

Staff Report

PC Hearing Date: May 29, 2012

BCC Hearing Date: June 18, 2013

12-121224AM Regulation Amendments

Applicant: Jefferson County

Purpose: **To amend to the Jefferson County Zoning Resolution definition of Substantial Improvement (definition #28) of the Floodplain or Flood-Prone Area section. Substantial improvements will be counted cumulatively for a period of five years rather than the existing ten year period.**

Case Manager: Patrick O'Connell

Background

Jefferson County participates in the National Flood Insurance Program (NFIP), which provides flood insurance protection to property owners. In order to participate in the NFIP, Jefferson County is required to have a sound floodplain management program. The floodplain regulations and associated definitions in the Jefferson County Zoning Resolution make up a portion of our floodplain management program.

The Floodplain Overlay District (Section 30) in the Jefferson County Zoning Resolution provides the requirements for development within a floodplain. In addition, the Definition section of Jefferson County Zoning Resolution provides definitions under the Floodplain or Flood-Prone Area. The Substantial Improvement definition requires the values of any improvements to existing structures be tracked for a 10 year period and the cumulative value of the improvements cannot exceed 50% of the value of the structure. If the improvements exceed 50% of the value of the structure, the entire structure would have to meet current standards as defined in the Floodplain Overlay District.

Staff is proposing revising the cumulative tracking period from 10 years to 5 years. This revision would still comply with the NFIP requirements.

Discussion/Proposal

Staff proposes to amend the Definitions section of the Zoning Resolution to amend the existing Substantial Improvement definition. Staff believes a 5 year period will lead to more accurate tracking and that improvements are typically completed over a period of less than 5 years.

The table below identifies the specific section of the regulations that are proposed to be amended, and provides a short description of the changes proposed within each section:

Zoning Resolution

Definitions – Floodplain or Flood-Prone Area	<ul style="list-style-type: none">• Substantial Improvement – Revision to the existing definition to amend the cumulative time period for improvements to an existing structure from the existing 10 years to a 5 year period.
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Notification

Newspaper notification of the Planning Commission and the Board of County Commissioners hearings will be published in the Arvada, Lakewood, Ken Caryl and Golden branches of Your Hub on May 30, 2013.

A draft version of the regulation revisions has been posted on the "Planning & Zoning Regulation Revision Web Page".

Attachments

The documents listed below are attached to this staff report and identify the specific changes to the regulations that are being proposed by staff.

Zoning Resolution

- Definitions

FINDINGS/RECOMMENDATIONS:

Staff recommends that the Planning Commission find that the revisions to the Zoning Resolution:

- 1. Establish clear, concise and comprehensive documents that meet the needs of our community today.**
- 2. Ensure consistency with current County regulations, State statutes and applicable Federal standards.**
- 3. Promote the public health, safety and general welfare.**

And;

Staff recommends that the Planning Commission recommend approval of Case No. 13-107630AM to the Board of County Commissioners and further recommend that Planning and Zoning Division staff be given the authority to revise the Zoning Resolution for the limited purposes of formatting the Regulations and correcting any typographical errors and any other non-substantive changes to the Regulations that Staff deems necessary prior to final publication of the Regulations.

COMMENTS PREPARED BY:

Patrick O'Connell
Geologist
May 21, 2013