Jefferson County Planning & Zoning



Application Process

GUIDES

100 Jefferson County Parkway, Suite 3550 Golden, Colorado 80419-3550 Phone(303)271-8700 • Fax(303)271-8744 http://planning.jeffco.us

This guide describes
the highlighted process
in the graphic below.
Additional process guides
are available for the other
application types listed.

Entitlement

Rezoning

Site Approvals Special Use Telecommunication Special Use Certificate of Designation

Rural Cluster Process

This guide describes the Rural Cluster Process. This guide should be used in conjunction with the Land Development Regulation.

Divisions of land in Jefferson County are governed by the provisions of the Land Development Regulation. Adopted in accordance with State Statutes, the Land Development Regulation provides several processes for dividing land that may be applicable based on the circumstances of the specific property.

The Rural Cluster process was established in accordance with statutory provisions to provide an alternate method of land division that encourages the clustering of single family residential dwellings and the preservation of open areas. The following limitations must be met by an applicant in order to utilize the Rural Cluster process:

- 1. The proposal shall contain a minimum of 70 contiguous acres.
- 2. The zoning of the property must allow for single family residential uses.
- 3. The maximum density shall be not greater than two (2) single-family dwelling units per 35 acres.
- 4. At least $\frac{2}{3}$ of the total land area shall be preserved as open area in perpetuity.
- 5. The residential structures shall be situated into one (1) or more compact residential clusters
- 6. The minimum lot size shall be 5 acres when serviced by a well, and a minimum of (1) acre when serviced by a water system.

Rural Cluster applications are presented to both the Planning Commission and the Board of County Commissioners in public hearings.

Exemption from Subdivision

Residential Structure Exclusion Exemption Minor Adjustment Multi-Family (see SDP)

The Rural Cluster Process provides an alternate method of land division that encourages the clustering of single family residential dwellings and the preservation of open areas

Miscellaneous

Vacation Special District Service Plan Deeds

Subdivision

Preliminary and Final Plat Preliminary Plat Final Plat Rural Cluster

Development

Site Development Plan (SDP) Land Disturbance Floodplain Telecommunications Permit Building Permit

1

Optional Pre-Application

The Pre-Application process was created to provide applicants with a quick review of development proposals based on limited information. The review is intended to provide information about the regulations and process that will assist an applicant in making key decisions about the development proposal prior to making a formal application. Refer to the Land Development Regulation and the Pre-Application Guide for additional details.

Submittal Requirements

The submittal documents required for an application will vary based on the specifics of each unique application. Prior to the Formal Application, the case manager will provide the applicant with information identifying the type and number of required documents for the application. A complete explanation of the submittal requirements can be found in the Submittal Requirement Section of the Land Development Regulation.

Rural Cluster Process

The information provided below is intended to be a brief overview of the Rural Cluster process. For a complete explanation of the Rural Cluster requirements, please refer to the Land Development Regulation.

Step 1

Optional On-site Analysis

The applicant may request an on-site analysis that shall consist of a meeting on-site by Staff, the landowner, and other county agencies with the goal of producing a rough design schematic that will form the basis of the rural cluster development. Staff will provide the applicant with a letter describing Staff's understanding of the results of the meeting and identify specific submittal requirements.

Step 2

Community Meeting

This meeting should be conducted in the general vicinity of the property involved in the rural cluster application and is intended to be a forum for an information exchange between an applicant and community members. The community meeting must be held prior to the Planning Commission hearing; however, it is at the discretion of the case manager whether this meeting is held prior to formal application or after the 1st referral has been sent out. (Refer to the Zoning Resolution and the Community Meeting Guide for additional details)

Step 3

Sufficiency Review

The applicant will submit one copy of each document required for the formal application. The assigned Case Manager will review the documents to determine if they are complete. The Case manager will then prepare a letter explaining any deficiencies in the submittal documents. The letter will include a referral matrix that identifies County divisions and other agencies that will receive submittal documents. The applicant shall revise the submittal information as may be required to comply with County standards.

Step 4

Formal Application Submittal

The applicant shall submit all documents identified in the Case Manager's response to the Sufficiency Review.

Step 5

Referral Process

The Land Development Regulation anticipates that an application will be sent out on two referrals before it is ready for the hearing process; however, at any time after the 1st Referral the Case Manager may decide that the application is in substantial conformance with all applicable regulations and is ready for hearing. Additional fees will be incurred for a third referral and any subsequent referral there after. The general referral steps are as follows:

The Case Manager will refer the application and supporting documents to County divisions and other agencies.

After the referral, the Case Manager will provide the applicant with a Staff response inclusive of referral agency responses, and will include a referral matrix for the next referral if applicable.

The applicant will address, in writing, any issues identified by the Case Manager or any referral agency and resubmit revised documents for the next referral.

Step6

Hearing Documents

The hearing documents shall be identified by the Case Manager.

Step 7

Planning Commission Hearing

The application will be presented to the Planning Commission in a public hearing. The Planning Commission will make a recommendation on the application to the Board of County Commissioners

Step 8

Board of County Commissioners Hearing

The application will be presented to the Board of County Commissioners in a public hearing. The Board of County Commissioners will approve or deny the application.

Step 9

Post Hearing Review

When the applicant complies with any approval conditions, and submits the executed mylar and other final documents, Staff will obtain the required County approval signatures and have the documents recorded.

Evaluation/Decision

The evaluation of the Rural Cluster is predicated on compliance with the Land Development Regulation and the requirements of the underlying Zone District.

