

## Section 3 - Notification

(orig. 5-21-19)

### A. 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)

### B. Application

1. 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; am. 07-17-18; am. 5-21-19)

Application Type	Notification Requirements*						
	Community Meeting		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	Level 1	Level 1	Level 1	Yes
Special Use	Level 1	Level 1	Level 1	Level 1	Level 1	Level 1	Yes
Location and Extent**	N/A	N/A	N/A	N/A	Level 1	Level 1	N/A
Site Development Plan	N/A	N/A	Level 1	Level 1	N/A	N/A	N/A
Grading 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
Variance & Special Exceptions (BOA)	N/A	N/A	Level 2	Level 2	N/A	N/A	N/A

\* The applicant shall reimburse the County for postage and materials. (orig. 5-21-19)

\*\* The typical notification is Level 1 as indicated, however, for linear projects, such as utility extensions, Planning and Zoning may change the Community Mailing to Level 2, and only require sign posting at locations where the linear project crosses streets/roads. (orig. 5-21-19)

Planning and Zoning may reduce the notification area if the proposed Location and Extent is on a parcel greater than 10 acres, and the impacted area is expected to be limited to a specific, smaller project area. For example, a fence being proposed along one side of a large Open Space property, the notification could be limited to those properties on the affected side of the Open Space project. (orig. 5-21-19)

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

2. 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)
  - a. The application has been continued, but a hearing date has not been specified in the continuance. (orig. 12-21-10)
  - b. 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)
  - c. The application is remanded back to the Planning Commission by the Board of County Commissioners. (orig. 12-21-10)
  - d. 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)
3. 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)

**C. Criteria**

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

- b. Level 2 requires notices to be sent to adjoining property owners and those property owners immediately across from the property along an adjoining right-of-way of major collector street/road or lower as identified in the Major Thoroughfare Plan. For 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; am 07-17-18)
2. Sign Posting: Sign posting requirements fall into two (2) levels:

- a. 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 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; am 07-17-18)

<b>Sign requirements for frontage along public or private streets/roads</b>	
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

- b. 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)
3. 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)

**D. Procedure**

1. Community Mailings: Notification letters shall be mailed in accordance with the following:
  - a. Community Mailings at the time of 1st Referral shall be mailed at the time the case is sent out on the 1st Referral. (orig. 10-13-09; am 4-20-10; am. 07-17-18)

- b. 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. (orig. 10-13-09; am. 07-17-18)
  - c. General Requirements:
    - (1) The Case Manager shall notify registered associations and/or individual property owners that are required to be notified. (orig. 4-4-06; am 07-17-18)
2. Sign Posting: Sign posting shall be completed in accordance with the following requirements.
- a. 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)
  - b. Sign posting at the time of Community Meeting or hearing:
    - (1) 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)
    - (2) 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 keep the sign(s) posted on the property until 7 days after the application is approved, conditionally approved or denied at the final hearing for the application. (orig. 10-13-09; am. 12-21-10; am 07-17-18)
  - c. General Requirements:
    - (1) The Case Manager shall provide the applicant:
      - (a) A map indicating where the signs shall be posted; (orig. 10-13-09)
      - (b) the completed signs; (orig. 10-13-09)
      - (c) instructions on how to post the signs; and (orig. 10-13-09)
      - (d) a blank posting affidavit form. (orig. 10-13-09)
    - (2) The applicant shall:
      - (a) Post the sign(s) on the property in accordance to the location map and instructions; and (orig. 10-13-09)
      - (b) Return the completed posting affidavit and a photograph(s) of the posted sign(s) to the Case Manager indicating that the sign(s) were posted upon the subject property in accordance with the requirements. (orig. 10-13-09; am 07-17-18)
3. 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)