

Application Review Process
GUIDES

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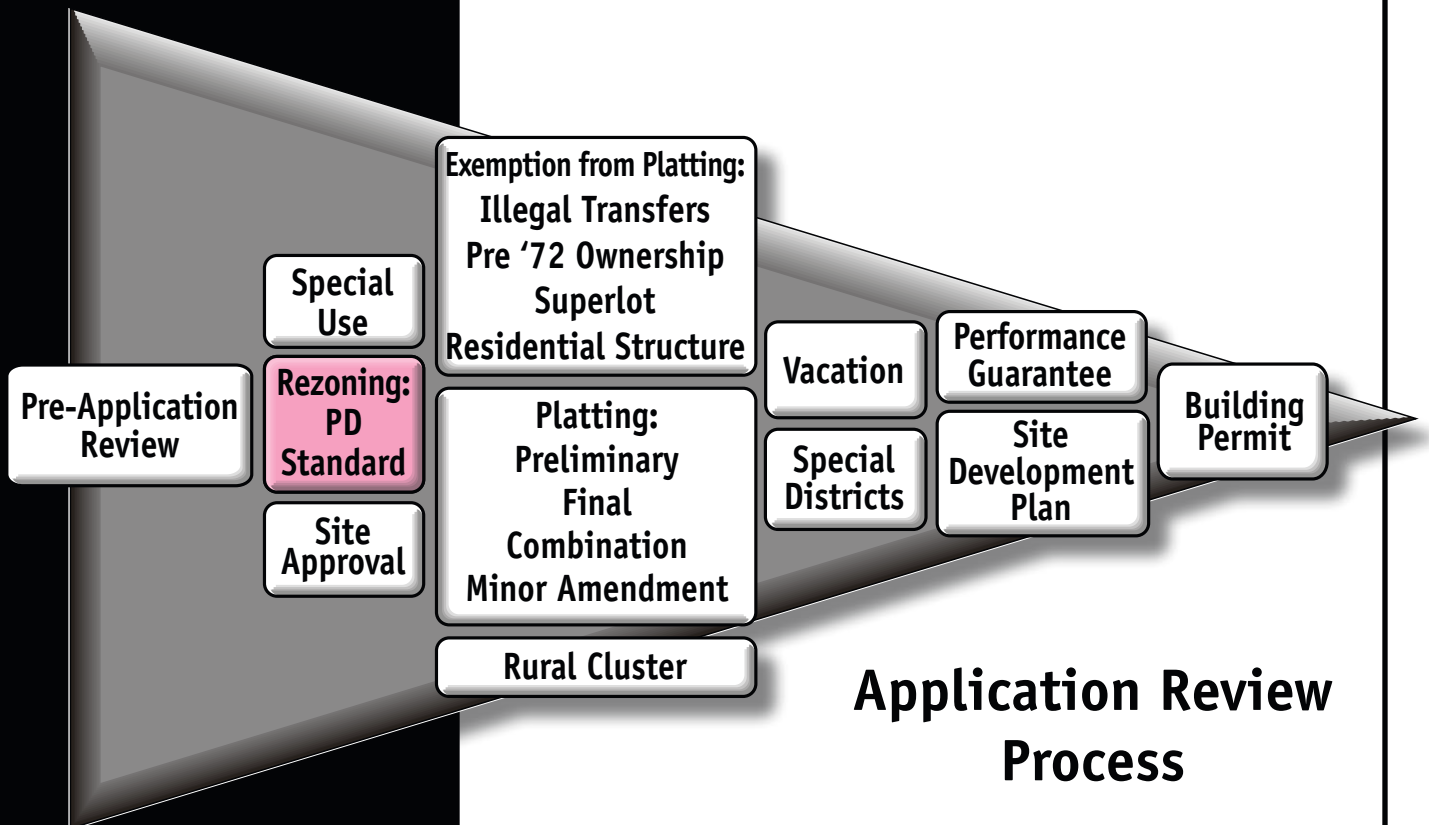
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Rezoning Process Standard

