standard shall be made by the applicant pursuant to the requirements of this Zoning Resolution. Variance or minor variation requests shall be approved prior to approval of the Site Development Plan. (orig. 7-23-02; am. 12-17-02; am. 10-25-05; am. 4-20-10)~~

Steps Prior to 1st Referral

- a. Sufficiency Review: The applicant shall submit all documents as identified in the Submittal Requirements Section of this Regulation for review by Staff. (orig. 5-20-08; am. 10-13-09)

Staff shall have 7 calendar days to review this submittal. (orig. 5-20-08)

Staff will review the sufficiency application to determine if the submittal documents are complete. Following this review, Staff will prepare ~~a letter written notice~~ explaining any deficiencies in the submittal documents ~~and identifying appropriate referral agencies and fees~~. ~~The letter will include a referral matrix that identifies the referral agencies that will require referral documents. The response from Staff will also include a request for the applicant to submit the notification documents that are required to be mailed when the case is sent out on the 1st Referral.~~ The applicant shall revise the submittal information as may be required to comply with County standards, and then submit the Formal Application. (orig. 10-25-05; am. 5-20-08; am. 10-13-09; am. xx-xx-xx)

- b. ~~Formal Application Referral Distribution: The applicant shall submit all documents as identified in the Staff response to the Sufficiency Review. (orig. 5-20-08; am. 10-13-09)~~

The Case Manger shall have 3 calendar days to ~~review the formal application documents and either~~ refer the application and referral fees to County divisions/departments and other agencies ~~or advise the applicant about what is incomplete~~. A submittal package that is not complete in terms of the type and quantity of documents required will not be sent out on referral. (orig. 7-23-02; am. 12-17-02; am. 4-27-04; am. 10-25-05; am. 5-20-08; am. xx-xx-xx)

Process from 1st Referral to Determination

- c. 1st Referral ~~and Staff response~~: The referral agencies shall have ~~14-21~~ calendar days to respond in writing to the application. An extension of no more than 30 calendar days may be agreed to by the applicant. (orig. 5-20-08; am. xx-xx-xx)

Notification is required at the time of the 1st Referral in accordance with the notification provisions of this section. (orig. 10-13-09)

~~The Case Manager will identify the tentative date for reaching the Determination phase of the process. The date will be set when the application is sent out on the 1st Referral. (orig. 7-23-02; am. 12-17-02; am. 7-1-03; am. 4-27-04; am. 10-25-05; am. 5-20-08)~~

- d. ~~Forwarding 1st Referral Comments~~: The Case Manager shall have 5 calendar days, after the end of the referral period, to provide the applicant with a Staff response inclusive of other referral responses. If the Case Manager indicates that the application is in substantial conformance with all applicable regulations and that only minor revisions to

the documents are required, the application may proceed directly to the Final Documents phase of the process. (orig. 5-20-08)

~~Under this circumstance, the application will be able to reach the Determination phase of the process earlier than the date tentatively scheduled at the time of the 1st Referral. (orig. 7-23-02; am. 7-1-03; am. 4-27-04; am. 10-25-05; am. 5-20-08)~~

- ed. Response to 1st Referral: The applicant shall have 21 Calendar days to address in writing any issues identified by the Case Manager or any referral agency and resubmit revised documents for the 2nd referral. (orig. 5-20-08)

~~The applicant will be deemed to have consented to a later determination date, than that tentatively scheduled, if the resubmittal is not received within the 21 calendar day period. (orig. 5-20-08)~~

The applicant shall have a maximum of 120 calendar days to respond to the referral comments or the application will be considered withdrawn. The applicant will then have to file a new application with the required fees and documents. The Director of Planning and Zoning may extend this 120 calendar day maximum response deadline for additional 120 calendar day periods if, in his/her opinion, the delay in response is for good cause. (orig. 7-23-02; am. 12-17-02; am. 10-25-05; am 5-20-08; am. 12-21-10)

- fe. ~~Submittal Staff Sufficiency Review and Referral Distribution of Revised Documents:~~ The Case Manager shall have 3 calendar days to refer the revised documents and referral fees to County divisions/departments and other agencies. A submittal package that is not complete in terms of the type and quantity of documents required will not be sent out on referral. (orig. 7-23-02; am. 7-1-03; am. 4-27-04; am. 10-25-05; am. 5-20-08; am. xx-xx-xx)

- gf. 2nd Referral and Staff response: The referral agencies shall have 7-14 calendar days to respond in writing to the 2nd referral. (orig. 5-20-08; am. xx-xx-xx)

~~h. Forwarding 2nd Referral Comments:~~ The Case Manager shall have 5 calendar days after the end of the referral period to provide the applicant with a Staff response inclusive of referral agency responses. The response from the Case Manager will include an opinion as to whether or not the case should proceed forward to the Determination phase or if revised documents should be submitted for a subsequent referral process. (orig. 5-20-08)

If the applicant ~~has not consented to a later determination date based on the time frames of this Regulation and~~ chooses to move forward to ~~the tentatively scheduled~~ determination date, the applicant shall submit the final documents as requested by the Case Manager in accordance with the Final Documents phase of the process. (orig. 10-25-05; am. 5-20-08; am. xx-xx-xx)

- ig. Response to 2nd Referral Comments: The applicant shall have a maximum of 120 calendar days to respond to the referral comments, or the application will be considered withdrawn. The applicant will then have to file a new application with the required fees and documents. The Director of Planning and Zoning may extend this 120 calendar day maximum response deadline for additional 120 calendar day periods if, in his/her opinion, the delay in response is for good cause. (orig. 5-20-08; am. 12-21-10)

- jh. Additional Changes: For the 3rd referral, and for any subsequent referrals thereafter, the Case Manager shall have 3 calendar days to refer the revised documents and referral fees to County divisions/departments and other agencies. A submittal package that is not complete in terms of the type and quantity of documents required will not be sent out on referral. (orig. 5-20-08)

The referral agencies shall have 7 calendar days to respond in writing to the 3rd referral, and for any subsequent referrals thereafter. (orig. 5-20-08)

The Case Manager shall have 5 calendar days after the end of the 3rd referral, and for any subsequent referrals thereafter, to provide the applicant with a full Staff response inclusive of referral agency responses. The response from the Case Manager will include an opinion as to whether or not the case should proceed forward for determination or if revised documents should be submitted for a subsequent referral process. (orig. 5-20-08)

The applicant shall have a maximum of ~~120-180~~ calendar days to respond to the referral comments, or the application will be considered withdrawn. The applicant will then have to file a new application with the required fees and documents. The Director of Planning and Zoning may extend this 120 calendar day maximum response deadline for additional 120 calendar day periods if, in his/her opinion, the delay in response is for good cause. (orig. 10-25-05; am. 5-20-08; am. 12-21-10; ~~am. xx-xx-xx~~)

- k. Final Documents: The final documents shall be comprised of the executed Site Development Plan Mylar, the executed improvement guarantees or agreement (if applicable), easements and other final documents as identified by the Case Manager. (orig. 5-20-08; ~~am. xx-xx-xx~~)

~~If the applicant has not consented to a later determination date based on the time constraints of this process, t~~The applicant shall have 10 calendar days to address, in writing, any issues identified by the Case Manager or any referral agency and submit the final documents for the tentatively scheduled determination date. The applicant will be deemed to have consented to a later determination date if the final documents are not received within the 10 calendar day period. (orig. 5-20-08)

The applicant shall have a maximum of ~~120-180~~ calendar days to respond to the referral comments or submit the final documents, or the application will be considered withdrawn. The applicant will then have to file a new application with the required fees and documents. The Director of Planning and Zoning may extend this 120 calendar day maximum response deadline for additional 120 calendar day periods if, in his/her opinion, the delay in response is for good cause. (orig. 10-25-05; am. 5-20-08; am. 12-21-10; ~~am. xx-xx-xx~~)

- l. Determination, Decision and Recordation-Preparation: The Case Manager shall have 5 calendar days to review the final documents and prepare the Staff recommendation. (orig. 10-25-05; am. 5-20-08; ~~am. xx-xx-xx~~)

If the additional revisions are required to comply with County standards, the Case Manager will return a letter to the applicant identifying the revisions that must be made in order to gain Staff support for the proposal. (orig. 5-20-08)

Determination and Post-Determination

- ~~m. Determination:~~ The Director of Planning and Zoning shall have 5 calendar days to review the request and staff recommendation and approve, approve with conditions, or deny the application. The Director of Planning and Zoning may ask for additional documents before making a determination. Upon approval by the Director of Planning and Zoning, Staff shall record the approved Site Development Plan and if applicable, the Site Adjustment/Dedication Plat. (orig. 10-25-05; am. 5-20-08; am. 4-20-10; am. 3-3-15; ~~am. xx-xx-xx~~)

The applicant shall obtain building permits within 2 years of Site Development Plan approval, or the approval shall be rescinded. The Director of Planning and Zoning may extend this 2 year period, by additional 1 year if in his/her opinion, the delay in construction is for a good cause and no regulations have changes which would substantially impact the site. Multiple extensions may be requested. (orig. 7-23-02; am. 5-20-08; am. 4-20-10; ~~am. xx-xx-xx~~)

If the Site Development Plan includes a development agreement or an improvements agreement, upon approval by the Director of Planning and Zoning, the Chairman of the Board of County Commissioners shall be authorized to sign the amended agreement and place the agreement of record. (orig. ~~xx-xx-xx~~)

An approval by the Director of Planning and Zoning may be subject to the applicant meeting certain conditions before the issuance of building permits. (orig. 7-23-02; am. 4-27-04; am. 10-25-05; am. 3-3-15)

- n. Appeal of a Denial of a Site Development Plan: An appeal of a denial of a Site Development Plan shall be made to the Board of Adjustment in writing within 30 calendar days of the denial, otherwise Planning and Zoning will consider the application withdrawn. In the case of a withdrawn application or a denial of an appeal, a new application shall be required to process a Site Development Plan on the same property. In the case of a

successful appeal, the approved site plan shall be recorded and filed in Planning and Zoning files. (orig. 7-23-02; am. 4-27-04; am. 5-20-08)

4. Minor Revisions

e. ~~Modifications~~ to the Site Plan and Supporting Documents:

The Director of Planning and Zoning may approve minor ~~modifications~~ revisions to the approved Site Plan and supporting documents, so long as such ~~modifications~~ revisions are consistent with the overall intent of the Zoning Resolution, the Land Development Regulation, Plat and Exemption From Platting restrictions, and zoning conditions, and do not result in adverse impacts that were not considered at the time of the original Site Development Plan approval (e.g. changes to quantities, landscaping, lighting, architecture, or parking). If the Director of Planning and Zoning determines that a proposed ~~modification~~ revision is not minor, then the applicant will be required to file a new Site Development Plan application with the required fees and documents. (orig. 7-23-02; am. 12-17-02; am. 4-27-04; am. 5-20-08; am. 3-3-15; am. xx-xx-xx)

a. Required documents:

(1) Cover letter explaining the changes and the reasons for the changes. (orig. xx-xx-xx)

(2) Revised plans/exhibits impacted by the changes. (orig. xx-xx-xx)

(3) Application fee (orig. xx-xx-xx)

b. Process:

(1) Notification Level 2 shall be required.

(2) If referral agencies need to be notified, the referral period shall be 7 calendar days.

45. Plan Format

a. All plans listed in this section shall be 24x36 inches with the long dimension being horizontal. The Plans shall include the following information in the format described. (orig. 7-23-02; am. 4-20-10))

(1) An information block shall be located in the lower right-hand corner or along the right hand margin of the sheet and shall include the following information: (orig. 7-23-02)

(a) Sheet title (i.e. Site Development Plan, Landscape Plan, etc.) (orig. 7-23-02; am. 7-1-03)

(b) Name of the proposed project (orig. 7-23-02)

(c) Name, address, and telephone number of the applicant if different than the owner (orig. 7-23-02)

(d) Name, address, and telephone number of the preparer if different than the applicant (orig. 7-23-02)

(e) Name, address, and telephone number of the owner (orig. 7-23-02)

(f) Date of plan preparation, and revision dates (orig. 7-23-02)

(g) Sheet page number (i.e., 1 of 3, 2 of 3, etc.) (orig. 7-23-02)

(2) The Planning and Zoning assigned case number shall be located in the upper right corner of each sheet. (orig. 7-23-02; am. 7-1-03; am. 4-27-04; am. 4-4-06; am. 4-20-10)

(3) A graphic and written scale. (orig. 7-23-02; am. 4-4-06; am. 4-20-10)

(4) A North Arrow. The graphic should be oriented with north to the top of the page, unless otherwise approved by Planning and Zoning. (orig. 7-23-02; am. 4-4-06; am. 4-20-10)

b. The Site Development Plan shall include the following:

- (1) A neat and legible drawing of the proposed site layout showing the required information at a scale of one (1) inch to 50 feet or larger, or as approved by Planning and Zoning. The drawing shall include the following information: (orig. 7-23-02; am. 7-1-03; am. 4-27-04; am. 5-20-08; am. 4-20-10)
 - (a) The size, location, and type of all existing and proposed easements or other rights-of-way. (orig. 7-23-02)
 - (b) Fully-dimensioned property lines and all non-buildable areas, if previously defined, and building footprints, and setbacks of all proposed and existing structures which are to be retained on the site. ((orig. 7-23-02; am. 12-17-02; am. 4-4-06)
 - (c) Location, dimensions and names of proposed, platted and existing adjoining streets, and internal streets showing edge of right-of-way and pavement or face of curb, centerline, radii, and curb return radii. A note shall be placed on the Site Plan indicating whether the proposed streets are to be public or private. (orig. 7-23-02; 4-4-06)
 - (d) Driveways and intersections adjacent to, or across the street from the subject property. (orig. 2-22-02; am. 12-17-02; am. 10-25-05)
 - (e) Approximate proposed and existing street grades. (orig. 2-22-00; am. 12-17-02; am. 10-25-05)
 - (f) Location of existing and proposed access points. (orig. 2-22-00; am. 10-25-05)
 - (g) Location and dimensions of bicycle/pedestrian/equestrian paths, walkways, and trails shall be shown. (orig. 7-23-02)
 - (h) Location and placement of all signage and freestanding walls. (orig. 7-23-02; am. 12-17-02; am. 7-1-03)
 - (i) The location of all existing and proposed fire hydrants or cisterns. (orig. 7-23-02)
 - (j) The location and size of existing/proposed wells and on-site wastewater treatment systems, sewage disposal system absorption fields. (orig. 2-22-00; am. 10-25-05; am. xx-xx-xx)
 - (k) Location and type of existing and proposed easements and utility lines. (orig. 2-22-00; am. 10-25-05)
 - (l) Existing and proposed surfacing of all traveled areas, on-site and within 100 feet off-site. (orig. 7-23-02)
 - (m) Existing floodplain limits (if applicable). (orig. 7-23-02; am. 10-25-05)
 - (n) Location of any known hazardous areas, or a note stating that no known hazardous areas exist. (orig. 2-22-02; am. 12-17-02; am. 10-25-05)
- (2) The title shall be comprised of a main title and a subtitle. The main title should be a large bold text, while the subtitle is a non-bold smaller text. The following formats shall be used, unless otherwise approved by Planning and Zoning: (orig. 7-1-03; am. 4-20-10)
 - (a) For parcels within a recorded Plat or Exemption from Platting: (orig. 7-1-03; am. 4-20-10)

(Plat or Exemption Title) Lot(s) ____
Site Development Plan
 Located in the ____ ¼ of Sec ____, T__ S, R__ W of the
 6th Principal Meridian, County of Jefferson, State of Colorado
 - (b.) For parcels not located in a recorded Plat or Exemption from Platting: (orig. 7-1-03; am. 4-20-10)

Site Development Plan – (Project Name)
 Located in the ____ ¼ of Sec ____, T__ S, R__ W, of the

6th Principal Meridian, County of Jefferson, State of Colorado

- (3) A vicinity map showing adequate information for the reviewer to easily locate the project. The vicinity map need not be scalable; however it must be legible and located within the upper left-hand corner of the site plan. (orig. 7-23-02; am. 7-1-03)
- (4) The complete legal description of the parcel shall be located immediately below the vicinity map on the left side of the document. If the Site Development Plan is only affecting a small portion of the overall ownership of a property, then Planning and Zoning may allow the legal description to be confined to a use area or a lease area within the larger parcel. (orig. 7-1-03; am. 4-20-10)
- (5) A note section shall be located below the legal description and shall include any standard Site Development Plan notes as well as any notes listed on a previous Plat or Exemption document that must be satisfied prior to the issuance of building permits. The notes section shall contain a purpose statement that discusses what is to be constructed, any right-of-way being dedicated, any easements being dedicated or vacated, and any lot line changes, such as mergers, new lots created from a superlot plat or lot line adjustments. (orig. 7-1-03; am. 4-20-10, am. xx-xx-xx)
- (6) The following Approval Certificate shall be placed on the first page: (orig. 7-23-02; am. 4-20-10; am. 3-3-15; am. xx-xx-xx)

<p><u>APPROVAL CERTIFICATE:</u></p> <p>This site plan has been reviewed and found to be complete, and in accordance with Jefferson County regulations and is hereby approved by the County and agreed to by the landowner.</p> <p>_____</p> <p>Jefferson County Director of Planning and Zoning Date</p> <p>_____</p> <p><u>(Owner(s) Name)</u> <u>Date</u></p>	
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- (a) All individuals shall sign their names as shown on the deed of ownership. Corporate ownership or interest shall be shown by the official signature of the necessary officers of the Corporation. The full name of the corporation shall be shown above their signatures and the seal affixed. All partners of a general partnership must sign the certification. All general partners of a limited partnership and all members of a limited liability company must sign the certification unless the limited partnership agreement or Articles of Organization, respectively, authorize otherwise. (orig. 10-25-05)
- (b) The owners signature(s) shall be acknowledged utilizing the forms provided in 12-55-208 C.R.S. with the Notary Seal affixed as near as practicable to the acknowledgement. (orig. 10-25-05)
- (c) With the approval of the Attorney's Office, the certification or acknowledgment may be modified based on unique situations provided such modification protects the interests of Jefferson County. (orig. 10-25-05)

OWNERSHIP CERTIFICATE:
 _____, as owner(s) of the land affected by this Site Development Plan, accept and approve all conditions set forth herein.

(Name of owner)

 (if company, LLC, other organization "By (title of whomever is authorized of sign) (Name of organization)

By:

 (Name of Authorized signator, title)

COUNTY OF) ss:
 STATE OF)

The foregoing ~~dedication and the foregoing covenant and plat restriction on conveyance, sale or transfer were~~ instrument was acknowledged before me this _____ day of _____ 20 _____, by *(name-printed).

WITNESS my hand and official seal.
 SEAL _____
 NOTARY PUBLIC
 My Commission expires: 20 _____

(d) If a Site Adjustment/Dedication Plat is completed, the certificate and notes required by the Final Plat process may need to be added to the Site Development Plan document, as deemed necessary by Planning Staff. (orig. xx-xx-xx)

(7) The following Clerk and Recorder's Certificate shall be placed on the first page:

Accepted for filing in the Office of the County Clerk and Recorder of
 Jefferson County at Golden,
 Colorado, this day of _____, 20 _____.

 County Clerk and Recorder

 By: Deputy Clerk

(8) The following Site Data Table shall be placed on the Site Development Plan: (orig. 7-23-02; am. 10-25-05; am. xx-xx-xx)

Site Data	
Total area of the property	(square feet)
<u>Add area for scope of work if it is not the entire site.</u>	<u>(square feet)</u>
Total multi-family units	
Building coverage	(square feet)
Parking lot coverage	(square feet)
Landscaped area coverage	(square feet)
Number of parking spaces required	
Number of parking spaces provided	

Existing and proposed gross floor area of all buildings and structures, shown per use (e.g. retail, office, etc.)	(square feet)
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- c. The requirements for the Landscape Plan, Architectural Elevations, Parking Plan, and Lighting Plan are found under the applicable sections of the Zoning Resolution. (orig. xx-xx-xx)

~~Landscape Plan: The landscape plan shall be prepared by a landscape architect and shall include all of the following: (orig. 7-23-02)~~

- ~~(1) Scale (scale shall be at least 1:20 or larger for sites of 2 acres or less and at least 1:50 for sites greater than 2 acres in size); (orig. 7-23-02)~~
- ~~(2) The proposed site grading topographic contours at a minimum of 2-foot intervals (in steep terrain, larger intervals may be required) or other appropriate interval as approved by Planning and Zoning and necessary spot elevations; (orig. 7-23-02; am. 12-17-02; am. 4-27-04; am. 5-20-08)~~
- ~~(3) Plant legend, shown on each sheet, including botanical and common plant names, plant sizes and quantities of all trees, shrubs, and ground covers proposed and slated for preservation; (orig. 7-23-02)~~
- ~~(4) Seed mixes, application rates, and quantities; (orig. 7-23-02)~~
- ~~(5) The location and size of all landscaped areas within the site, sight distance triangles, lot boundaries, trees and vegetation (proposed and to be preserved), significant existing physical site features (e.g. watercourses, rock outcroppings), property lines and easement locations, utilities (e.g. water, sewer, telephone, power, cable), existing and proposed buildings and structures, existing and proposed driveways, roads, walkways (including grades), plazas, buildings, playground equipment, parking areas, landscape amenities (e.g. fences, walls, planters, benches, signs), areas to be paved, graveled or covered by decks, retaining walls, detention ponds, drainageways or swales, areas to be revegetated, proposed plants to a scale at maturity, soil amendments, existing vegetation and its condition, 100-year floodplain, all areas on and off-site, including within the adjacent rights-of-way, that will be disturbed by construction activity. (orig. 7-23-02)~~
- ~~(6) Planting and construction details (where applicable) as well as plan notes to assist in clarifying design intent; (orig. 7-23-02)~~
- ~~(7) Easement(s) for any off-site landscaping proposed; and (orig. 7-23-02)~~
- ~~(8) A phasing plan for multi-phased projects identifying the separate phases, revegetation, stabilization and erosion control between phases, and the landscaping associated with each phase. (orig. 7-23-02)~~

d. ~~Architectural Elevations: The architectural elevations shall include all of the following:~~

- ~~(1) Scale (scale shall be at least one eighth inch equals one foot); (orig. 7-23-02)~~
- ~~(2) Building elevations of all sides of proposed buildings with proposed and existing grades; (orig. 7-23-02)~~
- ~~(3) Building materials and colors of exterior walls, roofs, doors, and windows; (orig. 7-23-02)~~
- ~~(4) Changes in building plane; (orig. 7-23-02)~~
- ~~(5) Building heights; (orig. 7-23-02)~~
- ~~(6) Location and screening of mechanical equipment; (orig. 7-23-02)~~
- ~~(7) A note indicating the reflectivity or opacity of mirror glass for buildings in the Mountains; and (orig. 7-23-02)~~

- ~~(8) Colored renderings and material boards (upon request by Planning and Zoning). (orig. 7-23-02; am. 4-27-04; am. 5-20-08)~~
- ~~e. Lighting Plan: A lighting plan certified by a lighting designer, lighting engineer, licensed electrical contractor, or someone with experience in the lighting field showing all of the following: (orig. 7-23-02)~~
- ~~(1) The location and height of all existing and proposed building and ground-mounted luminaries; (orig. 7-23-02)~~
 - ~~(2) Photometric data indicating the maximum foot-candles at all property lines; (orig. 7-23-02)~~
 - ~~(3) A description of all proposed luminaries, including lamp type, the manufacturer, lamp wattage, lumen output per lamp, mounting or support device, and shielding (manufacturer's catalog cuts and drawings may be submitted); (orig. 7-23-02)~~
 - ~~(4) Any additional information as may be required by Planning and Zoning to determine compliance with County regulations or to support the Illuminating Engineering Society of North America's recommended practices. Exceptions to the Illuminating Engineering Society of North America's recommended practices can be made by the County where necessary for safety purposes. (orig. 7-23-02; am. 4-27-04; am. 5-20-08)~~
 - ~~(5) All calculations and results, including all sources and assumptions. (orig. 7-23-02)~~
 - ~~(6) A statement of certification addressing accountability for the content and accuracy of the submitted lighting plan and the installation of the lights according to the approved lighting plan. It is the responsibility of the owner to ensure compliance to all standards in effect. (orig. 7-23-02)~~
- ~~f. Parking Plan: A parking plan (which may be combined with the civil construction plans) showing all of the following: (orig. 7-23-02)~~
- ~~(1) The location, size, area, dimensions and configuration of all proposed off-street parking and loading bays, access drives, maneuvering lanes, medians, pedestrian areas, curb cuts, easements, and accessible ramps and spaces; (orig. 7-23-02)~~
 - ~~(2) The direction of traffic circulation and the location, size, type, and height of all proposed traffic signs, and the material, color, line width, and pattern of all surface markings; (orig. 7-23-02)~~
 - ~~(3) The percent grade of the parking lot surface and the direction of drainage flow as indicated by arrows; (orig. 7-23-02)~~
 - ~~(4) The material and construction drawings of the parking surface, including cross-sections; and (orig. 7-23-02)~~
 - ~~(5) The location of any off-site or remote parking spaces or areas and a complete parking plan for these areas together with evidence that indicates these areas are to be used for parking for the proposed use. (orig. 7-23-02)~~

P. Minor Variations

1. Minor variation(s) from strict application of the provisions of a zoning requirement may be allowed at the discretion of the Director of Planning and Zoning in order to facilitate the reasonable and expeditious processing of a development application. A minor variation may be granted for both onsite and offsite requirements for the following: Plats, Exemptions, Vacations, Minor Adjustments, Residential Structure Exclusions, Land Disturbance Permits, Floodplain Permits, Oil and Gas Production Drilling, and Site Development Plans. A minor variation may be granted for the offsite requirements of the following: Zonings, Special Uses or Site Approvals. Such variations shall be allowed only after a finding by the Director of Planning and Zoning that: (orig. 1-17-84; am. 6-14-88; am. 12-17-02; am. 5-20-08; am. 4-20-10; am. 12-21-10)
 - a. Such variation(s) does not constitute a substantial change to the permitted land use(s); and that (orig. 1-17-84)
 - b. No substantial detriment to the public good nor harm to the general purpose and intent of this Zoning Resolution will be caused thereby. (orig. 1-17-84)

2. Such variation(s) shall not constitute grounds for disapproval by the Board of County Commissioners of any Plat, Exemption, Rezoning or Special Use, unless the Board specifically finds that such variation(s) constitutes a substantial change in the permitted land use(s) or causes a substantial detriment to the public good or harm to the general purpose and intent of this Zoning Resolution. (orig. 1-17-84; am. 4-20-10)



Section 12: Lighting

(orig. 7-23-02; am. 4-20-10)

A. Intent and Purpose

To provide clear regulations for lighting consistent with industry standards and practices, available technologies, and lighting sciences in an effort to minimize glare, excess brightness, harsh intensity, light trespass, and misdirection of lights and to protect nighttime public safety, security, privacy, productivity, and movement of vehicles and persons. (orig. 7-23-02)

B. General Provisions

1. Regulation

- a. Nothing in this section is intended to preclude compliance with the specific zone district regulations, other regulations within this Zoning Resolution or with County, State and Federal regulations as they may exist. Where Federal, State or County requirements conflict with the provisions of this section, the more restrictive standard shall apply. (orig. 7-23-02)
- b. Nothing in this section is intended to prevent the use of any design, material or method of installation not specifically proscribed by this section provided any such alternate has been approved by the County. An alternate may be approved if the proposed design, material or method provides approximate equivalence (or is superior) to the specific requirements of this section and complies with the intent of this section. (orig. 7-23-02)

2. Applicability

- a. All exterior luminaires newly designed, constructed, erected, or otherwise placed into operation and any alterations, rehabilitation, relocation or renovation to more than 75 percent of existing luminaires commenced after September 1, 2002, shall be in conformance with the requirements of this section. (orig. 7-23-02; am. 12-17-02; am. 9-15-09)
- b. Parking lot additions/expansions over fifty percent (50%). (orig. 9-15-09)
- c. Luminaires pre-existing and legally installed and operative before September 1, 2002, are exempt from the requirements of this section for the life of the luminaires. (orig. 7-23-02; am. 12-17-02)

C. Prohibitions

The installation, illumination or maintenance of any of the following shall be prohibited in all zone districts unless they have been approved by a permit issued pursuant to the Special Events section of this Zoning Resolution. (orig. 7-23-02; am. 12-17-02; am. 3-26-13)

- 1. Strobe lights. (orig. 7-23-02)
- 2. Search lights. (orig. 7-23-02)
- 3. Lasers and other high intensity beams. (orig. 7-23-02)
- 4. Blinking, flashing, flickering, rotating, pulsing or changing intensity lights. (orig. 7-23-02)
- 5. Any incident or reflected light that may be confused with or construed as a traffic control device, except as authorized by the State, Federal, or County government. (orig. 7-23-02)
- 6. Exposed neon. (orig. 9-15-09)

D. Exemptions

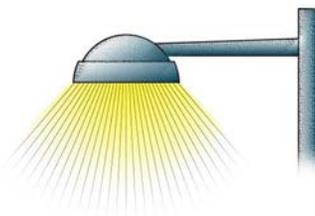
The following shall be exempt from the requirements of this section: (orig. 7-23-02)

1. Holiday lights in the nature of decorations, clearly incidental and customary and commonly associated with any national, local or religious holiday provided that such lights shall be illuminated for a period of not more than 60 consecutive days nor more than 60 days in any one year. Holiday lights may be of any type, number, area, height, location, illumination or animation, except that they shall not produce incident or reflected light that may be confused with or construed as a traffic control device. (orig. 7-23-02)
2. Any lighting required by the FAA for air traffic control, navigation, and warning purposes. (orig. 7-23-02)
3. Emergency lighting as required by law enforcement or emergency services personnel to protect life or property provided such lighting is temporary and is discontinued immediately upon abatement of the emergency necessitating said lighting. (orig. 7-23-02)
4. Street or road lighting. (orig. 7-23-02; am. 12-17-02)
5. Construction lighting provided such lighting is temporary and is discontinued immediately upon completion of the construction work. (orig. 7-23-02)
6. Traffic control signals and devices. (orig. 7-23-02)
7. Vehicular lights. (orig. 7-23-02)

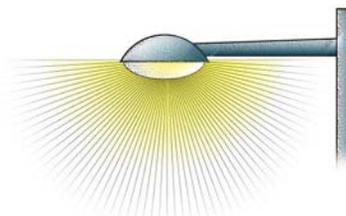
E. Standards

1. The following lamps shall be full cut-off fixtures, unless otherwise specified in this section: (orig. 7-23-02; am. 9-15-09)

AREA	LAMPS	
	Residential Uses	All Other Uses
Mountains	All lamps over 1,750 lumens (approximately equivalent to a 100-watt incandescent bulb).	All lamps
Plains	All lamps over 2,800 lumens (approximately equivalent to a 200-watt incandescent bulb).	



Does meet standard



Does not meet standard

Shielding shall not be required for lamps which accent entranceways, art, water features/fountains, landscaping, sculptures, flags, statuary and other similar objects provided the light is concealed and narrowly focused on the object of interest. This exception does not include pathway lighting, bollards, or other pedestrian or trail circulation illumination. (orig. 7-23-02; am. 12-17-02; am. 9-15-09)

2. Luminaires and their supporting structure shall be wholly confined to the property. (orig. 7-23-02; am. 12-17-02)
3. Appropriate pole heights in residential mountain and rural areas are 12 feet. However, in no case shall a pole-mounted luminaire be greater than 20 feet in height. Luminaires for public sports and cultural facilities (including but not limited to public tennis courts, skating rinks, golf courses/driving ranges, trails, parks, swimming pools, baseball/softball/ soccer/football fields, auto/motocross/horse race tracks, etc.) shall be exempt from this height provision. (orig. 7-23-02; am. 12-17-02)
4. All pole lights for public sports shall be sited in a way that minimizes the impacts to the surrounding residential properties, faced internal to site and downcast. (orig. 9-15-09)
5. Maximum illumination levels resulting from on-site lighting shall not exceed the following as measured on the property line: (orig. 7-23-02; am. 7-12-05; am. 9-15-09)

USE	MAXIMUM ILLUMINATION LEVEL (foot-candles)	
	Mountains	Plains
Commercial, Industrial, Institutional adjacent to Similar Uses	No Limit	No Limit
Commercial, Industrial, Institutional Uses adjacent to Residential, Active Recreational, Agricultural Uses	0.2	0.3
Commercial, Industrial, Institutional Uses adjacent to ROW	0.3	0.6
Residential, Active Recreational, Agricultural adjacent to similar uses and ROW	0.2	0.3
Passive Recreational adjacent to all other uses and ROW	0.1	0.1

6. All illuminated signage or illuminated outdoor advertising devices shall comply with the requirements of this section in addition to the requirements of the Signs and Outdoor Advertising Devices Section of this Zoning Resolution. (orig. 7-23-02; am. 12-17-02; am. 9-15-09)
7. All lighting installations proposed for special events shall comply with the requirements of this section, and any additional provisions established pursuant to the requirements of the Special Events section of this Zoning Resolution and the conditions of the Special Event Permit (if issued). (orig. 7-23-02; am. 12-17-02; am. 3-26-13)
8. All outdoor lighting shall be installed with an on/off switch. (orig. 7-23-02)
9. Bollards or similar light fixtures shall not exceed 4 feet in height and shall be used with the intention of illuminating landscape features or pedestrian walkways. (orig. 9-15-09)
10. Pole-mounted light fixtures in parking and/or loading dock areas shall be placed a minimum of 5 feet outside the parking lot area; or 4 feet behind perimeter tire stop locations; or mounted on pedestals at least 30 inches in height above the parking lot surface; or protected by other means as deemed appropriate by Planning and Zoning. (orig. 9-15-09)
11. All luminaires and light fixtures associated with canopies, including but not limited to fuel islands, seasonal outdoor sales areas, shopping malls, theaters, bank drive thrus, and hotels shall be full cut-off. All light emitted from the canopy shall be substantially confined to the ground directly beneath the perimeter of the canopy. No lighting of any kind, except as permitted by the signage section of this Zoning Resolution, shall be allowed on the top or sides of a canopy. (orig. 9-15-09)

12. Lighting Plan:

a. A lighting plan certified by a lighting designer, lighting engineer, licensed electrical contractor, or someone with experience in the lighting field shall show all of the following: (orig. 7-23-02; reloc. xx-xx-xx)

(1) The location and height of all existing and proposed building and ground-mounted luminaries; (orig. 7-23-02; reloc. xx-xx-xx)

(2) Photometric data indicating the maximum foot-candles at all property lines; (orig. 7-23-02; reloc. xx-xx-xx)

(3) A description of all proposed luminaries, including lamp type, the manufacturer, lamp wattage, lumen output per lamp, mounting or support device, and shielding (manufacturer's catalog cuts and drawings may be submitted); (orig. 7-23-02; reloc. xx-xx-xx)

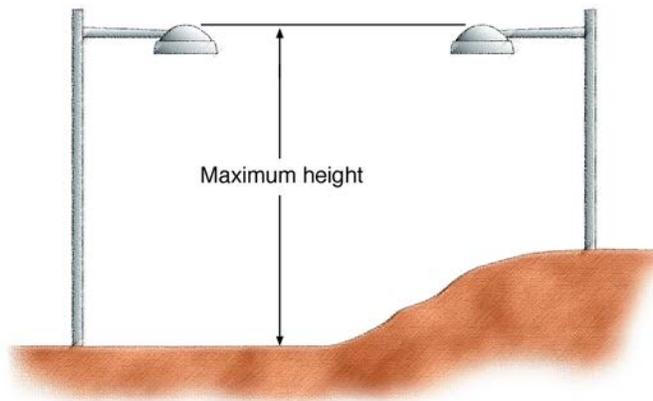
(4) Any additional information as may be required by Planning and Zoning to determine compliance with County regulations or to support the Illuminating Engineering Society of North America's recommended practices. Exceptions to the Illuminating Engineering Society of North America's recommended practices can be made by the County where necessary for safety purposes. (orig. 7-23-02; am. 4-27-04; am. 5-20-08; reloc. xx-xx-xx)

(5) All calculations and results, including all sources and assumptions. (orig. 7-23-02; reloc. xx-xx-xx)

(6) A statement of certification addressing accountability for the content and accuracy of the submitted lighting plan and the installation of the lights according to the approved lighting plan. It is the responsibility of the owner to ensure compliance to all standards in effect. (orig. 7-23-02; reloc. xx-xx-xx)

F. Measurements

1. Illumination shall be measured in foot-candles. All on-site illumination readings shall be measured with a meter sensor in a horizontal position at ground level. (orig. 7-23-02)
2. All foot-candles in this section are initial horizontal levels. (orig. 7-23-02)
3. All foot-candle measurements shall include the sum of all on-site lighting installations, including all illuminated signs, illuminated outdoor advertising devices, building-mounted lights, and any light spillage from inside buildings. (orig. 7-23-02)
4. Pole-mounted luminaire heights shall be measured from finished grade to the top of the luminaire. Where a pole is located on a berm, the berm height shall be included in the height of the luminaire. (orig. 7-23-02)





Section 13: Architecture

(orig. 7-23-02; am. 7-1-03; am. 4-20-10)

A. Intent and Purpose

These regulations are intended to provide minimum building design requirements for commercial, industrial and institutional development. Jefferson County has a natural environment of outstanding visual quality that contributes to a high quality of life and to property values. These standards exist to ensure buildings integrate with the natural environment, to protect and enhance land and property, to maintain the values created in the community, and to promote the health, safety and general welfare of the community. (orig. 7-23-02; am. 12-17-02)

B. General Provisions

1. Applicability: This section shall regulate the exterior design of buildings and structures and the design of streetscape associated with all new buildings developed for commercial, industrial and institutional uses. It shall also regulate the exterior design of buildings and structures and the design of streetscape for building additions with a commercial, industrial and institutional use which cumulatively equal or are larger than ~~50-25~~ percent of the size of the building as it existed on the date of adoption of this amendment to this Zoning Resolution. (orig. 7-23-02; am. 12-17-02)
2. New structures or additions, expansions, alterations (other than maintenance) or enlargements made after May 26, 2009, larger than ~~50-25~~ percent (cumulative) of the original building size for commercial, industrial, and institutional uses shall be required to receive Site Development Plan approval. (orig. 12-17-02; am. 9-15-09)
3. Exemptions: The requirements of this section shall not apply to single-family residential or agricultural uses. (orig. 7-23-02)
4. Graphics throughout this section are meant to aid in the understanding of the written regulation and do not reflect all situations allowed by the written regulations. Should conflicts exist between the graphics and the text, the text shall govern. (orig. 9-15-09)

C. General Standards

1. Architectural Elevations:

a. The architectural elevations shall include all of the following:

- (1) Scale (scale shall be at least one-eighth inch equals one foot); (orig. 7-23-02; reloc. xx-xx-xx)
- (2) Building elevations of all sides of proposed buildings with proposed and existing grades; (orig. 7-23-02; reloc. xx-xx-xx)
- (3) Building materials and colors of exterior walls, roofs, doors, and windows; (orig. 7-23-02; reloc. xx-xx-xx)
- (4) Changes in building plane; (orig. 7-23-02; reloc. xx-xx-xx)
- (5) Building heights; (orig. 7-23-02; reloc. xx-xx-xx)
- (6) Location and screening of mechanical equipment; (orig. 7-23-02; reloc. xx-xx-xx)
- (7) A note indicating the reflectivity or opacity of mirror glass for buildings in the Mountains; and (orig. 7-23-02; reloc. xx-xx-xx)
- (8) Colored renderings and material boards (upon request by Planning and Zoning). (orig. 7-23-02; am. 4-27-04; am. 5-20-08; reloc. xx-xx-xx)

C. Similar Themes and Elements within Developments and Surrounding Areas

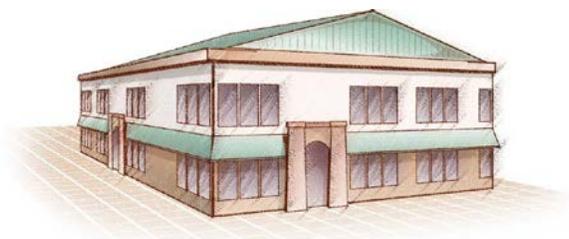
1. All main and accessory buildings, structures, and streetscapes shall maintain a similar style and design of architectural theme including, but not limited to, building materials, colors, forms, roof style and detailing. (orig. 7-23-02; am. 12-17-02; am. 9-15-09)

