

Rezoning Process Guide

Standard Zone District or
Planned Development (PD)

JEFFERSON
COUNTY COLORADO
Planning and Zoning

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OVERVIEW

All properties within Jefferson County have a zoning designation. The zoning designation establishes the type and intensity of the uses allowed on the property. When there is a desire by a property owner to change the uses allowed, a Rezoning application may be submitted. Rezoning of property in Jefferson County is governed by the [Jefferson County Zoning Resolution](#)¹. Rezoning applications are presented to both the Planning Commission (PC) and the Board of County Commissioners (BCC) in public hearings. The BCC makes the final decision to approve or deny Rezoning requests.

The Zoning Resolution (ZR) allows an applicant to zone to either a Standard Zone District or to a Planned Development Zone District. The Standard Zone Districts in the Zoning Resolution list the permitted uses, accessory uses, and the lot and building standards that will be enforced during the development of the property. If a use or standard is proposed that is not covered by a Standard Zone District, or if a Standard Zone District does not adequately address the recommendations of Jefferson County's [Comprehensive Master Plan](#)², then a Rezoning to a Planned Development Zone District may be the best option. The Planned Development Zone District is a versatile zoning mechanism allowing for innovative land development of any nature through total integrated project planning. The Planned Development zoning requires the preparation of a document known as an Official Development Plan, which outlines the uses and standards that will apply during the development of the property.



STEP 1

*Optional Pre-Application
(Strongly Recommended)*



STEP 2

*Applicant's Community Meeting**



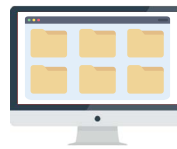
STEP 3

Application and Sufficiency Review



STEP 4

*Referral Process**



STEP 5

*Hearing Documents are Prepared
by Staff*



STEP 6

*Planning Commission (PC) Hearing**



STEP 7

*Board of County Commissioners
(BCC) Hearing**



STEP 8

*Post-Hearing Review
(Planned Development Only)*

** Community notification (mailing and/or signs) is required for this step.*

THE ROLE OF PUBLIC COMMENTS DURING THE REZONING 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 in the next section.

Planning Commission and Board of County Commissioners: The Planning Commission and the Board of County Commissioners will consider public comments, and may use those comments as a factor in their decision on an application.

HOW A DECISION IS MADE ON A REZONING APPLICATION

A Rezoning application is evaluated against the following criteria:

1. The compatibility with existing and allowable land uses in the surrounding area.
2. The degree of conformance with applicable land use plans.
3. The ability to mitigate negative impacts upon the surrounding area.
4. The availability of infrastructure and services.
5. The effect upon the health, safety, and welfare of the residents and landowners in the surrounding area.

A Rezoning application is presented to both the Planning Commission (PC) and the Board of County Commissioners (BCC) at public hearings. The PC hearing takes place first. The Case Manager presents the case and the Staff recommendation based on the criteria listed above. Next, the applicant presents the case and any additional information they want to share. Commission members review the Rezoning request and Staff recommendation, listen to testimony and evidence on the application, and will recommend approval, conditional approval, or denial of the request to the BCC.

At the BCC hearing, the Case Manager and Applicant present once again. The board then reviews the Rezoning request, Staff recommendation, PC recommendation, public testimony and evidence on the application, and will approve, conditionally approve, or deny the application. The BCC may also remand the case back to the PC if a significant change is proposed by the applicant.

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.

The information provided in this guide is intended to be an overview of the Rezoning Process. For a complete explanation of the process, please refer to Sections 6 and 9 of the [Zoning Resolution](#)¹ (ZR).

REZONING TIMELINE



STEP 1 – Optional Pre-Application (Strongly Recommended)

A Pre-Application is a highly recommended process and 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 [Zoning Resolution](#)¹ and the [Pre-Application Guide](#)³ for additional details.


 **Staff Goal for Completed Pre-Application: 31 calendar days**

Process timeline continued on next page...



STEP 2 – Applicant’s Community Meeting

This meeting is held virtually and it is an opportunity for the applicant to present their proposal to the community. Attendees 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. The surrounding community receives a postcard and signs are posted on the property two weeks prior to the meeting. Refer to the [Zoning Resolution](#)¹ and the [Community Meeting Guide](#)⁴ for additional requirements and details.

