

TUESDAY STAFF BRIEFINGS

August 30, 2016

****Please Note Briefings Will Begin Immediately Following Hearings****

All items on this agenda are scheduled for immediately following Hearings and will normally be considered in the order the item appears on the agenda. The Board, at their discretion, may choose to alter the order in which items are considered, may break, or may continue any item to be considered on a future date.

Convene immediately following Hearings; BCC Conference Room, 5th Floor

Briefing Items

- | | |
|--|--|
| 1. Treasurer Quarterly Update
(15 minutes) No Attachments | Tim Kauffman, Mark Hubbard |
| 2. Jefferson County Business Education Alliance Update
(15 minutes) | Joni Inman |
| 3. 2017 Benefit Plan Recommendations
(45 minutes) | Jennifer Fairweather, Tina Wise |
| 4. Site Development Plan Regulation Draft Revisions
(1 hour) | Jeanie Rossillon, Heather Gutherless, Christiana Ferrell |

County Commissioners' Report

- | | |
|--|--------------|
| • Tobacco Tax (15 minutes) | Comm. Rosier |
| • Golden Gate Fire District Generator Grant (20 minutes) | Comm. Szabo |

County Manager's Report

- Discussion - Appointments to Boards and Commissions (5 minutes)

County Attorney's Report

Executive Session

- Litigation Update - Legal Advice C.R.S. 24-6-402(4)(b) (20 minutes)
- 4105 Youngfield Service Road - Direction to Negotiators C.R.S 24-6-402(4)(e) and Property C.R.S. 24-6-402(4)(a) (15 minutes)

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

TUESDAY STAFF BRIEFINGS

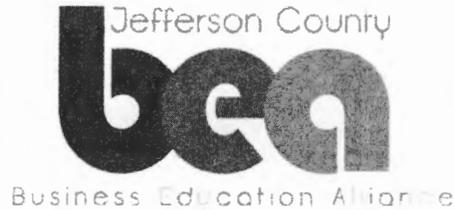
August 30, 2016

Briefing Items			Total Estimated Time: 2 hours 15 minutes
Begin	End	Agenda No.	Title
8:30	8:45	1.	Treasurer Quarterly Update
8:45	9:00	2.	Jefferson County Business Education Alliance Update
9:00	9:45	3.	2017 Benefit Plan Recommendations
9:45	10:45	4.	Site Development Plan Regulation Draft Revisions
		5.	
Commissioners Report			Total Estimated Time: 35 minutes
Begin	End	Agenda No.	Title
10:45	11:20	6.	Tobacco Tax (15 minutes) Golden Gate Fire District Generator Grant (20 minutes)
County Manager Report			Total Estimated Time: 5 minutes
Begin	End	Agenda No.	Title
11:20	11:25		Discussion - Appointments to Boards and Commissions
County Attorney Report			Total Estimated Time: 5 minutes
Begin	End	Agenda No.	Title
11:25	11:30		
Executive Session			Total Estimated Time: 35 minutes
Begin	End	Agenda No.	Title
11:30	11:50		Litigation Update - Legal Advice C.R.S. 24-6-402(4)(b)
11:50	12:05		4105 Youngfield Service Road - Direction to Negotiators C.R.S 24-6-402(4)(e) and Property C.R.S. 24-6-402(4)(a)

BOARD OF COUNTY COMMISSIONERS' (BCC) SCHEDULE

<u>Time*</u>	<u>Topic*</u>
	<u>Monday, August 29, 2016</u>
9:15 a.m. – 4:00 p.m.	2017 Budget Presentations Jefferson County Courts & Admin Building 100 Jefferson County Parkway, BCC Board Room
	<u>Tuesday, August 30, 2016</u>
8:00 a.m.	Public Comment and Public Hearings Jefferson County Courts & Administration Building 100 Jefferson County Parkway, Hearing Room One
Immediately following Public Hearings	Staff Briefings Jefferson County Courts & Administration Building 100 Jefferson County Parkway, BCC Board Room
Immediately following Staff Briefings	Ralph Schell Jefferson County Courts & Administration Building 100 Jefferson County Parkway, BCC Board Room
	<u>Wednesday, August 31, 2016</u>
8:00 a.m. – 10:00 a.m.	Jeffco EDC Executive Committee Meeting City of Lakewood Office 480 Allison Parkway, Lakewood
	<u>September 1, 2016</u>
10:00 a.m. – 11:00 a.m.	Joint Meeting with Library Board Jefferson County Courts & Admin Building 100 Jefferson County Parkway, BCC Board Room
11:15 a.m. – 12:15 p.m.	2017 Budget Department Presentations Debrief Jefferson County Courts & Admin Building 100 Jefferson County Parkway, BCC Board Room
2:00 p.m. – 3:00 p.m.	Squire Patton Boggs Jefferson County Courts & Admin Building 100 Jefferson County Parkway, BCC Board Room
	<u>Friday, September 2, 2016</u> NO TOPICS SCHEDULED TO DATE

*Emergency Items Or Other County Business For Which Prior Notice Was Not Possible May Be Considered.



August 19, 2016

Board of County Commissioners
Jefferson County, Colorado

Re: Status Report on Jefferson County Business Education Alliance

Dear Commissioners Szabo, Tighe and Rosier,

Thank you so much for your continued support of the work that the Jefferson County Business Education Alliance does with young people. Pursuant to our agreement, effective July 1, 2016, I am submitting the first of four quarterly reports and look forward to a briefing with you on August 30.

We are only two months into this agreement and I'm very pleased with our progress.

Status on agreed-upon Deliverables:

- Jefferson County will be recognized as the Diamond Sponsor of all JCBEA programming.
 - We are just beginning our first Career Ready Workshop since the onset of this agreement. All student notebooks (I will bring one with me to the briefing) have been branded with the Jefferson County logo and the words, "This program brought to you through the generosity of the business community and with special thanks to our Diamond Level Partner – Jefferson County, Colorado."
- Jefferson County will be recognized as the primary supporter in all communication with regional and national entities.
 - Gilpin County Peak-to-Peak Rotary and a representative of the Gilpin County School District have reached out for advice and guidance on starting a similar program there. Two members of the JCBEA Board and I have had early discussions with them in which they were encouraged to bring their County Commissioners into the "Alliance" as we have done here.
- Jefferson County's logo will be prominently displayed on the JCBEA website, with a link to the County website.
 - Done
- Jefferson County's logo will appear on all program materials that are provided to students and their families.
 - Done on classroom materials. New marketing materials are in development.

- Jefferson County will be publicly recognized at all JCBEA events.
 - First event scheduled in Saturday, Sept. 17, at which Jefferson County will be recognized with a shout-out from stage and on event signage.
- A press release will be issued, with language developed jointly with the County's communication staff, regarding County and JCBEA efforts to focus on providing a well trained business force to employers.
 - Draft press release was given to the County Communications Office. It was determined, by County staff, that release would not be issued.
- The County will be provided with table marketing space at all JCBEA events.
 - Jefferson County Communications Team has reserved table space at the Sept. 17 event and will be in attendance.
- JCBEA will provide Basic Business Etiquette training in scheduled sessions for County employees.
 - Have been working with Kate Newman on scheduling of first sessions.
- Jefferson County will be featured with professional on-site signage at events.
 - First event scheduled for Sept. 17.
- Jefferson County will be recognized as the sponsor of the first year of the Virtual Career Day project.
 - No updates at this time.
- Ad space will be provided on the JCBEA website.
 - Nothing submitted by County to date.
- Quarterly reports will be provided to the Board of Commissioners.
 - This is the first report.

Status of Measurable Outcomes:

A well-educated workforce is a key to economic prosperity. Jefferson County benefits from this program by ensuring that employers have trained entry-level employees. This is important not only to the attraction of business to Jefferson County but also in the reduction of unemployment rates.

Therefore, the JCBEA has identified the following as metrics of success for the 12 month period beginning June, 2016:

- Increase the total number of Career Ready Workshops held at Jefferson County high schools by 60%, from seven to 11.
 - Four are already scheduled – two at Wheat Ridge High School; one at Bear Creek High School; one at Alameda High School.
- Lower the age of eligible participants from 16 to 15 years of age – resulting in an increase of participants by five per class – a 25% increase in class size. This will result in 275 students receiving Career Ready Certification.
 - Done. **70** students are currently registered at Wheat Ridge High School and we expect 20 at Bear Creek and 20 at Alameda. We are already exceeding anticipated participation.
- Add a Career Ready Workshop for the children, ages 15 and older, in the Jefferson/Gilpin CASA program. This program will be held in August, 2016, with an anticipated enrollment of 40.
 - Orientation for students was held August 11. The first class begins August 25. We have only 16 registered at this time

- Adding a second opportunity for students in the Chafee Program, ages 16 – 21. Working on schedule. Numbers not yet known.
- Establish one full-day entrepreneur basics program for teens in Jefferson County. These teens will then be connected to entrepreneur programs at Red Rocks Community College. Anticipated enrollment: 25.
 - Not yet scheduled.
- Increase number of Jefferson County businesses that commit to providing Career Ready graduates priority hiring status by 100%, from 17 to 34.
 - No additions to date.
- Increase number of Jefferson County businesses offering job shadow opportunities by 100%, from 20 to 40.
 - No additions to date.
- Increase number of business representatives training workshop sessions by 100%, from 12 to 24, which will allow us to grow.
 - Three new trainers are in Stage Two of a three-stage training program. We will have 15 trained and ready by October. In addition, the Rotary Club of Golden is interested in having the entire club trained and ready to help. We are in the process of working out the logistics. This will dramatically increase the number of trainers available to us.
- Approximately 350 notebooks will be branded with, “This program brought to you through the generosity of the business community, with special gratitude to the support of the Jefferson County Board of Commissioners.” These are distributed to students and sponsors.
 - Ongoing – 126 already branded.
- Finalize strategic plan for development of a “Virtual Career Day” database, highlighting Jefferson County businesses and the jobs within those companies.
 - No progress to date.
- The JCBEA presents to approximately 24 community organizations per year, each with a minimum of 20 in attendance. All marketing materials will be branded with the support language identified above – exposure: 480.
 - Three presentations in the past six weeks – verbal recognition. New marketing materials in development.