D. Exterior Building Materials and Colors

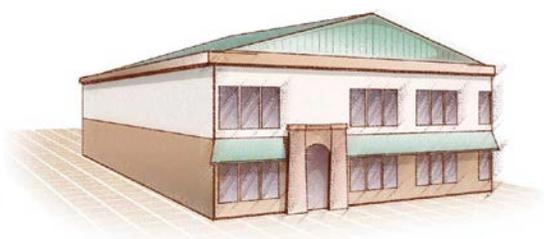
1. The use of exterior wall finish materials that either resemble or are the natural materials of brick, stone, slate, stucco, wood, textured block, textured concrete or colored concrete is required. Alternative materials can be utilized upon approval by the Director of Planning and Zoning when their use promotes design innovation. (orig. 7-23-02; am. 12-17-02; am. 3-3-15)
2. Building exteriors shall incorporate materials and colors, similar to the character of the surrounding landscape and architecture, that improves upon existing community character. Exterior building material colors shall be low-reflectance, subtle, neutral or earth-tone in color. (orig. 7-23-02; am. 12-17-02; am. 9-15-09)
3. The color and intensity of color of all building materials is subject to final county approval. In general, subdued colors typical of the muted native grasses, woods, rocks, and soil of the high Colorado foothills and Jefferson County’s natural setting are to be used as the predominate colors. Soft browns, ambers, muted greens and gold, buffs, terra cotta, and taupes are examples of earth and rock colors that are indigenous to this general area. Accent and trim colors must complement and enhance the effect of predominate building colors. (orig. 9-15-09)
4. Buildings with over 25,000 square feet of Gross Floor Area (GFA) shall utilize more massive materials, such as stone or brick or darker colors on the lower portion of the building. (orig. 7-23-02; am. 9-15-09)
5. In the mountains, mirror glass may not exceed a reflectivity or opacity level of greater than 30 percent. (orig. 7-23-02)

E. Facade Treatment

1. Side and rear walls of all buildings shall utilize similar building materials and architectural treatments as the front of the building resulting in 360 degree architecture. All facades adjacent to a street or residential development must include fenestration similar to the front of the building (orig. 7-23-02; am. 9-15-09)



Does meet standard



Does not meet standard

2. Entrances (excluding service doors) into buildings shall be easily identified through building design including the use of recessed or projected entryways, higher rooflines or changes in building massing. (orig. 7-23-02; am. 9-15-09)

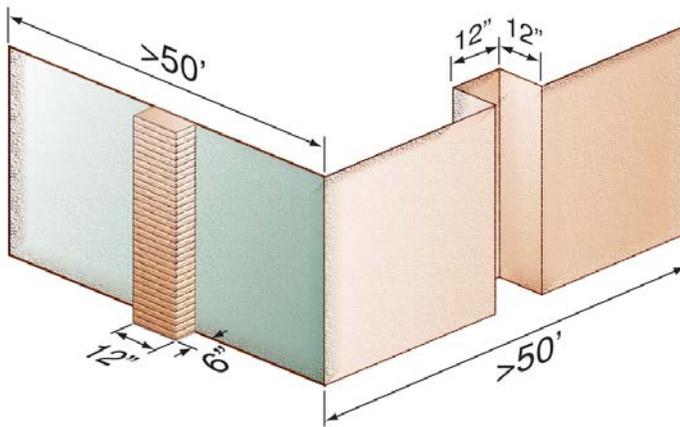


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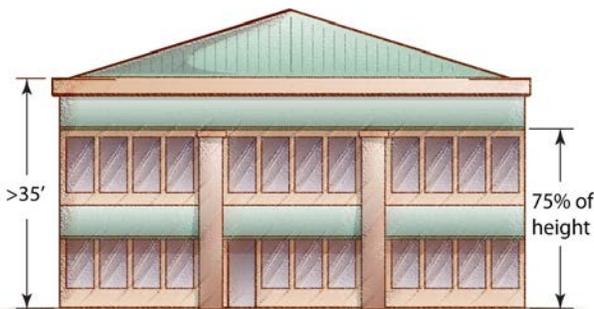


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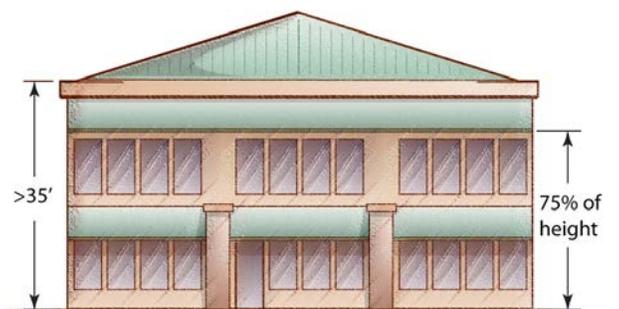
3. Exterior walls shall include a variety of architectural features, materials and colors. (orig. 7-23-02; am. 9-15-09)
4. In the plains, exterior walls over 50 feet in length shall feature changes in surface plane at no less than 50 feet intervals. In the mountains, exterior walls over 36 feet in length shall feature changes in surface plane at no less than 36 feet intervals. A surface plane change must continue horizontally for at least 12 inches and must project or recess at least 12 inches from the average surface plane for the entire building. A surface plane change may project or recess six (6) inches only if there is a change in both color and material (orig. 7-23-02; am. 9-15-09)



5. Buildings over 35 feet in height shall continue the surface plane change vertically for 75 percent of the overall wall height. Buildings 35 feet or less in height shall continue the surface plane change vertically for the entire wall height. Pitched roofs do not count in the overall height of the building for this requirement. (orig. 9-15-09)



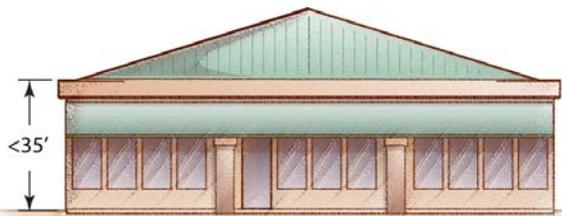
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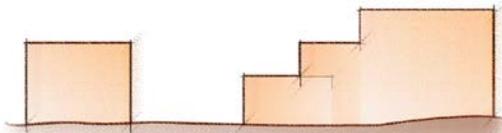
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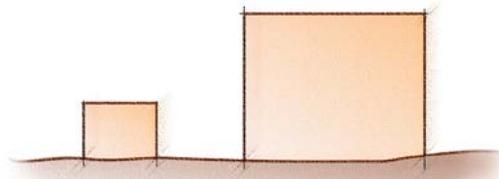
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F. Building Scale and Massing

1. Elements of building massing shall relate to the size and scale of adjacent buildings. (orig. 9-15-09)

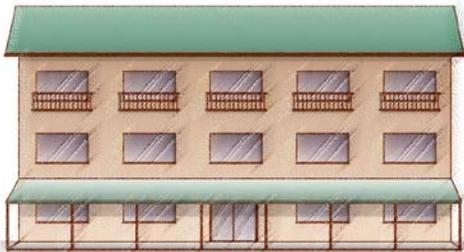


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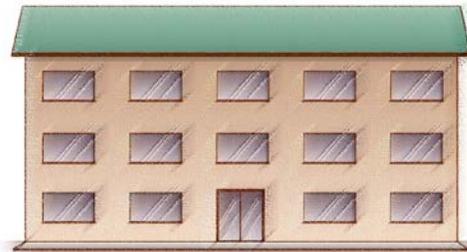


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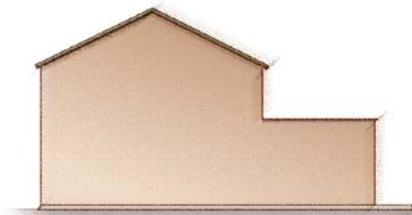
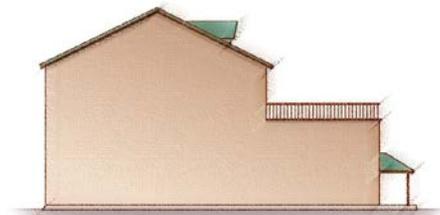
2. Buildings over 35 feet in height shall have their visual mass reduced by a variation in horizontal façade through the use of porches, balconies, rooftop patios, pitched roofs, or other architectural features. (orig. 7-23-02; am. 9-15-09)



Does meet standard



Does not meet standard



G. Roof Treatments

1. All buildings must feature either a sloped roof or parapets screening a flat roof. (orig. 7-23-02)
2. A flat roof, if specified, shall be screened with parapets on all sides of the building. Parapets shall be at least 12 inches in height and be on all facades of the building. (orig. 7-23-02)

3. Sloped roofs or canopies shall be covered with high quality roofing materials such as clay tiles, slate, concrete tiles, standing seam metal, wood/faux wood shake, or asphalt shingles. Metal roofs shall have a matte finish to reduce glare (orig. 9-15-09)
4. A roof plane change must occur at least every 50 feet in the mountains and at least every 100 feet in the plains. Changes include but are not limited to dormers, parapet with height variation, roof pitch or angle change, or a minimum 12 inch variation in height. (orig. 9-15-09)

H. Screening of Accessory Equipment

1. Ground level mechanical or electrical equipment shall be buried, integrated into the building, or screened with architectural walls or fencing taller than the mechanical or electrical equipment being screened. Materials for the building, wall, or fence shall be similar to the building materials used and shall be compatible with the overall site and building design. (orig. 7-23-02; am. 9-15-09)

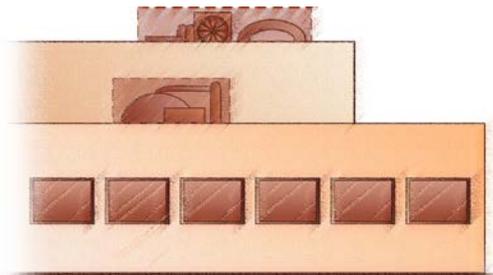


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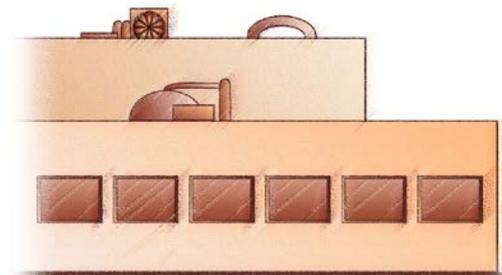


Does not meet standard

2. Mechanical and electrical equipment shall not be sited on the roof of a building unless the equipment can be screened with walls twelve (12) inches taller than the equipment being screened. The screening of roof top mechanical and electrical equipment shall be designed to compliment the architectural elements of the building and shall be clustered when feasible. (orig. 7-23-02; am. 9-15-09)



Does meet standard



Does not meet standard

3. Solar panels located on a pitched roof are not require to be screened. (orig. 9-15-09)
4. Loading, service, open storage and trash areas shall be screened from residences and public roads, trails and parks in accordance with the overall site design. (orig. 7-23-02; am. 9-15-09)
5. Trash containers shall be screened by a wooden fence, masonry wall or mature hedge. The trash enclosure must be a minimum of six (6) feet high. (orig. 12-17-02; am. 7-1-03; am. 9-15-09)



Section 14: Off-Street Parking And Loading

(orig. 7-23-02; am. 4-20-10)

A. Intent and Purpose

To provide regulations for parking consistent with industry standards and practices, available technologies, and traffic engineering in an effort to protect public security, privacy, and welfare, to provide adequate and accessible, parking facilities, to ensure the safe movement of vehicles, emergency personnel and pedestrians, and to provide for the parking, and loading and unloading of vehicles. (orig. 7-23-02)

B. General Provisions

1. Regulation

- a. Nothing in this section is intended to prevent compliance with the specific zone district regulations, other regulations within this Zoning Resolution (e.g. landscaping, lighting, land disturbance) or with State, Federal, or County regulations (e.g. drainage, variances, waivers) as they may exist. Where Federal, State or County requirements conflict with the provisions of this section, the more restrictive standard shall apply. While this section is intended to comply with State and Federal regulations, it is recommended that the user reference and comply with non-County regulations as they may exist. (orig. 7-23-02; am. 10-12-04)
- b. Nothing in this section is intended to prevent the use of any design, material or method of installation not specifically proscribed by this section provided any such alternate has been approved by the County. An alternate may be approved if the proposed design, material or method provides equivalence (or is superior) to the specific requirements of this section and complies with the intent of this section. (orig. 7-23-02)

2. Applicability

- a. This section shall apply to new buildings constructed, to additions to existing buildings, to new uses established, or to changes of use that would result in additional parking spaces being required. (orig. 7-23-02)
- b. In all cases, the number of parking spaces required to meet the needs of both the existing and proposed buildings or uses shall be provided. (orig. 7-23-02)

C. General Standards

1. No Certificate of Occupancy shall be issued for commercial, industrial, and institutional buildings requiring Site Development Plan approval, until the parking facility (including parking spaces, loading areas, and maneuvering lanes but not including landscaping) or that portion of the parking facility related to the Certificate of Occupancy is complete and has been approved by the County. (orig. 7-23-02; am. 12-17-02)
2. Automobile parking spaces shall be located on the same site as the principal use unless remote parking has been approved pursuant to this section by the Director of Planning and Zoning. (orig. 7-23-02; am. 12-17-02; am. 3-3-15)

3. Parking Plan:

a. A parking plan (which may be combined with the civil construction plans) shall show all of the following: (orig. 7-23-02; reloc. xx-xx-xx)

(1) The location, size, area, dimensions and configuration of all proposed off-street parking and loading bays, access drives, maneuvering lanes, medians, pedestrian areas, curb cuts, easements, and accessible ramps and spaces; (orig. 7-23-02; reloc. xx-xx-xx)

- (2) The direction of traffic circulation and the location, size, type, and height of all proposed traffic signs, and the material, color, line width, and pattern of all surface markings; (orig. 7-23-02; reloc. xx-xx-xx)
- (3) The percent grade of the parking lot surface and the direction of drainage flow as indicated by arrows; (orig. 7-23-02; reloc. xx-xx-xx)
- (4) The material and construction drawings of the parking surface, including cross-sections; and (orig. 7-23-02; reloc. xx-xx-xx)
- (5) The location of any off-site or remote parking spaces or areas and a complete parking plan for these areas together with evidence that indicates these areas are to be used for parking for the proposed use. (orig. 7-23-02; reloc. xx-xx-xx)

D. Number Of Parking Spaces Required

1. Automobile Parking Spaces

- a. Each use permitted shall provide the minimum number of automobile parking spaces indicated in the table below. If a proposed use is not listed in the Required Automobile Parking Spaces Table, Planning and Zoning shall calculate the required number of parking spaces by applying the requirement for the use listed which is most similar to the proposed use, or shall require the

applicant to submit to special review in accordance to the requirements of part D.1.c. of this section. Public agencies may submit to special review for all uses. (orig. 7-23-02; am. 4-27-04; am. 4-4-06; am. 5-20-08)

REQUIRED AUTOMOBILE PARKING SPACES TABLE			
		Use	Minimum Spaces Required
Residential	Dwelling (Note: 18' parking spaces in front of garage (full driveway) shall be credited toward the parking requirements)	Single-family, Two-family, or Duplex,	2.0 per Dwelling Unit
		Multiple Family, Townhomes, Condominiums, Apartments	2.25 per Dwelling Unit)
		Home Occupation	1.0 per Dwelling Unit
		Group Living Facility	2.0 per Dwelling Unit and 1.0 per staff per shift and 0.25 per bed
		Trailer Park Office	3.25 per 1,000 s.f. GFA
		Mobile Homes, Travel Trailers	1.0 per Dwelling Unit
Institutional	School	Elementary/Junior	3.0 per classroom
		Senior	5.0 per classroom
		College, Trade, Professional, Vocational	Special Review
		Daycare, Preschool, Nursery	3.0 per 1,000 s.f. GFA
	Library, Museum		3.25 per 1,000 s.f. GFA
	Hospital	Human	1.75 per Bed
		Convalescent/Nursing Home	0.25 per Bed
	Religious Assembly	Houses of Worship, Funeral Home, Mortuary, Mausoleum	0.25 per Fixed Seat
Correction Facility		Special Review	
Recreational	Outdoor Uses	Golf Course	8.0 per Hole (this includes associated uses such as restaurant, office, club house, driving range, maintenance shop, etc.)
		Driving Range	1.0 per tee
		Boarding Stable	0.5 per stable
		Miniature Golf	2.0 per hole
		Spectator Sport Facility	20.0 per field or diamond or 0.25 per seat, whichever is larger
		Campground	1 per camp site
		Passive Recreational Uses (hiking/equestrian/bicycle trails, picnic areas)	Special Review
		Playground, Park, Active Recreational Uses (fields, diamonds, etc.)	Special Review
		Tennis Court, Swimming Pool	1.0 per 1,000 s.f. GFA
	Special Events	Carnivals, Festivals, Flea Markets	Special Review

REQUIRED AUTOMOBILE PARKING SPACES TABLE

		Use	Minimum Spaces Required
Commercial	Office	Medical/Dental Clinics	5.0 per 1,000 s.f. GFA
		Government Office, Business or Professional Office	4.0 per 1,000 s.f. GFA
		Convention Facility	5.5 per 1,000 s.f. GFA
		Veterinarian	5.5 per 1,000 GFA
	Retail	General Retail	4.0 per 1,000 s.f. GFA
		Auto Sales, Building Materials Furniture	2.5 per 1,000 s.f. GFA
	Wholesale		4.0 per 1,000 s.f. GFA
	Restaurant	Fast Food, Drive-in	15.0 per 1,000 s.f. GFA
		Carry-Out, Specialty, Sit-down, All Other	10.0 per 1,000 s.f. GFA
	Lodging	Hotel, Motel, Bed & Breakfast	1.0 Sleeping Room and 75% of spaces for other associated uses (e.g. restaurants, office)
	Indoor Commercial Recreational Facilities	Tennis/Racquet Club	0.75 per 1,000 s.f. GFA
		Firing Range	1.5 per firing stall
		Bowling Center	4.25 per Lane
		Roller/Ice Rink	4.0 per 1,000 s.f. GFA
		Recreation Center, Health Club	5.0 per 1,000 s.f. GFA
	Banks		4 per 1,000 s.f. GFA
Service establishment	Barber, Beauty Salon, Dry Cleaners	4 per 1,000 s.f. GFA	
Vehicle Facilities	Gas Station, Service Station, Vehicle Repair	5.5 per 1,000 s.f. GFA	
Theater	Live or Movie	0.5 per Fixed Seat	
Industrial	Warehouses		0.5 per 1,000 s.f. GFA
	Storage	Mini-warehouses	5.5 per 1,000 s.f. GFA of office
	Manufacturing, Processing, Fabrication		1.50 per 1,000 s.f. GFA

- b. Multiple use developments or buildings: The total number of automobile parking spaces required shall be the sum of each individual use requirement unless shared parking has been approved by the Director of Planning and Zoning pursuant to the provisions in this section. (orig. 7-23-02; am. 12-17-02; am. 3-3-15)
- c. Special Review: Where the automobile parking requirements are to be determined by special review, this review shall consist of a study conducted by the applicant indicating all of the following items. After reviewing the study, a minimum parking requirement shall be established and approved by the Director of Planning and Zoning. (orig. 7-23-02; am. 12-17-02; am. 3-3-15)
 - (1) Existing parking facilities, services, or opportunities on site and in the surrounding area. (orig. 7-23-02)
 - (2) Estimates of parking of the proposed use including peak parking, turn-over, and any other parking characteristics of the proposed use. The study shall document the source of data used and assumptions made to develop the parking requirements. (orig. 7-23-02)

- (3) The availability and feasibility of mitigating parking impacts, if any. (orig. 7-23-02)
 - (4) The degree of conformance of the proposed parking to the intent and purpose of this section. (orig. 7-23-02)
2. Accessible Parking Spaces: The minimum number of required accessible spaces shall be as indicated in the Required Accessible Spaces Table. (orig. 7-23-02; am. 4-4-06)

REQUIRED ACCESSIBLE SPACES TABLE		
Number of Spaces in Lot	Min. Accessible Spaces Required	Min. Van-Accessible Spaces
1-25	1	1
26-50	2	
51-75	3	
76-100	4	
101-150	5	
151-200	6	
201-300	7	
301-400	8	
401-500	9	2
501-1000	2 percent of total	1 per 8 accessible spaces
1001 and over	20 plus 1.0 per every 100 stalls over 1000	

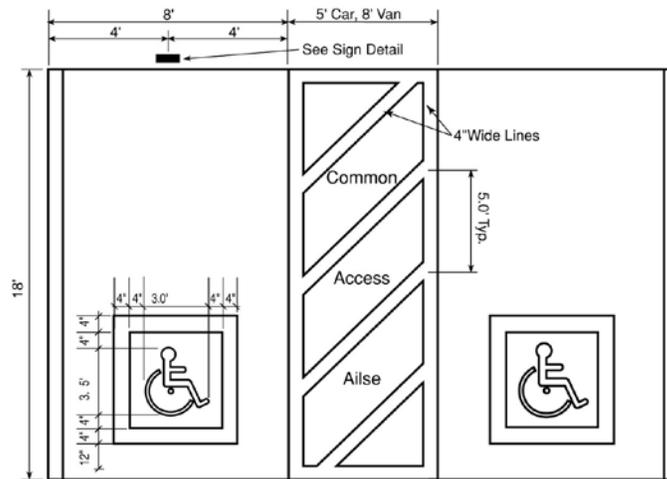
3. Loading Bays: All commercial and industrial uses shall refer to the Recommended Loading Bay Spaces Table for the recommended number of loading bay spaces. For the purposes of this section, loading bays relate to areas for the loading and unloading of goods rather than people. (orig. 7-23-02; am. 4-4-06)

RECOMMENDED LOADING BAY SPACES TABLE	
GFA (s.f.)	Min. Spaces Required
Less than 25,000	1
≥25,000 and < 40,000	2
≥40,000 and <100,000	3
≥100,000 and <160,000	4
≥160,000 and <240,000	5
≥240,000 and <320,000	6
≥320,000 and <400,000	7
For each additional 90,000 s.f. or portion thereof over 400,000	1

- 4. Pump spaces and interior service spaces for gasoline stations and vehicle repair operations may be counted as an automobile parking space when calculating overall automobile parking requirements but in no case shall stacking areas contribute to satisfying the overall automobile parking requirements. (orig. 7-23-02)
- 5. If the calculation of the required number of parking or loading spaces results in a fraction of a space, the parking or loading requirements shall be rounded up to the next whole number. (orig. 7-23-02)

E. Parking Lot Design Standards

1. **Setbacks:** All parking spaces and loading areas shall be located outside of required open space, buffer or landscaped areas. Parking spaces shall be located at least 6 feet from any building, structure, or property line. Loading areas shall be located at least 6 feet from any property line. (orig. 7-23-02)
2. **Automobile Parking Space Dimensions:** The minimum width of automobile parking spaces shall be 9 feet. The minimum length of all automobile parking spaces shall be 18 feet except that the minimum length of a parking space which is adjacent to a landscaped area may be reduced by 2 feet provided suitable ground cover is placed behind the curb a minimum distance of 2 feet. (orig. 7-23-02)
3. **Accessible Spaces:** Car-accessible spaces shall contain at least a 5 foot access aisle adjacent to the space while van-accessible spaces shall have at least an 8 foot access aisle. Accessible spaces shall be located on the shortest accessible route of travel to an accessible facility entrance. Accessible spaces shall be a minimum of 8 feet in width, 18 feet in depth. Van-accessible parking spaces, the access aisle, and the vehicular route to and from the van-accessible space shall contain a minimum 98-inch high clearance. (orig. 7-23-02; am. 12-17-02; am. 9-15-09)

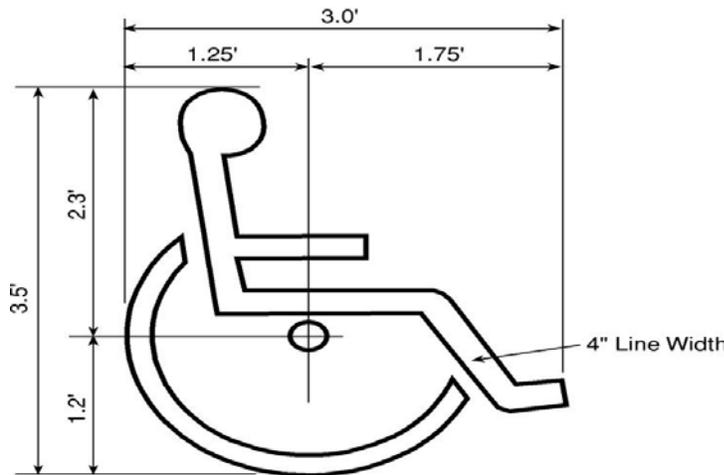


4. **Sidewalk:** Each parking facility requiring Site Development Plan approval and serving more than 8 vehicles shall have a sidewalk or other paved access, no less than 6 feet wide separating the parking area and the primary building, structure or use. A sidewalk connection shall be provided, where feasible, from an existing or proposed sidewalk adjacent to the subject property to the primary building onsite. (orig. 7-23-02; am. 9-15-09)
5. **Loading Bays:** Loading bays for goods shall be a minimum of 35 feet in length, 12 feet in width and 15 feet in height. The loading bay shall not occupy or intrude onto any emergency access or fire lane. (orig. 7-23-02)
6. **Circulation:** A traffic connection between non-residential parking lots and/or driveways on adjacent properties shall be provided for the purpose of enhanced traffic connectivity and circulation between individual projects where feasible. (orig. 9-15-09)
7. **Maneuvering Lane Standards:** Minimum maneuvering lane standards are shown in the Maneuvering Lane Standards Table except that if maneuvering lanes provide emergency access to buildings, then the minimum maneuvering lane width shall be increased to 25 feet regardless of the parking angle. (orig. 7-23-02; am. 4-4-06)

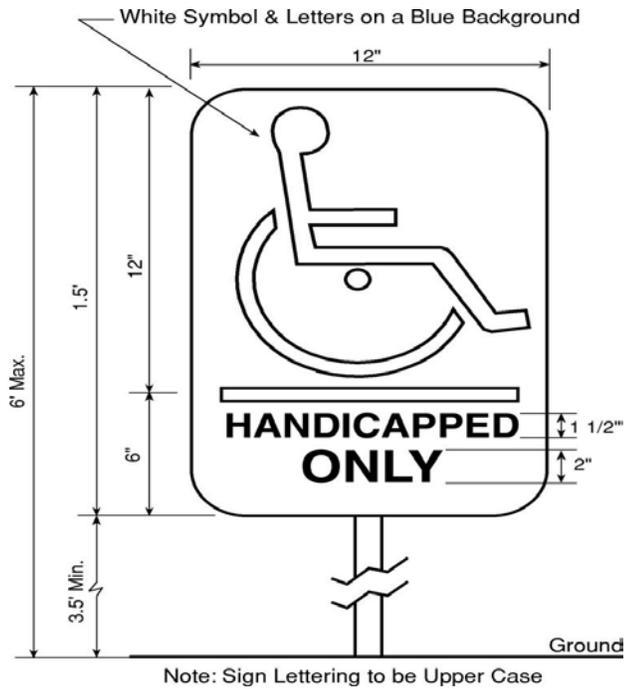
MANUEVERING LANE STANDARDS TABLE		
Parking Angle (degrees)	Maneuvering Lane Width (feet)	
	One Way	Two Way
30	12	Not Applicable
45	13	
50	13.25	
55	13.66	
60	14.5	
65	15.42	
70	16.5	
75	17.83	
90	Not Applicable	24

8. Surface requirements for parking facilities requiring Site Development Plan approval shall be as follows:
 - a. All parking and loading facilities in the Plains shall be concrete, asphalt, or permeable pavers and all facilities in the Mountains servicing uses with more than 150 vehicle trips per 24 hours shall be surfaced with concrete, asphalt, permeable pavers, or other dust control method approved by the County. (orig. 7-23-02; am. 9-15-09)
 - b. The minimum cross section for an impervious surface under any conditions shall be 2½ inches of hot bituminous pavement and 4 inches of aggregate base course (Class VI) on 6 inches compacted sub-grade or 4 inches of non-reinforced Portland Cement concrete pavement on compacted sub-grade. An equivalent full depth section over compacted sub-grade may also be used with the approval of the Planning Engineer. (orig. 7-23-02)
 - c. Permeable paver installation shall conform to the manufacturer's installation requirements and be approved by Planning and Zoning. (orig. 9-15-09)
9. Curb and Gutter: Commercial and industrial uses which require Site Development Plan approval and contain a parking facility with an impervious surface shall require curb and gutter as follows:
 - a. Raised curb shall be required for the perimeter of the parking lot and for all islands within the parking lot. (orig. 7-23-02)
 - b. Raised curbs shall be concrete. (orig. 7-23-02)
 - c. The curb may have slots cut in the perimeter of the curb, or curb stops may be used to allow stormwater runoff to flow into an island that is designed to accept stormwater. (orig. 9-15-09)
10. Drainage: All parking and loading facilities shall be designed, graded and provided with storm drainage facilities that comply with the most recent Storm Water and Drainage Criteria Manual except that sheet drainage shall not exceed 200 feet in the direction of flow. Parking areas wider than 42 feet shall contain some mechanism for concentrated flow of drainage, such as swales or underdrains. Drainage from snow storage, driplines, subdrains, and sheet flow from areas other than parking shall be diverted away from and shall not cross parking areas. (orig. 7-23-02)
11. Illumination: Lighting used to illuminate parking and loading areas shall comply with the Lighting Section of this Zoning Resolution. Lighting poles in parking areas shall be placed a minimum of 5 feet outside the parking lot area or 5 feet behind perimeter tire stop locations; or mounted on pedestals at least 30 inches high above the parking lot surface; or protected by other acceptable means. (orig. 7-23-02; am. 12-17-02; am. 9-15-09)

12. Grading: All grading activity shall comply with the Land Disturbance Section of this Zoning Resolution. The maximum grade within parking lots, excluding maneuvering lanes, shall be 6 percent in any direction, except for passive recreational uses where the maximum grade may be 8 percent. (orig. 7-23-02; am. 12-17-02; am. 10-12-04; am. 9-15-09)
13. Landscaping: Landscaping for parking facilities shall comply with the Landscaping Section of this Zoning Resolution. (orig. 7-23-02; am. 12-17-02; am. 9-15-09)
14. Vision Clearance Triangle: Parking signage, structures, landscaping and the location of parking spaces shall be designed so as to comply with the vision clearance triangle requirements as specified in the Definitions Section of this Zoning Resolution. (orig. 7-23-02; am. 7-1-03)
15. Parking Space Delineation
 - a. Surface Markings: All paved parking areas shall be marked by painted lines striped at least 18 feet long and 4 inches wide to establish vehicular and pedestrian movement and to define parking spaces. All accessible spaces shall be designated by a standard diagram centered on the ground of each parking space as specified below. (orig. 7-23-02)



- b. Signage: All accessible spaces shall be designated by a sign mounted on a post centered at the head of each space at a height of no less than 3.5 feet and no more than 6 feet above the surface as indicated below. All directional signs, excluding those required for accessible spaces, shall comply with the Signs and Outdoor Advertising Devices Section of this Zoning Resolution. (orig. 7-23-02; am. 12-17-02; am. 9-15-09)



15. No portion of a parking space or loading area shall extend into any street right-of-way or other public way. (orig. 7-23-02)
16. Except for single-family or duplex residential uses, head-in or back-out parking onto any public right-of-way, high-volume traffic lane or over a sidewalk shall not be permitted. (orig. 7-23-02)

F. Remote Parking

1. The Director of Planning and Zoning may approve locating the required automobile parking for a use on a remote site provided all of the following conditions are satisfied: (orig. 7-23-02; am. 12-17-02; am. 3-3-15)
 - a. Both the primary use and related off-site parking are located in a zone district which allows the primary use. (orig. 7-23-02)
 - b. The remote parking site is located within 300 feet of the primary use it serves, except for valet parking facilities. (orig. 7-23-02)
 - c. On-site parking has been maximized. (orig. 7-23-02)
 - d. All required accessible parking and loading spaces have been provided on-site. (orig. 7-23-02)
 - e. Submission of a written agreement between the record owners guaranteeing the use and operation of remote parking areas for the life of the principal use. (orig. 7-23-02)

G. Shared Parking

1. The Director of Planning and Zoning may approve the reduction of required automobile parking spaces for mixed-use developments under the following conditions: (orig. 7-23-02; am. 12-17-02; am. 3-3-15)
 - a. The applicant has submitted a study that clearly demonstrates the feasibility of shared parking. This study shall indicate overall peak parking demand, traffic loads and impacts for each of the buildings, structures or uses including the characteristics (size, tenant mix), the days and hours of operation, the differences in projected peak parking demand per building, structure or use,

the anticipated rate of parking turnover, and total vehicle movements for the parking facility as a whole. (orig. 7-23-02)

- b. The proposed building, structures or uses are on the same site or a remote parking plan has been approved by the Director of Planning and Zoning. (orig. 7-23-02; am. 12-17-02; am. 3-3-15)
- c. Automobile parking space requirements have not been reduced by more than 50 percent of the sum total of all proposed uses. (orig. 7-23-02)
- d. The impact of the shared parking is consistent with the intent and purpose of the zone district. (orig. 7-23-02)
- e. Submission of a written agreement between the record owners and affected tenants guaranteeing the use and operation of shared parking areas for the life of the principal use. (orig. 7-23-02)

H. Stacking

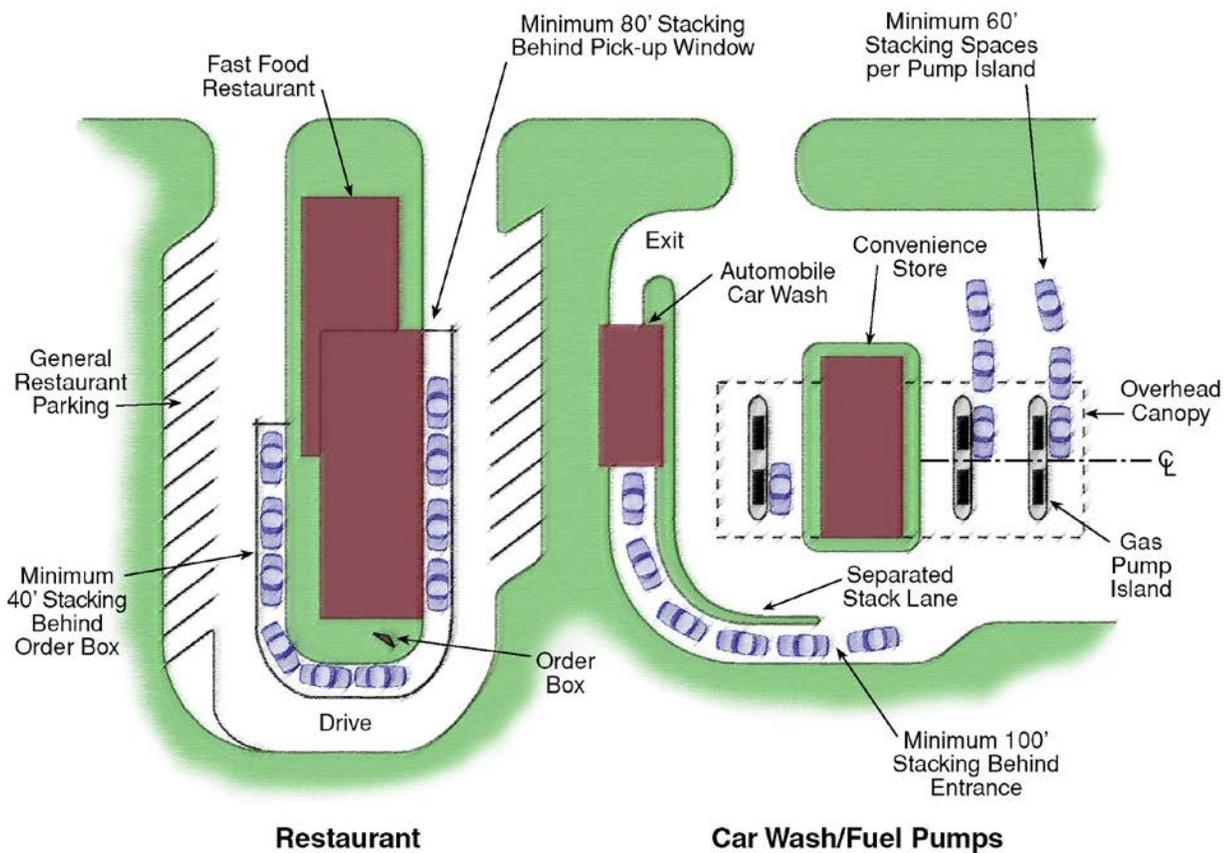
- 1. Vehicle Stacking: For Shopping or Recreation Centers, Discount Stores, Banks, and Medical Clinics and similar uses, the minimum required length of an on-site exit aisle between the parking lot and the public street or right-of-way shall be 20 feet or as indicated in the Required Exit Stacking Table. A stacking distance less than 125 feet may be permitted with the approval of the Planning Engineer. Required stacking distances shall be measured from the edge of the first maneuvering lane and may be distributed among accesses serving the site. (orig. 7-23-02; am.12-17-02; am. 4-4-06)

REQUIRED EXIT STACKING TABLE				
Land Use	Building Area (s.f.)	Min. Stacking Distance Required (feet)		
		Local Road	Collector Road	Arterial Road & Parkways
Shopping Center, Recreation Center	0-10,000	20	20	40
	10,001-20,000	20	40	100
	20,001-30,000	40	80	140
	30,001-40,000	60	100	180
	40,001-50,000	60	120	200
	50,001-100,000	60	120	200
	100,001-150,000	80	140	300
	150,001-200,000	100	200	400
	200,001-250,000	120	240	500
	250,001-300,000	140	300	600
	300,001-600,000	140	300	600
	600,001-700,000	160	300	600
	700,001-800,000	180	340	700
	800,001-900,000	200	400	780
900,001- 1.00 M	220	440	860	
1.00 M-1.5M	340	660	1,300	
Multi-Family Low Rise (3 stories or less)	0-80 units	20	40	40
	81-160 units	40	40	40
	161-300 units	40	40	80
High Rise	0-300 units	20	40	80

REQUIRED EXIT STACKING TABLE				
Land Use	Building Area (s.f.)	Min. Stacking Distance Required (feet)		
		Local Road	Collector Road	Arterial Road & Parkways
Restaurant Low Turnover, sit down, 1 hr or more	0-15,000	20	20	20
	15,001-30,000	20	20	40
High Turnover, Sit Down, Less than 1 hr	0-8,000	20	20	20
	8,001-16,000	20	20	40
	16,001-20,000	20	20	60
Drive-in or Drive- Through	0-2,000	20	20	20
	2,001-3,000	20	40	80
	3,001-5,000	40	60	120
	5,001-7,000	60	80	180
Motel	0-150 rooms	20	20	20
	151-400 rooms	20	60	100
	401-700 rooms	20	100	140
Conventional Hotel	0-150 rooms	40	40	80
	151-400 rooms	40	120	200
	401-700 rooms	40	200	280
Office Park	0-20,000	20	20	20
	20,001-50,000	20	40	60
	50,001-100,000	20	60	140
	100,001-150,000	60	100	200
	150,001-300,000	100	200	400
	300,001-500,000	160	320	660
Office Building	0-50,000	20	20	40
	50,001-100,000	20	40	80
	100,001-150,000	40	60	140
	150,001-200,000	40	80	180
Discount Store	0-30,000	20	20	20
	30,001-50,000	20	40	60
	50,001-75,000	20	40	100
	75,001-100,000	40	60	140
Supermarket	0-20,000	20	20	20
	20,001-30,000	20	40	60
	30,001-40,000	20	40	80
	40,001-50,000	20	60	120
Bank	0-10,000	20	20	40
	10,001-20,000	40	40	160
	20,001-30,000	60	120	240
	30,001-40,000	80	160	320
	40,001-50,000	120	200	400
Medical Clinic	0-100 Employees	20	20	40

2. Drive-up Areas: The minimum required length of an on-site maneuvering lane within a parking lot to a drive-up window or drive-through service shall be determined by Planning Engineering based on a traffic study submitted by the applicant unless otherwise indicated in the Required Stacking Table. (orig. 7-23-02; am. 4-4-06)