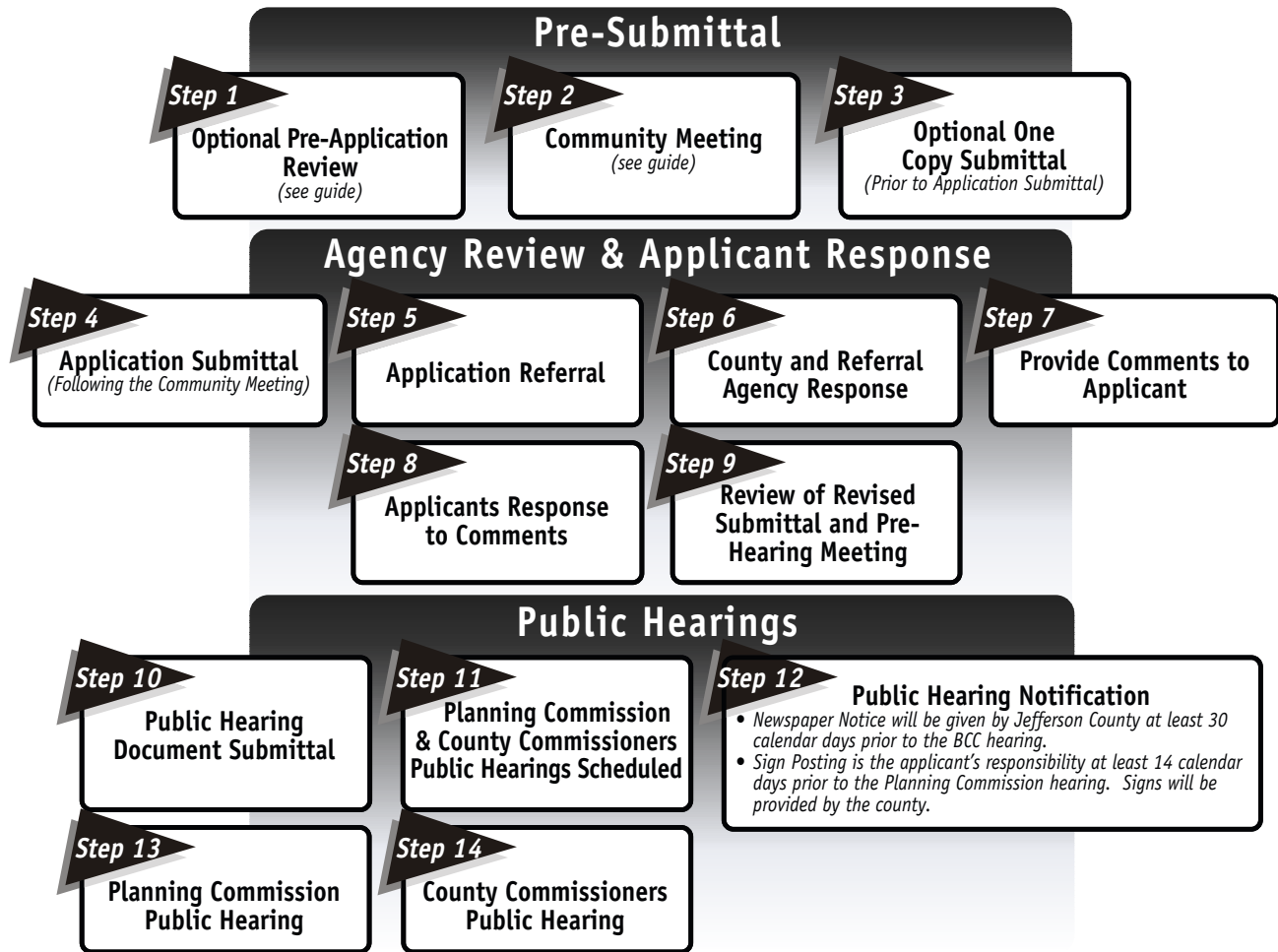
*This guide describes the **Standard Rezoning Process**. Users should utilize this guide in conjunction with the Zoning Resolution and the Pre-Application Review guide.*

The Jefferson County Zoning Resolution, in conjunction with adopted Zoning Maps, creates a variety of zone districts which establish the types and intensity of land uses permitted in the unincorporated area of the county. On occasion, a land use desired by a property owner is not permitted in the existing district established for their property. In this situation, the property owner may request the Board of County Commissioners to change their zoning to a district that permits the desired land use. The process of changing zone districts is known as rezoning.

The procedure can generally be described as a fourteen (14) step process which concludes with a decision by the Board of County Commissioners.



Typical Rezoning Process



If you have any questions regarding the Rezoning Process, please contact the Jefferson County Planning and Zoning Division at 303-271-8700.

Step 1 **Optional Pre-Application Review**
Prior to the submittal of a formal rezoning application to the Planning and Zoning Division, applicants are encouraged to complete an optional Pre-Application Review process. This process was developed to improve communication between applicants and county staff. The intended result is a more efficient application review process. See the Pre-Application Review process guide.

Step 2 **Community Meeting**
Applicants are required to conduct a community meeting prior to submitting the formal rezoning application.

The meeting must be conducted in the general vicinity of the property involved in the rezoning application and serves to provide a forum for information exchange between applicants and community members. By conducting the community meeting prior to formal application submittal, it is anticipated that applicants will be able to address community concerns and incorporate community input in the formal application.