Other Successes:

- The Board of the Jefferson County Education Alliance met in a Strategic Planning session at the end of June, to establish three-year goals. Resulting Strategy document is attached.
- The Board of the West Chamber Foundation voted to eliminate Youth Leadership Jefferson County. The JCBEA Board agreed to take responsibility for the program, which will be on a one-year hiatus as a planning committee revamps program to ensure value with no revenue losses. 45 students are already cued up for the 2017/2018 program.
- JCBEA has published two electronic newsletters and currently has over 100 subscribers.
- An article about the JCBEA appeared in the West Chamber’s Best of Business magazine.
- Facebook “likes” jumped from 67 a year ago to 202 today.

I appreciate the opportunity to come before the Board of County Commissioners at requested intervals with reports on progress of our mission.

I look forward to seeing you on the 30th.

Best to all,

Joni Inman

Joni Inman
Executive Director
Jefferson County Business Education Alliance
303-568-0874 (office)
303-829-1655 (mobile)

Testimonials from Students:

“I really felt that all the information provided was useful and has better prepared me for not only the workforce, but life, as well.” - Justine Haas, Lakewood High School

“I would say that it was a “10.” I thought it helped and I learned a lot. I found that the resume and the interview was the most useful to me but I thought it was all very useful.” – Hayley Jones, Lakewood High School.

“Planning a future is hard to teenagers nowadays, but it is really important in life. The entire session was important, because the teenagers from today are hard to be obedient. So many teenagers do not like people telling them what to do, or how to do specific things, although it can be very useful for some people.” – Jorge Torres-Marchand, Wheat Ridge High School.

“It was really useful and made a big change in my career in the working habits. I really enjoyed the session with Ranger because he really encouraged me to do more public speaking because that can change how you act in front of others and how you act when you are comfortable with what you are doing.” - Paola Moreno, Wheat Ridge High School

“Thank you so much for creating the JCBEA program, it was truly a once in a lifetime experience. I learned quite a bit during the business etiquette lesson. Thanks for everything!” Allison Burt, Arvada High School.



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Board of Directors
Strategic Planning Session

Thursday, June 30, 2016
51 S. Deframe Way
Golden, CO

Strategic Growth Strategy

JCBEA's Three-Year Destination:

- Website is a full-functioning tool used as a go-to resource for both students and businesses.
- YouTube channel is built-out and hosting virtual job shadow videos.
- Career Ready workshops are being held inside all 17 traditional Jefferson County high schools, during the school day.
- JCBEA Leadership is known as the go-to resource to bring students and businesses together.
- Executive Director position is full-time and we have one full-time administrative assistant.
- JCBEA has six months of operating expenses in reserve.
- The community knows us.
- We have an adequate stable of instructors, and businesses offering priority hiring and job shadowing opportunities.
- We have tracking data and metrics established and in utilization.
- A Career Ready Alumni group is established, and active.
- Youth Leadership Jefferson County is an in-demand, self-sustaining program.

JCBEA'S Priorities for 2016/2017

- Funding. Increased corporate partnerships and establishment of an inaugural annual signature fundraising event.
- Creation of collateral materials – information brochure, updated Career Ready and Youth Jefferson County brochure, donation forms and volunteer forms.
- Website/YouTube connection
- Increase number of Career Ready workshops to 11
- Increase number of businesses offering job shadows and priority hiring opportunities.
- Periodic blogs submitted to chambers for publication – informational business blogs.
- Prepare Board members to be able to speak at organizational meetings about the JCBEA – talking points.
- Create a document with quotes from businesses who have hired JCBEA certificate grads, and anecdotal information from students and instructors – testimonials.
- Create Board sub-committees: Youth Leadership; Career Ready Curriculum; Fundraising; Chamber Relations.
- Increase public speaking opportunities.
- Launch revamped Youth Leadership Jefferson County program for fall of 2017.
- Host a one-day Young Entrepreneur workshop.

BOARD OF COUNTY COMMISSIONERS BRIEFING PAPER

**2017 Benefit Plan Recommendations by Human Resources
August 30, 2016**

For Information

For Discussion/Approval
Prior to Future Hearing

For Action

ISSUE: To approve employee benefits offerings for 2017 including approving changes in benefits currently offered to County employees based upon the guiding principles that were renewed in 2016 as part of a three year strategy. To approve the offering of flu shots at no cost to benefit-eligible and temporary County employees as an additional benefit for 2017. To perform an Rx Audit on the self-funded plans.

BACKGROUND:

Human Resources recommends the implementation of the following benefits with the described changes and enhancements for the County's benefits program for 2017.

1. Continue medical plan options with plan modifications noted below in addition to offering a charter network plan through UnitedHealthcare that is self-funded in 2017, the self-funded plan utilizing UnitedHealthcare and the fully insured plan utilizing Kaiser Permanente with continuance of the Risk Sharing Arrangement in place through Kaiser Permanente.

Kaiser Permanente:

- a. "First Fill" in Southern Colorado
- b. Bariatric surgery will apply to the out-of-pocket maximum
- c. Chiropractic care on Deer Tail plan will apply to the out-of-pocket maximum
- d. Video visits will be subject to the applicable office visit copay and apply to the out-of-pocket maximum
- e. No visit limit on Applied Behavioral Analysis (ABA) therapies
- f. Out-of-area student coverage no longer requires school accreditation

UnitedHealthcare:

- a. Add a third plan option with the Charter Network
 - b. Add Gender Dysphoria Treatment
 - c. Move to the Advantage Prescription Drug List (PDL)
 - d. Supply limits on prescriptions
 - e. Dispense as Written (DAW) on prescriptions
 - f. Increase Stop Loss level to \$275k
2. Rate/Premium changes on all medical plans for 2017 continue utilizing a modified defined contribution method of setting Jeffco contributions by tier. The County will pay the projected increase needed in funding for 2017. Funding from Rx Rebates and the residual from dental and vision plans will continue to be used to offset premiums. Rates do not include the ACA's PCORI Fee for UnitedHealthcare Plans that will be budgeted separately (see attachment).
 3. Health Management (wellness) to continue with the next phase of the wellness strategy that was renewed in 2016, to include collaboration with Kaiser Permanente, UnitedHealthcare and Healthbreak, Inc. in offering wellness initiatives including programs/campaigns, additional education and activities dedicated to diabetes prevention, targeted program outreach geared around first and second year results of employee biometrics and wellness participation. Continue working with a vendor to promote the biometrics health screening campaign in 2017 (voluntarily engaging spouses and temporary employees in various activities/events) that utilizes premium incentives in 2017 (funded by UHC Rx Rebates).

A contract with Healthbreak, Inc. will remain in place for 2017 to continue support in offering health and wellness programs/events to employees and to monitor/promote safety in usage of fitness center equipment within the onsite fitness centers.

4. No Rate/Premium changes on both dental plans for 2017, with a plan modification for 2017.
 - a. Modify the Reynolds plan design to increase maximum annual benefit from \$1,500 to \$2,000.
5. No Rate/Premium changes on the vision plan for 2017 with a plan modification for 2017.
 - a. Increase frame/contact lens allowance from \$150 to \$160.
6. Maintain the life/AD&D and disability benefits with CIGNA for 2017 with increased premiums under a two year rate guarantee.
7. Amend the County's contract with Lockton Companies Inc. for consulting services in 2017 to provide for additional renewal options and include the additional services noted below.
 - a. Perform an Rx Audit at an additional cost of \$20,000 in 2017.
8. Maintain the MetLife Home & Auto voluntary benefit offering in 2017.
9. Maintain RPS Plan Administrators (i.e., 24HourFlex) the flexible spending plans and COBRA plan administrators in 2017.
10. Maintain Cafeteria Plan and documents that allow pre-tax savings on medical premiums.
 - a. Amend Plan documents as permitted under the ACA to allow two new Qualifying Events in 2017 by including the wording quoted below.
 - i. "You are permitted to revoke an election of coverage under a group health plan (other than a health FSA) due to enrollment in a qualified health plan offered through the Health Insurance Marketplace. In order to revoke an election of coverage under a group health plan due to enrollment in a qualified health plan offered through the Health Insurance marketplace, you must be eligible for a special enrollment period to enroll in a qualified health plan through the marketplace or during the marketplace's annual enrollment period.'
 - ii. "You are permitted to revoke an election of coverage under a group health plan (other than a health FSA) due to reduction in hours of service. In order to revoke an election of coverage under a group health plan due to reduction in hours of service, you must have been in an employment status under which you were reasonably expected to average at least 30 hours of service per week and there is a change in your status so that you will reasonably be expected to average less than 30 hours of service per week after the change."
11. Work with a vendor to offer flu shots at selected work site locations for employees of the County in 2017 in addition to offering benefit-eligible employees the Biometrics/Prevention Campaign events. The cost to the County for benefit-eligible employees is estimated at \$20,800. The cost to the County for temporary employees is estimated at \$3,000. The total estimated cost to the County is between \$20,800 and \$25,000 estimating 30% participation. This will be funded by the UHC Rx Rebates received in 2017.

12. Retirement and Financial Campaign in 2017 to promote retirement education and financial awareness in correlation with the retirement plan changes in the first quarter of 2017. Produce a Total Compensation Statement through a third party vendor to bring awareness to employees of their current benefit offerings with the goal of providing education and demonstrating the value of salary and benefits combined.

Human Resources will work with the County Attorney, Lockton Companies (the County's benefits consultant), Payroll and Information Technology Services as necessary to implement these changes.

FISCAL IMPACT: (see attached budget estimate for 2017)

RECOMMENDATIONS: That the Board of County Commissioners approves the benefits offerings as outlined above and authorizes the Chair to sign such contracts and other documents which require signature by the Chairman of the Board of County Commissioners as necessary for the implementation of those benefits with the vendors listed below when those contracts and other documents have been approved by the County Attorney's office for legal sufficiency, approved fiscally by the Budget Director and approved administratively by the Human Resources Department. To be presented to the Board of County Commissioners for formal action on a future Consent Agenda,

1. Lockton Companies, LLC
2. UnitedHealthcare
3. Kaiser Permanente
4. Delta Dental Plan of Colorado
5. Vision Service Plan
6. CIGNA
7. RPS Plan Administrators, Inc.
8. MetLife
9. Healthbreak, Inc.
10. Preventive Health Now, LLC.
11. Other vendors as deemed necessary by the Human Resources Department

That the Board of County Commissioners approves these employee benefit offerings as described above for 2017.