REQUIRED STACKING TABLE		
Type of Facility	Min. Stacking Distance Required (feet)	Measured From
Drive-up Bank Teller Lane	80 per window	Teller Window
Drive-up Bank ATM	60	ATM Window
Drive-up Restaurant	120 per window (min. 80 feet between the order box and pick-up windows)	Order Window
Drive-up Liquor Store	60 per window	Service Window
Drive-up Cleaners	60 per window	Service Window
Drive-in Theatre	20 per 15 percent of total parking spaces	Theatre Entrance
Automatic Car Wash	100 per wash line	Car Wash Entrance
Self-service Car Wash	60 per wash line	Car Wash Entrance
Service Station	60 per pump area	Center of Pump Island
Hospital Emergency Entrance	20 per 1 percent of total parking spaces	Emergency Entrance



I. Use Of Parking Spaces And Loading Areas

1. Parking spaces and loading areas shall not be used for the sale or display of merchandise or materials, storage or repair of vehicles or equipment, for trash containment areas, or for shopping cart storage unless otherwise permitted by this Zoning Resolution and approved by Planning and Zoning. (orig. 7-23-02; am. 4-27-04; am. 5-20-08)
2. Loading areas shall not be used as parking spaces. (orig. 7-23-02)

J. Maintenance

1. All required parking facilities shall be maintained for the duration of the use or building requiring such facilities. (orig. 7-23-02)
2. Parking facilities shall be maintained in good condition, free of weeds, dust, trash and debris, and major surfacing defects. (orig. 7-23-02)



12/13/16

Section 15: Landscaping

(orig. 7-23-02; am. 2-13-01; am. 4-20-10)

A. Intent and Purpose

To provide clear regulations for landscaping design, installation and maintenance consistent with landscape and nursery standards and practices, available technologies, and horticultural sciences in an effort to:

1. Buffer, separate, or screen conflicting land uses to mitigate adverse impacts from noise, odor, or lighting. (orig. 7-23-02)
2. Promote stormwater runoff reduction and absorption of small storm flows by encouraging site designs that use landscaping as a stormwater feature. (orig. 9-15-09)
3. Provide a minimum amount of Common Useable Area and Communal Amenities for the enjoyment of the residents of new residential developments. (orig. 9-24-13)
4. Promote safety and privacy of residents and businesses. (orig. 7-23-02)
5. Conserve native vegetative resources and preserve and protect native ecosystems and habitats, existing trees, and trees of historic or other significant value. (orig. 7-23-02)
6. Complement the natural landscape and retain the aesthetic and ecological integrity of a mountain or plains environment. (orig. 7-23-02)
7. Require landscaping appropriate to the land use, terrain, local climate, elevation and character of the area. (orig. 7-23-02)
8. Reduce erosion, storm water runoff, and air pollution. (orig. 7-23-02)
9. Ensure the continued maintenance of approved or existing landscaping in all residential, commercial and industrial zone districts. (orig. 7-23-02; am. 7-6-04)
10. Promote wildfire-safe environments. (orig. 7-23-02)

B. General Provisions

1. Regulation
 - a. Nothing in this section precludes compliance with the specific zone district regulations, other regulations within this Zoning Resolution or other County regulations, or with State and Federal regulations as they may exist. Where Federal, State or County requirements conflict with the provisions of this section, the more restrictive standard shall apply. Where it is difficult to discern the more restrictive standard, the standard that is more local in application shall apply. (orig. 7-23-02)
 - b. The provisions of this section are not intended to prevent the use of any design, material or method of installation not specifically proscribed by this section provided any such alternate has been approved by the Director of Planning and Zoning. An alternate may be approved if the proposed design, material or method is equal to or better than the specific requirements of this section and complies with the intent of this section. (orig. 7-23-02; am. 12-17-02; am. 12-21-10)
 - c. A Landscape Architect, licensed in the State of Colorado, must prepare the landscape and tree preservation plan. (orig. 9-15-09)
2. Procedures
 - a. Site Development Plan applications shall be accepted, reviewed and processed pursuant to the Site Development Plan process outlined in the Administrative Provisions Section of this Zoning Resolution. (orig. 7-23-02; am. 3-26-13)
 - b. Commercial, office, industrial, and institutional shall submit a landscaping plan pursuant to the provisions of the Site Development Plan process. Landscaping plans for single-family residential, multi-family and duplex developments shall be required for common areas only, both internal to and around the perimeter of the subdivision, but not for individual lots. (orig. 7-23-02; am. 12-17-02)

3. Applicability

- a. All landscaping newly designed, constructed, erected, or otherwise installed on or after September 1, 2002 for commercial, office, industrial, institutional and proposals for common areas of single-family, multi-family and duplex proposals shall be in conformance with the requirements of this section. The requirements of this section do not apply to individual single-family lots. (orig. 7-23-02; am. 12-17-02; am. 9-15-09)
- b. Any alterations, rehabilitation, or renovations to existing landscaping commenced after September 1, 2002 shall be in conformance with the requirements of this section except where an existing landscaping plan has been approved on the site. Where existing landscaping has been approved through a County process, additional landscaping shall be compatible with the previously approved landscaping and is not required to comply with any regulations which may be inconsistent to the existing landscaping. (orig. 7-23-02)
- c. Buildings and structures lawfully existing as of the date of adoption of this regulation (September 1, 2002) may be modernized, altered, expanded, or repaired without providing or modifying the landscaping providing there is no cumulative increase in floor area in such building or structure beyond ~~50~~25% of the size of the building as it existed on September 1, 2002. (orig. 7-23-02)
- d. Landscaping shall not be required for additions, expansions, alterations or enlargements of an existing parking facility where the number of additional cumulative spaces required is less than 50 percent of the number of automobile parking spaces required at original construction. Where interior landscaping is proposed, it shall be consistent with the existing landscaping or, if it exists, the pre-approved landscape plan. (orig. 7-23-02)
- e. The maintenance provisions of this section shall apply to all landscaping that has been approved by the County and for which there is an approved landscape plan on record. (orig. 7-23-02; am. 7-6-04)
- f. The accumulation of weeds on property including behind alleys and the sidewalk areas in front of such properties shall not occur on residential lots, parcels and tracts. Properties zoned Agricultural-One, Agricultural-Two, Agricultural-Thirty Five, Mountain Residential-One, Mountain Residential-Two, Mountain Residential-Three, Suburban Residential-One, Suburban Residential-Two, or Suburban Residential-Five shall be excluded from this provision, if such properties are over 1 acre in size or over an elevation of 6400 feet. (orig. 7-6-04)
- g. Undeveloped vacant properties zoned for nonresidential development shall not allow for the accumulation of weeds on the property. (orig. 7-6-04)
- h. Landscaping areas that are also stormwater structures shall be inspected and maintained as required in the Permanent Stormwater Quality Structure Maintenance Section of this Zoning Resolution. (orig. 9-15-09)

C. Prohibitions

The installation and maintenance of the following shall be prohibited in Jefferson County:

1. All plants identified as noxious weeds by Jefferson County, the State of Colorado or the Federal government; female Box Elder (*Acer negundo*); White or Silver Poplar (*Populus alba*); Siberian Elm (*Ulmus pumila*); Tree of Heaven (*Ailanthus altissima*); Tamarisk (all species & cultivars); and Russian Olive (*Elaeagnus angustifolia & cultivars*). (orig. 7-23-02; am. 9-15-09)
2. For maintenance reasons, within 30 feet of any street or road: Silver Maple (*Acer saccharinum*), Narrow-leaf Cottonwood (*Populus angustifolia*), Plains Cottonwood (*Populus sargentii*), Eastern Cottonwood (*Populus deltoides*), Lombardy poplar (*Populus nigra 'Italica'*), tree-form Willow (*Salix*). (orig. 7-23-02)

D. Exemptions

The following shall be exempt from the requirements of this section and shall not count toward the calculation of landscaped area unless it meets the intent and purpose of this section and has been approved by the Director of Planning and Zoning. (orig. 7-23-02; am. 12-17-02; am. 12-21-10)

1. Areas used for farming or ranching. (orig. 7-23-02)

2. Areas governed by a conservation easement established for the purpose of preserving natural areas. (orig. 7-23-02)
3. Areas designed to remain in a natural state, including areas required to be thinned by the Colorado Forest Service. (orig. 7-23-02)

E. General Standards

1. Design
 - a. Landscape materials shall be selected, sited, and planted to produce a hardy and drought-resistant landscaped area. Selection shall include consideration of soil type and depth, the amount of maintenance required, spacing, exposure to sun and wind, elevation, the slope and contours of the site, and compatibility with existing native vegetation preserved on the site, and on adjacent sites. (orig. 7-23-02)
 - b. Landscaping shall be designed to incorporate water conserving materials and techniques through the application of xeriscape landscaping principles. Xeriscape landscaping principles do not include or allow artificial turf or plants, mulched or gravel (including crushed rock, etc) beds or areas without landscape plant material, bare ground, weed infested surfaces or any landscaping that does not comply with the standards of this section. Xeriscape landscaping principles shall include all of the following:
 - (1) Grouping plants with similar water and sunlight requirements together. (orig. 7-23-02)
 - (2) Limiting the application of turf to appropriate high-use areas with high visibility and functional needs. (orig. 7-23-02)
 - (3) Use of low-water demanding plants and turf where suitable. (orig. 7-23-02)
 - (4) Use of automatic irrigation systems, designed and operated to conserve water. (orig. 7-23-02)
 - (5) Incorporation of soil amendments, where appropriate. (orig. 7-23-02)
 - (6) Use of mulches. (orig. 7-23-02)
 - (7) Planting appropriate materials suited to the soil and climate. (orig. 7-23-02)
 - c. All planted areas shall receive mulch. (orig. 9-15-09)
 - d. Landscaped areas that are designed for stormwater management should refer to the Jefferson County Storm Drainage and Technical Criteria. (orig. 9-15-09)
 - e. The minimum horizontal distance between trees and the following items shall be as follows, unless otherwise stated in this section: (orig. 7-23-02; am. 9-15-09)

Item	Distance from Tree
Streetlight	30 feet
Water Mains	9 feet
Gas Lines	No trees permitted within easement
Back of Curb and Gutter, Sidewalk	5 feet
Ditch Flowline	3 feet

- f. All areas disturbed by construction but intended for development as part of a later phase shall be revegetated with a mix of perennial grasses and native wildflowers to emulate a natural appearance appropriate for site conditions. (orig. 7-23-02)
- g. All landscaping areas shall comply with the vision clearance triangle requirements as specified in ~~the Definitions Section of this Zoning Resolution~~ Transportation Design and Construction Manual. ~~Trees branches may encroach into the vision clearance triangle provided the lowest branch shall be at least 7 feet higher than the finished grade of the street or road. In addition, landscape materials located within the vision clearance triangle and within 5 feet of the back of curb shall not exceed 42 inches at mature height.~~ (orig. 7-23-02; am. 7-1-03; am. 5-26-09)

Trees and any other landscape materials in accordance with approved landscaped plans within

5 feet of back of curb shall not cause sight distance problems with vehicles entering the adjoining street from driveways or nearby intersections. In case of future disputes regarding sight distance, the County's sight distance table in the Transportation Design & Construction Manual shall be used to determine the outcome.

- h. Trees may be formally massed to produce a steady, discernible rhythm or row or may be clustered to provide groups of trees. (orig. 7-23-02)
- i. Ground cover, turf, or native grass shall be used to cover the landscaped area between trees and/or shrubs. (orig. 7-23-02)
- j. All irrigated landscaping adjacent to streets in the Dipping Bedrock Overlay District shall contain perimeter drains. (orig. 7-23-02)
- k. All medians greater than 4 feet in width shall be landscaped and landscaping material shall be limited to the following: (orig. 7-23-02)

Width of Median	Landscaping Material Permitted
10 feet or less	Hardscapes (no more than 25 percent of the median area) Shrubs under 36 inches in height Turf Native Grass Ground Cover
More than 10 feet	Trees (one tree per 30 linear feet is required) Shrubs Hardscapes (no more than 25 percent of the median area) Turf Native Grass Ground Cover

2. Installation

Plant materials shall be installed to current nursery standards and sound horticultural practices, including any support devices required, in a manner designed to encourage quick establishment and healthy growth. (orig. 7-23-02)

3. Plant Selection

- a. In mountain landscapes, a minimum of 60% of the total number of required trees shall be evergreen. (orig. 9-15-09)
- b. In plains landscapes, a minimum of 20% of the total number of required trees shall be evergreen. (orig. 9-15-09)
- c. In all landscapes, a minimum of the 20% of the total number of required shrubs shall be coniferous evergreen. (orig. 9-15-09)

4. Plant Sizes

- a. The following minimum sizes shall be required at the time of installation: (orig. 7-23-02; am. 12-14-04; am. 5-26-09)

Type	Size (measured 4'6" above finished grade)
Deciduous Trees (balled & burlapped)	2" caliper (shade trees) 1½" caliper (ornamental trees) 2 ¼ " caliper (where adjacent to designated arterial or higher street classification)
Coniferous Trees (balled & burlapped)	6'0" high

Ground Cover, Perennials, Ornamental Grasses	1 gallon
Shrubs	5 gallon

- b. Species diversity for trees shall be required as specified below: (orig. 7-23-02)

No. of Trees	Maximum % of any One Species	
	Mountains	Plains
Less than 10	none	None
10 or more	50%	33%

5. Preservation:

- a. The following shall be preserved and protected where practicable, unless preservation or protection conflicts with floodplain, dipping bedrock, wildfire regulations or other County, State or Federal requirements. All tree preservation plans are to show all existing trees as described in (1) through (5) below: (orig. 7-23-02; am. 12-17-02; am. 9-15-09)
- (1) Healthy trees over 6" in caliper in the Plains and 8" in caliper in the Mountains, measured 4.5 feet above finished grade. (orig. 7-23-02)
 - (2) Trees associated with a historic event, place, person or which are unusual, rare or significant as determined by the County or Forest Service. (orig. 7-23-02)
 - (3) Vegetation, not including trees, over 8 feet in height. (orig. 7-23-02)
 - (4) Mature clusters or stands of healthy trees or shrubs. (orig. 7-23-02)
 - (5) Riparian, wetland and critical wildlife areas. (orig. 7-23-02)
- b. Each existing preserved tree meeting the above criteria shall count triple towards meeting the tree quantity requirements of this section, except for any tree requirements related to parking lot or perimeter landscape vegetation. (orig. 7-23-02; am. 9-15-09)
- c. Any tree meeting the preservation and protection criteria above which cannot be protected or preserved shall be replaced with 3 trees meeting the size and quality standards in this section. (orig. 7-23-02)
- d. Prior to commencement of and during any construction activity (except for utility line installation), a temporary barrier shall be erected at the dripline around existing trees that are slated for protection. Fences around the trunk are not acceptable. This barrier shall consist of bright plastic fencing a minimum of 4 feet in height, secured with metal t-posts. A tree protection detail and applicable protection notes must be included on the landscape plan for all trees qualifying for preservation. (orig. 7-23-02; am. 9-15-09)

6. Inspection

- a. The landowner shall request an inspection by Planning and Zoning upon installation of all landscape improvements (final inspection). The inspection shall occur in conditions with little to no accumulated snow on the subject property. (orig. 7-23-02; am. 7-6-04; am. 5-20-08; am. 9-15-09)
- b. The landscaping and all site work shall be completed in accordance with the approved landscape plan for the project. (orig. 7-23-02)
- c. In the event that native seed has not germinated, a second inspection will be required, and will be scheduled at the discretion of Planning and Zoning. (orig. 9-15-09)

d. All re-inspections shall be subject to the applicable re-inspection fee. (orig. 9-15-09)

7. Security

- a. Prior to approval of the Site Development Plan, the landowner shall submit an improvement security in an amount necessary to ensure compliance with the standards in this section and the approved landscape plan. (orig. 7-23-02)
- b. The amount of the security shall be 100 percent of the cost of the landscaping material plus a contingency amount equivalent to 10 percent of the total cost. The cost of all landscaping material shall be based on the County's price list. All items shown on the approved landscape plan shall be secured to ensure installation, including but not limited to all proposed soft and hardscape items, and barriers for existing trees slated for protection. (orig. 7-23-02; am. 12-17-02)
- c. The security shall be in the form of cash escrow or an irrevocable letter of credit payable to the Board of County Commissioners of Jefferson County. (orig. 7-23-02)
- d. The security shall be released only after final inspections have been made and all landscaping has been accepted by the County, either for the entire site or for a phase of construction. (orig. 7-23-02)

8. Landscape Plan requirements:

a. The landscape plan shall be prepared by a landscape architect and shall include all of the following: (orig. 7-23-02; reloc. xx-xx-xx)

(1) Scale (scale shall be at least 1:20 or larger for sites of 2 acres or less and at least 1:50 for sites greater than 2 acres in size); (orig. 7-23-02; reloc. xx-xx-xx)

(2) The proposed site grading topographic contours at a minimum of 2-foot intervals (in steep terrain, larger intervals may be required) or other appropriate interval as approved by Planning and Zoning and necessary spot elevations; (orig. 7-23-02; am. 12-17-02; am. 4-27-04; am. 5-20-08; reloc. xx-xx-xx)

(3) Plant legend, shown on each sheet, including botanical and common plant names, plant sizes and quantities of all trees, shrubs, and ground covers proposed and slated for preservation; (orig. 7-23-02; reloc. xx-xx-xx)

(4) Seed mixes, application rates, and quantities; (orig. 7-23-02; reloc. xx-xx-xx)

(5) The location and size of all landscaped areas within the site, sight distance triangles, lot boundaries, trees and vegetation (proposed and to be preserved), significant existing physical site features (e.g. watercourses, rock outcroppings), property lines and easement locations, utilities (e.g. water, sewer, telephone, power, cable), location of new pole lights, existing and proposed buildings and structures, existing and proposed driveways, roads, walkways (including grades), plazas, buildings, playground equipment, parking areas, landscape amenities (e.g. fences, walls, planters, benches, signs), areas to be paved, graveled or covered by decks, retaining walls, detention ponds, drainageways or swales, areas to be revegetated, proposed plants to a scale at maturity, soil amendments, existing vegetation and its condition, 100-year floodplain, all areas on and off-site, including within the adjacent rights-of-way, that will be disturbed by construction activity. (orig. 7-23-02; reloc. xx-xx-xx)

(6) Planting and construction details (where applicable) as well as plan notes to assist in clarifying design intent; (orig. 7-23-02; reloc. xx-xx-xx)

(7) Easement(s) for any off-site landscaping proposed; and (orig. 7-23-02; reloc. xx-xx-xx)

(8) A phasing plan for multi-phased projects identifying the separate phases, revegetation, stabilization and erosion control between phases, and the landscaping associated with each phase. (orig. 7-23-02; reloc. xx-xx-xx)

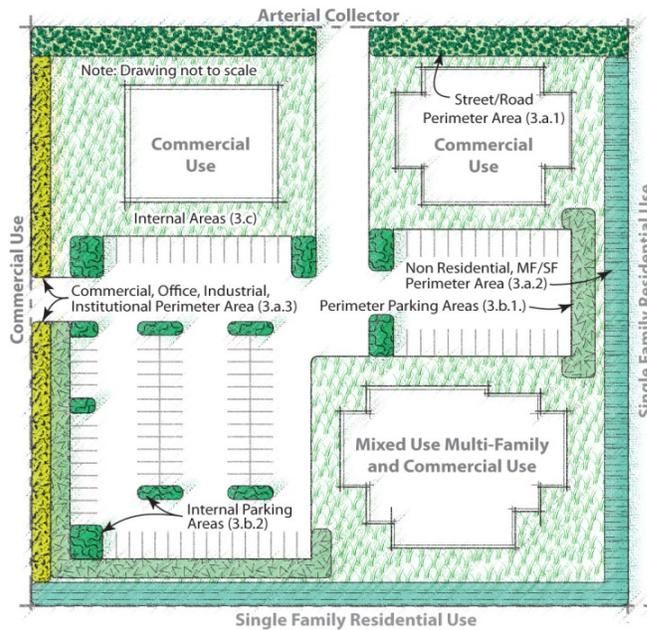
F. Specific Standards

1. Landscaping shall be required for all common areas internal to and around the perimeter of any single-family or duplex development, for any multi-family development, and for commercial, industrial, and institutional uses as follows: (orig. 7-23-02; am. 12-17-02; am. 12-14-04; am. 9-15-09)
2. The total required minimum landscaped area (includes perimeter, parking, and internal landscaped areas) is as follows, unless already specified in an approved Official Development Plan. (orig. 7-23-02; am. 9-24-13)

Use	Percent (%) of Total Site Area
Multi-Family	35%
Mixed Use (Neighborhood Commercial Level)	15%
Mixed Use (Large Scale Commercial Level)	25%
Heavy Industrial	10%
Commercial, Office, Light Industrial, Institutional	15%

3. The total required minimum plant counts shall be indicated below as trees and shrubs per linear feet or square feet. These requirements are used to determine the exact number of trees and shrubs required, not the exact location of the planting. Trees and shrubs may be planted in a linear, clustered, or in other appropriate patterns. It shall be the discretion of the landscape architect and staff to determine the most appropriate layout for the landscaping. (orig. 9-15-09)
4. In order to provide a minimum amount of Common Useable Area and Communal Amenities for the shared use of all residents, all residential developments of greater than 25 lots/units shall provide the following: (orig. 9-24-13)
 - a. A minimum of 250 square feet of Common Useable Area per each residential unit. Within the Mixed Use Neighborhood Commercial (MU-N) and Large Scale Commercial (MU-LS) zone districts, this requirement shall be 75% of the total minimum landscaped area. Common Useable Area will be credited toward the minimum landscaped area requirement. (orig. 9-24-13)
 - b. A minimum of 35 square feet per residential unit of the Common Useable Area shall consist of a Communal Amenity. Within the Mixed Use Neighborhood Commercial (MU-N) and Large Scale Commercial (MU-LS) zone districts, 35% of the Common Useable Area shall consist of Communal Amenities. (orig. 9-24-13)
 - (1) When clubhouses, indoor recreational facilities or similar structural amenities are proposed, each square foot shall be credited 2 times the required square footage. (orig. 9-24-13)
 - (2) Within the Mixed Use Neighborhood Commercial (MU-N) or Mixed Use Large Scale Commercial (MU-LS) Zone Districts, public plazas shall be credited two times the minimum requirements of this section when the plaza contains at least 3 of the following: (orig. 9-24-13)
 - (a) Within at least one permanent sitting space per every 250 feet of plaza or public space area. (orig. 9-24-13)
 - (b) A mixture of areas that provide shade through canopies, canopy trees, awnings, arcades, etc. (orig. 9-24-13)
 - (c) A water feature or piece of public art. (orig. 9-24-13)
 - (d) Permanent outdoor dining areas. (orig. 9-24-13)
 - (e) Use of decorative pavers and pervious pavement treatment for hardscape areas. (orig. 9-24-13)
 - (f) Similar amenities as approved by Planning and Zoning. (orig. 9-24-13)

5. Landscape Areas contain perimeter areas, parking areas, and internal areas. The following graphic depicts each type of landscaped area outlined in this section, the graphic is not inclusive of all possible landscaping situations and is not to scale. (orig. 9-15-09)



a. Perimeter Areas

- (1) Street/Road Perimeter Areas: The landscaped areas within 10 to 30 feet from the property line, adjacent to right of way as shown below. These landscaped strips shall be wholly contained within the site unless otherwise approved by Planning and Zoning. (orig. 7-23-02; am. 7-1-03; am. 7-6-04; am. 5-20-08; am 9-15-09; am. 11-24-15)

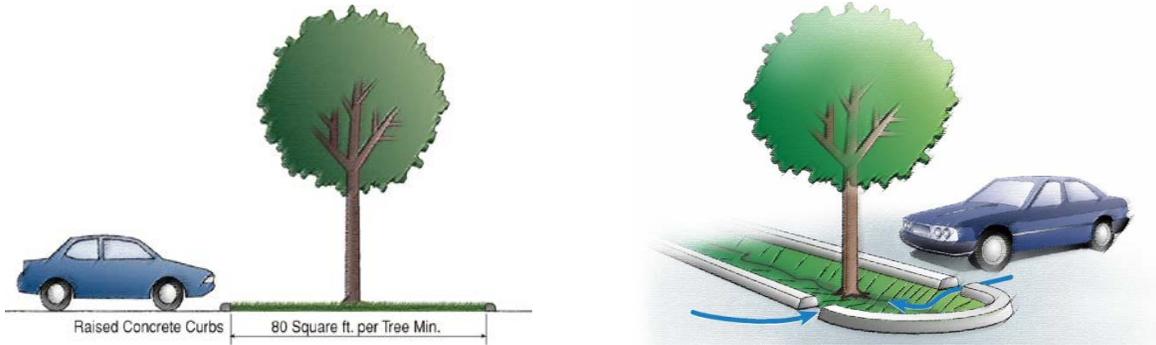
Right of Way Type	Landscape Strip Width
Freeway	30 feet
Major Collector/Arterial/Parkway	20 feet
Collector	10 feet

- (a) Landscape planting requirements shall be calculated at 1 tree per every 30 linear feet of perimeter landscaped area and 5 shrubs per 1,000 square feet of the total perimeter landscaped area and may be installed in a linear, cluster, or other appropriate pattern. (orig. 7-23-02; am. 9-15-09)
- (b) Along the south side of east-west streets, evergreens shall be a minimum of 15 feet from the back of the curb or edge of the road. (orig. 7-23-02)
- (2) Non-residential and Multi-family Residential Adjacent to Single Family Residential Perimeter Areas: Commercial, office, institutional and industrial uses (including parking facilities) proposed adjacent to existing or proposed single and multi family residential uses shall require the installation of a 10 foot wide landscaped screen which visually obscures or obstructs the commercial, office, institutional or industrial use from the residential use. Additionally, multi-family uses adjacent to single family uses shall require the installation of a 10 foot wide landscaped screen which visually obscures or obstructs the multi-family residential use from the single family residential use. The landscaped screen shall meet the following requirements: (orig. 7-23-02; am. 12-17-02; am. 9-15-09)
- (a) No less than 75% of the total required plant materials shall be evergreen. (orig.

9-15-09)

- (b) There shall be at least one tree per 30 linear feet and installed in a manner that best screens the proposed use from the adjacent residential uses. (orig. 9-15-09)
 - (c) There shall be at least 5 shrubs per 500 square feet of landscape screen area that will grow to at least 4 feet in height, planted to in a manner that best screens the proposed use from the adjacent residential uses. The intent of the shrubs is to mitigate headlight glare from drives and parking areas. (orig. 9-15-09)
 - (d) Ground cover plants, native grass or turf must fully cover the remainder of the landscaped area except under trees where mulch may be used. (orig. 9-15-09)
 - (e) A 6 foot high closed masonry or wood wall, fence, or berm may be substituted for the shrub vegetation, but the trees and ground cover are still required. (orig. 9-15-09)
- (3) Commercial, Office, Industrial, and Institutional Perimeter Areas: There is no buffer requirement between commercial, office, industrial and institutional uses adjacent to similar uses. Adjacent landscape areas shall follow the internal landscaping requirements. (orig. 5-26-09; am. 9-15-09)
- (4) Turf areas shall comprise no more than 75 percent of the total perimeter landscaped area in the plains and 20 percent in the mountains. (orig. 7-23-02; am. 12-17-02)
- b. Parking Lot Areas
- (1) Perimeter Parking Areas: The landscaped area within six (6) feet of the back of curb to the parking area. Landscaping shall be provided within and around the perimeter of all parking lots except adjacent to buildings on the site.
- (a) Planting requirements shall be calculated at 1 tree and 5 shrubs per 1,000 square feet of the total perimeter parking area. Plantings may be installed in a linear, cluster, or other appropriate pattern. (orig. 7-23-02; am. 9-15-09)
 - (b) If overlaps exist between the Parking Lot Perimeter Area and the Non-residential and Multi-family Residential Adjacent to Single Family Residential Perimeter Area, the parking perimeter vegetation is required in addition to any required perimeter vegetation. (orig. 7-23-02; am. 9-15-09)
 - (c) If overlaps exist between the Parking Lot perimeter area and another perimeter area, the Perimeter Parking Lot Area landscaping requirement shall be used for the portion of the perimeter area that overlaps. (orig. 9-15-09)
- (2) Internal Parking Areas: For the purposes of this section, internal landscaped areas of a parking lot shall be defined as landscape islands or landscape strips. (orig. 9-15-09)
- (a) The minimum landscaped area, internal to the parking lot, shall be no less than 5 percent (5%) of the total impervious parking lot area. (orig. 7-23-02; am. 12-17-02; am. 9-15-09)
 - (b) Planting requirements shall be calculated at a minimum of 1 tree and 5 shrubs per 500 square feet of landscaped area internal to the parking lot. The plantings may be installed in a linear or clustered fashion that maximizes shade and parking lot screening. Ornamental trees and grasses do not count toward the minimum tree and shrub requirements for parking lot internal planted islands or perimeter areas. (orig. 7-23-02; am. 9-15-09)
 - (c) For parking areas with 50 impervious designated parking spaces or more that are over parked by 110% or higher by the minimum parking standards, the minimum landscape area internal to the parking lot shall be no less than ten percent (10%) of the total impervious parking lot area. (orig. 9-15-09)
 - (d) A planted landscape island is required at the end of all parking rows and for every fifteen (15) parking spaces in a row. The landscaped island must be a minimum of 80 square feet and at least 4 feet in width. All islands shall include at least 1 shade tree ~~for every 80 square feet.~~ (orig. 9-15-09)

- (e) Landscaped islands may be two (2) feet shorter than the parking space. (orig. 9-15-09)
- (f) Each landscaped island proposed may be sumped to allow stormwater to flow into the landscaped island area and shall include at least one shade tree, include at least 80 square feet of ground area per tree, and have raised curbs, with curb cuts for stormwater flow or wheel stops. (orig. 7-23-02; am. 9-15-09)



c. Internal Areas

- (1) Internal landscaping is the remaining landscape area after the perimeter landscape areas and parking landscape areas have been subtracted from the percent of the total site area that is required to be landscaped. (orig. 9-15-09)
- (2) Planting requirements shall be calculated at 1 tree and 5 shrubs per 1,000 square feet of the total internal area. Plantings may be installed in a linear, cluster, or other appropriate pattern (orig. 7-23-02, am. 9-15-09)
- (3) Except for sports fields and other similar uses, turf areas shall comprise no more than 75 percent of the total internal landscaped area in the Plains and 10 percent in the Mountains (except for multi-family in the mountains, which shall be 75 percent). Gravel or rock shall not comprise more than 25 percent of the landscaped area. (orig. 7-23-02; am. 12-17-02)

5. Detention Ponds

- a. No trees shall be planted below the water surface elevation. (orig. 7-23-02)
- b. The applicant shall demonstrate that any vegetation proposed within the detention pond does not impede access for maintenance purposes. (orig. 7-23-02)

6. Stormwater Features

- a. Refer to the Jefferson County Drainage and Technical Criteria for guidelines on designing landscaped stormwater features that are designed to absorb small storm flows of the Water Quality Capture Volume. These structures include, but are not limited to: grass buffers, grass swales, block and porous pavers, porous landscape detention. (orig. 9-15-09)

G. Measurements

- 1. Spacing for plant placement shall be measured from the centerline of the tree or shrub. (orig. 7-23-02)
- 2. Unless otherwise specified in this section, trunk caliper (the diameter of the tree trunk) shall be measured 12 inches above grade for trees 4 inches or less in diameter and 4.5 inches above grade for trees greater than 4 inches in diameter. (orig. 7-23-02)

H. Maintenance

- 1. Maintenance of required landscaping, including irrigation systems, fences, walls, sidewalks and other landscape structures where they exist, is the ongoing responsibility of the landowner. Where irrigation systems, landscaping or sidewalks exist or are proposed to be installed within

County rights-of-way, maintenance shall be the responsibility of the applicable Homeowner Association (or equivalent) or adjoining landowner unless otherwise agreed to by the County. The County shall have the right to remove any irrigation systems, landscaping, or sidewalks within rights-of-way. (orig. 8-17-99; am. 7-23-02)

2. Plant materials in required landscaped areas shall be continuously maintained in a healthy, growing and orderly condition. This shall include proper pruning, mowing of turf areas, fertilization, the regular application of appropriate quantities of water, and the regular treatment and repair of all diseased or insect ridden materials. All unhealthy, damaged, destroyed, irreparable, removed, or dead plant materials shall be replaced within one (1) growing season (where a growing season is defined as the period between April 15 and October 15) with plant materials of similar variety. In all cases, the replacement plant material shall preserve the intent and purpose of the original plant material and shall comply with the requirements of this Zoning Resolution. (orig. 8-17-99; am. 7-23-02)
3. Structures in required landscaped areas, such as irrigation systems, fences, walls, sidewalks and other landscape elements, shall be continuously maintained in a structurally sound and orderly condition. All damaged, destroyed, irreparable, or removed landscape structures shall be replaced within one (1) year with similar structures. In all cases, the replacement structure shall preserve the intent and purpose of the original structure and shall comply with the requirements of this Zoning Resolution. (orig. 8-17-99; am. 7-23-02)
4. Required landscaped areas shall be kept free of trash, litter, weeds, pests, and other such elements not part of the approved landscaping plan. (orig. 8-17-99; am. 7-23-02)
5. Existing landscaping within residentially zoned lots, parcels and tracts shall be kept in an orderly condition and free of trash, litter, weeds and pests. (orig. 7-6-04)

Section 1 - Administrative Provisions

(orig. 7-24-78; am. 4-20-10)

A. Purpose

The purpose of this Land Development Regulation is to promote the health, safety and welfare of the present and future inhabitants of the County of Jefferson by assuring quality and orderly development of land to meet the needs of a changing population, giving due consideration to protection of the land, environment and natural resources. (reloc. 7-12-05; am. 4-20-10)

B. Authority

This Regulation is adopted in accordance with and pursuant to the provisions of Article 28 of Title 30, Article 20 of Title 29, and Article 2 of Title 43, C.R.S., as amended. (reloc. 7-12-05; am. 4-20-10)

C. Application

The provisions of this Regulation shall apply to the following categories: (reloc. 7-12-05; am. 4-20-10)

1. Land to be subdivided pursuant to Section 30-28-101 et.seq. C.R.S. and any lot or parcel created by the subdivision of land after May 5, 1972, without appropriate County approval. The subdivision processes are listed below and the specific requirements for each process are listed in the corresponding sections of this Regulation. (orig. 4-20-10)
 - a. Preliminary and Final Plat (orig. 4-20-10)
 - b. Preliminary Plat (orig. 4-20-10)
 - c. Final Plat (orig. 4-20-10)
2. Land to be divided in accordance with a "Rural Land Use Process" pursuant to Section 30-28-401, et.seq., C.R.S., as amended. The Rural Cluster process has been adopted by the County pursuant to the provisions of the statute. (orig. 12-21-10)
3. Developments activities exempted from the term "subdivision" and "subdivided land" by the Board of County Commissioners pursuant to Sections 30-28-101(10)(d) C.R.S., unless listed in the Exceptions Section below. The specific qualifications for each exemption process listed below and the processing requirements are listed in the corresponding sections of this Regulation or the Zoning Resolution. (orig. 4-20-10; xx-xx-xx)
 - a. Exemption (orig. 4-20-10)
 - b. Minor Adjustment (orig. 4-20-10)
 - c. Residential Structure Exclusion (orig. 4-20-10)
 - d. Site Adjustment/Dedication Plat (orig. xx-xx-xx)
4. Vacation of Right-of-Way pursuant to Section 43-2-301, et.seq., C.R.S., as amended. The Vacation process has been adopted by the County pursuant to the provisions of the statute. (orig. 12-21-10)

D. Additional Exemptions

The Board of County Commissioners has exempted the following from the term "subdivision" and "subdivided land" pursuant to Sections 30-28-101(10)(d) C.R.S., subject to the specific process and requirements as listed. (orig. 4-20-10)

1. Multi-Family Development that does not include the subdivision of land into multiple lots or parcels, shall be subject to the Site Development Plan process defined in the Zoning Resolution. (orig. 4-20-10)

E. Exceptions

In addition to the specific exemptions listed in the Application Section and the Additional Exemptions Section above, the Board of County Commissioners has also exempted the following from the term "subdivision" and "subdivided land" pursuant to Sections 30-28-101(10)(d) C.R.S. and from the requirements of this Regulation. (reloc. 7-12-05; am. 4-20-10)

1. Rights-of-Way: Any resulting parcels created by the acquisition, by condemnation or otherwise, of any State, County or Municipal rights-of-way, provided the parcel being divided was not

created improperly. Rights-of-way that is not for street/road purposes qualifies under the terms of this exception, provided that the resulting parcel is in conformance with the minimum lot area requirements for the proposed use in the zone district in which said property is located and provided the parcel being divided was not created improperly. (reloc. 7-12-05; am. 4-20-10; am. 12-21-10)

2. Condominiums: Any conversion of multiple units to condominium units as defined by Section 38-33-103, C.R.S., as amended, that conforms to the Zoning Resolution and applicable building codes. (orig. 4-20-10)
3. Open Space Acquisition: Any resulting parcels created by the division of a parcel of land which is a direct result of an acquisition by Jefferson County for open space, provided that the resulting parcel is in conformance with the minimum lot area requirements for the proposed use in the zone district in which said property is located and provided the parcel being divided was not created improperly. (orig. 4-20-10)
4. County Acquisition/Conveyance: Any resulting parcels created by the division of a parcel of land which is a direct result of an acquisition or conveyance by Jefferson County, provided that the resulting parcel is in conformance with the minimum lot area requirements for the proposed use in the zone district in which said property is located and provided the parcel being divided was not created improperly. (orig. 4-20-10; am. 12-21-10)
5. Vacation of Rights-of-Way: Any resulting parcels created by vacation of any State, County or Municipal rights-of-way. (orig. 4-20-10)
6. Court Decree: Any resulting parcel created by any court in this State pursuant to the law or by order of the court, if the Board of County Commissioners is given timely notice of any such pending action and given opportunity to join as party in interest in such proceeding for the purpose of raising the issue of evasion of this Regulation. The property must be in compliance with any order of the court or stipulation with the County with regard to the issue of subdivision and/or this Regulation. (orig. 4-20-10)

Nothing contained in this Regulation shall be construed to prevent the Board of County Commissioners in its sole discretion from exempting any division of land from the definition of the terms "subdivision" and "subdivided land" pursuant to the authority granted in Section 30-28-101(10)(d) C.R.S. An example of when the Board of County Commissioners may utilize this method for a division of land would be for land that is owned by a public entity where the proposed division would (in the Board's opinion) assist the public entity in providing a public service. For the purpose of this provision, if improvements would have been required through the regular subdivision process, then those improvements/permits would need to be secured through another applicable County process (such as a Land Disturbance Permit). (am. 7-12-05; am. 4-20-10; ~~xx-xx-xx~~)

F. Severability

Should any section, clause, sentence or part of this Regulation be adjudged by any court of competent jurisdiction, to be unconstitutional or invalid, the same shall not affect, impair or invalidate this Regulation as a whole or any part thereof, other than the part so declared to be invalid. (reloc. 7-12-05)

G. Effective Date

This Land Development Regulation was adopted by the Board of County Commissioners on July 24, 1978. Any amendment to this Regulation shall be immediately effective upon its adoption by resolution of the Board of County Commissioners. All development applications, identified in the application section above, shall be subject to the provisions of this Regulation that are in effect at the time of the formal application submittal, unless otherwise specified in a Board of County Commissioners resolution. (reloc. 7-12-05; am. 4-20-10)

H. Interpretation

1. The provisions of this Regulation shall be regarded as the minimum requirements for the protection of the health, safety and welfare of the present and future inhabitants of Jefferson County and shall be liberally construed to further the purposes and objectives set forth herein. (am. 7-12-05; am. 4-20-10)
2. Whenever any provision of this Regulation is found to be in conflict with a similar provision existing in any Official Development Plan or Zone District, the provisions of the Official Development Plan or Zone District shall apply. (reloc. 7-12-05)

3. The singular includes the plural and the plural includes the singular as may be necessary for reasonable interpretation. (reloc. 7-12-05)

I. Prohibited Restrictive and Protective Covenants

No development shall be approved which contains restrictive or protective covenants which contain any specification limiting the transfer, rental or lease of any housing because of race, creed, religion, color, sex, marital status, national origin or ancestry or handicap as prohibited by Section 24-34-502, C.R.S., or Title VIII of the Fair Housing Act of 1968, 42 U.S.C. 3604. (reloc. 7-12-05; am. 4-20-10)



12/13/16

Section 4 – Submittal Requirements

(orig. 7-12-05)