Community Notification

The applicant is required to notify individual property owners and registered associations prior to the Community Meeting and at the time of Application Submittal. A second notification may be required if more than one year passes between application submittal and the Planning Commission public hearing.

The applicant must provide a stamped envelopes and completed notification forms for all property owners and registered associations in accordance with the notification radius. The Case Manager will assist the applicant in identifying property owners and registered associations.

Step 3 **One Copy Submittal**
Applicants are encouraged to arrange a meeting with the Case Manager to submit one copy of each item that is required to be submitted with the formal rezoning application. The Case Manager will conduct a cursory review of the information to be sure that it is complete and adequate for formal review. Based on the Case Manager's response, the applicant will then proceed to step 4. By undertaking this optional step 3, the applicant may minimize the necessity of submitting additional information at formal submittal.

Step 4 **Formal Rezoning Application Submittal**
The applicant shall submit the completed application form, community notification packets, fees and support documents as specified in the Zoning Resolution in the manner and quantity identified by their Case Manager. The applicant must set up an appointment with the Case Manager to review the application submittal. The Case Manager will review the submittal package for completeness at this meeting with the applicant. A submittal package that is not complete in terms of type and quantity of documents required will not be accepted for review.

A complete description of the materials required for submittal with the rezoning application is provided in the next section of this guide.

Step 5 **Application Referral**
The Case Manager will refer the application, referral fees and support documents to the county divisions, and other agencies as identified by the Case Manager.

Step 6 County and Referral Agency Response

The referral agencies will respond in writing to the applicant's submittal. The Case Manager will collect all referral comments.

Step 7 Provide Comments to Applicant

The full staff response inclusive of other divisions and agency responses will be sent to the applicant. A meeting between staff and the applicant may be held to review the referral responses. The applicant may also meet directly with the agency(ies) that have expressed concerns with the application. The case manager should be included in any meetings with referral agencies.

Step 8 Applicants Response to Comments

The applicant shall address, in writing, all issues and deficiencies identified in writing by the Case Manager, other county divisions, and any referral agency. To continue the process in a timely fashion, the applicant must complete the requested revisions and resubmit appropriate documents for a second review as quickly as possible.

If there is no written response to staff comments within 60 calendar days after staff comments are provided to the applicant, the application will be considered withdrawn. The applicant will then have to file a new application with the required fee and documents. The Planning and Zoning Director may extend this 60 day maximum response deadline for additional 60 days periods if, in his or her opinion the delay in response is out of the control of the applicant.

Step 9 Staff Review of Revised Submittal & Pre-Hearing Meeting

At the time of resubmittal of the revised information, and only at the request of the applicant, Planning and Zoning Division staff will set a Pre-Hearing Meeting. The Pre-Hearing Meeting is an opportunity for the applicant to receive additional input and explore alternatives with the Case Manager. This input may include re-stating the already established position of staff in regard to the proposal and/or a discussion of steps involved in completing the proposal.

Additional fees will be charged for resubmittals that do not address previously redmarked plans, comments and recommendations. Additional fees will also be charged for resubmittals that evidence new changes that are not in response to staff or referral agency redmarks, comments and recommendations.

If there is no response by the applicant within 60 calendar days of the Pre-Hearing Meeting or the date that the applicant was given staff comments the application will be considered withdrawn. The applicant will then have to refile a new application with the required fee and documents. The Planning and Zoning Director may extend this 60 day maximum response deadline for additional 60 day periods if in his or her opinion the delay in response is out of the control of the applicant.

Step 10 Public Hearing Document Submittal

At such time as the applicant advises the Case Manager in writing that no further revisions will be made, and the applicant desires to proceed to the Planning Commission and Board of County Commissioners hearings, the applicant shall submit all documents necessary for the public hearings.

Step 11 Planning Commission and Board of County Commissioners Public Hearings Scheduled

Following the submittal of all required public hearing documents, staff will schedule Planning Commission and Board of County Commissioners public hearings. The Planning Commission public hearing date will be scheduled for the first available hearing date after 21 calendar days from submittal of the public hearing documents. The Board of County Commissioners public hearing date will be scheduled by the Case Manager for the first available hearing date after 12 calendar days from the Planning Commission public hearing.