ORIGINATOR: Tina Wise, Total Compensation Manager x8405

CONTACTS FOR ADDITIONAL INFORMATION:

Ralph Schell, County Administrator x8508
Jennifer Fairweather, Human Resources Director x8402
Tina Wise, Total Compensation Manager x8405
Holly Bjorklund, Finance and IT Services Director x8597
Mary O'Neil, Budget and Risk Director, x8570

**BENEFIT PLAN FUND
2017 Budget Projections**

	<u>2017</u>
UHC Fixed Costs (medical & stop loss)	\$1,560,095
UHC Claims (expected)	\$12,859,892
Kaiser Premiums	\$15,148,983
Partial Rx Rebates to offset funding	-\$380,000
Residual from dental and vision to offset funding	-\$124,913
PCORI Tax (ACA Fee, not included in Fixed Costs)	\$5,000
Wellness	
Biometrics	\$80,000
Diabetes Prevention Program	\$8,000
Flu Shots	\$25,000
Targeted Wellness Outreach/Initiatives	\$12,000
Partial UHC Rx Rebates (wellness offset)	-\$120,000
VSP Fixed Costs	\$40,194
VSP Claims	\$359,578
Delta Dental Fixed Costs	\$109,788
Delta Dental Claims	\$2,199,534
Cigna Life/AD&D	\$703,722
Cigna Short-Term Disability	\$410,786
Cigna Long-Term Disability	\$666,607
Lockton Companies	\$169,373
Lockton Rx Audit	\$20,000
Retirement & Finance Communication	\$15,000
HealthBreak, Inc.	\$100,000
FSA Administration	\$50,000
COBRA Administration	\$15,000

TOTAL	\$33,933,639
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2017 UHC Medical figures assume the following:

- Based on 1,126 enrolled employees
- Adds in third plan option
- Incorporates consistent contribution strategy from 2016
- Represents gross costs and does not factor in employee contributions (payroll deductions)
- Residual funding from dental and vision plans.

2017 Kaiser Medical figures assume the following:

- Based on 1,333 enrolled employees
- Incorporates consistent plan design and contribution strategy from 2016
- Represents gross costs and does not factor in employee contributions (payroll deductions)
- Residual funding from dental and vision plans
- Includes Risk Sharing Arrangement

2017 Health Management "Wellness":

- Premium Incentive based on 80% participation
- Represents \$20 monthly for premium incentive in 2017 (employee only)
- Biometrics costs based on 80% employee participation and 30% spouse participation in 2016
- Rx Rebates funding premium incentives and wellness

2017 Delta Dental figures assume the following:

- Based on 2,614 enrolled employees
- Represents gross costs and does not factor in employee contributions (payroll deductions)

2017 Vision figures assume the following:

- Based on 2,310 enrolled employees
- Represents gross costs and does not factor in employee contributions (payroll deductions)

2017 Life/STD/LTD figures assume the following:

- Based on current volume of coverage
- If salary changes are anticipated, these figures should be adjusted accordingly

2017 Medical Contributions with Plan Changes

DRAFT

May 2016 Enrollment	2016					2017					Employee Monthly Impact			
	Actuarial Funding	Employee Contribution Without Premium Incentive	Employee Contribution With Premium Incentive	EE % Without Premium Incentive	Jeffco Cost Without Premium Incentive	Est. 2017 Enrollment	Actuarial Funding	Employee Contribution Without Premium Incentive	Employee Contribution With Premium Incentive	EE % Without Premium Incentive	Jeffco Cost Without Premium Incentive	Without Premium Incentive	With Premium Incentive	
Elk Meadow, Choice Plus Network														
EE	200	\$679.10	\$217.32	\$197.32	32.0%	\$461.78	200	\$695.76	\$217.32	\$197.32	31.2%	\$478.44	\$0.00	\$0.00
EE + Spouse	93	\$1,358.18	\$543.28	\$523.28	40.0%	\$814.90	93	\$1,391.54	\$543.28	\$523.28	39.0%	\$848.26	\$0.00	\$0.00
EE + Child(ren)	36	\$1,222.36	\$488.94	\$468.94	40.0%	\$733.42	36	\$1,252.38	\$488.94	\$468.94	39.0%	\$763.44	\$0.00	\$0.00
Family	76	\$2,037.28	\$794.54	\$774.54	39.0%	\$1,242.74	76	\$2,087.30	\$794.54	\$774.54	38.1%	\$1,292.76	\$0.00	\$0.00
Table Mountain, Choice Plus Network														
EE	343	\$580.42	\$127.12	\$107.12	21.9%	\$453.30	292	\$594.68	\$127.12	\$107.12	21.4%	\$467.56	\$0.00	\$0.00
EE + Spouse	115	\$1,160.84	\$338.96	\$318.96	29.2%	\$821.88	98	\$1,189.34	\$338.96	\$318.96	28.5%	\$850.38	\$0.00	\$0.00
EE + Child(ren)	99	\$1,044.76	\$305.06	\$285.06	29.2%	\$739.70	84	\$1,070.40	\$305.06	\$285.06	28.5%	\$765.34	\$0.00	\$0.00
Family	164	\$1,741.26	\$491.04	\$471.04	28.2%	\$1,250.22	139	\$1,784.02	\$491.04	\$471.04	27.5%	\$1,292.98	\$0.00	\$0.00
Charter Plan--name TBD														
							51	\$541.64	\$81.24	\$61.24	15.0%	\$460.40	N/A	N/A
							17	\$1,083.26	\$254.56	\$234.56	23.5%	\$828.70	N/A	N/A
							15	\$974.94	\$229.12	\$209.12	23.5%	\$745.82	N/A	N/A
							25	\$1,624.90	\$367.22	\$347.22	22.6%	\$1,257.68	N/A	N/A
Deer Trail (\$500 Ded)														
EE	146	\$637.94	\$180.54	\$160.54	28.3%	\$457.40	146	\$653.60	\$180.54	\$160.54	27.6%	\$473.06	\$0.00	\$0.00
EE + Spouse	66	\$1,275.88	\$466.98	\$446.98	36.6%	\$808.90	66	\$1,307.20	\$466.98	\$446.98	35.7%	\$840.22	\$0.00	\$0.00
EE + Child(ren)	36	\$1,148.28	\$420.28	\$400.28	36.6%	\$728.00	36	\$1,176.48	\$420.28	\$400.28	35.7%	\$756.20	\$0.00	\$0.00
Family	53	\$1,913.82	\$681.32	\$661.32	35.6%	\$1,232.50	53	\$1,960.80	\$681.32	\$661.32	34.7%	\$1,279.48	\$0.00	\$0.00
Pine Valley (\$750 Ded)														
EE	533	\$522.90	\$75.82	\$55.82	14.5%	\$447.08	533	\$535.74	\$75.82	\$55.82	14.2%	\$459.92	\$0.00	\$0.00
EE + Spouse	131	\$1,045.80	\$242.62	\$222.62	23.2%	\$803.18	131	\$1,071.48	\$242.62	\$222.62	22.6%	\$828.86	\$0.00	\$0.00
EE + Child(ren)	129	\$941.22	\$218.36	\$198.36	23.2%	\$722.86	129	\$964.34	\$218.36	\$198.36	22.6%	\$745.98	\$0.00	\$0.00
Family	239	\$1,568.70	\$348.26	\$328.26	22.2%	\$1,220.44	239	\$1,607.22	\$348.26	\$328.26	21.7%	\$1,258.96	\$0.00	\$0.00
Annual Total		\$28,976,491	\$7,580,729			\$21,395,762		\$29,064,057	\$7,319,497			\$21,744,559		
GRAND TOTAL Annual Change								\$87,566	(\$261,231)			\$348,797		
GRAND TOTAL % Change								0.3%	-3.4%			1.6%		

-Not for Distribution-

2017 Dental Contributions with Plan Changes

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2017 Dental

	May 2016 Enrollment	2016				2017				Monthly EE Impact	% EE Impact
		Total "Premium"	Employee Contribution	EE %	Net Cost	Total "Premium"	Employee Contribution	EE %	Net Cost		
Reynolds											
EE	613	\$45.42	\$15.68	34.5%	\$29.74	\$45.42	\$15.68	34.5%	\$29.74	\$0.00	0.00%
EE + Spouse	359	\$91.88	\$35.06	38.2%	\$56.82	\$91.88	\$35.06	38.2%	\$56.82	\$0.00	0.00%
EE + Child(ren)	201	\$81.68	\$31.52	38.6%	\$50.16	\$81.68	\$31.52	38.6%	\$50.16	\$0.00	0.00%
Family	426	\$127.08	\$49.04	38.6%	\$78.04	\$127.08	\$49.04	38.6%	\$78.04	\$0.00	0.00%
Pioneer											
EE	495	\$36.32	\$6.58	18.1%	\$29.74	\$36.32	\$6.58	18.1%	\$29.74	\$0.00	0.00%
EE + Spouse	205	\$72.58	\$15.78	21.7%	\$56.80	\$72.58	\$15.78	21.7%	\$56.80	\$0.00	0.00%
EE + Child(ren)	105	\$65.34	\$15.16	23.2%	\$50.18	\$65.34	\$15.16	23.2%	\$50.18	\$0.00	0.00%
Family	210	\$101.64	\$23.60	23.2%	\$78.04	\$101.64	\$23.60	23.2%	\$78.04	\$0.00	0.00%
Total/PEPM	2,614	\$73.62	\$23.90	32.5%	\$49.72	\$73.62	\$23.90	32.5%	\$49.72		
Monthly Annually		\$192,444	\$62,465		\$129,979	\$192,444	\$62,465		\$129,979		
Annual \$ Change		\$2,309,322	\$749,577		\$1,559,746	\$2,309,322	\$749,577		\$1,559,746		
% Change						\$0	\$0		\$0		
						0.0%	0.0%		0.0%		