 *Staff Goal for Completed Community Meeting: 14 calendar days (notification required before meeting)*



STEP 3 – Application and Sufficiency Review

After the Community Meeting, the applicant submits the required documents for their Rezoning application. The Case Manager reviews the formal application and determines if the documents are complete. The Case Manager then prepares a letter explaining any deficiencies, including a referral matrix that identifies County divisions and other agencies that will receive submittal documents. The applicant should then revise their documents according to the Case Manager’s notes and re-submit.

 *Staff Goal for Completed Sufficiency Review/Formal Application Acceptance: 7 calendar days*



STEP 4 – Referral Process

An application is generally sent out on two referrals before it is ready for the hearing process. In some instances, the Case Manager may decide the application is ready for hearing after one referral. Typical external agencies that may receive notice of the submittal are the local Fire Protection District, CDOT, Mile High Flood District, United States Forest Service, and other Special Districts. Internal referrals may be sent to Public Health, Transportation & Engineering, Road & Bridge, Engineering, Long Range Planning, Permit Services, Addressing and Development Services. The surrounding community receives a mailing with notification of the formal application and signs are posted on the property. Comments from the public are provided to the applicant and they may choose to amend the application based on the comments. The Case Manager will be the applicant’s contact throughout the process and will be responsible for coordinating the comments from the referral agencies. The Case Manager will include a referral matrix for the next referral, if applicable.

 *Staff Goal for Completed Referral Process: 28 calendar days for first referral; 21 days for second referral*



STEP 5 – Prepare Hearing Documents and Complete Community Notification

The hearing documents shall be identified by the Case Manager. Keeping the public informed of development applications is a high priority in Jefferson County.


Notification requirements for a Rezoning application include a community mailing, sign posting with Planning Commission and Board of County Commissioners hearing dates, and newspaper publication.

 *Staff Goal to Compile Hearing Documents and Complete Community Notification: 21 calendar days*



STEP 6 – Planning Commission Hearing

The application will be presented to the Planning Commission (PC) in a public hearing. Comments from the public are provided to the applicant and included as a part of the staff report prepared for the public hearing. The PC will make a recommendation on the application to the Board of County Commissioners.

 *Staff Goal between PC Hearing and BCC Hearing: 20 calendar days*

Process timeline continued on next page...



STEP 7 - Board of County Commissioners Hearing

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

Staff Goal between BCC Hearing and Post Hearing Review (Planned Development only): 14 calendar days



STEP 8 - Post-Hearing Review (Planned Development Only)

When the applicant complies with all approval conditions and submits the executed mylar and other final documents, staff will obtain the required county approval signatures and have the documents recorded.

Staff Goal for Entire Rezoning Process (including Pre-Application): 5-6 months

REQUIRED ITEMS FOR A COMPLETE APPLICATION

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 9 of the Zoning Resolution.



PROOF OF OWNERSHIP

A copy of a current deed, title commitment or title policy.



SIGNED APPLICATION & FEES

Application processing, referral, notification, public hearing, and (if applicable) recording fees. Fees can be found on our [website](#)⁵.



COVER LETTER & NARRATIVE

The cover letter shall include the name, address, phone number, and e-mail address of the property owner(s) and any appointed representative. The letter should identify the parcels included in the proposal and the existing zoning. One of the most important parts of the application is the Narrative. It should also provide a clear, concise description of the proposal. The letter should also discuss how the applicant will obtain access to the site; and should describe how water and sewer will be provided.



PROOF OF FIRE PROTECTION

A written statement from the appropriate fire protection district indicating that they will provide service to the 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 is required.



PROOF OF WATER

The applicant may provide one of the following:

1. A written statement from the appropriate water district indicating that they will provide service to the property.
2. Well permit(s), if there is an existing well on the property that will be used to serve the development. Permit information can be obtained from the [Colorado State Division of Water Resources](#)⁶.
3. A court approved plan for water augmentation or a written statement of intent to augment water if required. We recommend contacting an attorney and engineer specializing in water rights if a water augmentation plan is required.