Step 12 Public Hearing Notification Sign Posting

The applicant will be responsible for posting a sign(s) on the subject property which serves as public notice that the application will be heard by the Planning Commission and Board of County Commissioners. Sign(s) will be given to the applicant at least 15 calendar days prior to the scheduled hearings. **It is the applicant's responsibility to post the sign(s) on the property a minimum of 14 calendar days prior to the Planning Commission hearing.** One sign must be posted on each boundary of the property for each 500 feet of frontage fronting on either a public or a private street up to a maximum of 6 signs. If the property does not have any street frontage at the time of posting, then a minimum of one sign must be posted on the property at the location most visible to the general public. Staff may require the posting of off-site signs, in the number deemed appropriate by staff, if in the opinion of staff, signs on the property would not be readily seen by the general public.

At the Planning Commission public hearing, the applicant will provide a sworn certification that such notice was posted upon the subject property in accordance with the requirements of the Zoning Resolution. The property must remain posted for the 14 calendar days prior to the hearing. The sign(s) must also remain in place until a decision is rendered by the Board of County Commissioners.

Newspaper Notice

The Planning and Zoning Division shall publish notice of the public 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 30 calendar days prior to the Board of County Commissioners public hearing.

Step 13 Planning Commission Public Hearing

The Planning Commission shall review the request, staff report, other evidence, and public testimony. The Planning Commission shall recommend approval, conditional approval, or denial of the rezoning to the Board of County Commissioners at one or more public hearings. The Planning Commission may continue a request for a period of time not to exceed 6 months from the date of the scheduled hearing.

Step 14 Board of County Commissioners Public Hearing

The Board of County Commissioners shall review the request, staff report, other evidence, and public testimony at one or more public hearings. Upon conclusion of the presentation of testimony, evidence and arguments in the hearing(s) before the Board of County Commissioners, the Board may render a decision which approves or denies the rezoning application unless the Board of County Commissioners continues the case for further testimony and/or decision for a period of time not to exceed 6 months from the date of the scheduled hearing.

Land Development Regulation and Other Codes

Please note that approval of a rezoning application by the Board of County Commissioners does not automatically allow the applicant to obtain a building permit. Development of the property must be conducted in compliance with the Land Development Regulation. For information regarding specific land development regulations, contact the Planning and Zoning Division at (303)271-8700, or you may view our regulations on our website:

<http://planning.jeffco.us>

Submittal Requirements



The items indicated below must be submitted to the Case Manager in order to process your request.

Initially, one copy of each document should be submitted by the applicant for review by the Case Manager. At such time as the documents are deemed adequate, additional required copies will be requested by the Case Manager.

Fees

Fees are on-line at our web site or call 303-271-8700.

Make checks payable to Jefferson County Treasurer.

1.Application Form and Fee(s)

Completed application form, processing fee and referral fee(s).

2.Following items submitted in the number of copies identified by the Case Manager:

- Cover Letter: Include name, address, and phone number of property owner and representative; and a brief description of the proposal.
- Vicinity Map: Indicate the location of the property.
- Proof of Water: Written statement from the appropriate water district or documentation that the source is adequate.
- Proof of Access: If the property is not adjacent to a public road, an access easement or documentation that one can be obtained must be submitted).
- Proof of Fire Protection: Written statement from the appropriate fire district indicating service to the property.

3.Proof of Ownership

A copy of the current recorded deed (available in the Record Room, second floor of the Jefferson County Administration and Courts Building) or title commitment for the property (ies) involved in the request. Deeds of trust are not acceptable. If the property is unplatted property or includes a partial lot, a copy of the deed, recorded prior to May 5, 1972, for the same property is also required.

4.Legal Description

A 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.

5.Boundary Survey (Required in Some Cases)

If the size, shape, and description of the property is not ascertainable or is such that the property cannot be mapped on county zoning maps from the information contained in item 4 above, a boundary survey containing the specific information described in the Rezoning and Special Use Procedures of the Zoning Resolution must also be submitted.

6.Phase I Drainage Report (Required in Some Cases)

A Phase I Drainage Report, in compliance with the Jefferson County Storm Drainage Design and Technical Criteria Manual, shall be submitted if the property contains a major drainageway which is to be modified in any way.

7.Geologic Report (Required in Some Cases)

If the property is located within the Designated Dipping Bedrock Overlay Zone District, a Geologic Report must be submitted as required by the Zoning Resolution.

8.Traffic Study (Required in Some Cases)

A Traffic Study must be submitted for proposed developments that will generate more than one thousand (1,000) vehicle trips per day.

9. Community Notification Packet

Individual property owners within the specified notification radius receive a notification form describing the request and a vicinity map showing the location of the property. Registered Associations within the specified notification radius receive a notification form describing the request and a set of the plans/graphics. Applicants supply copies, the envelopes, and postage.

10. Additional Requirements

In certain unique circumstances additional information may be necessary to fully evaluate the rezoning request. In these cases, applicants will be informed of the additional requirements during the review process.