2017 Vision Contributions with Plan Changes

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2017 Vision

	May 2016 Enrollment	2016				2017				Monthly EE Impact	% EE Impact
		Total "Premium"	Employee Contribution	EE %	Net Cost	Total "Premium"	Employee Contribution	EE %	Net Cost		
Vision											
EE	1,085	\$7.84	\$3.92	50.0%	\$3.92	\$7.84	\$3.92	50.0%	\$3.92	\$0.00	0.0%
EE + Spouse	520	\$15.64	\$7.82	50.0%	\$7.82	\$15.64	\$7.82	50.0%	\$7.82	\$0.00	0.0%
EE + Child(ren)	221	\$16.76	\$8.38	50.0%	\$8.38	\$16.76	\$8.38	50.0%	\$8.38	\$0.00	0.0%
Family	484	\$26.80	\$13.40	50.0%	\$13.40	\$26.80	\$13.40	50.0%	\$13.40	\$0.00	0.0%
Total/PEPM	2,310	\$14.42	\$7.21	50.0%	\$7.21	\$14.42	\$7.21	50.0%	\$7.21		
Monthly		\$33,314	\$16,657		\$16,657	\$33,314	\$16,657		\$16,657		
Annually		\$399,772	\$199,886		\$199,886	\$399,772	\$199,886		\$199,886		
Annual \$ Change						\$0	\$0		\$0		
% Change						0.0%	0.0%		0.0%		

2017 Basic Life/AD&D Renewal

Benefit Summary Description	Cigna	
	Current Rates	Renewal Rates
Basic Term Life		
Covered Benefit Volume	\$342,944,650	\$342,944,650
Rate Per \$1,000 of Benefit	\$0.115	\$0.150
Total Monthly Premium	\$39,438.63	\$51,441.70
Total Annual Premium	\$473,263.62	\$617,300.37
\$ Change	\$144,036.75	
% Change	30.43%	
Basic AD&D		
Covered Benefit Volume	\$342,944,650	\$342,944,650
Rate Per \$1,000 of Benefit	\$0.021	\$0.021
Total Monthly Premium	\$7,201.84	\$7,201.84
Total Annual Premium	\$86,422.05	\$86,422.05
\$ Change	\$0.00	
% Change	0.00%	
Combined Total		
Total Monthly Premium	\$46,640.47	\$58,643.54
Total Annual Premium	\$559,685.67	\$703,722.42
\$ Change	\$144,037	
% Change	25.74%	
Rate Guarantee (months)	24 months	

2017 STD and LTD Renewal

STD

Benefit Summary Description	Cigna	
	Current Rates	Renewal Rates
Core Plan		
Covered Weekly Benefit Volume	\$13,692,885.45	\$13,692,885.45
Rate Per \$100 of Benefit	\$0.250	\$0.250
Total Monthly Premium	\$34,232.21	\$34,232.21
Total Annual Premium	\$410,786.56	\$410,786.56
\$ Change	\$0.00	
% Change	0%	
Rate Guarantee (months)	24 months	
Participation Requirement	100%	

LTD

Benefit Summary Description	Cigna	
	Current Rates	Renewal Rates
Plan Type		
Covered Payroll	\$13,716,198.18	\$13,716,198.18
Rate Per \$100 of Covered Payroll	\$0.335	\$0.405
Total Monthly Premium	\$45,949.26	\$55,550.60
Total Annual Premium	\$551,391.17	\$666,607.23
\$ Change	\$115,216.06	
% Change	20.90%	
Rate Guarantee	24 months	
Participation Requirement	100%	

BOARD OF COUNTY COMMISSIONERS BRIEFING PAPER**Site Development Plan Regulation Draft Revisions
August 30, 2016** For Information For Discussion/Approval
Prior to Future Hearing For Action**Issue:**

Staff is proposing changes to Sections of the Jefferson County Zoning Resolution and Land Development Regulation that apply to the Site Development Plan (SDP) process.

Background:

The Site Development Plan process was initially created 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, an applicant would go through the Exemption from Platting process, which required a hearing before the Board of County Commissioners. The regulations have been updated in the past to add multi-family and to clarify small items.

Revisions focus on:

- Allowing Site Development Plans to dedicate public right-of-way, dedicate easements to the County, vacate easements with the County, and change legal descriptions. This would require the Site Development Plan documents to include a survey in some circumstances.
- Allow greater flexibility in submittal requirements to accommodate both large and small projects.
- Clarify when the process is required by establishing minimum thresholds.
- Create an understandable and efficient process to revise a previously approved Site Development Plan.
- Modify timelines to more accurately reflect the current process.
- Modify requirements related to when a Radiation Assessment/Plan/Report is required.

Discussion:

Over the years Staff and applicants have identified issues with these regulations. Some specific issues and solutions are:

1. Eliminating a separate deed process by creating a new document titled Site Adjustment/Dedication Plat.
2. Allow for lot line adjustments through the newly created Site Adjustment/Dedication Plat.
3. Allow for the Director of Planning and Zoning to waive all or a portion of the Site Development Plan process.
4. Clarification of submittal requirements.
5. Propose timeframes to be more comparable to other similar processes.
6. Modifications to previously approved Site Development Plans through a "Minor Revision" process.
7. Revise the requirement for a Radiation Assessment for Site Development Plans.

Remove the map and clarify the provision of when a radiation assessment is required.
Add a provision that if a passive radon mitigation system is provided, a Radiation Assessment is not needed.

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

This regulation is scheduled to be heard by the Planning Commission on October 26, 2016 and the Board of County Commissioners on November 15, 2016.

Fiscal Impact:

No fiscal impact to the County.

Recommendation:

Staff recommends that the Board of County Commissioners direct staff to continue moving forward processing these draft regulations for public hearing in November.

Originator:

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Section 1: Administrative Provisions

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

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. S.T.P. or 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
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
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	RA			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	

46 17.	Visual Analysis	A	A	A									
47 18.	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
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48 19.	Vegetation Preservation Plan	A	A	A									
49 20.	Market Analysis	A	A	A									
20 21.	Water Supply Information	R	R	R	R	R							
21 22.	Wastewater Collection Information	R	R	R	R	R							
22 23.	Fire Protection Proof	R	R	R	R	R							
23 24.	Forest Management Plan	A	A	A	A	A							
24 25.	Construction Plans				A	A	A						
25 26.	Exhibit A				A	A	A						
26 27.	Transportation Information	A	A	A	A	A							
27 28.	Deeds/Easements/Agreements	A	A	A	A	A	A						
28 29.	Phase I Drainage Report	A	A	A									
29 30.	Phase III Drainage Report				R	R	A						
30 31.	Geologic and Geotechnical Report	A	A	A	R	R							
31 32.	Radiation Assessment/Report/Plan	A	A	A	A	A							
32 33.	Environmental Questionnaire/Assessment	A	A	A	R	R							
33 34.	Floodplain Study						A						

- i. 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 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; 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)
- ~~(42)~~13 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~~)
- ~~(43)~~14 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~~)
- ~~(44)~~15 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~~)
- ~~(45)~~16 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~~)

- (~~46~~17) 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)
- (~~47~~18) 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)
- (~~48~~19) 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)
- (~~49~~20) 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)
- (~~20~~21) Water Supply Information: 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)
- (~~24~~22) Wastewater Information: 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)
- (~~22~~23) 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)

- (~~23~~24) 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)
- (24~~25~~) 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 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)
- (~~25~~26) 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 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)

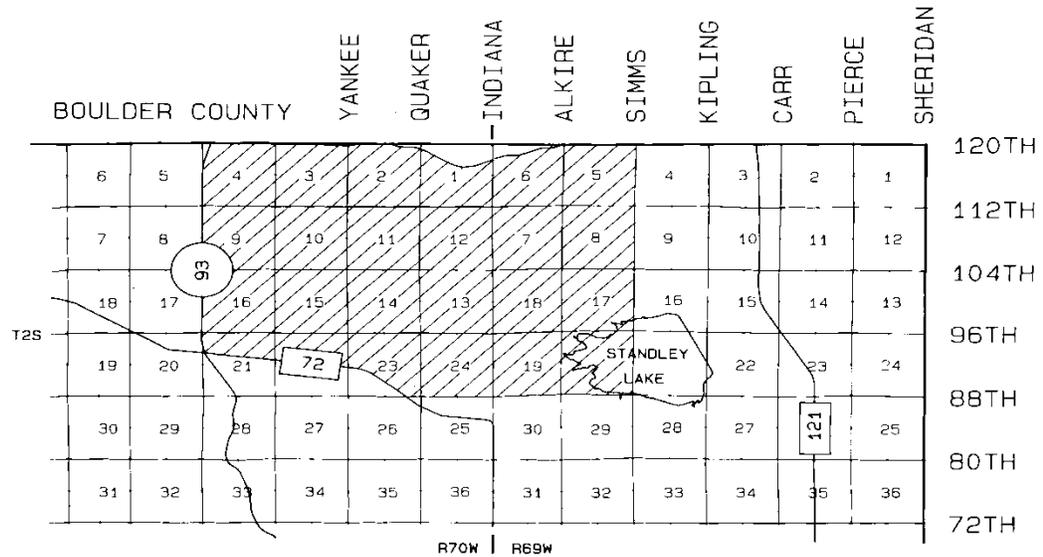
(~~29~~30) Phase III Drainage Report and Plan: A Phase III Drainage Report and Plan prepared in accordance with the Storm Drainage Design and Technical Criteria. (orig. 4-20-10)

(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: To address radiation, all new construction shall include a passive radon mitigation system. If this system is not going to be provided, then a Radiation Assessment/Report/Plan prepared in accordance with the Radiation Section of the Land Development Regulation shall be required, 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.

Rezoning or Special Use: Required when land is dedicated to the County.

Site Development Plan: Required for all Site Development Plans. (orig. 10-25-05; am. 4-20-10; am. xx-xx-xx)

(~~33~~34) 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: (orig. 4-20-10)
 - (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)

(~~35~~36) 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)

(~~36~~37) 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)

(~~37~~38) 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)
- (~~4142~~) 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	100 Days to tentatively scheduled hearings if processing time frames are met.
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		

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)

l. 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) Tenent finish where additional floor space will be created within an existing 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 the Site Development Plan process. Considerations for a determination may include:

(a) In the opinion of the Director there will be no public benefit of completing the process.

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

(c) State and Federal regulations would not require a County process. (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.