The goals of the Rural Cluster process are to:

- a. Maintain and enhance rural character
- b. Maintain or create visual amenities
- c. Protect flora and fauna
- d. Allow for continued or future agricultural or ranching uses
- e. Reduce infrastructure costs and impacts
- f. Improve rural planning practices and designs
- g. Reduce the risk and threat of danger to life and property
- h. Preserve and conserve water resources
- i. Protect historic and cultural resources.

The following limitations must be met by an applicant in order to utilize the Rural Cluster process:

A Rural Cluster application is presented to both the Planning Commission and the Board of County Commissioners at public hearings. The Planning Commission will review the request and Staff recommendation, receive testimony and evidence on the application, and will recommend approval, conditional approval, or denial of the request to the Board of County Commissioners. The Board of County Commissioners shall review the request, Staff recommendation and Planning Commission recommendation, receive testimony and evidence on the application, and will approve, conditionally approve, or deny the application.

Note: During the hearing process, the Planning Commission or the Board of County Commissioners may vote to continue the application to a subsequent public hearing. The most common reasons for a continuance are: 1) to provide for additional public testimony, 2) to allow for the applicant or Staff to address concerns related to an application, 3) at the request of the applicant.

Community Involvement

Keeping the public informed of development applications is a high priority in Jefferson County. Notification requirements for a Rural Cluster application include community mailing and sign posting. The following summarizes the notification required at different stages of the application and the method by which the public may provide input:

- Community Meeting The notification for a Community Meeting will be through community mailing and sign posting. The purpose of the Community Meeting is for the applicant to present their proposal to the community. The community will have an opportunity to ask questions and make suggestions on the proposal. The applicant may choose to amend the application request based on the comments received.
- Formal Application The notification at the time of Formal Application is by community mailing. This mailing notifies the public that an application has been submitted and that documents related to the application are available for review. Any comments submitted by the public will be provided to the applicant and will also be included as a part of the staff report prepared for the public hearing. Again, the applicant may choose to amend the application request based on the comments received.
- **Public Hearings** Notification for Public Hearings will be through community mailing, sign posting and newspaper publication. Any member of the public may testify on an application in a Public Hearing. The public may also send in letters or comments to the case manager. All comments received throughout the application process will be included as a part of the staff report prepared for the Public Hearings.

Note: The notification requirements are explained in detail in the Land Development Regulation and the Notification Guide.

What role do public comments play in the process?

Applicant: The applicant may choose to amend the application request based on the comments received by the public.

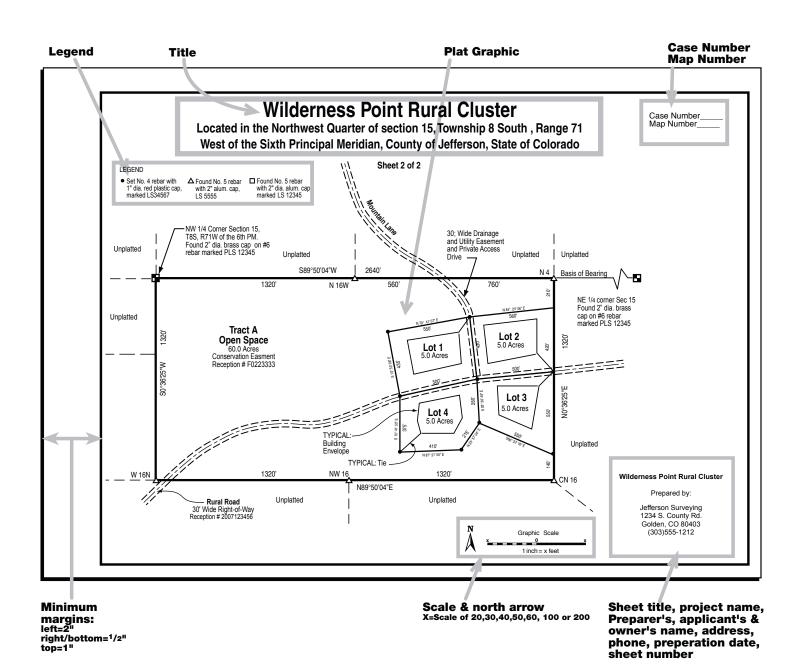
Staff: Staff will review the comments and may provide suggestions to the applicant in order to address the public comments; however, the basis for a recommendation by Staff on the application is limited to the criteria identified above in the Evaluation/Decision section.

Planning Commission: The Planning Commission will consider public comments, and may use those comments as a factor in their decision on an application; however, the basis for a decision by the Planning Commission on the application is limited to the criteria identified above in the Evaluation/Decision section.

Rural Cluster Document

The graphic shown below indicates the preferred layout of a Rural Cluster document. This example is provided for general reference only and should not be duplicated. The applicant should refer to the Rural Cluster Section of the Land Development Regulation for specific format requirements.

GENERAL DEDICATION		Meridian, County of Jeff Sheet 1 of 2		NOTES:	
CENTER DESIGNATION					
			May		
		99	_{ltain La}		
		State lind 38			
LEGAL DESCRRIPTION	q	igite			
		aural Road	Site		
		X _C			
		County Ad.			
HOLDER OF DEED OF TRUST		, AR			
ANXX		Graphic Scale 0 1 inch= x feet			
		Vicinity Map			
	<u>lu</u>				
SURVEYOR'S CERTIFICATE	ATTO	RNEY'S CERTIFICATE or TITLE COMPANY CERTIFIC	CATE		
		Tura la	_		
	ACCE	PTANCE CERTIFICATE	CLEDY AL	ND RECORDER'S CERTIFICATE	
OWNER	30X 30x		CLERK AI	ND RECORDER 3 CERTIFICATE	



Fees Fees are on-line at our web site or call 303-271-8700. Make checks payable to Jefferson County Treasurer.