Required Submittal Items continued on next page...



PROOF OF SANITARY SEWER

The applicant may provide one of the following:

1. A written statement from the appropriate sanitation district indicating that they will provide service to the property.
2. A written statement from Public Health indicating the viability of installing adequate On-site Wastewater Treatment Systems.



ENVIRONMENTAL QUESTIONNAIRE / ASSESSMENT

An Environmental Questionnaire/ Assessment in accordance with the Environmental Assessment Section of the Jefferson County [Land Development Regulation](#)⁷.



PLANNED DEVELOPMENT-LITE (PD-LITE) OR OFFICIAL DEVELOPMENT PLAN (ODP)

(if Rezoning to Planned Development only)

A Planned-Development Lite (PD-Lite) document includes written restrictions that identify the uses and standards for the subject property. A PD-Lite Microsoft Word template can be provided by your Case Manager. A more in-depth document, called an Official Development Plan (ODP), is sometimes required. Your case manager will confirm whether a PD-Lite or ODP is required for your case.

OTHER ITEMS THAT MAY BE REQUIRED

The below items may be required for the initial application, depending on the case. We strongly recommend a Pre-Application so the applicant knows which documents are necessary to prepare for their formal application.

- Survey
- Access
- Legal Description
- Parking Plan
- Visual Analysis
- Slope Analysis
- Vegetation Preservation Plan
- Market Analysis
- Wildfire Hazard Mitigation Plan
- Transportation Information
- Deeds / Easements / Agreements
- Phase I Drainage Report
- Geologic and Geo-technical Report
- Radiation Assessment / Report/Plan
- Sensory Impact Assessment / Report / Plan

¹ <https://www.jeffco.us/2460/>

² <https://www.jeffco.us/2468/>

³ <https://www.jeffco.us/DocumentCenter/View/1608/>

⁴ <https://www.jeffco.us/DocumentCenter/View/22040/>

⁵ <https://www.jeffco.us/2920/>

⁶ <https://dwr.colorado.gov/>

⁷ <https://www.jeffco.us/2463/>

PLANNED DEVELOPMENT LITE (PD-LITE) *(if Rezoning to Planned Development only)*

The main components of a PD-Lite are the intent/purpose statement and 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 required is pictured below and a PD-Lite Microsoft Word template is available from your Case Manager. A more in-depth Official Development Plan may be required at the discretion of Planning and Zoning.

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 animals, pollution control, hours of operation, etc.

LEGAL DESCRIPTION AND GRAPHIC

The map graphic (referred to as Exhibit A in the template) is generated by Planning & Zoning. It shows the location of the subject property.

The Legal Description (referred to as Exhibit B in the template) is also generated by Planning & Zoning.

<p>TITLE</p> <p>Rezoning Case # 23-xxxxxxRZ</p>
<p>A. Intent</p> <p>The purpose of this Rezoning is to rezone from current zoning to desired zoning to allow use.</p>
<p>B. Written Restrictions</p> <p>All of the uses and standards of the desired zoning and other applicable sections of the Zoning Resolution shall apply to the property as shown on the graphic attached hereto as Exhibit A and the legal description attached hereto as Exhibit B with the following modifications:</p> <ol style="list-style-type: none">1. Permitted Uses<ol style="list-style-type: none">a. List permitted uses here2. Setbacks<ol style="list-style-type: none">a. Front (east): xx feetb. Side (south): xx feetc. Side (north): xx feetd. Rear (west): xx feet3. <u>Add other standards/sections as necessary</u>
<p>APPROVED FOR RECORDING:</p> <p>This Official Development Plan, titled Insert Title Here, was approved the _____ day of _____ 2021, by the Board of County Commissioners, of the County of Jefferson, State of Colorado and is approved for recording.</p> <p>The owner of the property, at the time of approval was: _____</p> <p>By: Jefferson County Planning and Zoning Director</p> <p>Signature: _____</p> <p>Date: _____</p>
<p>TITLE Case No. 23-xxxxxxRZ Page 1 of 1</p>