(orig. xx-xx-xx):

a. 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)

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

(2) 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)

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

b. 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)

d. 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)

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

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

j. Changes to or elimination of notes, restrictions and certificates which do not adversely affect traffic safety, visual impact, wildlife, drainage, soil erosion, wildfire hazard, noise, or the provision of open space, unless it can be shown that the effect can be adequately mitigated. (orig. xx-xx-xx)

a. Dedications of easements or right-of-way (orig. xx-xx-xx):

b. Vacations of easements (orig. xx-xx-xx):

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

a. The request must 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)~~

- d. 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
Response <u>1st Referral Applicant submits response/revision to 1st referral.</u>	21 calendar days <u>(varies dependent upon issues)</u>
Submittal of Staff sufficiency review and referral <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>	<u>7 calendar days</u> , 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 –waiver or Minor Variation 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. ~~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 ~~420-180~~ 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~~)

- I. 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 need for the changes. (orig. xx-xx-xx)

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

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

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)

APPROVAL CERTIFICATE:

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.

 Jefferson County Director of Planning and Zoning Date

(Owner(s) Name) Date

- (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 to 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)

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, 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; ~~am. xx-xx-xx~~)

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

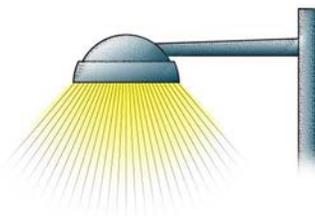
The following shall be exempt from the requirements of this section: (orig. 7-23-02)

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)

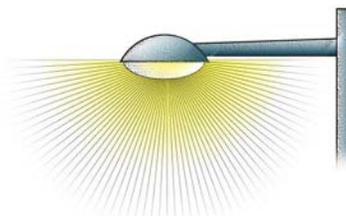
E. Standards

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)

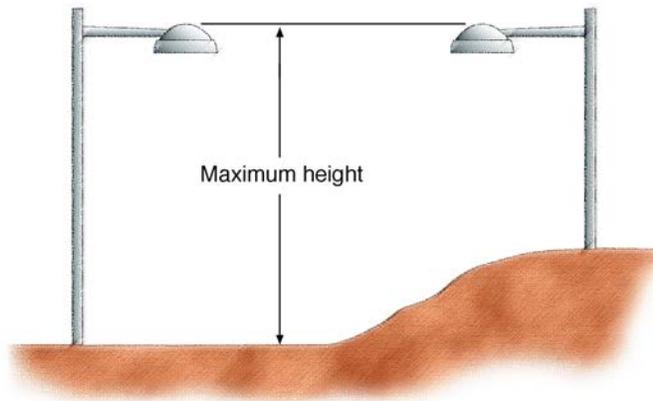
(4) Any additional information as may be required by Planning and Zoning to determine compliance with County regulations or to support the Illuminating Engineering Society of North America's recommended practices. Exceptions to the Illuminating Engineering Society of North America's recommended practices 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; am. xx-xx-xx)

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 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 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

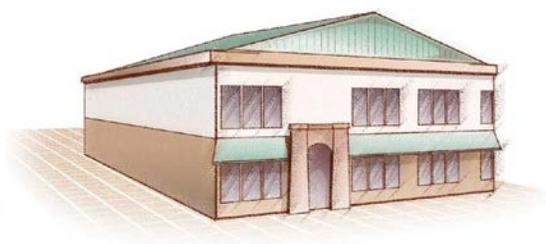
1. The use of exterior wall finish materials that either resemble or are the natural materials of brick, stone, slate, stucco, wood, textured block, textured concrete or colored concrete is required. Alternative materials can be utilized upon approval by the Director of Planning and Zoning when their 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)

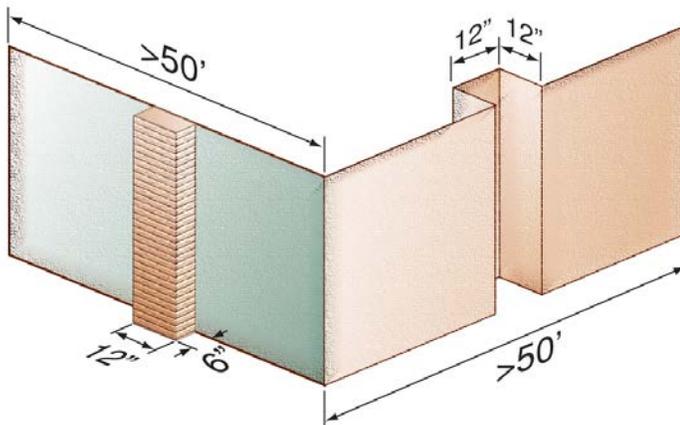


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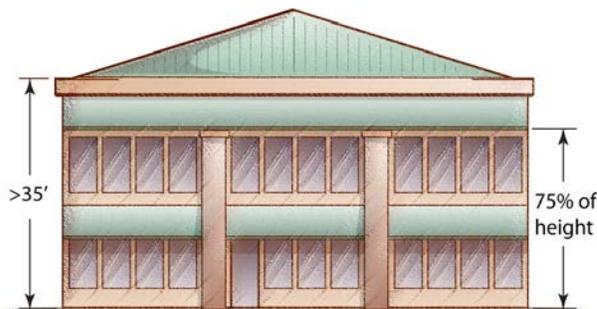


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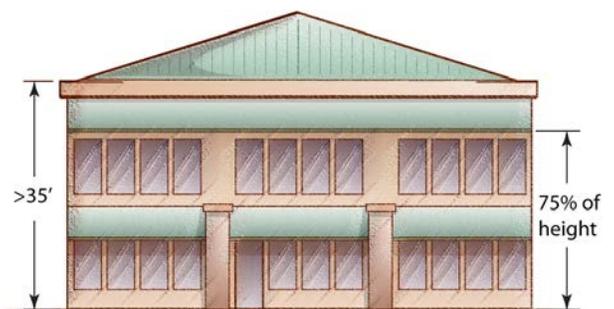
3. Exterior walls shall include a variety of architectural features, materials and colors. (orig. 7-23-02; am. 9-15-09)
4. In the plains, exterior walls over 50 feet in length shall feature changes in surface plane at no less than 50 feet intervals. In the mountains, exterior walls over 36 feet in length 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)



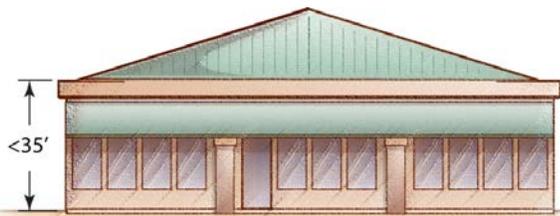
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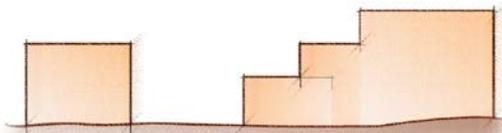
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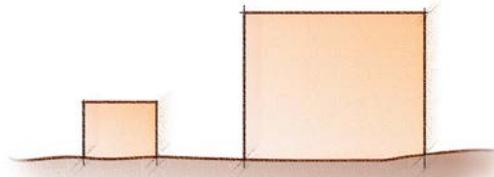
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F. Building Scale and Massing

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

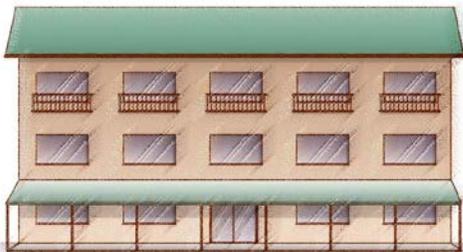


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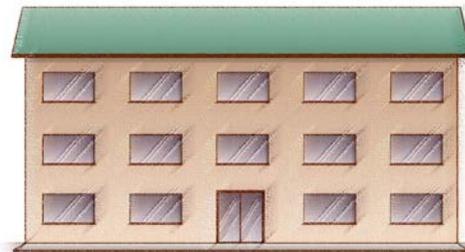


Does not meet standard

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)

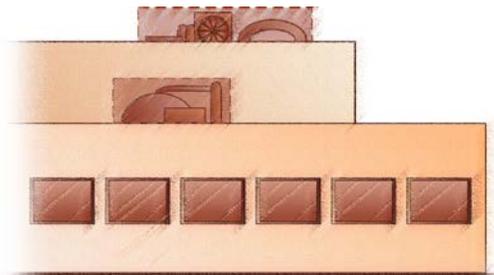


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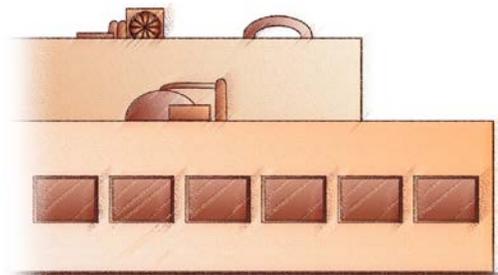


Does not meet standard

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; am. xx-xx-xx)

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	

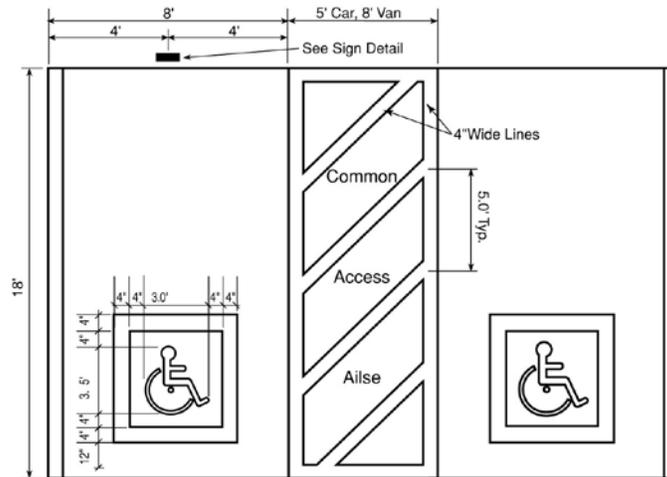
3. Loading Bays: All commercial and industrial uses shall refer to the Recommended Loading Bay Spaces Table for the recommended number of loading bay spaces. For the purposes of this section, loading bays relate to areas for the loading and unloading of goods rather than people. (orig. 7-23-02; am. 4-4-06)

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)