A. Intent and Purpose

The purpose of this section is to provide applicants with a clear description of the documents that will be required to be submitted for specific development processes. This section differentiates between documents that must be submitted as a part of the development application, those documents that must be submitted prior to hearing or determination, and those documents that need to be submitted after hearing or determination. This section also identifies required submittal documents and additional documents that are required based on the specific circumstances of the proposed development. (orig. 4-20-10)

B. Requirements

1. The tables within this section identify the submittal requirements for each specified application type. Each submittal document is listed as either a required document (R) or an additional document (A). A required document is a document that is required to be submitted for a specific application. An additional document is a document that can be required by the Case Manger based on the specific circumstances of the application. (orig. 4-20-10)
2. Any submittal documents that have been submitted and approved as part of a previous development application will not have to be resubmitted as long as the previous documents are applicable to the property being developed and are in compliance with current County regulations. In addition, the circumstances related to the development have to be consistent to the circumstances of the previous application during which the documents were originally submitted. (orig. 4-20-10)
3. The submittal requirements for a Final Plat will also include any documents that may be needed to address conditions of approval placed on the associated Preliminary Plat by the Planning Commission. (orig. 4-20-10)
4. The Case Manager, the Planning Commission or the Board of County Commissioners' may require the applicant to submit additional documents, not listed in the tables below, in response to unique circumstances or based upon information received from referral agencies or other sources. (orig. 4-20-10)
5. ~~Proof of Access: Prior to acceptance of a Formal Application, Planning and Zoning must verify that all of the access locations that will be utilized to serve the proposed development meet the criteria listed below. The Director of Planning and Zoning may allow the formal application to be accepted without meeting the criteria below, if in his/her opinion the circumstances related to proving access should be finalized during the processing of the development application. (orig. 4-20-10; am. 12-21-10)~~
 - a. ~~Evidence must be submitted demonstrating that the applicant has right of access in accordance with the Access Standards of Section 2 of the Zoning Resolution and the following: (orig. 4-20-10)~~
 - ~~(1) The provision for "road of record" may only be considered for applications that meet one of the following conditions listed below. The determination of "road of record" for a development process shall be made by the Director of Planning and Zoning. (orig. 4-20-10; am. 12-21-10; am. 11-24-15)~~
 - ~~(a) Any application where the proposal does not increase the number of existing building sites and where there are existing properly permitted dwelling structures within the building sites. (orig. 4-20-10)~~
 - ~~(b) Any application where the proposal does not increase the number of existing building sites within a platted subdivision, regardless of whether there are existing properly permitted dwelling structures. (orig. 4-20-10)~~

~~(2) If a development is proposing to create or authorize additional lots or building sites, then the access must be shown to be transferable to the future owners within the development. (orig. 4-20-10)~~

~~b. The required width of the access right must be in accordance with the Access Standards of Section 2 of the Zoning Resolution, unless a variance or a minor variation has been granted. In cases where a variance or a minor variation is being considered, the evaluation will include a review of the physical location of the access and the physical standards of the access. (orig. 4-20-10)~~

~~Note: The physical location of an existing access and the physical standards of an existing access, shall be described as a part of this proof of access review, however, the resolution of any issues that arise related to the physical location or standards will be resolved at the time of processing the application, except as described above. (orig. 4-20-10)~~

- ~~65.~~ An applicant should review the submittal requirements with Planning and Zoning prior to submitting an application. A review of the submittal requirements can be accomplished by meeting with Staff and discussing the proposed application, or by going through the Pre-Application Review Process. (orig. 4-20-10)
- ~~76.~~ The Director of Planning and Zoning may waive submittal requirements if he/she determines that the information would not materially aid in reviewing the application. (orig. 4-20-10; am. 12-21-10; am. 9-27-11; am. xx-xx-xx)
- ~~87.~~ All documents submitted for a referral process must be collated and packaged submitted electronically by the applicant. The applicant is responsible for any the postage requirements during the application process. to mail the referral documents to outside reviewing agencies. (orig. 7-12-05; am.4-20-10; am. xx-xx-xx)
- 9. The submittal requirements for the Pre-Application Review Process are listed in the Pre-Application Review Process section of this Regulation. (orig. 4-20-10)
- 10. The submittal of notification documents is required in accordance with the Notification section of this Regulation. (orig. 4-20-10)
- 11. The table below identifies the documents that are to be submitted as a part of the development application. (orig. 4-20-10; am. 12-21-10; 04-30-13; am. 9-24-13; am. 11-24-15; am. xx-xx-xx)

Document Type		Preliminary and Final Plat	Preliminary Plat	Final Plat	Rural Cluster	Exemption	Minor Adjustment	Residential Structure Exclusion	Vacation
Table Key									
R	A document that is required to be submitted for an application. <u>Relief from submitting this type of document may be considered by the Director of Planning and Zoning.</u>								
A	A document that can be required by the Case Manager based on the specific circumstances of an application. <u>If required by the Case Manager, then relief from submitting this type of document may be considered by the Director of Planning and Zoning.</u>								
1.	Application Form	R	R	R	R	R	R	R	R
2.	Application and Referral Agency Fees	R	R	R	R	R	R	R	R
3.	Cover Letter	R	R	R	R	R	R	R	R
4.	Proof of Ownership		R			R	R	R	
5.	Title Insurance Commitment	R		R	R				
6.	Access	A	A	A	A	A	A	A	
7.	Preliminary Plat		R						
8.	Preliminary Supplemental Information	R			R				
9.	Final Plat	R		R					
10.	Exemption					R		R	
11.	Minor Adjustment						R		

Document Type		Preliminary and Final Plat	Preliminary Plat	Final Plat	Rural Cluster	Exemption	Minor Adjustment	Residential Structure Exclusion	Vacation
Table Key									
R	A document that is required to be submitted for an application. <u>Relief from submitting this type of document may be considered by the Director of Planning and Zoning.</u>								
A	A document that can be required by the Case Manager based on the specific circumstances of an application. <u>If required by the Case Manager, then relief from submitting this type of document may be considered by the Director of Planning and Zoning.</u>								
12.	Rural Cluster Development Plan				R				
13.	Survey								A
14.	Legal Description								A
15.	Boundary Closure Sheets	R		R	R	R	A	R	A
16.	Water Supply Information	R	R	A	A	R	A	R	
17.	Wastewater Information	R	R	A	R	R	A	R	
18.	Fire Protection Proof	R	R	A	R	R	A		
19.	Forest Management Plan	A	A	A	A	A	A		
20.	Construction Plans	A	A	A	A	A	A		A
21.	Exhibit A	A		A	A	A	A		A
22.	Transportation Information	A	A	A	A	A	A		A
23.	Deeds/Easements/Agreements	A	A	A	R	A	A		A
24.	Phase II Drainage Report and Plan		R						
25.	Phase III Drainage Report and Plan	R		R	R	R	A		A
26.	Geologic and Geotechnical Report	R	R	A	R	A	A		A
27.	Radiation Assessment/Report/Plan	A	A	A	A	A	A		
28.	Landscape Plan	A	A	A		A	A		A
29.	Slope Analysis				A				
30.	Vegetation Preservation Plan	A	A	A	A	A	A		A
31.	Wildlife, Vegetation, and Landscape Report/Plan	R	R						
32.	Sensory Impact Assessment/Report/Plan	R	R	A					
33.	Utility Report/Plan	R	R						
34.	Historical, Archaeological, and Paleontological Report/Plan	R	R		A				
35.	Environmental Questionnaire/Assessment	R	R		R	R	A		

12. The following table identifies documents that are required during the processing of the application and prior to hearing or determination. In addition to the documents listed below, the Case Manager will require the submittal of any of the documents from the table above that were either not submitted by the applicant or may require revisions based on review by the Case Manager or referral agencies. (orig. 4-20-10; am. 12-21-10; am. 9-24-13; am. xx-xx-xx)

Document Type		Preliminary and Final Plat	Preliminary Plat	Final Plat	Rural Cluster	Exemption	Minor Adjustment	Residential Structure Exclusion	Vacation
Table Key									
R	A document that is required to be submitted for an application. <u>Relief from submitting this type of document may be considered by the Director of Planning and Zoning.</u>								
A	A document that can be required by the Case Manager based on the specific circumstances of an application. <u>If required by the Case Manager, then relief from submitting this type of document may be considered by the Director of Planning and Zoning.</u>								

36.	Tax Certificate							A		
37.	Mylar							A	R	
38.	Improvements Agreement Letter	A		A	A	A				
39.	Improvements Agreement							A		
40.	Executed Deeds/Easements/Agreements							A		A
41.	Final Documents							A		A
42.	Recording Fees							R	R	
43.	Mineral Estate Notification Form	A	A	A	A	A				
44.	Cash in Lieu of Construction							A	A	

13. The table below identifies the documents that must be submitted prior to recordation of the final documents. In addition to the documents below, any documents that have been listed as a condition of approval by the Board of County Commissioners will also need to be submitted prior to recording. (orig. 4-20-10; am. 12-21-10; am. 9-24-13; am. xx-xx-xx)

Document Type		Preliminary and Final Plat	Final Plat	Rural Cluster	Exemption	Vacation
Table Key						
R	A document that is required to be submitted for an application. <u>Relief from submitting this type of document may be considered by the Director of Planning and Zoning.</u>					
A	A document that can be required by the Case Manager based on the specific circumstances of an application. <u>If required by the Case Manager, then relief from submitting this type of document may be considered by the Director of Planning and Zoning.</u>					
36.	Tax Certificate	A	A	A	A	
37.	Mylar	R	R	R	R	
38.	Improvements Agreement	A	A	A	A	
39.	Executed Deeds/Easements/Agreements	A	A	A	A	A
40.	Final Documents	A	A	A	A	A
42.	Recording Fees	R	R	R	R	A
44.	Cash-in-Lieu of Construction	A	A	A	A	
45.	Title Insurance Commitment (updated)	R	R	A		

C. Submittal Requirement Definitions

1. Application Form: A fully completed and executed application on the form provided by Planning and Zoning. (am. 7-12-05; am.4-20-10)
2. Application and Referral Agency Fees:
 - a. Application Fee: Application Fee as specified by the Board of County Commissioners. The fee shall be made payable to the Jefferson County Treasurer. (am. 7-12-05; am. 4-20-10)
 - b. Referral Agency Fees: Review fees charged by a referral agency shall be made payable to the reviewing agency based on current rates and paid at the time of application. The fee amounts can be obtained by contacting Planning and Zoning. (am. 7-12-05; am. 4-20-10)
3. Cover Letter: The cover letter shall include the name, address and phone number of both the property owner(s) and any appointed representative. The cover letter must provide a clear, concise description of the proposal and should include a graphic depiction of the proposal as necessary for clarification purposes. (am. 7-12-05; am. 4-20-10; am.12-21-10)
 Vacation: The cover letter should include a graphic depiction of the property that is proposed to be vacated. (orig. 12-21-10)
4. Proof of Ownership: A copy of a current deed, title commitment or title policy showing that the person signing as the owner on the application is indeed the fee owner of the property. (orig. 7-12-05; am. 4-20-10)

5. Title Insurance Commitment: A copy of recent title insurance commitment or policy issued by a company authorized to transact title insurance business in Colorado. The legal description on the commitment shall exactly match the legal description of the proposed development. The commitment or policy shall indicate the names and addresses of all current surface owners, mortgagees or lien holders; and any mineral estate owners or lessees of mineral owners. The names submitted shall be listed as they appear on the relevant title documents and instruments that have been recorded with the County Clerk and Recorder. Copies of the documents listed in said commitment or policy shall be submitted for review. Any easement listed in said commitment must be shown and labeled on the survey document. Any easement within a Jefferson County right-of-way will need subordination from the easement holder. ~~The commitment shall be approved by the County Attorney's office.~~ The applicant may be required to have the commitment updated to remove any unacceptable liens or encumbrances. (am. 7-12-05; am. 4-20-10; am. xx-xx-xx)
6. Access: Prior to acceptance of a Formal Application, Planning and Zoning must verify that all of the access locations that will be utilized to serve the proposed development meet the criteria listed below. The Director of Planning and Zoning may allow the formal application to be accepted without meeting the criteria below, if in his/her opinion the circumstances related to proving access should be finalized during the processing of the development application. (orig. 4-20-10; am. 12-21-10; reloc. xx-xx-xx)
 - a. The right of access must be in accordance with the Access Standards of the General Provisions and Regulations Section of the Zoning Resolution. (orig. 4-20-10; am. 3-26-13; am. xx-xx-xx)
 - (1) The provision for "road of record" may only be considered for applications that do not increase upon the number of existing building sites. (orig. 4-20-10; am. 12-21-10; reloc. and am. xx-xx-xx)
 - (2) If a development is proposing to create or authorize additional lots or building sites, then the right of access must be shown to be transferable to the future owners within the development. (orig. 4-20-10; reloc. xx-xx-xx)
 - b. The required width of the access right must also be in accordance with the Access Standards of the General Provisions and Regulations of the Zoning Resolution, unless a variance or a minor variation has been granted. In cases where a variance or a minor variation is being considered, the evaluation will include a review of the physical location and the physical standards of the access. (orig. 4-20-10; am. 3-26-13; reloc. xx-xx-xx)

Note 1: The physical location of an existing access and the physical standards of an existing access, shall be described as a part of this proof of access review, however, the resolution of any issues that arise related to the physical location or standards will be resolved at the time of processing the application, except as described above. (orig. 4-20-10; reloc. xx-xx-xx)~~The applicant shall submit the memorandum from Planning and Zoning that verifies the legal right of access and width of the access for the property in accordance with the proof of access provisions listed above.~~

Note 2: If the location of the access for the development changes from that originally verified, as described above, then additional access information may be required by the Case Manager. (am. 7-12-05; am. 4-20-10; am. 11-24-15; am. xx-xx-xx)

Note 3: As a part of the review of the development application, the applicant will have to prove that the physical location and physical standards of the existing access are in conformance with the Access Standards of the Zoning Resolution, the requirements of this Regulation and the Transportation Design and Construction Manual. The review of the physical location and physical standards of the existing access may lead to the requirement for the right of access and width of the access to be re-evaluated and for additional rights to be obtained by the applicant. (am. 7-12-05; am. 4-20-10; am. 11-24-15; am. xx-xx-xx)
7. Preliminary Plat: A Preliminary Plat prepared in accordance with the Format section of the Preliminary Plat Process. (orig. 7-12-05; am. 4-20-10; am. 11-24-15)

8. Preliminary Supplemental Information: Preliminary Supplemental Information prepared in accordance with the Format section of the Preliminary and Final Plat Process. (am. 7-12-05, am. 4-20-10)
9. Final Plat: A Final Plat prepared in accordance with the Format section of the Final Plat Process. (am. 7-12-05; am. 4-20-10)
10. Exemption: An Exemption prepared in accordance with the Format section of the Final Plat Process. (orig. 4-20-10)
11. Minor Adjustment: A Minor Adjustment prepared in accordance with the Format section of the Final Plat Process, unless the Minor Adjustment qualifies for the 8½ X 11 format. If a Minor Adjustment proposal is only to revise an improvement agreement, then the Minor Adjustment document will not be required. (orig. 4-20-10)
12. Rural Cluster Development Plan: A plan showing the location of lots and open area prepared in accordance with the Rural Cluster Format section. (orig. 12-21-10)
13. Survey: The format of the survey shall comply with the Final Plat provisions for format and survey as set forth in this Regulation. Any documents of record that are referenced on the survey document shall also be submitted with the survey document. A survey may be required if the legal description on a deed is not adequate to determine the size and shape of the parcel in question, or if there appears to be conflicts with adjoining deeds or surveys. In addition, a survey may be required in order to establish the location of the physical improvements in relation to parcel boundaries. (orig. 12-21-10)
14. Legal Description: The legal description of the property designated as a lot, block or tract on a recorded plat or aliquot description or a metes and bounds description. Copies of all documents called for or made reference to in the legal description must be submitted. (orig. 12-21-10)
 Vacation: A legal description will be required for the area being vacated if a determination is made by Planning and Zoning that the property being vacated cannot be adequately described in a general manner. (orig. 12-21-10)
15. Boundary Closure Sheets: A copy of the boundary closure sheets for the exterior boundary of the development. (am. 7-12-05; am. 4-20-10)
 Minor Adjustments: Boundary closure sheets will be required for all applications where the Minor Adjustment document is prepared in accordance with the Format section of the Final Plat Process. (orig. 4-20-10)
16. Water Supply Information: Information on the proposed water supply in accordance with the Water Supply Section of this regulation. (orig. 4-30-13)
 Final Plats: Water Supply information will only be required if it was not submitted with the Preliminary Plat or if the Preliminary Plat approval conditions require revisions to the information that was submitted with the Preliminary Plat. (orig. 4-20-10)
 Rural Clusters: Water Supply information will only be required when the proposal is being supplied with water through a Public Water District or Private Water Company. (orig. 12-21-10)
 Minor Adjustments: Water Supply information will only be required if the proposal will create additional lots. (orig. 4-20-10)
 Residential Structure Exclusion: The required Water Supply information is either a will serve letter from the water district or company, or the submittal of a well permit. (orig. 4-30-13)
17. Wastewater Information: Information on the proposed wastewater disposal in accordance with the Wastewater Section of this regulation. (orig. 4-30-13)
 Final Plats: Wastewater information will only be required if it was not submitted with the Preliminary Plat or if the Preliminary Plat approval conditions require revisions to the report that was submitted with the Preliminary Plat. (orig. 4-20-10)
 Minor Adjustments: Wastewater information will only be required if the proposal will create additional lots. (orig. 4-20-10)

18. Fire Protection Proof: A written statement from the appropriate fire district, indicating that they serve the referenced property. If the property is not located within a fire protection district, a contract with a district or a municipality indicating that they will provide service to the property shall be required. (am. 7-12-05; am. 4-20-10)

Final Plats: Fire Protection Proof will only be required if it was not submitted with the Preliminary Plat or if the Preliminary Plat approval conditions require revisions to the proof that was submitted with the Preliminary Plat. (orig. 4-20-10)

Minor Adjustments: Fire Protection Proof will only be required if the proposal will create additional lots. (orig. 4-20-10)

19. Forest Management Plan: Forest Management Plan(s) prepared in accordance with the Fire Protection Section for all developments located within the boundary of the Wildfire Hazard Overlay District. (am. 7-12-05; am. 4-20-10)

Final Plats: A Forest Management Plan will only be required if it was not submitted with the Preliminary Plat or if the Preliminary Plat approval conditions require revisions to the report that was submitted with the Preliminary Plat. (orig. 4-20-10)

Exemptions and Minor Amendments: A Forest Management Plan will only be required if the proposal will create additional lots. (orig. 4-20-10)

Rural Cluster: A Forest Management Plan is not required if the Conservation Easement or Management Plan specifically addresses forest management and wildfire mitigation practices. (orig. 12-21-10)

20. Construction Plans: When the provisions of any applicable County regulation or plan require improvements associated with a development application, those improvements will be incorporated into the Civil Construction Plans. The construction plans shall be comprised of the following applicable plans: (orig.4-20-10)

a. Circulation Improvement Plans prepared in accordance with the Transportation Design and Construction Manual and the Circulation section of this Regulation. The plans shall include any design elements required to address necessary improvements identified in a Traffic Analysis or Study. (am. 7-12-05; am. 4-20-10; am 11-24-15)

b. Trail construction plans, as required by the Transportation Design and Construction Manual and the Trails Section of this Regulation. (orig. 4-20-10; am. 11-24-15)

c. Grading, Erosion and Sediment Control Plans prepared in accordance with the Grading, Erosion and Sediment Control Section of this Regulation and the Land Disturbance Section of the Zoning Resolution. (am. 7-12-05; am. 10-25-05; am. 4-20-10)

d. Fire protection measures as required by the Fire Protection Section of this Regulation shall be incorporated into the plans listed below, as appropriate. (orig. 4-20-10)

e. Geologic and Geotechnical Plans prepared in accordance with the Geologic and Geotechnical Section of this Regulation and in conformance with the requirements of the Geologic and Geotechnical Report, unless waived by the County Engineering Geologist. (am. 7-12-05; am. 10-25-05; am. 4-20-10)

f. Floodplain mitigation measures as required by the Floodplain Section of this Regulation shall be incorporated into the plans listed below, as appropriate. (orig. 4-20-10)

g. Water Supply System Plans prepared in accordance with the Water Supply Section of this Regulation. (am. 7-12-05; am. 4-20-10)

h. Wastewater Collection Plan(s) prepared in accordance with the Wastewater Section of this Regulation. (am. 7-12-05; am. 4-20-10)

i. Groundwater Collection Plans as required by the Subsurface Groundwater Collection Systems Section of this Regulation. (am. 7-12-05; am. 4-20-10)

grading plan that must include mitigation measures for developments that are located in the Designated Dipping Bedrock Overlay District. In addition, preliminary mitigation plans shall be submitted if the property is located in a zoned geohazard area as identified in the Geologic Hazard Overlay District or if the property contains a known geologic hazard. (orig. 4-20-10)

21. Exhibit A: When the provisions of any applicable County Regulation or plan require improvements or fees associated with a development application, then a detailed list of those improvements and fees will need to be provided. The detailed improvement/fee list will be divided into different sections, as applicable, for the different types of improvements or fees associated with the project. The different categories that may be included are public improvements, landscape improvements, cash in-lieu of construction and fees as described in the Developments Agreements, Warranties and Guarantees Section of this Regulation. The Exhibit A may either be submitted with the initial application or at the time of resubmittal after the 1st Referral. (orig. 4-20-10; am. 9-24-13)

Minor Adjustments: If a Minor Adjustment proposal is to divide the improvement requirement between different entities, then an Exhibit A that shows how the improvements will be divided between the entities will be required at the time of formal application. (orig. 4-20-10)

22. Transportation Information: Detailed Transportation Information will be required during the development process in accordance with the following provisions, unless it was submitted with a previous process and the information related to transportation has not changed. In addition, the submittal of an analysis or a study may be required by the underlying zoning regardless of the number of vehicular trips being generated. (am. 7-12-05; am. 4-20-10; am. 11-24-15)
 - a. Transportation Analysis: A Transportation Analysis may be required by Planning and Zoning to determine the amount and/or distribution of traffic generated from a proposed development. A transportation analysis is a computation of the vehicular traffic that is generated by a proposed development that is expected to generate less than 1000 average daily trips. The analysis should address any onsite and offsite improvements that may be necessary to mitigate traffic impacts from the proposed development. Required improvements may include the addition of turning lanes, traffic signals and bicycle/pedestrian facilities, including any other improvements which may be suggested by the analysis. (orig. 4-20-10; am 11-24-15)
 - b. Minor Transportation Study: A Minor Transportation Study is required when a proposed development is expected to generate 1000 average daily trips or more, and the traffic impacts are localized as determined by Planning and Zoning. The study should address any onsite and offsite improvements that may be necessary to mitigate traffic impacts from the proposed development. Required improvements may include the addition of traffic signals, turning lanes and bicycle/pedestrian facilities, including any other improvements which may be suggested by the study. (orig. 4-20-10; am. 11-24-15)
 - c. Major Transportation Study: A Major Transportation Study is required when a proposed development is expected to generate 1000 average daily trips or more, and the traffic impacts are regional as determined by Planning and Zoning. The study should address any offsite improvements that may be necessary to mitigate traffic impacts from the proposed development. Required improvements may include the widening of existing streets; the addition of new intersections or interchanges; and the addition of traffic signals, turning lanes and bicycle/pedestrian facilities, including any other improvements which may be suggested by the study. (orig. 4-20-10; am 11-24-15)
 - d. Updated Analysis/Study: Updated information may be required when there is a proposed alteration to the traffic patterns of a development that previously required an analysis or a study. Planning and Zoning may require either a new transportation analysis or study or an amendment to the analysis or study on file as a part of the previous development. (orig. 4-20-10; am 11-24-15)

Final Plats: A Transportation Analysis or Study will only be required if it was not submitted with the Preliminary Plat or if the Preliminary Plat approval conditions require revisions to the study that was submitted with the Preliminary Plat. (orig. 4-20-10; am 11-24-15)

Vacation: Transportation information may be required if it is determined by the County that the

elimination of right-of-way may have adverse impacts on street/road system. (orig. 12-21-10; am 11-24-15)

23. Deeds/Easements/Agreements: Deeds/Easements/Agreements for off-site improvements and dedications that may arise due to the requirements of the development application. (am. 7-12-05; am. 4-20-10)

If any interest (fee simple, easement or otherwise) in a street, road, tract, parcel or strip of land is to be dedicated to the County, the property owner shall indemnify the County from any and all damages, claims, losses, injuries and expenses (including attorney's fees) related to or arising out of the presence of hazardous materials, whether known or unknown, including, without limitation, any clean-up costs for such hazardous materials. Such indemnification shall be in a form acceptable to the County Attorney's Office. (am. 7-12-05)

Rural Clusters: A Conservation Easement, Management Plan and/or sample deed restriction language are required as specified in the Rural Cluster process. (orig. 12-21-10)

24. Phase II Drainage Report and Plan: Phase II Drainage Report and Plan prepared in accordance with the Storm Drainage Design and Technical Criteria. (am. 7-12-05; am. 4-20-10)

25. Phase III Drainage Report and Plan: A Phase III Drainage Report and Plan prepared in accordance with the Storm Drainage Design and Technical Criteria. (am. 7-12-05; am. 4-20-10)

26. Geologic and Geotechnical Report: A Geologic and Geotechnical Report prepared in accordance with the Geologic and Geotechnical Section. The County Engineering Geologist may defer the submittal of the report to a subsequent development process or to the building permit process, if he/she determines that the information required for the subsequent process or building permit will sufficiently provide recommendations for foundation design, floor slab, pavement design and site grading. (am. 7-12-05; am. 10-25-05; am. 4-4-06; am. 4-20-10)

Final Plats: A Geologic and Geotechnical Report will only be required if it was not submitted with the Preliminary Plat or if the Preliminary Plat approval conditions require revisions to the report that was submitted with the Preliminary Plat. (orig. 4-20-10)

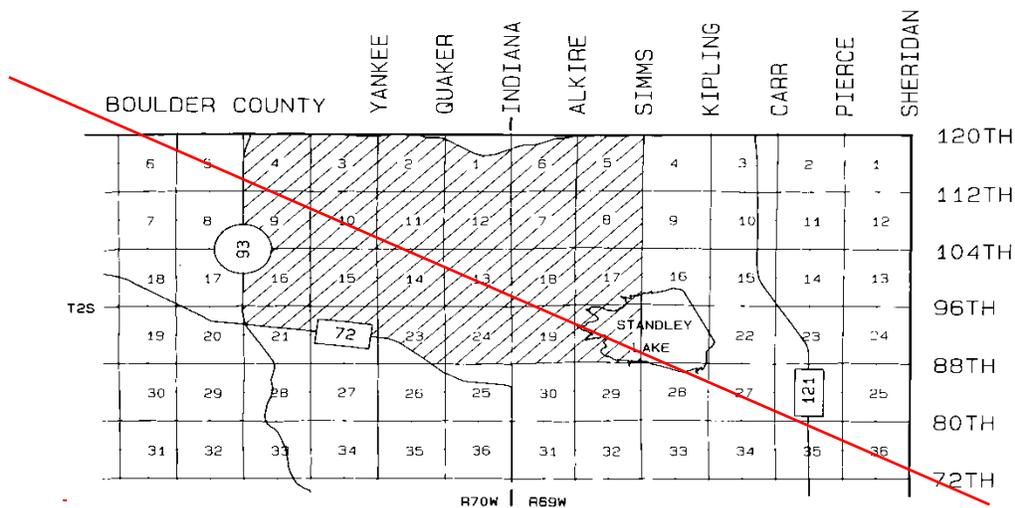
Exemptions: If the proposal is to create additional lots or to legalize a lot that does not currently contain a dwelling structure, then the provisions of this Section will apply if the proposal is located in the Designated Dipping Bedrock Overlay District, the Geo-Hazard Overlay District, in an area of known geologic hazards or on slopes greater than 30%. (orig. 4-20-10)

Minor Adjustments: If the proposal is to create additional lots, to move a building envelope or to reconfigure lots, then the provisions of this Section will apply if the proposal is located in the Designated Dipping Bedrock Overlay District, the Geo-Hazard Overlay District, in an area of known geologic hazards or on slopes greater than 30%. (orig. 4-20-10)

27. Radiation Assessment/Report/Plan: The proposed development shall evaluate and mitigate naturally occurring and man-made radiation hazards through the following: (reloc. 7-12-05; am. 4-4-06, am. xx-xx-xx)

a. A radon mitigation system shall be required for new residential construction in accordance with the International Residential Code to address the health hazard associated with radiation from radon gas. (orig. xx-xx-xx)

b. During the evaluation of the Environmental Questionnaire/Assessment, if radiation not associated with radon gas is identified as a potential hazard, a Radiation Assessment will be required. ~~Radiation Assessment/Report/Plan prepared in accordance with the Radiation section, applicable to those proposed developments located within any potential radiation hazards that may be identified by the Colorado Department of Public Health and Environment and/or Public Health, and for the area as delineated by diagonal hatching on the following Map.~~ (am. 7-12-05; am. 10-25-05; am. 4-20-10; am. xx-xx-xx)



28. Landscape Plan: Required when necessary to ensure developments comply with zoning documents or to ensure compliance with the Landscaping Section of the Zoning Resolution. The areas to be landscaped may include common areas, greenbelts, traffic islands, buffer areas and streetscapes. The plan shall include, but not be limited to, species, general location of plantings, type of ground cover, berms, walls, fences and bodies of water and water courses. The intents and purposes of such features shall be indicated on the plan. The Landscaping Plan shall be prepared in accordance with the provisions in the Landscaping Section in the Zoning Resolution. (am. 7-12-05; am. 4-20-10; am.xx-xx-xx)

Non-Residential: The detailed landscape plans for non-residential developments is typically reviewed and approved with a subsequent Site Development Plan. The only exception would be when a zoning document specifies that the landscaping shall occur at the time of platting, unless a minor variation is granted for this requirement. (orig. 4-20-10)

Vacation: A Landscape Plan may be required if a relocated street/road has an impact to existing landscaping or in situations where landscaping may be needed in order to mitigate impacts to adjoining properties. (orig. 12-21-10)

29. Slope Analysis: Required when necessary to ensure developments comply with recommendations of applicable community plan or when topographical constraints would result in development that requires significant cut and fill activities or presents adverse impacts to health, safety and welfare. The analysis shall include a scaled site plan based upon a topographic contour map with contour intervals of not less than 5 feet. Areas of between 0-20%, 20%-30% and greater than 30% slope shall be indicated. The plan shall include the location of existing and proposed building footprints and other development, proposed roads, sidewalks, rock outcroppings, ridges, tree stands, water courses or other geographical features. (orig. 12-21-10)

30. Vegetation Preservation Plan: Required when necessary to ensure developments comply with zoning documents or when there is vegetation onsite that would meet the preservation criteria of the Landscaping Section of the Zoning Resolution. The plan must be prepared by a registered landscape architect or forester. The plan shall consists of a scaled site plan and indicate vegetation to be preserved, proposed grading activities, and measures to be taken to protect existing vegetation. (orig. 4-20-10)

31. Wildlife, Vegetation, and Landscaping Report/Plan: Wildlife, Vegetation, and Landscaping Report/Plan prepared in accordance with the Wildlife, Vegetation and Landscaping Section. (am. 7-12-05; am. 4-20-10)

Final Plats: A Wildlife, Vegetation, and Landscaping Report/Plan will only be required if it was not submitted with the Preliminary Plat or if the Preliminary Plat approval conditions require revisions to the report/plan that was submitted with the Preliminary Plat. (orig. 4-20-10)

32. Sensory Impact Assessment/Report/Plan: Sensory Impact Assessment/Report/Plan prepared in accordance with the Sensory Impact Section. (am. 7-12-05; am. 4-4-06; am. 4-20-10)

Final Plats: A Sensory Impact Assessment/Report/Plan will only be required if it was not submitted with the Preliminary Plat or if the Preliminary Plat approval conditions require revisions to the assessment/report/plan that was submitted with the Preliminary Plat. (orig. 4-20-10)

33. Utility Report/Plan: Utility Report/Plan prepared in accordance with the Utilities Section. (am. 7-12-05; am. 4-20-10)

Final Plats: A Utility Report/Plan will only be required if it was not submitted with the Preliminary Plat or if the Preliminary Plat approval conditions require revisions to the report/plan that was submitted with the Preliminary Plat. (orig. 4-20-10)

34. Historical, Archaeological, and Paleontological Report/Plan: A Historical, Archaeological, and Paleontological Report/Plan prepared in accordance with the Historical, Archaeological, and Paleontological Section. (am. 7-12-05; am. 4-20-10)

Final Plats: A Historical, Archaeological, and Paleontological Report/Plan will only be required if it was not submitted with the Preliminary Plat or if the Preliminary Plat approval conditions require revisions to the report/plan that was submitted with the Preliminary Plat. (orig. 4-20-10)

35. Environmental Questionnaire/Assessment: An Environmental Questionnaire/Assessment in accordance with the Environmental Assessments Section. (orig. 10-25-05; am. 4-20-10)

Final Plats: An Environmental Questionnaire/Assessment will only be required if it was not submitted with the Preliminary Plat or if the Preliminary Plat approval conditions require revisions to the questionnaire/assessment that was submitted with the Preliminary Plat. (orig. 4-20-10)

Minor Adjustments: The Environmental Questionnaire/Assessment: will only be required if the proposal will create additional lots. (orig. 4-20-10)

36. Tax Certificate: A tax certificate indicating that all ad valorem taxes applicable to the development for prior years have been paid. The tax certificate will be required when the development proposal is a plat, an exemption to legalize an improper division of land, and, for any other process that creates additional lots. The certificate can be obtained in the County Treasurer's Office. (am. 7-12-05; am.4-20-10)

37. Mylar: The Mylar shall: (reloc. 7-12-05)

- a. Reflect all corrections as indicated on the red-marked print. (reloc. 7-12-05)
- b. Be a minimum of 0.003 inches in thickness, black line and have a matte finish on both sides. Sepia Mylars are not acceptable for recording. (reloc. 7-12-05; am. 10-25-05)
- c. Not have any erasures. (reloc. 7-12-05; am. 4-20-10)
- d. Be signed in fine tip, black permanent ink by:
 - (1) the fee simple owners and the holders of deeds of trust (if applicable), with signatures notarized.
 - (2) the developer's surveyor (if applicable).
 - (3) the developer's attorney or the developer's title company (if applicable).
- e. Have the appropriate seals affixed. No seals shall be placed within the margins. (reloc. 7-12-05)

Minor Adjustments: If the Minor Adjustment qualified for the 8½ X 11 format or is an amendment to only an improvements agreement, then the executed document will be required in place of the Mylar. (orig. 4-20-10)

38. Improvements Agreement Letter: Prior to scheduling a case for hearing, the applicant must submit a letter indicating that they agree to the terms of the improvement agreement and that they will submit the executed agreement prior to recordation of the Mylar. (orig. 4-20-10)

39. Improvements Agreement: The executed Improvements Agreement with the attached Exhibit A is required if there are improvements associated with the proposed development or if there is an amendment to an improvement agreement through a Minor Adjustment process. By entering

into an improvement agreement, an applicant may begin site construction without submitting a performance guarantee for the improvements, with the understanding that the construction will need to be completed or a performance guarantee submitted prior to sale or issuance of a building permit. The Improvements Agreement shall: (am. 7-12-05; am. 4-20-10)

- a. Match the County standard template unless alterations have been approved by the County Attorney's Office. There are different templates for an original improvement agreement and an amended improvement agreement. (orig. 4-20-10)
 - b. Be signed by the fee simple owners and the holders of deeds of trust, with signatures notarized. (orig. 4-20-10)
 - c. Have the attached Exhibit A that has been signed by the developer and by the preparer of the exhibit. (orig. 4-20-10; am. 9-24-13)
40. Executed Deeds/Easements/Agreements: Any deeds, easements or agreements that were required based on the processing of the development shall be properly executed and submitted so that the recordation of these documents can be coordinated with the recording of the Mylar. (orig. 7-12-05; am. 4-20-10)
- If any interest (fee simple, easement or otherwise) in a street, road, tract, parcel or strip of land is to be dedicated to the County, the property owner shall indemnify the County from any and all damages, claims, losses, injuries and expenses (including attorney's fees) related to or arising out of the presence of hazardous materials, whether known or unknown, including, without limitation, any clean-up costs for such hazardous materials. Such indemnification shall be in a form acceptable to the County Attorney's Office. (orig. 7-12-05)
41. Final Documents: All final plans related but not limited to construction, drainage and landscaping shall be submitted in accordance with the correspondence from the Case Manager and shall be properly executed and sealed. (orig. 4-20-10)
42. Recording Fees: Recording fees shall be those currently charged by and made payable to the Clerk and Recorder. (reloc. 7-12-05)
43. Mineral Estate Owner Notification Form: A completed and executed Mineral Estate Owner Notification Form must be provided to the Case Manager. The Case Manager will provide the blank form for the applicant to use to satisfy this requirement. The notification requirements are applicable to cases that are required to be presented in a public hearing, with the following exceptions: (orig. 7-12-05)
- a. Notification is not required for a one-lot subdivision. (orig. 4-20-10, am. 12-21-10)
 - b. Notification is not required for an exemption to legalize an improper division of a single parcel. (orig. 4-20-10)
 - c. Notification is not required for a two-lot subdivision, if the original lot has been properly subdivided. (orig. 4-20-10, am. 12-21-10)
44. Cash-In-Lieu of Construction: If the County has agreed to take a cash payment for a portion or all of the improvements required for a development, the cash payment shall be made prior to recordation of the Mylar, unless the County has agreed to incorporate the payment into the requirements of the Improvements Agreement. (orig. 4-20-10)
45. Title Insurance Commitment (updated): The title insurance commitment should have an effective date within 45 days of the recordation date of the development Mylar. (orig. 4-20-10)



Section 8 - Final Plat

(orig. 7-12-05; am. 12-21-10)

A. Intent and Purpose

The Final Plat Process was adopted at the inception of the Land Development Regulation in order to comply with State Statute requirements related to subdivisions of land. The process is the final step in the subdivision process and follows the approval of the Preliminary Plat. The process includes a review of final detailed documents with the ultimate goal of approval by the Board of County Commissioners. The Final Plat process outlines time frames and expectations, providing the applicant with a clear understanding of the steps involved prior to being scheduled for hearing before the Board of County Commissioners. The Director of Planning and Zoning may waive the time frames included in this process depending on Planning and Zoning staffing levels and the complexity of the proposal. (am. 7-12-05; am. 5-20-08; am. 12-21-10)

B. Application

1. The Final Plat process shall apply to all subdivisions of land, except those that have been exempted from the subdivision process. The applicant may choose go through the Preliminary and Final Plat process in lieu of the separate Preliminary Plat process and Final Plat process. (orig. 5-20-08)
2. The Final Plat application, or the first phase of the Final Plat, shall be made within 24 months of the Preliminary Plat approval by the Planning Commission, or approval of a an appeal by the Board of County Commissioners. If the Final Plat is submitted in phases of the Preliminary Plat, the approval of Preliminary Plat is extended for 24 months from the date of the formal application of the previous phase. In the event that the Final Plat is not submitted within 24 months, then the approval of the Preliminary Plat is considered rescinded. The applicant will be required to submit a new Preliminary Plat application, with the required fee, and all support documentation as specified in this Regulation. The Director of Planning and Zoning may extend this 24 month deadline for an additional 12 month period if, in his/her opinion, the delay is for good cause. (am. 7-12-05; am. 5-20-08; am. 12-21-10)
3. The Final Plat shall be in substantial conformance with the approved Preliminary Plat and any conditions placed on Preliminary Plat approval by the Planning Commission.
4. Concurrent processing of the Preliminary Plat and the Final Plat is permitted at the applicant's option, however, the Board of County Commissioners shall not hear, or take any action on the Final Plat prior to the Preliminary Plat approval by the Planning Commission, or approval of a an appeal by the Board of County Commissioners. (am. 7-12-05; am. 5-20-08)
5. A nonrefundable processing fee in an amount established by the Board of County Commissioners is required for this process. (orig. 5-20-08)
6. Notification is required in accordance with the Notification Section. (orig. 10-13-09)
7. The following procedure and requirements shall apply to Final Plat applications. (orig. 7-12-05)

C. Procedure

If the applicant complies with all given time frames, submits a complete application, and complies with all requirements of this Regulation, the estimated time to reach the public hearing phase of the process is 100 calendar days from the date of the 1st referral. (am. 7-12-05; am. 5-20-08; am. 10-13-09)

Process Steps	Processing Time Frames
Optional Meeting with Staff	Prior to Process
Steps prior to 1st Referral	
Sufficiency Review	7 calendar days

Formal Application	3 calendar days	
Process from 1st Referral to Public Hearing		
1st Referral	21 calendar days	100 Days to tentatively scheduled hearing if processing time frames are met.
Forwarding 1 st Referral Comments	5 calendar days	
Response 1st Referral	21 calendar days	
Submittal of Revised Documents	3 calendar days	
2 nd Referral	14 calendar days	
Forwarding 2 nd Referral Comments	5 calendar days	
Hearing Documents	10 calendar days	
Hearing Preparation	21 calendar days	
Public Hearing and Post Hearing Review		
Board of County Commissioners Hearing	Time varies based on BCC actions; and applicant meeting approval conditions	
Post Hearing Review		

Prior to submitting an application for this process, it is recommended that the applicant set up a meeting with Staff to discuss the proposal. The meeting with Staff will help identify the key issues that will need to be addressed during the platting process and will also help to establish the specific submittal requirements. (am. 5-20-08; am. 10-13-09)

Steps Prior to 1st Referral

1. Sufficiency Review: The applicant shall submit all documents as identified in the Submittal Requirements Section of this Regulation for review by Staff. (am. 5-20-08; am. 10-13-09)

Staff shall have 7 calendar days to review this submittal. (am. 5-20-08)

Staff will review the sufficiency application to determine if the submittal documents are complete. Following this review, Staff will prepare a letter explaining any deficiencies in the submittal documents. The letter will include a referral matrix that identifies the referral agencies that will require referral documents. The response from Staff will also include a request for the applicant to submit the notification documents that are required to be mailed when the case is sent out on the 1st Referral. The applicant shall revise the submittal information as may be required to comply with County standards and then submit the Formal Application. (am. 5-20-08; am. 10-13-09)

2. Formal Application: The applicant shall submit all documents as identified in the Staff response to the Sufficiency Review. (am. 5-20-08; am. 10-13-09)

The Case Manager shall have 3 calendar days to refer the application and referral fees to County divisions/departments and other agencies. A submittal package that is not complete in terms of the type and quantity of documents required will not be sent out on referral. (am. 5-20-08)

Process from 1st Referral to Public Hearing

3. 1st Referral: The referral agencies shall have 21 calendar days to respond in writing to the application. An extension of no more than 30 calendar days may be agreed to by the applicant. (am. 7-12-05; am. 5-20-08)

Notification is required at the time of the 1st referral in accordance with the Notification Section. (orig. 10-13-09)

The Case Manager will tentatively schedule the Board of County Commissioners hearing when the application is sent out on the 1st referral. The Board of County Commissioners hearing will be tentatively set to the first available hearing date after 100 calendar days from the date of the 1st referral. [30-28-136(2) C.R.S.]. (am. 5-20-08)

4. Forwarding 1st Referral Comments: The Case Manager shall have 5 calendar days, after the end of the referral period, to provide the applicant with a Staff response inclusive of other referral agency responses. If the Case Manager indicates that the application is in substantial conformance with all applicable regulations and that only minor revisions to the documents are required, the application may proceed directly to the Hearing Documents phase of the process.