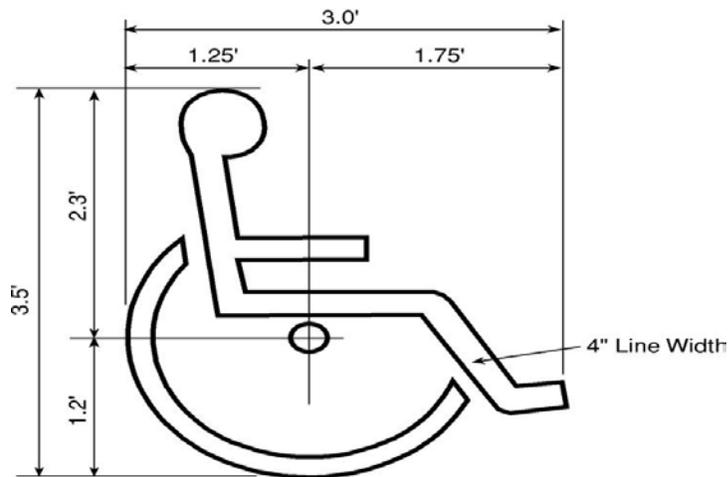


4. Sidewalk: Each parking facility requiring Site Development Plan approval and serving more than 8 vehicles shall have a sidewalk or other paved access, no less than 6 feet wide separating the parking area and the primary building, structure or use. A sidewalk connection shall be provided, where feasible, 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

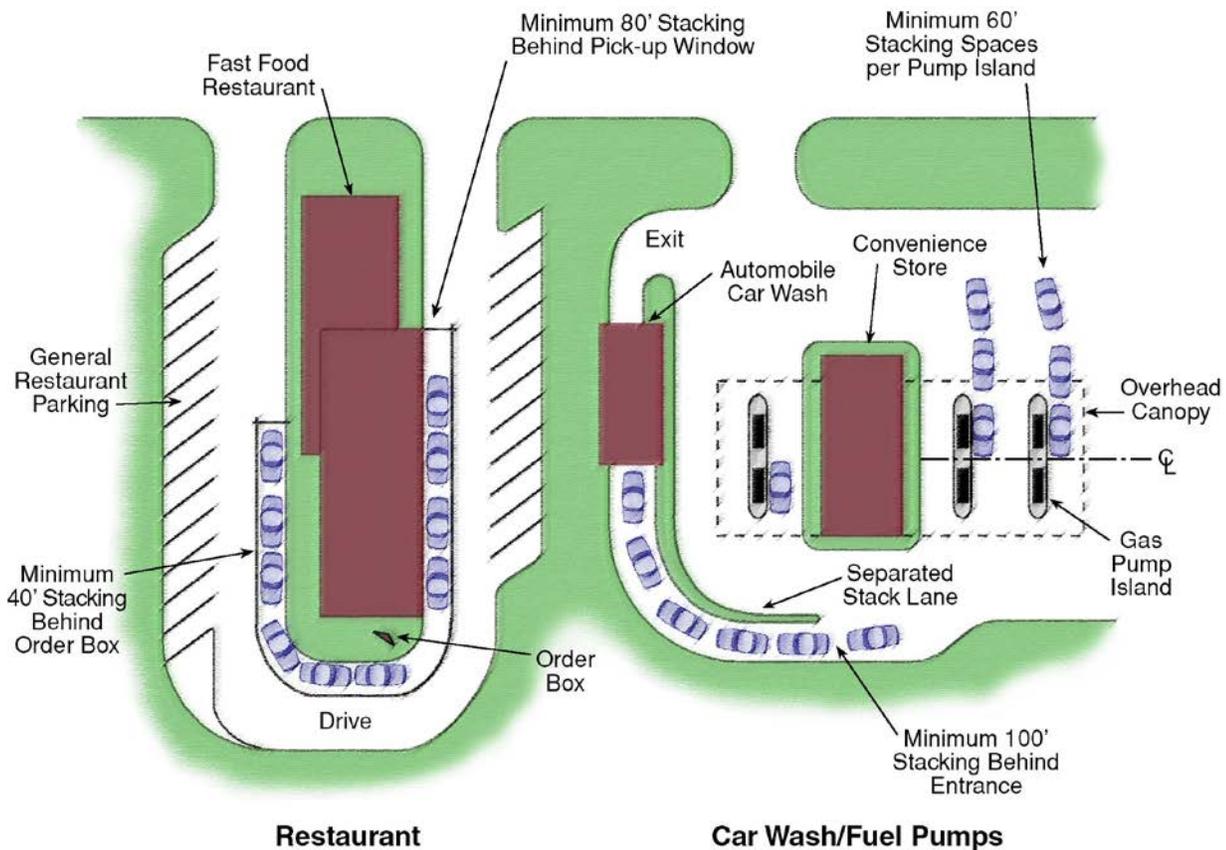
- 1. Vehicle Stacking: For Shopping or Recreation Centers, Discount Stores, Banks, and Medical Clinics and similar uses, the minimum required length of an on-site exit aisle between the parking lot and the public street or right-of-way shall be 20 feet or as indicated in the Required Exit Stacking Table. 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)

Section 15: Landscaping

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

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% 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 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)

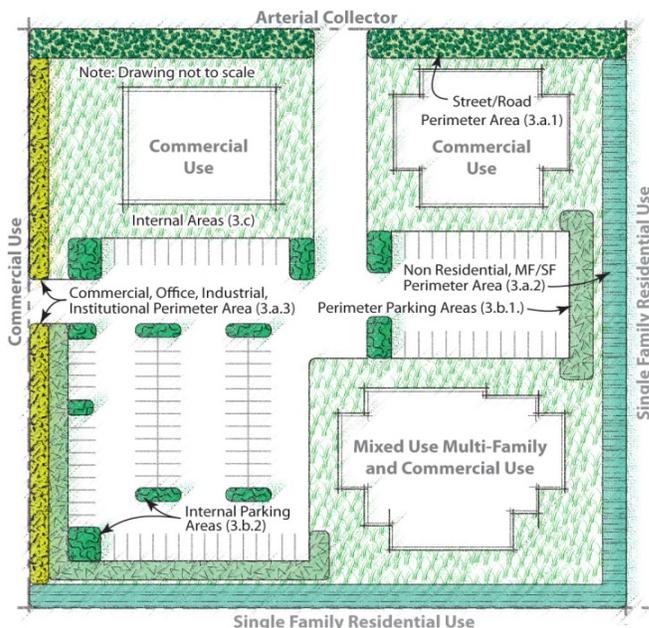
F. Specific Standards

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)

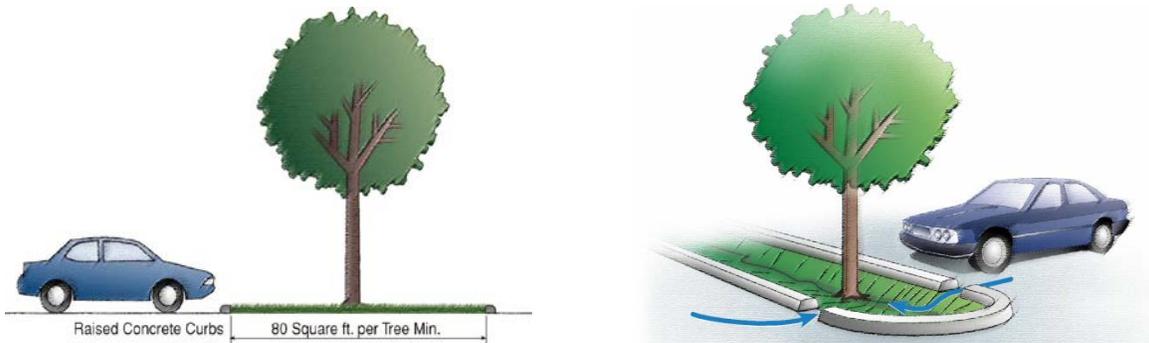
Right of Way Type	Landscape Strip Width
Freeway	30 feet
Major Collector/Arterial/Parkway	20 feet
Collector	10 feet

- (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 would need to be obtained 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)

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	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			
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; 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)

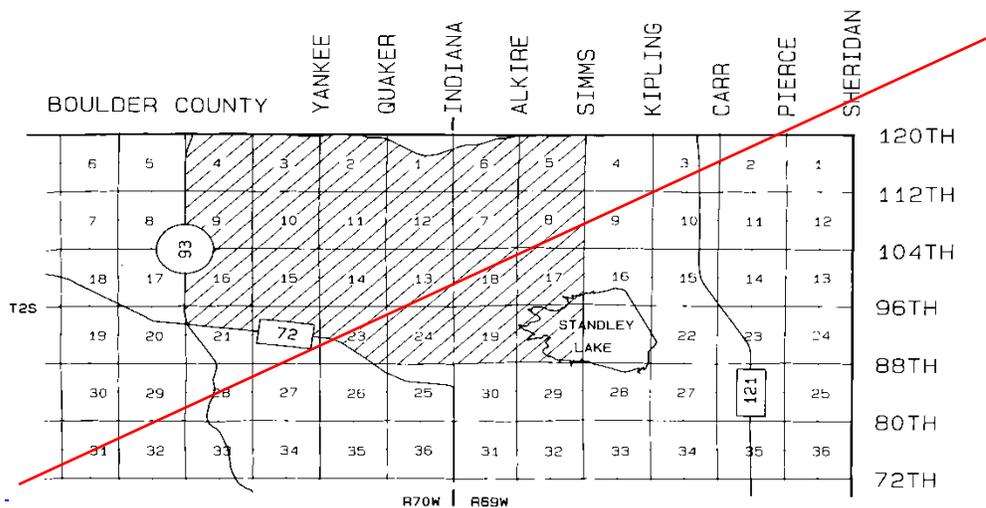
26. Geologic and Geotechnical Report: A Geologic and Geotechnical Report prepared in accordance with the Geologic and Geotechnical Section. The County Engineering Geologist may defer the submittal of the report to a subsequent development process or to the building permit process, if he/she determines 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: To address radiation, all new construction shall include a passive radon mitigation system. If this system is not going to be provided, then a Radiation Assessment/Report/Plan ~~prepared~~ in accordance with the Radiation section shall be required, 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