Under this circumstance, the application will be scheduled for a hearing date earlier than that tentatively scheduled at the time of the 1st referral. (am. 5-20-08)

5. Response to 1st Referral: The applicant shall have 21 calendar days to address, in writing, any issues identified by the Case Manager or any referral agency and resubmit revised documents for the 2nd referral. The applicant will be deemed to have consented to a later hearing date, than the tentatively scheduled hearing date, if the resubmittal is not received within the 21 calendar day period. (am. 5-20-08)

The applicant shall have a maximum of 120 calendar days to respond to the referral comments, or the application will be considered withdrawn. The applicant will then have to file a new application with the required fee and documents. The Director of Planning and Zoning may extend this 120 calendar day maximum response deadline for additional 120 calendar day periods if, in his/her opinion, the delay in response is for good cause. (am. 5-20-08; am. 12-21-10)

6. Submittal of Revised Documents: The Case Manager shall have 3 calendar days to refer the revised documents and referral fees to County divisions/departments and other agencies. A submittal package that is not complete in terms of the type and quantity of documents required will not be sent out on referral. (orig. 5-20-08)
7. 2nd Referral: The referral agencies shall have 14 calendar days to respond in writing to the 2nd referral. (am. 5-20-08)
8. Forwarding 2nd Referral Comments: The Case Manager shall have 5 calendar days after the end of the referral period to provide the applicant with a Staff response inclusive of referral agency responses. The response from the Case Manager will include an opinion as to whether or not the case should proceed forward to hearing or if revised documents should be submitted for a subsequent referral process. (am. 5-20-08)

If the applicant has not consented to a later hearing date based on the time frames of this Regulation and chooses to move forward to the tentatively scheduled hearing, the applicant shall submit the hearing documents as requested by the Case Manager in accordance with the Hearing Documents phase of the process. (am. 5-20-08)

9. Response to 2nd Referral Comments: The applicant shall have a maximum of 120 calendar days to respond to the referral comments, or the application will be considered withdrawn. The applicant will then have to file a new application with the required fees and documents. The Director of Planning and Zoning may extend this 120 calendar day maximum response deadline for additional 120 calendar day periods if, in his/her opinion, the delay in response is for good cause. (orig. 5-20-08; am. 12-21-10)

Additional Changes: For the 3rd referral, and for any subsequent referrals thereafter, the Case Manager shall have 3 calendar days to refer the revised documents and referral fees to County divisions/departments and other agencies. A submittal package that is not complete in terms of the type and quantity of documents required will not be sent out on referral. (am. 5-20-08)

The referral agencies shall have 7 calendar days to respond in writing to the 3rd referral, and for any subsequent referrals thereafter. (am. 5-20-08)

The Case Manager shall have 5 calendar days after the end of the 3rd referral, and for any subsequent referrals thereafter, to provide the applicant with a full Staff response inclusive of referral agency responses. The response from the Case Manager will include an opinion as to whether or not the case should proceed forward to hearing or if revised documents should be submitted for a subsequent referral process. (am. 5-20-08)

The applicant shall have a maximum of 120 calendar days to respond to the referral comments, or the application will be considered withdrawn. The applicant will then have to file a new application with the required fees and documents. The Director of Planning and Zoning may extend this 120 calendar day maximum response deadline for additional 120 calendar day

periods if, in his/her opinion, the delay in response is for good cause. (am. 5-20-08; am. 12-21-10)

11. Hearing Documents: The hearing documents shall be comprised of the revised Plat Document and other final documents as identified by the Case Manager. (am. 5-20-08)

If the applicant has not consented to a later hearing date based on the time constraints of this process, the applicant shall have 10 calendar days to address, in writing, any issues identified by the Case Manager or any referral agency and submit the hearing documents for the tentatively scheduled hearing. The applicant will be deemed to have consented to a later hearing date if the hearing documents are not received within the 10 calendar day period. (am. 5-20-08)

The applicant shall have a maximum of 120 calendar days to respond to the referral comments or to submit the hearing documents, or the application will be considered withdrawn. The applicant will then have to file a new application with the required fee and documents. The Director of Planning and Zoning may extend this 120 calendar day maximum response deadline additional 120 calendar days periods if, in his/her opinion, the delay in response is for good cause. (am. 5-20-08; am. 12-21-10)

12. Hearing Scheduled: If the applicant has consented to a later hearing date based on the time frames of this Regulation, the Board of County Commissioners hearing will be scheduled for the first available hearing date after 21 calendar days from the submittal of the Hearing Documents. (am. 5-20-08)

13. Hearing Preparation:

- a. Revisions to Documents Prior to Hearing: To ensure completeness and to allow adequate public review, no substantial revisions or additions, except in response to a Staff request, or those specifically requested by the Board of County Commissioners, may be made to any application or supporting documents within 21 days prior to any hearing. (am. 5-20-08)
- b. Notification: Notification of the scheduled hearing is required in accordance with the Notification Section. (am. 5-20-08; am. 10-13-09)

Public Hearing and Post Hearing Review

14. Board of County Commissioners Hearing: The Board of County Commissioners shall review the application, the Staff report and the Planning Commission approval conditions (if any), receive testimony and evidence on the application, and shall approve, conditionally approve or deny the application. The Board of County Commissioners may continue the request for no more than 40 calendar days without the consent of the applicant. The continuance of a request shall be to a date certain. (am. 5-20-08; 12-21-10)

15. Post Hearing Review:

The applicant shall comply with all conditions of approval within 180 calendar days from the approval date by the Board of County Commissioners. If the applicant does not comply with the conditions within this timeframe, the approval shall be automatically rescinded. The Director of Planning and Zoning may extend this 180 calendar day recordation deadline for additional 180 calendar day periods if, in his/her opinion, the delay is for good cause. (orig. 5-20-08; am. 12-21-10)

The Case Manager shall have 7 calendar days to review all documents submitted by the applicant for compliance with the approval conditions. If the revisions have been made in accordance with the approval conditions, the Case Manager will authorize the preparation of the plat mylar and final documents. If additional revisions are required to meet the approval conditions, the Case Manager will return a letter to the applicant identifying the revisions that must be made in order to comply with the approval conditions. (orig. 5-20-08)

At such time as the applicant complies with the approval conditions, submits the executed plat mylar and other final documents, and pays the recordation fees, Staff will obtain the required County approval signatures on the plat mylar and final documents, and have the documents recorded, as appropriate. (am. 5-20-08)

D. Format

All Final Plats shall be prepared in accordance with the preliminary plat approved or conditionally approved by the Planning Commission, or the Board of County Commissioners if the Planning Commission's decision was successfully appealed. The format of the Final Plat shall comply with the following: (am. 7-12-05)

1. The dimensions of each sheet of the Final Plat shall be 24x36 inches. A margin line shall be drawn completely around each sheet, leaving an entirely blank margin of one inch on top, 2 inches on the left, and 1/2 inch on all other sides. The minimum scale of the maps shall be 1 inch to 100 feet or larger. Enough sheets shall be used to accomplish this end. Acceptable larger scales are 1 inch to 20 feet, 30 feet, 40 feet, 50 feet or 60 feet. (reloc. 7-12-05)
2. The sheet number and the relation of each adjoining sheet clearly shown by a small key map on each sheet. (am. 7-12-05)
3. The date of the survey, north point, and written and graphic scale on each sheet of the Final Plat. (am. 7-12-05)
4. A form in the upper right hand corner of each sheet of the Final Plat for the entry of the plat case number. (am. 7-12-05)
5. A vicinity map on the first page of the Final Plat showing the general location of the subdivision in relation to nearby primary streets/roads and section lines. The vicinity map shall include: The streets/roads leading to and within the subdivision; the outline of the subdivision shown by a heavy discernable line and labeled with the name of said subdivision; and an acceptable scale at 1 inch to 500 feet, 1 inch to 1,000 feet or 1 inch to 2,000 feet. (orig. 7-12-05)
6. The approved Title of the Subdivision located at the top of each sheet. The title shall be the approved name of the subdivision. A subtitle in smaller lettering shall indicate the quarter-section(s), section(s), township(s) and range(s) in which the subdivision is located and/or a statement that the subdivision is a resubdivision or further subdivision of a previously approved subdivision. (am. 7-12-05)

The boundary of the subdivision shall be clearly indicated by a heavy continuous line. (am. 7-12-05)

Tracts designated by letter and disposition thereof indicated in the Final Plat Note section. All lots shall be numbered systematically and, whenever practicable, shall be shown entirely on one (1) sheet. Areas of all lots and tracts shall be shown to the nearest 0.01 of an acre. If the lots are less than 0.5 of an acre in size, the area may be designated in square feet. The area size may be shown within the lot or tract. Except for single-family developments, the maximum number of units, the maximum height of the structure, the maximum gross area of nonresidential total floor space, and the maximum square footage of the ground floor shall be placed within the lot or a separate table of data that cross-references the specific lot. (am. 7-12-05)

9. The right-of-way width of each existing and proposed street/road. Existing streets/roads shall bear notations of dedication by recordation information. Private streets/roads and private drives shall be shown and labeled as "Utility and Drainage Easement and Private Access Drive." (am. 7-12-05)
 - a. Jefferson County shall assign all house numbers and street/road names. (reloc. 7-12-05)
 - b. There shall not be abbreviations of street/road names on the plat document. (reloc. 7-12-

05)

10. Land uses adjoining the subdivision delineated and shown by dashed lines. Any area enclosed by the subdivision, but not a part thereof, shall be labeled "Not a Part of This Subdivision." (am. 7-12-05)
11. All easements clearly labeled, identified, dimensioned and tied to reference points within the subdivision and shown by fine dashed lines. Existing easements shall bear notation of dedication of conveyance by recordation information. If any easement already of record cannot be definitely located, a statement of the existence, the nature thereof and its recorded reference shall be placed in the note section. Easements shall be designated and the disposition thereof indicated in the note section. (am. 7-12-05)
12. Non-buildable areas, if any, pursuant to the Lot and Tract Standards section delineated on the Final Plat unless the Director of Planning and Zoning waives such requirement after making a finding that visual impact, geologic hazards, soil erosion, or wildfire hazard potential are nominal. The non-buildable areas shall be fully dimensioned and tied to reference points and be shown by a fine, continuous line. Setbacks pursuant to the Lot and Tract Standards section shall not be delineated for the lots on the Final Plat. (am. 7-12-05; am. 12-21-10)
13. A note limiting or prohibiting ingress and egress for Final Plats having lots bordering a collector or larger street/road places in the note section, if applicable. (am. 7-12-05)
14. Existing and proposed 100-year storm flooding limits shown and labeled by a fine, continuous line. Where no such body of water or water course exists, a statement to that effect shall be placed in the note section. (am. 7-12-05)
15. The recordation information of the approved and recorded Official Development Plan placed in the note section, if applicable. (reloc. 7-12-05)

E. Survey and Monumentation

1. The subdivision shall be monumented pursuant to Title 38, Articles 50 – 53, C.R.S. and the Colorado State Board of Licensure for Professional Engineers and Professional Land Surveyors policies, bylaws and rules and the following: (am. 7-12-05)
2. Subdivision monumentation shall be tied to 2 or more section and/or quarter section corners. (reloc. 7-12-05)
3. A traverse of boundaries when computed from field measurements on the ground must have a minimum unadjusted ratio of closure of 1(one) part in 15,000 or shall not exceed a maximum positional tolerance per point, between adjusted and unadjusted positions, of plus or minus 0.15 of a foot. (reloc. 7-12-05)
4. Whenever a public land survey section corner or quarter section corner falls within the boundaries of the plat: (reloc. 7-12-05)
 - a. The corner(s) shall be located, when possible, within street/road rights-of-way to minimize potential destruction and facilitate surveyor access. (reloc. 7-12-05)
 - b. The corner shall be tied to 2 or more adjoining lot or boundary corners. (reloc. 7-12-05)
5. The Final Plat shall show the following additional information: (reloc. 7-12-05)
 - a. Distances and bearings. (reloc. 7-12-05)
 - b. The point of beginning with ties to 2 or more section and quarter section corners. (reloc. 7-12-05)
 - c. A note identifying the monument(s) used in platting the subdivision. (reloc. 7-12-05)

- d. Where the exterior boundary lines of the Final Plat show bearings and distances which vary from those recorded in adjoining plats, deeds, or surveys, a note shall be placed along those, in parenthesis, stating the recorded bearing and distance and the reception number or plat book and page of the adjoining plat or survey as shown in the following form: (Recorded as N 40° 27' 29" E in plat book 1234 at page 5678). (reloc. 7-12-05)
- 6. Whenever a public land survey section corner or quarter section corner falls within the boundaries of a plat: (reloc. 7-12-05)
 - a. A complete description of the corner monument as found or set. (reloc. 7-12-05)
 - b. Where it is impractical to locate a corner within street or road rights-of-way, a 10 foot square area around the monument and a 10 foot wide area for reasonable access shall be designated as easements and a note shall be placed on the plat stating that no structures, fencing, or other obstructions are allowed. (reloc. 7-12-05)
- 7. Offsets that are to be set on the extension of any lot, tract, or parcel boundary line stating the standard offset distance and any nonstandard distances in the following form: (reloc. 7-12-05)
 - a. All offsets are 1 (one) inch metal disks embedded in concrete sidewalks set on the line extended, 5 feet from platted lot corner locations along all streets, except as follows: (reloc. 7-12-05)
 - (1) Non-standard offset for lot lines between Lots 2 and 3, Block 10 is 5.2 feet; Lots 10 and 11, Block 6 is 4.75 feet; Lots 6 and 7, Block 6 is 4.75 feet; Lots 7 and 8, Block 6 is 4.5 feet; and, Lots 1 and 2, Block 2 is 5.26 feet. (reloc. 7-12-05)
- 8. The following survey documentation shall also be provided: (reloc. 7-12-05)
 - a. A boundary closure sheet with bearings and distances, area, precision and closure. (reloc. 7-12-05)
 - b. A Colorado land survey monument record for each land corner used in platting the subdivision. The monument record shall describe both supporting and contradicting evidence, as well as the monument found and accepted, established, restored or rehabilitated, and at least 2 accessories or reference points. (reloc. 7-12-05)

F. Plat Certificates

- 1. The following certificates, acknowledgments, restrictions and notes shall be placed, when applicable, and appropriately signed and sealed on the Final Plat, and when applicable, in the Subdivision Improvements Agreement. With the approval of the Attorney’s Office, the language of these certificates, restrictions and notes may be modified based on unique situations provided such modification protects the interests of Jefferson County. (am. 7-12-05)
- 2. Dedication Certificate: The dedication of parcels and tracts of land to be utilized for public use shall be in accordance with the following dedication certificates. (reloc. 7-12-05; am. 5-20-08)
 - a. General Dedication:

KNOW ALL MEN BY THESE PRESENTS: THAT (WE), the undersigned, being the owner(s) (and the holder(s) of deed of trust, liens, mortgages, if applicable) of those lands described below, (have) (has) laid out, subdivided and platted the same into lots, tracts, parcels, blocks, streets/roads and easements, as shown hereon under the name and style of (Name) , and (do) (does), by these presents, of (our) (my) (its) own free will and voluntarily, without coercion, threat or business compulsion, grant, dedicate and convey to the County of Jefferson, State of Colorado, in fee simple, tract(s) _____, (and) all streets/roads (and) parcel(s) _____ together with all

appurtenances thereto for public use and grant and convey to the County of Jefferson all easements, except those of prior record, as shown hereon or as described in note(s) _____ and _____.

- b. Temporary Cul-de-Sac Dedication: (Add to General Dedication in case of temporary cul-de-sac). (reloc. 7-12-05)

Parcels _____ and _____ are dedicated and conveyed to Jefferson County, in fee simple, until such time that the respective street/road is extended beyond the point shown on the plat as the temporary end thereof and such extension is constructed, dedicated to and accepted by the Jefferson County, at which time title to said parcels _____ and _____ will automatically vest in fee simple in the respective lot owners.

- c. Private Access Drive Dedication: (Add to General Dedication in case of private street/road system.) (reloc. 7-12-05)

...and grant and convey to the County of Jefferson all easements as shown hereon, and grant and convey to the County of Jefferson an easement over any and all private access drives and rights-of-way for the purpose of passage of service vehicles and passage of all vehicles and pedestrians during an emergency situation. It is expressly understood that the acceptance of the dedication of this easement is not to be construed as an acceptance by the county of said private access drives and rights-of-way for any other purpose including maintenance purposes.

3. Legal Description of Property: The boundary survey shall be an accurate reflection of the legal description. The method of description shall be by use of metes and bounds, except that in resubdivision, the subdivision, block, tract, and/or lot shall also be described. The legal description shall be in the following form. (reloc. 7-12-05)

DESCRIPTION: A parcel of land in the _____ 1/4 of Section _____ Township _____ South, Range _____ West of the Sixth Principal Meridian, County of Jefferson, State of Colorado, more particularly described as follows:

Note: The description that follows may be by one or more of the following means.

- a. By land description such as: (reloc. 7-12-05)

_____ feet of the _____ 1/2 of the _____ 1/4 of Section _____, Township _____ South, Range _____ West, County of Jefferson, State of Colorado.

- b. By subdivision, block and lot numbers. Pertains only to resubdivisions of previously recorded plats. (reloc. 7-12-05)
- c. By metes and bounds, incorporating a complete closed traverse meeting the conditions and accuracy as specified in the Final Plat Survey and Monumentation provisions. Show the area in acres to the nearest 0.1 acre, more or less, involved in the subdivision. (reloc. 7-12-05)

4. After the description, all owners and holders of Deeds of Trust, mortgages, liens, etc., shall sign the plat as follows: (reloc. 7-12-05)

- a. All individuals shall sign their names as shown on the Deed of Ownership, or as shown on Deeds of Trust, mortgages, liens, etc. (reloc. 7-12-05)
- b. Corporation ownership or interest shall be shown by the official signatures of the necessary officers of the Corporation. The full name of the Corporation shall be shown above their signatures and the seal affixed. (reloc. 7-12-05)

Streets/Roads, Lots, Tracts, Parcels and Easements (delete any that are not applicable) as superseded by this plat and as shown on the plat of _____ (subdivision name) _____, recorded in Jefferson County records at Book _____, Page _____, are hereby vacated this _____ day of _____, 20 _____.

Clerk

Chairman, Board of County Commissioners

10. Acceptance Certificate: The Acceptance Certificate shall read as follows: (reloc. 7-12-05)

The foregoing plat is approved for filing; and conveyance of the streets/roads, tracts, parcels and easements (delete any that are not applicable) is accepted by the County of Jefferson, State of Colorado, this _____ day of _____, 20 _____. The county shall undertake maintenance of any such streets/roads and public ways only after construction thereof has been satisfactorily completed by the developer and accepted by the county.

Clerk

Chairman, Board of County Commissioners

11. Clerk and Recorder's Certificate: The Clerk and Recorder's Certificate shall read as follows: (reloc. 7-12-05)

Accepted for filing in the Office of the County Clerk and Recorder of Jefferson County at Golden, Colorado, this ___ day of _____, 20 _____.

County Clerk and Recorder

Deputy Clerk

G. Notes

1. The following notes shall be placed in the note section: (reloc. 7-12-05)
2. The total number of lots and/or dwelling units in the proposed subdivision. (reloc. 7-12-05)
3. When ditches will be provided along streets. (reloc. 7-12-05; am 5-20-08)

Roadside ditch surface treatments other than grass are prohibited. No portion of a landscape irrigation system shall be located within the street right-of-way without prior license agreement with the county. Ditches along the streets shall be constructed by the developer in accordance with the approved street construction plans on file with Planning and Zoning. Except for driveway construction and for routine and regular maintenance activities by the adjoining lot owner, no other alteration or modification to any such ditches shall be made without prior approval by Planning and Zoning. Property owners are to construct driveways per the standard detail provided with the approved street construction plans on file with Planning and Zoning. Only 1 (one) driveway may be permitted to access each lot unless otherwise approved by Planning and Zoning.

4. When right-of-way width will be 30 or 36 feet. (reloc. 7-12-05)

Front, rear and side setback lines shall be measured from the easement line.

5. When subsurface groundwater collection systems exist or are proposed, a note which specifies the entity responsible for maintenance of collection systems and the reception number for the maintenance plans which are recorded with the Clerk and Recorder. The note shall be in a form acceptable to the Case Manager. (am. 7-12-05)
6. Where arterial streets are adjoining or within a subdivision, the following statements shall be placed in the note section. (reloc. 7-12-05)
 - a. Landscaping shall be in accordance with the landscape plan approved by and on file with Planning and Zoning. No alterations or modifications to the landscaping shall be made without prior approval by Planning and Zoning. (am. 7-12-05; am 5-20-08)
 - b. Trees and any other landscape materials in accordance with approved landscaped plans within 5 feet of back of curb shall not cause sight distance problems with vehicles entering the adjoining street from driveways or nearby intersections. In case of future disputes regarding sight distance, the County's sight distance table shall be used to determine the outcome. (reloc. 7-12-05; am. 11-24-15)
7. When detached sidewalks will be provided along collector streets, the areas between the back of curb and adjoining lot line shall be shown as tracts which comply with the requirements of D.8 of this section. Ownership and maintenance responsibility for said tract(s) shall be identified in the note section. Additionally, the following statements shall be provided in the note section. (am. 7-12-05)
 - a. Landscaping shall be in accordance with the landscape plan approved by and on file with Planning and Zoning. No alterations or modifications to the landscaping shall be made without prior approval by Planning and Zoning. (am. 7-12-05; am. 5-20-08)
 - b. Trees and any other landscape materials in accordance with approved landscaped plans within 5 feet of back of curb shall not cause sight distance problems with vehicles entering the adjoining street from driveways or nearby intersections. In case of future disputes regarding sight distance, the County's sight distance table shall be used to determine the outcome. (reloc. 7-12-05; am. 11-24-15)
8. When detached sidewalks will be provided along local streets, the following statements shall be placed in the note section. (reloc. 7-12-05)
 - a. Landscaping shall be in accordance with the landscape plan approved by and on file with Planning and Zoning. No alterations or modifications to the landscaping shall be made without prior approval by Planning and Zoning. (am. 7-12-05; am. 5-20-08)
 - b. Trees and any other landscape materials in accordance with approved landscaped plans within 5 feet of back of curb shall not cause sight distance problems with vehicles entering the adjoining street from driveways or nearby intersections. In case of future disputes regarding sight distance, the County's sight distance table shall be used to determine the outcome. (reloc. 7-12-05; am.11-24-15)

H. Restrictions

1. The following plat restriction shall be placed on the first sheet of the Final Plat whenever any alterations to the floodplain boundaries, flood elevations or flood depths as shown on the Flood Insurance Rate Maps or in the Flood Insurance Study are proposed. (reloc. 7-12-05)

As a condition of approval of this plat by the Board of County Commissioners of Jefferson County, no conveyance, sale or transfer of title of lots (insert lot numbers) or tracts (insert tract names) identified hereon, shall be made, nor any building permit or certificate of occupancy be issued by the County of Jefferson, State of Colorado, until such time as the following has been accomplished.

1. A letter of map revision from the Federal Emergency Management Agency has

been submitted to Jefferson County.

2. A Certificate of Compliance has been issued by the County of Jefferson, signifying that the letter of map revision is consistent with the floodplain report as approved by the Board of County Commissioners in conjunction with this plat of (insert subdivision name).

A conveyance, sale or transfer of a specific lot or lots or tract or tracts of land identified hereon may be made prior to compliance with the provisions of this paragraph where the subdividers and the proposed transferee, who must also qualify as a "subdivider" under the provisions of Section 30-28-137, C.R.S., as defined in Section 30-28-101(9), C.R.S., have been granted an exemption from platting from the Board of County Commissioners of Jefferson County, expressly conditioned upon execution of an Exemption Agreement between the Board and the subdividers whereby the transferee subdivider agrees in writing to compliance with the same requirements and restrictions of this paragraph and all pertinent provisions related thereto.

2. The following plat restriction shall be placed on the first sheet of the Final Plat where the presence of steep and potentially unstable sites has been identified. These sites typically include buildable areas with slopes of 30% or greater, but may also include areas where slope stability concerns are prevalent due to the underlying geologic conditions that are identified during the platting process. (reloc. 7-12-05; am. 10-13-09)

STEEP SITE PLAT RESTRICTION

Prior to the issuance of each building permit, an engineer, licensed in the State of Colorado and experienced in evaluating slope stability in mountainous terrain, shall certify to the county the following:

1. That a geotechnical study, including a test boring or excavation within the proposed building footprint has been conducted on the specific lot to which the building permit references. A formal slope stability analysis, evaluating the impacts of the proposed site grading and physical improvements, has been performed as part of the geotechnical study. A determination has been made as to the design criteria for structure foundations, retaining walls, site grading, and subsurface drainage necessary to assure the safety and structural integrity for all buildings and structures as defined in Section 1 of the Jefferson County Zoning Resolution.
2. That the proposed site grading, building envelope and location of individual sewage disposal system components are configured such that adequate long-term slope stability is provided.
3. That the plans submitted to Building Safety have been reviewed and/or prepared by the subject engineer and that he has verified that said plans meet or exceed the criteria set forth in paragraphs 1. and 2. above.

Before the county performs a final inspection pursuant to the County Building Code, an engineer, licensed in the State of Colorado and experienced in evaluating slope stability in mountainous terrain, shall verify and certify that the actual construction of the foundation and subsurface drainage system meets the specification in the plans as submitted in the building permit application.

3. The following plat restriction shall be placed on the first sheet of the Final Plat where the presence of expansive soils has been identified in site specific soils reports or in publications from the United States Geological Survey or Colorado Geological Survey. (reloc. 7-12-05; am. 5-20-08)

EXPANSIVE SOILS PLAT RESTRICTION

Prior to the issuance of each building permit, an engineer, licensed in the State of Colorado and experienced in design and construction of structures on expansive soils, shall certify to the county the following.

1. That a subsurface soils investigation, including a test boring, has been conducted on the specific lot to which the building permit references and that a determination has been made as to the design criteria necessary to assure the safety and structural integrity for all buildings and structures as defined in Section 1 of the Jefferson County Zoning Resolution.
2. That proper subsurface drainage has been designed for the specific lot to which the building permit references and that a determination has been made as to the design criteria necessary to assure the safety and structural integrity for all buildings and structures as defined in Section 1 of the Jefferson County Zoning Resolution.
3. That the plans submitted to Building Safety have been reviewed and/or prepared by the subject engineer and that he has verified that said plans meet or exceed the criteria set forth in paragraphs 1. and 2. above.

Before the county performs a final inspection pursuant to the Jefferson County Building Code, an engineer, licensed in the State of Colorado and experienced in the field of design and construction of structures on expansive soils, shall verify and certify that the actual construction of the foundation and subsurface drainage system meets the specification in the plans as submitted in the building permit application.

4. The following plat restriction shall be placed on the first sheet of the Final Plat when structures are proposed on slopes less than 30% in the Mountains, unless Planning and Zoning substitutes this restriction with the Steep Site Plat Restriction. (orig. 5-20-08; am. 10-13-09)

MOUNTAINOUS TERRAIN PLAT RESTRICTION

Prior to the issuance of each building permit, an engineer, licensed in the State of Colorado and experienced in design and construction in mountainous terrain, shall certify to the County the following:

1. That a geotechnical study, including a test boring or excavation has been conducted on the specific lot to which the building permit references. A determination has been made as to the design criteria for structure foundations, retaining walls, site grading, and subsurface drainage necessary to assure the safety and structural integrity for all buildings and structures as defined in Section 1 of the Jefferson County Zoning Resolution.
2. That the proposed site grading, building footprint and location of individual sewage disposal system components are configured such that adequate long-term slope stability is provided.
3. That the plans submitted to the Building Safety have been reviewed and/or prepared by the subject engineer and that he has verified that said plans meet or exceed the criteria set forth in paragraphs 1. and 2. above.

Before the County performs a final inspection pursuant to the County Building Code, an engineer, licensed in the State of Colorado and experienced in evaluating slope stability in mountainous terrain, shall verify and certify that the actual construction of the foundation and subsurface drainage system meets the specification in the plans as submitted in the building permit application.

5. The following plat restriction shall be placed on the first sheet of the Final Plat whenever thinnings of forest cover are necessary to help reduce the hazards and risks of wildfire. (reloc. 7-12-05)

WILDFIRE PLAT RESTRICTION
As a condition of approval of this plat by the Board of County Commissioners of Jefferson County, no conveyance, sale or transfer of title of lots (insert lot numbers) or tracts (insert tract names) identified hereon, shall be made, nor any building permit or certificate of occupancy be issued by the County of Jefferson, State of Colorado, until such times as the following has been accomplished by the developer. A letter of compliance has been received from the Colorado State Forest Service stating practices designed to reduce wildfire hazards have been completed. Such work may include, but is not necessarily limited to the following:
Forest-wide thinnings
Fuelbreak thinnings
Prunings
Debris disposal

6. Public Improvements: The following plat restriction shall be placed on the first sheet of all plats to prevent the conveyance, sale, or transfer of title of the subdivision or lot(s) within the subdivision and to prevent the issuance of a building permit prior to issuance of a Certificate of Compliance, or to prevent the issuance of a Certificate of Compliance prior to the completion of all public improvements and certification of water taps. Note that the restriction in paragraph (b) below applies only for those developments within a water district. (reloc. 7-12-05)

COVENANT AND PLAT RESTRICTION ON CONVEYANCE, SALE OR TRANSFER
As a condition of approval of this plat by the Board of County Commissioners of Jefferson County and to meet the requirements of Section 30-28-137, C.R.S., as amended, no conveyance, sale, or transfer of title of this entire subdivision, or of any lot, lots, tract, or tracts of land identified hereon, shall be made, nor shall any building permit or certificate of occupancy be issued until a CERTIFICATE OF COMPLIANCE has been granted by the County of Jefferson, State of Colorado, duly recorded by the Clerk and Recorder of said same county, certifying that:
(a) Those public improvements as set forth in Exhibit "A" of the Subdivision Improvements Agreement, recorded under Reception Number _____ of the records of the Jefferson County Clerk and Recorder, or that portion of said improvements as shall be necessary to totally serve specific lot(s) or tract(s) covered by a particular Certificate of Compliance, have been properly designed, engineered, constructed and accepted as meeting the standards of the County of Jefferson, applicable special districts, and applicable servicing authorities, or, that a substituted security or collateral authorized pursuant to Section 30-28-101, C.R.S., as amended, has been submitted to and accepted by the County of Jefferson, which is sufficient in the judgment of the county to assure completion of all public improvements as set forth in Exhibit "A" of said Subdivision Improvements Agreement recorded under Reception Number _____ or any portion thereof necessary to serve the specific lot(s) or tracts(s) to be covered by a particular Certificate of Compliance and to assure said improvements are completed in accordance with reasonable design and time specification; and
(b) The applicable special district or servicing authority has certified in writing to

the County of Jefferson that all necessary water taps needed to serve the specific lot(s) or tract(s) to be covered by a particular Certificate of Compliance have or will in fact be issued by such district or authority.

- (c) A compaction report has been submitted to and accepted by the County of Jefferson which shows conformance to the applicable grading requirements in accordance with the Jefferson County Land Development Regulation.

Provided, however that a conveyance, sale, or transfer of a specific lot(s) or tract(s) of land identified hereon may be made prior to compliance with the above provisions where the Subdivider(s) and the proposed transferee, who must also qualify as a "Subdivider" under the provisions of Section 30-28-137, C.R.S., as defined in Section 30-28-101 (9), C.R.S., and the Board of County Commissioners of Jefferson County have executed an amendment to the Subdivision Improvements Agreement whereby the transferee Subdivider agrees to comply with the same requirements and restrictions of this COVENANT AND PLAT RESTRICTION ON CONVEYANCE, SALE OR TRANSFER.

These restrictions on conveyance, sale or transfer of title of this entire subdivision or any lot(s) or tract(s) of land identified hereon shall run with the land and shall extend to and be binding upon the heirs, executors, legal representatives and assigns of the Subdivider and shall be enforceable pursuant to the provisions of Section 30-28-137, C.R.S, as amended.

- (a) Approved, covenanted, and agreed to as consideration for Final Plat approval by the Board of County Commissioners this _____ day of _____, 20____.

- 7. Show Homes: For any development that includes show homes within a water district or equivalent entity providing water to the public, the following plat restriction shall be placed on the first sheet of the Final Plat to allow for the issuance of a building permit(s) prior to issuance of a Certificate of Compliance for show homes: (reloc. 7-12-05; am. 11-24-15)

A Building Permit may be issued for up to 6 homes to be designated as "Show Homes" without completing public improvements or obtaining the necessary water taps provided neither the Subdivider, any Holders of Deeds of Trust nor any other person shall be permitted to sell, offer to sell, lease, rent, convey, transfer, or assign any such home(s), lot(s), or tract(s) or to occupy as a dwelling or a permanent office any portion of such home(s) prior to the granting by the county of a Certificate of Compliance for such lot(s) or tract(s). The subdivider shall provide a compaction report and obtain approval from the appropriate fire protection district for water and access prior to issuance of a Building Permit. Building Safety shall conduct final inspections prior to the use of the show homes. The Subdivider and Holders of Deeds of Trust agree and promise to forever release, hold harmless, and indemnify the County of Jefferson, State of Colorado, its elected officials, employees and agents, from any suit, claim, damages or other legal liability, including costs and attorneys fees, arising either directly or indirectly out of, the construction of any such home(s) or the use of any such home(s). The Subdivider hereby acknowledges and agrees that a document will be recorded in Jefferson County upon issuance of a Building Permit for a Show Home(s) that will contain the restrictions set forth herein.

- 8. Landscape Maintenance: The following plat restriction shall be placed on the first sheet of the Final Plat whenever a landscape plan is approved as part of the plat: (reloc. 7-12-05)

LANDSCAPE MAINTENANCE

- a. Maintenance of required landscaping, including irrigation systems, fences, walls, sidewalks, and other landscape structures where they exist, is the ongoing responsibility of the landowner.
- b. Plant materials required as part of a county-approved landscape plan shall be continuously maintained in a healthy, growing, and orderly condition. This shall include proper pruning, mowing of turf areas, fertilization, the regular application of appropriate quantities of water, and the regular treatment and repair of all diseased or insect ridden materials. All unhealthy, damaged, destroyed, irreparable, removed, or dead plant materials shall be replaced within one (1) growing season (where a growing season is defined as the days between April 15 and October 15) with plant materials of similar variety and size. In all cases, the replacement plant material shall preserve the intent and purpose of the original plant material and the county-approved landscape plan.
- c. Structures required as part of the county-approved landscape plan, such as irrigation systems, fences, walls, sidewalks, and other landscape elements, shall be continuously maintained in a structurally sound, and orderly condition. All damaged, destroyed, irreparable, or removed landscape structures shall be replaced within one (1) year with similar structures. In all cases, the replacement structure shall preserve the intent and purpose of the original structure and the county-approved landscape plan.
- d. Required landscape areas, as delineated in the county-approved landscape plan, shall be kept free of trash, litter, weeds, pests, and other such elements not part of the county-approved landscape plan.
- e. Entrance onto the property and periodic inspections of landscaping by personnel from the county shall be allowed by the landowner.
- f. Any deviation from the provisions and terms of the county-approved landscape plan is prohibited without the approval of the Board of County Commissioners or staff approval pursuant to the provisions of the Land Development Regulation.

9. Dipping Bedrock: The following plat note shall be placed on the first sheet of the Final Plat when the property is wholly or partially within the Designated Dipping Bedrock Areas as defined by the Zoning Resolution: (reloc. 7-12-05)

DIPPING BEDROCK

Public notice is hereby given that a portion or all of this site is located within the Dipping Bedrock Overlay District as defined in the Jefferson County Zoning Resolution. This district contains an unusual geologic hazard with the potential for severe differential heaving of bedrock that can result in foundation, buried utility and concrete flatwork movement. This site was platted in accordance with the regulations contained in the Jefferson County Zoning Resolution and Land Development Regulation in effect at the time of platting.

10. Underdrain Connection Restriction: The following restriction shall be placed on the first sheet of the Final Plat when a connection to an underground drain system is required prior to building permit issuance: (orig. 5-20-08)

UNDERDRAIN RESTRICTION

Prior to the rough framing inspection, a completed Form Letter U is required to verify a physical connection between the perimeter drain and main subsurface groundwater collection system.

11. Radon Mitigation Restriction: The following restriction shall be placed on the first sheet of the Final Plat when the plat is for a residential use: (orig. xx-x-xx)

RADON MITIGATION RESTRICTION

Prior to the rough framing inspection, a completed Form Letter R is required to verify the installation of a radon mitigation system in each residential building.



12/13/16

Section 27 – Radiation

A. Standards

1. The proposed development shall ~~evaluate and mitigate be free from such naturally occurring and man-made radiation hazards through the following: as determined by the Colorado Department of Public Health and Environment to be hazardous to the public health.~~ (reloc. 7-12-05; am. 4-4-06, am. xx-xx-xx)

~~a. A radon mitigation system shall be required for new residential construction in accordance with the International Residential Code to address the health hazard associated with radiation from radon gas. (orig. xx-xx-xx)~~

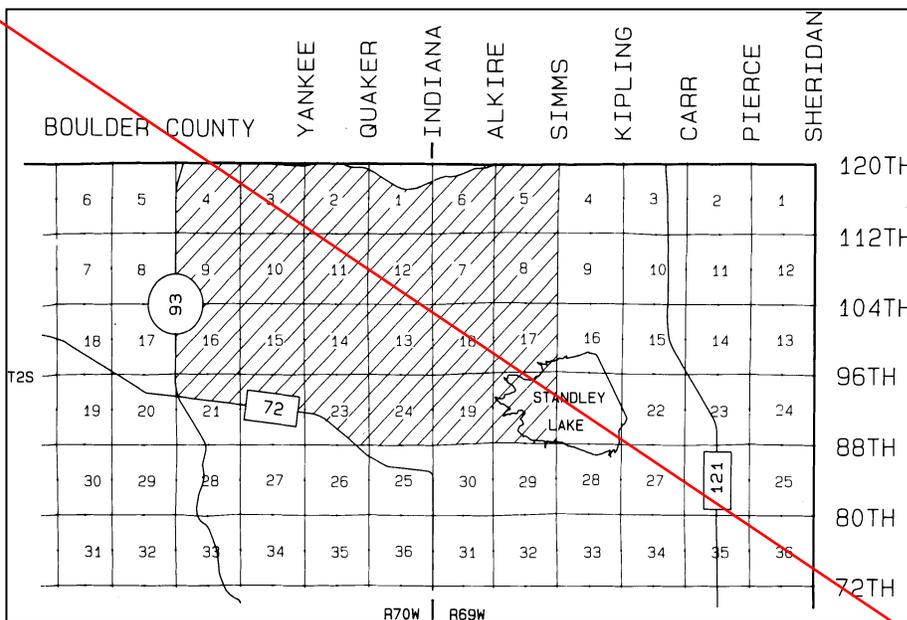
~~2. n applicant proposes not to install a A Radiation Assessment shall be required. (orig. 4-4-06)~~

~~b. During the evaluation of the Environmental Questionnaire/Assessment, if radiation not associated with radon gas is identified as a potential hazard, a Radiation Assessment will be required. (orig. xx-xx-xx)~~

~~3. A Radiation Map, Report and Plan(s) shall be required for:~~

~~a. Proposed developments located within any potential radiation hazards that are identified by the County's Potential Radiation Hazard map or other areas identified through the Environmental Questionnaire/Assessment that may be identified by Public Health. (orig. 4-4-06; am. 12-21-10)~~

~~b. Proposed developments located within the area as delineated by diagonal hatching on the following Map. (orig. 4-4-06)~~



B. Radiation Assessment

1. Preparation

The Radiation Assessment shall be prepared and signed by a professional engineer, registered in the State of Colorado. (orig. 4-4-06)

2. Content

Identification of all existing and potential radiation hazards, such as radon, uranium mill tailings, nuclear reactors, processing, handling or disposal and/or deposition of radioactive materials. (orig. 4-4-06, am. xx-xx-xx)

3. Approval

- a. The Radiation Assessment shall be verified by Public Health in conjunction with the Colorado Department of Public Health and Environment. (orig. 4-4-06; am. 12-21-10)
- b. If the Radiation Assessment yields evidence of radiation hazards, a Radiation Report shall be required. (orig. 4-4-06)

C. Radiation Report

1. Preparation

The Radiation Report shall be prepared and signed by a professional engineer, registered in the State of Colorado and qualified in the field of nuclear engineering or health physics. (orig. 4-4-06)

2. Content

- a. Land use histories of the proposed development shall include, if applicable, but not be limited to, the following: (reloc. 7-12-05; am. 4-4-06)
 - (1) Areas of virgin or undisturbed ground. (reloc. 7-12-05)
 - (2) Areas that have had, but not limited to, the following type disturbances (specify depth). (reloc. 7-12-05)
 - (a) Specific dates of any on-site excavations. (reloc. 7-12-05)
 - (b) Routine (yearly) excavation which includes, but is not limited to, contour or strip plowing. (reloc. 7-12-05)
- b. Areas of concern shall include, if applicable, but not be limited to the following: (reloc. 7-12-05)
 - (1) General areas of natural deposits of uranium and/or thorium identified by the U.S. Geological Survey as possessing significant quantities and concentrations or as otherwise identified. (reloc. 7-12-05)
 - (2) General areas surrounding nuclear production and/or utilization facilities, as defined by the U.S. Nuclear Regulatory Commission regulations. (reloc. 7-12-05)
- c. The method of taking representative samples shall be in accordance with the following: (reloc. 7-12-05)
 - (1) Detailed description of sample acquisition and its justification in relation to hazard analysis. (reloc. 7-12-05)
 - (2) Depth of sample of the disturbed/undisturbed soil situation. (reloc. 7-12-05)
 - (3) Involved surface area of individual sample. (reloc. 7-12-05)
 - (4) The number of samples taken per unit of land area indicating how different land forms and/or water bodies and/or streams affected the number of samples taken. (reloc. 7-12-05)

- d. The method of analysis of samples shall be in accordance with the following: (reloc. 7-12-05)
 - (1) Describe the method in detail, or if by documented procedure, reference the procedure and qualify any changes in that referenced procedure. (reloc. 7-12-05)
 - (2) Quality control procedures for the analytical procedure employed. (reloc. 7-12-05)
 - (a) Number of analyses per sample (replicates). (reloc. 7-12-05)
 - (b) Participation of currently available federal government inter-laboratory crosscheck programs. (reloc. 7-12-05)
 - (c) Standards used must be traceable to the National Bureau of Standards. (reloc. 7-12-05)
 - e. Evaluation of the analysis shall include, but not be limited to the following: (reloc. 7-12-05)
 - (1) Methods of "averaging" and handling anomalous data. (reloc. 7-12-05)
 - (2) Criteria or guidelines used in the hazard evaluation. (reloc. 7-12-05)
 - (3) All assumptions used and their use qualified. (reloc. 7-12-05)
 - f. The date the fieldwork was performed, and a list of references and other supportive data used. (reloc. 7-12-05; am. 4-4-06)
 - g. Radiation Area Map showing
 - (1) The proposed development including lots, tracts, and street/road alignments. (reloc. 7-12-05; am. 4-4-06)
 - (2) The natural topography as shown by contour lines. (reloc. 7-12-05)
 - (3) Radioactive conditions. (reloc. 7-12-05; am. 4-4-06)
3. Approval
- a. The Radiation Report shall be approved by Public Health in conjunction with the Colorado Department of Public Health and Environment. (orig. 4-4-06; am. 12-21-10)
 - b. If the Radiation Report yields evidence of radiation hazards, a Radiation Plan shall be required. (orig. 4-4-06)

D. Radiation Plan(s)

1. Preparation

- a. Radiation Plan(s) shall be prepared and signed by a professional engineer, registered in the State of Colorado and qualified in the field of nuclear engineering or health physics. (reloc. 7-12-05; am. 4-4-06)
- b. The Radiation Plans shall assure that radiation factors are recognized and mitigated. . (am. 7-12-05; am. 4-4-06)

2. Content

- a. The radioactive processes, constraints and hazards which will or could affect the proposed development. (reloc. 7-12-05; am. 4-4-06)
- b. The results of the final evaluation of the analysis shown by a table and map identifying specific sampling sites, land use histories and areas of concern. (reloc. 7-12-05)

- c. Alternatives, solutions and methods for abatement and/or control of the radiation hazard. (reloc. 7-12-05)
- d. The entity/entities that will implement the Radiation Plan, construct required improvements and be responsible for the maintenance of the improvements and appropriate easements, if any. (reloc. 7-12-05; am. 4-4-06)

3. Approvals

The Radiation Plans shall be approved by Public Health in conjunction with the Colorado Department of Public Health and Environment prior to the proposed development's approval. (reloc. 7-12-05; am. 4-4-06; am. 12-21-10)



Section 30 - Environmental Assessments

A. Standards

1. ~~If any interest (fee simple, easement or otherwise) in a street, road, lot, tract, parcel or strip of land is to be dedicated to the County,~~ an Environmental Questionnaire and Disclosure Statement (EQDS Form 6000) shall be completed. The purpose of the EQDS is to provide staff with information to conduct a preliminary assessment of the land interest for the likely presence of recognized environmental conditions. (orig. 10-25-05, am. xx-xx-xx)
2. Recognized environmental conditions are the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substance(s) of petroleum product(s) into structures on the property or into the ground, ground water, or surface water of the property. (orig. 10-25-05)
3. A Phase I, Phase II, and/or Phase III Environmental Site Assessment shall be required if recognized environmental conditions are found to be present in a street, road, lot, tract, parcel or strip of land is to be dedicated to the County. (orig. 10-25-05)

B. Environmental Questionnaire and Disclosure Statement (EQDS Form 6000)

1. Preparation
 - a. The Case Manager shall provide the Environmental Questionnaire and Disclosure Statement form to the applicant. (orig. 10-25-05)
 - b. The Environmental Questionnaire and Disclosure Statement shall be completed by the property owner(s), or officer, or general partner of the present property owner(s). (orig. 10-25-05)
2. Content

Public Health shall prepare, amend and update the Environmental Questionnaire and Disclosure Statement form as deemed necessary. (orig. 10-25-05; am. 12-21-10)
3. Approval
 - a. The contents of the Environmental Questionnaire and Disclosure Statement submitted by the applicant will be reviewed and verified by Public Health. A Site Visit may be conducted. (orig. 10-25-05; am. 12-21-10)
 - b. If the Environmental Questionnaire and Disclosure Statement yields any evidence of recognized environmental conditions, additional assessments, such as a Phase I, Phase II, and/or a Phase III Environmental Site Assessment and/or site remediation may be required. (orig. 10-25-05)

C. Phase I Environmental Site Assessment

1. Preparation

When a Phase I Environmental Site Assessment is required, it shall be prepared by a qualified environmental professional in accordance with the American Society for Testing and Materials (ASTM) E1527-00 "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process" requirements. (reloc. 07-12-05; am. 10-25-05)

2. Content

The Phase I Environmental Site Assessment shall include all (ASTM) E1527-00 requirements. (reloc. 07-12-05; am. 10-25-05)

3. Approval

- a. The Phase I Environmental Site Assessment will be reviewed by Public Health. (orig. 10-25-05; am. 12-21-10)
- b. If the Phase I Environmental Site Assessment yields any evidence of recognized environmental conditions, a Phase II Environmental Site Assessment may be required. (reloc. 07-12-05; am. 10-25-05)

D. Phase II Environmental Site Assessment

1. Preparation

- a. When a Phase II Environmental Site Assessment is required, it shall be prepared by a qualified environmental professional in accordance with the American Society for Testing and Materials (ASTM) E1903-97 (re-approved 2002) "Standard Guide for Environmental Site Assessments: Phase II Environmental Site Assessment Process" requirements. (orig. 10-25-05)
- b. The Phase II shall be sufficient to evaluate the risk of potential liability from acquisition and use of the property for the intended purpose (e.g. roads, detention ponds, parks, schools, etc.) and provide pertinent public/worker health and safety information. (reloc. 07-12-05; am. 10-25-05)

2. Content

The Phase II Environmental Site Assessment shall include all (ASTM) E1903-97 (re-approved 2002) requirements. (orig. 10-25-05)

3. Approval

- a. The Phase II Environmental Site Assessment will be reviewed by Public Health. (reloc. 07-12-05; am. 10-25-05; am. 12-21-10)
- b. If the Phase II Environmental Site Assessment yields any evidence of recognized environmental conditions, a Phase III Environmental Site Assessment may be required. (reloc. 07-12-05; am. 10-25-05)

E. Phase III Environmental Site Assessment

1. Preparation

- a. When a Phase III Environmental Site Assessment is required, it shall be prepared by a qualified environmental professional in accordance with applicable industry standards, such as an American Society for Testing and Materials (ASTM) standard or equivalent. (orig. 10-25-05)
- b. The Phase III shall be sufficiently detailed to adequately characterize the nature and extent of contamination on the property and to enable development of the plan of remediation and to design the remediation project, if any, to be constructed on the property. (reloc. 7-12-05; am. 10-25-05)

2. Content

The Phase III Environmental Site Assessment shall include all applicable industry standard requirements. (orig. 10-25-05)

3. Approval

- a. The Phase III, including the remediation recommendations, will be reviewed by Public Health. (reloc. 07-12-05; am. 10-25-05; am. 12-21-10)
- b. If the Phase III Environmental Site Assessment recommends remediation, the remediation shall be conducted prior to the development's approval. (reloc. 07-12-05; am. 10-25-05)

Referral Agencies/Organizations

ORGANIZATION	NAME
Agricultural Ditch and Reservoir	Gary Theander, Manager
Apex Park and Recreation District	Justin Howe
Applewood Sanitation District	Roy Banks
Arapahoe County Public Works & Development	Jan Yeckes
Arvada Fire Protection	Kevin Ferry
Arvada Planning Department	Rob Smetana
Aspen Park Metro District	Bob Blodgett
Assessor	Kathy Sewolt
Assessor	Barb Klein
Bancroft - Clover Water and Sanitation District	Tim Smith
Bancroft Fire Protection	
Bayou (Slough) Ditch Company	George Jorgensen, Pres
Bear Creek Water and Sanitation District	Sandra Boster
BENNETT BEAR CREEK FARMS WATER AND SANITATION DIST.	
Bergen Ditch and Reservoir	Jim Ferentchak c/o WW Wheeler and Associates
Berkeley Water & Sanitation District	
Blue Mountain Water District	
Boulder County Planning Department	
Boulder Planning & Development Services	
Bow Mar Building Commissioner	Karen Reutzel
Bow Mar Water and Sanitation	Patrick Fitzgerald
Bowles Metropolitan District	David Peak
Brook Forest Water District	Nickie Holder
Broomfield Planning Department	John Hilgers
Broomfield Planning Department	Alice Hanson
Building and Safety	Nihiser John
CDOT Mountains	Richard
CDOT Plains	Brad
CDPHE - Hazardous Materials and Waste Management Division	Jennifer Opila
CDPHE - Prevention Services Division	Built Environment Coordinator
CDPHE (Colo Health)	Ingrid Hewitson
CenterPoint Integrated Solutions, LLC	Jake Hertz
Century Link	Dustin Pulciani
Chadwick Land Use Entitlements Company	Mike Chadwick
Chambers Consulting, Inc.	Jamee Chambers
Chimney Rock Metropolitan District	Lisa Jacoby
Chopper Mountain, Inc.	Ashley Cooley
Church Ditch Water Authority	Nathan McCoy
City of Lakeside	City Clerk
City of Lakewood	Diana Brown-Evens
City of Lakewood Parks & Rec District	Steve Carpenter
City of Lakewood Parks & Recreation	Ross E. Williams
Clear Creek County Planning Department	Frederick Rollenhagen
Clear Creek Open Space Department	Martha
Clear Creek Valley Water & Sanitation	Kevin
Coal Creek Canyon Fire Protection	
Coal Creek Canyon Park District	Linda Martin

College Park Sanitation	
Colorado Department of Health	Water Quality -see Conifer list
Colorado Department of Transportation #1M	Attn: Access Manager
Colorado Natural Gas	Bill Shaw
Colorado State Forest Service	Allen Gallamore
Colorado State Land Board	Greg
Columbine Knolls Recreation District	BRETT N. RODEWALD
Comcast	Scott Moore
Community Development	Emily Sander
Conifer Chamber of Commerce	
Consolidated Juchem Ditch and Reservoir Company	Tom Fletcher, Pres
Consolidated Mutual Water Company	Andy Rogers
County Attorney	Kourtney Hartmann
Croke Canal Farmer Reservoir & Irrigation	Scott Edgars
DANCING WILLOWS METROPOLITAN DISTRICT	c/o Community Resource Services - Susan Blair
Daniels Sanitation District	Jason
Denver Mountain Parks	Dick Gannon
Denver Parks & Recreation	Nikki McCabe
Denver Planning Department	Nicole Skoumal
Denver Planning Department	Nicole Skoumal
Denver Water	Gary Booth
Department of Local Affairs	Clay Brown
Division of Water Resources	Sarah Brucker
Douglas County Planning Department	Chris Boyd
Douglass Engineering	Glenn Douglass
Edgewater	Jennifer Schartz
Edgewater Fire Protection	
Elk Creek Fire Protection	Bill McLaughlin
ENS Consulting	Richard Cassens
ENS Consulting, LLC	Richard Cassens
Evergreen Chamber of Commerce	
Evergreen Fire Rescue	
Evergreen Metropolitan District	Nancy
Evergreen Park & Rec District	Scott Robson
Fairmount Fire Protection	Neil Rosenberger
Farmers High Line Canal and Reservoir Co	
Farmers Reservoir and Irrigation	Molly Lockhart
Federal Emergency Management Agency (FEMA)	Stephanie Poore
Fine Line Consulting	Doug Reed
Foothills Fire Protection	Frank Dearborn
Foothills Park & Recreation District	Colin Insley
FOREST HILLS METROPOLITAN DIST	
Fruitdale Sanitation Dist	
Ft Logan Ditch Company	Steve Sarrow
Ft. Logan Ditch Company	Steve
Galloway, Romero & Associates	
Genesee Fire Protection	Bill Easterling
Genesee Water and Sanitation District	Rita Claar

Gilpin County Planning Department	Tony Peterson
Golden Area Chamber	
Golden Fire Department	
Golden Gate Fire Protection	Doug Cupp
Golden Planning Director	Steve Glueck
Grant Water and Sanitation District	Judy Simonson
Green Gables Metropolitan District No. 2	Bob Blodgett
Green Mountain Water and Sanitation District	Dave Hartkopf
Green Tree Metropolitian District Nos 1 & 2	
High View Water District	Jason
Homestead Water Company	Norm Lewis
Idledale Fire Protection	
Idledale Water & Sanitation	Lisa A. Johnson
Indian Hills Fire Rescue	Randy Rudloff
Indian Hills Water District	Kristin Waters
Inter-Canyon Fire Protection	Randy Rudloff
Interoffice: Development & Transportation	Jeanie Rossillon
Interoffice: Public Health	Roy Laws
IREA, Director of Lands and Rights-of-Way	Brooks Kaufman
JCM Development, LLC	J. Cliff McKissack
JEFFERSON CENTER METRO DIST	
Jefferson Center Metro District	A.J. Beckman
Jefferson County Clerk and Recorder	Susie Swain
Jefferson County Economic Development Corporation	Leigh Seeger
Jefferson County Fire Council	Bill Lucatuorto
Jefferson County Housing Authority	Alan Feinstein
Jefferson County Planning & Zoning Divison	
Jefferson County Planning & Zoning Divison	
Johnson Mutual Ditch Company	John Reiber, President
KEN CARYL RANCH METRO DISTRICT	
Ken Caryl Ranch Metro District	Darrell Windes
Ken Caryl Ranch Metro District	Darryl Windes
Ken Caryl Ranch Water and Sanitation District	Tim Anderson
Kittredge Sanitation Water & Sanitation District	Chris Schauder
Lakehurst Water & Sanitation District	Elaine Spence
Land Form Inc	Mike Kortendick
Leawood Metropolitan Recreation and Park District	
Lee Stewart Eskins Ditch Company	Pete Acker
Leyden Water District	Terry
Littleton Fire Rescue	Tim Stover
Littleton Planning Department	Andrea Mimnaugh
Lochmoor Water and Sanitation District	c/o Nancy Tucker
Lookout Mountain Water District	Christina Shea
Lyons Ridge Metropolitan District	Matthew Dalton
Meadowbrook - Fairview Metro District	Eric Byrd
Meadowbrook Water District	Eric Byrd
MillerCoors	
ML Richardson	ML Richardson

Morrison Planning Department	Kara Zabilansky
Mount Carbon Metropolitan District	Bob Blodgett
Mount Vernon Country Club	Peter Clampitt
Mount Vernon Fire Protection	
Mountain Water District	Terry Miers
MOUNTAIN WEST METROPOLITAN DISTRICT	SEAN ALLEN
Mt Olivet Ditch Lateral	Wright Water Engineers
MT VERNON CNTRY CLUB METRO DIST	
Normandy Estates Metro/Rec District	
North Fork Fire Protection	
North Metro Fire Protection	Steve Gosselin
North Table Mountain Water & Sanitation District	Wendy
NW Lakewood Sanitation District	AJ Beckman
Open Space	Nancy York
Park County Planning & Zoning	Sheila Cross
Pitsker and Associates	Benjie Pitsker
Plains Metro District	David Peak
Planning and Zoning - All	
Platte Canyon Fire Protection	Gail Judge
Platte Canyon Water and Sanitation District	Patrick Fitzgerald
Pleasant View Fire Protection	
Pleasant View Metro District	Chris Malmgren
Pleasant View Water & Sanitation District	Andy Rogers
Powell Tyler Associates, Inc.	Jeff Tyler
Prospect Recreation & Park District	Mike Hanson
Public Health	Craig Sanders
R-1 School District	Tim Reed
Reserve at the Meadows Metropolitan District	
Richard J Scheurer, Esquire	Dick Scheurer
Road & Bridge 1	C Atencio
Road & Bridge 2	Mike Haraldson
Road & Bridge 3	Rick Pollock
Road & Bridge 4	Cory Day
Rocky Mountain Metropolitan Airport	Bryan Johnson
Rocky Mountain Water Company	Wade Isham
Roxborough Park Metro District	David Peak
Roxborough Water & Sanitation District	Larry Moore
Section 14 Metro District	Ann Finn
SH Entitlements	Heather Scott
SH Entitlements	Heather Scott
Sheriffs Office	Jeff Shrader
South Evergreen Water District	Judy Simonson
South Suburban Park & Rec District	Brett Collins
Southwest Suburban Denver Water and Sanitation	Judy Simonson
Special Projects	Kate Newman
The West Chamber/Jefferson County	
Town of Mountain View	Eugene Barnes
Town of Superior	Matt Town Manager

Trailmark Metropolitan District	Cathy Noon
Transportation and Engineering	Mike Vanatta
United Power	
UNITED POWER INC	
Upper Bear Creek Water & Sanitation District	Dave Lighthart
Upper South Platte Water Conservancy District	Carol Ekarius
Urban Drainage and Flood Control District	David Mallory
Valley Water Dist	
Village at Aspen Park Water & Sanitation Dist	Jill Neuffer
Vineyard Town Square Metro District	Lisa A. Johnson
Wannamaker Ditch Company	
Ward Canal Company	Gary Theander, Manager
Warrior Ditch	Jerry Foster, c/o Denver Water
Welch Ditch Company	Gary Theander, Manager
West Jefferson County Metro District	Chris Schauder
West Meadows Metro District	Jennifer Gruber Tanaka
West Metro Fire Protection	Bruce Kral
Westminster Fire Protection	
Westminster Planning Department	John McConnell
Wheat Ridge Fire Protection	
Wheat Ridge Planning Department	Ken Johnstone
Willowbrook Water & Sanitation District	Erik Byrd
XCEL ENERGY	Donna George

Comments on Draft 1 of the Site Development Plan regulation update as of 8-3-16

Source of Comment	Comment	Staff Response
General		
Assessor's Office	I am very concerned about allowing dedications for right of way on site development plans. We currently do not process site development plans on our records because it has never been considered as a plat, because they do not create new legal descriptions or parcels. Therefore it is likely that we would miss the dedications for right of way on our records. I would have to discuss this with the County Attorney to see how we could get around this.	After our meeting on July 7, our current direction is that not all Site Development Plans will be recorded. Only Site Development Plans where a new document, called a Site Adjustment/Dedication Plat is submitted. This Site Adjustment/Dedication Plat would only be required where right-of-way was dedicated, where easements were dedicated, where easements are vacated, or where a lot was being created from a superlot plat. The Site Adjustment/Dedication Plat would contain a purpose statement that would include information about what the Site Development Plan is for, whether easements have been dedicated or vacated, whether right-of-way is dedicated or whether any line changes are occurring. (e.g. The purpose of this Site Development Plan is to construct a 3,500 square foot car wash, merge lots 1 and 2 of the Sandy Subdivision, dedicate right-of-way along Bowles Avenue and dedicate easements for access and drainage.)

CDOT, Rick Soloman	Clarify the submittal requirements and criteria for approval of larger complex development projects that entail multiple phases.	The County does have requirements for Transportation Studies to be submitted with Site Development Plan depending on the scale of the project (1,000 trips is the typical cut-off between a Traffic Study and a Traffic Analysis.)
CDOT, Rick Soloman	Regarding off-street parking and loading, please be advised that CDOT's code does not advocate or recognize the use of highway corridors for on-street parking.	The County requires sufficient parking on the site for the proposed use and would defer to CDOT access code requirements.
Clerk and Recorder (Suzie)	We are unable to record "regular" documents with plats as one document as our fee structure is different for both; we also have to retain original plats and return original documents. Survey plats have their own set of statutes and fees that are different from regular plats (which include SDP ODP's) so no, we can't have a Survey/Non-Survey SDP category; plats are either regular plats with their requirements and fees or they are survey plats with their requirements and fees.	After our meeting on July 7, our current direction is that not all Site Development Plans will be recorded. Only Site Development Plans where a new document, called a Site Adjustment/ Dedication Plat is submitted. This Site Adjustment/Dedication Plat would follow Plat standards in State Statute. We are also discussing having a separate letter size document that would be recorded for all Site Development Plans to make sure if title work is complete that owners would be aware that this document applies to the property. We would like to discuss this further with your Department during the 2 nd referral period.
Felicity Hannay	The only suggestion I would make is an editing suggestion relating to Section 1 page 10. There are two places on that page where this phrase appears in proposed new language -- "...(i.e. a garage)." [You may well know all this, but I will explain anyhow, please forgive me if it is unnecessary!] That seems to	Thank you. We have changed i.e. to e.g. when referencing an example.

	<p>be a mis-use of "<i>i.e.</i>" which is an abbreviation for the phrase <i>id est</i> in Latin. In English, <i>id est</i> means "<i>that is</i>" or "<i>in other words</i>" – it indicates that the words following <i>e.g.</i> are an exhaustive or complete list of the category. So if you use it in this context, it would limit the type of building to a garage only -- "...if the building will not be connected to public water (<i>that is, a garage</i>)." In order to identify the garage as simply an example of the type of building meant, you would instead use "e.g." which is an abbreviation for the Latin <i>exempli gratia</i> which means "<i>for example.</i>"</p>	
Jefferson County Open Space	<p>Some existing language in O.2.b.(4) indicates that the SDP process is not applicable to "government facilities". Does this applicable to us?</p>	<p>Government facilities would apply to any Jefferson County agency, such as Open Space or Transportation and Engineering. Government agencies need to go through the Site Approval process for facility improvements.</p>
Jefferson County Open Space	<p>The Minor SDP still requires (R): Phase III Drainage Report, Geologic and Geotechnical Report and an Environmental Questionnaire/Assessment. Could these be optional (A)?</p>	<p>We are removing the distinction between major and minor SDP's and adding language that allows the Director of Planning and Zoning to waiver part or all of the SDP requirement.</p>
Jefferson County Open Space	<p>If we do need to submit an SDP for development of buildings, would be great for us to discuss these thresholds related to our trailhead facilities:</p> <ul style="list-style-type: none"> a. New building 1,000 sq ft or more – major SDP b. New building 200 – 1,000 sq ft – minor SDP c. No SDP if less than 200 sq ft d. Addition of 50% or more when less than 5,000 sq ft building – minor SDP e. Several additions in aggregate over 5,000 sq ft – major SDP 	<p>An SDP would not be needed for Open Space facilities.</p>

Jefferson County Open Space	In the section O.2.b.(6) where it indicates this does not require an SDP, good addition of language, “(6) Construction of only parking lot areas or landscape features”	Thank you.
Jefferson County Open Space	The language for a landscape plan, etc... is now to be referenced in the respective section of the Zoning Resolution, however, in Section E, General Standards, Number 8, it says a Landscape Plan Requirements, a) Must be prepared by a Landscape Architect. Why is section E.8. being included if we can now reference the landscape regulations in another section of the ZR? Would we ever have to submit a landscape plan and need to have one of our LA’s stamp the plans?	E. 8 is proposed to be moved from Section 1 Administration of the Zoning Resolution to Section 15 Landscaping. Per state statute (CRS 12-45-104) a person shall not practice landscape architecture unless the person has a license issued by the board. Our interpretation of that is that all landscape plans must be prepared by a licensed landscape architect.
Jefferson County Public Health	One of the risks of radiation exposure to Jefferson County residents is Radon. As such, we request language be adopted by Planning and Zoning that will require testing, analyzing and mitigation if radon is detected through the testing process. We recommend language be adopted in the Land Development Regulation in Section 27 A.3 that stipulates preventive and corrective measures to be used to avoid and mitigate the hazard of radon.	We have been working with Jefferson County Public Health and have added language to our regulations that allows an applicant to either implement passive radon mitigation standards or submitting a Radiation Assessment.
Jefferson County Public Health	We agree that the current map delineated in both the Zoning Resolution and Land Development Regulation (LDR) should be replaced with a comprehensive map of all known radiation hazards both man-made and naturally occurring in unincorporated Jefferson County.	The map will be removed from the Regulations. There will not be a comprehensive map created because the entire County would be covered by the radon hazard.
Jefferson County Public Health	JCPH agrees with the language proposed in LDR Section 4.C.27.	Thank you.
Jefferson County	We recommend that LDR Section 27 A.2. be removed and	Based on our meeting with Public Health

Public Health	replaced with assessment for Radon as stipulated above in #1 of these comments. It may also be possible to eliminate the 'generic' Assessment section.	and the Building Division, we will be giving the option of either implementing a passive radon mitigation system or submitting a Radiation Assessment.
Jefferson County Public Health	ZR Section 1 Table K, do not remove Radiation from the Table. It is possible that there may be potential exposure (again most likely to Radon) to radiation from naturally occurring sources, such as mine tailings.	We have not removed Radiation from the Table.
Jefferson County Public Health	ZR Section 1, #21 and #22, what if the development is connected to a well and or onsite wastewater treatment system? Will Water Supply Information and Wastewater Information still be required? Please note, many private garages have restrooms in them and or sinks.	We have retained proof of Water and Wastewater as required submittal items and added language that if water or sanitation will not be provided to the building that a letter from the applicant may suffice for this requirement.
Lisa Woodward	Thanks you for the information. I would like to see in the changes a max. square footage for an additional garage not to exceed 50% of the sq footage of the home. Exceptions could be made is neighbors and homeowner associations agree. We have several garages that look like warehouses in a residential area which is not fair to the other homeowners and decreases their home values	Thank you for the comment, however, this regulation is not applicable to single-family residential.
MillerCoors	Thank you the Site Development Plan regulation revision timeline and the update regarding the various changes that are on the horizon for the next draft. As noted, because of the unique size and breadth of activity within MillerCoors property footprint within Jefferson County we are particularly focused on changes to the current regulations with respect to establishing a significantly higher square footage threshold for	A square footage threshold of 200 square feet was included. Staff contemplated a greater square footage for a threshold, but could also think of instances where a building should be reviewed for impacts even if it were smaller. Therefore, we have added the ability for the Director of

	<p>a Site Development Plan as well as modifications regarding the rationale and mechanisms associated with the rights-of-way requirements and entitlements per Site Development Plans. In addition, given that within our large property boundary we have a variety of existing structures, it is highly likely we could have several construction projects planned for the year. In this regard, we ask that some process be incorporated within the proposed revisions that would avoid repetitive filing of Site Development plans which can be both costly and time consuming for both the County and MillerCoors.</p> <p>At this juncture in the drafting process recognizing that at new draft will be released in the coming weeks with expected modifications, we will defer further comments until the following comment window.</p>	<p>Planning and Zoning to waiver part or all of the Site Development Plan process. If a structure is over 200 square feet, but impacts would be minimal, the process may be waived.</p> <p>There was also a comment regarding to several structures in a year within the same boundary. The term structure has been replaced with building in the regulation because the County's definition of structure was very broad and could include a parking lot or detention pond. Also, a Site Development Plan could accommodate all of the proposed buildings in one document. The Site Development Plan is valid for 2 years and this draft has added the allowance for extensions of that 2 year period to be granted.</p> <p>We will keep you informed of the next release of the draft.</p>
<p>Bergen Creek HOA</p>	<p>Notices: Section 1, page 17 item 3, a, 1, a on notices provides an exception for mountain areas, with 'unusually high population density' that limits mailed notices to 500' and not the usually required ¼ mile. We can understand that distrubuting these notices is an administrative burden with related costs. However, our mountain areas' greater elevations, sensitive wildlife habitat and limited access to resources & infrastructure typically available in urban areas, means we are frequently far</p>	<p>This process is handled administratively and this cannot change. This process will not allow subdivision of land, but will function much like a minor adjustment does.</p>

	<p>more significantly impacted by new developments - especially near activity centers with 'unusually high population density'. Therefore, we suggest that this exception should be removed. Perhaps an email or phone notification application similar to our CodeRED could be deployed to reduce any negative budgetary impacts.</p> <p>Parcel Plat change within SDP: Another concern is providing for parcel plat changes within a Site Development Plan application.</p> <p>The public has important interest in how land is divided or combined. These issues typically focus on a property's clearly defined boundary locations, its appropriate size & shape, access to public roads and adequate provisions for open areas, drainage & utilities. These subdivision considerations can be very different than the equally important land use issues related to proposed site development plans. These site developments should receive public considerations which must focus on a broad range of potential specific impacts.</p> <p>Also, site development plans must be reviewed for compatibility with area comprehensive master plans. These thoughtful master plans cover a wide range of land use elements that can be far removed from the subdivision considerations mentioned above.</p> <p>In our opinion, including these two important county government authorities within a single SDP application process will both confuse these issues, and potentially diminish attention on 2 very important aspects of providing for the public's general interest of health, safety and wellbeing.</p>	
Sun Creek HOA	Thank you for sending us this information, and thank you for	These changes are to clarify the process,

	<p>attending the meeting Russ set up with our HOA's last week. Hoping you have a better understanding of what is going on up here.</p> <p>We will be most happy to review your regulation revisions (Is this presumably designed to accelerate new developments like the tennis property's?) - After you send us copies of the tennis property's rezoning case correspondence - Specifically, your (Jeffco) responses to Zocalo's preliminary proposal submitted early this year.</p> <p>We appreciate your cooperation with this in our effort to continue the transparency.</p>	<p>not necessarily speed up or slow down the process.</p>
<p>West Metro Fire</p>	<p>Comment #1 Page 10, item #20- Water Supply Information- The proposed changes remove the water supply information requirement for Minor Site Development Plans if not connected to public water. However water availability is useful information in determining fire flow and hydrant requirements even if domestic water service is not expected for the building. Some newly defined minor SDP's that may still benefit from having water supply information required:</p> <ul style="list-style-type: none"> - Construct new 200 sf – <1000 sf building on vacant land - Addition of 50% or more that is also less than 5,000 sf - Changing from residential use or residential zoning to an industrial, commercial or institutional use or zone if any existing building will be used for the nonresidential use, with no additions. (because the water requirements for commercial/institutional are different than residential). <p>Comment #2 Page 15, item #3.b.- Curious as to what the criteria or benchmark is for determining what gets referred at the preapplication</p>	<p>Second referral draft now lists that we will require proof of water to address issues like this. If not connecting to water or sewer than a letter may be submitted, but that will be part of the referral packet for the Fire district to review if they want more water information.</p> <p>We don't required people to go through a pre app, but we strongly encourage it so that we know up front what the issues might be. There are no guidelines, only staff's opinion and whether the applicant does not want to.</p> <p>Getting back to the fire district that all comments were addressed could be part of our process, but can't be included in the regulations. We send referrals until all</p>

	<p>stage? Is it subjective /rule of thumb? Or do guidelines exist?</p> <p>Comment #3 Is there a way to implement a final step that provides verification to the fire districts that all comments were appropriately addressed? We typically don't received any sort of confirmation that the intent of our comments were understood and appropriately addressed. Perhaps the final plans can be distributed?</p> <p>Comment #4 Is it worthwhile to have a meeting with the fire districts (or open to all referral agencies) to close this conversation?</p>	<p>issues are addressed. If you don't hear back, we have taken care of comments.</p> <p>There will be 2nd Referral</p>
No Comments		
Arapahoe County Planning	Arapahoe County has no comment on your updates as written.	Thank you.
Arapahoe County Engineering	Engineering Staff has reviewed the proposed Regulation Revision. The Engineering Division has no comments regarding the referral at this time based on the information provided.	Thank you.
CDPHE, Environmental Specialist	The Colorado Department of Public Health and Environment has no comments on the Jefferson County Regulation Revision Case No. 16-103547AM.	Thank you.
DowntownEvergreen Economic District (DEED)	Thank you Christiana and Heather for allowing us to review and provide input on these important changes. On behalf of the Downtown Evergreen Economic District, we are generally in support of the changes outlined in this proposal. We feel that it may serve to simplify the SDP process for many Developers/Owners/Business Owners as projects come in all shapes and sizes and the current one-sizefits-all approach poses a potential barrier to development for many as the up front costs of the design services for getting through the SDP	Thank you.

	process can be prohibitive for small project owners. Anything that can be done at the county level to remove these barriers and encourage people to improve their properties would be appreciated tremendously.	
North Table Mountain Water and Sanitation District	North Table Mountain Water and Sanitation District (NTM) reviewed the proposed revisions regarding regulations pertaining to the Site Development Plan process. The District appreciates the opportunity to review proposed changes to County regulations regarding development. The District has no comments on the revision.	Thank you.
Solterra HOA	I had no comments to the revisions.	Thank you.

Comments on Draft 2 of the Site Development Plan regulation update as of 10-5-16

Source of Comment	Comment	Staff Response
General		
CDOT, Rick Soloman	<p>CDOT has no further comments.</p> <p>I wish to put in context, our initial remarks re: off-street parking. Issues & problems often exist along State Highways such as SH 74 between Evergreen Lake & Idledale.</p> <p>Parking variances to allow on-street parking (on CDOT ROW) that are granted by the County BOA or Planning Commission still needs to gain CDOT acceptance.</p>	Thank you for the clarification.
DW, Citizen	<p>Thanks for the opportunity to comment on the draft revisions to the Site Development Plan process. I hope that it's okay that I am writing as an individual and not as a representative of the Willow Springs Open Space Owners Association, to whom the request for comments was addressed.</p> <p>My review of the draft revisions focused primarily on Section 1 (Administrative Provisions) and the proposed provisions therein that state "Relief from submitting this type of document may be considered by the Director of Planning and Zoning". Had I not been intimately involved in the Lyons Ridge rezoning and platting processes and witnessed first-hand the effect that politics can play in subverting and hijacking these processes I would have no problems with proposed revisions giving the Director of Planning and Zoning more discretion in these matters. However, having experienced how political directives can undermine and influence otherwise legitimate processes, I am very uncomfortable with revisions that expand</p>	<p>Staff thinks the provision added allowing the Planning Director to waive all or a portion of the process is an important provision to allow for situations when there would be no benefit to the County to requiring the Site Development Plan process. However, we do understand your concern with not having a checks and balances system. Therefore, we have added language to the regulation that states that an appeal of the decision may be made. That appeal would go to the Board of County Commissioners at a public hearing.</p> <p>Any time the Planning Director receives a waiver request, even for submittal documents, there is an analysis done by</p>

	<p>discretion in a way that might be used to promote political directives and favoritism. Though I believe that a certain amount of discretion is necessary, it should be available only if there is a track record of consistency of application and the exercise of professional objectivity. Things may have changed since the Lyons Ridge days, but I'm still uncomfortable with these proposed revisions.</p> <p>I am also a bit concerned about the proposed provisions in Sections 1 and 4 that allow the Director of Planning and Development to override the determinations of the Case Manager as to what is needed for a submittal. Again, having already seen how political influences and directives have been used to undermine and thwart the professional objectivity of Case Managers, the idea of adding these provisions to the regulations worries me. It would seem that the Director already has this authority and that it is unnecessary to add specific language to the regulations.</p> <p>Please let me know if you have any questions or need any clarification. Thanks again for the opportunity to comment, and thanks to you personally for your high standard of professionalism and for all the good work you do for the Department.</p>	<p>staff and a recommendation is made to the Planning Direction. It seems clearer that the Planning Director has the authority to waive submittal requirements if the language is in the regulation.</p>
<p>Jefferson County Public Health</p>	<p>1. Section 1, Page 11: (21) Water Supply Information: Submit information on the proposed water supply in accordance with the Water Supply Section of the Land Development Regulation.</p> <p>If a structure or use is proposed that does not require a permanent water supply system, then a letter verifying that the structure is unoccupied and no water will be extended may be</p>	<p>Staff has made these changes.</p>

	<p>submitted and reviewed by staff for adequacy to meet this requirement. (orig. 7-11-07; am. 4-20-10; am. 4-30-13, am. xx-xx-x)</p> <p>(22) Wastewater Information: Submit information on the proposed wastewater disposal in accordance with the Wastewater Section of the Land Development Regulation.</p> <p>If a structure or use is proposed that does not require wastewater disposal, then a letter verifying that the structure is unoccupied and no sanitation will be provided may be submitted and reviewed by staff for adequacy to meet this requirement. (orig. 4-20-10; am. 4-30-13; am. xx-xx-xx)</p>	
Jefferson County Public Health	<p>TYPO in treatment and systems: Section 1, page 42</p> <p>(j) The location and size of existing/proposed wells and on-site wastewater treatment systems. (orig. 2-22-00; am. 10-25-05; am. xx-xx-xx)</p>	Staff has made this change.
Jefferson County Public Health	<p>Section 1 Page 36 d.</p> <p>If served by well...individual sewage disposal system needs to be changed to onsite wastewater treatment system.</p>	Staff has made this change.
Jefferson County Public Health	<p>Alter ZR Section 1, LDR Section 4 and LDR Section 27 to further clarify radon mitigation. Language in each should be consistent as follows:</p> <p>To address radiation from radon gas in soil, which is present throughout the County, all new residential construction shall include a radon mitigation system installed in accordance with</p>	Staff has modified the Radiation language based on subsequent conversations with Public Health and the County Geologist.