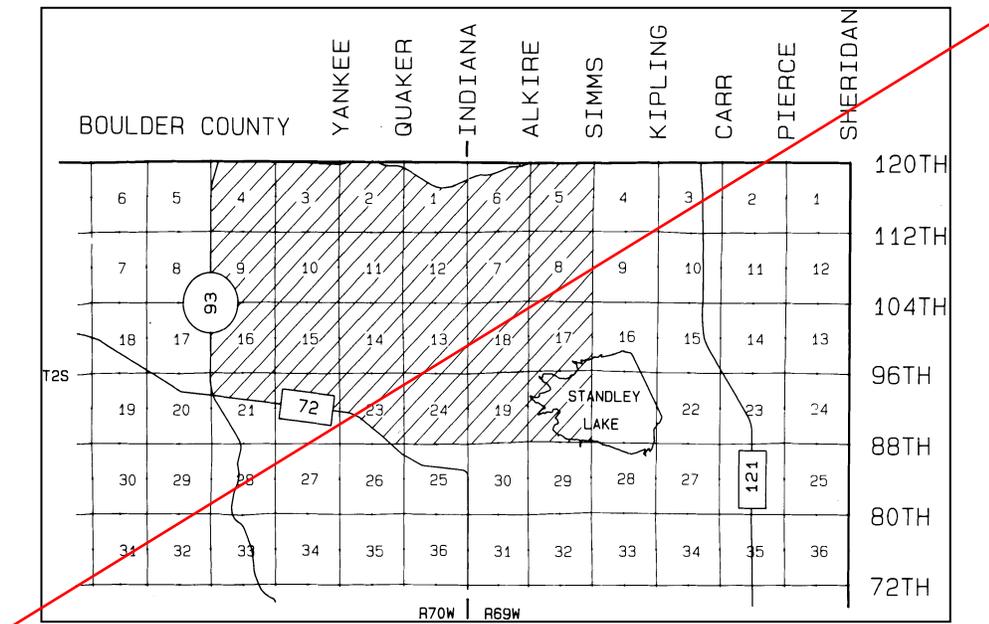
into an improvement agreement, an applicant may begin site construction without submitting a performance guarantee for the improvements, with the understanding that the construction will need to be completed or a performance guarantee submitted prior to sale or issuance of a building permit. The Improvements 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 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 passive radon mitigation system shall be required for all new construction to address the radiation concern from several sources in the County. A note shall be placed on the Plat or Site Development Plan to indicate that this will occur at the time of building permit. (orig. xx-xx-xx)
 - b. 2. If an applicant proposes not to install a passive radon mitigation system, A Radiation Assessment shall be required. (orig. 4-4-06, am. xx-xx-xx)
 - c. During the evaluation of the Environmental Questionnaire/Assessment if radiation 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. (orig. 4-4-06)

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)

RECEIVED

S. WARD

APR 08 2016

2:50 P.M.

FINAL DRAFT #143

Colorado Secretary of State

Be it enacted by the People of the State of Colorado:

Section 1. In the constitution of the state of Colorado, section 21 of article X, add (10) as follows:

Section 21. Tobacco Taxes for Health Related Purposes. (10) (a) THE PEOPLE OF COLORADO HEREBY FURTHER FIND THAT:

- (I) TOBACCO PRODUCT SALES IN THE STATE OF COLORADO HAVE INCREASED;
- (II) COLORADO'S NEED TO DETER CHILDREN AND YOUNG ADULTS FROM STARTING SMOKING IS AS CRITICAL AS EVER;
- (III) COLORADO NOW SPENDS LESS THAN HALF OF THE CENTERS FOR DISEASE CONTROL RECOMMENDED LEVEL ON TOBACCO EDUCATION AND CESSATION PROGRAMS;
- (IV) SMOKING ADVERSELY AFFECTS THE WELFARE OF COLORADANS DIRECTLY AND INDIRECTLY AND, WITHOUT FURTHER ACTION, WILL DO SO NOW AND IN THE FUTURE; AND
- (V) IT IS IN THE COLLECTIVE INTEREST OF ALL COLORADANS TO RAISE TOBACCO TAXES AND COMPETITIVELY AWARD TOBACCO TAX REVENUES TO ENHANCE THE PHYSICAL AND BEHAVIORAL HEALTH OF OUR POPULATION, TO FUND RESEARCH TO PREVENT AND CURE DISEASES SUCH AS CANCER, EMPHYSEMA, AND ALZHEIMER'S, AND TO PROVIDE PROGRAMS THAT WILL ENHANCE THE WELL-BEING OF VETERANS, AS WELL AS THOSE WHO LIVE IN RURAL AND UNDERSERVED AREAS OF OUR STATE.

(b) THERE ARE HEREBY IMPOSED THE FOLLOWING ADDITIONAL CIGARETTE AND TOBACCO TAXES, WHICH SHALL BE IN ADDITION TO THE INCREASED RATES BY SUBSECTION (2) OF THIS SECTION:

- (I) A STATEWIDE CIGARETTE TAX, ON THE SALE OF CIGARETTES BY WHOLESALERS, AT EIGHT AND THREE-QUARTERS CENTS PER CIGARETTE (\$1.75 PER PACK OF TWENTY); AND
- (II) A STATEWIDE TOBACCO PRODUCTS TAX, ON THE SALE, USE, CONSUMPTION, HANDLING, OR DISTRIBUTION OF TOBACCO PRODUCTS BY DISTRIBUTORS, AT TWENTY-TWO PERCENT OF THE MANUFACTURER'S LIST PRICE.

(c) THE CIGARETTE AND TOBACCO TAXES IMPOSED BY THIS SUBSECTION (10) SHALL BE IN ADDITION TO ANY OTHER CIGARETTE AND TOBACCO TAXES EXISTING AS OF THE EFFECTIVE DATE OF THIS SUBSECTION ON THE SALE OR USE OF CIGARETTES BY WHOLESALERS AND ON THE SALE, USE, CONSUMPTION, HANDLING, OR DISTRIBUTION OF TOBACCO PRODUCTS BY DISTRIBUTORS. SUCH EXISTING TAXES AND THEIR DISTRIBUTION SHALL NOT BE REPEALED OR REDUCED BY THE GENERAL ASSEMBLY.

(d) THE REVENUES GENERATED BY OPERATION OF THIS SUBSECTION (10)(b) SHALL BE APPROPRIATED AS FOLLOWS:

QUALIFIED PROVIDER, AS DEFINED IN SECTION 25.5-3-301, COLORADO REVISED STATUTES, OR ANY SUCCESSOR ACT, THAT MEETS EITHER OF THE FOLLOWING CRITERIA: IS A COMMUNITY HEALTH CENTER AS DEFINED IN SECTION 330 OF THE PUBLIC HEALTH/ SERVICE ACT OR ANY SUCCESSOR ACT; OR AT LEAST FIFTY PERCENT OF THE PATIENTS SERVED BY THE QUALIFIED PROVIDER ARE UNINSURED OR MEDICALLY INDIGENT AS DEFINED IN THE COLORADO MEDICAL ASSISTANCE ACT OR ANY SUCCESSOR ACT, OR ARE ENROLLED IN THE CHILDREN'S BASIC HEALTH PLAN OR THE COLORADO MEDICAL ASSISTANCE PROGRAM OR SUCCESSOR PROGRAMS.

SUCH REVENUES SHALL BE APPROPRIATED TO THE COLORADO DEPARTMENT OF HEALTH CARE POLICY AND FINANCING, OR ITS SUCCESSOR AGENCY, FOR THE PURPOSE OF FUNDING COLORADO HEALTH SAFETY NET INFRASTRUCTURE IMPROVEMENTS, INCLUDING ALTERATION AND RENOVATION, CONSTRUCTION, EQUIPMENT-ONLY PURCHASES, AND HEALTH INFORMATION TECHNOLOGY-RELATED HARDWARE AND SOFTWARE.

(F) FIVE PERCENT FOR EDUCATIONAL LOAN REPAYMENT FOR HEALTH PROFESSIONALS WHO WORK IN RURAL AND UNDERSERVED AREAS OF THE STATE THROUGH THE COLORADO HEALTH SERVICES CORPS, OR SUCCESSOR PROGRAM, AND PROFESSIONAL TRAINING TRACKS FOR PHYSICIANS AT TEACHING HEALTH CENTERS, DENTISTS, PEDIATRIC RESIDENCIES, PEDIATRIC PSYCHOLOGY FELLOWSHIPS, AND COMMUNITY DENTAL HEALTH COORDINATORS THROUGH PROGRAMS TO BE ADMINISTERED BY THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, OR ITS SUCCESSOR AGENCY.

(e) THE LEGISLATIVE RESEARCH OFFICES OF THE GENERAL ASSEMBLY SHALL ANNUALLY PUBLISH ON AN EASILY IDENTIFIED PORTION OF THE GENERAL ASSEMBLY'S WEBSITE THE NAMES OF ALL PROGRAMS FUNDED UNDER THIS SUBSECTION (10) FOR THE PREVIOUS FISCAL YEAR, THE AMOUNTS APPROPRIATED FROM THE TAXES GENERATED BY THIS SUBSECTION (10) FOR SUCH PROGRAMS, AND THE PURPOSES OF THE EXPENDITURES.

(f) ALL REVENUES RECEIVED BY OPERATION OF THIS SUBSECTION (10) SHALL BE EXCLUDED FROM FISCAL YEAR SPENDING, AS THAT TERM IS DEFINED IN SECTION 20 OF ARTICLE X OF THIS CONSTITUTION, AND THE CORRESPONDING SPENDING LIMITS UPON STATE GOVERNMENT AND ALL LOCAL GOVERNMENTS RECEIVING SUCH REVENUES.

(g) REVENUES APPROPRIATED PURSUANT TO PARAGRAPHS (10)(d)(II) (B)-(F) OF SUBSECTION (10) SHALL BE USED TO SUPPLEMENT REVENUES THAT ARE APPROPRIATED BY THE GENERAL ASSEMBLY AS OF JANUARY 1, 2016, AND SHALL NOT BE USED TO SUPPLANT THOSE APPROPRIATED REVENUES.

(h) THE GENERAL ASSEMBLY MAY ENACT SUCH LEGISLATION AS WILL FACILITATE IMPLEMENTATION OF THIS INITIATIVE.

(i) THIS SUBSECTION (10) IS EFFECTIVE JANUARY 1, 2017.



ARAPAHOE COUNTY
COLORADO'S FIRST

Board of County Commissioners

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August 23, 2016

NANCY A. DOTY
District 1

NANCY N. SHARPE
District 2

ROD BOCKENFELD
District 3

NANCY JACKSON
District 4

BILL L. HOLEN
District 5

To Whom It May Concern:

The following Arapahoe County Board of County Commissioners do not support Initiative 143. One major concern is that one quarter of people in poverty smoke cigarettes. If tobacco users with low incomes now spend 14 percent of their household income on such products, and if the addictive nature caused them to continue to spend their money on tobacco items, many children could be forced to go without sufficient nutrition, healthcare and/or housing. This would put an even greater strain on Human Services Departments.