	<p>Appendix F Radon Control Measures, 2015 International Residential Code, or equivalent. In addition, a Radiation Assessment in accordance with the Radiation Section of the Land Development Regulation shall be required in potential radiation hazard areas, such as, but not limited to areas near uranium mines, uranium veins, or downwind of Rocky Flats. (orig. 4-20-10; am xx-xx-xx)</p>	
MillerCoors	<p>Section O. Site Development Plan 2.Application (6) Tenant finish where additional floor space will be created within an existing building. (orig. xx-xx-xx) Comment: Please clarify what is meant by the terms, “Tenant finish”, in regard to where additional floor space will be treated within an existing building with respect to triggering a SDP. Is it correct to assume that “tenant finish” does not mean finishing out unoccupied existing floor space—i.e., drywall, painting, fixtures which will enable the creation of “additional” floor space to be occupied but not in its literal meaning be physical new “additional” floor space.</p>	<p>Additional new floor space means when a building with tall ceilings adds another floor where previously it was just open interior space. We have had one development where the structure was originally finished as a one story building and now tenants are adding a mezzanine level interior to the one story building essentially making it a two story building. This area was not originally anticipated, so there are parking implications. This would not mean finishing out a space as previously approved.</p> <p>Staff has added the following clarifying language “...such as a second floor being added to the interior air space of an existing one story building.”</p>
MillerCoors	<p>Section I. Submittal Requirements 2.Requirements (6) e. The Director of Planning and Zoning may waive required submittal documents if he/she determines that the information would not materially aid in reviewing the application. (orig. 10-25-05;</p>	<p>Staff thinks the existing language allows a large amount of flexibility in the submittal requirements and that an additional size breakdown is not needed. SDP applications</p>

	<p>am. 5-20-08; am. 4-20-10; am. 12-21-10; am. 9-27-11; am. xx-xx-xx)</p> <p>Comment: Given the cost and time for both the County and the applicant to prepare, process and review Site Development Plans any opportunity to simplify this process to meet County requirements is a “win/win” for all parties. Therefore we appreciate the revision to provide the Director of Planning the discretion to waive submittal documents. In the spirit of this process simplification we urge consideration and inclusion into the regulations a sliding graduated square footage scale table as follows that would lessen the need for a ‘full blown” SDP document generation as required in Section I. Submittal Requirements 2.Requirements (2) i.:</p> <table border="1" data-bbox="506 737 1314 1157"> <thead> <tr> <th data-bbox="506 737 905 800">Threshold</th> <th data-bbox="905 737 1314 800">Documents Required</th> </tr> </thead> <tbody> <tr> <td data-bbox="506 800 905 863">Under 200 Sq. Feet</td> <td data-bbox="905 800 1314 863">None</td> </tr> <tr> <td data-bbox="506 863 905 1027">200-500 Sq. Feet</td> <td data-bbox="905 863 1314 1027">Only those documents determined necessary by the Director of Planning and Zoning</td> </tr> <tr> <td data-bbox="506 1027 905 1157">500 Sq. Feet ></td> <td data-bbox="905 1027 1314 1157">See Table in <u>Section I. Submittal Requirements 2.Requirements (2) i.</u></td> </tr> </tbody> </table>	Threshold	Documents Required	Under 200 Sq. Feet	None	200-500 Sq. Feet	Only those documents determined necessary by the Director of Planning and Zoning	500 Sq. Feet >	See Table in <u>Section I. Submittal Requirements 2.Requirements (2) i.</u>	<p>are so different that different uses may require different reports. Even at smaller sizes, for example, a 300 square foot warming shed has a much different impact than a 300 square foot food and beverage stand. Staff was unable to find a set list that would apply to all situations we could think of and that is why we removed the tiered size approach in Draft 1 of these regulations. Currently, over half of the submittal documents are “A” – as determined by staff. If the applicant believes staff is requiring certain documents where they are not needed, they may request a waiver from the Director of Planning and Zoning.</p>
Threshold	Documents Required									
Under 200 Sq. Feet	None									
200-500 Sq. Feet	Only those documents determined necessary by the Director of Planning and Zoning									
500 Sq. Feet >	See Table in <u>Section I. Submittal Requirements 2.Requirements (2) i.</u>									
MillerCoors	<p>Section O. Site Development Plan 3. Procedure 2</p> <p>Comment: Recognizing that both the applicant and the County are often under considerable time constraints, we appreciate the table presented in this section. However, the County needs to consider that an 84 day (nearly three months) time gap from 1st referral to determination can be a significant amount of</p>	<p>Staff has modified the timeframes to allow for more time for outside agency review. What we have found is that the initial referral period did not allow agencies enough time to thoroughly evaluate the technical and detailed documents typically</p>								

	time for an applicant to wait, which has in itself inherent additional costs and constraints for both the County and applicant every day beyond the initial submission of the permit application. We respectfully urge more compressed time frame windows in order to match the number of documents under the various square footage thresholds proposed above.	required. This modified timeframe only adds 14 days to the existing regulations. If there is a case that does not require as many documents, then typically not as many referral agencies need to be notified. By allowing the Site Development Plan to do some additional things the process cannot do now, multiple other processes may not be needed at the same time, thus decreasing the overall processing.
MLR, Jeffco EDC	ZR, Section 1, p. 8 and LDR, Section 4, p. 5 – make sure all items relocated indicate “reloc.” at the end. Item (7)(a)(a-1) does not.	“reloc.” was added.
MLR, Jeffco EDC	ZR, Section 1, p. 35, 2.a.(8) – What happens if someone requests a waiver and then does not agree with the Director’s decision? Is there an appeal process?	We have added the ability for appeals to the Board of County Commissioners
MLR, Jeffco EDC	ZR, Section 1, p. 36, j. – This wording is unclear and needs to be worked on.	The numbering was off, so this is now item (6) on page 36. The wording was changed to say, “Changes to or elimination of notes, restrictions, and certificates that do not adversely affect traffic safety, visual impact, wildlife, drainage, soil erosion, wildfire hazard, noise, or the provision of open space. If these items are affected, it will need to be demonstrated that the effect can be adequately mitigated.”
MLR, Jeffco EDC	ZR, Section 1, p. 36, second a.-e. – “If” should be added to the beginning of each sentence.	The language after the first sentence was supposed to be located after the first sentence in paragraph c. to be similar to the language in the Minor Adjustment

		regulations. Staff has moved this language, and it now makes better sense without the “If”. This section has also been renumbered.
MLR, Jeffco EDC	ZR, Section 1, p. 38, a., second paragraph – This area should talk about how this is the point where referral agencies are identified.	The language has been updated to read, “Staff will review the sufficiency application to determine if the submittal documents are complete. Following this review, Staff will prepare written notice explaining any deficiencies in the submittal documents and identifying appropriate referral agencies and fees...”
MLR, Jeffco EDC	ZR, Section 1, p. 41, a.(1) – The word “need” should be replaced with “reason”.	Staff agrees; this change has been made.
MLR, Jeffco EDC	ZR, General – An Index should be created for the ZR.	Creating an Index for this document would be a large undertaking and may be more appropriate with a future update that is more general.
MLR, Jeffco EDC	LDR, Section 1, p. 2, paragraph after item 6., 3 rd Sentence – Reword to include improvements and permits and use another word than “Obtained”.	Staff has modified the 3 rd sentence to say the following: “For the purpose of this provision, if improvements would have been required through the regular subdivision process, then those improvements/permits would need to be secured through another applicable County process (such as a Land Disturbance Permit).”
Planning Engineering	Please revise the following provision in Section 1 of the ZR as indicated:	This change has been made.

	<p>P. Minor Variations</p> <p>1. Minor variation(s) from strict application of the provisions of a zoning requirement may be allowed at the discretion of the Director of Planning and Zoning in order to facilitate the reasonable and expeditious processing of a development application. A minor variation may be granted for both onsite and offsite requirements for the following: Plats, Exemptions, Vacations, Minor Adjustments, Residential Structure Exclusions, Land Disturbance Permits, Floodplain Permits, Oil and Gas Production Drilling, and Site Development Plans. A minor variation may be granted for the offsite requirements of the following: Zonings, Special Uses or Site Approvals. Such variations shall be allowed only after a finding by the Director of Planning and Zoning that: (orig. 1-17-84; am. 6-14-88; am. 12-17-02; am. 5-20-08; am. 4-20-10; am. 12-21-10, am. xx-xx-xx)</p>	
Transportation & Engineering	ZR, Section 1, page 2: Clarify what the abbreviations "S.T.P" and "S.T.C" represent.	These are abbreviations for the terms "Subject to Platting" and "Subject to Condition". This clarification has been added.
Transportation & Engineering	ZR, Section 1, page 6: Move first row of table onto previous page.	Final formatting will be addressed after a decision has been made on the changes.
Transportation & Engineering	ZR, Section 1, page 8: The use of the word "permitted" may be confusing since "permit" is used commonly in other contexts. Suggest using "allowed" or equivalent.	The language regarding the survey has been generalized and the language referenced is no longer in the draft.
Transportation & Engineering	ZR, Section 1, page 10, (24) (a): Change Traffic to Transportation.	This change has been made.
Transportation & Engineering	ZR, Section 1, page 11, (26): Change Traffic to Transportation. Traffic implies only information related to vehicles. The	This change has been made.

	transportation system could include other modes or new/planned infrastructure.	
Transportation & Engineering	ZR, Section 14: Can we discuss adding minimum bike parking spaces?	That is beyond the scope of this update. However, staff will put this on our list of items to look at with future updates.
Transportation & Engineering	ZR, Section 14 F.1.a.: Does remote parking refer to both off-site and off-street parking?	Yes.
No Comments		
Arapahoe County Engineering	Engineering Staff has reviewed the proposed Regulation Revision. The Engineering Division has no comments regarding the referral at this time based on the information provided.	Thank you.
Xcel Energy	Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the second draft documentation for Jefferson County Regulation Revision – Site Development Plan Process and has no apparent conflict.	Thank you.

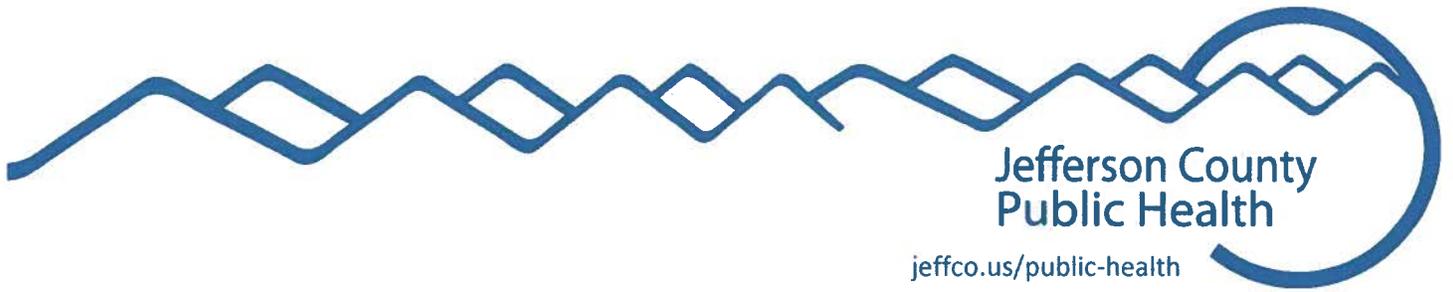
Hearing Draft

Comments

as of

December 6,

2016



November 29, 2016

To: Jefferson County Board of County Commissioners

From: Jefferson County Board of Health

RE: Proposed Amendments to the Radiation Hazard Sections of the Land Development Regulation and the Zoning Resolution

Dear County Commissioners:

Recently, Public Health staff reported to the Board of Health that the proposed amendments to the Radiation Hazard sections of the Jefferson County Land Development Regulation and Zoning Resolution include the following language:

"A radon mitigation system shall be required for new residential construction in accordance with the International Residential Code to address the health hazard associated with radiation from radon gas."

The Board of Health understands that at the conclusion of the October 26, 2016 public hearing, the Jefferson County Planning Commission approved of the proposed Radiation Hazard section amendments finding that:

- ✓ The amendments to the Zoning Resolution and Land Development Regulation establish clear, concise and comprehensive documents that meets the needs of our community today.
- ✓ The amendments to the Zoning Resolution and Land Development Regulation ensure consistency with current County regulations, State statutes and applicable Federal standards.
- ✓ The amendments are in the best interest of the health, safety, and general welfare of the residents of Jefferson County.

We concur with the Planning Commission's conclusions and believe the proposed radiation hazard section amendments align with and fulfill the mandates established in Colorado Revised Statutes §30-28-133 (3) (b) (III) which requires the subdivider to evaluate and address the potential radiation hazards to the proposed future land use as part of the subdivision process and subsequent land development.

Mission: Promoting and protecting health across the lifespan through prevention, education, and partnerships.

Lakewood Offices/Clinic	645 Parfet Street	Lakewood, CO 80215	phone: 303.232.6301	fax: 303.239.7088
Environmental Health	645 Parfet Street	Lakewood, CO 80215	phone: 303.232.6301	fax: 303.271.5760
Vital Records	800 Jefferson County Pkwy	Golden, CO 80401	phone: 303.271.6450	fax: 303.271.6451

Radiation hazards in Jefferson County are both naturally occurring and human caused. With the exception of radiation from the sun, radon is the most pervasive radiation hazard in Jefferson County. Radon is a naturally occurring invisible, odorless gas that comes from the natural radioactive breakdown of uranium in soil, rock and water. Radon decays into radioactive particles that when inhaled, can damage the DNA in sensitive lung tissue. The damaged cells can become cancerous. Every year, over 20,000 people die in the United States from lung cancer caused by radon, the second leading cause of lung cancer in our Country.

To address the human health hazard associated with radiation from radon gas, Jefferson County Public Health recommends that all new residential dwellings be constructed with radon mitigation systems installed in accordance with International Residential Code Appendix F- Radon Control Techniques in New Home Construction by a certified radon system installer.

The Board of Health unanimously supports the proposed amendment as an example of the collaborative effort between Planning and Zoning and Public Health to develop and implement sound public health policy and strongly recommends the adoption of the proposed amendments to the Radiation Hazards section of the Land Development Regulation and the Zoning Resolution.

Thank you for your consideration regarding this important public health issue.

Sincerely,



Jefferson County Board of Health

ATTACHMENTS:

LIST OF CITIES AND COUNTIES THAT HAVE ADOPTED RADON RESISTANT NEW CONSTRUCTION

ENCLOSURES:

Radon Resistant New Construction, Colorado Department of Public Health
Is Your Home Safe from Radon?

Mission: Promoting and protecting health across the lifespan through prevention, education, and partnerships.

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LIST OF CITIES AND COUNTIES THAT HAVE ADOPTED RADON RESISTANT NEW CONSTRUCTION

Source: Chrystine Kelly, Radon Program Manager, Colorado Department of Public Health and Environment
October 18, 2016

CITIES

Aspen
Breckenridge
Dillon
Durango
Frisco
Ft Collins – also for multi-family residential dwellings
Golden
Gunnison
Lakewood
LaVeta
Longmont
Pagosa Springs – adopted, but optional
Ridgway
Silverthorne
Snowmass Village – adopted, but optional
Sterling
Superior
Trinidad
Vail
Walsenburg

COUNTIES

Boulder County
Eagle County
Hinsdale County
Huerfano County
Las Animas County
Logan County
Pitkin County
Summit County

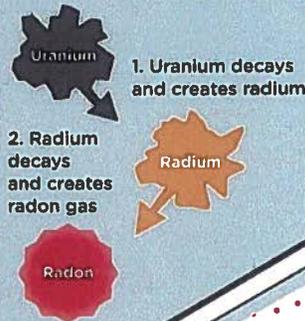
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IS YOUR HOME SAFE FROM RADON?

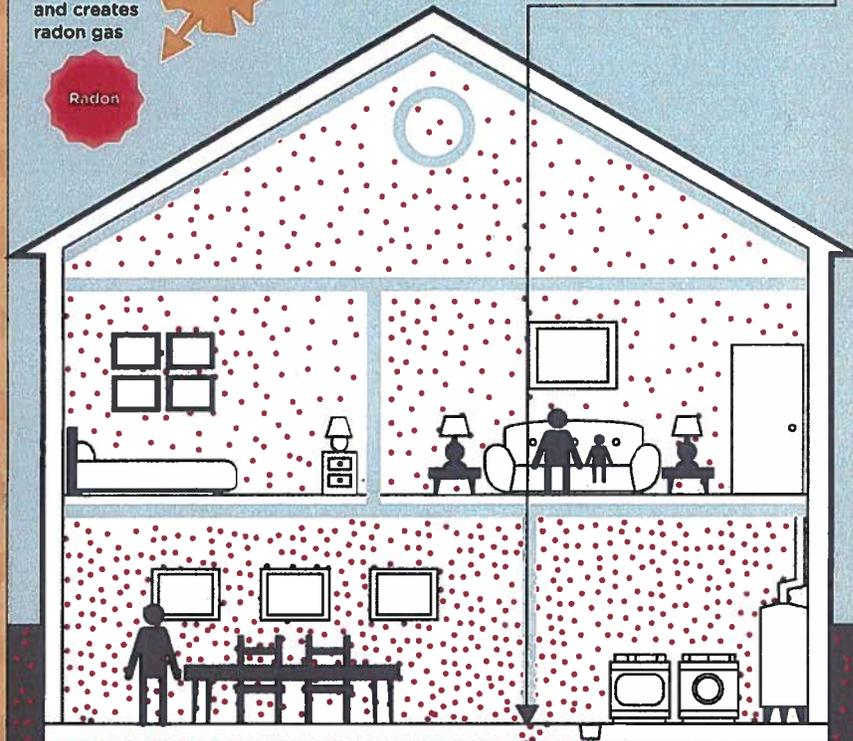
What is radon?

Radon is a naturally occurring invisible, odorless gas that comes from the natural radioactive breakdown of uranium in soil, rock, and water.



Radon can enter any home

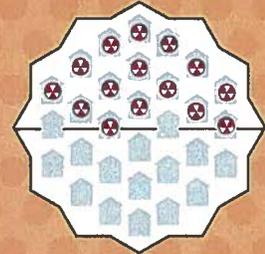
Radon is drawn in through cracks and gaps in the foundation.



Radon occurs naturally in soil

Due to the geology of Colorado, homes in our state have higher levels of radon than the national average.

About **50%** of homes in Colorado have high radon levels

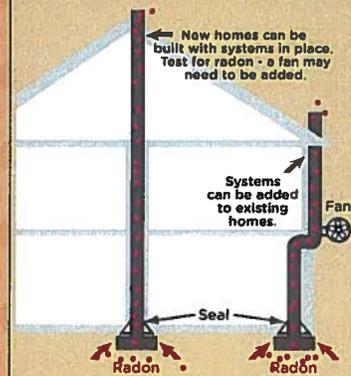


Testing for radon is easy



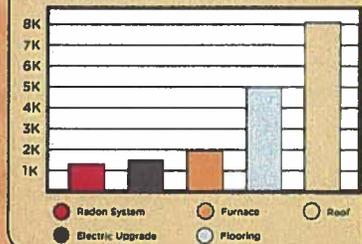
Do-it-yourself short-term and long-term radon test kits are easy to set up and available for less than \$35.

Fixing the problem is easy and inexpensive



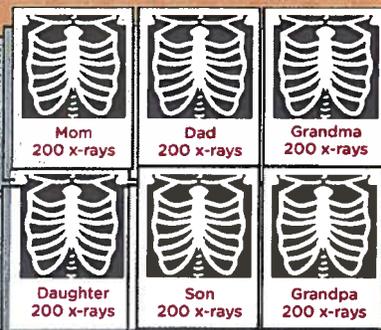
There are many options to fix this problem. Contact your health department for information.

Improvement cost comparisons



200 chest x-rays

In Colorado, living in a home with average levels of radon (6.4pCi/L) for one year is like having 200 chest x-rays every year. That's more than three chest x-rays for every person in the house every week.

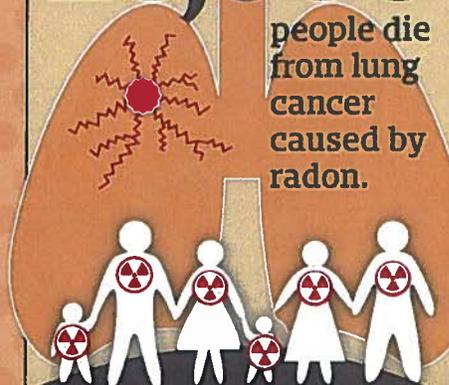


Radon causes cancer

Every year in the U.S., over

20,000

people die from lung cancer caused by radon.



Radon decays into radioactive particles that, when inhaled, can damage the DNA in sensitive lung cells. The damaged cells can become cancerous.

Contact Your Health Department

- Boulder County Public Health**
303.441.1580 Website: BoulderCountyRadon.org
- Broomfield Public Health & Environment**
720.887.2220 Email: publichealth@broomfield.org
- Denver Environmental Health**
720.913.1311 Website: Denvergov.org/phi
- Jefferson County Public Health**
303.232.6301
Website: Jeffco.us/public-health/air-quality/radon-gas
- Tri-County Health Department**
303.220.9200 Website: TCHD.org/282/Healthy-Homes
- Colorado Department of Public Health & Environment**
1.800.846.3986 Website: ColoradoRadon.info

STATE OF COLORADO

Bill Owens, Governor
Douglas H. Benevento, Executive Director

Dedicated to protecting and improving the health and environment of the people of Colorado

4300 Cherry Creek Dr. S.
Denver, Colorado 80246-1530
Phone (303) 692-2000
TDD Line (303) 691-7700
Located in Glendale, Colorado

Laboratory Services Division
8100 Lowry Blvd.
Denver, Colorado 80230-6928
(303) 692-3090

<http://www.cdphe.state.co.us>



Colorado Department
of Public Health
and Environment

Radon Resistant New Construction

The enclosed "Building Radon Out," booklet is provided by the Colorado Department of Public Health and Environment (CDPHE) to educate your company on building radon resistant homes.

Why should you build homes with radon-resistant techniques?

- It is inexpensive to install a radon system during construction.
- Construction techniques help block radon from entering the home.
- The occupants will benefit from lower radon levels in their new home.
- Passive radon resistant features allow for easy and inexpensive installation of a fan when there is a need to increase the radon reduction.
- A home constructed with a passive radon system is a positive selling point to the environmentally aware consumer.

Why is radon a concern?

- Radon is an invisible, odorless, radioactive gas created during the natural decay of uranium in the soil.
- Radon decays into radioactive particles known as radon decay products.
- These particles are easily inhaled and deposited in the lungs where they can damage sensitive lung tissue.
- The alpha particles that are released can kill or damage cellular tissue in the lungs leading to an increased risk of lung cancer.

The chances of getting lung cancer from radon depend mostly on how much radon is in the home, the amount of time spent in the home and whether the residents are smokers or have ever been smokers. Recently published statistics estimates that 21,000-lung cancer deaths each year are due to radon.

Radon can enter homes through cracks in floors, walls, or foundations. It can also be released from building materials, sumps, or from water obtained from wells that contain radon. Radon levels can be higher in homes that are well insulated, tightly sealed, and/or built on uranium-rich soil. Basements and first floors typically have the highest radon levels due to their proximity to the ground. Due to the fact that most people spend as much as 90 percent of their time indoors, indoor exposure to radon is a legitimate concern.

Based on the most recent analysis of annual homebuilder survey conducted by the National Association of Home Builders (NAHB) Research Center, it is more cost-effective to include radon-resistant techniques while building a home, rather than installing a radon reduction system in an existing home. For example: Materials and labor costs for radon-resistant techniques vs retrofitting an existing home is \$350 - \$500 vs. \$800 - \$2,500 (*a 128% to 400% saving!*) Some construction companies successfully use this as a marketing advantage.

We encourage your company to become one of the many builders nationwide who are helping to reduce the risks of radon.



COLORADO
Hazardous Materials
& Waste Management Division
Department of Public Health & Environment

Dedicated to protecting and improving the health and environment of the people of Colorado

December 1, 2016

Nicholas P. Hansen, Esq.
Rocky Flats Downwinders
Hansen Law Firm, a/k/a Colorado Contract
3773 Cherry Creek Drive, Suite #575
Denver, CO 80209

Sent via e-mail to nick@hansenlawfirm.com

Re: Letter regarding Rocky Flats Site, Colorado

Dear Mr. Hansen:

Thank you for your letter entitled "Re: Residents Living Downwind of the Rocky Flats Nuclear Weapons Plant," dated November 21, 2016. First, we greatly appreciate your concern for the health of the people of Colorado. We agree that protection of public health and the environment is critically important. We have and continue to subject the Rocky Flats Site to rigorous scientific scrutiny. Years of study and environmental data continue to support the conclusion that the Rocky Flats Site poses a minimal risk to human health and the environment. We continue to monitor the Rocky Flats Site to help ensure that remains the case. However, we recognize that some members of local communities continue to have questions and concerns about Rocky Flats.

You may be pleased to learn – as I stated at the initial Rocky Flats Downwinders' meeting – that for the past few months the Colorado Department of Public Health and Environment (CDPHE)'s Cancer Registry has been preparing a follow-up study of cancer incidence in the vicinity of the former Rocky Flats Plant. Our colleagues at the Cancer Registry have examined 25 years of additional cancer data and are preparing a final report. Once finalized, this follow-up report will be made public.

Because of concerns raised by Ms. Carol Jensen's survey, the Cancer Registry also plans to supplement the follow-up study with additional cancer data analysis. The supplement will specifically examine thyroid cancer incidence and the rare cancers cited by Ms. Jensen. We reached out to Ms. Jensen for a list of the rare cancers identified by her survey. Once CDPHE receives that information, the Cancer Registry group will retrieve cancer incidence data, conduct additional analyses, and supplement the follow-up study with those findings. These supplemental findings will also be made public.

Again, thank you for your interest in Rocky Flats and the health of the people of Colorado.

Sincerely,

Carl Spreng
RFLMA Project Coordinator





November 21, 2016

AN OPEN LETTER TO THE COLORADO DEPARTMENT OF PUBLIC HEALTH & ENVIRONMENT

Carl Spreng
State Project Manager for Rocky Flats
Colorado Department of Public Health & Environment
carl.spreng@state.co.us

Re: Residents Living Downwind of the Rocky Flats Nuclear Weapons Plant

Dear Mr. Spreng:

Thank you for attending the Rocky Flats Downwinders Health Survey Preliminary Findings Community Meeting on November 18, 2016. As you were informed at the meeting, and has now been reported on Channels 4, 7, 9 and 31 and in the Denver Post, Boulder Daily Camera, and Westword, the preliminary findings reflect an abnormally high level of thyroid cancer and "rare cancers" (those normally only affecting less than 15 of 100,000 people per year).

At the meeting, you admitted that no prior community health survey has ever been performed in which community members were directly asked about illnesses which may have been caused by Rocky Flats contamination. However, you commented that a Report to the Health Advisory Panel on Rocky Flats was prepared in 1998 by the Colorado Department of Public Health and Environment (the "Public Health Department") which utilized Colorado Central Cancer Registry information to determine that no higher rate of cancer was detected in residents living downwind of Rocky Flats versus the general population (the "1998 Report").

Unfortunately, as pointed out in the meeting by Professor Carol Jensen, the 1998 Report did not include a study of thyroid cancer. This omission is shocking in that thyroid cancer is one of the most common cancers caused by ionizing radiation exposure and it is abnormal levels of thyroid cancer which have been detected in the preliminary results of the Rocky Flats Downwinders Health Survey. The National Cancer Institute reports on its website under cancer causes, radiation and nuclear accidents that radioactive isotopes "accumulate in the thyroid gland, an organ in the neck" and "exposure to radioactive iodine may increase the risk of thyroid cancer many years later, especially for children and adolescents." Furthermore, "Radiation exposure of the thyroid at a young age is a recognized risk factor for the development of differentiated



thyroid cancer lasting for four decades and probably for a lifetime after exposure.” (Sinnott B, Ron E, Schneider A B, Exposing the Thyroid to Radiation: A Review of its Current Extent, Risks and Implications, Endocrine Reviews, 2010; 31(5), 756-773).

Consequently, Rocky Flats Downwinders, and the thousands of concerned citizens of which it represents, demand that the Public Health Department immediately undertake a comprehensive study of the Colorado Central Cancer Registry from 1980 (the approximate date the entire metro area began to be counted within the registry) to date to determine whether a higher rate of thyroid cancer exists in residents living downwind of Rocky Flats versus the general population. In addition, since the incidence of “rare cancers” was also not studied within the 1998 Report, but abnormally high rates of “rare cancers” have been detected in the preliminary findings of the Rocky Flats Downwinders Health Survey, it is also demanded that the Public Health Department include an examination of such “rare cancers” in its new study.

It is not lost on us that the 1998 Report is now over 18 years old and has not been updated even though it is known that cancer caused from radiation exposure can take decades to appear. Any conclusions drawn from the study detailed in the 1998 Report are also questionable given that the use of the Cancer Registry relies on zip codes and thus by definition does not include anyone who moves before being diagnosed with cancer. Given that the United States Census Bureau reports that the average American moves 11.4 times in their lifetime, the average Rocky Flats resident is likely to have moved away before any cancer possibly caused by Rocky Flats manifests itself decades later.

The time is now for the state of Colorado to use its resources to assist Rocky Flats Downwinders with outreach to residents (wherever they currently live) to have them complete the health survey and to fund a controlled study regarding the health of residents living next to the plant during its operation compared to the general population. Until and unless it does so, Colorado is failing to protect its residents. If Coloradoans have been negatively affected by radiation exposure, lifesaving health monitoring programs and compensation arrangements under the Radiation Exposure and Compensation Act (“RECA”) should be made available to them just like they are to citizens of other states negatively affected by radiation exposure.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Nicholas P. Hansen", with a long horizontal flourish extending to the right.

Nicholas P. Hansen, Esq.

Co-Founder Rocky Flats Downwinders

nick@hansenlawfirm.com

MEMO

TO: Heather Gutherless
Jefferson County Planning and Zoning Division

FROM: Tracy Volkman and Roy Laws
Jefferson County Environmental Health Services Division

DATE: November 22, 2016

SUBJECT: Case #16-103547 AM
Site Development Plan Update
Jefferson County Planning & Zoning Division
Jefferson County

Jefferson County Public Health (JCPH) appreciates the opportunity to review and comment on the proposed Zoning Regulation and Land Development Regulation revisions. JCPH provided comments regarding this case on 7/13/16, 8/17/16 and on 10/20/16. We have reviewed the revised documents for this plan update and have the following comments:

1. Pertaining to the subdivision of land, Colorado Revised Statutes 30-28-133 (3) (b) (III) requires “in areas of potential radiation hazard to the proposed future land use, evaluations of these potential radiation hazards”.
2. The potential radiation hazards in Jefferson County include naturally occurring and human-caused radiation hazards. Radon gas is a naturally occurring radiation hazard and is common in Jefferson County soils. Radiation associated with radon gas is the second leading cause of lung cancer in the United States [1]. To address the human health hazard associated with radiation from radon soil gas, JCPH recommends that all new residential dwellings be constructed with radon mitigation systems installed in accordance with International Residential Code Appendix F-Radon Control Techniques in New Home Construction by a certified radon system installer. Other potential radiation hazards in Jefferson County include radiation from uranium mine and mill tailings, nuclear reactors, processing, handling, disposal and/or deposition from accidental releases of radioactive material such as occurred at the former Rocky Flats Nuclear Weapons Plant.

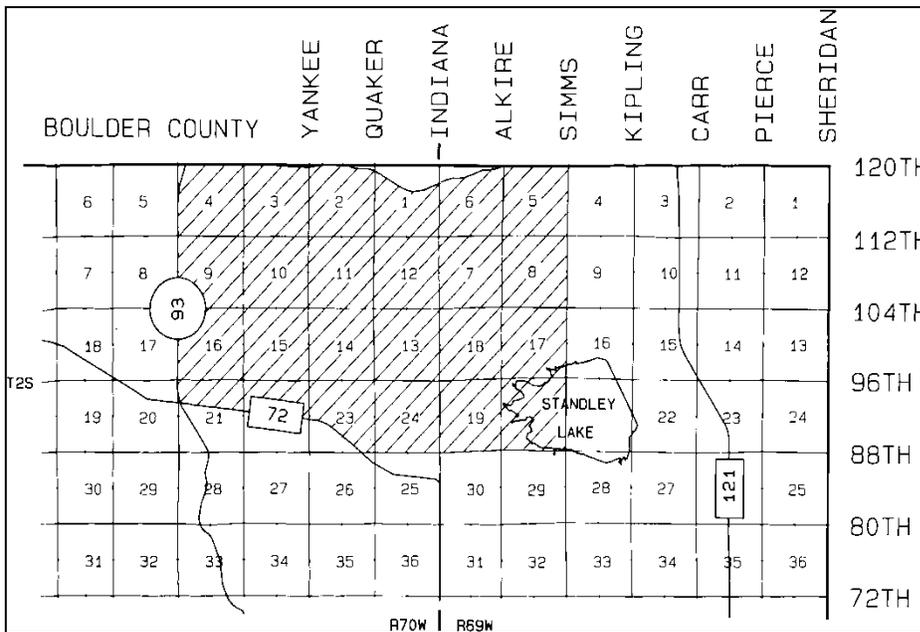
3. With regard to the potential radiation hazard associated with radon gas, JCPH supports the amendments approved by the Planning Commission during the October 26, 2016 public hearing, specifically the amendments found at Zoning Resolution Section 1 Administrative Provisions I.3.A.(32) a, Land Development Regulation Section 4 – Submittal Requirements C.27.a, and Land Development Regulation Section 27 – Radiation A.1.a. which state:

A radon mitigation system shall be required for new residential construction in accordance with the International Building Code to address the health hazard associated with radiation from radon gas. (orig. xx-xx-xx)

4. Upon self-certification of the installation of the radon mitigation system with Form R, JCPH recommends that radon testing be done prior to the issuance of the Certificate of Occupancy to verify that the radon mitigation system is meeting EPA recommended standards of 4 pCi/L or less for radon.
5. If radon testing cannot be performed prior to the issuance of the Certificate of Occupancy, JCPH requires that the home owner be notified by a disclosure statement on the Certificate of Occupancy or some other form of documentation that the radon mitigation system has been installed but **has not been tested** and that annual testing is recommended to verify that the system is functioning properly and meets EPA recommended standards of 4 pCi/L or less for radon.
6. JCPH revised the Environmental Questionnaire and Disclosure Statement [2] to include the identification and evaluation of potential radiation hazards such as uranium mill tailings, nuclear reactors, processing, handling or disposal and/or deposition of radioactive materials. If such potential radiation hazards are present, information regarding the type, amount, location and use of these radiation materials and an evaluation of the public health impact related to the radiation hazard associated with these materials must be provided. **JCPH requires the submittal of the Environmental Questionnaire and Disclosure Statement for all Zoning Resolution and Land Development Regulation cases.**
7. JCPH agrees with the deletion of the (Rocky Flats) radiation hazard map [6] from the Zoning Resolution and the Land Development Regulation for the following reasons:
 - The purpose of the radiation hazard map was to delineate potential radiation hazards associated with the former Rocky Flats Nuclear Weapons Plant. In 2014, the Colorado Department of Health and Environment issued a letter [3] stating that all offsite areas and the Refuge area are released for “unlimited use and unrestricted exposure” based on the clean-up actions and the testing and analysis of soil and water samples. The primary potential radiation hazard in the crosshatched area is the radiation hazard associated with respirable plutonium. Respirable plutonium was dispersed across this area from the manufacturing activities and various industrial accidents at the former Rocky Flats Nuclear Weapons Plant. As indicated in the 2014 letter from the Colorado Department of Public Health and Environment, test results indicate that offsite contamination levels of respirable plutonium “...are well below levels of concern”.
 - JCPH recommends updating the radiation hazard map to reflect current jurisdiction and authority and known potential radiation hazards.

REFERENCES / RESOURCES

1. National Institute of Health National Cancer Center Webpage: <https://www.cancer.gov/about-cancer/causes-prevention/risk/substances/radon/radon-fact-sheet>
2. FORM 6000 Environmental Questionnaire and Disclosure Statement
3. Colorado Department of Public Health and Environment, June 26, 2014, Land Development Regulation, Section 27 – Radiation.
4. Benefits for the Adoption of Appendix F of the International Residential Code, Center for Environmental Research and Technology, Colorado Department of Public Health and Environment.
5. City of Westminster Webpage Rocky Flats Human Health Risks in Offsite Areas: <http://www.ci.westminster.co.us/Environment/RockyFlatsOversight/HumanHealthRisksinOffsiteAreas>
6. Radiation Hazard Map, Jefferson County Zoning Resolution and land Development Regulation



Benefits for Adoption
of
Appendix F
of the
International Residential Code:

Radon Control Methods



Provided by the
Colorado Department of
Public Health and
Environment

A Resource for Building Officials and Builders
throughout Colorado and the United States

www.coloradoradon.info

What is Appendix F?

Appendix F provides prescriptive details for installation of a system that serves to collect radon laden soil gas from beneath a residential structure and passively vent it to the atmosphere, with provisions for the post-construction installation of a fan for further radon reductions as desired by the occupant as a result of indoor air quality tests.

As an appendix item, the application of Appendix F is at the discretion of the local code jurisdictions.

What is Radon and what are its Health Effects?

Radon is an invisible, radioactive gas created from *natural* deposits of uranium and radium in the soil. Radon gas can be drawn into a building and accumulate to concentrations that can increase the potential for contracting lung cancer.

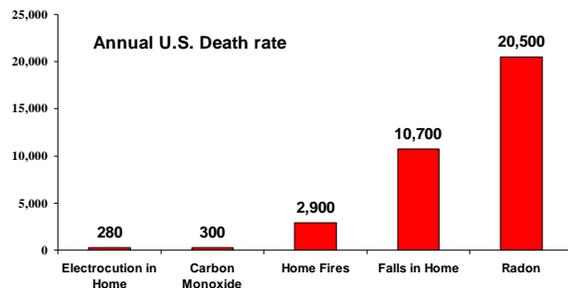
Test data received by CDPHE indicate approximately 50% of homes in Colorado are above the EPA action level of 4 pCi/L.

Who Says Radon is a Significant Health Risk?

The Surgeon General of the United States issued a Health Advisory in 2005 warning Americans about the health risk from exposure to radon in indoor air, noting that more than 21,000 Americans die of radon-related lung cancer each year.

Does Radon Control Belong in the Codes?

At 21,000 lung cancer deaths per year, radon represents a significant and avoidable health risk. The figure below compares the US incidence of radon induced deaths, as cited by the US Surgeon General, to other causes of death which are definitely addressed by safe building practices as covered by codes.



"It makes complete sense in the code, given the high risk, it's right up there with ground fault protection, smoke detection, all sorts of items that are in the building code that are there to protect the public's health and safety" ...Felix Lee, Building Official, Fort Collins

At a lifetime risk of death at 1 in 100 (at EPA Guidance of 4.0 pCi/L), radon exposure represents a very large and fortunately easily preventable risk.

If the purpose of a building code is to present a safe and habitable structure for initial and future occupants, then the adoption of radon control measures should be considered as a part of the code, especially in high risk areas.

What are the Provisions in Appendix F?

The prescriptive methods in Appendix F are simple and cost-effective.

Since radon is a gas generated in the underlying soil, a means is employed to intercept these gases prior to entry via the foundation and vent them harmlessly to the outdoor air. This is done by:

- Having a permeable subgrade beneath slab-on-grade areas (4-inches of washed rock which may already be required)
- Covering earthen crawl spaces with polyethylene sheeting that is secured to foundation walls.
- Installing a vertical 3-4-inch plastic pipe from subgrade (or from beneath plastic sheeting in crawlspace) up through roof.
- Insuring that a geometrical space in vent pipe can allow for an active fan if post-construction testing indicates the need for further reductions.
- Slab joints and penetrations are sealed to reduce loss of interior air.



How Well Do Passive Systems Work?

Studies by the US EPA and others indicate that passive ventilation systems, when properly employed during construction of a new home reduce radon by **50%**.

If radon levels are not fully reduced, they can assuredly be reduced further by the installation of an active fan in the vent piping system.

What is the Cost Impact of Appendix F?

The US EPA estimates that the incremental cost for passive radon systems in new homes is between \$350 and \$500 for average sized homes.

Experience in areas where appendix F has been adopted has indicated that it adds less than 0.5 percent to the cost of the structure.

How Does Appendix F Impact the Building Department?

No additional field inspections are required.

- The subgrade can be inspected during the rough in inspection.
- The vent pipe is inspected during the plumbing inspection.
- Roof penetration and labeling is inspected during the final inspection.

Are there Other Benefits?

Radon systems can control other vapors emanating from the soil, such as:

- Soil moisture for the control of mold
- Volatile organic compounds in brown field redevelopment areas.

A radon system can also be a positive feature for future resale of a home!

Why Not Wait Until After a Home is Built?

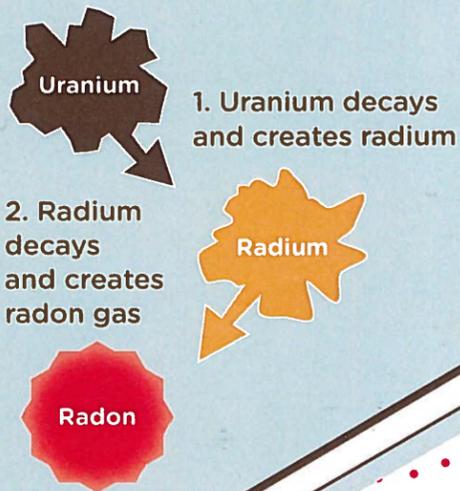
Certainly homes can be mitigated after they are constructed. However, post-mitigation systems:

- Always require a fan to adequately draw the radon out (increasing energy costs over passive systems).
- Are typically installed on the side of a home where they can be unsightly and impact value.
- Having a properly installed system in accordance with codes reduces liability of builder and their real estate agent.

IS YOUR HOME SAFE FROM RADON?

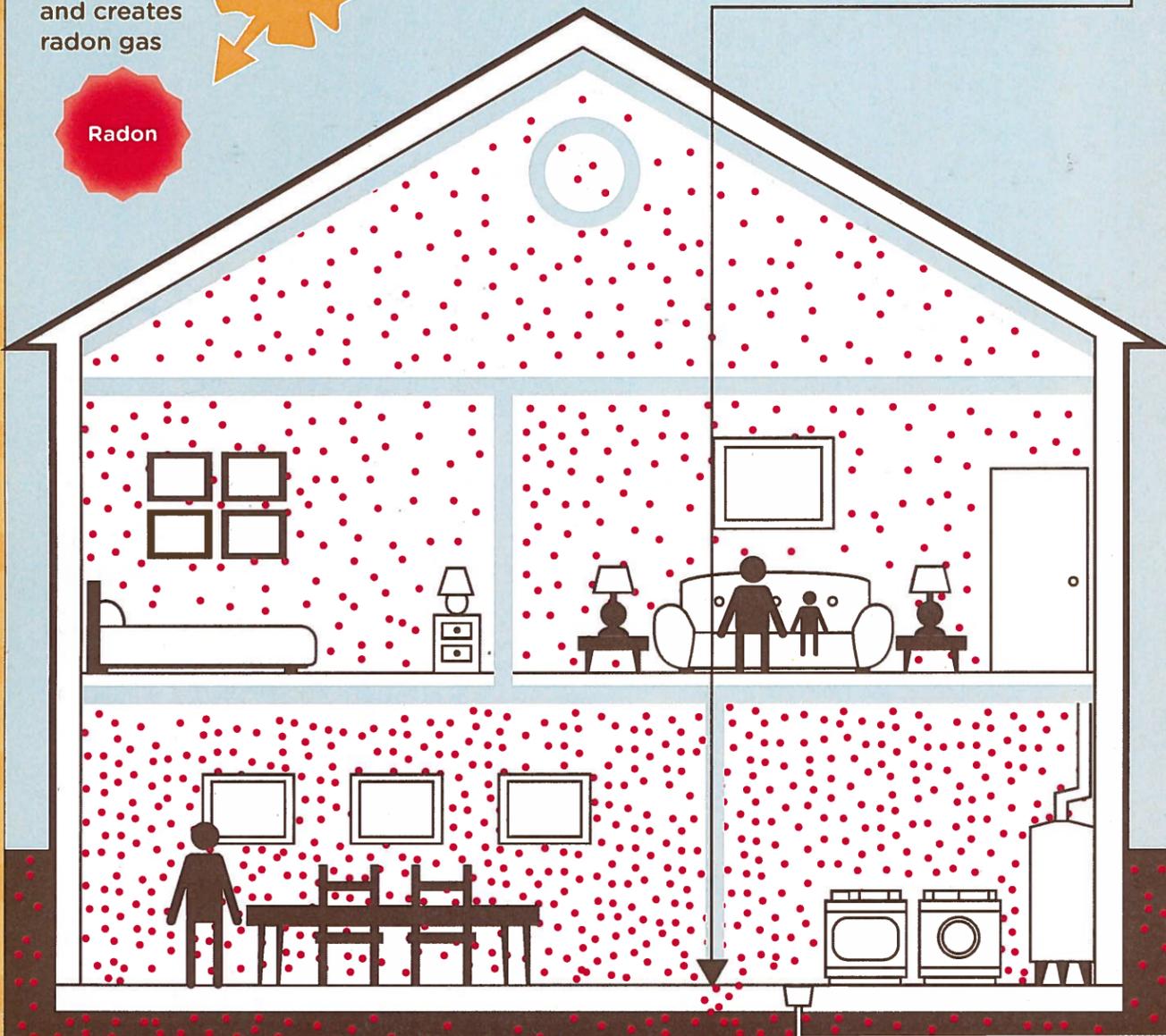
What is radon?

Radon is a naturally occurring invisible, odorless gas that comes from the natural radioactive breakdown of uranium in soil, rock, and water.



Radon can enter any home

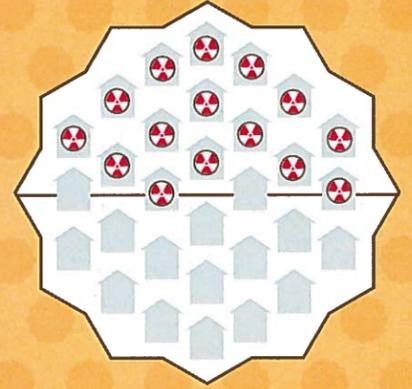
Radon is drawn in through cracks and gaps in the foundation.



Radon occurs naturally in soil

Due to the geology of Colorado, homes in our state have higher levels of radon than the national average.

About **50%** of homes in Colorado have high radon levels

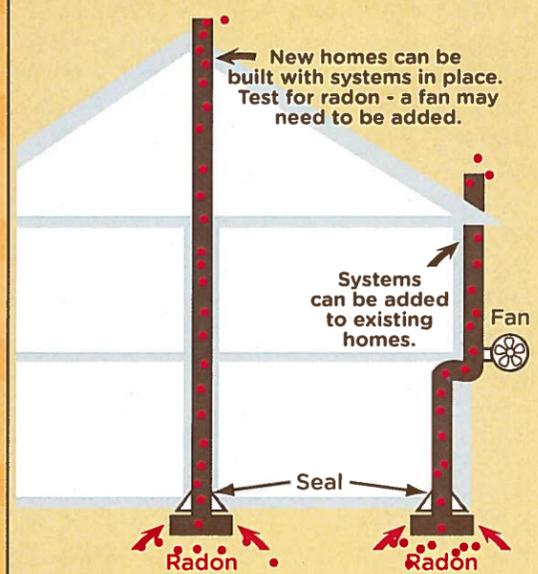


Testing for radon is easy



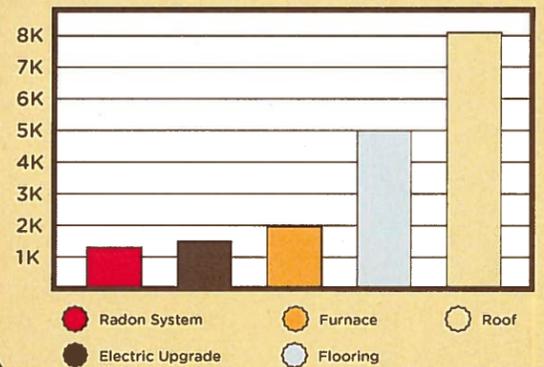
Do-it-yourself short-term and long-term radon test kits are easy to set up and available for less than \$35.

Fixing the problem is easy and inexpensive



There are many options to fix this problem. Contact your health department for information.

Improvement cost comparisons



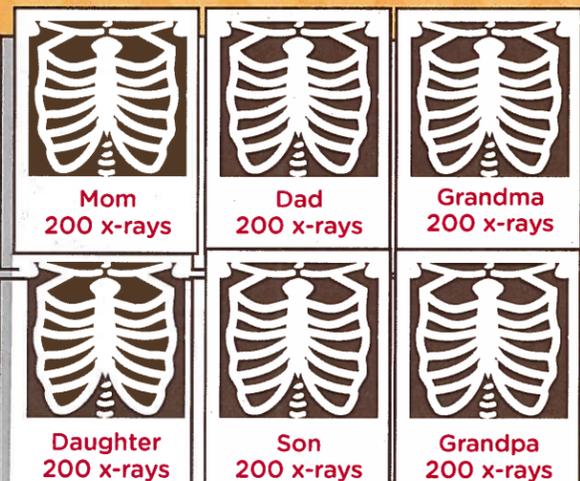
Contact Your Health Department

- Boulder County Public Health**
303.441.1580 Website: BoulderCountyRadon.org
- Broomfield Public Health & Environment**
720.887.2220 Email: publichealth@broomfield.org
- Denver Environmental Health**
720.913.1311 Website: Denvergov.org/phi
- Jefferson County Public Health**
303.232.6301
Website: Jeffco.us/public-health/air-quality/radon-gas
- Tri-County Health Department**
303.220.9200 Website: TCHD.org/282/Healthy-Homes
- Colorado Department of Public Health & Environment**
1.800.846.3986 Website: ColoradoRadon.info

200 chest x-rays

That's more than three per week, per person, per year.

In Colorado, living in a home with average levels of radon (6.4pCi/L) for one year is like having 200 chest x-rays every year. That's more than three chest x-rays for every person in the house every week.

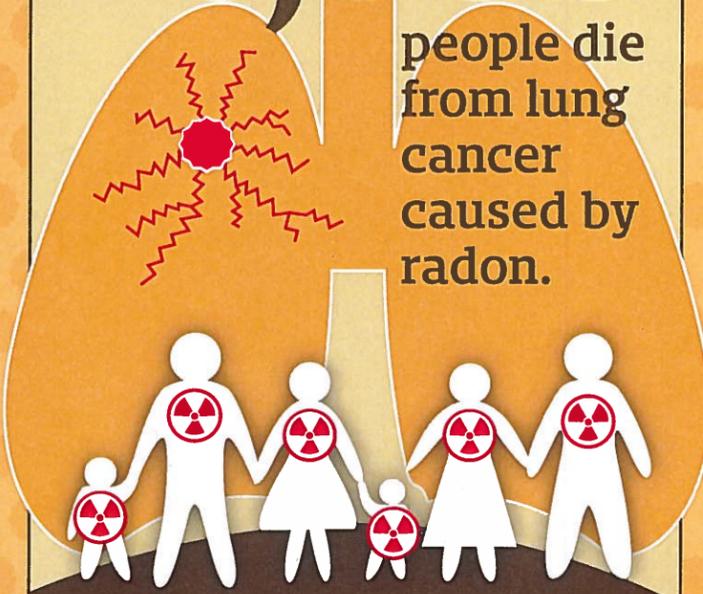


Radon causes cancer

Every year in the U.S., over

20,000

people die from lung cancer caused by radon.



Radon decays into radioactive particles that, when inhaled, can damage the DNA in sensitive lung cells. The damaged cells can become cancerous.

Heather Gutherless

From: Cathleen Valencia [CValencia@arapahoegov.com]
Sent: Monday, October 17, 2016 1:52 PM
To: Heather Gutherless
Cc: Chuck Haskins; Julio Iturreria
Subject: outside referral - SDP Regulation

Ms. Gutherless,

Arapahoe County Engineering thanks you for giving us the opportunity to review the Site Development Plan revisions for Jefferson County. The Engineering Division has no comments regarding the referral at this time based on the information submitted.

Please know that other Divisions in the Public Works Department may submit comments as well.

Sincerely,

Cathleen Valencia, P.E.
Engineering Services Division
Arapahoe County Public Works & Development
6924 South Lima Street
Centennial, CO 80112 (720) 874-6500
cvalencia@arapahoegov.com



Heather Gutherless

From: bradley.sheehan@state.co.us
Sent: Thursday, October 06, 2016 9:11 AM
To: Heather Gutherless
Subject: Re: Site Development Plan Regulation - Final Draft

Hello Heather, Thank you for referring the Site development Plan changes for our review. In looking over the changes I dont see anything that would conflict with CDOT requirements or processes. As a result, we have no comment on the changes. Brad

On Wed, Oct 5, 2016 at 9:41 PM, Heather Gutherless <hgutherl@co.jefferson.co.us> wrote:

Hi – Jefferson County Planning & Zoning Staff is pleased to send out the final draft of the Site Development Plan regulation revisions. This is the draft that will be going to hearing before the Planning Commission and Board of County Commissioners. If you have additional comments, you may submit them up until the Board of County Commissioners hearing. But if you would like them to be in the hearing packet for the Planning Commission, I will need them by 5pm on Tuesday, October 18. The deadline for them to be in the Board of County Commissioners packet is 5pm on Monday, November 7. The drafts can be found by clicking on [this link](#). Then you can go to the folder that contains the documents the way you would prefer to view them. You may view red-marks in both Word and PDF and clean copies in both Word and PDF. Please note that the changes are cumulative since the first draft.

Below is the hearing information:

Planning Commission

Wednesday, October 26, 2016, 6:15 pm

Hearing Room 1

100 Jefferson County Parkway, Golden

Board of County Commissioners

Tuesday, November 15, 2016, 8:00 am

Hearing Room 1

100 Jefferson County Parkway, Golden

If you would like to view all of the comments received on the second draft and staff's responses, please click on this [link](#) for the Comment and Response Log.

Heather Gutherless

From: Mike Chadwick [mike@chadwickplanning.com]
Sent: Thursday, October 06, 2016 8:18 PM
To: Heather Gutherless
Subject: RE: Site Development Plan Regulation - Final Draft

Hello Heather,

I thought I would catch you while I was out there this afternoon to discuss the proposed changes. I do have two questions/comments. The first is that I don't quite understand the purpose of the site adjustment/ dedication plat. I have read through the text a few times and it is still somewhat nebulous. It appears that this process is intended to mimic the minor adjustment process, is that the intent?

Secondly, the architecture section still does not state that the provisions of the section apply to multi-family projects. This section should include applicability to multi-family to be consistent with the requirements of the SDP process.

Thanks,

Mike Chadwick
Mike Chadwick, AICP
Chadwick Land Use Entitlements
303-807-1197

The comment on the architecture section has been corrected by Staff in the Hearing Draft red-marked print.

From: Heather Gutherless [<mailto:hgutherl@co.jefferson.co.us>]
Sent: Wednesday, October 05, 2016 9:42 PM
To: Heather Gutherless <hgutherl@co.jefferson.co.us>
Subject: Site Development Plan Regulation - Final Draft

Hi – Jefferson County Planning & Zoning Staff is pleased to send out the final draft of the Site Development Plan regulation revisions. This is the draft that will be going to hearing before the Planning Commission and Board of County Commissioners. If you have additional comments, you may submit them up until the Board of County Commissioners hearing. But if you would like them to be in the hearing packet for the Planning Commission, I will need them by 5pm on Tuesday, October 18. The deadline for them to be in the Board of County Commissioners packet is 5pm on Monday, November 7. The drafts can be found by clicking on [this link](#). Then you can go to the folder that contains the documents the way you would prefer to view them. You may view red-marks in both Word and PDF and clean copies in both Word and PDF. Please note that the changes are cumulative since the first draft.

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STATE OF COLORADO

John W. Hickenlooper, Governor
Larry Wolk, MD, MSPH
Executive Director and Chief Medical Officer

Dedicated to protecting and improving the health and environment of the people of Colorado

4300 Cherry Creek Dr. S.
Denver, Colorado 80246-1530
Phone (303) 692-2000
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Colorado Department
of Public Health
and Environment

June 26, 2014

Craig Sanders
Jefferson County Public Health
645 Parfet Street
Lakewood, CO 80215

RE: Land Development Regulation, Section 27 - Radiation

Dear Mr. Sanders,

The Hazardous Materials and Waste Management Division of the Colorado Department of Public Health and Environment has recently been asked for help in preparing Radiation Reports required by the above referenced regulation. Since these are not our regulations, we are not able to provide guidance and have referred the inquiries on to your office. Given the abundance of sampling data and the regulatory decisions that closed the Rocky Flats Site, we consider the Section 27 requirements unnecessary.

During characterization and remediation projects at the Site, about 1.3 million analyses were compiled from approximately 7,230 surface soil sample locations and from about 15,890 subsurface soil samples. These samples are reported in the RI/FS report (http://www.lm.doe.gov/Rocky_Flats/Regulations.aspx), which was compiled to support a Comprehensive Risk Assessment and the final remedy decision. The average concentration of plutonium in the surface soil of the Refuge portion of the Site is 1.1 picocurie (trillionths of a curie) per gram (pCi/g), a concentration that equates to an excess cancer risk below one in a million for any exposure scenario. There is essentially no plutonium in the subsurface soils of the Refuge. Because of these very low concentrations, no remediation was required in the Refuge portion of the Site.

Substantial off-site sampling has also been conducted over many years by many different entities and these studies have shown generally consistent results. The most extensive off-site sampling was done as part of the CERCLA/RCRA investigation that covered a 38-square mile area to the north, east and south of Rocky Flats known as Operable Unit 3 (Off-Site Areas). During this investigation, 144 surface soil samples were collected from 61 different 10-acre sample plots. Only 19 of these plots showed plutonium concentrations above background levels; the rest were below background. Of the 19, only one had a plutonium concentration that exceeded 1 pCi/g (this sample result was 2.95 pCi/g). An additional 190 sub-surface samples were obtained from 11 different trenches dug as part of the investigation. The subsurface investigation demonstrated that off-site plutonium contamination quickly declines with depth, and reaches background levels within about four inches of the surface.

The Operable Unit 3 study included the results from a 1991 sampling effort that collected 47 samples from soils directly east of the former east entrance to Rocky Flats. One of these samples recorded the highest level of

plutonium ever observed in any off-site sample - 6.5 pCi/g. Under a residential use scenario (the most protective scenario), a plutonium concentration of 6.5 pCi/g equates to a risk of about 3×10^{-6} (that is, a three in a million chance of developing cancer as a result of a lifetime of exposure to contamination at this level). The cleanup goal at Superfund sites is to achieve a residual cancer risk somewhere between one in ten thousand and one in a million, so a three in a million risk is considered quite protective. The State's radiation dose limit for the public is 25 millirem per year (mrem/yr). The Total Effective Dose Equivalent to a resident from 6.5 pCi/g is 0.026 mrem/yr – well below the state's limit. The results for off-site areas are in a three-volume report of the investigation of Operable Unit 3. The first volume of the report can be accessed via the Administrative Record for Rocky Flats at: http://www.lm.doe.gov/cercla/documents/rockyflats_docs/OU03/OU03-A-000465.pdf

Several other offsite sampling efforts have produced similar results. For example, an independent Citizens' Environmental Sampling Committee performed a soil and sediment sampling study in 1996. The 78 samples collected ranged in concentration from background up to 4.5 pCi/g. The study concluded that these results “are consistent with the numerous other studies of off-site soils and sediments conducted by a variety of agencies over the years.” You can find a link to this document on Colorado Dept. of Public Health & Environment's (CDPHE) web page at: <http://www.cdphe.state.co.us/hm/rf/index.htm>.

After the studies mentioned above were completed, the soil in onsite areas with the highest amounts of plutonium were scraped off and shipped out of state. Confirmation sampling showed that the remaining concentrations are well below levels of concern. Following the decade-long cleanup project, which is the largest Superfund cleanup completed to date, the State and EPA approved the remedy as being protective of human health and the environment. All offsite areas and the Refuge portion of the site now allow “unlimited use and unrestricted exposure.”

The criteria in Section 4.60 of the Colorado Rules and Regulations Pertaining to Radiation (6 CCR 1007-1) provide a level of activity from plutonium that triggers a requirement to use “special techniques of construction” in “uncontrolled areas.” This level of 2 disintegrations per minute per gram of soil (approximately 1 pCi/g) was set back in 1973 and was designed to keep radiation exposure as low as reasonably achievable. In cases where Section 4.60 applies, the Colorado Department of Public Health and Environment would evaluate appropriate construction controls, which would likely consist of dust suppression. Any controls would be applied to achieve the intent of the requirement to lower any exposure to levels as low as reasonably possible. The average concentration of plutonium in the 31 samples collected within the 300-foot right-of-way for the Parkway is 1.4 pCi/g, which equates to a risk below one in a million for any exposure scenario. Of the 31 samples, eight are above the State's “construction standard”. These eight are clustered near the middle (north to south) of the right-of-way and average 3.2 pCi/g.

I have enclosed a sheet that summarizes plutonium concentrations in samples collected in off-site areas. If you have any questions about these data or need any further information, please contact me at carl.spreng@state.co.us or at 303-692-3358.

Sincerely,



Carl Spreng
Hazardous Materials and Waste Management Division
Colorado Department of Public Health and Environment

cc: Steve Tarlton, CDPHE
Jennifer Opila, CDPHE

EPA No. CO7890010526
RFA 3.2.5

SITE DEVELOPMENT PLAN REGULATION REVISIONS

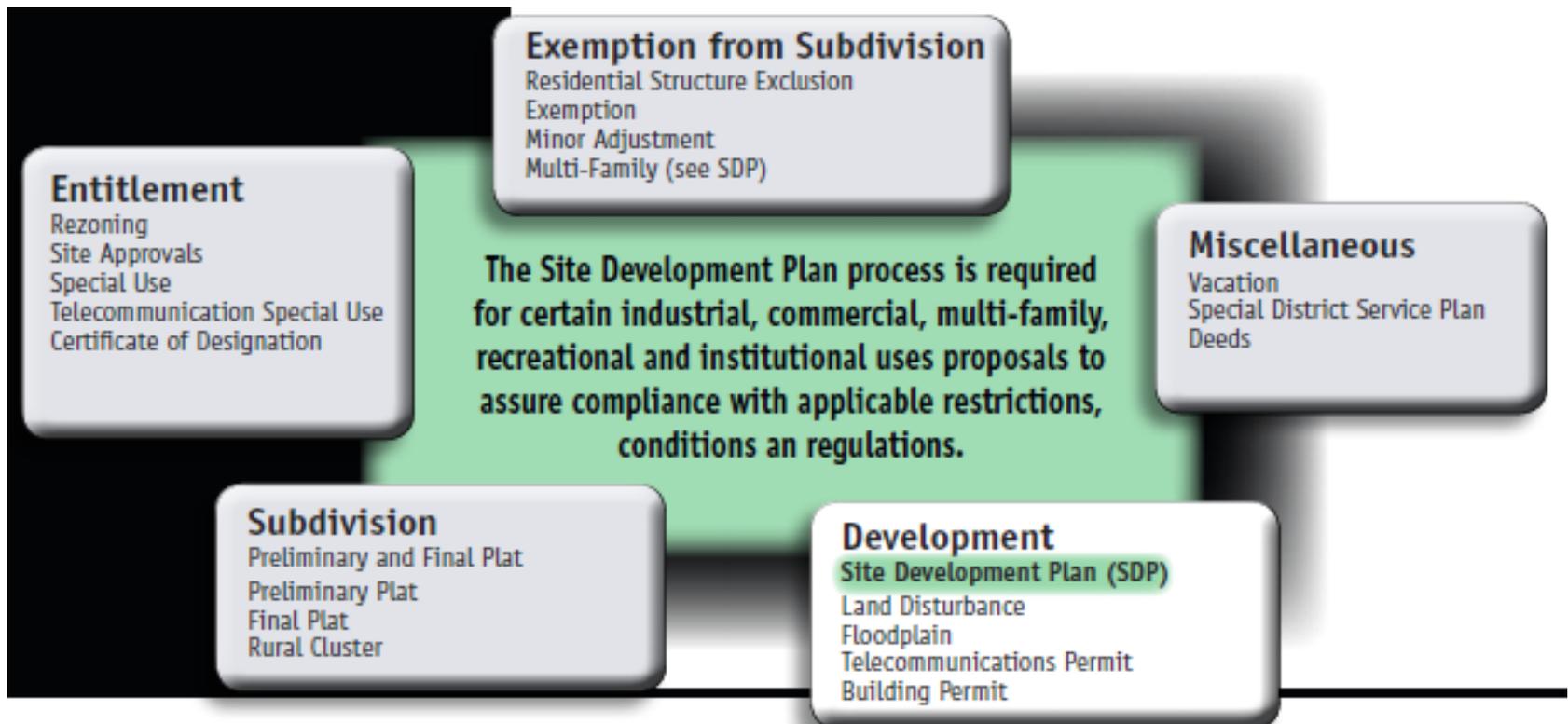
Board of County Commissioners

December 13, 2016



History

- SDP process created in 2002
- Administrative vs. Hearing process



When is an SDP needed?

- Commercial, Industrial, Institutional or Multi-Family
 - New building or structure
 - Larger additions
 - Change of use
 - First permit in a mobile home park

Proposed Revisions

- Site Adjustment/Dedication Plat
- Greater Flexibility
- Set minimum thresholds
- Clarify revision process
- Modify referral timelines
- Modified Radiation Assessment/Plan/Report

Proposed Revisions

- Site Adjustment/Dedication Plat



Proposed Revisions

- Site Adjustment/Dedication Plat



Proposed Revisions

- Greater Flexibility



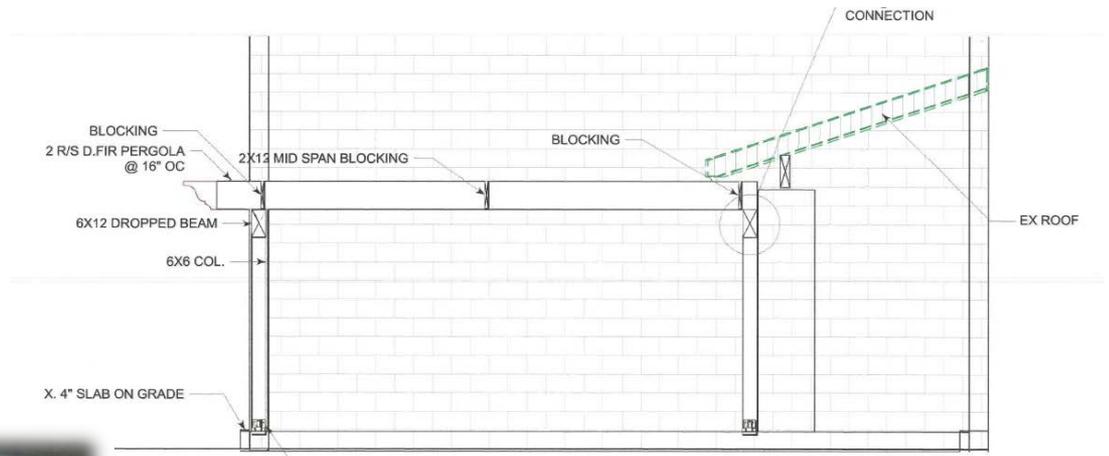
Proposed Revisions

- Sets minimum thresholds



Proposed Revisions

□ Clarify revision process



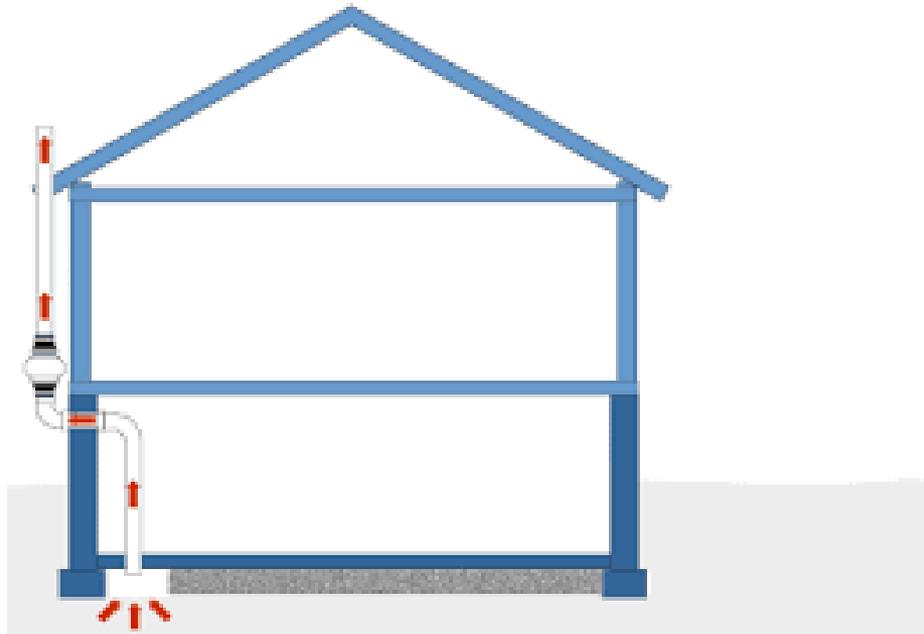
Proposed Revisions

- Modify timelines

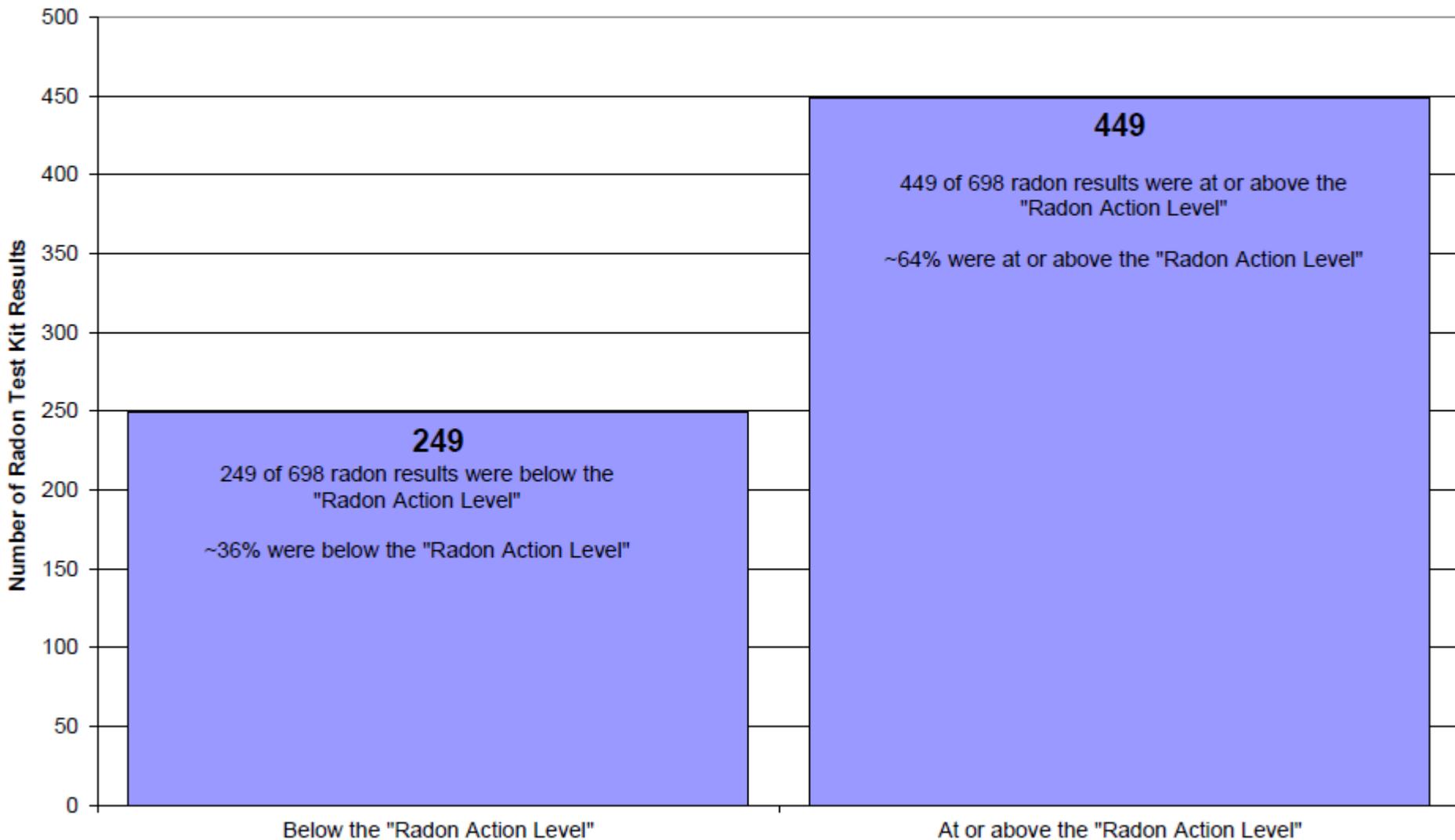


Proposed Revisions

□ Radiation

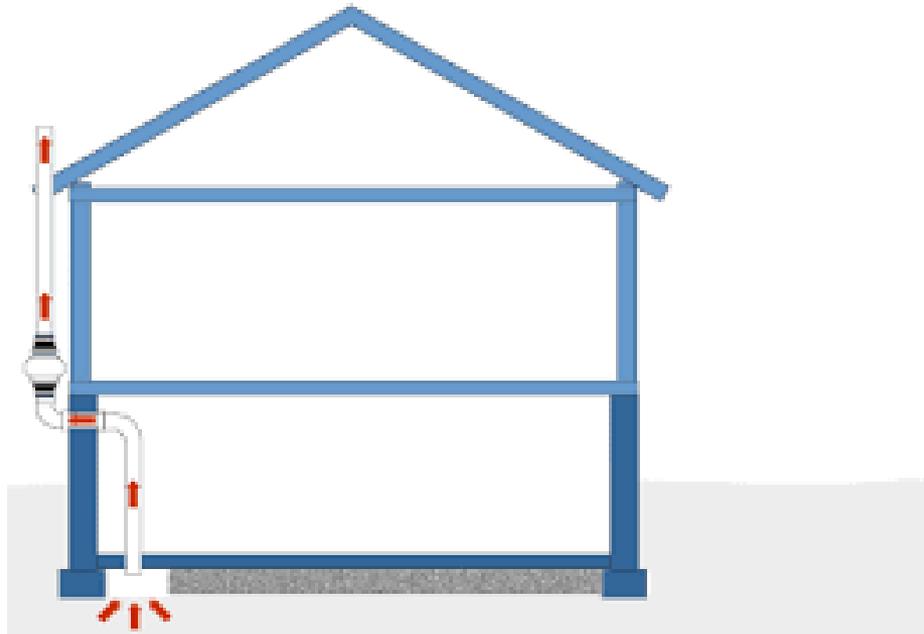


Radon Action Level Results for 698 Jefferson County Test Kits from 1999 to 2011
"Radon Action Level" = 4 picoCuries per Liter (pCi/L)



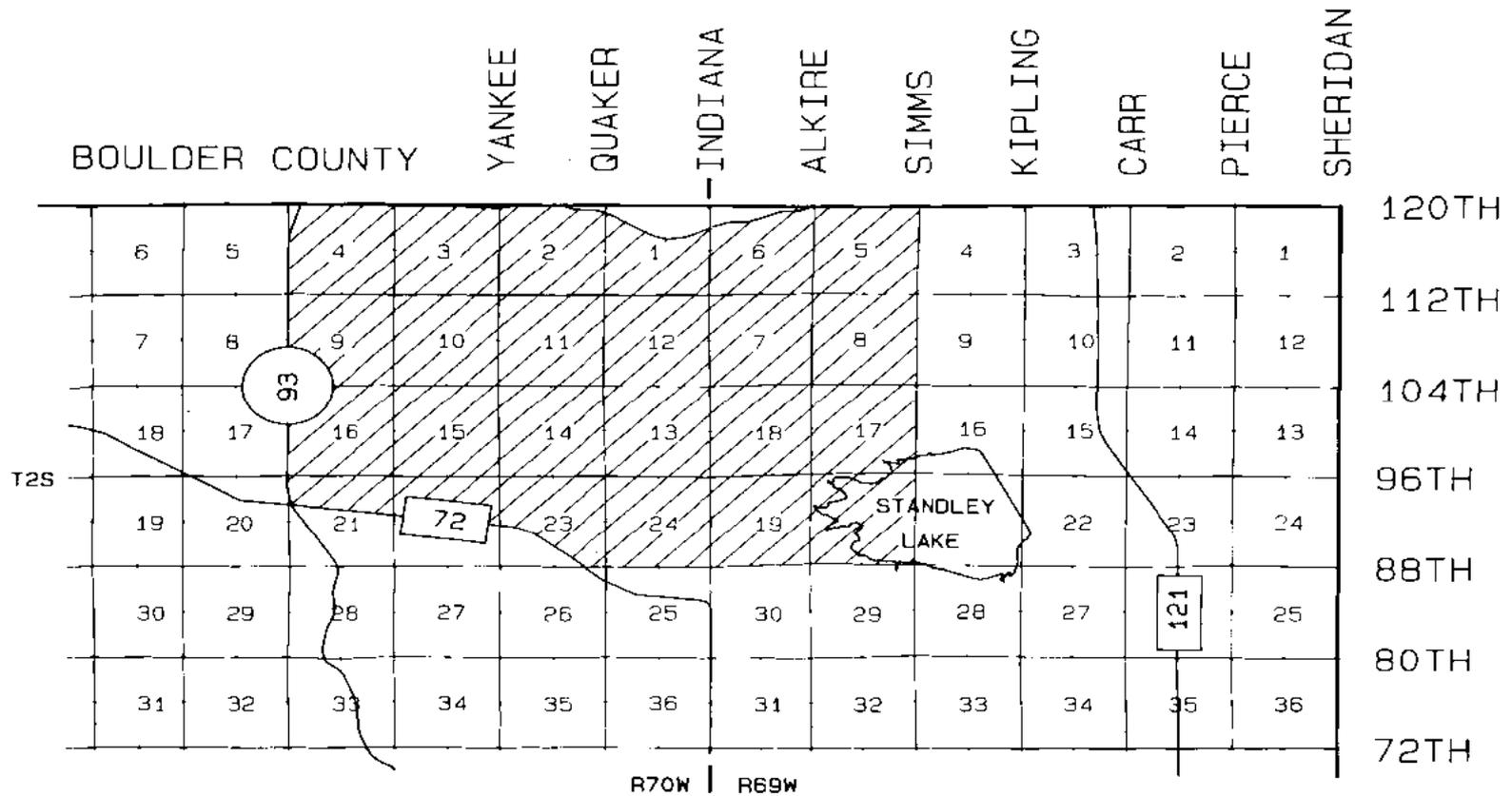
Proposed Revisions

□ Radiation



Proposed Revisions

□ Radiation Assessment/Plan/Report





QUESTIONS?