Also, Initiative 143 goes too far in its attempt to create an amendment that would have no flexibility or oversight. Without accountability, ineffective tobacco cessation programs could continue to be funded indefinitely. In addition, it fails to address liquid and vapor tobacco products, such as e-cigarettes or other vapor devices.

However, we have been proactive in encouraging smoking cessation programs, such as a \$7,500 County grant in 2016 to the American Lung Association for Not on Tobacco teen program. We have also supported Tri-County's Health Department's many community smoking cessation outreach programs.

In summary, we feel strongly that Initiative 143 is the wrong approach to curbing the use of tobacco.

Sincerely,

Nancy Doty
District 1

Nancy Sharpe
District 2

Rod Bockenfeld
District 3

MISSION

Enhancing your quality of life through exceptional delivery of services and efficient use of public funds.

NO ON INITIATIVE 143 – NO BLANK CHECKS IN THE CONSTITUTION

Initiative 143 is a poorly-drafted measure that would lock hundreds of millions of dollars in new spending into the state constitution for programs that haven't even been created yet. Once locked into the constitution, the new spending programs created by Initiative 143 could only be changed by another statewide vote of the people. Supporting veterans programs and cancer research is important, but this measure is deeply flawed.

A Constitutional Blank Check with no accountability to taxpayers.

- This will be the first time in Colorado history that a tax increase for grant making is written into the constitution. The pet programs this measure would fund don't even exist yet.
- It gives a blank check to bureaucrats on how to spend the new tax revenue with no accountability to taxpayers.
- The state agency tasked with distributing the hundreds of millions of dollars in grants was just cited again by the state auditor this year for needing "stronger conflict of interest policies."
- This ties the hands of our legislature to provide for pressing budget issues, such as roads, schools, and public safety. The only way to change this is by passing another constitutional amendment.
- Nothing in this measure requires the majority of the grant funds to be awarded to in-state Colorado organizations. If the state raises taxes on products sold in Colorado, the money should help Colorado organizations.

This is bad fiscal policy and will cause budget shortfalls in the future.

- This measure will grow government spending, yet its revenues historically decrease over time.
- In the future, the legislature may have to bail out these programs at the expense of other priorities like our roads, schools, and public safety.
- This measure offers no easy remedy in the case of waste, fraud, abuse, and conflicts of interest.

Instead of raising tobacco taxes, Colorado should spend the money it already gets for its intended purpose.

- Colorado has received more than \$1.6 billion from tobacco companies that could be used for tobacco prevention and treatment, but the state diverted most of that to unrelated government programs.
- Instead of raising tobacco taxes, Colorado should spend the money it already gets on tobacco prevention programs.
- This measure only dedicates less than 20% to tobacco cessation and prevention programs. If we're going to raise tobacco taxes, more of that money should be going to help people stop and keep kids from starting instead of locking new pet project grants into our constitution.

It fails to address our other pressing budget issues. It's bad for business, and bad for families.

- Colorado has many budget issues that must be addressed, such as funding public safety, our schools, and our crumbling roads. Our families are asking for responsible spending to solve real problems, not more questionable state spending on unspecified grants and programs locked into the constitution.
- If Colorado is going to raise taxes by \$315 million per year, the dollars should go towards fixing pressing budget issues, not to special interests' pet projects.

PAID FOR BY NO BLANK CHECKS IN THE CONSTITUTION

Community Services Advisory Board

Openings total - up to 4

1. Lorye McLeod Recommended as Park County Rep.
2. Lauren Roehm Not recommended for by CSAB for appointment

Purpose: To make recommendations to the Jefferson County Board of Commissioners regarding matters related to human services for low and moderate income residents; to recommend to the Commissioners recipients for federal funds made available to Jefferson County from the Community Services Block Grant and similar grants; and to serve as liaison for the Board of County Commissioners and the Human Services Division to the Jefferson County community on issues related to human services.

Qualifications:

Represent different segments of the community, of which one-third of members represent low-income individuals and families.

Members and length of terms:

Up to 13 members, one representing Park County that serve for two-year terms with a three-term limit (6 Years).

Openings were advertised via Website, BCC Actions and Press Release

MEMORANDUM

TO: Janice Fredricksen, County Manager's Office

FROM: Kat Douglas, Director Community and Workforce Development Division

RE: Community Services Advisory Board – Recommendation for Membership

DATE: August 15, 2016

Staff Recommendation: The Community Services Advisory Board recommends the appointment of Lorye McLeod to the Community Services Advisory Board. The Community Services Advisory Board does not recommend the appointment of Lauren Roehm.

Background: The purpose of the Community Services Advisory Board is to make recommendations to the Jefferson County Board of County Commissioners regarding matters related to human services for low income residents; to recommend to the Board recipients for federal funds made available to Jefferson County from the Community Services Block Grant, and similar grants; and to serve as liaison for the Board of County Commissioners to the Jefferson County community on issues related to human services.

Vacancy Posting: Vacancies are advertised when necessary on the Jefferson County website under the Board Vacancies announcement. The makeup of the Community Services Advisory Board consists of at least nine members who represent the interests of different segments of the community and shall be composed so as to assure that no less than one-third of the members are persons who represent low-income individual and families.

Appointment:

Lorye McLeod: Is being recommended as a new member of the Community Services Advisory Board as a voting member representing Park County in collaboration with Jefferson County as a multi-agency CSBG collaborative. Lorye McLeod is currently the CEO for Mountain Resource Center in Conifer Colorado and understands the needs in Park County. Lorye McLeod will bring the experience from the nonprofit side to the CSAB.

Not Recommending:

Lauren Roehm: Is not being recommended by the CSAB. Lauren Roehm's schedule is not compatible with the regularly scheduled CSAB meetings that occur on a monthly basis every third Tuesday from 3:00pm – 4:30pm.

Copy to: Meg Spence, Human Services Administration

Tri-County Workforce Development Board

Openings: 4

4 regular

1. John Heyliger
2. Michael Willey

Purpose: The Tri-County Workforce Development Board (WDB) consists of decision-making individuals reflective of the business demographics in the area and leaders from the workforce system, education and economic development. It focuses on determining the near- and long-term needs of employers by providing oversight to the American Job Center serving Jefferson, Clear Creek, and Gilpin counties. The WDB also provides quality assurance and recommended policy guidance for Workforce Innovation and Opportunity Act programs operated by Jefferson County.

Duties:

- Developing the Local Plan;
- Workforce research and labor market analysis;
- Convening, brokering, and leveraging local resources;
- Employer engagement;
- Career Pathways development;
- Identification and promotion of proven and promising practices;
- Developing strategies for using technology to maximize accessibility and effectiveness of programs;
- Program oversight;
- Negotiation of local performance accountability measures;
- Selection of operators and providers;
- Coordination with education providers;
- Accessibility for individuals with disabilities;
- Memorandums of Understanding and One-Stop certification;
- Develop policy framework to meet the talent needs of employers; and
- Adopt bylaws governing any aspect of its membership, meetings and actions not set forth herein or governed by Federal, State, or other county policy or regulation.

Meetings:

Meetings are held on the first Tuesday morning of the month.

Members and Length of Terms:

- The number of members on the WDB may vary so long as the requirements of the Colorado Career Advancement Act of 2016 and the Federal Workforce Innovation and Opportunity Act of 2014 are met. At least fifty-one percent of membership must be from the private sector.
- Members serve two-year terms and may serve four consecutive terms.

MEMORANDUM

TO: Janice Fredricksen, Board of County Commissioners Office

FROM: Kat Douglas, Director Community and Workforce Development Division

RE: Tri-County Workforce Development Board – Recommendation for Membership Appointment – John Heyliger and Michael Willey

DATE: August 16, 2016

Staff Recommendation: The Tri-County Workforce Development Board (TCWDB) recommends the appointments of: John Heyliger and Michael Willey. The TCWDB is vetting one new application received for a private sector opening and is currently in contact with and recruiting potential members for the last open private sector seat on the TCWDB.

Background: Beginning July 1, 2015, the Workforce Innovation and Opportunity Act (WIOA) replaced the Workforce Investment Act (WIA) and partially changed membership requirements for the renamed Workforce Development Board, formerly the Workforce Investment Board (WIB). These applications are in conjunction with the new membership requirements.

The TCWDB consists of specific representations of the business community, workforce development partners, and education and training entities as required by WIOA. The purpose of the TCWDB is to provide quality assurance and recommended policy guidance for the WIOA programs operated by the American Job Center (AJC) serving Jefferson, Clear Creek and Gilpin counties. The TCWDB is responsible for identifying regional workforce development needs and for the creation of a comprehensive strategy and policy framework to meet the workforce development needs of employers.

TCWDB members shall reflect the local labor market and targeted industry sectors. Private sector members shall be owners, CEOs, or other individuals with optimum policy making or hiring authority. Membership shall also include the required WIOA partners and representatives from economic development, community-based organizations, labor and apprenticeship programs, vocational rehabilitation, and education agencies.

Vacancy Posting: This posting was advertised in multiple places on the Jefferson County website, as well as through printed materials distributed to businesses and community partners at public events. The makeup of the TCWDB must be 51% private sector membership with mandated public sector and community partners. These positions cover private sector seats. With the approval of these two applicants the TCWDB will need two more eligible private sector members to fulfill membership requirements. One application is currently being vetted while recruiting efforts for the final seat

continue. The TCWDB may appoint up to three additional private sector members without having to adjust any other membership element.

Appointment

John Heyliger and Michael Willey were recommended for appointment to the TCWDB by voice vote at the 08-02-2016 TCWDB meeting.

John Heyliger: John is the Director of Talent Acquisition with Lockheed-Martin. He brings over 17 years of talent acquisition, recruiting, management, and workforce planning in the private sector. John's experience and current position will bring great insight and perspective on how to tackle the employment issues facing the workforce area.

Michael Willey: Michael is the Senior Employee Relations Manager with MillerCoors overseeing all human resources functions in support of the Packaging Department. With over 18 years of human resources experience in a variety of manufacturing settings, Michael will be a tremendous resource in helping recruit and train individuals for the manufacturing sector to help keep the area workforce competitive.

Copy to: Meg Spence, Human Services Administration